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|  | ExMC/987/CDMarch 2015 |

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

To: Members of the IECEx Management Committee, ExMC

**Title: Draft IEC Harmonised basic Rules for all IEC Conformity Assessment Schemes**

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The IEC Conformity Assessment Board has reviewed the Basic Rules of all 3 active Conformity Assessment Systems, namely documents IECEE 01, IECEx 01, IECQ 01 and has determined that there is a great deal of commonality among them, sufficient to warrant the introduction of one single IEC 01 Basic Rules document for adoption by all IEC Conformity Assessment System, both current and any future Conformity Assessment System.

As such, via CAB WG11, CAB has compiled this document as the draft Basic Rules for all IEC CA Systems and submits this for consideration by each of the IEC Conformity Assessment Systems (CA Systems), including the new IECRE.

While there is a great deal of commonality, CAB accepts that each of the CA Systems have some aspects that make them unique in serving their client base and Stakeholders and therefore accepts the notion of each CA System having a “Supplement” document to address these differences. Therefore the IECEx Secretary has prepared document ExMC/988/CD as the “IECEx Supplement” to the Harmonised basic Rules.

Both this document, ExMC/987/CD and the Supplement document ExMC/988/CD will be considered initially during the IECEx ExMC WG1 meeting and also during the 2015 IECEx Management Committee meeting in New Zealand, September 2015.

Chris Agius

**IECEx Executive Secretary**

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INTERNATIONAL ELECTROTECHNICAL COMMISSION

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IEC Conformity Assessment Systems –

Basic Rules

FOREWORD

This publication has been prepared by the

The text of this publication is based on the following documents:

|  |  |
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| Document | Report on Voting |
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INTRODUCTION

IEC Conformity Assessment Systems –

Basic Rules

# Title

These Basic Rules apply to all Conformity Assessment Systems operating within the IEC.

Current IEC Conformity Assessment Systems (IEC CA Systems) are identified in Annex A.

# Object

Taking into account the object of the International Electrotechnical Commission (IEC) as given in Article 2 of the IEC Statutes, the particular object of an IEC CA System, operated under the authority of the IEC in conformity with the Statutes, is to facilitate international trade by providing a global framework for independent assessment and certification of equipment, services, personnel and other related activities.

# Scope

Each IEC CA System shall have a clearly defined scope of operation as approved by the IEC Conformity Assessment Board (CAB).

The scopes of the current IEC CA Systems are detailed in the respective in Annex A.

# Governing documents

The documents which state the Rules of the CA System and which govern the organization of its work are as follows:

1. the Statutes of the IEC;
2. the Rules of Procedures of the IEC;
3. the ISO/IEC Directives;
4. the Basic Rules which define the principles of the CA System and which are approved by the CAB [This document] and any CA System Supplements as approved by the CAB; and
5. the Rules of Procedure which define the working procedures of the CA System and its schemes. The Rules of Procedure are prepared and approved by the CA System’s Management Committee and endorsed by the CAB to ensure that the Rules of Procedure of the CA Systems and schemes are consistent with the IEC conformity assessment policy and with the IEC Statutes and Rules of Procedure.

These Basic Rules apply all Conformity Assessment Systems operating within the IEC and may be supplemented with additional Rules to cater for any unique aspect of a CA System. Such Supplements shall be prepared by the CA System Management Committee and approved by the CAB.

In case of a conflict, contradiction or inconsistency between the provisions of one of the above mentioned documents and provisions of another of the above mentioned documents, the provisions of the document listed in a higher position shall take precedence over the provisions of the document listed in a lower position.

# Membership

**5.1** Any country in which there is a Full or Associate Member National Committee of the IEC, as defined in Article 4 of the Statutes of the IEC, may apply for membership of a CA System(s). The CA System member country may or may not have conformity assessment bodies operating in the CA System.

Membership of the CA System is also open to non-IEC countries subject to the concurrence of the IEC Executive Committee (ExCo) regarding general IEC policy and satisfaction of the specific requirements for membership, as set out in Annex C.

Application for membership of one or more CA System shall be submitted to the CA System Executive Secretary by the National Committee of the IEC. The candidate member body shall undertake to abide by the Basic Rules and Rules of Procedure of the CA System. Applications for CA System membership from non-IEC member countries will be handled in accordance with the procedure set out in Annex C. The Member Body may be either

1. the National Committee of the IEC; or
2. a body notified to the IEC by the National Committee of the IEC.

The Member Body of the CA System shall be fully representative of the national conformity assessment community and should include a wide representation from industry, regulatory authorities and standards bodies as well as conformity assessment interests.

**5.2** The CA System Member Bodies nominated by Full or Associate Member National Committees of the IEC or from non-IEC member countries are entitled to participate fully in the committees and activity of the CA System, except that representatives of IEC Associate Members and of non-IEC member countries are not eligible to hold any officer position.

