

# **Simtars**

## **Engineering, Testing and Certification Centre**

**2 Robert Smith Street, Redbank, Qld 4301, Australia**  
**PO Box 467, Goodna, Qld 4300, Australia**  
**Email: [enquiries@simtars.com.au](mailto:enquiries@simtars.com.au)**

**Phone + 61 7 3810 6381**  
**Fax + 61 7 3810 6366**

*Note: The electronic copy of this document is controlled. To ensure that printed copies of this document are current, the status date should be checked against the status date of the electronic copy held in the compliance management database, Qudos.*

## **Certification Manual – Product Certification**

# Engineering, Testing & Certification Centre Certification Manual – Product Certification

Index	Page
1.0 PURPOSE	3
1.1 Reason for change	3
2.0 INTRODUCTION	3
3.0 SCOPE	3
4.0 GENERAL REQUIREMENTS	4
5.0 DEFINITIONS	4
6.0 ADMINISTRATIVE STRUCTURE	5
7.0 RESPONSIBILITY	6
Simtars Certification Governing Board	6
Simtars Certification Advisory Committee	6
Applicant	6
8.0 CERTIFICATION PERSONNEL	6
9.0 CONFLICT OF INTEREST	6
10.0 QUALITY SYSTEM	7
11.0 TESTING AND INSPECTION FACILITIES	7
12.0 CERTIFICATES OF CONFORMITY	8
12.1 Information on Certificates	8
12.2 Component Certification	8
12.3 Conversion of Enclosures having Component Certification to Fully Certified Flameproof	8
Equipment	8
12.4 Certification of Assembled Components	8
12.5 Supplementary Certification	8
12.6 Certificates to Superseded or Revised Standards	9
12.7 Certificate Issue	9
12.8 Purchaser of Equipment	9
13.0 NUMBERING OF CERTIFICATES	9
14.0 VALIDITY OF CERTIFICATES	9
15.0 LIMITATIONS OF THE IECEX CONFORMITY MARK LICENSE GRANTED TO Simtars Certification	10
16.0 ACCEPTANCE OF TEST REPORTS	10
17.0 EXTERNAL SERVICE PROVIDERS	10
18.0 CONFIDENTIALITY	10
19.0 COMPLAINTS TO CERTIFICATE HOLDERS	11
20.0 MISUSE OF CERTIFICATES OR IECEX MARK LICENSE	11
21.0 WITHDRAWAL, SUSPENSION AND CANCELLATION OF CERTIFICATES OR LICENSE	11
22.0 APPEALS, COMPLAINTS AND DISPUTES	11
23.0 PUBLICATIONS	12
Figure 1 – Organisation Overview	13

# Engineering, Testing & Certification Centre Certification Manual – Product Certification

## 1.0 PURPOSE

The purpose of this Certification Manual is to describe how Simtars Certification undertakes the provision of third party product certification encompassing the requirements of ISO/IEC 17065: “Conformity assessment—Requirements for bodies certifying products, processes and services” and JAS-ANZ Procedure Number 15 “General Requirements for Bodies Operating Product Certification Schemes”.

Simtars Certification issues certificates of conformity for equipment and overhaul/repair facilities and conducts surveillance of the quality management system of the manufacturer, overhaul/repair facilities or certificate holder to ensure they fulfil the conditions of the certification scheme. Simtars Certification also issues IECEx Conformity Mark license to manufacturers of explosion-protected products.

This document shall be reviewed approximately every three years but the right is reserved to modify its contents without notice. It shall be the responsibility of the applicant for a certificate to ensure that the latest issue of documentation is used when making an application.

## 1.1 Reason for change

- Amend reference to product certification standard from ISO Guide 65 to ISO/IEC 17065.

## 2.0 INTRODUCTION

Simtars is a semi-autonomous, professionally independent Division of the Queensland Government. Simtars is approximately 70% self funded through fee for service and research activities. The remainder is funded by the Queensland Government.

Simtars is structured with the following operational centres - Mining Research & Development Centre (MRDC), Mine Safety Technology (MST), Engineering Testing and Certification Centre (ETCC), Occupational Hygiene, Environment and Chemistry Centre (OHECC) and Safety & Training Centre (STC) - in addition to four main internal support functions of Quality Management, Finance and Administration, Business Development and Safety Management. Appendices C1 and C3 of Simtars Quality Manual QM0001 shows the organisational structure.

