

**MEMORANDUM OF UNDERSTANDING**

**ON**

**CO-OPERATION IN  
STANDARDISATION, QUALITY  
ASSURANCE,  
ACCREDITATION AND METROLOGY**

**IN THE**

**SOUTHERN AFRICAN  
DEVELOPMENT COMMUNITY**

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## PREAMBLE

The Ministers responsible for the Industry and Trade Sector in the Southern African Development Community (SADC),

**NOTING** the objectives of SADC as listed in the SADC Treaty, such as achieving development and economic growth (Article 5(1)(a)), achieving complementarity between national and regional strategies and programmes (Article 5(1)(e)) and promoting and maximising productive employment and utilisation of resources in the Region (Article 5(1)(f));

**COMMITTED TO** the agreed actions to achieve the objectives of the SADC Treaty, such as creating appropriate institutions and mechanisms for the mobilisation of requisite resources for the implementation of programmes and operations of SADC and its institutions (Article 5(2)(c)), to develop policies aimed at the progressive elimination of obstacles to the free movement of capital and labour, goods and services, and of the peoples of the Region generally, among Member States (Article 5(2)(d)) and to improve economic management and performance through regional co-operation (Article 5(2)(g));

**NOTING** the provisions of Article 33 of the SADC Protocol on Trade calling upon Member States to take all appropriate measures to ensure the carrying out of the obligations stipulated therein;

**MINDFUL OF** the considerations listed in the Preamble to the SADC Protocol on Trade and previous recommendations of the SADC Expert Group on Standardisation, Quality Assurance and Metrology co-ordinated by the Sector Co-ordinating Unit responsible for Industry and Trade (SCU);

**TAKING COGNISANCE OF** the specific provisions in the SADC Protocol on Trade on Non-Tariff Barriers to Trade (hereinafter referred to as NTBs, Article 6) and on Standards and Technical Regulations on Trade (Article 17);

**AWARE OF** the importance of co-operation in the areas of Standardisation, Quality Assurance, Accreditation and Metrology (hereinafter referred to as SQAM) for the elimination of NTBs, both in terms of the SADC Protocol on Trade and in terms of the commitments by Member States with respect to the World Trade Organisation (WTO) Technical Barriers to Trade (TBT) Agreement;

**REALISING** that co-operation in SQAM is not just essential in the Industry and Trade Sector, where it is mainly driven by the provisions of the SADC Protocol on Trade and the WTO TBT commitments, but in all SADC Sectors;

**CONSIDERING** the role SQAM can play in enhancing the quality of life of the citizens of the Member States through the assurance of the quality of the goods and services being produced;

HEREBY AGREE as follows:

ARTICLE 1  
**DEFINITIONS**

“ABT”	means Administrative Barrier to Trade;
“Accreditation”	means a procedure by which an authoritative body gives formal recognition that a body or person is competent to carry out specific tasks;
“ARSO”	means African Regional Organization for Standardization
“BIPM”	means International Bureau for Weights and Measures;
“Calibration”	means the set of operations which establish, under specified conditions, the relationship between values indicated by a measuring instrument or measuring system, or values represented by a material measure, and the corresponding known values of a measurand;
“Certification”	means a procedure by which a third party gives written assurance that a product, process or service conforms to specified requirements;
“CMT”	means Committee of Ministers responsible for Trade;
“Conformity assessment”	means an activity concerned with determining directly or indirectly that relevant requirements are fulfilled;
“Harmonised standards”	means equivalent standards, standards on the same subject approved by different standardising bodies, that establish interchangeability of products, processes and services, or mutual understanding of test results or information provided according to these standards;
“IAF”	means International Accreditation Forum;
“IEC”	means International Electrotechnical Commission;
“ILAC”	means International Laboratory Accreditation Co-operation;
“Inspection”	means conformity evaluation by observation and judgement

