

Agreement on the Establishment of South Asian Regional Standards Organization (SARSO), 2008

Preamble

The Governments of SAARC Member States

Desiring to achieve and enhance coordination and cooperation among themselves in the fields of standardization and conformity assessment; and

Aiming to develop harmonized standards for the region to facilitate intra-regional trade and to have access in the global market.

Have agreed as follows:

Definitions:

South Asian RSO: South Asian Regional Standards Organization (SARSO)

SAARC Standard: Standard that is developed or adopted by SARSO and made available to the SAARC Member States.

Article 1

Establishment of the South Asian Regional Standards Organisation

- i. There is hereby established a body to be known as the South Asian Regional Standards Organisation (hereafter referred to as the 'Organisation').
- ii. The Organization shall have full legal personality.
- iii. The legal capacity of the Organisation shall include:
 - (a) the capacity to contract;
 - (b) to sue and be sued in its name; and
 - (c) to acquire, hold and dispose of properties.
- iv. The location of the Organisation shall be in Dhaka, Bangladesh.
- v. The Organization shall be a regional organisation which will conduct its affairs under the provisions of this Agreement, its Statutes, Rules of Procedure and bye laws.
- vi. Adoption of the Organization's decisions shall be by consensus.

Article 2

Objectives and Functions

The objectives and functions of the Organisation shall be

- i. To promote and undertake harmonization of national standards of the SAARC Member States with a view to removing the technical barriers to trade and facilitate flow of goods and services in the region.
- ii. To develop SAARC standards on the products of regional/sub-regional interest.
- iii. To encourage the use of international standards published by international organizations such as ISO, IEC, etc. by way of adoption, where appropriate, as SAARC Standards.
- iv. To encourage exchange of information and expertise among the National Standards Bodies of the Member States in the fields of Standardization and Conformity Assessment.
- v. To facilitate capacity building among the Member States in the fields of Standardization and Conformity Assessment by way of training, workshops, seminars etc.
- vi. To act as a source of information for the Member States on standards, regulations, conformity assessment.
- vii. To present the common interests of the Member States in the various international standardization organisations.
- viii. To establish mutually beneficial cooperation with the relevant international and regional organizations as per relevant SAARC guidelines.
- ix. To promote Mutual Recognition Arrangements (MRAs) on Conformity Assessment Procedures among the Member States.
- x. To encourage sharing of facilities relating to conformity assessment procedures among the Member States.
- xi. To explore the possibility of having a common mark of conformity among the Member States.
- xii. To undertake any other task (s) as deemed appropriate.
- xiii. The Organization shall have the powers necessary to enable it to carry out its objectives and functions.

Article 3

Institutional Structure of the Organization

1. The Organization shall comprise of:

- (a) Governing Board;
- (b) Technical Management Board;
- (c) Director-General; and
- (d) Secretariat.

(a) Governing Board

- i. The Governing Board is the highest authority of the Organization vested with all powers relating to its functioning.
- ii. The Governing Board shall be composed of the Heads of the respective National Standards Body of each Member State. The Head of the National Standards Body of each Member State may also nominate an Alternate Member who would represent him/her in case of his/her absence. Each Member and his/her Alternate shall serve at the pleasure of the appointing Member State. The Chairperson of the Technical Management Board, the Secretary General of SAARC or his representative and the Head of the Secretariat shall be the ex-officio Members of the Governing Board.
- iii. The Governing Board may create and assign other entities, as and when required, for the smooth operation of the activities of the Organisation.
- iv. There shall be Chairperson of the Governing Board who shall be appointed from among the Members of the Governing Board. The Chairmanship of the Board shall rotate among the Member States in alphabetical order. The term of the office of the Chairperson shall be for a non-renewable period of two years.
- v. The Governing Board shall meet at least once in a calendar year.
- vi. The powers and functions of the Governing Board and its Chairperson shall be decided as per the Rules of Procedure of the Organisation.

