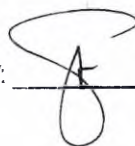


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



22 JUL 25 AIO :24

SENATE
S. No. 793

RECEIVED BY: 

Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
TO DEVELOP A NATIONAL QUALITY POLICY DEFINING THE PHILIPPINE
NATIONAL QUALITY INFRASTRUCTURE (NQI) THEREOF, CREATING FOR
THIS PURPOSE THE PHILIPPINE NATIONAL QUALITY INFRASTRUCTURE
COORDINATING COUNCIL**

EXPLANATORY NOTE

The United Nations Industrial Development Organization (UNIDO) defines Quality Infrastructure as “a system contributing to governmental policy objectives in areas including industrial development, trade competitiveness in global markets, efficient use of natural and human resources, food safety, health, the environment and climate change.” Quality Infrastructure System (QIS) therefore, “is a combination of initiatives, institutions, organizations, activities and people. It includes a national quality policy and institutions to implement it, a regulatory framework, quality service providers, enterprises, customers and consumers (who include citizens as “consumers” of government services).” UNIDO emphasized the importance of QIS in a developing nation as a positive and practical step towards a thriving economy that promotes prosperity, health, and well-being.¹

The Department of Trade and Industry (DTI) has been pushing for the establishment of a National Quality Infrastructure as a foundation in achieving global competitiveness. The country has to focus on standardization, accreditation and metrology. In the same manner, the National Competitiveness Council (NCC)

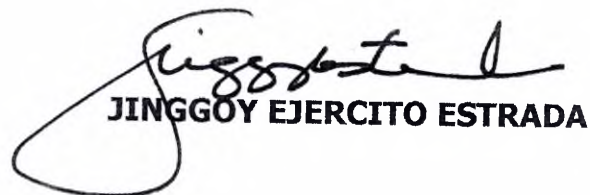
¹ [UNIDO_Quality_system_0.pdf](#)

identified four (4) benefits of NQI, namely, (1) regulatory quality or ease of doing business; (2) trade facilitation; (3) industry development or competitiveness; and (4) consumer protection. Through these, Philippine products and services will be proven to meet international standards and will make them easy to market.

The "*National Quality Infrastructure Development Act*" seeks to provide the necessary institutional apparatus to produce products and services of a prescribed national and international standards. It aims to harmonize the fragmented quality programs and policies, as well as institutionalize effective cooperation and coordination among the NQI institutions in the country, as well as with their regional and international counterparts.

Legislative measures of this nature were filed by legislators both in the House of Representatives and in the Senate in the previous Congresses, but did not prosper into law.

In view of the foregoing, the immediate passage of this bill is highly recommended.




JINGGOY EJERCITO ESTRADA

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*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 Section 1. *Short Title.* - This Act shall be known as the "*National Quality*
2 *Infrastructure Development Act*".

3 Sec. 2. *Declaration of Policy.* - It is declared the policy of the State to adopt
4 a culture of quality among its citizens to encourage competitiveness among firms, to
5 facilitate trade, and to promote consumer welfare in accordance with good
6 regulatory practices.

7 The State shall adopt and strengthen its quality infrastructure network that
8 would support national policies and strategies on economic development,
9 industrialization, trade and investments, ease of doing business, consumer
10 protection, and environmental protection, while adhering to international best
11 practices and international standards.

12 The State recognizes the critical role of the private sector in the national
13 quality infrastructure, and shall promote a transparent, participatory, coherent, and
14 efficient mechanism to enable businesses to effectively comply with market
15 requirements and consumer needs.

1 Pursuant thereto, the State shall also develop a National Quality Policy (NQP)
2 that will further strengthen the Philippine National Quality Infrastructure (NQI) to
3 provide the necessary institutional apparatus so that the country's private sector can
4 produce products and services of a prescribed national or international standard;
5 and the verification of conformance to these standards can be achieved by
6 internationally accepted means.

7 It is hereby declared the policy of the State to harmonize the fragmented
8 quality programs and policies, as well as institutionalize effective cooperation and
9 coordination among the NQI institutions in the country, as well as within their
10 regional and international counterparts. The NQI shall serve both the regulatory
11 authorities and the market place in order to comply with the State's constitutional
12 mandate to protect consumer rights and encourage industries and other
13 organizations to adopt quality improvements and best practices into their daily
14 activities.

15 Sec. 3. *Coverage.* – This Act shall apply to activities, processes, programs,
16 and to public and private institutions relevant to standards, accreditation, metrology,
17 conformity assessment, and other matters incidental thereto.