	accompanied as appropriate by measurement, testing or gauging;
“ISO”	means International Organisation for Standardisation;
“Legal Metrology”	means the activity which deals with the units of measurement, methods of measurement and measuring instruments in relation to the mandatory technical and legal requirements, which have the objective of ensuring a public guarantee from the point of view of the security and of the appropriate accuracy of measurements;
“Member State”	means a member of SADC;
“MOU”	means Memorandum of Understanding;
“MRA”	means Mutual Recognition Agreement;
“National standard”	means a standard that is adopted by a national standards body and made available to the public;
“National measurement standard”	means a standard recognised by a national decision to serve, in a country, as the basis for assigning values to other standards of the quantity concerned;
“National Standards Body”	means a Standards body recognised at the national level, that is eligible to be the national member of the corresponding international and regional standards organisations;
“NMI”	means National Metrology Institute;
“NSB”	means National Standards Body;
“NTB”	means Non-tariff Barrier;
“OIML”	means International Organisation of Legal Metrology;
“Quality”	means the totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs;
“Quality assurance”	means all those planned and systematic actions necessary to provide adequate assurance that a product or service will satisfy given requirements for quality;
“Quality policy”	means the overall quality intentions and direction of an

organisation (or an economy) as regards quality, as formally expressed by top management (top policy makers).  
*Note:* The quality policy forms one element of the corporate policy [or national policy] and is authorised by top management [top policy makers];

“Region” means the SADC Region;

“Regional Bridging Standards” means standards facilitating eventual compliance with international standards;

“SADC” means Southern African Development Community;

“SADCMEL” means SADC Co-operation in Legal Metrology;

“SADCMET” means SADC Co-operation in Measurement Traceability;

“SADCA” means SADC Co-operation in Accreditation;

“SADCSTAN” means SADC Co-operation in Standardisation;

“SCU” means Sector Co-ordinating Unit responsible for industry and trade;

“SI units” means a universal, practical system of units of measurement adopted by the General Conference on Weights and Measures, which is the international authority on the metric system. *SI is the international abbreviation for Le Système International d’Unités;*

“SQAM” means Standardisation, Quality Assurance, Accreditation and Metrology;

“SQAMEG” means Standardisation, Quality Assurance, Accreditation and Metrology Expert Group;

“Standardisation” means the activity of establishing, with regard to actual or potential problems, provisions for common and repeated use, aimed at the achievement of the optimum degree of order in a given context;

“Standards body” means a standardising body recognised at national, regional or international level, that has as a principal function, by virtue of

- its statutes, the preparation, approval or adoption of standards that are made available to the public;
- “Structure” means a regional institution established under Article 5;
- “TBT” means Technical Barrier to Trade;
- “Technical regulation” means a regulation that provides technical requirements. either directly or by referring to or incorporating the content of a standard, technical specification or code of practice;
- “Testing” means a technical operation that consists of the determination of one or more characteristics of a given product, process or service according to a specified procedure;
- “Top-level measurement standard” means a measurement standard of the highest metrological quality available for a quantity in a particular country , which does not have an official national measurement standard for that quantity;
- “Traceability” means the property of the result of a measurement or the value of a standard, whereby it is related to the national standard through an unbroken chain of comparisons, all having stated uncertainties.  
*Note:* In the context of the SADC SQAM Programme, measurement traceability shall be demonstrated through measurements or tests carried out by laboratories accredited by national, regional or international laboratory accreditation bodies acceptable to SADCA.
- “WTO” means World Trade Organisation;
- “WTO TBT” means WTO Agreement on Technical Barriers to Trade;

## ARTICLE 2 **OBJECTIVE**

The objective of this Memorandum of Understanding (MOU) shall be to establish the formal framework in which the co-operation amongst the national institutions in Standardisation, Quality Assurance, Accreditation and Metrology (SQAM) shall take place in the Region and this framework shall be referred to as the SADC SQAM Programme.

ARTICLE 3  
**ESTABLISHMENT**

1. The SADC Programme in Standardisation, Quality Assurance, Accreditation and Metrology is hereby established.
2. The SADC SQAM Programme shall encompass standardisation, accreditation, certification, conformity assessment, testing, inspection, metrology and related matters.

ARTICLE 4  
**OBJECTIVES OF THE SADC SQAM PROGRAMME**

The objectives of the SADC SQAM Programme shall be the progressive elimination of Technical Barriers to Trade (TBTs) amongst the Member States and between SADC and other Regional and International Trading Blocks, and the promotion of quality and of an infrastructure for quality in the Member States.

