

BUILDING BLOCKS TO BE
INCLUDED IN A NEW LAW ON
STANDARDISATION, OR IN THE
EXISTING LAW ON THE
ESTABLISHMENT OF THE
SURINAMES STANDARDAARDEN
BUREAU (SSB)

Last version 30 September 2017

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INTRODUCTION

In this document, the experts present you clauses that may be included in existing standardization legislation or in a new Law on Standardisation, in order to provide a sound legal basis for the transposition of international standardization principles and best practices in Surinamese legislation.

The current law establishes a national standardisation body, but the functions and responsibilities of this body are in violation of international rules and principles. For that reason, we propose not to do a review of the individual clauses, but instead propose clauses to properly implement the NQI related to standardisation.

Building Blocks Standardisation [Ref BBS]

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| Ref.: BBS-1 | Definitions |
| Text Dutch | <p>Text English:</p> <p>1. Terms used in this Law (or the field of standardization) shall have the following meanings:</p> <p>1.1 Standardisation - the activity of establishing, with regard to actual or potential problems, provisions for common and repeated use, aimed at the achievement of the optimum degree of order in a given context.</p> <p>1.2. Standard- a document, established by consensus and approved by a recognized body, that provides, for common and repeated use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order in a given context, with which compliance is not compulsory, and which is one of the following:</p> <p>(a) International Standard- a standard adopted by an international standardisation body;</p> <p>(b) Regional Standard - a standard adopted by a regional standardisation organisation;</p> <p>(c) Referenced Standard - a Surinamese standard adopted on the basis of a request made by the Competent Authority for the application of a Surinamese technical regulation. The lists of referenced standards indicatives and titles shall be published in the Suriname Official Journal, also making clear which is the related technical regulation supported by EACQ standards list;</p> <p>(d) National Standard - a standard adopted by a</p> |

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| | <p>National Standardisation Body;</p> <p>1.3. Surinamese Standard - any standard adopted by the National Standardisation Body, in accordance with requirements of this law;</p> <p>1.4 International Standardisation Organisation - the International Organisation for Standardisation (ISO), the International Electrotechnical Commission (IEC) and the International Telecommunication Union (ITU);</p> <p>1.5. National Standardisation Body - a standards body recognized at the national level.</p> <p>1.6. Standardisation Deliverable - any document, approved by regional and international bodies, and also approved by the National Standardisation Body, such as technical specifications, technical reports, manuals or special technical agreements, with which compliance is not compulsory;</p> <p>1.7. Draft Standard - a document containing the text of the technical specifications concerning a given subject, which is being considered for adoption in accordance with the relevant standards procedure, as that document stands after the preparatory work and as circulated for public comment or scrutiny;</p> <p>1.8. Technical Specification - a document that prescribes technical requirements to be fulfilled by a product, process, service or system and which lays down one or more of the following:</p> <p>(a) the characteristics required of a product including levels of quality, performance, interoperability, environmental protection, health, safety or dimensions, and including the requirements applicable to the</p> |
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| | <p>product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking or labelling and conformity assessment procedures;</p> <p>(b) production methods and processes used in respect of agricultural products, products intended for human and animal consumption, and medicinal products, as well as production methods and processes relating to other products, where these have an effect on their characteristics;</p> <p>(c) the characteristics required of a service including levels of quality, performance, interoperability, environmental protection, health or safety, and including the requirements applicable to the provider as regards the information to be made available to the recipient;</p> <p>(d) the methods and the criteria for assessing the performance of construction products, laying down harmonised conditions for the marketing of construction products in relation to their essential characteristics;</p> <p>1.9. ICT Technical Specification - a technical specification in the field of information and communication technologies;</p> <p>1.10. Product - any industrially manufactured product and any agricultural product, including fish products;</p> <p>1.11. Service - any self-employed economic activity normally provided for remuneration;</p> <p>1.12. Working Program of Standardisation - the working program of the National Standardisation Body, which contains the elements of standardisation for certain period of time.</p> |
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| | <p>1.13. PCS - the Professional Council of Standards as an advisory body delegated by parties of interest.</p> <p>1.14. Technical Committee - A group of experts established by a Standardisation Body to deal with particular fields of technical activity.</p> <p>1.15. Code of Best Practice - the guiding document that stems from international agreements dedicated to standardisation bodies. (The WTO code of good practice for standardisation (annex 3 to the WTO TBT agreement)</p> <p>1.16. A Reference to Standards - a reference to one or several standards that provides a means to meet the requirements of a technical regulation through the application of specific standards.</p> <p>1.17. Stakeholder - natural or legal person (<i>for example</i> University, Economic Chamber, Private Company, Agency on Protection of Environment, Business Association and Representative of Consumer's Protection) that has an interest in standardisation.</p> |
| <p>Reference to Clause(s) in National (Draft) legislation:</p> | |
| <p>Comments:</p> <ol style="list-style-type: none"> 1. The definitions are taken from international standards. 2. The experts would like to draw attention to the fact that the concept of 'consensus' in standardization does not mean a majority of votes, or even a qualified vote (f.e. 2/3rd of the votes). The concept of consensus | |

is characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments.

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| Ref.: BBS-2 | Aims of Standardisation |
| Text Dutch | <p>Text English:</p> <p>Article ?: Aims of Standardisation</p> <p>Standardisation may have one or more specific aims, to make a product, process or service fit for its purpose. Such aims can be, but are not restricted to, variety control, usability, compatibility, interchangeability, health, safety, protection of the environment, product safety, mutual understanding, economic performance, and trade.</p> |
| Reference to Clause(s) in National (Draft) legislation: | |

Comments:

Ref.: BBS-3

Principles of Surinamese Standardisation

Text Dutch

Text English:

Article ?:

Principles of Surinamese Standardisation

1. The application of Surinamese Standards is voluntary unless made obligatory by contract or law.

2. Surinamese Standards are the same for all natural and/or legal entities, both national and foreigner, who exercise an economic activity in Suriname.

3. Surinamese standardisation activity shall be in line with the principles of the WTO Code of Good Practice for the Preparation, Adoption and Application of Standards (Annex 3 to the WTO TBT Agreement).

4. Transparency in all stages of standardisation activity shall be ensured through publishing and public information.

Reference to Clause(s) in National (Draft) legislation:

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| Ref.: BBS-4 | Surinamese Standards Bureau |
| Text Dutch | <p>Text English:</p> <p>Article ?: Surinamese National Standardisation Body</p> <p>1. National Standardisation Body</p> <p>1.1.1. The National Standardisation Body shall be the national public institution which is responsible for standardisation in the Republic of Suriname, which shall include the development, adoption, approval publication and withdrawal of standards in all economic sectors in the Republic of Suriname.</p> <p>1.1.2. The 'Suriname Standards Bureau' is the National Standardisation Body in the Republic of Suriname.</p> <p>1.2. The National Standardisation Body shall be an independent body of state administration which shall report and be accountable to the Minister responsible for trade and industry.</p> <p>1.3. The Ministry responsible for trade and industry shall exercise oversight functions over the National Standardisation Body in accordance with this Law ??? and the Ordinance ???.</p> <p>1.4. The National Standardisation Body shall have its</p> |

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| | <p>seat in Paramaribo.</p> <p>1.5. The National Standardisation Body shall exercise all powers and responsibilities set out in the present law and any other relevant law.</p> <p>1.6. The National Standardisation Body shall have the status of a legal person and its own logo that is protected by law.</p> |
| Reference to Clause(s) in National (Draft) legislation: | |
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| Ref.: BBS-5 | Functions and Responsibilities of the National Standardisation Body |
| Text Dutch | <p>Text English:</p> <p>Article ?: Functions and Responsibilities of National Standardisation Body</p> <p>1. The National Standardisation Body shall be responsible for:</p> <p>1.1. adopting and maintaining Surinamese standards in</p> |

