



AUSTRALIA AND NEW ZEALAND CERTIFICATION SYSTEM EXPLOSIVE ATMOSPHERES (ANZEx)

ANZEx System Rules

Issue 1, 19 October 2020

Authority to Issue

Dr James Galloway
Chief Executive
with Authority of the Governing Board

CONTENTS

1	GENERAL	3
1.1	Introduction	3
1.2	Objective	3
1.3	Scope.....	3
1.4	Reference documents.....	3
1.5	Abbreviations.....	4
1.6	Definitions.....	4
2	STRUCTURE OF THE ANZEx CERTIFICATION SYSTEM.....	8
2.1	Overview	8
2.2	Principles.....	8
2.3	Governing document	8
2.4	Roles, powers, and responsibilities	9
2.5	System Mark	12
2.6	Identifier	12
3	SYSTEM PROCEDURES	13
3.1	Appointment of committees and persons.....	13
3.2	Meetings	13
3.3	System actions	13
3.4	System instruments	14
3.5	Indemnity and insurances.....	15
3.6	Contract	15
3.7	Administrative support	15
3.8	Confidentiality.....	15
3.9	Emergency powers.....	15
4	RULES RELATING TO ANZEx SCHEME PARTICIPANTS	15
4.1	General.....	15
4.2	Acceptance, rescindment, changes, closure	16
4.3	Criteria for acceptance	16
4.4	Operational requirements	17

1 General

1.1 Introduction

JAS-ANZ owns and operates the ANZEx Certification System, following transfer of management from Standards Australia in August 2016. The ANZEx Certification System supports the production, operation and maintenance of explosion-protected equipment (Ex Equipment). The ANZEx Certification System includes:

- the overarching framework of the ANZEx Certification System as described in this document
- a Certified Equipment Scheme (refer to the ANZEx Certified Equipment Scheme Rules)
- a Recognised Service Facility Scheme (refer to the ANZEx Recognised Service Facility Scheme Rules).

These ANZEx Certification Systems Rules replace Standards Australia Miscellaneous Publications MP87.1:2008 and MP87.2:2007.

Note: Other ANZEx schemes may be developed in response to industry needs.

1.2 Objective

The ANZEx Certification System exists to:

- provide a way for persons with an interest in using Ex Equipment to readily identify the conformity of new and repaired/overhauled Ex Equipment to relevant standards
- facilitate trade in, and use of, new and repaired/overhauled Ex Equipment
- promote and contribute to the use of conforming Ex Equipment in Australia and New Zealand
- promote stakeholder engagement and industry participation and representation.

1.3 Scope

The System is developed with initial schemes that cover electrical and non-electrical equipment for use in explosive atmospheres, including manufacture, service, and overhaul. Additional schemes may be developed to support any other activities relevant to these and needing the assurance that can be provided by a formal certification system.

1.4 Reference documents

A list of currently referenced and accepted standards for the various schemes is available on the ANZEx website (www.anzex.com.au).

Other reference documents are:

AS/NZS ISO 9000	Quality management systems – Fundamentals and vocabulary
IEC 60050	International Electrotechnical Vocabulary (IEV) available through http://www.electropedia.org/

Robert's Rules of Order Newly Revised, 2011 (11th) edition

Documents supporting the specific schemes operated under the ANZEx Certification System will be referenced in the relevant Scheme Rules.

1.5 Abbreviations

ANZEx AC	Advisory Committee
ANZEx CB	A certification body accepted under an ANZEx Scheme (see the relevant Scheme-specific Rules)
ANZEx SP	Scheme Participant
ANZEx SFR	ANZEx Service Facility Recogniser
ANZEx TL	An ANZEx Testing Laboratory (see Section 1.6.9)
CoC	Certificate of Conformity
CoR	Certificate of Recognition
Ex	Explosion protected
ExCB	An ANZEx CB (see above) or IECEx CB
ExTL	A laboratory providing testing services for explosion-protected properties
ExTR	Ex test report
IEC	International Electrotechnical Commission
IECEx	International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres
ILAC	International Laboratory Accreditation Cooperation
JAS-ANZ	Joint Accreditation System of Australia and New Zealand
NATA	National Association of Testing Authorities
QAR	Quality Assessment Report
RSF	Recognised Service Facility

1.6 Definitions

Unless otherwise specified in this document, the definitions provided in AS/NZS ISO 9000 apply. The definitions that follow also apply.

