

DRAFTING NOTE

STANDARDS AND QUALITY INFRASTRUCTURE ACT 2026

1. Status and purpose of this note

This drafting note is explanatory and is not part of the proposed Assembly Act. It identifies the legislative need, the relationship with earlier Eritrean law, the principal matters retained, the modernization choices made and the place of the draft within the emerging constitutional statute book. The instrument remains a consultation draft and should be finalized only after legal, institutional, fiscal and public review.

2. Legislative need and prior law

Earlier standards, metrology and product-control measures were distributed through commercial proclamations and technical notices. Modern trade and consumer safety require one quality-infrastructure statute.

3. What the draft retains

The draft retains national standards, testing, certification, weights and measures, inspection and control of unsafe or falsely represented products.

4. What the draft updates and modernizes

It adds independent and transparent standard setting, international equivalence, accreditation and conformity assessment, risk-based market surveillance, digital certificates, appeals, recall and consumer information while keeping voluntary standards distinct from binding technical regulations.

5. Constitutional, code and treaty fit

The draft is framed under the Constitution of Eritrea 1997 and must be read with the Civil Code, Penal Code, Civil Procedure Code and Criminal Procedure Code of Eritrea 2015 where those Codes govern. It is also coordinated with the other institutional, financial, commercial, land, labour, administrative and sectoral drafts in this collection. References to international or regional standards guide compatibility and implementation; they do not bypass the Treaty-Making Act or convert an unincorporated instrument into domestic law.

6. Scope and organization

The principal divisions address preliminary provisions; standards and quality authority; national standards; technical regulations; conformity assessment; accreditation; scientific and industrial metrology; legal metrology; prepackages and quantity information; laboratories and conformity bodies; and the concluding enforcement, transitional and final provisions.

7. Transition, implementation and consultation

The draft preserves lawful accrued rights, completed transactions, pending proceedings and institutional continuity where appropriate, while preventing temporary savings from preserving unconstitutional coercion or indefinite executive discretion. Before enactment or issuance, authentic predecessor instruments and amendments should be verified, cross-references and fiscal capacity confirmed, implementing regulations and digital systems prepared, and affected institutions, professions, communities and the public given a practical opportunity to comment.

CONSULTATION DRAFT — NOT ENACTED LAW

ACT NO. ____/2026

STANDARDS AND QUALITY INFRASTRUCTURE ACT 2026

(ACT)

AN ACT TO ESTABLISH ERITREA'S NATIONAL FRAMEWORK FOR STANDARDS, METROLOGY, ACCREDITATION, CONFORMITY ASSESSMENT AND MARKET SURVEILLANCE, AND TO PROVIDE FOR RELATED MATTERS.

PREAMBLE

WHEREAS Articles 8, 11 and 21 of the Constitution of Eritrea require development, responsible economic activity, protection of the public and efficient, accountable institutions governed by law;

WHEREAS reliable standards, measurements, testing, inspection, certification and accreditation are essential to public safety, fair trade, industrial development, export competitiveness and consumer confidence;

WHEREAS Eritrea requires a modern quality infrastructure that can operate with limited resources through regional cooperation and recognition of competent foreign services without compromising national responsibility;

WHEREAS technical regulations and conformity procedures must pursue legitimate objectives transparently, proportionately and without unnecessary discrimination or obstacles to lawful trade;

NOW, THEREFORE, the National Assembly of Eritrea enacts as follows:

CHAPTER I
PRELIMINARY PROVISIONS

Article 1 — Short title

This Act may be cited as the Standards and Quality Infrastructure Act 2026.

Article 2 — Objects

1. develop credible, consensus-based national standards;
2. ensure accurate and traceable measurement;
3. provide impartial accreditation and reliable conformity assessment;
4. support safe products, consumer confidence, industry and exports;
5. avoid unnecessary technical barriers and duplication; and
6. promote regional and international recognition of Eritrean competence.