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| | <p>the national interests of Suriname and to keep the catalogue of standards up to date;</p> <p>1.2. Periodically reviewing, maintaining and confirming the status of Surinamese standards in accordance with rules and procedures on standardisation activities adopted by the National Standardisation Body.</p> <p>1.3 developing and approving rules and procedures on standardisation activities, in accordance with international standardisation principles and rules;</p> <p>1.4. preparing, approving and publishing the working program for standardisation in accordance with interest of parties;</p> <p>1.5. drafting, recognizing, adopting, approving, implementing, amending, repealing and publishing Surinamese standards and Surinamese standardisation documents in accordance with international standardisation principles and rules, and ensuring coherence of referenced standards with technical regulations;</p> <p>1.6. preparing and maintaining a database of standards;</p> <p>1.7. preparing and maintaining an archive with Surinamese, regional and international standards, as well as selling them in accordance with the applicable Laws, rules and policies of agreements with Standardisation organisations;</p> <p>1.8. providing information services on standards and standardisation procedures to businesses entities that carry out economic activity in the Republic of Suriname and abroad;</p> |
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| | <p>1.9. acting as a focal point for standardisation related issues which result from agreements with CEFTA/WTO related to technical barriers to trade, and code of good practice for drafting, adopting, and implementation of standards;</p> <p>1.10. exchanging information and cooperating in the area of standardisation with foreign national standardisation bodies;</p> <p>1.11. organizing training and other activities related to standardisation;</p> <p>1.12. publishing a bulletin and an annual catalogue of Surinamese standards;</p> <p>1.13. initiating and undertaking studies, publications, experience and research activities regarding standardisation and other standardisation related activities;</p> <p>1.14. representing the interests of Surinamese Stakeholders in Standardisation in the International Standardisation Organization (ISO), International Electrotechnical Commission (IEC), and other organizations dealing with standards (e.g. ITU);</p> <p>1.15. operating the "enquiry and notification point" for Standards as required in relevant international agreements.</p> <p>2. The National Standardisation Body may provide complementary services to support the use and application of standards. These may include training, information services and certification.</p> |
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| Reference to Clause(s) in National (Draft) legislation: |
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| Ref.: BBS-6 | Orgainsation of the SSB |
| Text Dutch | <p>Text English:</p> <p>Article ??. Organization of the National Standardisation Body</p> <p>1. National Standardisation Body management</p> <p>1.1. National Standardisation Body shall be headed by the Director-General who shall report and be accountable to the Minister responsible for trade and industry.</p> <p>1.2 The Director-General and all employees of the National Standardisation Body shall be civil servants who shall be appointed and dismissed in accordance with Law ??? of the Republic of Suriname.</p> <p>1.3 The mandate of the Director-General is ??? years.</p> <p>1.4 The organizational structure of the National Standardisation Body shall be set out by the Director-</p> |

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| | <p>General after consulting the Professional Standardisation.</p> <p>2. Professional Standardisation Council</p> <p>2.1 Professional Council of Standards (PSC) is an advisory body comprised by parties of interest and functions within the National Standardisation Body.</p> <p>2.2 Professional Council of Standards (PSC) councils on work programmes, composition and leading of technical committees.</p> <p>2.3 Representatives of the interested parties for standardisation can take part in the Professional Council of Standards (PSC).</p> <p>2.4 Professional Council of Standards (PSC) shall draft its rule of procedure and elects its chair with majority of members' votes.</p> <p>3. Reporting: The Director-General of the National Standardisation Body shall submit an annual report to the Minister responsible for trade and industry on the activities, achievements and finances of the Suriname Standards Bureau. The report shall be submitted the latest three months following the beginning of the next calendar year and shall be made public.</p> <p>4. Membership</p> <p>4.1 Any natural or legal person, who exercises an economic activity in the Republic of Suriname, is eligible for membership in the PSC.</p> <p>4.2 Rights, duties and membership obligations shall be defined in the internal rules of the National Standardisation Body.</p> |
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| Reference to Clause(s) in National (Draft) legislation: | |
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| Ref.: BBS-7 | Funding |
| Text Dutch | Text English: Article ??? Funding 1. The National Standardisation Body shall be funded from the following sources: 1.1. Suriname State budget; 1.2. participation in donor programs or projects which have defined goals for funding, whether they are international, European Union, bilateral or other; 1.3. donor contributions or grants provided by natural or legal entities; |

