

# **SRI LANKA ACCREDITATION BOARD FOR CONFORMITY ASSESSMENT ACT**

## **Arrangement of Sections**

1. Short title.

### **PART I**

#### **ESTABLISHMENT OF THE SRI LANKA ACCREDITATION BOARD FOR CONFORMITY ASSESSMENT**

2. Establishment of the Sri Lanka Accreditation Board for Conformity.

3. The functions of the Board.

4. Powers of the Board.

5. Governing Council.

6. Chairman and Vice Chairman of the Council.

7. Disqualification for being a member of the Council.

8. Term of office of members of the Council.

9. Eligibility for re-appointment.

10. Remuneration of members of the Council.

11. Meetings of the Council.

12. Seal.

13. Delegation of powers and duties of the Council.

14. Appointment of committees.

### **PART II**

#### **ACCREDITATION**

15. Determination of criteria or accreditation.

16. Application for Accreditation to be in prescribed form.

17. Grant of Accreditation.

18. Certificate and use of Accreditation Mark.

19. Duty to inform Board of changes in states.

20. Suspension and revocation of Accreditation.

21. Board to maintain a register.

### **PART III**

#### **STAFF OF THE BOARD**

22. Director of the Board.

23. Power of the Council to exercise disciplinary control over officers and servants of the Board.

24. Delegation of powers of the Council.

25. Appointment of Assessors.

### **PART IV**

#### **FINANCE**

26. Fund of the Board.

27. Budget of the Board.
28. Charging fees for services rendered.
29. Financial year and the audit of accounts.

## PART V

### GENERAL

30. Secrecy.
31. Members of the Council and Board.
32. Board to be a scheduled institution within the meaning of the Bribery Act.
33. Protection of action taken under this Act.
34. Power of entry.
35. Prohibition of the use of any name assigned to the Board by the Act.
36. Restrictions on the use of the words "Sri Lanka Accreditation Board for Conformity Assessment" or "Accreditation".
37. Offences.
38. Penalties.
39. Offences by body of persons.
40. Regulations.
41. Accreditation granted by the Sri Lanka Standards Institution to be valid for six months.
42. Sinhala text to prevail in case of inconsistency.
43. Interpretation.

32 of 2005.

**AN ACT** to provide for the establishment of the Sri Lanka Accreditation Board for Conformity Assessment; and to provide for matters connected therewith or incidental thereto.

[Date of Commencement: *23rd September, 2005*]

#### **1. Short title.**

This Act may be cited as the Sri Lanka Accreditation Board for Conformity Assessment Act.

## PART I

### ESTABLISHMENT OF THE SRI LANKA ACCREDITATION BOARD FOR CONFORMITY ASSESSMENT

#### **2. Establishment of the Sri Lanka Accreditation Board for Conformity.**

(1) There shall be established a Board which shall be called the Sri Lanka Accreditation Board for Conformity Assessment (hereinafter referred to as "the Board"). The Board shall be the National Accreditation Authority for Sri Lanka.

(2) The Board shall by the name assigned to it by subsection (1) be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name Functions of the Board.

#### **3. The functions of the Board.**

The functions of the Board shall be—

- (a) to grant accreditation, in accordance with national standards based on the relevant international standards, to laboratories, certification and inspection bodies, training institutions and other persons required to carry out conformity assessments;
- (b) to promote accreditation activities in conformity with the guidelines laid down in the National Quality Policy as approved by the Cabinet of Ministers;
- (c) to ensure competence in internationally accepted accreditation practices and to facilitate international co-operation in accreditation;
- (d) to encourage and promote the use of accreditation, the training of assessors, the conduct of seminars, and the dissemination of information, on accreditation;
- (e) to conclude agreements on mutual recognition with regard to areas related or connected to accreditation with foreign and international bodies; and
- (f) to do all such other acts as may be necessary or conducive in discharging any or all of the above functions, Powers of the Board.

#### **4. Powers of the Board.**

The Board shall have and may exercise all or any of the following powers—

- (a) to hold, take or give on lease or hire, mortgage, pledge, sell or otherwise dispose of, any moveable or immovable property;
- (b) to undertake to execute any trusts, or any agency business which may seem to the Board conducive to the discharge of its functions;
- (c) to borrow and raise loans for the discharge of its functions and for the purpose of raising such loans to offer by way of mortgage or collateral, such property owned by the Board, as is considered necessary;
- (d) to invest any moneys of the Board not immediately required for the discharge of its functions in such manner as may, from time to time be determined by the Board;
- (e) to charge such fees as may be determined by the Board for any services rendered by the Board;
- (f) to enter into such contracts as may be necessary for the discharge of its functions; and
- (g) to do all such other things as are necessary for, or incidental, or conducive to the discharge of the functions of the Board.

#### **5. Governing Council.**

(1) The Board shall have a (herein-Governing Council. after referred to as "the Council"), consisting of thirteen members appointed by the Minister, of whom—

- (a) three members shall be from amongst persons who have distinguished themselves in the fields of science, technology, education, trade, industry or administration or any other relevant field.
- (b) one member who shall be the representative of the Sri Lanka Standards Institution established by the Sri Lanka Standards Institution Act, No. 6 of 1984, nominated by the Chairman of that Institution;
- (c) one member who shall be the representative of the Ministry of the Minister in charge of the subject of Science and Technology and the Departments and statutory bodies assigned to such Minister, appointed in consultation with that Minister;
- (d) one member who shall be the representative of the General Treasury, appointed in consultation with the Minister in charge of the subject of Finance;

- (e) one member who shall be the representative of the Ministry of the Minister in charge of the subject of Trade and the Departments and statutory bodies assigned to such Minister, appointed in consultation with that Minister;
- (f) one member who shall be the representative of the Ministry of the Minister in charge of the subject of Industrial Development and the Departments and statutory bodies assigned to such Minister, appointed in consultation with that Minister;
- (g) one member who shall be the representative of the Ministry of the Minister in charge of the subject of Health and the Departments and statutory bodies assigned to such Minister, appointed in consultation with that Minister;
- (h) one member who shall be the representative of the Department of Measurement Units, Standards and Services, appointed in consultation with the Minister, to whom that Department has been assigned;
- (i) one member who shall be the representative of the Ministry of the Minister in charge of the subject of Agriculture and the Departments and statutory bodies assigned to such Minister, appointed in consultation with that Minister;
- (j) one member to be selected by the Minister from a panel of three names submitted to the Minister, by the National Academy of Sciences, Sri Lanka; and
- (k) one member to be selected by the Minister from a panel of three names submitted to the Minister, by the Federation of Chambers of Commerce and Industry.

(2) Where a member of the Council is, by reason of illness, absence from Sri Lanka, or for any other cause, temporarily unable to perform the duties of his office, for a period exceeding three months, the Minister may, on the recommendation of the Chairman and having regard to the provisions of subsection (1), appoint some other person to act in his place.