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 | ExMC/988B/CDJuly 2016 |

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

To: Members of the IECEx ExMC

**Title: Final Draft IECEx Supplement to the IEC Harmonised Basic Rules, IEC CA 01**

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The IEC Conformity Assessment Board (CAB) have approved document CAB/1489/INF as the first edition of the IEC Harmonised Basic Rules (HBR). The HBR does provide for each of the IEC Conformity Assessment Systems to develop and submit for CAB approval, a Supplement to the HBR, to cater for the unique nature of the individual CA System.

During the 2015 IECEx Christchurch meetings, ExMC considered a preliminary draft IECEx Supplement as ExMC/988/CD. This was subsequently further reviewed in detail during the 2016 Northbrook meeting of ExMC WG1 as ExMC/988A/CD.

This document ExMC/988B/CD incorporates the decisions from the 2015 ExMC WG1 Northbrook meeting and is submitted for consideration during the 2016 ExMC Umhlanga meeting. The track changing tool identifies area of changes included in this updated draft.

Attention is drawn to subsequent suggestions from the IECEx Executive that Sections 9.1 to 9.4 be transferred to the respective Rules of Procedure documents, namely IECEx 02, IECEx 03, IECEx 04, IECEx 05.

Chris Agius

**IECEx Executive Secretary**

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INTERNATIONAL ELECTROTECHNICAL COMMISSION

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IECEx Supplement to the IEC Harmonised Basic Rules, IEC CA 01

FOREWORD

This publication has been prepared by the IECEx ExMC Working Group 1, IECEx Rules and approved by the IECEx Management Committee at ????

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

|  |  |
| --- | --- |
| Document | Report on Voting |
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INTRODUCTION

In recognition of the need to facilitate international trade for the safe installation and maintenance of electrotechnical equipment and components, the IEC operates international Conformity Assessment (CA) Systems comprised of various Schemes that provide a global framework for independent assessment and certification of products, processes, personnel and services addressed by each of the individual IEC CA System, The IEC CA Systems seek to serve the needs of all stakeholder groups through their active participation at the member body level and, where endorsed by the member body, at the System level.

The IEC CA Systems and Schemes are intended to reduce obstacles to international trade which arise from having to meet different national certification or approval criteria and to facilitate certification or approval according to international standards/specifications. This is achieved through a combination of:

1. Mutual recognition (reciprocal acceptance) by members of the Systems using System/Scheme deliverables such as certificates, test reports, assessments, etc. or in some Systems by the implementation of quality assessment procedures;
2. The recognition of Equipment, Components, Services and Personnel certified under the IEC CA Systems which may be recognized by System stakeholders as satisfying market requirements.

This document provides the IECEx Supplement to the IEC Harmonised Basic Rules for the structure and operation of the IEC CA Systems. The IEC Harmonised Basic Rules are intended to ensure that the Systems operate in a consistent and transparent manner while allowing flexibility for the individual Systems to serve the needs of their respective customers, providing a mechanism for easier collaboration between the Systems – this Supplement defines the Rules used by the IECEx System to satisfy unique customer needs in the “Ex sector”.

IECEx Supplement to the IEC Harmonised Basic Rules, IEC CA 01

0 Scope and Application of this Supplement

This document sets out the variations to the IEC Harmonised Basic Rules, IEC CA 01, that apply to the IECEx Conformity Assessment System. Variations included in this Supplement include:

* Variations to the requirements contained in IEC CA 01
* Additional requirements beyond those specified in IEC CA 01
* Removal of requirements contained in IEC CA 01

In line with the IEC Statutes and Rules of procedures, this Supplement has been approved by the IEC Conformity Assessment Board at…………….{*to be completed*}.

The format used by this Supplement follows the same Clause numbering of IEC CA 01. Additional clauses are numbered as ‘10X.Y’ where ‘X’ and ‘Y’ represents the current numbering of the parent clause or subclause of IEC CA 01.