Article 3 — Application

1. This Act applies to standards, technical regulations, metrology, accreditation, conformity assessment, prepackages and market surveillance within national competence.
2. Sector laws continue to govern health, food, medicines, environment, construction, communications, transport, energy and other regulated fields.
3. A sector regulator may rely on this Act's institutions and procedures without transferring its statutory policy responsibility.

Article 4 — Definitions

1. “accreditation” means independent attestation of competence of a conformity-assessment body;
2. “conformity assessment” means testing, calibration, inspection, certification, validation, verification or related demonstration of specified requirements;
3. “measurement standard” means a realization or reference for a unit or quantity;
4. “metrological traceability” means relation of a measurement result to a recognized reference through a documented unbroken calibration chain;
5. “standard” means a voluntary consensus document approved by a recognized standards body;
6. “technical regulation” means a legally mandatory technical requirement;
7. “SI” means the International System of Units; and
8. “supplier” includes manufacturer, importer, distributor and service provider.

Article 5 — Constitution and other laws

1. This Act shall be interpreted consistently with the Constitution and treaties lawfully binding upon Eritrea.
2. The Competition and Consumer Protection Act governs deceptive conduct, consumer remedies and competition; this Act governs technical quality infrastructure.
3. Customs, trade, procurement, data-protection, intellectual-property and sector laws remain applicable.

Article 6 — Core principles

1. Decisions shall be transparent, impartial, evidence-based, risk-proportionate and technologically neutral.
2. International standards and recognized conformity results shall be used where suitable for Eritrea's legitimate objective.
3. A technical measure shall not discriminate by origin or protect a domestic producer from fair competition.

Article 7 — Voluntary standards and mandatory law

1. A standard is voluntary unless a technical regulation made under statutory authority incorporates or requires it.

2. The Standards Authority shall not make compliance mandatory merely by publishing, certifying or referring to a standard.

CHAPTER II STANDARDS AND QUALITY AUTHORITY

Article 8 — Establishment

1. The Eritrean Standards and Quality Authority is established as an independent technical public body with legal personality and administrative autonomy.
2. The Authority shall be impartial among Government, producers, importers, consumers, workers and conformity-assessment providers.

Article 9 — Functions

1. The Authority shall coordinate national standards, scientific metrology, legal-metrology support, accreditation, quality policy, information and international participation.
2. It may provide or facilitate testing, calibration and training subject to separation and conflict safeguards.

Article 10 — Governing Council

1. A Governing Council shall set strategy, approve standards governance, oversee finance and protect institutional impartiality.
2. Members shall represent technical expertise, industry, consumers, academia, workers, regulators, small enterprise and public interest without any group controlling the Council.

Article 11 — Appointment and term

1. The President shall appoint members from a public merit-based shortlist after consultation with the Civil Service Administration and with approval required by applicable law.
2. Members serve staggered four-year terms renewable once and may be removed only for lawful cause after fair process.

Article 12 — Director General

1. The Council shall appoint a Director General through open competition for a five-year term renewable once.
2. The Director General manages operations and staff and is accountable for technical integrity, financial control and execution of Council policy.

Article 13 — Functional separation

1. Standards development, accreditation decisions, conformity-assessment services, regulatory enforcement and appeals shall be functionally separated.

2. A unit providing testing, calibration, inspection or certification shall not accredit itself or control a decision affecting its competitor.

Article 14 — Technical committees

1. The Authority may establish balanced technical committees and subcommittees for standards and technical advice.
2. Membership, interests, attendance, drafts, comments and resolutions shall be recorded and managed transparently.

Article 15 — Staff and experts

1. Staff shall be recruited on merit and trained in standardization, science, engineering, metrology, accreditation, law, economics and digital systems.
2. External experts shall disclose conflicts and protect confidential information.

Article 16 — Finance

1. The Authority shall be funded by National Assembly appropriation, reasonable service charges, membership income and lawful grants.
2. A fee shall reflect service cost and shall not be used to exclude small enterprises or create dependence on a certification outcome.