ARTICLE 5  
**STRUCTURE**

1. In order to implement the SADC SQAM Programme, the following Structures are hereby created:
  - a) SADC SQAM Expert Group (SQAMEG)
  - b) SADC Co-operation in Measurement Traceability (SADCMET)
  - c) SADC Co-operation in Legal Metrology (SADCMEL)
  - d) SADC Co-operation in Standardisation (SADCSTAN)
  - e) SADC Co-operation in Accreditation (SADCA)
2. The objectives, aims, functions and membership of these Structures are set out in the following Articles 6 to 10.

ARTICLE 6  
**SQAMEG**

1. The SADC Standardisation, Quality Assurance, Accreditation and Metrology Expert Group shall co-ordinate regional activities of SQAM and provide a forum where conformity assessment can be dealt with.
2. SQAMEG shall not have a supervisory role with regard to the other regional Structures.
3. The aims shall be to:
  - a) provide a single communications channel between the Structures and the Committee of Ministers responsible for trade (CMT), through the Sector Co-ordinating Unit responsible for industry and trade (SCU);

- b) co-ordinate interdependent activities of SADCMET, SADC MEL, SADCSTAN and SADCA;
  - c) provide a forum to address SQAM issues not directly covered by the other Structures; and
  - d) recommend technical requirements for regulating the market.
4. The functions shall, inter alia, be to:
- a) co-ordinate the timing and venue of the annual meetings of the Committees of all Structures;
  - b) compile the agenda for the annual SQAMEG meeting, taking into account any issues raised by the other Structures and any actions requested by the CMT;
  - c) prepare a summary of the recommendations made by the Structures and submit these recommendations to CMT;
  - d) communicate the Ministers' decisions regarding these recommendations to the Structures concerned expeditiously;
  - e) identify and initiate action on SQAM issues not directly addressed by the other Structures; and
  - f) co-ordinate general funding policy for SQAM activities, such as establishing overall SQAM project priorities.
5. Participation in SQAMEG shall be open to all Member States.
6. SQAMEG shall set up a Committee consisting of delegations from each Member State, most representative of all SQAM fields in that Member State, and the SQAMEG chairperson.
- a) The Committee shall ensure that the functions are pursued in accordance with the aims and objectives of SQAMEG.
  - b) The Director of the SCU shall be the chairperson of the SQAMEG Committee.
  - c) Each Member State shall have one vote.
  - d) The Committee shall meet at least once a year.
  - e) The Committee Chairperson shall be entitled to participate in Committee meetings of the other Structures as an observer.
  - f) Observer status at Committee meetings may be granted to third parties.
7. The SCU shall be the Secretariat of SQAMEG.

ARTICLE 7  
SADCMET

1. The SADC Co-operation in Measurement Traceability shall co-ordinate metrology activities and services in the Region, in order to provide regional calibration and testing services, including regulatory bodies, with readily available traceability to the SI units of measurement, through legally defined and regionally and internationally recognized national measurement standards.
2. The aims shall be to:
  - a) promote closer collaboration amongst its Members in their work on measurement standards within the present decentralised regional metrology structure;
  - b) improve existing national measurement standards and facilities and make them accessible to all Members;
  - c) ensure that new national measurement standards and facilities developed in the context of SADCMET collaborations are accessible to all Members;
  - d) contribute to the formulation of and participate in intra- and inter-regional systems to maintain the continued traceability of the National Measurement Standards of the Member States to the SI units of measurement;
  - e) encourage the harmonisation of legislation relating to National Measurement Standards.
3. The functions shall, inter alia, be to:
  - a) co-ordinate SADC projects on measurement standards;
  - b) provide a forum for co-operation with regard to major investments in national metrology facilities in the Region;
  - c) operate a database containing details of regional metrology facilities, services and personnel and the results of intercomparisons of measurement standards;
  - d) liaise with the International Bureau of Weights and Measures (BIPM) and other regional and international organisations concerned with measurement traceability;
  - e) organise and promote the participation in both intra- and inter-regional laboratory test intercomparisons; and
  - f) create an environment for the conclusion of Mutual Recognition Agreements (MRAs) amongst qualifying institutions in Member States within the framework of and consistent with global MRAs being prepared by various international organisations in these fields.
- 4.