**5.3** There shall be only one Member Body of the CA System in a particular country. It shall be responsible for the receiving, consideration and endorsement of applications from bodies seeking acceptance as a Conformity Assessment Body e.g. Test Laboratory or Certification Body, when submitting such to the CA System Secretariat, in accordance with the Rules of Procedure for the specific CA System.

**5.4** A Member Body wishing to withdraw from membership of the CA System shall give at least one calendar year's notice. This Member Body shall pay its annual dues for the calendar year following the year during which the notice was given, unless notice of withdrawal is received up to and including 30 June, in which case the Member Body shall only be required to pay the current year’s dues.

**5.5**A Member Body may be suspended for non-payment of dues or fees, or for violation of any rules or violation of the spirit and intent of the CA System’s object and goals related to the facilitation of international trade and reciprocity of such. Any proposal to suspend membership of the CA System, or to cancel such suspension, shall require agreement by a majority of at least two-thirds of the total number of votes received from the CA System Member Bodies, with abstentions and non-votes not being counted, except in the case of suspension for non-payment of dues, or any other fees as decided by the Management Committee, in which case the Executive Secretary may take the administrative action of suspension.

If the suspension of the membership has not been cancelled during the year after which the decision was taken, the body concerned ceases to be a member of the CA System.

Suspended Member Bodies shall not be permitted to retain membership of the CA System or be admitted to membership in the CA System during the period of suspension. Conformity Assessment Bodies, e.g. Certification Bodies and Testing Laboratories associated with such suspended IEC members or the nominated CA System member shall not be permitted to participate in the activities of the CA System.

# 6 Organization

**6.1** The organization of a specific CA System shall comprise:

1. a Management Committee;
2. an Executive Group;
3. Committees and other Groups established by the Management Committee; and
4. a Secretariat.

**6.2** The overall responsibility for the operation of the CA System is vested in the CA System’s Management Committee, which is a Committee of the IEC and operates under the authority of the CAB. The CAB has delegated the management and overall operational responsibility related to the CA System to the Management Committee. The CAB supervises the Management Committee and has the authority to disband the Management Committee and/or the CA System (IEC Statutes, Article 13). This authority shall not be exercised without prior consultation between the CAB and the Management Committee.

# Management Committee

**7.1** The composition of the CA System Management Committee (MC) is as follows:

1. a delegation of up to three persons from each Member Body. The delegation shall take account of all interests in the conformity assessment process at national level, including those of regulatory authorities, equipment users, manufacturers, service providers and conformity assessment bodies;
2. the Chairman (with casting vote only);
3. the Vice-Chairman (without vote);
4. the Treasurer (without vote);
5. the Executive Secretary (without vote);
6. the Chairman of Committees and other Groups established by the Management Committee (without vote); and
7. the IEC General Secretary & CEO (without vote).

**7.2**Each Member Body has one vote.

**7.3**Meetings of the MC shall be held at least annually. Additional meetings of the MC may be convened either if decided upon by the Chairman of the MC or if requested in writing to the Executive Secretary by at least four Members.

Notice of the meetings shall be circulated by the CA System Executive Secretary at least six weeks prior to the meeting. The agenda and proposal documents shall be circulated at least one month prior to the meeting.

In preparing the agenda, the CA System Executive Secretary shall, as far as possible, list all the documents related to the various items for discussion.

The MC may refuse to consider matters set before it if the relevant documents have not been circulated in accordance with the above. Each Member of the MC shall name one person as Head Delegate.

The CAB Chairman is entitled to attend all meetings within the CA System without a right to vote.

Observers may attend meetings of the MC with permission of the CA System Chairman. The observers shall have no right to vote, and their right to speak shall be determined by the CA System Chairman.

The IEC General Secretary & CEO or his representative may attend all meetings within the CA System, *ex officio*, without vote.

Draft minutes of the meetings of the MC shall be circulated by the Executive Secretary to all Members of the CA System within one month of the meeting.

**7.4** The MC provides a report on its activities at least annually to the CAB and submits proposals for approval by the CAB with regard to:

1. modifications to the Basic Rules of CA Systems [this document];
2. the appointment of Officers of the MC;
3. establishment of a new Committee;
4. the budget and annual financial accounts of the CA System;
5. business plans of the CA System;
6. proposals for extensions to the Scope of the CA System; and
7. proposals for the use of normative documents other than IEC or ISO International Standards.

**7.5** The MC shall decide on:

1. questions related to membership of the IEC CA System;
2. dues and other sources of income to be paid by Member Bodies or recipients/providers of services;
3. proposed budget and financial accounts of the IEC CA Systemfor approval by the CAB;
4. surcharges and the conditions under which they may be levied;
5. the Rules of Procedure for the operation of the specific IEC CA System and its schemes,
6. other questions regarding the Rules of Procedure mentioned in e) above;
7. acceptance of Member Bodies of the IEC CA System;
8. acceptance, rejection and suspension of Conformity Assessment Bodies, eg CBs and TLs;
9. appointment of assessors for the inclusion in the list of approved IEC CA System Peer Assessors.
10. assessors' fees; and
11. the layout and content of Certificates and Reports used within the IEC CA System.