{Request to CAB that all Clause numbers of IEC CA 01 are showing in this document}

# Title

Clause 1 of IEC CA 01 Applies, noting the following:

"IEC System for Certification to Standards relating to Equipment for use in Explosive Atmospheres”, hereinafter referred to as “the IECEx System”

# Object

Clause 2 of IEC CA 01 Applies with the following addition:

The particular object of the IECEx System, operated under the authority of the IEC in conformity with the Statutes, is to provide a global framework for independent assessment and certification of equipment and services associated with explosive atmospheres.

# Scope

Clause 3 of IEC CA 01 Applies with the following addition:

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).

In the context of the IECEx System, International Standards include IEC Publications issued by IEC TC 31 and its Subcommittees.

In cases where no relevant IEC International Standards exist, ISO Standards applicable to the approved Schemes may be used.

The IECEx System also provides for the assessment and certification of competence of persons working in or conducting work affecting explosive atmospheres.

# Governing documents

The requirements of Clause 4 of IEC CA 01 apply.

# Membership

The requirements of Clause 5 of IEC CA 01 apply.

# 6 Organization

Clause 9 of IEC CA 01 applies, along with the following:

The IECEx Organisation comprises:

1. an IECEx Management Committee (ExMC);
2. an Ex Testing and Assessment Group (ExTAG);
3. an IECEx Conformity Mark Committee (ExMarkCo);
4. an IECEx Personnel Certification Committee (ExPCC)
5. an IECEx Service Facility Scheme Committee (ExSFC); and
6. a Secretariat;

# 7 Management Committee

**7.1** The composition of the IECEx System Management Committee (ExMC) is according to 7.1 of IEC CA 01 with 7.1 g) limited to the following:

1. the Chairman of the ExTAG (without vote);
2. the Chairman of the ExMarkCo (without vote);
3. the Chairman of the ExPCC (without vote);
4. the Chairman of the ExSFC (without vote);
5. the Chairman of IEC TC 31: Equipment for explosive atmospheres (without vote) and
6. the Conveners of Working groups of the ExMC (without vote)

The requirements of IEC CA 01 are extended to include ExMC deciding on the appointment of Chairmen identified in 7.1 above, a) to d)

The requirements of IEC CA 01 are further extended with the addition of the following new subclauses as follows:

**107.9** The composition of the IECEx Executive shall include:

1. the CAB appointed Officers of the System;
2. the Chairman of the ExTAG;
3. the Secretary of the ExTAG;
4. the Chairman of the ExMarkCo;
5. the Chairman of the ExPCC;
6. the Deputy Chairman of the ExPCC;
7. the Chairman of the ExSFC;
8. the Deputy Chairman of the ExSFC; and
9. the Immediate Past IECEx Chairman

**107.10** There may be instances where matters of confidentiality associated with recommendations for decisions to be taken according to 7.4 h) need to be addressed. In such cases, the circulation of documents may be restricted to the nominated representatives of Member Bodies of the IECEx System by the Chairman. When such matters are dealt with at a meeting, the Chairman may restrict the right for persons other than the Chief Delegates to be present. Notification of such action shall be provided in advance of the meeting, or at the discretion of the Chairman, such discussion can take place without notice. When necessary, these matters may be recorded in separate confidential minutes with restricted circulation.

# 8 Officers, Executive and administration

The requirements of Clause 8 of IEC CA 01 applies.

# 9 Committees and Other Groups reporting to the CA System MC

Clause 9 of IEC CA 01 Applies noting the constitution and duties of the Committees reporting to the ExMC as outlined below

1.

## 9.1Conformity Assessment Bodies Committee (ExTAG)

**9.1.1** The Conformity Assessment Bodies Committee referred to as the Ex Testing and Assessment Group (ExTAG) deals with matters of a technical nature concerning the application of the IEC International Standards to the assessment and testing of Ex equipment and matters relating to the assessment and surveillance of a manufacturer’s or service provider’s quality system. The principle role of ExTAG is to facilitate common application of testing, assessment and auditing requirements in the issue and maintenance of an IECEx Certificate of Conformity.

{DRAFTING NOTE: IECEx Executive propose that 9.1.2 to 9.1.11 be moved to IECEx 02}

**9.1.2** All ExCBs and ExTLs shall be members of the ExTAG. Where an organization is both an ExCB and an ExTL, it shall have only a single membership.