18 Sec. 4. *Definition of Terms.* – For purposes of this Act, the following terms
19 are defined as follows:

- 20 a) *Accreditation* refers to a third-party attestation conveying a formal
21 demonstration of the competence of a conformity assessment body to carry
22 out specific conformity assessment tasks. It provides a basis for uniform
23 technical policy and conditions for mutual recognition at the international
24 level;
- 25 b) *Calibration* refers to the operation that is used to establish that the measuring
26 instruments used to remain accurate within specified parameters;
- 27 c) *Certification* refers to a third-party attestation of conformance to standards,
28 technical regulations, other specified requirements or guidelines related to
29 products, processes, systems, or persons. This can be accomplished by
30 conducting inspection, verification, audit and/or testing;

- 1 d) *Conformity Assessment* refers to the demonstration that specified
2 requirements relating to a product, process, system, person or body are
3 fulfilled;
- 4 e) *Conformity Assessment Body* refers to a body that performs conformity
5 assessment activities and that can be the object of accreditation;
- 6 f) *Culture of Quality* refers to the set of group values that guide how
7 improvements are made to everyday working practices and consequent
8 outputs;
- 9 g) *Inspection* refers to the examination of product, process, service, or
10 installation, or their design and determination of its conformity with specific
11 requirements or, on the basis of professional judgment, with general
12 requirements;
- 13 h) *Methodology* refers to the science of measurement and its application, which
14 includes all theoretical and practical aspects of measurement;
- 15 i) *National Quality Infrastructure (NQI)* refers to policy, legal, regulatory, and
16 administrative frameworks, and the institutional arrangements, public and
17 private, to implement standardization, accreditation, and totality of the
18 testing, certification, and measurement necessary to provide acceptable
19 evidence that products and services meet the defined government and
20 market standards;
- 21 j) *National Quality Policy (NQP)* refers to the basic government instrument for
22 establishing and overseeing the quality infrastructure system;
- 23 k) *Philippine National Standard (PNS)* refers to a document established by
24 consensus and promulgated by the Bureau of Philippine Standards, which
25 provides, for common and repeated use, rules, guidelines, or characteristics
26 for activities or their results which aim at the achievement of the optimum
27 degree of order in a given context;
- 28 l) *Quality* refers to the degree to which a set of inherent characteristics fulfill
29 requirements;
- 30 m) *Standard* refers to the document approved by a recognized body that
31 provides for common and repeated use, rules, guidelines, or characteristics
32 for products or related processes and production methods, with which

1 compliance is not mandatory. It may also include terminology, symbols,
2 packaging, marking, or labelling requirements as they apply to a product,
3 process, or production method;

4 n) *Standardization* refers to the process of developing technical specifications of
5 standards based on consensus among all interested parties, consumers, trade
6 associations, manufacturers and providers of goods and services, non-
7 governmental organizations (NGOs), and government agencies and
8 instrumentalities; and,

9 o) *Testing* refers to the determination of a product's characteristics against the
10 requirements of a standard.

11 *Sec. 5. Philippine National Quality Policy.* – A Philippine National Quality
12 Policy shall be developed to ensure the Philippine products and services are globally
13 accepted; earn a reputation of highest equality in terms of safety, standards, and
14 acceptability; promote a national culture of quality among the citizenry; and that
15 Philippine goods and services are designed, manufactures, and supplied in a manner
16 that fully matches or exceeds the needs, expectations, and requirements of the
17 retailers, purchasers, consumers, and regulatory authorities in the local, regional,
18 and international markets.

19 The National Quality Policy shall define the National Quality Infrastructure in
20 accordance with the objectives set forth in this Act.

21 *Sec. 6. Scope of the NQI.* – The NQI shall prescribe the policy, regulatory,
22 and legal frameworks on Standardization, Accreditation, Metrology, and Conformity
23 Assessment that shall be defined in the implementing rules and regulations of this
24 Act.

25 *Sec. 7. Institutional Arrangements.* – To achieve the objectives set forth in
26 this Act, there is hereby created a Philippine National Quality Infrastructure
27 Coordination Council (PNQICC), herein referred to as the Council.

28 The Council shall be composed of the following:

29 a) The Department of Trade and Industry (DTI) and Department of Science and
30 Technology (DOST) Secretaries as Co-Chairpersons;

31 b) A representative of the private sector as Vice-Chairperson;

- 1 c) The Secretary of the Department of Budget and Management (DBM) as
- 2 member;
- 3 d) The Secretary of Department of Agriculture (DA) as member;
- 4 e) The Secretary of the Department of Energy (DOE) as member;
- 5 f) The Secretary of the Department of Environment and Natural Resources
- 6 (DENR) as member;
- 7 g) The Secretary of the Department of Information and Communications
- 8 Technology (DICT) as member;
- 9 h) The Secretary of the Department of Finance (DOF) as member;
- 10 i) The Secretary of the Department of Health (DOH) as member;
- 11 j) The Secretary of the Department of Tourism (DOT) as member;
- 12 k) The Secretary of the Department of Public Works and Highways (DPWH) as
- 13 member;
- 14 l) The Director-General of the National Economic and Development Authority
- 15 (NEDA) as member;
- 16 m) A representative of the Union of Local Authorities of the Philippines (ULAP) as
- 17 ex-officio member;
- 18 n) Four (4) members of the private sector who shall represent exporters,
- 19 manufacturers, importers and consumers, as ex-officio member; and,
- 20 o) A representative of the academe or research institutions as ex-officio
- 21 member.