**7.6** The MC shall, moreover, have the following duties:

1. to manage the IEC CA System in accordance with the Basic Rules and Rules of Procedure of the IEC CA System;
2. to monitor the continuing compliance of IEC CA System’s Conformity Assessment Bodies with the Rules of the CA System;
3. to monitor any reported misuse of the IEC logos, marks and certificates that may give rise to an adverse impact on the IEC brand or name and to report it to the CAB annually;
4. to monitor acceptance of IEC CA Certificates and Reports in participating countries;
5. to promote the IEC CA System;
6. to submit an annual report on its activities to the CAB; and
7. to carry out any other tasks relevant to the object of the IEC CA System, given to it by the CAB.

**7.7** The MC may establish Working Groups with clearly defined terms of reference, to advise it on matters related to the operation of the IEC CA System or to enhance the efficiency of its operation.

NOTE Working Groups may be established for the purpose of dealing with matters relating to, for example:

– creation of procedures for manufactures/customers testing programs;

– development of a specific new program (approved by CAB) and assigned by the MC;

– the layout and content of assessment report forms for the assessment of CBs and TLs;

– the evaluation of assessment and reassessment reports for CBs and TLs, including recommendations for acceptance, rejection or suspension; and

– the layout and content of Certificates, and the layout of Test Reports.

**7.8** The Secretariat duties of any Working Group shall be under the responsibility of the CA System Executive Secretary.

# Officers, Executive and administration

**8.1** The Officers of the IEC CA System are:

1. the Chairman;
2. the Vice-Chairman;
3. the Treasurer; and
4. the Secretary (IEC CA System Executive Secretary).

**8.2** The Executive Group of the IEC CA System comprise:

1. the Officers of the CA System;
2. the Chairman, Vice or Deputy Chairman and Secretary of Committees established by the Management Committee; and
3. the Immediate Past IEC CA System Chairman.

**8.3** The Chairman is appointed for a period of three years by the CAB, on the nomination of the IEC CA System MC. He is eligible for re-appointment in the same office for one further period of three years. If at the conclusion of a second or subsequent term there are no new candidates nominated for election to the position, the IEC CA System MC may by specific resolution, outlining the circumstances, propose to the CAB that the incumbent Chairman be appointed to a further term of three years in that position.

The Chairman shall not, upon appointment, act as a national delegate to the IEC CA System MC.

The Chairman shall be responsible to the CAB and shall ensure that the affairs concerning the IEC CA System are conducted in accordance with these Rules.

The principal duties of the Chairman are to:

1. convene meetings of the CA System MC;
2. preside over the meetings of the CA System MC;
3. direct the CA System Executive Secretary in compiling agendas for the meetings of the CA System MC; and
4. act on behalf of the CA System MC between its meetings.

The Chairman may attend all meetings within the IEC CA System, *ex officio*, without vote in this capacity.

**8.4** The Vice-Chairman is appointed for a period of three years by the CAB, on the nomination of the MC. He is eligible for re-appointment in the same office for one further period of three years. If at the conclusion of a second or subsequent term there are no new candidates nominated for election to the position, the MC may by specific resolution, outlining the circumstances, propose to the CAB that the incumbent Vice-Chairman be appointed to a further term of three years in that position.

The Vice-Chairman may at the same time be a national delegate to the MC, except when he takes the chair at a meeting.

In the absence of the Chairman, the Vice-Chairman shall act in his place.

**8.5** The Treasurer is appointed for a period of three years by the CAB, on the nomination of the MC. He is eligible for re-appointment in the same office for one further period of three years. If at the conclusion of a second or subsequent term there are no new candidates nominated for election to the position, the MC may by specific resolution, outlining the circumstances, propose to the CAB that the incumbent Treasurer be appointed to a further term of three years in that position.

The Treasurer may at the same time be a national delegate to the MC.

The principal duties of the Treasurer are to:

1. guide the CA System Executive Secretary in financial matters related to the IEC CA System;
2. establish and present to the CA System MC the budget on the basis of the information supplied by the Executive Secretary;
3. present, with his observations, the audited annual financial reports of the IEC CA System to the CA System MC; and
4. oversee the finances of the CA System.

**8.6** The Secretariat is provided by the Central Office and may reside in the IEC Central Office or elsewhere. The IEC General Secretary & CEO in consultation with the IEC CA System shall decide on the degree of administrative support provided by the Central Office.

**8.7** The Executive Secretary is entrusted with the chief executive officer functions in relation to the IEC CA System.