Article 17 — Audit and reporting

1. Accounts shall be audited by the Auditor General, and technical processes shall undergo appropriate peer evaluation.
2. The annual report shall cover standards, participation, calibrations, accreditation, surveillance, recognition, complaints, finance and performance.

CHAPTER III NATIONAL STANDARDS

Article 18 — National standards program

1. The Authority shall publish an annual standards program based on safety, development, trade, innovation, public policy and stakeholder need.
2. The program shall identify proposed new, revised, adopted and withdrawn standards and avoid duplication of suitable international or regional work.

Article 19 — Proposal

1. Any ministry, business, consumer body, professional institution, academic body or person may propose a standard.
2. The Authority shall assess need, scope, available international standard, resources and likely benefit and publish its decision.

Article 20 — Committee balance

1. A committee shall include materially affected interests and shall not be dominated by one supplier, ministry or profession.
2. Small enterprises, consumers, workers, persons with disabilities and regional users shall receive practical means to participate.

Article 21 — Consensus

1. A national standard shall be developed through good-faith effort to resolve substantial objections and achieve broad agreement.
2. Consensus does not require unanimity, but unresolved objections and their disposition shall be recorded.

Article 22 — Public comment

1. A draft standard shall be published for at least sixty days of comment unless an urgent safety need justifies a shorter stated period.
2. Comments shall be considered and a reasoned disposition made available.

Article 23 — Adoption of international standards

1. A relevant international or regional standard shall be adopted or adapted where effective and appropriate to Eritrea.
2. A material deviation shall be identified and justified by climate, infrastructure, technology, development need or another legitimate factor.

Article 24 — Approval and publication

1. The Council or delegated standards board shall approve a national standard after verifying process and consensus.
2. The title, scope, status, edition, effective date and means of access shall be publicly registered.

Article 25 — Access

1. Mandatory text incorporated into a technical regulation shall be accessible without charge or at the lowest legally permissible cost.
2. Voluntary standards may be sold at reasonable prices respecting copyright while summaries and participation documents remain accessible.

Article 26 — Review

1. Each national standard shall be reviewed at intervals not exceeding five years or earlier when technology, safety or international work materially changes.

2. It shall be confirmed, revised or withdrawn through transparent process.

Article 27 — Withdrawal

1. An obsolete, conflicting, unsafe or unused standard may be withdrawn after notice and consultation.
2. Withdrawal does not automatically invalidate a contract or regulatory approval made under the prior edition.

Article 28 — Standards register

1. The Authority shall maintain a searchable electronic register of current, revised and withdrawn standards.
2. Accessible offline and printed indexes shall be available for persons without reliable internet.

CHAPTER IV TECHNICAL REGULATIONS

Article 29 — Authority required

1. A technical regulation may be made only by an institution possessing express legislative authority over the regulated risk.
2. The Standards Authority may advise and draft technical content but shall not create mandatory law without that authority.

Article 30 — Legitimate objective

1. A technical regulation shall pursue health, safety, environment, consumer protection, prevention of deception, infrastructure integrity, national security or another legitimate statutory objective.
2. Protection of an incumbent, revenue raising alone or suppression of lawful imports is not a legitimate technical objective.

Article 31 — Regulatory assessment

1. Before adoption, the regulator shall assess risk, alternatives, costs, benefits, small-enterprise effects, trade effects, enforcement capacity and available standards.
2. The least trade-restrictive reasonably effective measure shall be preferred.

Article 32 — Use of standards

1. A technical regulation shall use a suitable international, regional or national standard as its technical basis where practicable.
2. Performance requirements are preferred to prescriptive design where they achieve the objective and permit innovation.

Article 33 — Consultation

1. A proposed technical regulation shall be published with legal authority, objective, evidence, referenced standards, conformity procedure and proposed commencement.
2. At least sixty days shall be allowed for domestic and foreign comment unless an urgent risk requires temporary action.

Article 34 — Urgent measure

1. A regulator may adopt a temporary urgent measure to address an immediate serious risk after stating evidence and necessity.
2. The measure expires within ninety days unless confirmed through ordinary consultation and statutory procedure.