The Chairman and/or Secretaries of IEC TC 31 and subcommittees shall be *ex officio* members of the ExTAG, in order to facilitate the solution of problems relating to the application of the IEC International Standards.

**9.1.3** The duties of the ExTAG are:

1. to harmonize the application of the requirements of standards;
2. to detail the way in which the tests specified in the standards have to be carried out so as to achieve the necessary reproducibility of test results;
3. to harmonize the design and use of the test equipment referred to in the standards and to make recommendations to the relevant IEC technical committee or subcommittee for improvement of those standards; and
4. to provide ExCBs and ExTLs with a forum in which practical testing and assessment problems can be demonstrated and discussed.

**9.1.4** The ExTAG shall meet at least once a year and preferably in a different country each year, ideally at a place where an ExCB or ExTL is situated.

**9.1.5** Participants in meetings of the ExTAG shall be appointed by the members and shall be experts from ExCBs or ExTLs and, if appropriate, other experts. The names of the participants shall be communicated to the Secretary of ExTAG in due time before each meeting. The number of participants from each member simultaneously present at a meeting shall not exceed three. The participants may, however, change during a particular meeting according to the subject to be discussed.

**9.1.6** Decisions of the ExTAG shall be arrived at by consensus. Where consensus cannot be achieved, the matter shall be referred as appropriate to the ExMC or to the relevant IEC technical committee or subcommittee.

**9.1.7** If the ExTAG decides that it is essential to revise a test specification of a standard, a proposal detailing the changes shall be submitted to the relevant IEC technical committee or subcommittee.

**9.1.8** As soon as possible after a meeting, the Secretary of the ExTAG shall prepare and distribute a report for consideration by the ExMC, covering:

1. the results of the meeting;
2. proposals being submitted to IEC technical committees and subcommittees; and
3. proposals submitted to ExMC for discussion.

**9.1.9** Minutes of meetings of the ExTAG shall be sent by its Secretary to the members of the ExTAG and to the Executive Secretary of the IECEx System for circulation to all members of ExMC. They shall embody all conclusions of the relevant meeting, together with a brief account of the discussions.

**9.1.10** The Chairman and Secretary of the ExTAG shall be appointed by the ExMC upon nomination by the ExTAG.

**9.1.11** The term of office of the Chairman of the ExTAG shall be three years and he 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 ExMC may appoint the ExTAG Chairman for a further 3 year term. The term of office of the Secretary of ExTAG shall be five years and shall be renewable without restriction.

## 9.2IECEx Conformity Mark Committee (ExMarkCo)

**9.2.1**The IECEx Conformity Mark Committee (ExMarkCo) deals with matters relating to the operation of the IECEx Conformity Mark Licensing System by ExCBs including use, or misuse of theIECEx ConformityMark by IECEx Licensees or other parties.

{DRAFTING NOTE: IECEx Executive propose that 9.2.2 to 9.2.11 be moved to IECEx 02}

**9.2.2** Membership of the ExMarkCo shall be determined by the ExMC and shall comprise adequate representation from the Conformity Assessment Bodies, manufacturers, end-users and regulators.

**9.2.3** The Chairman of the ExMarkCo shall be as appointed by ExMC.

**9.2.4** The IECEx Executive Secretary shall act as the Secretary of the ExMarkCo.

**9.2.5** The duties of the ExMarkCo are to provide a consultative forum to the ExMC on matters relating to:

1. the development, maintenance, and implementation of the Rules and Operational Procedures of the IECEx Mark Conformity Licensing System in accordance with Regulations IECEx 04;
2. making recommendations concerning the suitability of Certification Bodies to be accepted as Operators in the IECEx Conformity Mark Licensing System and authorized to license the use of the Mark; and
3. ensuring that the IECEx Rules of Procedure of the IECEx Conformity Mark Licensing System conform to these Regulations.

**9.2.6** The ExMarkCo shall report to the ExMC who, in turn, shall report to CAB on a regular basis, concerning the operation of the IECEx Conformity Mark Licensing System.

**9.2.7** The ExMarkCo shall meet as directed by the ExMC, generally on a yearly basis, and preferably at the same time as the ExMC annual meetings. The names of the participants shall be communicated to the Secretary of the ExMarkCo in due time before each meeting.