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| | <p>1.4. revenue derived from the sale of standards and documents;</p> <p>1.5. revenue derived from the provision of complementary services in accordance with the present law.</p> <p>2. Revenue collected by the National Standardisation Body for the provision of the sale of standards and documents and of complementary services pursuant to the present law shall be the "dedicated revenue" of the National Standardisation Body. Donor funds specifically provided to support the National Standardisation Body shall also be deemed the "dedicated revenue" of the National Standardisation Body. All such items shall be deposited into the budget of the Republic of Suriname and appropriated for the authorized purposes of National Standardisation Body under the relevant budgetary category and in accordance with the budgetary process established by the Law on Public Financial Management and Accountability. The funds defined in this Article are allocated in the Suriname State budget</p> |
| <p>Reference to Clause(s) in National (Draft) legislation:</p> | |
| <p>Comments:</p> | |

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| Ref.: BBS-8 | Transparency and Inclusiveness |
| Text Dutch | <p data-bbox="1122 264 1339 288">Text English:</p> <p data-bbox="1122 328 1626 384">Article ??? Transparency and Inclusiveness</p> <p data-bbox="1122 424 2045 767">1. Transparency of work programme 1.1. At least once a year, the National Standardisation Body shall establish its work programme. That work programme shall contain information on the standards and standardisation deliverables which it intends to prepare or amend, which it is preparing or amending and which it has adopted in the period of the preceding work programme, even when the standards and standardisation deliverables these are identical or equivalent transpositions of international or regional standards.</p> <p data-bbox="1122 807 2045 1023">1.2. The work programme shall indicate, in respect of each standard and standardisation deliverable: (a) the subject matter; (b) the stage attained in the development of the standards and standardisation deliverables; (c) the references of any international standards taken as a basis.</p> <p data-bbox="1122 1031 2045 1182">1.3 The national standardisation body shall make its work programme available on its website or any other publicly available website, as well as make a notice of the existence of the work programme available in a national publication of standardisation activities.</p> <p data-bbox="1122 1222 2045 1374">2. Transparency of Standards The National Standardisation Body shall: a) ensure access to draft national standards in such a way that all relevant parties have the opportunity to submit comments;</p> |

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| | <p>b) allow foreign national standardisation bodies to be involved passively or actively, by sending an observer, in the planned activities.</p> <p>3. Inclusiveness in the development and approval of Standards</p> <p>3.1. Inclusivity shall be ensured through:</p> <p>a) the right on voluntary participation of interested parties in the process of drafting, approving and adopting Surinamese standards and their voluntary implementation;</p> <p>b) consensus of interesting parties on the content of Surinamese standards;</p> <p>c) the establishment of common interest over individual interests within the standards programme and contents of standards; and</p> <p>d) encouragement and facilitation of the access of small and medium sized enterprises to standards and standards development processes in order to reach a higher level of participation in the standardisation system.</p> <p>4. Use of, and participation in, regional and international standardisation activity</p> <p>4.1. Where regional or international standards exist or their completion is imminent, the National Standardisation Body shall use them, or the relevant parts of them, as a basis for Surinamese standards, except where such standards or relevant parts would be ineffective or inappropriate, for instance, because of an insufficient level of protection or fundamental climatic or geographical factors or fundamental technological problems.</p> <p>4.2. The National Standardisation Body should participate in regional and international standardisation activity within the limits of available</p> |
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| | resources and interests regarding subject matter for which it either has adopted, or expects to adopt, standards. |
| Reference to Clause(s) in National (Draft) legislation: | |
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| Ref.: BBS-9 | Standards and Technical Regulations |
| Text Dutch | <p>Text English:</p> <p>Article ?? Standards and Technical Regulations</p> <p>1. Technical Regulations may make reference to Standards as a means to support government policies and regulations.</p> <p>2. The National Standardisation Body shall adopt Referenced Standards through its standardisation programme.</p> <p>3. The competent ministry in association with the National Standardisation Body shall identify Surinamese Standards that are intended to support technical regulations. The competent ministry shall mandate the National Standardisation Body to develop these Referenced Standards. Such standards shall be</p> |