The routine work of the CA System Executive Secretary is to:

1. provide general administrative and secretarial services for the IEC CA System and the secretarial services to the CA System MC;
2. handle and be responsible for the daily financial matters of the Secretariat and the IEC CA System;
3. circulate to the Member Bodies the accounts of the IEC CA System;
4. accept or reject applications from candidate Conformity Assessment Bodies in accordance with the Rules of Procedures of the IEC CA System as approved by the MC;
5. organize and manage initial assessment and reassessment of Conformity Assessment Bodies, including the appointment of assessors, as applicable;
6. handle requests for scope extension applications for Conformity Assessment Bodies, eg CBs, TLs;
7. keep up to date records regarding the Conformity Assessment Bodies, eg CBs, TLs;
8. periodically circulate questionnaires requesting information about acceptance of the IEC CA Systems and about national differences;
9. be responsible for editing and arranging the publication of the IEC CA Systems publications;
10. be responsible for maintaining a list of assessors approved by the MC and for managing the assessment activities; and
11. provide administrative support to Committees and other Groups established by the Management Committee, as necessary.

**8.8** The Executive Secretary is appointed for a period of five years by the CAB, upon nomination by the the Management Committee and is eligible for re-appointment without restriction. The Executive Secretary is an employee or contractor of the IEC and a decision to appoint the Executive Secretary requires prior consent of the IEC General Secretary & CEO. The CA System Chairman shall consult with CAB Chairman and the IEC General Secretary & CEO before a proposal is made to the Management Committee for a nomination of an Executive Secretary.

The Executive Secretary shall act independently of any Member of the IEC CA System and shall not act as a national delegate to the CA System MC. The Executive Secretary shall be present at all meetings of the CA System MC, but has no right to vote. In exceptional circumstances the IEC General Secretary & CEO may appoint an alternate to represent the Executive Secretary at a meeting of the CA System MC, e.g. due to illness or other personal matters that may prevent such attendance.

**8.9** The Chairman, the Vice-Chairman, the Treasurer and the Executive Secretary of the IEC CA System shall take office on the first day of January of the year after the meeting of the CAB at which they have been appointed unless otherwise determined by the CAB.

**8.10** Nomination of the Chairman, the Vice-Chairman and the Treasurer of the IEC CA System shall be called for from the Member Bodies twelve (12) months prior to the end of the term of office by the Executive Secretary, and if any nomination has not been received after two (2) months, the Executive Secretary shall contact the Officer holding the position in question to assess if he/she is agreeable to stand for an additional term of office.

**8.11** The Executive Group of the IEC CA System provides an advisory function and is empowered to make operational decisions between MC meetings, as delegated to them by the MC. They shall, in addition, carry out any other task(s) assigned to them by the MC. With the Chairman’s agreement, members of the Executive may attend all meetings associated with the IEC CA System.

Any decision on matters delegated to the Executive Group shall be reported to the MC and recorded in the minutes.

# Committees and Other Groups reporting to the CA System MC

## Formation of Committees

The CA System MC may propose for CAB approval the establishment of a Committee within the CA System that reports to the CA System MC. In doing so the CA System MC shall inform CAB of the following:

a) The reason for this proposal

b) The role and proposed authorities of the Committee

c) The membership and constitution of the Proposed Committee

d) Any other information that may assist the CAB in reaching a decision

The Chairman and any Vice Chairman or Secretary of Committees reporting to the CA System MC shall be appointed by the CA System MC upon nomination by the Committee seeking to appoint such Officers.

The term of office of the Chairman and Vice Chairman of the Committees reporting to the CA System MC shall be three years and he/she shall be eligible for re-appointment for one further period of three years. If at the conclusion of a second or subsequent term there are no new candidates nominated for election to the position, the CA System MC may appoint the Chairman or Vice Chairman for a further three year term.

## Formation of Other Groups Reporting to the CA System MC

The CA System MC may set up or disband Groups for specific and defined tasks, other than Committees as provided for by 9.1, taking into account the needs of the CA System, e.g. establishment of Working Groups and Stakeholder Panels. When establishing such Groups or forums, the CA System MC shall inform the CAB, whom has the authority to request the CA System to alter or disband such arrangements. Such action taken by the CAB shall only be done following consultation with the CA System MC.

## Roles, Responsibilities and Constitution

The roles, responsibilities and constitution shall be listed in detail, in the CA System’s Rules of Procedure which requires CAB endorsement.

# Legal provisions

## International level

The IEC CA Systems are an inseparable part of the IEC. There is only one legal entity, being the IEC.

**10.1.1** The CA System MC does not engage in trade, is non-profit making and does not take part in any other economic pursuit on its own behalf. It has no marketing function or price-regulating function. It expands its means only on achieving the object of Clause 2.

The decisions of the CA System MC are made voluntarily on the basis of the prescribed voting procedures.

**10.1.2** The seat of the CA System shall be the same as that of the IEC.

The laws of the country in which the IEC has its seat shall apply in any or all cases not specifically provided for in these Basic Rules.

