**INTERNATIONAL ELECTROTECHNICAL COMMISSION SYSTEM FOR CERTIFICATION TO STANDARDS RELATING TO EQUIPMENT FOR USE IN EXPLOSIVE ATMOSPHERES (IECEx SYSTEM)**

***Title: Summary of Voting results on ExMC/1697A/DV Proposed Revision of IECEx 02, Rules of Procedure (to be published as Edition 8.0)***

**Circulated to: IECEx Management Committee, ExMC**

**INTRODUCTION**

This document contains a summary of the voting results on *ExMC/1697A/DV Proposed Revision of IECEx 02, Rules of Procedure (to be published as Edition 8.0)*

***Chris Agius***

**IECEx Secretariat**

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***Summary of voting results on ExMC/1697A/DV Proposed Revision of IECEx 02, Rules of Procedure (to be published as Edition 8.0)***

***Circulation Date: 2021 10 18***

***Closing Date: 2021 12 01 Reminders sent: Yes***

|  |  |  |
| --- | --- | --- |
| **Country** | **Vote** | **Comment** |
| AUSTRALIA | Yes | See Annex A |
| BRAZIL | Yes | See Annex A |
| CANADA | Yes |  |
| CROATIA | Yes |  |
| CZECH REPUBLIC | Yes |  |
| DENMARK | Yes | See Annex A |
| FINLAND | Yes |  |
| FRANCE | Yes |  |
| GERMANY | Yes |  |
| GREECE | Yes |  |
| HUNGARY | Yes |  |
| INDIA | Yes |  |
| ISLAMIC REPUBLIC OF IRAN | Yes | See Annex A |
| ISRAEL | Yes |  |
| ITALY | Yes |  |
| JAPAN | Yes |  |
| KINGDOM OF SAUDI ARABIA | Yes |  |
| MALAYSIA | Yes |  |
| NETHERLANDS | Yes |  |
| NEW ZEALAND | Yes |  |
| NORWAY | Yes |  |
| PEOPLES REPUBLIC OF CHINA | Yes |  |
| POLAND | Yes |  |
| REPUBLIC OF KOREA | Yes |  |
| ROMANIA | Yes |  |
| RUSSIA | Yes |  |
| SINGAPORE | Yes |  |
| SLOVENIA | Yes |  |
| SOUTH AFRICA | Yes |  |
| SPAIN | Yes |  |
| SWEDEN | NR |  |
| SWITZERLAND | Yes |  |
| TURKEY | Yes |  |
| UNITED ARAB EMIRATES | Yes |  |
| UNITED KINGDOM | Yes |  |
| UNITED STATES OF AMERICA | No | See Annex A |

|  |  |
| --- | --- |
| **Members Voting: 36**  **Members in favour: 34**  **Abstain: 1 Against: 1** | **Final decision: Approved**  **Status on : 21 12 01** |

**Do you agree with the acceptance of the Proposed Revision of IECEx 02, Rules of Procedure (to be published as Edition 8.0)?**

**Yes = In favour No = Against NR=Not received Abstain**

**ANNEX A**

**AU**

Submitted with comment

The AU member body supports the revised document in principle and has prepared additional comments containing editorial corrections to be submitted to and considered by the secretariat prior to publication. The comments also provide improved clarification between manufacturing locations and production sites and the surveillance requirements.

**Secretariat Response**

See Annex B of this document for AU comments containing editorial changes. Editorial changes have been taken into account.

**BR**

Submitted with comment

In the Definitions item include the year of the standards and in the Normative References include the standards referred in the Definitions

**Secretariat Response**

A statement has been added to make it clear that where references are undated then the latest edition of the document as published, has been added to address the BR editorial comment

**DK**

Submitted with comment

With reference to clause 2 & 8.3:

For the next edition of IECEx 02 (after publication of this version): It should be considered to add a reference regarding compliance with ISO/IEC 17021-1 to increase the level of regulatory acceptance of QARs in the European product legislation context.

**Secretariat Response**

While this could be considered as a technical change it is planned that publication of the rules proceed but that this DK comment be referred to ExMC WG1 for consideration at next meeting in early 2022 with the possibility of issuing an Amendment to the IECEx 02, in order to prevent any further delay in publishing the important changes to IECEx 02, noting the positive votes received.