1.6.1 ANZEx Certificate

This is a certificate indicating conformity, with its use and meaning covered by Scheme-specific Rules, as an ANZEx Certificate of Conformity (CoC) (see Section 1.6.2) or ANZEx Certificate of Recognition (see Section 1.6.3).

1.6.2 ANZEx Certificate of Conformity (refer to the ANZEx Certified Equipment Scheme)

This is a certificate issued by an ANZEx CB that identifies particular Ex Equipment as conforming with relevant standards.

1.6.3 ANZEx Certificate of Recognition

This is a certificate issued by an ANZEx SFR that identifies a particular organisation as having satisfied the requirements of these Rules, the Recognised Service Facility Scheme Rules and the technical standards relating to Recognised Service Facilities.

1.6.4 ANZEx Test Report (refer to the ANZEx Certified Equipment Scheme)

This is a report issued by an ANZEx Testing Laboratory describing the Ex properties of equipment or components and their compliance with relevant standards.

1.6.5 ANZEx Scheme Participant

This is an organisation that is accepted by the ANZEx System Owner as a participant in a scheme under the ANZEx Certification System.

1.6.6 ANZEx Certification Body (refer to the ANZEx Certified Equipment Scheme)

This is a Scheme Participant that is accepted by the System Owner under the ANZEx Certification System for the purpose of offering certification services.

1.6.7 ANZEx Service Facility Recogniser (refer to the ANZEx Recognised Service Facility Scheme)

This is an organisation that is accepted by the System Owner under the ANZEx Certification System for the purpose of recognising service facilities.

1.6.8 Recognised Service Facility

This is an organisation that carries out or controls such stages in the overhaul and repair of Ex equipment that qualifies it to accept responsibility for compliance of the overhauled or repaired Ex equipment with the relevant requirements.

1.6.9 ANZEx Testing Laboratory (refer to the ANZEx Certified Equipment Scheme)

This is a Scheme Participant that is accepted to provide testing services in support of the Scheme and to issue an ANZEx test report under the ANZEx Certification System.

1.6.10 ANZEx Certified Equipment Scheme (refer to the ANZEx Certified Equipment Scheme)

This is a scheme of the ANZEx Certification System for the certification of Ex equipment, with rules and relevant ANZEx system documentation as detailed in this document and the ANZEx Certified Equipment Scheme Rules.

1.6.11 ANZEx Recognised Service Facilities Scheme (refer to the ANZEx Recognised Service Facilities Scheme)

This is a scheme of the ANZEx Certification System for the recognition of facilities providing overhaul and repair services for Ex equipment, with rules and relevant ANZEx system documentation as detailed in this document and the ANZEx Recognised Service Facility Scheme Rules.

1.6.12 ANZEx Advisory Committee

This committee is appointed by the System Owner to engage and consult with stakeholders and provide advice to the System Owner.

1.6.13 ANZEx system documentation

ANZEx system documentation includes procedures, forms, templates, etc from the ANZEx System Owner in support of the ANZEx Certification System and its schemes.

1.6.14 Applicant

An applicant is an individual or business who applies to an ANZEx Scheme Participant to obtain (and maintain, suspend, and cancel) an ANZEx certificate.

- In this document the term 'applicant' is used to accommodate potential participants in both equipment and recognised service facility schemes.
- The term 'applicant' is used to identify this entity through the life of the ANZEx Certificate, i.e. from application to withdrawal or cancellation of the ANZEx Certificate.
- It is intended that the applicant be the primary contact between the CB and the manufacturer in all matters relating to the certificate.