## National level

For the national organizations, the laws of the relevant countries shall apply.

Nothing found in these Basic Rules or in the Rules of Procedure of the CA System shall violate, or cause any acts which violate, the laws of a country in which the CA System operates. It is the responsibility of the Member Body in each participating country, in the establishment of the national rules implementing the CA System, to provide the necessary legal protection against the violation of any law.

## Legal protection

The granting of certification of conformity shall not transfer to the CA System MC or to the IEC any of the legal responsibilities incumbent, under the national or international law, on the manufacturer or on the supplier of the product or service so certified.

## Exclusion of liability

The national organizations acting on behalf of the CA System MC shall do so on their own responsibility and shall take all possible steps to exclude any liability from falling on the CA System MC or on the IEC.

## Exoneration

In the case that through the CA System MC the IEC is held legally responsible, under national or international law, for any action taken by a national organization acting on behalf of the CA System MC, then the national organization involved shall undertake to exonerate fully the IEC from such liabilities.

# Standards

**11.1** The CA Systems are generally based on the use of International Standards, namely those published by IEC and ISO. Use of Specifications within a CA System other than an IEC or ISO Standard may be possible under the following circumstances:

* There is no IEC nor ISO Standard to cover this topic
* Approval of CAB has been obtained.

A list of normative documents approved for use in the CA System shall be included in the Rules of Procedures of the CA System.

**11.2** If the CA System wishes to include Specifications within its scope of activities, it shall provide to CAB the relevant rational and the proposed steps to quickly bring resolution to the CA System’s needs. These proposed steps may incude, for example, a request of the relevant IEC technical committee or subcommittee to prepare as quickly as possible the required standard. If there is no committee dealing with the subject, the CA Management Committee may also propose that the CAB request the Standardization Management Board (SMB) of the IEC to initiate the preparation of the required standard.

**11.3** While the official language of documents used within a CA System is English, Rules of Procedures and other CA System documentation maybe translated under the following guidelines:

* Translations maybe arranged by the CA System’s Secretary or a CA System Member Body;
* The CA System Member Body should confirm the accuracy of any translations; and
* Translated documents shall at all times be published as IEC CA System’s Documents and subjected to the copyright provisions of the IEC.
* In case of divergence of meaning the English version always takes priority.

# Voting

**12.1** Each CA System Member Body has one vote in the committees in which it participates.

**12.2** For the purposes of CA System MC meetings the presence of half the number of the Member Bodies shall constitute a quorum. Unless other provisions are made, decisions in meetings shall be taken by a simple majority of votes of the Member Bodies who are present and voting. Voting by proxy is not permitted.

Abstention is not considered as voting. The CA System Chairman shall normally not vote, but if the votes are equally divided the Chairman shall decide on the action to be taken.

Decisions are normally taken during meetings. Between meetings, if the CA System Chairman so decides, voting takes place by correspondence. The quorum is achieved if half the number of the Member Bodies is participating in a vote by correspondence.

Unless other provisions are made, decisions on matters voted upon by correspondence shall be taken by a simple majority of votes of those Member Bodies voting. Abstention is not considered as voting. A vote by correspondence is terminated when all Member Bodies have voted or two months after the date of circulation of the voting document, whichever results in a shorter period except that in the case of voting on the approval of the annual financial accounts and the annual budgets a shorter voting period will be determined by the Chairman to meet IEC requirements. If the votes are equally divided, the Chairman shall decide on the action to be taken.

When determining the total number of Member Bodies, bodies whose membership has been suspended shall not be taken into consideration.

**12.3** Proposed amendments to the Basic Rules or CA System Supplements shall be communicated in writing to the Member Bodies at least three months prior to the meeting of the CA System at which the proposed amendments are to be considered.

Such amendments are approved if two-thirds of the Member Bodies present are in favour. If approved by the CA System MC, the proposed amendments shall be submitted to the CAB for approval. The amendments are applicable immediately following approval by the CAB.

The CAB may amend the Basic Rules on its own initiative, however before taking any such action the CAB shall consult with the MCs of the CA Systems. Unless other specific provisions are made, the consultation with the CA Systems’ MCs shall include the following:

· Proposal from CAB to CA System Chairman Chairmen and Executive Secretaries, supported by a rationale for the proposed changes,

· CA Systems’ MCs discussions and decisions at the next MC meetings,

· The CA Systems discussions may result in agreement on an amended version of the proposal.

**12.4** Proposed amendments to the Rules of Procedure shall be communicated in writing to the Member Bodies, at least three months prior to the meeting of the CA System MC at which the proposed amendments are to be considered.

Such amendments are approved if two-thirds of the Member Bodies present are in favour. If this condition is not fulfilled, the CA System MC may decide to submit the proposed amendments for approval by the Member Bodies by correspondence. The amendments are approved if a two-thirds majority of the votes cast by the members are in favour. Abstentions are excluded when the votes are counted. Approved changes to the Rules of Procedure are to be notified and endorsed by the CAB following the CA System MC approval.

