

**Comments on House Bills 19, 1930, 2782, 3226, 5164, 6125, and 6918 proposing the
National Quality Infrastructure Development Act**

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We strongly support the proposed bills because legislating a National Quality Infrastructure (NQI) framework and developing a national quality policy will help the Philippines in promoting and maintaining a culture of quality, thereby improving the competitiveness of our products and services.

We also appreciate that the PIDS' proposal in earlier Congresses to incorporate "quality management" in the proposed legislation is taken into account in the House Bill versions in the current Congress. Quality management is important because it entails the appropriate and reliable application and maintenance of quality standards.

Hereunder are our comments on the current versions of the proposed legislation:

1. We note that House Bills 19, 1930, 2782, 3226, 5164, 6125, and 6918 are strikingly similar. Thus, they need to be consolidated into one bill.
2. We also reiterate our previous recommendations, as follows:
 - a. Include in the functions of the proposed Philippine NQI Coordination Council the continuing assessment of the gaps in NQI standards, methods, equipment, capabilities, and competence and the identification of ways to fill these gaps. Since this is an urgent need, this can be the first in the listing of functions of the proposed council.
 - b. Include in the bill the role that higher education institutions can play in upgrading the NQI. It should be noted that higher education institutions can host laboratories that may

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form part of an ecosystem or a network of NQI facilities and services. They can also be part of tripartite academe-industry-government collaborative arrangements in improving the quality of products and services through NQI interventions.

3. In addition, we recommend that incentives be incorporated in the bill by including the following as one of the functions of the proposed Philippine NQI Coordination Council:

Formulate incentives to enhance NQI services uptake through strategies such as, but not limited, to the following:

- (a) To address unmet needs in certain sectors or geographic areas, incentivizing the establishment of private NQI laboratories and conformity assessment entities via matching grants, shared facilities, multi-year capital expenditure support, and other appropriate incentives; and
- (b) Incentivizing the use by micro, small and medium enterprises of NQI services through quality upgrading vouchers and other appropriate incentives.

Note that item (a) is a supply-side intervention and item (b) is a demand-side intervention. Private sector participation in responding to the country's unmet needs for NQI facilities and services is important as private firms can be reliable partners. This is the experience in other ASEAN countries which have numerous private laboratories and conformity assessment entities embedded in their NQI. This is also apparent in ASEAN Mutual Recognition Agreement (MRA) listings of competent, internationally recognized laboratories, which is a strong proxy for dense private conformity-assessment market in the ASEAN countries.²

4. We also recommend that the coherence of the roles of existing NQI institutions be enhanced. We recognize that it might be difficult at this point to enumerate the needed amendments in the laws establishing their respective mandates. But rather than saying that the existing NQI institutions shall continue to perform the mandates and functions assigned to them by their respective enabling laws, the prefatory directive can be amended to require these institutions to “perform the mandates and functions assigned to them by their respective enabling laws

² For example, the latest "Listed Testing Laboratories and Certification Bodies under the ASEAN Sectoral MRA for Electrical and Electronic Equipment" shows Indonesia, Malaysia, Singapore, Thailand, and Vietnam as having numerous validly listed laboratories, which is available in <https://asean.org/listed-testing-laboratories-and-certification-bodies-under-the-asean-sectoral-mra-for-electrical-and-electronic-equipment/>.

in a coherent and streamlined manner and, in line with this, conduct cross-sectoral diagnostics to address overlapping mandates, ensure coherence in regulations, establish interoperable databases, and implement other needed approaches for the harmonized performance of their respective duties.” The proposed legislation can also set a time-bound target for this, say, within one year of the effectivity of the law, the diagnostics should have been done and plans and programs to address mandate overlaps, eliminate duplicative testing and certifications, have regulatory coherence, streamline quality testing and approval timetables, remove bottlenecks for exporters and other NQI clients, setup interoperable databases, and other proposals should have been formulated.