Simtars Certification of the ETCC undertakes the operational functions of the certification body. It does not provide any form of consultancy of the type of product it supplies. The Director of ETCC will periodically review (approximately annually) the operations to ensure that activities of related bodies do not affect the confidentiality, objectivity and impartiality of the certification related activities.

Issue of Certificates by Simtars Certification in no way implies that the product, process or services certified is approved by the Joint Accreditation Scheme of Australia and New Zealand (JAS-ANZ) or any regulatory body or government and certification system or scheme.

Similarly, the issue of the IECEx Mark License and use of the IECEx Mark does not imply any legal responsibilities, obligations or liabilities on the part of the IEC or the IECEx Management Committee or Simtars Certification.

## 3.0 SCOPE

This document specifies the requirements for application, examination, testing, system assessment, certification and reporting for equipment and overhaul/repair facilities, which fully conform to Australian, New Zealand or International Standards and the Rules and Procedures of the following certification scheme and system:

AUSEx	SAA MP69, Miscellaneous Publication – Explosion-protected electrical equipment – Certification Scheme – Policy
ANZEx	MP87.1, Australia/New Zealand Certification Scheme for explosion-protected electrical equipment (ANZEx Scheme) – Part 1: Product Certification Program-Basic rules and procedures MP87.2, Australia/New Zealand Certification Scheme for explosion-protected electrical equipment (ANZEx Scheme) – Part 2: Recognised Service Facilities Program-Basic rules and procedures

# Engineering, Testing & Certification Centre

## Certification Manual – Product Certification

IECEX	ANZEx Technical Guidance Documents (TGDs) – 001, 002, 003, 004, 005, 006 IECEX01, IEC Scheme for Certification to Standards relating to Equipment for use in Explosive Atmospheres (IECEX Scheme) – Basic Rules IECEX02, Equipment Certification Program covering equipment for use in explosive atmospheres- Rules of Procedure IECEX03, IECEX Certified Service Facilities Program covering repair and overhaul of Ex equipment – Rules of Procedure IECEX04, IECEX Conformity Mark Licensing System - Regulations IECEX Operational Documents (ODs) – OD 005, OD 009, OD 010, OD 011, OD 013, OD 022, OD0033
-------	--

The requirement of this Manual shall be applied in addition to the Rules and Procedures for the applicable certification scheme or system. The following documents shall be considered in conjunction with this document and will be issued to all applicants for a certificate:

AF0002	Simtars Standard Terms and Conditions of Contract
EF0186	Application for ANZEx or IECEX Certification for Electrical Equipment for use in Explosive Atmospheres
EF0293	Application for Certification of Service Facilities
EF0298	Application & Agreement for IECEX Conformity Mark License
EP0105	Application Process and Conditions of Application for Testing & Certification
EP0114	Application Process for IECEX Certification of Service Facilities
EP0116	Application Process for IECEX Conformity Mark License

#### 4.0 GENERAL REQUIREMENTS

Access to certification and licensing, within the scope of this document, is available to all applicants. It is not restricted for example on grounds such as the applicant not applying for other services or not a member of a particular group or association. Certification to a specific standard or other normative document will not be denied on the grounds that the applicant does not comply with matters not covered by that standard, such as environmental matters, other than where a potential risk in the use of the product is identified, and has not been satisfactorily addressed by the applicant.

#### 5.0 DEFINITIONS

As a general rule, definitions of ISO/IEC Guide 2, AS/NZS ISO 9000 and the applicable Certification Scheme are applicable. The following definitions either vary or supplement those definitions to cater for the requirements of JAS-ANZ accreditation and include the International Accreditation Forum recommended definitions.

**Applicant:** An organisation that seeks to obtain a certificate of conformity or license from a certification body.

**Accreditation:** Procedure by which an authoritative body (such as JAS-ANZ) gives formal recognition that a certification body is competent to carry out specific tasks.

**Accreditation Council:** A governmental or non-governmental body, which conducts and administers an accreditation system (Joint Accreditation System of Australia and New Zealand (JAS-ANZ)).

**Assessment:** A pre-certification or accreditation audit activity designed to evaluate conformity of products, services or systems with criteria specified by the Accreditation Council or by a relevant Australian, New Zealand or International Standard.

**Audit:** A verification activity aimed at evaluating conformity of products, services or systems with all or part of specified requirements.

**Certification:** Procedure by which a third party gives written assurance that a product, service or system conforms to specified requirements.

