

ANNEX 5 C

SECTORAL ANNEX ON ELECTRICAL AND ELECTRONIC EQUIPMENT

Pursuant to Chapter 5, the Parties agree to this Sectoral Annex for Electrical and Electronic Equipment.^{5C-1}

1. Scope

- 1.1 The products to which this Sectoral Annex applies are new^{5C-2} electrical and electronic equipment that are intended to be either directly connected or plugged-in to the low voltage power supply or are battery powered on which either Party has prescribed mandatory requirements applicable to imports as set out in the applicable laws, regulations and administrative provisions listed in Table 1 and which are:
 - (a) not subject to the Sectoral Annex on Telecommunications Equipment; and
 - (b) not medical equipment.
- 1.2 The Mandatory Requirements to which this Sectoral Annex applies shall be third party conformity assessment activities or requirements for product certification for the equipment referred to in Article 1.1 of this Sectoral Annex. The applicable laws, regulations and administrative provisions as amended in accordance with paragraph 4.2 from time to time, are set out in Table 2.
- 1.3 The Conformity Assessment Bodies which may be designated under this Sectoral Annex shall be:
 - (a) Test Facilities; or
 - (b) Certification Bodies;
- 1.4 The conformity assessment activities for which conformity assessment bodies may be designated under this Sectoral Annex are:
 - (a) testing by designated Test Facilities; factory/product surveillance activities undertaken in accordance with the relevant mandatory requirements by

^{5C-1} This Sectoral Annex is to be read along with a Letter of Exchange in relation to Chapter 5 on Standards and Technical Regulations, Sanitary and Phytosanitary Measures : Part I Sectoral Annex on Electrical and Electronic Equipment.

^{5C-2} “New” excludes used and second-hand equipment regardless of whether they have been refurbished or reconditioned.

designated conformity assessment bodies, the results of which are supplemented by test results from designated Test Facilities; and

(b) certification to mandatory requirements by designated Certification Bodies.

1.5 For the purpose of this Sectoral Annex “low voltage” has the same meaning as that defined in Band II of International Electrotechnical Commission Standards 60449:1979 – Voltage bands for electrical installations in building (IEC 60449:1979), and/or a voltage rating of between 50V and 1000V for alternating current, and between 75V and 1500V for direct current.

2. **Obligations**

2.1 India shall accept certification of the results of conformity assessment activities (including results of factory/product surveillance activities) to demonstrate compliance with its mandatory requirements when the conformity assessment activities are undertaken by conformity assessment bodies designated by Singapore's Designating Authority and registered by India's Designating Authority in accordance with Section 5 of this Sectoral Annex. Such certification shall be supplemented by test results from Test Facilities designated by Singapore's Designating Authority and registered by India's Designating Authority. Upon receipt of such certification, India shall complete the relevant product approval processes within 7 calendar days or 5 working days, whichever is the longer.

2.2 Singapore shall accept certification of the results of conformity assessment activities (including results of factory/product surveillance activities) to demonstrate compliance with its mandatory requirements when the conformity assessment activities are undertaken by conformity assessment bodies designated by India's Designating Authority and registered by Singapore's Designating Authority in accordance with Section 5 of this Sectoral Annex. Such certification shall be supplemented by test results from Test Facilities designated by India's Designating Authority and registered by Singapore's Designating Authority. Upon receipt of such certification, Singapore shall complete the relevant product approval processes within 7 calendar days or 5 working days, whichever is longer.

3. **Relevant Authorities**

3.1 For the purpose of this Sectoral Annex:

(a) the Regulatory Authority shall be :

- (i) Ministry of Commerce and Industry (MOC&I), India; and
 - (ii) Standards, Productivity and Innovation Board (SPRING), Singapore;
- (b) the Designating Authority shall be :
- (i) Director-General of Foreign Trade and Export Inspection Council of India (or their successor bodies) for imports into and exports from India; and
 - (ii) Standards, Productivity and Innovation Board (SPRING) of Singapore (or its successor body) for imports into and exports from Singapore; and
- (c) in addition, India shall have the Ministry of Commerce and Industry (MOC&I) of India (or its successor Ministry) as a coordinating Designating Authority.