1.6.15 Cancellation (of an ANZEx Certificate)

This is an action to cancel use of an ANZEx Certificate after a nominated date.

- Cancellation may be an action taken by the ANZEx Scheme Participant that issued the ANZEx Certificate or be requested by the applicant.
- Detailed information regarding cancellation of an ANZEx Certificate is provided in the respective Scheme Rules.
- See also definitions identified in Section 1.6.16.

1.6.16 Certificate status

The certificate status indicates whether a certificate issued under the various ANZEx schemes within the ANZEx Certification System is current.

- Processes associated with some commonly used ANZEx Certificate status descriptors include 'application', 'cancellation' (1.6.15), and 'suspension' (1.6.26).
- The ANZEx Certified Equipment Scheme allows addendum/addenda to be issued to an ANZEx CoC to facilitate amendment to an ANZEx CoC.

1.6.17 Ex component

This is equipment intended to be part of Ex equipment, marked with the symbol 'U', which is not intended to be used alone and requires additional certification when incorporated into Ex equipment.

This is as defined by IEC vocabulary.

1.6.18 Ex equipment

These are items applied as a whole or in part for the use of energy and incorporating one or more types of protection for potentially explosive atmospheres. This term may apply to Ex components or assemblies of Ex components. Ex equipment may be electrical or non-electrical, or a combination of both.

NOTE: definition from IEV.

1.6.19 Explosive atmosphere

This is a mixture with air, under atmospheric conditions, of flammable substances in the form of gas, vapour, or dust, which, after ignition, permits self-sustaining propagation is present, or may be expected to be present, in quantities such as to require special precautions for the construction, installation and use of electrical or non-electrical equipment.

NOTE: definition derived from IEV.

1.6.20 Identifier

An identifier is an alphanumeric code applied to conforming manufactured product and compliant repaired or overhauled product to enable certified equipment and relevant supporting documentation to be identified.

1.6.21 Local assembler (refer to the ANZEx Certified Equipment Scheme)

A local assembler is a body, operating under authorisation from a manufacturer, that provides assembly or transformation of materials to produce an item of Ex equipment or an Ex component.

1.6.22 Manufacturer (refer to the ANZEx Certified Equipment Scheme)

A manufacturer is an organisation, situated at a stated location(s), that carries out or controls such stages in the manufacture, assembly, handling and storage of equipment that qualifies it to accept responsibility for continued compliance of the equipment as manufactured with the relevant requirements and undertakes all obligations in that connection.

1.6.23 Product quality documentation (refer to the ANZEx Certified Equipment Scheme)

Product quality documentation sets out the specific quality practices, resources and sequence of activities relevant to production for a particular product.

1.6.24 Unit verification (refer to the ANZEx Certified Equipment Scheme)

Unit verification is a procedure to certify items produced in limited numbers.

- This was formerly known as a Restricted Type Test Certificate.
- Unit verification is supported by the issue of a CoC.

1.6.25 Status change

This refers to any change in the status of an ANZEx Certificate, such as issue, amendment, suspension, or cancellation.

1.6.26 Suspension (of an ANZEx Certificate)

Suspension of an ANZEx Certificate temporarily stops the use of an ANZEx Certificate issued under the various ANZEx schemes.

- Suspension may be initiated by the ANZEx Scheme Participant that issued the ANZEx Certificate or be requested by the applicant.
- See also the definitions in Section 1.6.16.

1.6.27 System Owner

System Owner refers to the owner of the ANZEx certification system, the Joint Accreditation System of Australia and New Zealand (JAS-ANZ).

1.6.28 Withdrawal (of an ANZEx Certificate)

Withdrawal of an ANZEx Certificate permanently stops the use of an ANZEx Certificate issued under the various ANZEx schemes and prevents the use of equipment already provided under the certificate.

