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|  | ExMC WG1 Draft prExMC/987/CDMarch 2015 |

 | ExMC/988/CDApril 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 IECEx Supplement to the Draft IEC Harmonised basic Rules, IEC 01**

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As detailed in IECEx Document ExMC/987/CD, 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.

Document ExMC/987/CD contains the CAB Draft IEC 01 Harmonised Basic Rules which will be considered during initially during the WG1 meeting in Toronto May 2015 and then by ExMC and discussion at the ExMC October 2015 New Zealand meeting.

Chris Agius

**IECEx Executive Secretary**

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INTERNATIONAL ELECTROTECHNICAL COMMISSION

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Draft IECEx Supplement to the Draft IEC Harmonised basic Rules, IEC 01

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

Draft IECEx Supplement to the Draft IEC Harmonised basic Rules, IEC 01

0 Scope and Application of this Supplement

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

* Variations to the requirements contained in IEC 01
* Additional requirements beyond those specified in IEC 01
* Removal of requirements contained in IEC 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 is to follow the same Clause numbering of IEC 01.

# Title

Clause 1 of IEC 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 01 Applies, along with the following.

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 01 Applies, along with the following.

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.

Schemes approved to operate under the IECEx System are listed in Annex B

# Governing documents

Clause 4 of IEC 01 Applies.

# Membership

Clause 5 of IEC 01 Applies.

# Organization

Clause 6 of IEC 01 Applies, noting 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;

# Management Committee

**7.1** The composition of the IECEx System Management Committee (ExMC) is according to 7.1 of IEC 01 with the addition of 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 ExSSC (without vote); and
5. the Chairman of IEC TC 31: Equipment for explosive atmospheres (without vote)

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

**7.9** *{addition to IEC 01 – current 7.10 of IECEx 01 Ed 6.0*}

There may be instances where matters of confidentiality associated with recommendations for decisions to be taken according to 7.4 i) 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

# Officers, Executive and administration

Clause 8 of IEC 01 Applies

# Committees and Other Groups reporting to the CA System MC

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

## Conformity 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.

**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.

## IECEx 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.

**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.

## IECEx 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.

**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

*{SECRETARIAT NOTE: New Clause 9.4 is proposed in response to the ExMC Decision to establish a dedicated Committee for the IECEx 03 Certified Service Facility Scheme}*

## Services Facility Bodies Committee (ExSFC)

**9.4.1** IECEx appointed Certification Bodies (ExCBs) approved to operate in the IECEx 03 Certified Service Facility Scheme are members of the IECEx Service Facility Bodies Committee (ExSFC) and deals with matters of a technical nature concerning the application of the IECEx 03 Scheme. The principle role of ExSFC is to facilitate common application of assessment and auditing requirements in the issue and maintenance of an IECEx Certificate of Conformity issued within the IECEx 03 Scheme.

**9.4.2** ExCBs approved to participate in the IECEx 03 Scheme and those Certification Bodies that have applied to become an accepted ExCB 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 principle duties of the ExSFC are:

1. to harmonize the application of the requirements of standards;
2. to detail the way in which assessments and auditing is conducted so as to achieve the necessary consistency among ExCBs;
3. to harmonize the design and use of report forms used within the IECEx 03 Scheme and to make recommendations to the relevant IEC technical committee or subcommittee for improvement of those standards; and
4. to provide ExCBs with a forum in which practical problems can be demonstrated and discussed.

**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, if appropriate, other experts. The names of the participants shall be communicated to the Secretary of ExMC whom shall act as 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. Experts other than from ExCBs may attend meetings of the ExSFC with the ExSFC Chairman having the ability to restrict meeting items to members of ExSFC.

**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 test specification of a standard, a proposal detailing the changes shall be submitted to the relevant IEC technical committee or subcommittee.

**9.4.8** As soon as possible after a meeting, the Secretary of the ExMC 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.

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

**9.4.10** The Chairman of the ExSFC shall be appointed by the ExMC upon nomination by the ExSFC.

**9.4.11** 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. The term of office of the Secretary of ExSFC shall be five years and shall be renewable without restriction

# Legal provisions

Clause 10 of IEC 01 Applies

# Standards

Clause 11 of IEC 01 Applies, along with the following

If the ExMC wishes to include in the IECEx System types of 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

# Voting

Clause 12 of IEC 01 applies, with the following variation.

**12.2** The termination of voting via correspondence of Clause 12.2 of IEC 01 is varied as follows:

A vote by correspondence is terminated when all Member Bodies have voted or one month 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.

**12.4** Decisions affecting the Rules of Procedure and Operational Documents of the IECEx System shall be taken by the ExMC at a meeting. Proposed amendments to the Rules of Procedure and Operational Documents shall be or via correspondence and communicated in writing to the Member Bodies, at least three months prior to the meeting of the ExMC 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 ExMC 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 and Operational Documents are to be notified to the CAB meeting next following the ExMC approval.

# Finance

Clause 13 of IEC 01 applies

# Dissolution of the IEC CA System

Clause 14 of IEC 01 applies

# Appeals

Clause 15 of IEC 01 applies along with the following

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 made be lodged in accordance with Annex B of IEC 01.

1. (normative)

Scope of IEC CA Systems

Annex A of IEC 01 applies

1. (Normative)

Procedure for the Board of Appeal

Annex B of IEC 01 applies

1. (normative)

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

Annex C of IEC 01 applies