**Certification Body:** A body that conducts certification of conformity.

# Engineering, Testing & Certification Centre

## Certification Manual – Product Certification

**Certificate of Conformity (COC):** Document issued under the rules of a certification system, indicating that adequate confidence is provided that a duly identified product, process or service is in conformity with a specific standard or other normative document.

**Certification Scheme:** Certification system as related to specified products to which the same particular standards and rules, and the same procedure, apply.

**Certification System:** System that has its own rules of procedure and management for carrying out certification of conformity.

**Inspection Body (for certification):** Body that performs inspection services on behalf of a certification body.

**Inspection Services:** Include such functions as assessing, recommending for acceptance and subsequent audit of suppliers' production and testing facilities, personnel and quality control operations, and selection and evaluation of products on site or in factories, laboratories or elsewhere as directed.

**License:** A document issued by an IECEx Certification Body authorizing a Licensee to use the IECEx Conformity Mark.

**Licensee:** An applicant to whom an IECEx Conformity Mark License is issued under the IECEx and Simtars Terms and Conditions.

**Nonconformity:** Deviation of product from specified requirements, or (if the product certification system includes assessment of the supplier's management system) the absence of, or failure to implement and maintain, one or more required management system elements, or a situation which would, on the basis of available objective evidence raise significant doubt as to the conformity of what the supplier is supplying.

**Normative document:** Document that provides rules, guidelines or characteristics for activities or their results.

**Reassessment:** A periodic certification activity designed to re-evaluate conformity of product, service or system with criteria specified by the applicable certification scheme or system.

**Registered Auditor:** A person certified and registered by an accredited Auditor certification body as having met all the approved criteria and thereby being judged competent to perform conformity audits for certification and/or accreditation purposes.

**Standard:** Document established by consensus and approved by a recognised body that provides, for common and repeated use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order in a given context.

**Supplier:** The party that is responsible for the product, process, or service and is able to ensure that quality assurance is exercised. The definition may apply to manufacturers, distributors, importers, assemblers, service organisations, licensee, etc.

**Surveillance:** An audit program, conducted over the full reassessment cycle, designed to provide confidence that products, services or systems, continue to conform to the assessment criteria and terms & conditions of license.

## 6.0 ADMINISTRATIVE STRUCTURE

The governing body for Simtars Certification body is the Simtars Certification Governing Board, members of which are appointed by the Director - ETCC.

Simtars Certification Governing Board is advised by Simtars Certification Advisory Committee. The Committee is selected as outlined in the Charter for Simtars Certification Advisory Committee, and appointed by Director - ETCC. The selection is such that no single interest predominates, details are included in the Charter. Members are bound by the requirements set out in the Charter.

All certification personnel have to abide by a "Code of Conduct" as a condition of their employment, and their work is subject to review. The Code of Conduct addresses confidentiality and conflict of interest. Certification

# Engineering, Testing & Certification Centre

## Certification Manual – Product Certification

personnel also sign a confidentiality and conflict of interest statement.

Members, Subcontractors and Consultants are required to sign conditions of contract which address confidentiality.

The organisational overview is provided in Figure 1 to demonstrate the legal status of the certification body. Significant changes to this structure shall be brought to the attention of JAS-ANZ.

### 7.0 RESPONSIBILITY

The responsibilities of the participants in the scheme are as follows:

#### **Simtars Certification Governing Board**

Details are provided in the document EP0102 – Charter for Simtars Certification Governing Board.

#### **Simtars Certification Advisory Committee**

Details are provided in the document EP0096 – Charter for Simtars Certification Advisory Committee.

#### **Applicant**

The applicant is required to follow the application process detailed in the following procedures:

For Explosion-protected (Ex) equipment certification

EP0105, Application Process and Conditions for Simtars Certificate of Conformity for Electrical Equipment for Explosive Atmospheres.

For Ex Equipment Overhaul and repair facilities

EP0114, Application Process for IECEx Certification of Service Facilities

For IECEx Conformity Mark License

EP0116, Application Process for IECEx Conformity Mark License

Issue of a certificate or license does not absolve the holder of a duty of care obligation that all equipment remains strictly in compliance with the relevant requirements of the standard and conditions contained in the certification documents or terms and conditions of the license.

### 8.0 CERTIFICATION PERSONNEL

Recruitment of personnel is carried out in accordance with procedure available on the Government intranet site.

