



**Asia-Pacific
Economic Cooperation**

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Agenda Item: 8b

Joint Regulatory Advisory Committee on Electrical and Electronic Equipment - Terms of Reference

Purpose: Information
Submitted by: APEC Secretariat



**22nd Joint Regulatory Advisory Committee on
Electrical and Electronic Equipment Meeting
Ho Chi Minh City, Viet Nam
20 August 2017**

Joint Regulatory Advisory Committee on Electrical and Electronic Equipment

Terms of Reference

1. MANDATE

- 1.1. The Joint Regulatory Advisory Committee (JRAC) is a body established by the APEC member economies for the purpose of:
 - promoting and facilitating regulator to regulator dialogue, and cooperation and information sharing; and
 - administering, and facilitating and reviewing the effective functioning of the APEC Mutual Recognition Arrangement on Conformity Assessment of Electrical and Electronic Equipment (the MRA).

2. PREAMBLE

- 2.1. Unless otherwise stated, terms having a specific meaning for the purposes of these Terms of Reference will have the meaning given in the definitions contained in ISO/IEC Guide 2:2004.
- 2.2. Unless otherwise stated, a reference to a part, section or paragraph will be a reference to that part, section or paragraph in the MRA.

3. MEMBERSHIP

- 3.1. The JRAC will be open to representation from each of the APEC member economies (hereinafter 'members').
- 3.2. The JRAC will be comprised of representatives nominated by members. Representatives should:
 - be from the regulatory agency in the member economy responsible for the regulation of electrical and electronic equipment;
 - have an understanding of the technical aspects relating to the regulation of electrical and electronic equipment;
 - be able and willing to engage in discussion and cooperation on all regulatory related matters affecting electrical and electronic equipment;
 - have an understanding of the MRA, its objectives and application; and
 - not hold a position that could constitute a conflict of interest.
- 3.3. The office of the JRAC will comprise of the Chair and a Steering Committee.
- 3.4. The appointment of the Chair will be on a rotational basis in alphabetical order, of the members representing economies participating in any part of the MRA. Previous Chairing economies will be exempt from the first cycle of rotation beginning in 2010. The Chair will not:
 - have a term in the office exceeding one year two years; and
 - serve consecutive terms of office
- 3.5. The Steering Committee will support the Chair in preparing and coordinating initiatives and meetings of the JRAC. The Steering Committee will comprise the immediate past Chair, the current Chair ~~for that particular year~~, a representative from the SCSC host economy for that particular year, incoming Chair for the following year period and may also include any other past Chairs should be involved the year prior to appointment. The Chair assisted by the Steering Committee will organise the venue, prepare agendas and circulate information prior to each meeting. (Referring to 4.8) The incoming Chair for the following year will be the Secretary to record the minutes of meeting. The Steering Committee will endeavour to meet the day prior to all JRAC meetings to finalise the meeting arrangements.

- 3.6. Members will bear the cost of their own participation in the JRAC.
- 3.7. The JRAC is to provide a forum and mechanism for:
- discussing regulatory, and related Standards issues, including international developments relating to electrical and electronic equipment;
 - cooperation between regulators in the area of electrical and electronic equipment; and
 - discussing issues, sharing information and reaching decisions associated with the operation of the MRA.
- 3.8. In respect of regulator to regulator dialogue and cooperation, JRAC will, in consultation with economies participating in any part of the MRA:
- Identify areas of mutual interest or need;
 - Facilitate the establishment of mechanisms for information exchange;
 - Manage the provision of forums for the presentation and exchange of knowledge and experiences;
 - Strengthen relationships between regulators through the sharing of operational and strategic knowledge on compliance and enforcement matters relating to electrical and electronic equipment;
 - Increase awareness and information dissemination on national-domestic matters relating to electrical and electronic equipment.
- 3.9. In respect of a dispute referred to it in accordance with section 5.5 of the MRA the JRAC will:
- receive supporting documentation for a dispute that has been referred to it; [section 5.6(a)]
 - distribute copies of such referral and supporting documentation to all Participating Member Economies so that interested Participating Member Economies may provide written comment on the dispute to be resolved; [section 5.6(b)]
 - convey requests for clarification, and the responses to the requests for clarification, to the relevant Participating Member Economies; [section 5.6(c)]
 - seek advice, as appropriate, from the APEC Committee on Trade and Investment's Sub-Committee on Standards and Conformance; [section 5.6(d)]
 - resolve disputes referred to it and, in conjunction with the disputing Participating Member Economies, make available to Participating Member Economies a summary of the outcome of the deliberations. [section 5.8]
- 3.10. With respect to a proposed amendment to the MRA made in accordance with section 6.2 of the MRA, the JRAC will:
- receive details with respect to the proposed amendment; [section 6.2]
 - invite and consider comments made by interested members; [section 6.3]
 - facilitate a full and comprehensive consideration of proposed amendments;
 - make recommendations to the APEC Committee on Trade and Investment's Sub-Committee on Standards and Conformance on proposed amendments. [section 6.5]
- 3.11. With respect to a proposal by a member economy to participate in Part II or Part III of the MRA, or a review of a Participating Member Economies continued participation, the JRAC will, in a timely manner, decide if that economy has demonstrated their ability to meet the requirements of those Parts. Those requirements include:

- the ability to accept test reports and/or certifications that demonstrate conformity of equipment to their Mandatory Requirements issued by Designated Test Facilities and/or Designated Certification Bodies;
[sections 14.2 and 19.3]
- having a Designating Authority with the necessary mandate and authority to designate, suspend, remove suspension and withdraw designation of their test facilities and/or certification bodies under their jurisdiction in accordance with those Parts.
[sections 13.1 and 20.2]

- 3.12. With respect to the ongoing maintenance of the MRA, the JRAC will receive and distribute notifications from Participating Member Economies in respect of:
- any changes that affect a Designated Test Facilities' or a Designated Certification Body's technical competence and compliance with other relevant requirements;
[sections 14.7 and 20.8]
 - any addition to, suspension of or removal from their lists of Designated Test Facilities and Designated Certification Bodies;
[sections 14.8 and 20.9]
 - any intention of terminating participation in Part II or III.
[sections 11.4 and 17.4]

4. **MODE OF OPERATION** [WU1]

- 4.1. In line with APEC rules and guidelines, the JRAC will operate on consensus basis in which each economy participating in any part of the MRA has one voice.
- 4.2. The JRAC will meet at least once a year.
- 4.3. The venue and the hosting (including the arrangement of the meeting) for the first annual meeting of the JRAC will be the hosting APEC economy for that particular year.
- 4.4. In setting the date for the meeting, the Chair and Steering Committee will attempt to host the meeting separately from other meetings not related to electrical and electronic equipment issues (with an intervening period of at least 14 days).
- 4.5. Any further meeting in that year will be scheduled by the Chair only after consultation with all members.
- 4.2.4.6. The Steering committee will endeavour to ensure that the JRAC meetings will be at least two days in length, with a Steering Committee meeting preceding the JRAC meeting.
- 4.3.4.7. The JRAC will conduct inter-sessional work through electronic means such as e-mail, internet-chat sites, or by tele-conference calls.
- 4.8. The Chair shall be:
- Responsible for ensuring the Notices of meetings, including venue and draft agenda will be sent to the members at least 45 days before the date of the meeting.
 - Responsible for The confirmed agenda and all supporting documents will be sent at least 10 days before the date of the meeting.