22 The DTI and DOST Secretaries may designate the appropriate Undersecretary
23 as their alternate, and the other ex-officio members may designate an alternate with
24 the rank not below the rank of Director.

25 The President shall appoint the Vice-Chairperson from the nominees
26 submitted by reputable business groups or associations.

27 A permanent secretariat shall be organized by the DTI to assist the Council in
28 the discharge of its functions.

29 *Sec. 8. Functions of the Philippine National Quality Infrastructure*
30 *Coordination Council.* – The Council shall perform the following functions:

- 31 a) Formulate and adopt a Philippine National Quality Policy pursuant to Section 5
- 32 of this Act;

- 1 b) Instill a culture of quality in all levels of society, at the individual and
2 institutional levels, through an effective information, education, capacity
3 building, and communication campaign to relevant regulatory bodies and to
4 the public;
- 5 c) Ensure the adopted of good regulatory practices and policy cohesion by NQI
6 institutions and in the delivery of NQI services, as well as in the development
7 and promotion of programs and projects;
- 8 d) Create communities or technical working groups and request the
9 participation, assistance and cooperation of government agencies, industry
10 associations, consumers, the academe, and other stakeholders, if necessary
11 for the performance of its functions and the attainment of the objectives of
12 this Act;
- 13 e) Identify the roles and contribution of government agencies, the private
14 sector, industry associations, non-government organizations, and other
15 stakeholders in attaining the vision and adhering to the principles prescribed
16 in this Act;
- 17 f) Coordinate and support programs, projects and activities that will foster the
18 development of a responsible and sustainable NQI, such as but not limited to
19 improving and increasing the availability of experts, technical assessors,
20 laboratories, calibration services, and product certification bodies; among
21 others;
- 22 g) Provide direction and order, and encourage the participation of the public and
23 private sectors in conformity assessment activities and mechanisms as a
24 means to demonstrate compliance with voluntary and mandatory
25 requirements to public and private sectors;
- 26 h) Promote the adoption of quality management practices and necessary training
27 to those in charge of the production and commercialization of goods and
28 services in the country;
- 29 i) Promulgate rules to enable the NQI institutions under its direction to offer
30 technical support to relevant industries;
- 31 j) Ensure that standardization, accreditation, and metrological processes are in
32 line with and comparable to international best practices;

- 1 k) Ensure the proper promulgation of all standards created by other agencies
2 and instrumentalities of the government, and perform standardization
3 functions over conformity assessment bodies in the country;
- 4 l) Direct the development of the National Standardization Strategy and the
5 National Accreditation Strategy, with the involvement of all stakeholders;
- 6 m) Ensure that the country participates in regional and international
7 standardization efforts and accreditation activities, arrangements, and for a;
- 8 n) Support the formation of cooperation and conclusion of mutual recognition
9 arrangements and agreements with national, regional, and international
10 organizations;
- 11 o) Promote the recognition of accreditation among regulatory agencies by:
- 12 i. Requiring their testing and calibration laboratories, inspection bodies
13 and certifying bodies to seek accreditation;
- 14 ii. Requiring government agencies to utilize the services of test and
15 calibration laboratories, inspection bodies, certification bodies and
16 other conformity assessment bodies that are accredited by the
17 Accreditation Philippines or a signatory member of the Asia Pacific
18 Accreditation Cooperation (APAC), International Accreditation Forum
19 (IAF), International Laboratory Accreditation Cooperation (ILAC), and
20 International Halal Accreditation Forum (IHAF);
- 21 iii. Establishing agreements, Memorandum of Understanding (MOU) and
22 Mutual Recognition Arrangement (MRA) with regulatory bodies, other
23 accreditation bodies, signatory members and other interested parties.
- 24 p) Ensure the maintenance and continuous update of the national measurement
25 standards in all relevant fields for the Philippines, guaranteeing that all
26 metrological laboratories, infrastructure, equipment, instruments, artifacts,
27 reference standards, and other similar articles are in good condition,
28 internationally compliant, and reliant and other qualities that may be required
29 in the future;
- 30 q) Provide metrological traceability to the International System of Units (SI) for
31 measurements used in regulations, trade, and manufacturing;

- 1 r) Engage and coordinate research and development work with other local
- 2 institutes / bodies having metrological responsibilities (radiation, standard
- 3 time and dissemination, etc.);
- 4 s) Exercise responsibility for legal metrological controls in the country through
- 5 coordination with other executive branches of government;
- 6 t) Ensure uniformity of metrological procedures in the same prescribed manner
- 7 of their implementation; and,
- 8 u) Perform such other functions as may be necessary, incidental, or proper to its
- 9 mandate.