Article 35 — Publication and transition

1. A final technical regulation shall publish comments, reasons, text, conformity route and effective date.
2. A reasonable transition shall permit redesign, testing, stock exhaustion and capacity development unless urgent safety requires otherwise.

Article 36 — Equivalence

1. A regulator shall consider a foreign technical regulation equivalent where it demonstrably achieves Eritrea's objective.
2. Refusal shall be reasoned and open to review.

Article 37 — Register of technical regulations

1. The Authority shall maintain a central public register of technical regulations, responsible regulators, standards, conformity procedures and effective dates.
2. An unpublished technical requirement shall not be enforced against a person lacking actual lawful notice.

Article 38 — Review of regulations

1. Each regulator shall review a technical regulation at least every five years for continued need, effectiveness, trade impact and technological neutrality.
2. Obsolete or duplicative measures shall be amended or repealed.

CHAPTER V CONFORMITY ASSESSMENT

Article 39 — Proportionate procedure

1. A conformity-assessment requirement shall be no stricter or more costly than necessary for the risk and confidence required.
2. Supplier declaration, registration, testing, inspection and certification shall be considered in ascending order of intervention.

Article 40 — Presumption of conformity

1. Compliance with a designated standard may create a rebuttable presumption of conformity with stated regulatory requirements.
2. Alternative technical solutions remain acceptable where equivalent performance is demonstrated.

Article 41 — Supplier declaration

1. Low- and moderate-risk products may use supplier declaration supported by technical documentation and post-market surveillance.
2. The supplier remains responsible for truth, records and corrective action.

Article 42 — Testing and inspection

1. A test or inspection shall use validated methods, competent personnel, calibrated equipment and reliable reporting.
2. Repeated testing shall not be demanded where an equivalent valid result is available and product identity is preserved.

Article 43 — Certification

1. Third-party certification may be required only where risk, complexity or enforcement need justifies it.
2. Certification rules shall state scope, surveillance, use of mark, suspension, withdrawal, appeal and impartiality.

Article 44 — Foreign results

1. A regulator shall accept a foreign conformity result from a demonstrably competent body where confidence and scope are equivalent.
2. Accreditation under a recognized arrangement shall receive substantial weight.

Article 45 — Fees and timing

1. A public conformity body shall publish fees and decision times and shall not discriminate by origin or affiliation.
2. Delay shall be explained, and urgent export, perishable and safety matters shall receive proportionate priority.

Article 46 — Conformity marks

1. A protected conformity mark may be used only under authorization and according to published rules.
2. A mark shall not imply government endorsement beyond its defined technical scope.

Article 47 — Suspension and withdrawal

1. Certification may be suspended or withdrawn for material nonconformity after notice and opportunity to correct, except urgent risk.
2. The decision shall be reasoned, proportionate and appealable.

CHAPTER VI ACCREDITATION

Article 48 — National accreditation service

1. A National Accreditation Service is established within the Authority with protected decisional independence.
2. It shall accredit testing, calibration, inspection, certification, validation, verification and other recognized conformity bodies.

Article 49 — Impartiality

1. Accreditation governance and assessment shall be independent from commercial conformity services and improper government or industry influence.
2. Decision-makers shall disclose conflicts and shall not assess an organization they recently served.

Article 50 — Accreditation criteria

1. Criteria shall be based on relevant international standards and regional or international peer-recognition requirements.
2. Additional national criteria require publication, necessity and consistency with equal treatment.

Article 51 — Application and assessment

1. An applicant shall receive clear scope, criteria, fees, process, team and expected time.

2. Assessment shall combine document review, competent technical evaluation, witnessed activity and corrective action proportionate to scope.

Article 52 — Decision

1. An independent panel shall grant, limit, refuse, suspend or withdraw accreditation by reasoned decision.
2. Accreditation shall identify scope, location, method and validity and shall not be represented more broadly.

Article 53 — Surveillance and reassessment

1. An accredited body is subject to proportionate surveillance, proficiency evidence and periodic reassessment.
2. Frequency shall reflect risk, performance, change and complaints rather than revenue generation.

