



Guidelines for implementation of Pre-Export Verification of Conformity Schemes in the SADC Region

January 2025

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Acronyms

AFRAC	African Accreditation Cooperation
CAB	Conformity Assessment Body
CoC	Certificate of Conformity
EDF	European Development Fund
IAF	International Accreditation Forum
ILAC	International Laboratory Accreditation Council
ISO	International Organization for Standardization
NTBs	Non-Tariff Barriers
PVoC	Pre-Export Verification of Conformity
RIA	Regulatory Impact Assessment
SADC	Southern African Development Community
SADCAS	SADC Accreditation Service
SADCSTAN	SADC Cooperation in Standardization
SADCTRLC	SADC Technical Regulations Liaison Committee
SPS	Sanitary and Phytosanitary
SQAM	Standardization, Quality Assurance, Accreditation and Metrology
TBT	Technical Barriers to Trade
TFP	Trade Facilitation Programme
WTO	World Trade Organization

Definitions and terminology

The following definitions are applied in the Guidelines as adopted:

- I. “**Administrative requirements**” means the way a regulatory authority implements technical regulation.
- II. “**Accreditation**” means third-party attestation related to a conformity assessment body conveying formal demonstration of its competence to carry out specific conformity assessment tasks;
- III. “**Certification**” means the formal substantiation that a product, process, service, organization or individual meets the requirements of a standard;
- IV. “**Conformity assessment**” means the demonstration that specified requirements relating to a product, process, system, person or body are fulfilled;
- V. “**Conformity assessment body (CAB)**” means a body that performs conformity assessment activities and that can be the object of accreditation
- VI. “**Good regulatory practice (GRP)**” describes best practices and procedures developed by governments and organizations to improve the quality of regulation
- VII. “**Inspection**” means examination of a product design, product, process or installation and determination of its conformity with specific requirements or, on the basis of professional judgement, with general requirements;
- VIII. “**Inspection body**” a body that performs an inspection. It can also be a regulatory authority. Where an inspection body is also a regulatory authority, the inspection body shall assume the responsibilities of the regulatory authority.
- IX. “**Inspection report or certificate**” means a report or a certificate issued by an inspection body in accordance with 7.4 of ISO/IEC 17020.
- X. “**Market surveillance**” means random checks and audits, taking of samples and gathering of information with regard to products and services available on the market and in warehouses ;
- XI. “**Product**” means a result of a process; the term “product” can be read as “process” or “service”, except in those instances where separate provisions are stated for “processes” or “services”
- XII. “**Regulatory authority**” means any ministry, department or agency at national, regional or local government level that has been given the formal authority and powers to develop or oversee the implementation of a technical regulation; A regulatory authority can also play the role of an Inspection Body. Where a regulatory authority is also an inspection body, the regulatory authority shall assume the responsibilities of the inspection body.

- XIII. “**Standard**” means a document approved by a recognized body that provides, for common and repeated use, rules, guidelines or characteristics for products and their related processes or production methods, with which compliance is not mandatory. It may also cover terminology, symbols, and packaging, marking or labeling requirements as they apply to a product or process;
- XIV. “**Supplier**” means the manufacturer, merchant, distributor, importer or agent who places a product, process or service onto the market in the country;
- XV. “**Market Surveillance**” refers to activities carried out and measures taken by public authorities to ensure that products comply with the applicable technical regulations and do not endanger health, safety or other aspect of public interest protection.
- XVI. “**Mutual Recognition Arrangement**” (MRA) *in the context of conformity assessment*, is an arrangement whereby participating bodies acknowledge to others that the conformity assessment results of the other participating bodies have been produced by competently performed, equivalent procedures
- XVII. “**Technical regulation**” means a document which lays down commodity or service characteristics or their related processes and production methods, including administrative provisions, with which compliance is mandatory. It may also cover terminology, symbols, and packaging, marking or labelling requirements as they apply to a commodity or service or their related processes;
- XVIII. “**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.