4. Exchange of Information

- 4.1 The Parties' relevant Regulatory Authorities or the relevant bodies empowered to administer the mandatory certification scheme shall notify each other, the Mutual Recognition Joint Committee and the relevant Designating Authorities of any proposed changes to their relevant mandatory requirements. Except where considerations of health, safety and environmental protection or national security warrant more urgent action, such notification shall take place at least 60 calendar days before the entry into force of the changes. For more urgent action, the notification shall be done immediately after the action is taken together with copies of the technical regulations.
- 4.2 The Parties' relevant Regulatory Authorities or responsible agencies shall notify in writing, each other, the Mutual Recognition Joint Committee and, as appropriate, the relevant Designating Authorities of any amendment to any laws, regulations and/or administrative provisions listed in Tables 1- 4 of this Sectoral Annex and thereby amend the relevant portion of the Tables. For this purpose, amendment shall include the following cases where:
- (a) a Party entirely or partially changes its applicable laws, regulations and/or administrative provisions whether or not those names are changed;
 - (b) a Party repeals its applicable laws, regulations and/or administrative provisions and adopts new laws, regulations and/or administrative

provisions substituting for the previous laws, regulations and/or administrative provisions, whether or not the previous names are changed; and

- (c) a Party incorporates the whole or a relevant part of its applicable laws, regulations and/or administrative provisions into other laws, regulations and/or administrative provisions.

5 Designation and Registration of Conformity Assessment Bodies

5.1 The Designating Authority must have the legal mandate to perform designation as set out in Table 3.

5.2 The designation and registration of conformity assessment bodies shall be in accordance with applicable laws, regulations and administrative provisions and meet with the stipulated criteria for designation as set out in Table 4.

5.3 Designating Authorities shall:

- (a) specify the scope of the conformity assessment activities for which a conformity assessment body has been designated. When a conformity assessment body is designated to undertake conformity assessment activities with regard to particular mandatory requirements, the relevant obligations of acceptance shall be limited to the results of assessments in relation to those particular mandatory requirements;
- (b) only designate conformity assessment bodies where the conformity assessment body, or the organisation of which the conformity assessment body is a part, is a legal person in the relevant jurisdiction;
- (c) only designate conformity assessment bodies that are able to demonstrate that they understand, have experience relevant to and are technically competent to undertake the conformity assessment activities for which they are designated;
- (d) give advance notice of at least 7 calendar days of any changes, including suspension, to their list of designated conformity assessment bodies; and
- (e) not have direct, indirect or undue influence or control over the conformity assessment activities of these designated conformity assessment bodies resulting in them being unable to make fair, impartial and independent decisions on conformity assessment activities entrusted to them.

5.4 Pursuant to paragraph 3.1(c), the coordinating Designating Authority shall:

- (a) be the contact point for the two Designating Authorities as set out in Article 3.1(b)(i); and
- (b) vet the power and control the two Designating Authorities in ensuring that they carry out their respective duties in accordance with Articles 5.1, 5.2 and 5.3.

6 Stipulated Requirements for Conformity Assessment Bodies (CAB)

6.1 Designated conformity assessment bodies:

- (a) shall be impartial;
- (b) shall not be adversely influenced by a body that manufactures or trades in electrical and electronic equipment;
- (c) may offer any service (such as testing of other products or training) so long as they do not compromise the objectivity of their conformity assessment activities and decisions for which they have been designated; and
- (d) shall demonstrate their technical competence through :
 - (i) technological knowledge of the relevant products, processes or services;
 - (ii) understanding of the technical standards and the general risk protection requirements for which designation is sought;
 - (iii) the experience relevant to the applicable Mandatory Requirements;
 - (iv) the physical capability to perform the relevant conformity assessment activities;
 - (v) an adequate management of the conformity assessment activities concerned; and
 - (vi) any other circumstance necessary to give assurance that the conformity assessment activities shall be adequately performed on a consistent basis.

6.2 Pursuant to paragraph 1.4(a), the basis for designating Test Facilities shall be:

- (i) (a) accreditation to ISO/IEC 17025:1999, which shall constitute sufficient proof of technical competence to undertake conformity assessment activities that demonstrate conformity with the mandatory requirements for which they are to be designated provided that:

- (i) the accreditation process is conducted in compliance with ISO/IEC Guide 58:1993; and
- (ii) the accreditation body participates in mutual recognition arrangements, such as the Asia Pacific Laboratory Accreditation Cooperation (APLAC) Mutual Recognition Arrangement, where they are subject to peer evaluation of the competence of accreditation bodies and the Test Facilities accredited by them; or

(b) membership in the IECEE CB Scheme.