Simtars Certification have procedures (EP0090 - Procedure for assessing competency of certification personnel) in place to ensure that personnel involved in certification are competent, suitably trained and qualified to undertake the required functions. QM0001 - Appendix B-2 identifies a list of personnel deemed competent in performing specific functions relating to certification.

Where the product certification scheme(s) require the assessment to ISO 9001 and the requirements of the relevant certification scheme, the assessment will be undertaken by either Simtars Certification or an appropriately accredited certification body accompanied by a person with expertise in the explosion protection technique concerned.

Personnel engaged on contract and staff of bodies to which work is subcontracted will be assessed in accordance with EI0073. If inspecting or testing is carried out on behalf of Simtars Certification by an external body, Simtars Certification shall ensure that this body conforms to the requirements stated above.

Assessment conducted by other IECEx certification bodies will be accepted subject to a review.

### 9.0 CONFLICT OF INTEREST

Any of the following persons may be placed in situations where a potential conflict of interest could arise, or be seen to arise:

- Simtars Certification Governing Board

# Engineering, Testing & Certification Centre

## Certification Manual – Product Certification

- Simtars Certification Advisory Committee Members
- Simtars Personnel
- Members of other accreditation bodies, including auditors
- Subcontractors, auditors and experts

All such persons must declare any known interest in or connections with the applicant, before undertaking the work, or before or when the situation arises. Such interests or connections apply to past, present and future involvement and may include but not limited to:

- having been involved at some stage with the product in its design, supply, manufacture or maintenance by way of any consultancy service or commercial arrangement;
- having worked with, or consulted to the organisation in the past two years; or reasonable future prospect of such work;
- any immediate family member working with or consulting to the organisation in the past two years; or reasonable future prospect of such work;
- owning shares or any immediate family member owning shares in the organisation or parent organisation;
- having an immediate family member having any other commercial or voluntary arrangement or directorship with the organisation;
- having a relationship with either an applicant or any accreditation body; or
- in direct competition with an applicant or accreditation body.

Declarations would normally be in writing, but the situation may arise (eg Advisory Committee Meetings) where a verbal declaration is necessary. Such declarations and the outcomes are recorded in the minutes of the relevant meeting.

Any person in doubt about whether a potential conflict of interest exists shall immediately place the facts before the members of the relevant committee, and/or Director - ETCC.

### 10.0 QUALITY SYSTEM

Simtars operates a third party certified quality system to AS/NZS ISO 9001 covering all operations including testing, assessing and certification activities. The quality system covers the following requirements of ISO/IEC 17065:

- organisation
- operations
- quality system
- internal audit and management review
- documentation
- records

Refer QM0001 Simtars - Quality Manual for further details on these topics.

The Quality Systems documents are controlled, issued, retained or withdrawn in accordance with the procedure QP0010.

### 11.0 TESTING AND INSPECTION FACILITIES

The ETCC have the required resources, including test facilities, calibration laboratory, highly trained personnel, procedures and work instructions, to perform the tasks of:

- Assessment and testing of product including its design
- Inspection of product
- Inspection of manufacturing and repair facilities
- Assessment of Quality System elements associated with certification schemes listed in 3.0

The testing facility and the staff of ETCC have been recognised by NATA for laboratory accreditation. The scope of accreditation is included in Simtars Quality Manual.

Where external testing service providers are utilised, an assessment shall be conducted in accordance with procedure, EI0073, to confirm the suitability and competency of the provider to satisfy the requirements of ISO/IEC 17065 and/or AS ISO/IEC 17025 as appropriate. A record of such assessment will be maintained.

# Engineering, Testing & Certification Centre

## Certification Manual – Product Certification

An applicant's approval for the use of external testing services must be obtained.

A register of all relevant external bodies employed by Simtars Certification is maintained in EF0193.

Documented agreements with all external bodies shall be made available for scrutiny by JAS-ANZ.

### 12.0 CERTIFICATES OF CONFORMITY

Certificates of Conformity issued by Simtars Certification remain its property unless required otherwise by the applicable certification scheme.