Article 54 — Accreditation symbol

1. Use of the accreditation symbol shall follow published rules preventing misleading claims.
2. Unauthorized or materially misleading use shall be corrected and may attract proportionate enforcement.

Article 55 — Foreign accreditation

1. Accreditation issued by a body recognized through a credible regional or international arrangement shall be accepted within its scope unless specific evidence shows inadequacy.
2. The Authority shall not require duplicative domestic accreditation merely to protect its own service income.

Article 56 — Appeal

1. An applicant or accredited body may seek independent internal review and appeal to the Quality Infrastructure Tribunal.
2. The appeal body shall include technical competence and no person involved in the original assessment.

CHAPTER VII SCIENTIFIC AND INDUSTRIAL METROLOGY

Article 57 — National metrology institute

1. A National Metrology Institute is established within the Authority to maintain and disseminate national measurement capability.
2. It shall coordinate designated laboratories where maintaining every capability directly is impractical.

Article 58 — Units

1. The SI and units derived from it are the lawful basis of measurement in Eritrea.
2. A non-SI unit may be used where internationally accepted for a specialized field or during a published transition, with SI equivalence stated.

Article 59 — National measurement standards

1. The Institute shall maintain, realize or obtain access to measurement standards required by Eritrea's trade, health, environment, industry and science.
2. Priority shall follow national need and shall use regional sharing where cost-effective.

Article 60 — Traceability

1. Measurements used for regulated purposes shall be metrologically traceable to the SI or another internationally accepted reference where SI traceability is unavailable.
2. Traceability shall include calibration evidence and stated measurement uncertainty.

Article 61 — Calibration

1. Calibration services shall use competent methods, suitable environment, reference standards and reliable certificates.
2. A calibration certificate reports results and uncertainty and does not by itself certify product conformity.

Article 62 — Interlaboratory comparison

1. The Institute and accredited laboratories shall participate in appropriate comparisons and proficiency testing.
2. Results shall be used for improvement and competence decisions under fair confidentiality safeguards.

Article 63 — Reference materials

1. The Institute may produce, certify or recognize reference materials needed for testing and calibration.
2. Value assignment, uncertainty, stability and traceability shall be documented.

Article 64 — Time and frequency

1. National time and frequency dissemination shall be coordinated with internationally recognized references.
2. A regulated timestamp or frequency measurement shall state accuracy and traceability appropriate to its purpose.

Article 65 — Research and training

1. The Institute shall support measurement science, laboratory development, technical training and university cooperation.
2. Public resources shall prioritize capabilities with broad national benefit.

CHAPTER VIII LEGAL METROLOGY

Article 66 — Scope

1. Legal metrology applies to measurement used in trade, health, safety, environment, utilities, taxation and official determination where accuracy materially affects rights or public interest.
2. A measuring instrument is regulated only by category listed in Schedule 1 or technical regulation made under express authority.

Article 67 — Pattern approval

1. A prescribed instrument may require pattern or type approval before placing on the market.
2. Approval shall consider recognized international recommendations and accept equivalent foreign evaluation where reliable.

Article 68 — Initial verification

1. A prescribed instrument shall be verified before regulated use where Schedule 1 requires it.
2. Verification shall confirm identity, error limits, sealing, software integrity and suitability without duplicating type assessment unnecessarily.

Article 69 — Periodic verification

1. An instrument category may require periodic verification at a risk-based interval stated in Schedule 1.
2. Interval shall reflect stability, use, environment, consequence and complaint history.

Article 70 — After repair

1. A repair materially affecting measurement requires reverification before regulated use.
2. Routine maintenance not affecting metrological performance shall be recorded but need not trigger full verification.

Article 71 — Owner and user duty

1. An owner or user shall maintain a regulated instrument, protect seals and stop use when materially inaccurate or damaged.