- a) Ordinary Membership shall be open to:
    - (i) the National Metrology Institutes (NMIs) of Member States; or
    - (ii) where such an institute has not been established in a Member State, any other institution holding custody of the top-level measurement standards in that Member State; or
    - (iii) any other institution as designated by its Minister responsible for industry and trade.
  - b) Associate Membership shall be open to the institutions of non-SADC states, which meet the criteria for Ordinary Membership, subject to the prior agreement of all the Ordinary Members.
  - c) Ordinary and Associate Members shall be referred to as Members.
5. A Committee shall be set up, which shall consist of one Delegate from each Member.
- a) The Committee shall ensure that the functions are pursued in accordance with the aims and objectives of SADC MET.
  - b) A Chairperson shall be elected from amongst the Ordinary Members, on a rotational basis, for a period of two years.
  - c) Delegates from Ordinary Members shall have voting rights.
  - d) The Committee shall meet at least once a year.
  - e) The Committee Chairperson shall be entitled to participate in Committee meetings of the other Structures as observer.
  - f) Observer status at Committee meetings may be granted to third parties.
6. A Secretariat, headed by a Regional Co-ordinator, shall be established at the institution of an Ordinary Member in order to carry out the day to day activities.
- a) Any Ordinary Member may volunteer to host the Secretariat at the Member institution's own expense.
  - b) The Secretariat shall be assigned to a volunteer Member at a meeting of the Committee.
  - c) The Member hosting the Secretariat shall appoint the Regional Co-ordinator.
  - d) The Secretariat shall not be assigned to the Member which holds the Committee chairmanship.
  - e) The Regional Co-ordinator shall be entitled to attend Committee meetings of all the Structures as observer.

- f) The term of office of the Secretariat shall be three years.

ARTICLE 8  
SADCMEL

1. The SADC Co-operation in Legal Metrology shall facilitate the harmonisation of the national Legal Metrology regulations of the Member States and between SADC and other regional and international trading blocks.
2. The aims shall be to:
  - a) develop and maintain mutual confidence amongst Legal Metrology services in the Region;
  - b) achieve and maintain equivalence of Legal Metrology activities in the Region;
  - c) identify and remove technical and administrative barriers to trade in the field of measuring instruments; and
  - d) promote consistent interpretation and application of normative documents and propose actions to facilitate their implementation.
3. The functions shall, inter alia, be to:
  - a) deal with matters relating to the inspection functions associated with national Legal Metrology legislation and regulations;
  - b) assure traceability to the SI units of measurement, through national measurement standards acceptable to SADCMET, for all measurements performed in Legal Metrology in the Region;
  - c) remove existing TBTs and Administrative Barriers to Trade (ABTs) through the harmonisation of Legal Metrology legislation in the Member States pertaining to the sale of consumer goods, including uniform pack sizes, tolerances and information on package labels;
  - d) harmonise type approval requirements and testing techniques for trade use instruments;
  - e) agree on the acceptability of particular international test and type approval certificates;
  - f) harmonise verification (assizing) procedures for trade use instruments;
  - g) establish detailed traceability requirements and tolerances for verification standards;
  - h) harmonise the style of Legal Metrology documentation and certificates;

- i) liaise with the International Organisation of Legal Metrology (OIML) and other regional and international organisations concerned with Legal Metrology;
  - j) organise intercomparisons and lobby for the duty-free movement of metrological artefacts used for intercomparisons;
  - k) promote full or corresponding membership of the OIML amongst Member States;
  - l) identify measuring instruments to be covered under harmonised legislation; and
  - m) organise and promote participation in intra- and inter-regional laboratory test intercomparisons.
- 4.
- a) Ordinary Membership shall be open to:
    - (i) the Legal Metrology services / institutions of Member States; or
    - (ii) where such a service / institution has not been established in a Member State, any other service / institution designated by its Minister responsible for industry and trade.
  - b) Associate Membership shall be open to the institutions of non-SADC states, which meet the criteria for Ordinary Membership, subject to the prior agreement of all the Ordinary Members.
  - c) Ordinary and Associate Members shall be referred to as Members.
5. A Committee shall be set up and shall consist of one Delegate from each Member.
- a) The Committee shall ensure that the functions are pursued in accordance with the aims and objectives of SADC MEL.
  - b) A Chairperson shall be elected from amongst the Ordinary Members, on a rotational basis, for a period of two years.
  - c) Delegates from Ordinary Members shall have voting rights.
  - d) The Committee shall meet at least once a year.
  - e) The Committee Chairperson shall be entitled to participate in Committee meetings of the other Structures as an observer.
  - f) Observer status at Committee meetings may be granted to third parties.
6. A Secretariat, headed by a Regional Co-ordinator, shall be established at the institution of an Ordinary Member in order to carry out the day to day activities.
- a) Any Ordinary Member may volunteer to host the Secretariat at the Member institution's own expense.