# Finance

**13.1** CA Systems shall be self-financing.

**13.2** The financial year of the CA System shall be the calendar year.

**13.3** The CA System shall derive its income from annual dues paid by its Member Bodies and from other sources as approved by the CA System MC and identified in the annual budget as approved by CAB.

**13.4** Each year, not later than the end of March, the Executive Secretary shall send to the Member Bodies the accounts of the CA System for the preceding year, duly ratified by a professional auditor as part of the overall externally auditing of IEC accounts. The CA System MC shall consider and endorse the audited accounts at a Management Committee meeting. The endorsed accounts shall be forwarded to the CAB Secretary not later than the deadline prescribed by the CAB.

**13.5** The draft annual budget for the following year will be forwarded to Member Bodies in sufficient time to ensure approval by correspondence not later than the end of the third week of March. The approved annual budget of the CA System shall be forwarded to the CAB Secretary not later than the deadline prescribed from time to time by the CAB.

The CA System MC shall establish the system of allocating the dues within the CA System.

The dues shall be paid in the first six months of each calendar year.

The CA System MC shall also decide on surcharges and the conditions under which they may be levied.

The CA System MC shall also decide on any other fees assigned to any service deliverable provided by the CA System.

**13.6** Any Member Body whose dues for a given calendar year have not been paid by 30 June of that year may have its membership suspended (See 5.5).

During such a suspension, the Member Body has no right to send a delegation to the CA System MC, or to receive documents or publications of the CA System, or to exercise its vote or to participate in the CA System. CBs and TLs associated with such suspended CA System Member Bodies shall not be permitted to participate in the activities of the CA System.

**13.7** Suspension of membership for a non-payment of dues shall be immediately cancelled when the Member Body has fully paid its past and current dues.

**13.8** The CA Systems finances will be integrated on an annual basis in the IEC’s financial reporting.

# Dissolution of the IEC CA System

Any proposal for dissolution of the CA System, if supported by more than two thirds of the total number of CA System Member Bodies, shall be submitted to the CAB for approval and any necessary action. The CAB shall determine the disposal of remaining property and funds after the settlement of all liabilities.

# Appeals

Appeals concerning all IEC CA Systems that cannot be resolved at the CA Systems level shall be escalated to the Board of Appeal of the CAB. Annex B sets out procedures of the Board of Appeal at the CAB level.

1. (normative)

Scope of IEC CA Systems
	1. The CA Systems operating within the IEC at time of publication of this edition of the Basic Rules are detailed in this Annex.
	2. IECEE
		1. The title of the CA System is “IEC System of Conformity Assessment Schemes for Electrotechnical Equipment and Components”, hereinafter referred to as “the IECEE System”.
		2. The IECEE is applicable to such standards, categories and services as proposed by its Management Committee (CMC) and approved by the IEC Conformity Assessment Board (CAB). A list of the approved categories is included and maintained in the IECEE XX Rules of Procedures.
		3. IECEE shall operate individual conformity assessment Schemes that are complementary to:
* An ISO/IEC System 1b Scheme, according to ISO/IEC 17067, for the mutual recognition of Test Certificates and related documents indicating that one or more specimens of electrotechnical equipment, falling within the approved Scope of the Scheme, were tested and found to be in conformity with specific standards. This scheme is called “IECEE CB Scheme for Mutual Recognition of Test Certificates for Electrotechnical Equipment and Components” as contained in the Rules of Procedure Publication IECEE XX
* An ISO/IEC System 5 Scheme according to ISO/IEC 17067 for the mutual recognition of Conformity Assessment Certificates and related documents for electrotechnical equipment, falling within the approved Scope of the Scheme. This scheme is called IECEE CB-FCS Scheme for Mutual Recognition of Conformity Assessment Certificates for Electrotechnical Equipment and Components” as contained in the Rules of Procedure Publication IECEE XX.
* Any other individual conformity assessment activities that are complementary to the other IECEE Schemes or services
	1. IECEx

A.3.1. The title of the IECEx shall be "IEC System for Certification to Standards relating to Equipment for use in Explosive Atmospheres”, hereinafter referred to as “the IECEx System”.