**9.2.8** Decisions of the ExMarkCo shall be arrived at by consensus. Where consensus cannot be achieved, the matter shall be referred to the ExMC for a decision.

**9.2.9** As soon as possible after a meeting, the Secretary of the ExMarkCo shall prepare and distribute a report for consideration by the ExMC, covering:

1. the results of the meeting;
2. proposals to be submitted for discussion.

**9.2.10**Reports of meetings of the ExMarkCo shall be circulated to all members of ExMC. They shall embody all conclusions of the relevant meeting, together with a brief account of the discussions.

**9.2.11**The term of office of the Chairman shall be three years and he 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 ExMC may appoint the ExMarkCo Chairman for a further 3 year term.

## 9.3IECEx Personnel Certification Committee (ExPCC)

**9.3.1**The IECEx Personnel Certification Committee (ExPCC) deals with matters relating to the operation of the IECEx Certificate of Personnel Competence Scheme (IECEx CoPC Scheme) as defined by the Scheme Rules, IECEx 05.

{DRAFTING NOTE: IECEx Executive propose that 9.3.2 to 9.3.14 be moved to IECEx 05}

**9.3.2** Membership of the ExPCC shall be determined by the ExMC and shall comprise adequate representation from the Conformity Assessment Bodies, manufacturers, end-users, training bodies, service providers and regulators.

**9.3.3** The Chairman of the ExPCC shall be as appointed by ExMC.

**9.3.4** The IECEx Executive Secretary shall act as the Secretary of the ExPCC.

**9.3.5** The duties of the ExPCC are to provide a consultative forum to the ExMC on matters relating to:

1. the development, maintenance, and implementation of the Rules and Operational Procedures of the IECEx CoPC Scheme;
2. ensuring a common approach to the application of IECEx CoPC Scheme Rules and Operational Documents; and
3. promotion of the IECEx CoPC Scheme.

**9.3.6** The ExPCC shall report to the ExMC who, in turn, shall report to CAB on a regular basis, concerning the operation of the IECEx CoPC Scheme.

**9.3.7** The ExPCC shall meet as directed by the ExMC, generally on a yearly basis.

**9.3.8** Decisions of the ExPCC shall be arrived at by consensus. Where consensus cannot be achieved, the matter shall be referred to the ExMC for a decision.

**9.3.9** As soon as possible after a meeting, the Secretary of the ExPCC shall prepare and distribute a report for consideration by the ExMC, covering:

1. the results of the meeting;
2. proposals to be submitted for discussion.

**9.3.10**Reports of meetings of the ExPCC shall be circulated to all members of ExMC. They shall embody all conclusions of the relevant meeting, together with a brief account of the discussions.

**9.3.11**The term of office of the Chairman of the ExPCC shall be three years and he 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 ExMC may appoint the ExPCC Chairman for a further 3 year term.

**9.3.12** The Deputy Chairman of the ExPCC shall be as appointed by ExMC.

**9.3.13**The term of office of the Deputy Chairman of the ExPCC shall be three years and he 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 ExMC may appoint the ExPCC Deputy Chairman for a further 3 year term.

**9.3.14**The role of the Deputy Chairman of the ExPCC is to support the Chairman of the ExPCC and he shall act as Chairman of the ExPCC when the Chairman is unavailable.

## 9.4IECEx Certified Services Facilities Scheme Committee (ExSFC)

**9.4.1** The IECEx Service Facilities Scheme Committee referred to as ExSFC deals with matters of a technical nature concerning the application of the IEC International Standards to the IECEx 03 Certified Service Facilities Scheme. The principle role of ExSFC is to facilitate common application of testing, assessment and auditing requirements in the issue and maintenance of an IECEx Certificate of Conformity under the IECEx 03 Scheme.

{DRAFTING NOTE: It is proposed that 9.4.2 to 9.4.15 be moved to IECEx 03}

**9.4.2** All ExCBs and applicant ExCBs shall be members of the ExSFC.

The Chairman and/or Secretaries of IEC TC 31 and subcommittees shall be *ex officio* members of the ExSFC, in order to facilitate the solution of problems relating to the application of the IEC International Standards.