- b) The Secretariat shall be assigned to a volunteer Member at a meeting of the Committee.
- c) The Member hosting the Secretariat shall appoint the Regional Co-ordinator.
- d) The Secretariat shall not be assigned to the Member which holds the Committee chairmanship.
- e) The term of office of the Secretariat shall be three years.

ARTICLE 9  
**SADCSTAN**

- 1. The SADC Co-operation in Standardisation shall promote the co-ordination of standardisation activities and services in the Region, with the purpose of achieving harmonisation of standards and technical regulations, with the exception of Legal Metrology regulations, in support of the objectives of the SADC Protocol on Trade.
- 2. The aims shall be to:
  - a) promote regional co-operation in the development of harmonised standards and technical regulations;
  - b) facilitate the exchange of information on existing standards, draft standards and technical regulations among Members;
  - c) facilitate the adoption of regional standards by Member States;
  - d) facilitate the adoption of a common position by Members in regional and international standardisation bodies; and
  - e) encourage the harmonisation of legislation relating to Standards.
- 3. The functions shall, inter alia, be to:
  - a) develop and adopt mechanisms for the formulation of regional standards;
  - b) develop mechanisms to facilitate the adoption of regional standards as national standards;
  - c) examine the need for and develop regional product standards;
  - d) work together with SADCA and consult with the industry in the development of systems standards such as ISO 9000 and ISO 14000, and their supporting certification and accreditation standards;
  - e) develop standards in support of harmonised technical regulations;

- f) develop Regional Bridging Standards to make international standards more accessible to the Region;
- g) co-ordinate inputs to and liaise with ISO, IEC, ARSO and similar regional and international standardisation organisations;
- h) develop conformity assessment and accreditation standards;
- i) provide technical assistance and training in the management and planning of standards development, as well as standards information services;
- j) devise means to disseminate standards information, whilst protecting copyright;
- k) develop regional mechanisms for complying with the WTO Agreement on TBT requirements; and
- l) facilitate access to current databases of National Standards Bodies in respect of standards, draft standards and technical regulations.

4.

- a) Ordinary Membership shall be open to:
  - (i) the National Standards Bodies of Member States; or
  - (ii) where an NSB has not been established in a Member State, any other institution designated by its Minister responsible for industry and trade.
- b) Associate Membership shall be open to the institutions of non-SADC states, which meet the criteria for Ordinary Membership, subject to the prior agreement of all the Ordinary Members.
- c) Ordinary and Associate Members shall be referred to as Members.

5. A Committee shall be set up, and shall consist of one Delegate from each Member.

- a) The Committee shall ensure that the functions are pursued in accordance with the aims and objectives of SADCSTAN.
- b) A Chairperson shall be elected from amongst the Ordinary Members, on a rotational basis, for a period of two years.
- c) Delegates from Ordinary Members shall have voting rights.
- d) The Committee shall meet at least once a year.
- e) The Committee Chairperson shall be entitled to participate in meetings of the other Committees as an observer.
- f) Observer status at Committee meetings may be granted to third parties.

6. A Secretariat, headed by a Regional Co-ordinator, shall be established at the institution of an Ordinary Member in order to carry out the day to day activities.
  - a) Any Ordinary Member may volunteer to host the Secretariat at the Member institution's own expense.
  - b) The Secretariat shall be assigned to a volunteer Member at a meeting of the Committee.
  - c) The Secretariat shall not be assigned to the Member which holds the Committee chairmanship.
  - d) The Regional Co-ordinator shall be entitled to attend Committee meetings of all the Structures as observer.
  - e) The Member hosting the Secretariat shall appoint the Regional Co-ordinator.
  - f) The term of office of the Secretariat shall be three years.