Foreword

The Southern African Development Community (SADC) is a regional body whose main objectives are to achieve economic development, peace and security, alleviate poverty, enhance the standard and quality of life of the people of Southern Africa and support the socially disadvantaged through Regional Integration.

The Technical Barriers to Trade (TBT) Annex to the SADC Protocol on Trade identifies that SADC Member States may require a positive assurance of conformity with Technical Regulations or Standards to fulfil their legitimate objectives, such as the protection of human health or safety, environment, and national security. The annex however requires that procedures used to demonstrate conformity with technical regulations or standards should not create unnecessary barriers to trade.

The region has experienced a number of challenges associated with pre-export inspections and other conformity assessment practices, which include the use of different service providers, following their own practices thereby compromising trade amongst SADC Member States.

The PVoC guidelines as presented in this document provides best practices for regulators in the choice and design of conformity assessment procedures to support their PVoC Schemes in their Countries. The Guidelines will assist the regulators in developing effective and efficient conformity assessment measures in line with international obligations, reducing unnecessary trade barriers and promoting regional trade. These guidelines should serve as trade facilitating tools, enhance trust between different regulatory systems and contribute to facilitating the acceptance of results of conformity assessment.

Executive summary

The Technical Barriers to Trade (TBT) Annex to the SADC Protocol on Trade identifies that SADC Member States may require a positive assurance of conformity with technical regulations or standards to fulfil their legitimate objectives, such as the protection of human health or safety, environment, and national security. The annex however requires that procedures used to demonstrate conformity with technical regulations or standards should not create unnecessary barriers to trade.

Several SADC Member States are applying (or considering) PVoC schemes, or similar, as part of their regulatory compliance regime for certain products. However, there are differences in the way the schemes are applied and the operations of the bodies selected, recognised or contracted to provide the services. These differences have resulted in inconsistent application of the conformity assessment requirements of the technical regulations and resulting in some elements of the schemes being non-tariff barriers to trade.

The overall objective of these Guidelines is to contribute to the increase in intra-regional trade through increasing market access and adoption and implementation of harmonised Pre-Export Verifications of Conformity schemes within the SADC region and beyond. The guidelines seek to support regulators in ensuring that conformity assessment procedures are not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to international trade, as per article 10 of The Technical Barriers to Trade (TBT) Annex to the SADC Protocol on Trade.

At national level, the application of the guidelines will help members comply with some requirements of Article 17 of the SADC Protocol on Trade which among others state that Member States *accept as equivalent* technical regulations of other Member States, even if these regulations differ from their own, if they adequately fulfil the objectives of their regulations.

At regional level, the PVoC Guidelines will act as one of the measures for the regional regulatory cooperation efforts. In particular the Guidelines will help the REC to adhere to the requirement under Article 6 of the TBT Annex of the SADC Protocol on Trade, which focuses on a Technical Regulation Framework. The two clauses under this article include the need for Member States to ensure the appropriate *use of common performance-based standards* based on international standards rather than prescriptive standards as a basis for technical

regulations and the use of appropriate international measures to promote acceptance of conformity assessment results among Member States.

PVoC schemes is a way to ensure conformity with technical regulations for products that are imported into the country enforcing the PVoC and complimenting other conformity assessment procedures required for products produced domestically in that same country. The PVoC Guidelines have been compiled with a view of providing best practice positions on key practices relating to PVoC like Notifications of Technical Regulations, Harmonisation of Standards (Technical Regulations), application of SDoC, mutual Recognition Arrangements/Agreements, Regulatory Impact Assessments and key administrative arrangements on Pricing, Timeliness, Penalties etc.