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| | <p>considered and approved for use against regulations by relevant ministries and other executive agencies and proposed to the Government for approval.</p> <p>4. The list of Referenced Standards, as well as any of its review shall be published in the Official Gazette. The adoption of a Referenced Standards, or its inclusion in a list of referenced standards does not make the application of the standard obligatory.</p> <p>5. Ministries, central institutions and bodies of local government that prepare technical rules containing references to Surinamese standards or their parts for the implementation at the national level of Suriname, shall cooperate with the National Standardisation Body about the way of reference.</p> |
| Reference to Clause(s) in National (Draft) legislation: | |
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| Ref.: BBS-10 | Technical Committees |
| Text Dutch | Text English: Article ??: Technical Committees |

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| | <p>1. Technical Committees shall be established under the authority of National Standardisation Body to carry out standardisation activities. Technical Committees are groups of experts for standardisation that shall not be part of the internal structures of the National Standardisation Body and shall be engaged for certain areas of standardisation.</p> <p>2. Technical Committees shall be established and dismissed with the proposal of Professional Council of Standards (PSC) and decision of the National Standardisation Body's Director-General.</p> <p>3. Participation in technical committees is voluntary and open to stakeholders representing all relevant interests within the scope of standardization.</p> <p>4. Public authorities, including market surveillance authorities, should participate in national standardisation activities aimed at the development or revision of standards required to support Government policies and practices.</p> |
| <p>Reference to Clause(s) in National (Draft) legislation:</p> <p>Technical Committees shall adopt the text of standard by means of consensus. The experts would like to draw attention to the fact that the concept of 'consensus' in standardization does not mean a majority of votes, or even a qualified vote (f.e. 2/3rd of the votes). The concept of consensus is characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments.</p> | |

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| Ref.: BBS-11 | Drafting, adoption, approval and publication of Surinamese's Standards |
| Text Dutch | <p>Text English:</p> <p>Article ??: Drafting, adoption, approval and publication of Surinamese Standards</p> <ol style="list-style-type: none">1. Any Stakeholder may submit a proposal for standardisation to the National Standardisation Body, attached by respective justification, for drafting, adopting and approval of Surinamese standards.2. Procedures for drafting, adopting and approving Surinamese standards shall set as follows:<ol style="list-style-type: none">2.1. objectives that shall be achieved by the proposed standard;2.2. factors and economic impact;2.3. sources of funding and expertise;2.4. potential implementation of the standard, within the assessment of Conformity;3. Regional and international standards are made available for public use, through their recognition or adoption as Surinamese standards.4. Regional and international standards are transposed in the same manner as Surinamese standards, through: |

