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

ExMC – IECEx Management Committee

Confirmed List of Decisions
2009 ExMC Melbourne Meeting

Introduction

This document contains a list of Decisions from the 2009 2 Day Meeting of the IECEx Management Committee, ExMC, held in MELBOURNE on 3rd and 4th September 2009.

The Day 1 list of Decisions were confirmed during Day 2 of the ExMC meeting and have been issued as document ExMC(Melbourne/Secretariat)07. Day 2 decisions have been reviewed and confirmed by the IECEx Chairman and Officers immediately following the meeting.

As is normal practice a full set of minutes of the 2 Days of ExMC meeting will be issued shortly as Draft minutes for confirmation by ExMC members

This document is issued for noting by ExMC with Members requested to also note the respective actions contained within.

On behalf of the IECEx Chairman, Mr McManama and Officers we convey our sincere appreciation for Members participation and assistance which ensured a most productive and successful series of 2009 meetings and on your behalf our thanks to the AU Industry and Member Body for the excellent host and social arrangements.

Chris Agius
Secretary ExMC

Address:	**Tel: +61 2 8206 6940**
Level 7	**Fax: +61 2 8206 6272**
286 Sussex Street	**Email: chris.agius@iecex.com**
Sydney NSW 2000	**Web: www.iecex.com**
Australia	

CONFIRMED LIST OF DECISIONS

Opening Remarks

The Chairman, Mr McManama declared the meeting open at 9.00 am on 3 September 2009, welcoming Delegates.

He also welcomed:

- Mr Liu Weijun, IECEx Vice Chairman
- Mr Heinz Berger, Treasurer
- Mr Ron Sinclair, Chairman ExTAG
- Mr Michel Brenon, Secretary ExTAG
- Mr Tim Duffy, ExMarkCo Committee
- Mr Patrick Leroux, PCIC Europe
- Mr Jim Munro, Chairman IEC TC31

The Chairman especially welcomed Dr Uwe Klausmeyer immediate past Chairman of the IECEx and congratulated him on receiving the IEC Lord Kelvin Award.

The Chairman, further acknowledged in attendance, Members of the IEC CAB, Mr Collis (AU) and Mr Brenon (FR)

The Chairman also welcomed Mr Frank Lienesch and Ms Lorenza Jachia from UNECE.

The Chairman thanked Mr Collis and the Australian/IECEx Member Body for the excellent host facilities.

Apologies from Malaysia and Mirko Balaz from Italy were noted.

The Chairman welcomed Mr John Castles, Chairman of Standards Australia, to the meeting and invited him to address the delegates.

Agenda Item 2 - Approval of the Agenda

Decision 2009/01

The Meeting approved the Draft Agenda ExMC/538A/DA with correction to item 3 of the agenda to refer to Paris 2008.

Agenda Item 3.2.1 – Action List

Decision 2009/02

The Meeting accepted a report on the actions arising from the Paris 2008 Meeting.

Agenda Item 4 - Overview of IECEx System Activities

Decision 2009/03

The Meeting accepted the Secretariat's report ExMC/544/R, containing an overview of the IECEx System activities acknowledging the continued and sustained growth of IECEx. The meeting agreed that future reports should include a report of the number of companies holding IECEx CoCs.

Agenda Item 5.3.2 Product Piracy and Counterfeit Parts, re CAB Decision 25/13, CAB/826/DL

Decision 2009/04

The Meeting in noting an extract from CAB/828/RM – Minutes of the CAB June 2009 meeting, with regards to piracy and counterfeit parts, agreed that the issues were legal and complex across the world and that a single solution could not be found at this time. Therefore it was agreed to report to CAB that IECEx would take no further action at this stage.

Agenda Item 6.3 Possible new Country Membership

Decision 2009/05

The Meeting agreed that the following countries should be contacted by the Secretariat following an indication of their interest in IECEx

- Belgium
- Ireland
- Mexico
- Argentina
- Chile

Agenda Item 6.4.1 New ExCBs and ExTLs accepted via correspondence, since ExMC Paris 2008

Decision 2009/06

The Meeting accepted report **ExMC/545/Inf**.