1. Introduction

The SADC Protocol on Trade (2005), as amended, established a Free Trade Area in the SADC Region in 2008 and its objectives are to further liberalise intra-regional trade in goods and services; ensure efficient production; contribute towards the improvement of the climate for domestic, cross-border and foreign investment; and enhance economic development, diversification and industrialisation of the region. While significant progress has been made in dismantling tariffs within the SADC region, trade within SADC has barely kept pace with the rest of the world. Thus, the challenge of regional integration in trade in goods lies far beyond tariff liberalisation. Conformity assessment procedures are amongst significant NTBs of concern in the SADC Region. Despite the TBT Annex to SADC Protocol on Trade having established the framework to eliminate technical barriers to trade arising from divergent conformity assessment procedures, the region has experienced a number of challenges associated with pre-export inspections and other conformity assessment practices.

Pre-Export Verification of Conformity (PVoC) is a check of the declaration of conformity of a product performed in the Country of origin of a product before importing it into the country where the scheme is required by legislation. A Certificate of Conformity (CoC) or a test report is to be issued in the exporting country. It is worth noting that a CoC may only cover laboratory testing of some aspects of a product and not even all requirements of one technical regulation. Ideally, the PVoC Scheme ensures that products meet the mandatory safety and quality requirements before the products leave the exporting country and thus, enable international trade by avoiding customs delays and potential losses or realisation of regulatory risks from importing non-compliant products.

A number of SADC Member States are applying (or considering) PVoC schemes, or similar, as part of their regulatory compliance regime for certain products. However, there are differences in the way the schemes are applied and the operations of the bodies selected, recognised or contracted to provide the services. These differences have resulted in inconsistent application of the conformity assessment requirements of the technical regulations and resulting in some elements of the schemes not adhering to the WTO TBT principles and being non-tariff barriers to trade.

The factors that have caused challenges with PVoC Schemes include the following:

- I. Lack of a common approach by regulators as to when and how to make use of PVoC as part of their pre-market approval process related to imported products, also considering that PVoC cannot be enforced disproportionately on imported products in relation to domestically produced;
- II. Different approaches to the recognition or appointment of bodies to act as PVoC Contractors in exporting countries and the basis of the recognition of competence of these bodies and the CoC or test reports issued by them;
- III. Lack of Transparency regarding the technical and other requirements for each technical regulation and how they are applied when issuing a Certificate of Compliance (CoC) by a PVoC body;
- IV. The inconsistent use of third-party evidence of conformity by contracted (appointed) PVoC bodies, the basis of recognition of this evidence, and the consideration of equivalent requirements in technical regulations, standards and conformity assessment methods when issuing certificates of compliance;
- V. Unfair trade practices where the regulation of domestic products is allegedly handled differently to imported products;
- VI. No clear approach to what other mechanisms are to be combined with CoC or test reports to ensure effective enforcement, ie. Requirements for economic actors to keep technical files, document their transfer of products and to label products so that they are traceable.
- VII. Confusion, lack of trust, and lack of clarity of roles between PVoC bodies and domestic (import) inspection authorities resulting in expensive and time-consuming re-inspection and re-testing.

The purpose of these guidelines is to address operational aspects of Pre-Export Verification of Conformity (PVoC) Scheme, when this is applied by a regulatory authority to ensure enforcement of their technical regulations. The Guidelines will contribute to the simplification of the customs clearance process. The Guidelines will also assist in avoiding or removing difficulties, which can be created by diverging legal, administrative, and technical approaches to Pre-Export Verification of Conformity and by diverging interpretation of conformity assessment results.

2. Objectives of PVoC Guidelines

2.1. Overall objective

The overall objective of these Guidelines is to contribute to the increase in intra-regional trade through increasing market access and adoption and implementation of harmonised Pre-Export Verifications of Conformity schemes within the SADC region and beyond.