ARTICLE 10

SADCA

1. The SADC Co-operation in Accreditation shall facilitate the creation of a pool of internationally acceptable accredited laboratories and certification bodies (for personnel, products and systems, including quality and environmental management systems) in the Region, and provide Member States with accreditation as a tool for the removal of TBTs in both the voluntary and regulatory areas.
2. The aims shall be to:
  - a) identify and implement a regional system of co-operation in the area of accreditation, which complies with international practice while taking into account the specific circumstances, opportunities and needs of the Region and of the Member States;
  - b) promote and facilitate the use of accreditation as a tool for national governments in the removal of TBTs in both the voluntary and regulatory areas; and
  - c) identify aspects critical to the establishment and functioning of a regional accreditation infrastructure.
3. The functions shall, inter alia, be to:
  - a) assist in the implementation of effective collaboration amongst Member States having established national accreditation bodies and those that do not have such bodies;
  - b) establish suitable regional accreditation procedures and systems in each

- individual area of SQAM, in close co-operation with the other Structures and with any additional regional and national stakeholders concerned with these issues;
- c) facilitate access to current databases of national accreditation organisations in respect of accredited organisations;
  - d) co-ordinate inputs to and liaise with regional and international organisations concerned with accreditation, such as the International Laboratory Accreditation Co-operation (ILAC) and the International Accreditation Forum (IAF); and
  - e) create an environment for the conclusion of MRAs between qualifying institutions in Member States within the framework of and consistent with global MRAs being prepared by various international organisations in these fields.
- 4.
- a) Ordinary Membership shall be open to:
    - (i) the Government recognised Accreditation Bodies of Member States; or
    - (ii) where such a body has not been established in a Member State, any other institution nominated by its Minister responsible for industry and trade.
  - b) The nominated institutions should preferably not carry out actual calibration, testing or conformity assessment to avoid a possible conflict of interest.
  - c) Associate Membership shall be open to the institutions of non-SADC states, which meet the criteria for Ordinary Membership, subject to the prior agreement of all the Ordinary Members.
  - d) Ordinary and Associate Members shall be referred to as Members.
5. A Committee shall be set up and shall consist of one Delegate from each Member.
- a) The Committee shall ensure that the functions are pursued in accordance with the aims and objectives of SADCA.
  - b) A Chairperson shall be elected from amongst the Ordinary Members, on a rotational basis, for a period of two years.
  - c) Delegates from Ordinary Members shall have voting rights.
  - d) The Committee Chairperson shall be entitled to participate in meetings of the other Committees as observer.
  - e) The Committee shall meet at least once a year.
  - f) Observer status at Committee meetings may be granted to third parties.
6. A Secretariat, headed by a Regional Co-ordinator, shall be established at the institution of an Ordinary Member in order to carry out the day to day activities.

- a) Any Ordinary Member may volunteer to host the Secretariat at the Member institution's own expense.
- b) The Secretariat shall be assigned to a volunteer Member at a meeting of the Committee.
- c) The Member hosting the Secretariat shall appoint the Regional Co-ordinator.
- d) The Secretariat shall not be assigned to the Member which holds the Committee chairmanship.
- e) The Regional Co-ordinator shall be entitled to participate in Committee meetings of all the other Structures as observer.
- f) The term of office of the Secretariat shall be three years.