#### 12.1 Information on Certificates

Each Certificate will have the information required by the applicable certification scheme including:

- (a) Drawing numbers, with relevant revision references and dates (if applicable)
- (b) JAS-ANZ endorsement logo (for CoCs issued under the Australian Certification Schemes)
- (c) Any other product marking or marking required by Simtars Certification

#### 12.2 Component Certification

Component Certificates are issued to cover a part of the equipment which cannot be used alone in hazardous areas such as empty flameproof enclosures, terminals, or a piece of electrical equipment with bare live conducting parts. An applicant requiring a Component Certificate must submit an application in accordance with the application procedure and rules of the applicable Certification Scheme.

#### 12.3 Conversion of Enclosures having Component Certification to Fully Certified Flameproof Equipment

The certificate holder is required to apply for product certification if an enclosure, which has Component Certificate, is fitted out with internal equipment. An applicant requiring a Certificate of Conformity must submit an application in accordance with the Application Procedure.

#### 12.4 Certification of Assembled Components

Assessment and testing of assembled components will be in accordance with the relevant standard. Each separately certified product is to be appropriately marked.

The marking plate/s for the whole assembly or its various components shall show appropriate markings in accordance with the relevant standard.

#### 12.5 Supplementary Certification

Supplementary certificates are generally issued to cover the following:

- (a) A modification to certified equipment
- (b) An extension to certified equipment in the form of a new model or a new option
- (c) A change in one or more of the components which form part of the certified equipment
- (d) A change of catalogue or part number
- (e) A change of brand or trade name
- (f) A change in name or address of the Certificate holder
- (g) A change of name of manufacturer
- (h) Any changes listed in the applicable certification scheme
- (i) Change in scope of service provided by Overhaul and repair workshops
- (j) Changes that may compromise compliance of certified product or service provided by Overhaul and repair workshops

An application for a new issue of an existing ANZEx or IECEx certificate issued by Simtars Certification must be submitted to Simtars Certification. For modifications of a minor nature, Simtars Certification may elect not to carry out any physical testing.

Only the holder of the Certificate or an authorised agent can make an application for a new issue of an existing certificate. If an agent lodges the application, evidence will be required that the manufacturer undertakes to abide by the rules of the certification scheme. In the event of change of certificate holder, application shall be lodged by the proposed certificate holder. A letter from a Senior Executive of the existing certificate holder must accompany the application to confirm that it is their (the original certificate holder) intent to change the certificate holder.



# Engineering, Testing & Certification Centre

## Certification Manual – Product Certification

### 12.6 Certificates to Superseded or Revised Standards

#### AUSEx Certification

When a Standard is superseded or revised, a subsequent application for a new issue of an existing certificate should wherever practical be assessed to the revised standards. However, if the changes are of a minor nature and not considered to affect the safety of the apparatus, Simtars Certification in agreement with the manufacturer may permit certification to the original standard. In all cases the rules of the applicable Certification Scheme will prevail.

#### ANZEx or IECEx Certification

Product certificates shall be updated to the current version of the applicable standard within the period specified by the certification scheme's Administration/Management Body.

### 12.7 Certificate Issue

Simtars Certification will ensure that the certification decision is made by personnel independent of the testing or assessment process and will not delegate authority for this decision.

Simtars Certification will issue a Certificate of Conformity to the holder only when all requirements have been met including the payment of all fees and charges. All drawings and marking details must be fully resolved before Simtars Certification will issue a final report. Simtars Certification will advise applicants when requirements have not been satisfied.

The Certificate holder shall ensure that:

- This Certification Manual and Application Process have been read and understood.
- Certificate Number or overhaul/repair mark is only applied to goods identified in the Certificate of Conformity and which comply with the relevant standard.
- That the product is manufactured in accordance with the drawings and conditions specified in the Certificate and test report.
- Modifications are not made to equipment before applying and obtaining a new issue of an existing certificate covering such modifications.
- Simtars Certification is advised of any alterations to the above conditions.
- Simtars Certification is notified of any changes that may compromise compliance of the Ex product or overhaul/repair services
- Simtars Certification is notified of changes in scope of work of overhaul/repair services and departure of competent persons from Certified Service Facilities.

### 12.8 Purchaser of Equipment

A copy of the Certificate shall be made available to the purchaser of the certified equipment on request to the Certificate holder or the holder's agent. For IECEx certificates, the purchaser shall be advised of the URL for the on-line certificate. Where the Certificate refers to specific requirements for the installation and safe use of the equipment, details of these requirements must be provided with the equipment.

The provision of other documents, such as drawings, would normally be subject to agreement between the Certificate holder and the purchaser of the certified equipment.