2 Structure of the ANZEx Certification System

2.1 Overview

The ANZEx Certification System consists of a series of schemes aimed at attesting to the conformity of new or repaired/overhauled Ex equipment.

The schemes are similar to those operated by IECEx but with additional capabilities to cover other nominated standards. Examples of such standards include those published by Standards Australia (AS) and Standards New Zealand (NZS), including joint Australian/New Zealand standards (AS/NZS), the International Standards Organization (ISO), the International Electrotechnical Commission (IEC), and joint standards (ISO/IEC) of these organisations. The schemes take advantage of existing Australian and New Zealand conformity assessment infrastructures.

2.2 Principles

The ANZEx Certification System sets a framework by which the System Owner is supported by advice from the ANZEx Advisory Committee on the rules and operation of schemes to support conformity assessment in the explosion-protected equipment industry. The ANZEx Advisory Committee is selected to provide stakeholder consultation and involvement and includes representation from scheme participants and other stakeholder organisations.

In the ANZEx Equipment Scheme, conforming equipment is identified by a unique identifier, which is linked to an ANZEx Certificate. The ANZEx Certificate provides evidence of conformity of explosion-protected equipment with nominated standards through independent assessment by a body that has itself been assessed for its capacity to undertake the required assessment. Confidence in the conformity of subsequently manufactured product is provided by:

- assessing the management systems that control the manufacturing process and organisations supporting the product
- ongoing surveillance of the manufacturing processes.

The ANZEx Certified Equipment Scheme Rules is a set of specific rules created for the operation of this Scheme.

In the ANZEx Recognised Service Facility Scheme, the Scheme requires the RSF to demonstrate it has the competent personnel, facilities (including premises and equipment), systems and procedures to overhaul and repair Ex equipment to maintain/restore its Ex properties. The ANZEx Recognised Service Facility Scheme Rules is a set of specific rules created for the operation of this Scheme.

2.3 Governing document

The System Owner nominates the current version of this document (Rules for the ANZEx Certification System) as the governing document.

Additionally, the System follows closely the principles of certification used in the IECEx System in which Australia and New Zealand are participating members. Therefore, when issues are not addressed in the ANZEx System, the System Owner will first consider any precedents in the IECEx System before developing specific content for the ANZEx system.

Specific rules shall be developed for each scheme operated under the ANZEx Certification System.

2.4 Roles, powers, and responsibilities

The ANZEx Certification System comprises:

- the System Owner
- the ANZEx Advisory Committee
- the administering body
- ANZEx Scheme participants
- applicants.

The specific roles, powers, and responsibilities of participants in various schemes are outlined in the relevant Scheme Rules.

No form of participation in the ANZEx Certification System or its various schemes absolves the party from obligations imposed by law.

2.4.1 System Owner

The System Owner is responsible for the overall operation of the ANZEx Certification System and for overseeing the following objectives.

2.4.1.1 Decision making

- Accept in writing ANZEx Scheme Participants into the scheme.
- Make decisions about changes to the operation of the ANZEx Certification System and its various schemes as necessary to improve performance, direction, etc. and communicate these through directions and guidance notes that are relevant to Scheme participants.
- Set and apply the criteria for the acceptance of ANZEx Scheme participants seeking to operate under the rules and procedures of the ANZEx Certification System and its various schemes.
- Appoint an ANZEx Advisory Committee comprising representatives from stakeholders including applicants, manufacturers, users and installers of Ex equipment, regulatory bodies, accreditation bodies, testing and certification bodies and other interested parties (while recognising the need to keep the committee size to a workable number).
- Appoint an administering body.
- Task the ANZEx Advisory Committee and the administering body as required.

2.4.1.2 Documentation

- Approve the publication of this document and supporting Scheme Rules.
- Arrange for the publication of the ANZEx Certification System Rules and supporting Scheme Rules and other documentation.
- Make recommendations to the appropriate Standards Australia/Joint Standards Australia Standards New Zealand Committee for amendments to Ex standards.
- Publish interpretations, directions and/or advice on any matter which may arise from the use of the ANZEx System and Scheme Rules.
- Approve publication on the ANZEx website of the ANZEx Certification System and supporting Scheme material (binding requirements and/or non-binding guidance notes).