2.2. Specific objectives

- 2.2.1. To support SADC Member States who choose to adopt Harmonised PVoC Schemes as they apply the schemes in the region to do so in line with obligations in the SADC and other agreements.
- 2.2.2. To promote the use of Regulatory Impact Assessments and the proportional use of PVoC in relation to other options for conformity assessment.
- 2.2.3. To promote the adoption of internationally recognised conformity assessment procedures for regulated goods which are subject to PVoC.
- 2.2.4. To facilitate the customs clearance process for the regulated products subject to PVoC.
- 2.2.5. To be part of an early warning system across the region to notify SADC Member States about sub-standard and dangerous goods.
- 2.2.6. To act as part of mechanisms for Regulatory Co-operation and market surveillance among SADC Member States.

3. Scope of the PVoC Guidelines

3.1. At SADC regional level

The WTO TBT agreement aims to ensure that technical regulations, standards and conformity Assessment procedures do not create unnecessary barriers to trade and do not discriminate between WTO Members, while also ensuring WTO Members' right to regulate in order to achieve their legitimate objectives.

The SADC Protocol on Trade reaffirms SADC Member States' obligations under the WTO TBT Agreement.

Article 6 of the TBT Annex of the SADC Protocol on Trade focuses on a Technical Regulation Framework. The objective of the framework according to this article is the "identification, prevention and elimination of

unnecessary TBTs amongst the Member States and between SADC and other Regional and International Trading Blocks through harmonized texts, technical regulations *and conformity assessment procedures* to facilitate and increase trade. According to Article 6, this includes inter alia:

- The appropriate use of common performance-based standards based on international standards rather than prescriptive standards as a basis for technical regulations;
- The relevant use of impact and risk assessment to inform technical regulatory decisions; and
- The use of appropriate international measures to promote acceptance of conformity assessment results among Member States.

3.2. At National Level

The best practice recommendations adopted at SADC level through these PVoC Guidelines can be translated into national best practices and would consider the unique circumstances of each Member State. SADC Member States do present significant differences in how they operate their regulatory functions.

- Each Member State shall use relevant international standards as a basis for its standards-related measures, *except where such standards* would be an ineffective or inappropriate means to fulfil its legitimate objectives; and
- Member States *accept as equivalent* technical regulations of other Member States, even if these regulations differ from their own, if they adequately fulfil the objectives of their regulations.

4. Detailed Specific PVoC Guidelines

4.1 General Overview

A Pre-Export Verification of Conformity (PVoC) scheme is one way to ensure that a product placed on the market fulfils legitimate requirements in technical regulations. PVoC scheme is an way to ensure conformity with technical regulations for products that are imported into the country enforcing the PVoC and complimenting other conformity assessment procedures required for products produced domestically in that same country.

Article 5.4 of the WTO TBT Agreement, directs that regarding Conformity assessment both for imported products and for those produced domestically where a positive assurance of conformity with technical regulations is required and relevant guides or recommendations issued by international standardizing bodies

exist or their completion is imminent Members' central government bodies shall use them, or the relevant parts of them, as a basis for their conformity assessment procedures, except where, as duly explained upon request, such guides or recommendations or relevant parts are inappropriate for the Members concerned, for, inter alia, such reasons as: national security requirements; the prevention of deceptive practices; protection of human health or safety, animal or plant life or health, or the environment; fundamental climatic or other geographical factors; fundamental technological or infrastructural problems.

PVoC schemes should only be chosen when Supplier's Declaration of Conformity (SDoC) cannot be considered appropriate considering the risks associated with products not fulfilling requirements in technical regulations.

PVoC Schemes may require testing, inspection or certification verifying that the products in question fulfil the requirements in the importing country as appropriate by a body in another country. The Schemes can be implemented through a number of options as highlighted below:

- a) Member States may state in their national regulations that conformity assessment reports from bodies that are accredited for the conformity assessment required by the importing country's technical regulation is to be accepted as verification of conformity (this means that reports from bodies accredited by Accreditation Bodies which are part of SADCA MRA, African Accreditation Cooperation (AFRAC) MRA, ILAC MRA and IAF MRA are recognised as provided for by Article 8(1) of the TBT Annex to the SADC protocol on trade);
- b) Member States may state in their national regulations that reports from bodies designated by a country with which the importing country has a Mutual Recognition Agreement on acceptance of conformity assessment results not requiring accreditation or outside of the scopes of the MRA:s mentions under item a) above should be accepted as verification of conformity ; or
- c) Member States may state in their national regulations PVoC shall be carried out by national authorities or by certification, inspection or testing body that national authorities have entered into an agreement with to provide the required services as verification of conformity.