**9.4.3** The duties of the ExSFC are:

1. to harmonize the application of the requirements of standards;
2. to detail the way in which assessments for compliance to standards have to be carried out so as to achieve the necessary consistency;
3. to make recommendations to the relevant IEC technical committee or subcommittee for improvement of those standards;
4. to provide ExCBs with a forum in which practical assessment problems can be demonstrated and discussed; and
5. promote the IECEx 03 Scheme.

**9.4.4** The ExSFC shall meet at least once a year and preferably in a different country each year, ideally at a place where an ExCB is situated.

**9.4.5** Participants in meetings of the ExSFC shall be appointed by the members and shall be experts from ExCBs and stakeholders of the IECEx 03 Scheme. The ExMC shall approve the membership structure and membership categories. The names of the participants shall be communicated to the Secretary of the ExSFC in due time before each meeting. The number of participants from each member simultaneously present at a meeting shall not exceed three. The participants may, however, change during a particular meeting according to the subject to be discussed.

**9.4.6** Decisions of the ExSFC shall be arrived at by consensus. Where consensus cannot be achieved, the matter shall be referred as appropriate to the ExMC or to the relevant IEC technical committee or subcommittee.

**9.4.7** If the ExSFC decides that it is essential to revise a standard, a proposal detailing the changes shall be submitted to the relevant IEC technical committee or subcommittee.

**9.4.8** The ExSFC may establish Subcommittees and Working Groups as required.

**9.4.9** As soon as possible after a meeting, the Secretary of the ExSFC shall prepare and distribute a report for consideration by the ExMC, covering:

1. the results of the meeting;
2. proposals being submitted to IEC technical committees and subcommittees; and
3. proposals submitted to ExMC for discussion.

**9.4.10** Minutes of meetings of the ExSFC shall be sent by the Secretary to the members of the ExSFC and to the Executive of the IECEx System for circulation to all members of ExMC. They shall embody all conclusions of the relevant meeting, together with a brief account of the discussions.

**9.4.11** The Chairman of the ExSFC shall be appointed by the ExMC upon nomination by the ExSFC. The IECEx Executive Secretary shall act as the ExSFC Secretary.

**9.4.12** The term of office of the Chairman of the ExSFC shall be three years and he 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 ExMC may appoint the ExSFC Chairman for a further 3 year term.

**9.4.13** The Deputy Chairman of the ExSFC shall be appointed by the ExMC.

**9.4.14** The term of office of the Deputy Chairman of the ExSFC shall be three years and he 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 ExMC may appoint the ExSFC Deputy Chairman for a further 3 year term.

**9.14.15** The role of the Deputy Chairman of the ExSFC is to support the Chairman of the ExSFC and he shall act as Chairman of the ExSFC when the Chairman is unavailable.

# 10 Legal provisions

The requirements of Clause 10 of IEC CA 01 applies.

# 11 Standards

Clause 11 of IEC CA 01 applies with the following addition:

If the ExMC wishes to include in the IECEx System types of protection or other aspects of explosion protection, for which there is no IEC International Standard, it shall request 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 ExMC shall, through the CAB, request the Standardization Management Board (SMB) of the IEC to initiate the preparation of the required standard.

#  12 Voting

The requirements of Clause 12 of IEC CA 01 applies.

# Finance

The requirements of Clause 13 of IEC CA 01 applies.

# Dissolution of the IEC CA System

The requirements of Clause 14 of IEC CA 01 applies.

# 15 Appeals

Clause 15 of IEC CA 01 applies with the following addition:

Appeals concerning decisions taken by an ExCB shall be first addressed in accordance with the appeal procedures of that ExCB.

Where the appellant is not satisfied with the outcome of the appeal process of the ExCB or for disputes regarding a decision of the ExMC, the IECEx Executive and Chairman shall attempt to resolve the issue, however if this is not possible then a formal Appeal may be lodged in accordance with IEC CA 01.

**IEC CA 01 Annex A, B and C**

The requirements of Annex A, Annex B and Annex C of IEC CA 01 applies.