2.4.1.3 Monitoring

- Monitor the performance of the administering body.
- Periodically review the operations of the ANZEx Certification System and its various schemes to ensure alignment between objectives and delivery.
- Review matters brought to the System Owner by the ANZEx Advisory Committee, administering body and other interested parties.
- Respond to complaints that have not been resolved by an ANZEx scheme participant, Accreditation Body, administering body or other.

2.4.1.4 Promotion

- Promote (both nationally and internationally) the ANZEx Certification System operations and objectives to all interested parties.

The System Owner is empowered to:

- act to fulfil the objectives of the system as detailed in this document
- fulfil the operational requirements of this system
- appoint sub-committees and working groups to help manage the system and achieve objectives
- require a Scheme participant to undertake investigative actions
- make recommendations to a Scheme participant
- provide access to ANZEx certificates and supporting information to support system acceptance
- draft and approve changes to these Rules
- draft, approve and publish ANZEx system documentation, guidance notes and directions
- provide reports to stakeholders to demonstrate appropriate governance and scheme operation
- engage in arrangements including contracts and employment in support of the scheme
- be the actor of last resort, working to protect the integrity of the system.

2.4.2 Administering body

The ANZEx System Owner is responsible for the following tasks and may engage one or more administering bodies to carry out one or more of these tasks in support of the operation of the scheme.

Tasks are to:

- liaise with the System Owner, ANZEx Advisory Committee, ANZEx Scheme participants and their clients and industry stakeholders as required
- participate as a member of the ANZEx Advisory Committee
- maintain and update references to any Australian/New Zealand Standards used by the ANZEx Certification System, and its various schemes as directed by the System Owner
- deal with initial inquiries about how the ANZEx Certification System and its various schemes operate
- provide and maintain a database to record pertinent information on ANZEx certificates issued under the ANZEx Certification System and its various schemes
- publish certification information from the central register, e.g. in the form of a website accessible database
- ensure published information on the public website is kept accurate and up to date
- notify the ANZEx Advisory Committee and the System Owner immediately if the public website becomes corrupted or unusable
- make available on the public website any instruments, guidance notes or specific requirements of the ANZEx Certification System and its various schemes
- refer disagreements (that cannot be resolved at the appropriate level) associated with the operation of this ANZEx System to the System Owner
- refer questions or provide feedback to ANZEx Scheme participants with respect to the content of certificates issued under the various ANZEx schemes before including such certificates on the database.

The administering body is not responsible for certificate content and is not obligated to audit or otherwise perform additional certificate content checks.

The administering body may charge fees for services as approved from time to time by the Scheme Owner.

2.4.3 ANZEx Advisory Committee

The ANZEx Advisory Committee supports the ANZEx System Owner, particularly in the following tasks.

2.4.3.1 Operations

- Develop and recommend the rules of the ANZEx Certification System, and its various schemes.
- Provide advice on any matter that may arise from the use of the ANZEx Certification System and its various schemes.
- Recommend establishment of subcommittees and working groups to help the ANZEx Certification System Advisory Committee carry out its responsibilities.
- Oversee the operation of subcommittees and working groups.
- Make recommendations to the System Owner to improve the performance of the ANZEx Certification System Advisory Committee.

2.4.3.2 Monitoring

- Ensure smooth functioning of the ANZEx Certification System and its various schemes.
- Oversee operation of the ANZEx Certification System and its various schemes by monitoring the performance of the ANZEx Scheme participants and accepting feedback from applicants, manufacturers, users, regulatory bodies, installers and other stakeholders.
- As requested by the System Owner, periodically review the operations of the ANZEx Certification System and its various schemes to ensure a match between objectives and delivery.
- Keep the System Owner up to date on changes in international developments in the area of Ex equipment.