(b) Technical Management Board

- i. The Technical Management Board (TMB) shall consist of one technical expert nominated by each National Standards Body of the Member States. The TMB shall unanimously elect a Chairperson from among its Members. The tenure of the Chairperson shall be for a period of three years.

- ii. The TMB shall be responsible for the planning, coordination and monitoring of all the technical work of the Organisation. The TMB may establish Sectoral Technical Committees as and when deemed necessary.
- iii. The TMB shall be responsible for the general management of the Sectoral Technical Committees (STCs), including recommendation of their establishment and dissolution.
- iv. The Sectoral Technical Committees may be constituted for the activities relating to the development of harmonised standards, conformity assessment procedures, training etc. The scope and programme of work for each STC under the TMB shall be approved by the Board.
- v. The TMB shall meet at least annually preferably immediately before the Meetings of the Governing Board and submit its reports to the Governing Board.

(c) Director-General and the Secretariat

- i. The Organisation shall be headed by a Director-General who will be appointed by the Governing Board for a period of three years as per the prescribed qualifications and criteria from among the nationals of the Member States as mentioned in the Rules of Procedure. The Director-General may be removed by the Governing Board before the completion of the term as per Rules of Procedure.
- ii. The Organization shall have a Secretariat consisting of officers and staff as recommended by the Governing Board and as approved by the higher SAARC bodies.

Functions of the Director-General

- iii. Be responsible for the implementation of the policies and objectives of the Organisation as approved by the Governing Board.
- iv. Be responsible for all administrative affairs of the Organisation, appointment and dismissal of the officers and staff of the Secretariat in accordance with Rules of Procedure to be adopted by the Governing Board. He shall conduct, under the direction of the Governing Board, the business of the Organisation.
- v. Coordinate with the National Standards Bodies of the Member States.
- vi. Carry out the tasks and powers entrusted to him by the Governing Board.

- vii. Interact with other Regional and International Standardization Organizations as per SAARC Guidelines.

Article 4

Relationship with the SAARC Organs

The Governing Board shall submit its Reports for approval to the higher SAARC bodies.

Article 5

Financing of the Organization

The budget of the Organization shall be funded from the following sources:

- i. Assessed contributions of the Member States.
- ii. Fees charged by the Organization for its Services as approved by the Governing Board.
- iii. The Organization may explore funding from external sources as per SAARC guidelines.

Article 6

Statutes and the Rules of Procedure

The Statutes and the Rules of Procedure will be approved by the Member States and incorporated in this Agreement as an integral part.

Article 7

Settlement of Disputes

Any disputes arising out of interpretation and implementation of this Agreement shall be resolved amicably by the Governing Board. In case of failure, the dispute shall be referred to the higher SAARC bodies for resolution.

Article 8

Official Language

English shall be the official language of the Organization.

Article 9

Publications, Documents and Intellectual Property Rights

All intellectual property rights of the Organisation shall reside within the Organisation. Such intellectual property may include but shall not be restricted to documents, software, etc.

Article 10

Entry into Force of the Agreement

This Agreement shall enter into force on completion of formalities, including ratification, by all Member States and upon issuance of notification thereof by the SAARC Secretariat.

Article 11

Depositary

This Agreement shall be deposited with the Secretary General of SAARC.

Article 12

Reservations

This Agreement shall not be subject to reservations either at the time of signature or at the time of notification to the SAARC Secretariat of the completion of formalities.

Article 13

Amendment

This Agreement may be amended by consensus amongst the Member States on the recommendation of the Governing Board. Any Member State proposing amendment(s) shall notify the other Member States through the SAARC Secretariat. Such amendment(s) shall become effective upon the notification issued by the SAARC Secretariat on completion of formalities, including ratification, by all the Member States.

IN WITNESS WHEREOF, the undersigned being duly authorized thereto by their respective Governments have signed this Agreement on the Establishment of South Asian Regional Standards Organization.