ARTICLE 11  
**GENERAL FUNCTIONS**

All Structures shall have the following functions:

- a) exchange of professional and technical information and transfer of expertise amongst Members;
- b) co-operation amongst themselves in the implementation of the SADC SQAM Programme;
- c) provision of a framework for collaboration among interested Members on specific projects;
- d) identification of technical problems which might form the subject of joint projects;
- e) co-ordination, endorsement and harmonisation of SADC regional training activities in SQAM;
- f) harmonisation of training requirements and minimum qualifications for SQAM professionals;
- g) provision of information on regional SQAM resources and services;
- h) liaison with corresponding regional and international organisations;
- i) establishment and operation of communication channels and dissemination of information on regional SQAM resources and services, in written and electronic form;
- j) interaction with cooperating partners for regional SQAM facilities, equipment or

training within the framework of overall SQAM project priorities as established by SQAMEG;

- k) establishment of Expert Working Groups in specific fields;
- l) optimal utilisation of the resources and services of Members and of the deployment of these towards identified regional needs;
- m) organisation of meetings of the Committee; and
- n) organisation, co-ordination and promotion of regional conferences, workshops, seminars and exhibitions on subjects relevant for the SADC SQAM Programme.

## ARTICLE 12 MEMBERSHIP

1. The national SQAM member organisations, one per Structure per Member State, shall be designated by the Minister responsible for industry and trade.
2. Further member organisations representing new Member States on these Structures shall be designated by their Minister responsible for industry and trade by way of a letter sent to the secretariat of the Structure concerned.
3. The Minister responsible for industry and trade may amend the list of designated national organisations by way of a letter sent to the secretariat of the Structure concerned.

## ARTICLE 13 SETTLEMENT OF DISPUTES

1. Member States shall endeavour to agree on the interpretation and application of this MOU, and shall make every effort, through co-operation and consultation, to arrive at a mutually satisfactory agreement.
2. The settlement of any dispute among Member States shall, wherever possible, imply removal of a measure not conforming with the provisions of this MOU or causing mollification or impairment of such provision.
3. Failing a settlement as provided in paragraph 2 of this Article, withdrawal of equivalent concession may be implemented by the Member State suffering the injury.
4. In case of disagreement, the Member States may take recourse to a panel of experts in the SQAM area concerned.
5. The appointment, composition, powers and functions of the panels of SQAM experts shall be determined by the CMT.
6. As a last resort, disputes regarding the implementation and application of this MOU

shall be settled in accordance with Article 32 of the SADC Treaty.

ARTICLE 14  
**AMENDMENT**

1. Amendments to this MOU shall be adopted by a decision of three-quarters of the CMT.
2. A proposal for the amendment of this MOU may be made through the SCU for preliminary consideration by the CMT, provided, however, that the proposed amendment shall not be submitted to the CMT for preliminary consideration until all the CMT members have been duly notified of it, and a period of three months has elapsed after such notification.

ARTICLE 15  
**REVISION**

1. A proposal for the revision of the SADC SQAM Programme shall be made to the SCU by any Member and placed by the SCU before the CMT after three (3) months of notification for consideration.
2. The CMT may take a decision by three-quarters majority of all its Members to review the SADC SQAM Programme.

ARTICLE 16  
**ENTRY INTO FORCE**

This MOU shall enter into force thirty (30) days after signature by two-thirds of the Ministers responsible for industry and trade, and thereafter shall remain open for signature.

ARTICLE 17  
**TERMINATION**

Any Member State intending to terminate its participation in this MOU, shall through its Minister responsible for industry and trade give six (6) months notice of its intention to terminate. Such intention shall be communicated to the other Ministers responsible for industry and trade through the SCU.

ARTICLE 18  
**DEPOSITARY**

This MOU shall be deposited with the Executive Secretary of SADC, who shall transmit certified true copies thereof to all Member States.

IN WITNESS WHEREOF, WE, the Ministers responsible for industry and trade or duly Authorised Representatives, being authorised by our Governments, have signed this Memorandum of Understanding.

Done at ..... this ..... day of ..... in three (3) original texts in English, French and Portuguese, all texts being equally authentic.

REPUBLIC OF ANGOLA

REPUBLIC OF BOTSWANA

DEMOCRATIC REPUBLIC OF CONGO

KINGDOM OF LESOTHO

REPUBLIC OF MALAWI

REPUBLIC OF MAURITIUS

REPUBLIC OF MOZAMBIQUE

REPUBLIC OF NAMIBIA

REPUBLIC OF SEYCHELLES

REPUBLIC OF SOUTH AFRICA

KINGDOM OF SWAZILAND

UNITED REPUBLIC OF TANZANIA

REPUBLIC OF ZAMBIA

REPUBLIC OF ZIMBABWE