6.3 Pursuant to paragraph 1.4(b), the basis for designating Certification Bodies shall be:

(ii)(a) accreditation to ISO/IEC Guide 65:1996, which shall constitute sufficient proof of technical competence to undertake conformity assessment activities that demonstrate conformity with the mandatory requirements for which they are to be designated provided that:

- (i) the accreditation process is conducted in compliance with ISO/IEC Guide 61:1996; and
- (ii) the accreditation body is recognised by the designating Party; or

(b) Membership in the IECEE CB-FC Scheme.

6.4 When designating a conformity assessment body, the Designating Authority shall provide to the other Party the following details in respect of each conformity assessment body it designates:

- (a) the name;
- (b) the postal address;
- (c) the facsimile (fax) number;
- (d) email address (if available);
- (e) name and telephone number of the contact person;

- (f) scope of designation detailing range of products, reference standards, methods of certification, capability and other relevant details;
- (g) designating procedure used; and
- (h) date of effect of designation.

7 Verification, Suspension and Withdrawal of Conformity Assessment Bodies

- 7.1 For the purpose of this Sectoral Arrangement, the time period specified in paragraph 23 of Article 5.5 shall be 70 calendar days.

TABLE 1

THE APPLICABLE LAWS, REGULATIONS AND ADMINISTRATIVE PROVISIONS STIPULATING ELECTRICAL PRODUCTS COVERED BY THIS SECTORAL ANNEX

INDIA	SINGAPORE
<p>1. Electrical Wires, Cables, Appliances and Accessories (Quality Control) Order, 1993 issued vide No.S.O.189(E) dated 17 February 2003 under BIS Act 1986 by Department of Industrial Policy and Promotions, Ministry of Commerce and Industry.</p> <p>2. Notification S.O.165(E) dated 05 February 2004 amending S.O. 189(E) dated 17 February 2003, whereby Sr.Nos.8,9,13 and 19 are omitted.</p> <p>3. Notification No.5(RE-2003)/ 2002-2007 dated 7 April 2003 issued by Directorate General of Foreign Trade, Ministry of Commerce and Industry.</p> <p>4. Notification No.42(RE-2003)/2002-2007 dated 6 May 2004 issued by Directorate General of Foreign Trade, Ministry of Commerce and Industry.</p> <p>5. The Foreign Trade (Development & Regulation) Act, 1992 (Section 3(1))</p>	<p>1. Consumer Protection (Trade Descriptions and Safety Requirements) Act (Chapter 53) and amendments thereto.</p> <p>2. Consumer Protection (Safety Requirements) Regulations 2002 and amendments thereto</p>

TABLE 2

THE APPLICABLE LAWS, REGULATIONS AND ADMINISTRATIVE PROVISIONS STIPULATING THE REQUIREMENTS AND THE CONFORMITY ASSESSMENT PROCEDURES (including the legal provisions enabling a Party to accept certification from the other Party)

INDIA	SINGAPORE
<ol style="list-style-type: none"> 1. Bureau of Indian Standards Act 1986; BIS Rules, 1987; BIS (Certification) Regulations 1988.* 2. Relevant Indian Standards and corresponding Scheme of Testing and Inspections (STIs) for 14 products under mandatory BIS certification and amendments thereto: <ol style="list-style-type: none"> 1. IS 302-2-201 (1992); DOC:STI/302-2-201, April 1995 – Scheme of Testing and Inspection for Certification of Safety of Electric and Household and similar Electric Appliances- Electrical Immersion Water Heater; 2. IS 302-2-202 (1992), Safety of Household and similar Electrical Appliances – Electric Stoves^{5C-3} ; 3. IS 302-2-3 (1992); DOC:STI/302-2-3/1, January 1994 – Scheme of Testing and Inspection for Certification of Safety of Household and similar Electrical Appliances - Electric Iron ; 4. IS 302-2-30 (1992); DOC:STI/302-2-30/1, May 	<ol style="list-style-type: none"> 1. Consumer Protection (Trade Descriptions and Safety Requirements) Act (Chapter 53) and amendments thereto. 2. Consumer Protection (Safety Requirements) Regulations 2002 and amendments thereto. 3. Consumer Protection (Safety Requirements) Registration Scheme Information Booklet (2002 Edition) and amendments thereto

^{5C-3} The STI for IS 302-2-202 (1992), Safety of Household and similar Electrical Appliances – Electric Stoves is to be developed.

