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CAB/1828/DV

2019-03-14

## INTERNATIONAL ELECTROTECHNICAL COMMISSION

### CONFORMITY ASSESSMENT BOARD (CAB)

#### SUBJECT

Approval of the IECEx 01-S, IECEx Supplement to Harmonized Basic Rules IEC CA 01, Edition 2.3, 2019

#### BACKGROUND

The attached IECEx 01-S, IECEx Supplement to Harmonized Basic Rules IEC CA 01, has been reviewed by CAB/WG 11 at its recent Singapore meeting where it gave a favourable recommendation to CAB Members to accept this updated version of the IECEx Supplement.

#### ACTION

CAB Members are invited to vote on the updated IECEx 01-S, Supplement to Harmonized Basic Rules IEC CA 01, Edition 2.3, 2019, using the [CAB online voting system](#), no later than **2019-04-12**.

If approved the CAB Decision text will be:

**CAB Decision 45/XX: Approval of IECEx 01-S, Supplement to HBR IEC CA 01.**

**The CAB approved the IECEx 01-S, Supplement to Harmonized Basic Rules IEC CA 01, Edition 2.3, 2019.**

# INTERNATIONAL ELECTROTECHNICAL COMMISSION

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## IEC System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres (IECEx)

### IECEx Supplement to Harmonized Basic Rules IEC CA 01

## FOREWORD

This IECEx Supplement IECEx 01-S is to be used in conjunction with the IEC Harmonized Basic Rules, IEC CA 01 Edition 2.340.

It was established on the basis of IEC CA 01 Edition 2.30 of 20172018-1206.

This document supplements or modifies the corresponding clauses in IEC CA 01, so as to convert that publication into the IECEx Basic Rules.

When a particular subclause of IEC CA 01 is not mentioned in this Supplement, that subclause applies. When this Supplement states "addition", "modification" or "replacement", the relevant text in IEC CA 01 is to be adapted accordingly.

The following numbering system is used:

- subclauses that are numbered starting from 101 are additional to those in IEC CA 01;
- unless notes are in a new subclause or involve notes in IEC CA 01, they are numbered starting from 101, including those in a replaced clause or subclause;
- additional annexes are lettered AA, BB, etc.

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

Document	Report on Voting
CAB/XXXX/DV	CAB/XXXXA/RV

## IECEX Supplement to Harmonized Basic Rules IEC CA 01

### Title

Clause 1 of IEC CA 01 is replaced by the following:

The title of the IECEX System is "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, services and persons 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 general requirements of Clause 5 of IEC CA 01 apply, however 5.3 of IEC CA 01 is replaced with the following and a new Clause 5.101 is added:

**5.3** There shall be only one Member Body of the CA System in a particular country. It shall be responsible for the receiving, considering and endorsing 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. The Member Body shall be responsible for the nomination of individuals for membership to the IECEX Management Committee (ExMC), its working groups (WG) and task forces (TF). Membership of committees reporting to the ExMC and their WGs are covered in the relevant IECEX Rules of Procedures, namely IECEX 02, IECEX 03 and IECEX 05.

**5.101** The application as a new member body for the IECEX System is only accepted, if the applicant includes either:

- a) a plan to recognize IECEX Certificates and assessment work carried out by any member of the IECEX System for the purpose of granting national recognition for placing Ex products onto this market, or
- b) an application of at least one national certification body to become an ExCB, or
- c) a commitment that at least one national Ex certification body will accept the ExTR as the basis for national Ex certification.

The candidate shall explain to the ExMC how it plans to achieve acceptance of CoCs or ExTRs within the following three years. If the selected option has not been implemented three years after the recognition as an IECEX Member Body, the membership will be reconsidered by the ExMC.

## Organization

Clause 6 of IEC CA 01 applies, along with the following:

The IECEX organization comprises:

- d) an IECEX Management Committee (ExMC);
- e) an Ex Testing and Assessment Group (ExTAG);
- f) an IECEX Conformity Mark Committee (ExMarkCo);
- g) an IECEX Personnel Certification Committee (ExPCC);
- h) an IECEX Service Facility Committee (ExSFC);
- ~~h)~~i) an IECEX Assessment Group (ExAG); and
- ~~i)~~j) a Secretariat.

## Management Committee

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

- a) the Chair of the ExTAG (without vote);
- b) the Chair of the ExMarkCo (without vote);
- c) the Chair of the ExPCC (without vote);
- d) the Chair of the ExSFC (without vote);
- e) the Chair of IEC TC 31: Equipment for explosive atmospheres (without vote); and

- f) the Conveners of Working groups of the ExMC (without vote).

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

The requirements of IEC CA 01 are further extended with the addition of the following new subclause:

**7.101** There may be instances where matters of confidentiality associated with recommendations for decisions to be taken according to 7.7 h) of IEC CA 01, 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 Chair. When such matters are dealt with at a meeting, the IECEx Chair 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 Chair, such discussion can take place without notice. When necessary, these matters may be recorded in separate confidential minutes with restricted circulation.