2. The user shall permit lawful inspection and provide the verification record.

Article 72 — Utility meters

1. Electricity, water, fuel, communications and other billing meters shall meet prescribed accuracy and verification requirements.
2. A consumer may request a test under transparent cost and refund rules, and billing shall be corrected where error exceeds tolerance.

Article 73 — Trade measurement

1. Goods sold by quantity shall be measured in lawful units with an instrument suitable and accurate for the transaction.
2. The customer shall be able to see or receive the measurement result where practicable.

Article 74 — Medical and safety measurement

1. Regulated medical, occupational-safety and environmental instruments shall be calibrated or verified according to risk and professional requirements.
2. Enforcement shall coordinate with the responsible health, labour or environmental regulator.

Article 75 — Software and smart instruments

1. Software controlling regulated measurement shall be identifiable, protected against unauthorized change and auditable.
2. Remote update is permitted where integrity, version control, verification impact and cybersecurity are governed.

Article 76 — Verification mark

1. A verified instrument shall bear a secure physical or electronic mark identifying status and due date.
2. Absence or expiry creates a compliance issue but does not conclusively prove every measurement false.

CHAPTER IX PREPACKAGES AND QUANTITY INFORMATION

Article 77 — Net quantity

1. A prepackage shall state accurate net quantity in lawful units, excluding packaging except where lawfully included by product convention.
2. The declaration shall be clear, prominent and not misleading in size, placement or format.

Article 78 — Average quantity system

1. A prescribed production lot may comply through an internationally recognized average-quantity system with limits for deficient packages.
2. Sampling, records, equipment and corrective action shall follow published methods.

Article 79 — Nominal quantity

1. A prepackage shall not contain less than the declared quantity beyond permitted tolerances.
2. Deliberate systematic short filling is prohibited regardless of average compliance.

Article 80 — Drained weight and count

1. Products packed in liquid medium shall state drained weight where prescribed.
2. Goods sold by count shall state the accurate number or a clear permitted estimate.

Article 81 — Misleading packaging

1. Package shape, empty space, illustration and size shall not materially mislead a reasonable consumer about quantity.
2. Necessary protection, machinery requirements, gift presentation and reusable function shall be considered.

Article 82 — Importer responsibility

1. An importer shall ensure imported prepackages bear compliant quantity information or are relabeled before sale under lawful procedure.
2. Equivalent accurate foreign markings may be accepted where intelligible and not misleading.

Article 83 — Sampling and test

1. Market inspection of prepackages shall use published statistically sound sampling and measurement uncertainty.
2. The supplier may receive the report and request confirmatory test where sample remains available.

CHAPTER X LABORATORIES AND CONFORMITY BODIES

Article 84 — Competence

1. A laboratory or conformity body shall use competent personnel, validated methods, suitable facilities, calibrated equipment and quality control.
2. Accreditation may demonstrate competence but is mandatory only where an Act or technical regulation requires it.

Article 85 — Impartiality and confidentiality

1. A conformity body shall manage ownership, payment, consultancy and other conflicts and shall decide on evidence.
2. Client, trade-secret and personal information shall be protected and used only for authorized purpose.

Article 86 — Subcontracting

1. A body may subcontract defined work to a competent provider while retaining responsibility for the final report or certificate.
2. The client shall be informed where subcontracting materially affects the service.

Article 87 — Reports and certificates

1. A report shall accurately identify item, method, result, uncertainty where relevant, deviations and authorizing person.
2. It shall not imply accreditation, regulatory approval or broader conformity beyond the tested scope.

Article 88 — Complaints and appeals

1. A body shall maintain accessible procedures for complaints about service and appeals from conformity decisions.
2. Review shall be independent from the original work and completed within published time.

Article 89 — Proficiency and quality control

1. A laboratory shall use internal quality control and appropriate proficiency testing or comparison.
2. Unsatisfactory performance requires investigation, correction and review of affected results.

Article 90 — Digital records

1. Electronic reports, signatures, raw data and certificates have legal effect where authenticity and integrity are reliable.
2. Retention, cybersecurity, access and correction shall comply with data-protection and sector law.