4.2 Harmonization of Standards / Technical Regulations

As highlighted under 4.1 above a PVoC Scheme covers products which are subject to technical regulations in a particular Country. The TBT Annex to the SADC Protocol on Trade contains provisions that support the

harmonization of technical regulations and conformity assessment procedures to be based on International Standards. According to the TBT Agreement, WTO Members are obliged to use relevant international standard as a basis for their technical regulations except when such standard cannot fulfil the legitimate objective being pursued. Harmonization with international standards, guides or recommendations facilitates global trade and reduces costs for industries, including by avoiding duplicative conformity assessment procedures as well as technical barriers to trade.

Effectively this means that:

- (i) Member States are required to use the harmonized standards as references in Technical Regulations which are used in PVoC Schemes as supported by SADCSTAN;
- (ii) SADCTRLC a TBT cooperation structure is encouraged to continue with its mandate of coordination of the harmonization of Technical Regulations.
- (iii) SADC Member States are required to adopt the harmonized/approximated Technical Regulations as they implement their PVoC Schemes.

4.3 Regulatory Impact Assessment

The SADC Technical Barriers to Trade (TBT) Annex to the SADC Protocol on Trade, recommends the use Regulatory Impact Assessment (RIA) as a decision-making tool to inform technical regulatory decisions. Some of these Technical Regulations may be linked to products under PVoC Schemes. The SADC Technical Regulations Liaison Committee (SADCTRLC) is the committee responsible for operationalising this policy decision. In this regard a SADC Framework and Guidelines for conducting Risk and Impact Assessment to inform technical regulatory decisions within SADC has been developed.

A RIA will assist regulators and legislators in taking practical evidence-based decisions regarding the need for introducing, amending or withdrawing technical regulations governing the import, manufacture or sale of products. RIA is used by most developed and many developing nations and regions, and has assisted them to remove non-tariff barriers to trade.

In view of the foregoing:

- (i) SADC Member States are encouraged to adopt the RIA Framework as a tool for conducting their RIA;

- (ii) SADC Member States once they adopt the RIA Framework are required to encourage their regulatory agencies to apply and use of the framework as they promulgate their Technical Regulations including those relating to products under PVoC Schemes.

4.4 Notifications of Technical Regulations Used in PVoC

An important mechanism for regulatory cooperation in SADC and globally is the obligation to notify draft technical regulations and conformity assessment procedures. By notifying trading partners of new or amended measures, broader Good Regulatory Practice goals are also met as notification obligations ensure transparency by alerting partners about new measures. For the notification of new Technical Regulations to be promulgated or the revision of the existing stock of Technical Regulations, SADC Member States are encouraged to notify member states through the WTO. Technical regulations and conformity assessment procedures must be notified when they are not in accordance with a relevant international standard (which is the case when a standard is national or regional without being international), or a relevant guideline or recommendation issued by an international standardisation body, and when the technical regulation may have a significant effect on the trade of other members.

In view of the above:

- (i) The Member States currently running PVoC Schemes are encouraged to notify the WTO (which include SADC MS) whenever new products are added to the schemes.
- (ii) The Member States not running a PVoC Scheme have an obligation to notify the WTO (including SADC MS) as and when they commence the scheme and new Technical Regulations operationalising the scheme are issued.