### 13.0 NUMBERING OF CERTIFICATES

Certificates of Conformity, Component Certificates and Addenda to Certificates shall be numbered in accordance with the marking requirements of the applicable standard(s) or as required by the applicable scheme rules (ANZEx, AUSEx or IECEx).

### 14.0 VALIDITY OF CERTIFICATES

A Certificate of Conformity may be cancelled or withdrawn by Simtars Certification

- (a) for a breach of the conditions of certification
- (b) previously certified equipment is no longer suitable
- (c) for breach of rules and procedure of the certification Scheme
- (d) for failure to pay fees, costs or charges for testing, assessment and certification (including timely maintenance of validity)

Note: A certificate holder carrying out a modification to the equipment that may affect explosion protection

# Engineering, Testing & Certification Centre

## Certification Manual – Product Certification

without having the modification recognised by a new issue of an existing certificate, breaches the undertaking given at the time of certification and invalidates the certificate.

The certificate holder can apply at any time to have the equipment re-tested and certified to a new or revised standard. Where possible, tests which are new or which have become more stringent will be applied.

AUS Ex Certificates, which are not revalidated, are set aside to cover any equipment installed during the currency of the certificate. Any equipment on such certificates is not to be sold as a complete item but parts for already installed equipment should still be made available.

### 15.0 LIMITATIONS OF THE IECEX CONFORMITY MARK LICENSE GRANTED TO Simtars Certification

The following limitations shall apply to Simtars Certification when issuing IECEX Conformity Mark Licenses:-

- a) Simtars Certification will issue IECEX Conformity Mark Licenses in accordance with the Regulations, IECEX 04 and Section 2 of IECEX OD 022 and its agreement as amended;
- b) Simtars Certification may only grant an IECEX Conformity Mark License to holders of an IECEX Certificate of Conformity which they have issued;
- c) Simtars Certification shall not allow any third party to issue an IECEX Conformity License on their behalf;
- d) Simtars Certification shall inform the IECEX Secretariat of any changes in their operation or organisation that may prevent the ExCB from fulfilling their duties under IECEX OD 022 or the IECEX Conformity Mark Regulations, IECEX 04; and
- e) Simtars Certification acknowledges that as owner of the IECEX Conformity Mark, the IEC may withdraw the license and prevent the ExCB from issuing IECEX Conformity Mark Licenses to manufacturers at any time.

### 16.0 ACCEPTANCE OF TEST REPORTS

Acceptance of test reports from other than Simtars Certification shall be assessed for suitability on a case by case basis by the relevant Section Head or the Director ETCC. The criteria and basis of acceptance shall be recorded.

Simtars Certification will only accept NATA endorsed test reports from other Australian test laboratories where relevant.

Reports from overseas test laboratories covering equipment tested in accordance with Australia/New Zealand Standards or IEC standards will be accepted where there is a formal mutual recognition arrangement (MRA) between the overseas accrediting body and NATA against the criteria set out in ISO/IEC 17025

Test reports issued under the IECEX Scheme or the ANZEx Scheme will be acceptable as the basis for issuing an IECEX or ANZEx certificate of conformity respectively. All reports will be subject to review for compliance to this document, IECEX rules and Simtars Certification accreditation and certification (e.g. JAS-ANZ, NCSI and NATA) requirements.

### 17.0 EXTERNAL SERVICE PROVIDERS

External service providers are assessed in accordance with EI0073, documented on form EF0192 and registered on form EF0193.

When necessary, services/testing may be out-sourced by Simtars Certification. The services/testing provider is required to complete form EF0197 prior to commencement of testing. This form addresses confidentiality, conflict of interest and provides a declaration of NATA accreditation.

### 18.0 CONFIDENTIALITY

Confidentiality between Simtars Certification and its clients is addressed in Simtars quality policy statement and in the Simtars "Standard Terms and Conditions of Contract". Unless compelled by legal process or, in the reasonable opinion of Simtars Certification, the product poses a real or potential risk to the health or safety of users, Simtars Certification will not divulge information relating to testing or certification details of a client to a third party without the consent of the client. Where required by law to divulge client information or because of a real or potential risk to health and safety, the client shall be advised of the information disclosed.

All Simtars Certification personnel have to abide by a "Code of Conduct" as a condition of their employment, which also addresses confidentiality. A "Confidentiality Agreement" shall be signed by the following:

- all agents, subcontractors, technical advisers or experts and any other persons engaged to provide certification related services to Simtars Certification.