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| | <p>4.1. recognition, adoption, approval and preparation of similar text with the original of standard in official Language;</p> <p>4.2. drafting the text in its original language, with only the first page in official Language of Suriname ('cover page method');</p> <p>4.3 approval of a list as Surinamese standards.</p> <p>5. Confirmation of approval as Surinamese standards shall be done through preparation of an official document for approval, as well as publishing in the periodical bulletin of the National Standardisation Body.</p> <p>6. Procedures for recognition or adoption of regional and international standards as Surinamese standards are defined in rules and procedures for activities of standardisation, which shall be established by the National Standardisation Body.</p> <p>7. Drafting, recognition, adoption, approval and publication of Surinamese's standards shall be done in accordance with rules and procedures for Surinamese activities of standardisation established by the National Standardisation Body.</p> |
| <p>Reference to Clause(s) in National (Draft) legislation:</p> | |
| <p>Comments:</p> <p>The procedure described in sub-clause 4.2 allows Suriname to adopt a lot of international standards in support</p> | |

of its technical regulations instead of having to develop all standards by itself. This will save Suriname a lot of financial resources as well as time. It allows Suriname to quickly adopt technical regulations and the supporting international standards.

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| Ref.: BBS-12 | Standstill |
| Text Dutch | <p>Text English:</p> <p>Article ??: Standstill and Withdrawal of conflicting standards</p> <p>1. During the preparation of a regional/international standard or after its approval, the National Standardisation Body shall not take any action which could prejudice the harmonisation intended and, in particular, shall not publish in the field in question a new or revised national standard which is not completely in line with an existing regional/International standard.</p> <p>2. On the publication of a new or amended regional standard as a Surinamese standard, all conflicting national standards shall be withdrawn within a reasonable deadline.</p> |
| Reference to Clause(s) in National (Draft) legislation: | |
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| Ref.: BBS-13 | Review and Maintenance of Standards and Standards Deliverables |
| Text Dutch | Text English: Article ??: Review and Maintenance of Standards and Standards Deliverables 1. The National Standardisation Body shall carry out periodic review and maintenance to keep the catalogue of standards up to date; 2. The periodic review, amendment, confirmation and withdrawal of Surinamese's standards shall be carried out at intervals and in accordance with rules and procedures on standardisation activities adopted by the National Standardisation Body. 3. Where Surinamese Standards are based on, or adopt regional or International Standards, they shall be maintained to ensure that they remain based on current regional and International standards in accordance with rules and procedures on standardisation activities adopted by the National Standardisation Body. |
| Reference to Clause(s) in National (Draft) legislation: | |

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| Ref.: BBS-14 | Drafting, adoption and approval of Surinamese 'standardisation deliverables' |
| Text Dutch | <p>Text English:</p> <p>Article ??: Drafting, adoption and approval of Surinamese 'standardisation deliverables'</p> <p>1. Surinamese 'standardisation deliverables' shall be drafted, adopted and approved in accordance with rules and procedures for Surinamese activities of standardisation.</p> <p>1.1. Surinamese Documents for standardisation shall be identified through labelling with letters and numbers;</p> <p>1.2. labelling with letters is done with combination of letters "SSB" and other labelling by letters, in cases of recognition or adoption of international and regional documents of standardisation, or foreign national standards.</p> <p>1.3. numerical labelling is composed by the number of standardisation documents, and the year of their approval or adoption.</p> <p>2. These labelling shall not be used for other standardisation documents, apart from Surinamese</p> |

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| | standardisation documents. |
| Reference to Clause(s) in National (Draft) legislation: | |
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| Ref.: BBS-15 | Copyrights and Right to Sell |
| Text Dutch | Text English: Article ??: Copyright and Rights to Sell 1. Copyrights about the form and content of any Surinamese standards or standardisation deliverables belong to the National Standardisation Body; 2. The National Standardisation Body has the exclusive right and intellectual ownership about printing, reproduction, distribution and sale of draft-standards, and Surinamese's standards. 3. The National Standardisation Body shall comply with the agreements and policies for the dissemination, |

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| | sales and copyright established in its agreements with National, regional and International Standards organizations. |
| Reference to Clause(s) in National (Draft) legislation: | |
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