4.5 Mutual Recognition Agreements

Trade agreements between countries, either bilateral or multilateral, often include Mutual Recognition Agreements of conformity assessment regimes of the trading partners. Mutual recognition means that a trading party (SADC Member States) accepts the technical rules of another party (SADC Member States) as being equivalent. Mutual Recognition Agreements (MRA) are bilateral agreements that are negotiated between states to facilitate trade between two markets through the mutual recognition of testing and certification without the need for harmonization of regulations.

According to article 17.5 of the SADC Protocol Trade “A Member States, upon request of another Member State, seek through appropriate measures, to promote the comparability of specific standard or conformity

assessment procedures that are maintained in its territory, with the standards or conformity assessment procedure maintained in the territory of other member states”.

In view of the foregoing:

- i. SADC Member States are encouraged to promote MRAs amongst themselves to facilitate trade.
- ii. SADC Member States must encourage regulators in their countries to have MRAs with their peer institutions in other Countries in the areas their mandate including where PVoC Schemes are applied.
- iii. SADC Member States must encourage CABs in their countries to have MRAs with their peer CABs in other Countries in line with their scopes.
- iv. Member States should periodically review the MRAs to monitor their compliance.

4.6 Accreditation

Accreditation, when operated according to relevant international standards, guides and recommendations, promotes confidence in the technical competence of conformity assessment bodies. Using (or taking account of) international treaties, agreements or arrangements involving cooperation among accreditation bodies can usefully contribute to reinforcing the acceptance of conformity assessment results. Multilateral recognition arrangements, such as the International Accreditation Forum (IAF) and the International Laboratory Accreditation Cooperation (ILAC) can play an important role in supporting wider acceptance of conformity assessment results around the world.

In view of the foregoing:

- (i) The SADC Cooperation in Accreditation (SADCA) is encouraged to facilitate the creation of a regional accreditation system which shall provide Member States with accreditation as a tool for the removal of technical barriers to trade in both the voluntary and regulatory areas. SADCA is an AFRAC MRA signatory in ISO/IEC17025- 2017.
- (ii) The SADC Accreditation Service (SADCAS) as a multi-economy Accreditation Body should continue to provide accreditation services to those SADC Member States without their own Accreditation Bodies or whose Accreditation Bodies cover limited scopes or schedules.
- (iii) SADC Member States are encouraged to recognize and exempt from further conformity assessment before placement in the market, a product accompanied by conformity assessment

documents demonstrating compliance with the relevant technical regulation and issued by an accredited conformity assessment body.

4.7 Supplier's Declaration of Conformity as alternative to PVoC

Supplier's Declaration of Conformity (SDoC) is a declaration by the supplier that the product complies with the requirements of the technical regulation. The international standards ISO/IEC 17050-1 and 17050-2 (Parts 1 and 2 of "Conformity Assessment—Supplier's Declaration of Conformity") detail the requirements for an SDoC. A SDoC is considered the most cost-effective approach for suppliers to demonstrate conformity because it does not require third-party inspection, testing, or certification. A SDoC is acceptable for demonstrating compliance with a technical regulation if the regulation provides for such a mechanism. In general, this will be the case only if the following conditions are in place:

- (a) the market demands or allows it;
- (b) the risks associated with non-compliance are relatively low;
- (c) the penalties for non-compliance are implemented and are effective deterrents;
- (d) options for efficient recourse in the event of non-compliance exist; and
- (e) the industry sector to which it applies is highly dynamic, responsible, and has a history of compliance

On the basis of the above:

- i. Member States are encouraged to use SDoC as an option to PVoC for low-risk products and for industries that have the history of compliance.

4.8 Market Surveillance in PVoC

Market surveillance is an essential tool for the enforcement of technical regulations. The purpose of market surveillance is to ensure that the products placed on the market comply in all respects with the requirements of the relevant technical regulation to safeguard the health and safety of the people, fauna and flora, and the environment. Market surveillance is also important from the perspective of the economic operators because it helps to reduce unfair competition. Member States have to establish regulatory authorities to serve as market surveillance infrastructure. Market Surveillance therefore will ensure a PVoC Scheme if chosen for implementation works effectively.