CHAPTER XI

MARKET SURVEILLANCE AND CORRECTIVE ACTION

Article 91 — Market surveillance

1. A competent regulator shall conduct risk-based surveillance of products and regulated measurements using sampling, document review, testing and incident data.
2. Selection shall be impartial and shall not target origin, critic or competitor without risk basis.

Article 92 — Supplier cooperation

1. A supplier shall provide relevant technical documentation, traceability and samples within reasonable time.
2. Requests shall be proportionate and protect privilege, trade secrets and personal data.

Article 93 — Nonconformity

1. For minor nonconformity, the regulator shall ordinarily allow correction, relabeling, repair or restricted sale.
2. Serious risk, fraud or persistent failure may justify stop-sale, withdrawal, recall, destruction or another proportionate measure.

Article 94 — Urgent action

1. An urgent temporary order may be made where credible evidence shows immediate serious danger.
2. The order shall state evidence, scope and duration and receive prompt independent review.

Article 95 — Recall coordination

1. A safety recall shall be coordinated under the Competition and Consumer Protection Act and the responsible sector law.
2. Public notice shall identify risk and remedy without unnecessary destruction of reputation or confidential information.

Article 96 — Costs

1. A supplier responsible for material nonconformity bears reasonable testing, storage, recall and disposal cost after final decision.
2. Government bears cost where a compliant product was wrongly detained or tested without lawful basis, subject to ordinary public-liability law.

Article 97 — Border control

1. Customs may suspend release of a product identified through lawful risk criteria and refer it promptly to the competent regulator.
2. Detention shall follow Customs Act notice, sampling, time-limit and review safeguards.

Article 98 — Surveillance database

1. The Authority shall maintain a secure database of technical regulations, alerts, nonconformities, recalls and verified enforcement actions.
2. Public information shall be accurate and protect confidential and personal data.

CHAPTER XII TRADE AND INTERNATIONAL COOPERATION

Article 99 — Enquiry point

1. The Authority shall operate a national enquiry point for standards, technical regulations and conformity procedures.
2. It shall provide current information, receive comments and coordinate notifications required by lawfully binding trade obligations.

Article 100 — International participation

1. Eritrea may participate in international and regional standards, metrology, accreditation and legal-metrology organizations under constitutional authority.
2. National delegations shall be technically competent, consult affected interests and report positions transparently.

Article 101 — Mutual recognition

1. Government may conclude mutual-recognition or equivalence arrangements under the Treaty-Making Act and applicable trade law.
2. An arrangement shall define scope, competence, surveillance, information exchange, suspension and review.

Article 102 — Technical assistance

1. The Authority shall seek and provide technical cooperation supporting laboratories, regulators, small enterprise and exporters.
2. Assistance shall not confer exclusive commercial advantage or compromise technical independence.

Article 103 — Regional sharing

1. Eritrea may rely on competent regional calibration, testing, accreditation and proficiency services where building national duplication is uneconomic.
2. Reliance shall preserve access, continuity, confidentiality and national ability to verify competence.

Article 104 — Export support

1. The Authority shall provide standards information, technical-gap assessment, calibration access and conformity guidance to exporters.
2. Support shall be transparent and available on equal terms, with practical assistance for small enterprises.

CHAPTER XIII ENFORCEMENT AND REVIEW

Article 105 — Authorized officers

1. An authorized officer may inspect regulated premises, instruments, packages, records and products during reasonable hours within written authority.
2. Entry to a dwelling, forced access, broad search or seizure requires judicial warrant except a specifically recorded immediate danger.

Article 106 — Sampling

1. An officer may take a reasonable sample, seal and identify it, provide receipt and preserve a split sample where practicable.
2. Testing shall use a competent laboratory and appropriate method and uncertainty.

Article 107 — Administrative order

1. The competent body may order correction, calibration, relabeling, stop-use, stop-sale, withdrawal or recall after notice and hearing except urgent action.
2. The order shall be proportionate, reasoned, time-limited where appropriate and state review rights.