<p>1995 – Scheme of Testing and Inspection for Certification of Safety of Household and similar Appliances ;</p> <p>5. IS 3854:1997; DOC:STI 3854/8, October 1998 – Scheme of Testing and Inspection for Certification of Switches for Domestic & similar purpose;</p> <p>6. IS 418:1978; DOC:STI/418/3, January 1993 – Scheme of Testing and Inspection for Certification of Tungsten Filament General Service Electric Lamps;</p> <p>7. IS 8828: 1996; DOC:STI/8828/4, May 99 – Scheme of Testing and Inspection for Certification of Electrical Accessories Circuit Breakers for Overcurrent Protection for Household and similar installations;</p> <p>8. IS 12640(Pt.1):2000; DOC:STI/12640(Pt.1)/2, March 2002 – Scheme of Testing and Inspection for Certification of Residual Current Operated Circuit Breaker for Household and similar uses Part 1 Circuit-Breakers without Integral Overcurrent Protection;</p> <p>9. IS 12640(Pt.2):2001; DOC:STI/12640(Pt.2)/2, March 2002 – Scheme of Testing and Inspection for</p>	
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<p>Certification of Residual Current Operated Circuit Breaker for Household and similar uses Part 2 Circuit-Breakers with Integral Overcurrent Protection;</p> <p>10. IS:694:1990; DOC:STI/694/8, July 2004 – Scheme of Testing and Inspection for Certification of PVC Insulated Cables (for Voltages upto and including 1100 Volts)</p> <p>11. IS 9968 (Pt.1); DOC:STI/9968(Pt.1)/, February 1992 – Scheme of Testing and Inspection for Elastomer Insulated Cables for Working Voltages upto and including 1100 Volts;</p> <p>12. IS 13010:2002; DOC:STI/13010/2, May 2003 – Scheme of Testing and Inspection for Certification of AC Watthour Meters Class 0.5, 1 and 2;</p> <p>13. IS 13779:1999; DOC:STI/13779/3, November 2002 – Scheme of Testing and Inspection for Certification of AC Static Watthour Meters, Class 1 & 2;</p> <p>14. IS 14697:1999; DOC:STI/14697/2, November 2003 – Scheme of Testing and Inspection for Certification of Ac Static Transformer operated Watthour (Class .2S & .5S)</p>	
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<p>& VAR-hour Meters (Class 0.2 S, 0.5 S & 1S) * provisions for BIS to accept certification from MRA partners to be worked out</p>	
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TABLE 3

**THE APPLICABLE LAWS AND REGULATIONS PROVIDING LEGAL
MANDATE FOR DESIGNATING AUTHORITIES**

INDIA	SINGAPORE
Notification providing legal mandate for Designating Authorities for India for both import and export.* * To be published.	1. Standards, Productivity and Innovation Board or SPRING Singapore Act and amendments thereto. 2. Standards, Productivity and Innovation Board (Conformity Assessment) Regulations 2002 and amendments thereto.

TABLE 4

THE APPLICABLE LAWS, REGULATIONS AND ADMINISTRATIVE PROVISIONS STIPULATING THE CRITERIA FOR DESIGNATION

THE CRITERIA TO BE APPLIED BY SINGAPORE IN DESIGNATING CONFORMITY ASSESSMENTS BODIES TO ASSESS PRODUCTS AGAINST INDIA'S REQUIREMENTS	THE CRITERIA TO BE APPLIED BY INDIA IN DESIGNATING CONFORMITY ASSESSMENTS BODIES TO ASSESS PRODUCTS AGAINST SINGAPORE'S REQUIREMENTS
<p>(Criteria to be formulated pursuant to the legal mandate for DAs to designate CABs. India would consider having a common set of criteria for CABs for its domestic regime and MRA partner.)*</p> <p>* Yet to be published.</p>	<ol style="list-style-type: none">1. Standards, Productivity and Innovation Board or SPRING Singapore Act and amendments thereto.2. Standards, Productivity and Innovation Board (Conformity Assessment) Regulations 2002 and amendments thereto.3. Singapore Productivity and Standards Board (Conformity Assessment) Information Booklet (2002 Edition) and amendments thereto.