**IR**

Submitted with comment

"Where do you Commonly Find EX equipment", page 5 we suggest to change:

a) Gas pipelines to Gas/ Petrol / Kerosene/ Gasoline pipe lines.

b) Oil Refineries to Oil/ Gas/ Petrochemical Refineries

Also Please add LNG Plants, Oil & Gas platforms, Painting industries, production of chemical fertilizers factories & places of flammable materials (Gas or Dust) depots to the list.

Article 8.1.3 (Contents):

a) Name and address of the applicant shall be changed to:

Name and address of the applicant (Responsible in the manufacturing company or

official lawyer of the company).

b) In line 10 and production site (s) shall be changed to:

And production site (s)

**Secretariat Response**

Suggested editorial changes from IR have been included. Comments related to 8.1.3 for item a) are included. For item b) this is being referred to ExMC WG1 for consideration at their next meeting early in 2022.

**US**

Submitted with comment

Clause 8.3.3 requiring the listing of manufacturing locations on certificates instead of the QAR will create a tremendous administrative burden on manufacturers with multiple locations, requiring the updates of hundreds of certificates when manufacturing locations are added or changed. This activity will create this added administrative and cost burden with no real benefit to the industry or making anything safer. There has been discussions about this placing certification bodies in a better position to control the manufacturing locations linked to the certificate as required in IEC 17065, but unless the certification bodies are going to audit the manufacturing locations, they will really just look at the QAR and add the location anyway, so not sure what benefit this will be for the industry or the certification bodies.

In addition, the proposed amendment to 8.3.3 is causing confusion due to the ambiguous wording referring to equipment certificates in the clause for "On-Line" QAR Summary. This clause should be revisited such that it does not unintentionally create confusion in the future.

**Secretariat Response**

While this is a significant change to the previous ExMC WG1 position it is planned that publication of the rules proceed but that this US comment be referred to ExMC WG1 for consideration at next meeting in early 2022 with the possibility of issuing an Amendment to the IECEx 02, in order to prevent any further delay in publishing the important changes to IECEx 02, noting the positive votes received

| Date | Document | Project Nr. |
| --- | --- | --- |
|  | ExMC/1697A/DV |  |

**ANNEX B**

**AU Comments**

| **National Committee** | **Line number** | **Clause/ Subclause** | **Paragraph Figure/ Table** | **Type  of comment** (General/ Technical/Editorial) | **COMMENTS** | **Proposed change** | **OBSERVATIONS OF THE SECRETARIAT**  on each comment submitted |
| --- | --- | --- | --- | --- | --- | --- | --- |
| AU | General |  |  | Ed | There following proposed changes are intended to make clearer the requirements for surveillance assessment for manufacturing locations | A document showing the proposed changes using tracked changes is provided separately. |  |
| AU | Ed | 8.3.1 | Para 1 | Ed | Provide improved differentiation between manufacturing locations and production sites | Change:  … manufacturer’s premises, and other manufacturing location(s), and assessment of production site(s)”  to  …manufacturer’s premises, and other manufacturing location(s), plus on-site assessment of production site(s)” |  |
|  | Ed |  |  |  | Otherwise not clear that surveillance audits are covered by this exemption. | Insert “, including surveillance audits,” |  |
|  | Ed | 8.3.7 | Heading |  | Clarify what heading covers | Change  “Surveillance”  To  “Surveillance of manufacturers and manufacturing locations” |  |
|  | Ed | 8.3.7 | Numbered list |  | c) and d) do not fit the grammar of the introduction. | Add “periods” after “following”  Change c) to paragraph with a verb indicating action for ExCB as follows:  “Where changes to the manufacturer may impact on their compliance with QMS requirements, for example, relocation of manufacturing location, the ExCB shall determine an appropriate period.”  Change d) to paragraph as follows:  “If ISO 9001 QMS audits are not being conducted annually at a QMS-certified Ex manufacturing site (for example, if a site is part of a multi-site QMS registration and the site is not scheduled to be audited annually) then surveillance audit frequency of the manufacturer and manufacturing locations should be not more than every 12 months. “ |  |
|  | Ed |  |  |  | Some numbers have been changed to words, but not all. Grammar rules normally have numbers less than 10 as words and number more than 10 as numbers. | Suggest rules shown be applied to all numbers. |  |