Article 108 — Administrative penalty

1. A civil penalty requires a defined contravention and statutory maximum and shall reflect intention, risk, harm, history and correction.
2. Technical error, measurement uncertainty and fraud shall not be treated as equivalent conduct.

Article 109 — Criminal referral

1. Intentional falsification, tampering causing serious danger, fraudulent conformity marking and obstruction may be referred under the Penal Code and Criminal Procedure Code.
2. The Authority shall not determine criminal guilt or impose imprisonment.

Article 110 — Quality Infrastructure Tribunal

1. An independent Quality Infrastructure Tribunal shall hear appeals concerning accreditation, regulatory conformity, legal-metrology orders and administrative penalties.
2. Members shall possess legal and relevant technical competence and shall not have participated in the original decision.

Article 111 — Appeal and court review

1. A materially affected person may appeal to the Tribunal within thirty days, with extension for reasonable cause.
2. A Tribunal decision may be appealed to the competent court on law, jurisdiction and procedural fairness, and constitutional review remains available.

Article 112 — Complaints and integrity

1. The Authority shall maintain channels for service complaints, technical misconduct, corruption and protected disclosure.
2. Retaliation is prohibited, and aggregate outcomes shall be publicly reported.

CHAPTER XIV TRANSITION AND FINAL PROVISIONS

Article 113 — National inventory

1. Within twelve months, Government shall inventory standards, technical regulations, laboratories, equipment, measurement standards, verification services, marks, accreditations, personnel and international memberships.
2. The verified baseline shall guide investment, repeal, recognition and regional cooperation.

Article 114 — Existing standards

1. An existing published standard continues temporarily as a voluntary standard and shall be reviewed under Chapter III.
2. A standard shall not continue as mandatory unless supported by valid technical regulation entered in the central register.

Article 115 — Existing certificates and approvals

1. A lawful certificate, calibration, pattern approval or accreditation continues until expiry or conversion under a published risk-based plan.
2. Continuity does not validate fraud, undisclosed conflict or an unauthorized mandatory requirement.

Article 116 — Institutional transition

1. Functions, staff, records, equipment and property of a predecessor standards or metrology body shall transfer by verified inventory.
2. Transfer shall protect merit, technical continuity and lawful employment without preserving political or commercial interference.

Article 117 — Regulations

1. The President or responsible Minister, within express constitutional and statutory authority and after consultation, may make regulations on technical procedures, metrology, prepackages, marks, accreditation and transition.
2. A regulation shall not make a voluntary standard mandatory, create an offence, impose a tax or exclude court review beyond this Act.

Article 118 — Schedules

1. Schedule 1 shall list regulated measuring-instrument categories and verification intervals after technical and public consultation.
2. Schedule 2 may state protected marks, transitional standards and other matters expressly authorized, and both Schedules form part of this Act.

Article 119 — Periodic review

1. The National Assembly shall review this Act within five years and thereafter at intervals not exceeding five years.
2. Review shall assess safety, trade cost, exporter access, recognition, measurement capability, small-business burden, independence and international good practice.

Article 120 — Commencement

1. Chapters I, II, III, XII and XIV commence upon publication in the Gazette.
2. The remaining Chapters commence six months after publication or on earlier dates appointed by Act for prepared functions, with existing lawful services continuing during transition.

SCHEDULE 1

REGULATED MEASURING INSTRUMENTS AND VERIFICATION INTERVALS

Before full commencement, the National Assembly shall approve instrument categories, regulated uses, approval and verification requirements, maximum permissible errors and intervals following technical assessment. No instrument becomes regulated until Schedule 1 is completed and enacted by the National Assembly.

SCHEDULE 2

PROTECTED MARKS AND TRANSITIONAL MATTERS

The National Assembly may identify protected national standards, accreditation, calibration and verification marks and any necessary transitional matter. Technical artwork and secure identifiers may be prescribed under published regulations within that authority.

Made at Asmara, this ____ day of _____ 2026.

THE NATIONAL ASSEMBLY OF ERITREA