Agenda Item 6.5.1 Applications Processed for extension of scope

Decision 2009/07

The Meeting accepted report **ExMC/546/Inf** endorsing the scope extensions.

Agenda Item 7.3.2 Report from ad hoc WG2, Mr John Allen, TGD for IEC 60079-19

Decision 2009/08

The Meeting in noting document **ExMC/559/CD –** Report and Draft TGD for IEC 60079-19, agreed that this document should be accepted and issued for immediate use.

Agenda Item 7.4.1 New Operational Document OD 003 Part 2 – Assessment and Surveillance of ExCBs and ExTLs (Revision of OD 003)

Decision 2009/09

The Meeting in noting documents ExMC/460A/CD - Draft OD 003 Part 2, and ExMC/562/CD – Comments from AU, agreed that the comments could be incorporated into the draft by Mr Jim Munro and the document forwarded to the IECEx Secretary for review and then to go forward for publication.

Agenda Item 8.2 - Amendment to the IECEx Basic Rules, IECEx 01 Edition 4

Decision 2009/10

The Meeting in noting document **ExMC/537/CD -** Proposed Changes to IECEx 01, agreed

- that a revised document based on the proposed changes be forwarded for publication.
- The AU comment concerning 2008 ExMC decisions for coverage of other related Ex Services, e.g. Inspection is intended in the current scope of IECEx 01 and is intended to be reflected in a future edition of the Rules of Procedure, IECEx 03

Agenda Item 8.3 – Publication of IECEx 02

Decision 2009/11

The Meeting in noting document Ex/MC/542/CD agreed that document be forwarded for publication.

ExMC/558/CD – Letter from BR requesting consideration of manufacturers Test Labs as ExTLs exclusively for own products

Decision 2009/12

The Meeting noted the document which was deferred until consideration of WG1 report.

ExMC/563/CD – Comments from AU "contents of Certificates"
Decision 2009/13

After discussion comments were to be referred to the IECEx Officers for consideration and solution.

Agenda Item 8.4 Publication of IECEx 03
Decision 2009/14

The Meeting in noting document ExMC/543/CD – Draft Edition 2 of IECEx 03, agreed that the document go forward to publication.

Agenda Item 8.5.1 New Publication IECEx 05 – Rules of Procedure for the IECEx Certificate of Personnel Competencies Scheme (CoPC)
Decision 2009/15

The Meeting noted that document ExMC/515A/DV had been approved via correspondence– Draft IECEx 05 and agreed that the document go forward to publication, following a brief editorial review by the WG12 Convener and Secretary.

Agenda Item 8.5.2 - IECEx New Operational Documents for the IECEx Certificate of Personnel Competencies Scheme (CoPC)
Decision 2009/16

ExMC/516A/DV – Draft IECEx OD 501
ExMC/517A/DV – Draft IECEx OD 502
ExMC/518A/DV – Draft IECEx OD 503
ExMC/518A/DV – Draft IECEx OD 503

The Meeting in noting the documents agreed that the documents go forward to publication following editorial review. The WG12 Convenor and Secretary will take into consideration minor editorial comments recorded in the respective RVs while comments of a technical nature will be referred to WG12.

Agenda Item 8.5.3 IECEx WG12 Ex Competencies

Decision 2009/17

The meeting in noting an update and report from the ExMC WG12 Convener, Mr. Wigg, (Document ExMC/566/R) agreed with following:

- Fees – CHF250 for initial Assessment and CHF100 for Re-assessment and changes.
- At this point in time Assessors are to be drawn from WG12 members already involved within the WG as well as in the preparation of the WG12 documents.
- Assessment visits – A minimum of two Assessors to visit an applicant ExCB already accepted within the IECEx System.
- WG12 to set criteria for future assessors to be involved in the Certified Persons Scheme
- Not to disband the WG but update the Terms of Reference to cover the ongoing maintenance of the Rules and Procedures.

There was insufficient support for a proposal for compensation such as additional fees for Assessors with the Convener withdrawing the request at this time.

The proposal that Members who do not attend WG12 meetings should no longer be considered as Members. This proposal was referred to the IECEx Officers for development of guidelines and for further review.