The general confidentiality of the activities of the ExMC and its supporting committees and groups is maintained by requiring meeting attendees to declare their agreement to:

- a) at all times act in good faith and for the benefit of the IEC and the IECEx System;
- b) respect the views of others and the intellectual property rights of the IEC;
- c) maintain all matters discussed during and subsequent to meetings as confidential to the members of the working group or committee, the IECEx Executive and the ExMC;
- d) limit the distribution of meeting documents to only those personnel inside their own organization that may be impacted by their content.

7.3 of IEC CA 01 is replaced with the following:

**7.3** Meetings of the ExMC shall be held at least annually. Additional meetings of the ExMC may be convened either if decided upon by the Chair of the ExMC or if requested in writing to the IECEx Executive Secretary by at least four Member Bodies.

7.4 and 7.5 of IEC CA 01 ~~are replaced~~ apply along with the following Clause 7.102.

**7.102** The IECEx System shall use the document distribution contained in IEC CA 01 with the exception of ~~ExTAG~~ reports to the ExMC from Committees and those working groups required to meet along with the ExMC, (e.g., to enable ExTAG to continue meeting in the same week as ExMC).

7.7 of IEC CA 01 a) to k) applies with the following additional items:

- l) types of protection or services for the IECEx System for subsequent approval by CAB;
- m) acceptance, rejection and suspension of ExCBs as IECEx Conformity Mark License issuing ExCBs, in accordance with IECEx 04;
- n) appointment of the Chair and the Secretary of the ExTAG;
- o) appointment of the Chair of the ExMarkCo;
- p) appointment of the Chair and Deputy Chair of the ExPCC;
- q) appointment of the Chair and Deputy Chair of the ExSFC;
- r) appointment of the Convenor and Deputy Convenor of the ExAG.

## Officers, Executive and administration

The requirements of Clause 8 of IEC CA 01 apply.

8.2 of IEC CA 01 applies with the exception of items a), b), c) being replaced with the following:

- a) the CAB appointed Officers of the System;
- b) the Chair of the ExTAG;
- c) the Secretary of the ExTAG;
- d) the Chair of the ExMarkCo;
- e) the Chair of the ExPCC;
- f) the Deputy Chair of the ExPCC;
- g) the Chair of the ExSFC;

h) the Deputy Chair of the ExSFC;

i) the Convenor of the ExAG;

~~h)~~j) the Deputy Convenor of the ExAG; and

~~i)~~k) the Immediate Past IECEX Chair.

8.11 of IEC CA 01 applies with the following additional text:

Members of the IECEX Executive may attend meetings of committees and working groups reporting to the ExMC.

In addition to general provisions of 8.11 of IEC CA 01, the ExMC shall approve a document setting out the tasks and responsibilities delegated to the IECEX Executive.

## 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 are covered in the following IECEX Publications:

- a) IECEX Conformity Assessment Bodies Committee (ExTAG) – IECEX 02;
- b) IECEX Conformity Mark Committee (ExMarkCo) – IECEX 02;
- c) IECEX Service Facilities Committee (ExSFC) – IECEX 03;
- d) IECEX Certificate of Personal Competence Committee (ExPCC) – IECEX 05.

~~d)~~e) IECEX Assessment Group (ExAG) – IECEX 06

## Legal provisions

The requirements of Clause 10 of IEC CA 01 apply.

## Standards

The requirements of Clause 11 of IEC CA 01 apply.

## Voting

The requirements of Clause 12 of IEC CA 01 apply, with the addition of the following text to 12.2:

Any Member Body comments that were submitted with negative votes shall be re-circulated, for re-consideration of their votes by other Member Bodies prior to final approval of the document revisions.

## Finance

The requirements of Clause 13 of IEC CA 01 apply.

## Dissolution of the IEC CA System

The requirements of Clause 14 of IEC CA 01 apply.

## 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.

Appeals concerning decisions taken by the ExMC shall be referred to the IECEX Executive for mediation and a proposed outcome for both ExMC and the appellant to consider. Where the appellant is not satisfied with the outcome then a formal appeal may be lodged in accordance with IEC CA 01.

**NOTE** The Board of Appeal constituted according to IEC CA 01 Annex B is appointed on a case by case basis and consist of a Chair and four experts. They shall be appointed by the CAB Chair in consultation with the IEC General Secretary & CEO and on the nomination by the relevant CA System Chair and Executive Secretary. The Board of Appeal shall be disbanded following completion of the case for which they were appointed.

## IEC CA 01 Annexes A, B and C

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

## **Annex AA**

(normative)

### **Normative documents approved for use in the IECEx**

The following normative documents have been approved by the CAB for use within the IECEx System for testing and certification purposes:

- a) IEC International Standards covering equipment and services within the approved scope of the System (CAB Decision 21/7);
- b) in cases where no relevant IEC International Standards exist, ISO Standards applicable to the approved Schemes listed in Annex A (CAB Decision 24/17).