A.3.2. The IECEx System includes assessment and certification of equipment and services covered

by IEC International Standards for explosive atmospheres as are proposed by its Ex

Management Committee (ExMC) and approved by the IEC Conformity Assessment Board

(CAB). The IECEx System also provides for the assessment and certification of competence

of persons working in or conducting work affecting explosive atmospheres

A.3.3. Schemes approved to operate under the IECEx CA System are, refer to the IECEx Rules of Procedures for specific details:

 • The IECEx Certified Equipment Scheme

• The IECEx Certified Service Facilities Scheme

• The IECEx Certificate of Personnel Competence Scheme

• The IECEx Conformity Mark Licensing System

**A.4. IECQ**

A.4.1. The IECQ CA System, "*IEC Quality Assessment System for Electronic Components",*

*hereinafter referred to as "the IECQ System*" is applicable to all electronic components, assemblies and related materials and processes for which quality assessment is required in standards and specifications approved for use in the IECQ System

A.4.2. The scope of the IECQ System includes, refer to the IECQ Rules of Procedures for specific details

* + Electronic Component Manufacturers Approvals
	+ Qualification Approval
	+ Capability Approval
	+ Technology Approval
	+ Process Approval
	+ Electronic Component Distributor Approval
	+ Independent Test Laboratory Approvals
	+ Hazardous Substance Process Management (HSPM)
	+ Electronic Component Management Plan (ECMP)

**A.5. IECRE**

A.5.1 The IECRE CA System, “*IEC Conformity Assessment System for Renewable Energies,* hereinafter referred to as “the IECRE System”, is a Renewable Energies Conformity Assessment System which covers the following Sectors:

* Wind Energy
* Marine Energy
* Solar PV Energy

A.5.2. The IECRE System includes assessment and certification of equipment and services covered by International Standards related to Sectors listed under A5.1 above are proposed by its Management Committee (IECRE MC) and approved by the IEC Conformity Assessment Board (CAB). The IECRE System may also provide for the assessment and certification of competence of persons working in or conducting work affecting IECRE Sectors.

A.5.3. Schemes approved to operate under the IECRE System are detailed in the Rules of Procedures for each of the IECRE Sectors and may include:

* Equipment, Component, Assemblies and Systems-level Certification
* Certification of Services
* Certification of Personnel Competence
1. (Normative)

Procedure for the Board of Appeal
	1. The Board of Appeal shall be appointed on a case by case basis and consist of a Chairman and four experts. They shall be appointed by the CAB Chairman in consultation with the IEC General Secretary & CEO and on the nomination by the relevant CA System Chairman and Executive Secretary. The Board of Appeal shall be disbanded following completion of the case for which they were appointed.
	2. Upon direction of the CAB Chairman, the Executive Secretary of the relevant CA System shall generally act as the Secretary of the Board of Appeal and shall have no right to vote.
	3. For considering a case submitted to the Board of Appeal, the Chairman and all four members shall be present. A case may be dealt with by correspondence, with the agreement of the parties involved.
	4. Neither the Chairman of the Board of Appeal nor the four members shall serve in a case in which an Appellant of their country is involved.
	5. The parties interested shall have the right to be heard by the Board of Appeal.
	6. Decisions of the Board of Appeal about its recommended solution shall be taken by a simple majority of the four members. If the votes are equally divided, the Chairman of the Board of Appeal shall decide upon the action to be taken.
	7. An Appellant, who can be a Certification Body (CB), a Testing Laboratory (TL) or a Member Body of the relevant IEC CA System, shall have the right to submit an appeal to the Board of Appeal through the Executive Secretary of the relevant CA System.
	8. When an Appellant wishes to appeal against a decision taken by a CB about a matter with which this Appellant is concerned, the Appellant shall first appeal according to the appeal procedure of the CB concerned, when that procedure is applicable.
	9. If the Appellant is not satisfied with the outcome of the appeal at national level and the Appellant thinks that the decision is against the Rules or if the national appeal procedure is not applicable, the Appellant may submit an appeal in writing to the Executive Secretary of the applicable CA System within one month after having been informed of the decision at the national level, setting out all reasons for the appeal and its willingness to cover costs of the appeal. The Executive Secretary of the CA System shall prepare an estimate of these costs.
	10. The Executive Secretary who has received the appeal shall first make every effort to resolve the appealed issue at the level of the CA System before formally establishing a Board of Appeal according to Clause B.1.
	11. The Board of Appeal may meet at any time provided the complainant expresses willingness to pay the travelling and living expenses for the Chairman, the four members and the Secretary of the Board of Appeal for this meeting. These expenses shall be notified in advance to the complainant and shall have been paid to the account of the applicable CA System before the meeting can take place.
	12. When the Board of Appeal meets to consider a case, the following applicable information shall be available:
	* the appeal;
	* the text of all correspondence between the parties; and
	* any additional documentation to support the appeal, as necessary.

Normally, these documents shall be circulated at least four weeks before a meeting to the four members of the Board of Appeal. Copies of all documents shall also be sent to the parties.