Agenda Item 9.2 – IECEx Unit Verification Certification

Decision 2009/18

The Meeting noted document ExMC/524/CD - Draft IECEx OD 033 Edition 1.0, and compilation of comments ExMC/539/CC ExMC and agreed that document ExMC/524/CC be sent back to the Ad Hoc WG for review in line with the principles detailed in ExMC (Melbourne/WG1 + WG5)02 Item 2.

The meeting also agreed to re-enforce the principle that Testing be conducted by ExTLs.

Agenda Item 10.2 - Report from WG10 Convener
Decision 2009/19

The meeting noted the report in Document ExMC/565/R – Report from the WG10 Convener and accepted a proposal that Mr Theo Pipjker take over as convenor with the Terms of Reference to be expanded to cover on going maintenance of documents.

Agenda Item 11.2 IECEx WG1 Review of Scheme Rules
Decision 2009/20

The Meeting noted the WG1 report document ExMC (Melbourne/WG1 + WG5)02 and agreed to:

- The proposals and recommendations of the WG1 report
- WG1 to consider the need and implications concerning defined certificate life.
- That IECEx 02 include a clear statement preventing the acceptance of applications from manufacturer's Test Labs, as ExTLs. In response to discussions related to ExMC/558/CD.

Agenda Item 11.3 - IECEx WG5 Management of Quality System Assessments
Decision 2009/21

The Meeting in noting the principles and recommendations in document ExMC (Melbourne/WG5)06 agreed with all WG recommendations and that the WG should continue in a maintenance capacity.

Agenda Item 11.5 - IECEx WG 14 Good Working Practice
Decision 2009/22

The Meeting in noting the content of document ExMC/555/CD approved the publication of the Operational Document.

Decision 2009/23

The Meeting in noting the content of document ExMC/556/Q agreed that it should be referred to the IECEx Officers for review and development.

Agenda Item 11.4 - IECEx WG13 Business Development
Decision 2009/24

Mr Ron Collis presented power point slides and a verbal report with regards to a Business Plan. It was agreed that following WG13's final review of the ad hoc WG's document, Draft Version 1.01, that it be circulated to ExMC members for comment. Comments received are then to be forwarded to WG13 for review and preparation of a new document for circulation and further consideration by ExMC Members.

It was also agreed that the Terms of Reference of the WG13 be amended to include an ongoing maintenance function.

Agenda Item 12 IECEx CONFORMITY MARK Committee (ExMarkCo)
12.1 Report from the Chairman Mr Duffy

Decision 2009/25

The Meeting agreed with proposal from the ExMarkCo Chairman that ExMarkCo document *ExMarkCo/20A/DA Meeting report of the IECEx Mark Committee Meeting held in Geneva, 11th June 2009* be made available.

12.3.2 Constitution of the ExMarkCo Committee. To consider members of the ExMarkCo and terms of office - Document ExMC/547/CD

Decision 2009/26

The Meeting in noting the content of document ExMC/547/CD – proposed constitution, accepted the new proposed constitution and agreed that the Secretary should circulate a request to Members for applications to fill the vacancies on the ExMarkCo committee. The nominations are then to be forwarded to the Officers.

12.3.3 Notifications of misuse of the IECEx Conformity Mark

Decision 2009/27

In noting the call for information concerning any misuse of the IECEx Conformity Mark, Members noted that no issues have been raised at this early stage of issuing Mark Licenses, however it was agreed to include this item as a standing agenda item as requested by CAB along with a request of the Secretariat to review current IECEx Mark Licensing rules and Operational Documents to ensure CAB requirements are reflected.

12.4 Other Matters associated with the Mark

Decision 2009/28

Members agreed to expand the Terms of Reference of the ExMarkCo Committee to include the IECEx Logo. Members also agreed that the ExMarkCo develop a Guidance Document on how and where the IECEx Logo may be used

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Agenda Item 13.1 Report from ExTAG Melbourne Meeting

Report on ExTAG workshop held 31 August 2009 –
Document ExMC(Melbourne/ExTAG Chairman)03

Decision 2009/29

The meeting noted that some ideas on Spark Testing Semi Conductor-Current-Limited Power supplies were presented by Mr Ajay Maira and supported a proposal that this information should be promulgated, but not necessarily, in a Decision Sheet. The ExTAG suggested that a new type of document be circulated for information, perhaps to be called a Technical Sheet. The meeting agreed to have the IECEx Secretariat, in consultation with the Officers, determine a suitable mechanism for a controlled set of technical documents to be issued within IECEx.