In view of the foregoing:

- (i) Member States are encouraged to design and implement strong market surveillance systems to support their PVoC Schemes where these are implemented.
- (ii) Member States should ensure that there are no obvious gaps and overlaps in the responsibilities of various regulatory authorities and the conduct of market surveillance.
- (iii) Member States are encouraged to take a risk-based in carrying out market surveillance in view of the limitation of its coverage.

5.0 PVoC Scheme Administrative Arrangements

5.1 PVoC Certification Routes

The regulatory authorities in members states applying PVoC are encouraged to provide maximum flexibility to exporters and importers by providing different possible routes for obtaining the CoC. These routes should be applied depending on the frequency of exporters' shipments to the Country, the product risk level and the level of compliance they can demonstrate initially when applying for certification.

5.2 Costs and Fees

The regulatory authority shall set out all costs associated with the compliance to a technical regulation and shall ensure that this information is available to the public and economic actors. Fees or cost implications shall include, among others, application fees, costs related to inspection and testing, fees for issuance of reports and certificate of compliance save for testing, and issuance of test reports which will depend on the nature of the products and costs set out by independent testing laboratory in the country of export or PVoC contractor laboratories.

5.3 Fee Structures linked to PVoC Certification Routes

The assessment and ultimate clearance of goods under PVoC may be made under different routes depending on the regulators' designation of risk associated with the products. Regulators are encouraged to designate different Fee Structures based on products risks and assessed cost of certifications in line with associated risk. This approach is a way of recognizing and encouraging product manufacturers to invest in quality

management systems for low-risk products and product certification schemes for the high risk products where applicable.

5.4 Timelines for Issuance of CoC

The regulatory authority shall set out time limits for the PVoC Contractors to clear and issue documents relating to imported regulated products subject to PVoC. The timelines must be set with a view of facilitating trade without however compromising on the need for conformity assessment bodies to conduct their mandates.

5.5 Offences and penalties

The Regulators shall set Offences and related Penalties for Non-compliance of products to requirements as per technical regulations. Such administrative sanctions shall include recall of the non-complying products from the marketplace to effect repair and replacement, recall of non-complying products from the market to be destroyed and properly disposed, re-export of the consignment of products and/or advertising campaigns to warn and inform the public about the problem. The administrative sanctions mentioned above are not exhaustive. The supplier or importer shall bear all associated costs.

5.6 Cooperation with Customs Authorities

Regulatory authorities shall collaborate with customs authorities at ports of entry in order to prevent the placing of the non-compliant products in the market. This collaboration may be through single window approach at boarder entry points. The collaboration is also to ensure that there are no unnecessary delays in the clearance of goods subject to PVoC.

5.7 Spread of Coverage by PVoC Contractors

Regulatory Authorities shall ensure that appointed PVoC Contractors have capacity to cover substantially the Countries where the member state has frequent imports. In this regard members applying PVoC are encouraged to divide the world regions based on proximity and trade volumes and also consideration should be made to appoint multiple partners in majority of the regions to enhance efficiency. This is with a view of avoiding unnecessary delays and creating room for dispatch of non-compliant goods.

5.8 PVoC Guidelines implementation arrangements

The SADC Technical Regulations Liaison Committee cooperation structure (SADCTRLC) under the coordination of SADC Secretariat is vested with the governance responsibilities for promoting and facilitating the implementation of the SADC Technical Regulation Framework. SADCTRLC shall make available the PVoC guidelines for the national implementation of the SADC Technical Regulation Framework in the Member States. The SADC Committee of Ministers of Trade may set policy directions for SADC Secretariat in accordance with its function to “make regulations, issue directives and make recommendations in accordance with the provisions of the TBT Annex to the SADC Protocol on Trade”.