* 1. When the parties have agreed that the matter may be dealt with by correspondence, Clause B.12 also applies. The Appellant shall have expressed its willingness to pay the costs, if any.
	2. The Chairman of the Board of Appeal may then propose a recommended solution for consideration by the members of the Board of Appeal. It is the duty of the Executive Secretary of the CA System to assist the members and the parties.
	3. When the recommended solution is reached by correspondence, notes or minutes relevant to the decision shall be recorded.
	4. The Board of Appeal shall deal with the case confidentially.
	5. The parties involved each have the right to call an expert to advise on matters relevant to the case.
	6. During the adjudication of the case, only the Chairman, the four members and the Secretary of the Board of Appeal shall be present.
	7. The Board of Appeal shall give its recommended solution in writing, within one month after the meeting, to the parties, and, if action with regard to standards is needed, to the IEC General Secretary & CEO.
	8. The recommended solution of the Board of Appeal shall be presented to the CAB at its next meeting for endorsement whose decision is final.
1. (normative)

Conditions for bodies and organizations domiciled in non-IEC member countries to become members of an IEC Conformity Assessment System

**0 Foreword**

Bodies and organizations domiciled in non-IEC member countries making application for acceptance into an IEC Conformity Assessment System shall fully satisfy all the conditions specified below.

**1 Conditions to be satisfied**

**1.1 Use of IEC International Standards to grant “national marks”**

Within the country test and assessment work carried out under an IEC CA System will be recognized as the basis for national certification or approval by any existing or future national certification body(ies) proposed for participation in the CA System or will be accepted directly by the country’s product approval authorities.

**1.2 Well-established body recognized at national level by the authorities and the market**

Applicant member bodies from non-IEC member countries must demonstrate the existence of (a) body(ies) operating a national certification or approval scheme recognized by the authorities and the market. If no such body(ies) exist, applicants must provide details of regulatory or other arrangements providing for direct acceptance of conformity assessment results.

**1.3 IEC membership**

Applicants should commit to apply for at least associate membership of the IEC within an agreed time period after admission to an IEC CA System. The agreed time should be proposed by the Applicant itself and approved by the IEC General Secretary & CEO. If not already an Affiliate the applicant must participate in the IEC Affiliate Country Programme and receive Affiliate Conformity Assessment Status of the programme until such time as the applicant becomes a member of the IEC.

Bodies in Countries suspended from the IEC may not be admitted to the IEC CA Systems for a period of three (3) years following their suspension.

**1.4 ExCo decision on acceptability**

The IEC General Secretary & CEO shall be informed by the IEC CA System Secretariat of all applications (or possible applications, where known by the IEC CA System Secretariat) from non-IEC member countries, in order that the IEC ExCo may take a decision in principle as to their acceptability in terms of general IEC policy and any specific requirements with respect to IEC membership, after receiving the IEC General Secretary’s view on this. A timetable for applying for at least associate membersh of the IEC shall be agreed with the IEC General Secretary & CEO. The ExCo decision shall be conveyed to the CA System. The ExCo through the CO (including the secretariats of CAB, SMB, and Affiliate Country Programme) will monitor the progress of the non-IEC member country on its timeline for becoming a member of the IEC.

**1.5 Compliance with IEC CA System membership requirements**

Applicants and associated certification bodies and testing laboratories must undertake to comply with all relevant CA System rules and requirements, including payment of annual dues and sharing of costs as defined in the CA System rules and varied by the CA System management committee.

**2 Participation rights**

The applicant member body and associated certification bodies and testing laboratories have the same rights of participation in the activities of the CA System as are exercised by those CA System members, who are also members of the IEC, except that representatives of non-IEC member countries are not eligible for election to any Officer or Executive position, and not eligible to appeal decisions concerning their membership.

**3 Application procedure**

**3.1 Member body**

An application for member body shall be made according to the Basic Rules and Rules of Procedure of the CA System and must include an undertaking to full commitment by its proposed certification body(ies), or relevant regulatory authorities, to recognize test and assessment work carried out by any member of the CA System for the purpose of granting the “National Mark” or other means of national recognition (ref. Clause 1.1 of this Annex).

The applicant organization shall provide the following information:

1. reasons for the application for membership;
2. the timetable for joining the CA System;
3. a description of the structure or proposed structure in the country related to member body, certification body(ies) and testing laboratory(ies) as well as the responsibility for standards;
4. existence of mandatory and/or voluntary certification schemes;
5. existence of national differences from IEC International Standards and of conflicting national standards or regulatory requirements, if any (where applicable); and
6. plans for participation in IEC standardization work.

**3.2 Processing of applications**

The complete member body application, fulfilling all of the requirements specified herein and the relevant requirements of the IEC CA System Basic Rules and Rules of Procedure, shall be submitted to the CA System Secretariat for evaluation and processing according to the Basic Rules, the Rules of Procedure and any relevant Operational Documents.

Prior to finalizing an application the CA System Executive Secretary shall ensure that advice has been obtained from the IEC General Secretary & CEO on the ExCo’s decision with respect to acceptability in terms of general IEC policy and any specific requirements with respect to IEC membership (refer to 1.3 and 1.4).

The final decision of the CA System management committee will be notified to the applicant member body and to the IEC Conformity Assessment Board (CAB).

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