Report on the ExTAG meeting 1 September 2009
Document ExMC(Melbourne/ExTAG Chairman)05

Decision 2009/30
WG6

The Meeting in noting ExTAG WG6 had considered Testing conducted at Manufacturers locations and proposed that in light of the comments received on

the existing document, ExTAG WG6 continues its work to redraft the document prepared, taking these comments into account. It was recommended that clear definitions of control testing and witnessing be included in the revised document which would then be circulated to ExMC and ExTAG for comments to allow feed back from a wider group including Manufacturers, Users and Regulators.

Certification of products containing components which had Ex Component Certificates to earlier editions of the Standard

Decision 2009/31
The Meeting in noting a request to consider the establishment of a WG to consider this matter, agreed that it should be referred to ExMC WG1 to establish an ad hoc working group. Also there was request that the word “Manufacturer” be clearly defined.

Closed Session of ExTAG
Decision 2009/32

The Meeting noted the concern expressed that there had been at least one instance of an ExCB that had endorsed an ExTR from its ExTL refusing to answer legitimate questions from another ExCB who had received the ExTR in pursuit of national certification.

The Meeting agreed that if the IECEx Secretary could not resolve such an issue in a timely way, the IECEx Officers would be invited to consider the issues and are hereby authorised by ExMC to take appropriate action. It was also agreed that incidents would be logged and details made available to the assessors at the next reassessment.

Agenda Item 13.2 Appointment of ExTAG Secretary
Decision 2009/33

The Members agreed with the ExTAG recommendation that Mr Michel Brenon be reappointed as Secretary of ExTAG for a further term, expressing their appreciation for his long standing service and dedication to IEC and IECEx.

Agenda Item 17.2 UNECE Project
Decision 2009/34

The meeting noted the confirmation from Lorenza Jachia, of the UNECE, their endorsement of the IECEx as the recommended International Conformity Assessment System within the Ex field.

Agenda Item 17.5 Update on matters relating to IMO and TC 18
Decision 2009/35

In noting various supporting comments, the Meeting agreed that the Secretary take steps to establish formal Liaison with IEC TC 18.

Agenda Item 19.1 2008 Accounts
Decision 2009/36

The Meeting in noting document **ExMC/526/DV** – 2008 Audited accounts, agreed that the audited accounts be referred to CAB for approval.

Agenda Item 19.3 IECEx 2011 + 2012 Forecasted Draft Budget Guide
Decision 2009/37

The Meeting in noting the content of document **ExMC/541/CD** Forecasted Draft Budget Guide, agreed on a policy of maintaining a minimum of 2 years operational expense in General Reserve.

Decision 2009/38
The Meeting agreed that the recommendations from GB that a % of annual costs and other caveats be used to acquire the General Reserve, with a possible target of 5 years to reach the level of general reserve of 2 years operating expenses, and that these recommendations be forwarded to WG13 for review of expenditure, revenue and the establishment of an acceptable time frame.

Decision 2009/39
Following discussion and further clarification the Meeting endorsed document **ExMC/541/CD** Forecasted Draft Budget Guide on the basis that adjustments be made based on results of 2009 final accounts, System growth levels and that WG 13 considers the issue of timeframe to reach the General Reserve .

Agenda Item 20 REVIEW OF CURRENT ExMC WORKING GROUPS (WGs)
Decision 2009/40

The Meeting endorsed a proposal that the Convenors of WG1, WG10 and WG12 be called upon to participate in the IECEx Officers forum as required by the IECEx Chairman.

Agenda Item 23 NEXT MEETINGS
Decision 2009/41

Members confirmed their agreement for the 2010 series of IECEx meetings to be held in Berlin during 29 August to 3 September 2010 and expressed their sincere appreciation to the DE Member Body and industry.

Offers to host future meetings are to be sent to the IECEx Secretariat noting the US offer to host the 2017 meeting.

Meeting Closed 1.30pm on 4th September 2009