10 *Sec. 9. Role of NQI Institutions.* – Under the direction of the Philippine
11 National Quality Infrastructure Council, all existing NQI institutions involved in
12 standards development, accreditation, metrology, and conformity assessment shall
13 continue to perform the mandates and functions assigned to them by their
14 respective enabling laws, including but not limited to:

15 a) Department of Agriculture (DA)

- 16 i. Bureau of Agriculture and Fisheries Standards (BFAS) pursuant to
- 17 Republic Act No. 8435;
- 18 ii. National Meat Inspection Service (NMIS), pursuant to Republic Act No.
- 19 9296;

20 b) Department of Environment and Natural Resources (DENR), pursuant to

21 Executive Order No. 192, series of 1987;

22 c) Department of Information and Communications Technology (DICT)

- 23 i. National ICT Planning Policy and Standards Bureau (NIPPSB), pursuant
- 24 to Republic Act No. 10844;

25 d) Department of Energy (DOE)

- 26 i. Energy Research and Testing Laboratory (ERTL), pursuant to
- 27 Administrative Order No. 38, series of 2002;
- 28 ii. National Renewable Energy Board (NREB), pursuant to Republic Act
- 29 No. 9513;
- 30 iii. Oil Industry and Management Bureau (OIMB), pursuant to Republic Act
- 31 No. 8479;

32 e) Department of Health (DOH)

- 1 i. Food and Drugs Administration (FDA), pursuant to Republic Act No.
2 9711;
- 3 f) Department of Science and Technology (DOST)
- 4 i. Forest Products Research and Development Institute (FPRDI), pursuant
5 to Executive Order No. 128, series of 1987;
- 6 ii. Industrial Technology Development Institute (ITDI), pursuant to
7 Executive Order No. 128, series of 1987;
- 8 iii. Metals Industry Research and Development Center (MIRDC), pursuant
9 to Republic Act No. 4724;
- 10 iv. National Metrology Laboratory (NML), pursuant to Republic Act No.
11 9236;
- 12 g) Department of Tourism (DOT)
- 13 i. Office of Tourism Standards and Regulations, pursuant to Republic Act
14 No. 9593;
- 15 h) Department of Transportation (DOTr)
- 16 i. Land Transportation Franchising and Regulatory Board (LTFRB),
17 pursuant to Executive Order No. 202, series of 1987;
- 18 i) Department of Public Works and Highways (DPWH)
- 19 i. Bureau of Research and Standards (BRS), pursuant to Executive Order
20 No. 292, series of 1987;
- 21 j) Department of Trade and Industry (DTI)
- 22 i. Bureau of Philippine Standards (BPS), pursuant to Republic Act No.
23 4109;
- 24 ii. Philippine Accreditation Bureau (PAB), pursuant to Executive Order No.
25 802, series of 2009;
- 26 k) National Commission of Muslim Filipinos (NCMF), pursuant to Republic Act No.
27 4109;
- 28 l) National Water Resources Board (NWRB), pursuant to Presidential Decree No.
29 1067, s. 1976; and,
- 30 m) Local Government Units, pursuant to Republic Act No. 7394.

31 Sec. 10. *Appropriations.* – The amount necessary for the conduct of activities
32 and projects of the Council to effectivity perform its mandated functions under this

1 Act, shall be sourced from the budgets of the different government agencies tasked
2 to implement the same.

3 Sec. 11. *Implementing Rules and Regulations.* – Within sixty (60) working
4 days from the effectivity of this Act, the Department of Trade and Industry (DTI)
5 and Department of Science and Technology (DOST), in consultation with the DBM,
6 DOF, NEDA, and other relevant stakeholders shall issue the implementing rules and
7 regulations of this Act.

8 Sec. 12. *Separability Clause.* – If any provision or part hereof is held invalid
9 or unconstitutional, the remainder of the law or the provision or part not otherwise
10 affected shall remain valid and subsisting.

11 Sec. 13. *Repealing Clause.* – Any law, presidential decree or issuance,
12 executive order, letter of instruction, administrative order, rule, or regulation
13 contrary to or inconsistent with the provisions of this Act are hereby repealed,
14 modified, or amended accordingly.

15 Sec. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its
16 publication in the *Official Gazette* or in a newspaper of general circulation, and the
17 filing of three (3) certified copies hereof with the Office of the National
18 Administrative Register (ONAR) of the University of the Philippines (UP) Law Center,
19 Diliman, Quezon City, pursuant to Presidential Memorandum Circular No. 11 dated
20 09 October 1992.

Approved,