# Engineering, Testing & Certification Centre

## Certification Manual – Product Certification

- all members of specialist committees, such as Simtars Certification Advisory Committee together with any advisers with input to such committees, or Board.

Access to archived files is subject to the requirements of this clause.

### 19.0 COMPLAINTS TO CERTIFICATE HOLDERS

Each certificate holder shall keep a record of all complaints and corrective actions relative to the product covered by the certificate. The records of these shall be made available to Simtars Certification and the authorised representatives of JAS-ANZ on request. This requirement is not applicable to product certification schemes based wholly on type test. Where notification is received from a certificate holder of non-conforming product, the non-conformity and the basis for the claim will be reviewed and the need for assessment, testing or re-assessment will be identified.

### 20.0 MISUSE OF CERTIFICATES OR IECEX MARK LICENSE

This document covers the control and use of certification markings with guidelines on action to be taken in cases of misuse.

Any alleged misuse of Simtars Certification issued certificates or the IECEX Conformity Mark including incorrect references found in catalogues, advertisements etc, will be investigated and dealt with by suitable actions.

### 21.0 WITHDRAWAL, SUSPENSION AND CANCELLATION OF CERTIFICATES OR LICENSE

When a certificate holder or licensee fails to maintain their products, services or quality management system in conformance with the requirements of the certification scheme, applicable agreement or timely maintenance of certificates - the certificate and/or license may be suspended for a limited period to enable urgent corrective action to be undertaken. During the period of suspension, the certificate holder or licensee shall not claim compliance with the requirements of the selected standard and shall not be entitled to use the applicable marking. When a certificate holder or licensee has its certificate/license suspended, this suspension shall only be lifted after Simtars Certification has verified that the product or services fully complies with the requirements of the scheme, appropriate standard and certificate.

A certificate/license may be suspended until such time that a change to manufacturing process or quality system (for Type 5 certification) has been assessed and found to be satisfactory.

Failure to implement an appropriate corrective action during the period of suspension shall result in withdrawal of certificate or license. In addition, cancellation of the certificate/license shall be followed up with notification to the following:

- JAS-ANZ (for JAS-ANZ endorsed certificates)
- Secretary of IECEX MC (for IECEX certificates & licenses)
- Administrator and Secretary P-008 (for ANZEx certificates)

The authority to make the decision of suspension, withdrawal or cancellation will not be delegated by Simtars Certification.

A certificate holder has the right to voluntarily suspend their certificate/license provided that they inform Simtars Certification. Should this occur the appropriate conditions set out in the first paragraph will apply.

### 22.0 APPEALS, COMPLAINTS AND DISPUTES

Complaints or disputes regarding Simtars certification process may be made by any party and must be made in writing.

When an applicant considers a decision of Simtars Certification to be unreasonable or unfair an appeal may be lodged in writing to Simtars Certification Governing Board. If the complainant is not satisfied with the outcome or response, a further appeal may be lodged with Simtars Certification Advisory Committee. For IECEX certification a complainant has the right of appeal to the IECEX Board of Appeal (refer IECEX 01: IEC Scheme for Certification to Standards relating to Equipment for use in Explosive Atmospheres (IECEX Scheme) – Basic Rules) if not satisfied with the Simtars Certification Advisory Committee outcome.

Simtars Certification shall keep a register of all formal complaints, disputes and appeals received, detailing the

# Engineering, Testing & Certification Centre

## Certification Manual – Product Certification

circumstances of each complaint and the action taken.

The internal handling of appeals, complaints and disputes shall be in accordance with instruction QI0006 and AS ISO 10002 (Complaints Handling) and any corrective action arising as a result of any appeal or complaint process shall be handled in accordance with instruction QI0004.

### 23.0 PUBLICATIONS

Simtars Certification provides copy of certificates to the Administrator of the Australian Certification Scheme (P-008) for listing on its internet based certification database. Simtars Workwise database is utilised to record all necessary information for internal use. Details of JAS-ANZ endorsed certificates are registered in the JAS-ANZ web site. IECEx certificates & licenses can be accessed from the IECEx web site.

Other public documents available on request include:

- ETCC Profile outlining the type of services provided
- Procedure for handling complaints, appeals and disputes and detailing the obligations of certificate holder and licensee.

# Engineering, Testing & Certification Centre Certification Manual – Product Certification

Figure 1 – Organisation Overview