2.4.3.3 Promotion

- Promote the ANZEx Certification System and its various schemes, including operations and objectives, to all interested parties nationally and internationally.

Detailed requirements for the appointment and operation of the ANZEx Advisory Committee are described in Section 3.

The ANZEx AC is empowered by the System Owner to:

- support the system in fulfilling the objectives as detailed in this document
- fulfil the operational requirements of this system
- recommend establishment of sub-committees and working groups to manage the system and achieve the objectives
- propose changes to these Rules
- propose and discuss ANZEx system documentation, guidance notes and directions
- propose, discuss and comment on ANZEx-related practices and operations
- make recommendations (through the Scheme Owner) to an ANZEx Scheme participant.

2.4.4 ANZEx Scheme participants

ANZEx Scheme participants are responsible for providing conformity assessment services to industry by carrying out the following tasks.

2.4.4.1 Operations

- Handle applications in accordance with the ANZEx Rules and the internal client management systems of the Scheme participant.
- Manage the ANZEx Scheme instruments used when interacting with applicants and stakeholders.
- Participate in scheme committees at the call of the System Owner.
- Contribute to the meetings of the ANZEx Advisory Committee to share and resolve issues and harmonise practices.

- Support the ANZEx System and take disciplinary actions in support of the System if necessary. An ANZEx CB or ANZEx SFR may take disciplinary action in support of their internal systems.

2.4.4.2 Monitoring

- Inform the ANZEx System Owner, or delegate, of all ANZEx certificates undergoing a status change.
- Manage appeals through the appeals process if an applicant wants to appeal a decision.

2.4.4.3 Promotion

- Promote (nationally and internationally) the ANZEx Certification System and its various schemes, including the benefits to end users of a credible, national scheme for the identification of Ex equipment.

Detailed requirements for the acceptance of ANZEx Scheme participants are described in Section 4. Detailed requirements relevant to the operation of ANZEx Scheme participants are set out in the various Scheme Rules identified by this document.

2.4.5 Applicants

Within the ANZEx System and its various schemes, applicants play an essential part in achieving the objectives of the system, particularly in the following tasks.

2.4.5.1 Operations

- Provide products and services in line with the relevant ANZEx certificates.
- Comply with the rules of the ANZEx Certification System and of relevant specific schemes when holding an ANZEx Certificate.
- Advise when the status of an ANZEx Certificate is to be changed e.g. through cancellation or suspension.

2.4.5.2 Monitoring

- Advise the relevant ANZEx CB or ANZEx SFR of all changes affecting the continued reliability of ANZEx certificates and affecting the continuing conformity of ANZEx certified products or services, including cessation of work and any changes to premises, equipment, personnel, procedures, and operations.
- Use the appeals process of the ANZEx CB or ANZEx SFR if an applicant wishes to appeal a decision of an issued ANZEx Certificate.

If the applicant is a corporation, the corporation must nominate an individual to act as the point of communications between the CB and the manufacturer. The individual shall have authority to act and make decisions on behalf of the corporation.

Detailed requirements for the granting of an ANZEx Certificate and the ongoing performance of applicants are set out in the ANZEx Certified Equipment Scheme Rules or the ANZEx Recognised Service Facility Scheme Rules.

2.5 System Mark

The System Owner may establish a Mark for the System and define acceptable designs and colours and the conditions for use of a System Mark. Use of the System Mark shall not preclude the application of other marks when these are applied within the authorisation of the mark owner.

2.6 Identifier

To facilitate identification of and correlation with supporting documentation, a unique identifier is required for Ex equipment that complies with the relevant ANZEx Certificate. A specific identifier shall also be used by a Recognised Service Facility to indicate that it has performed work in relation to the Ex equipment. Each Scheme shall have rules that address the creation, proper use, and penalties for misuse, of the identifier.

3 System Procedures

3.1 Appointment of committees and persons

3.1.1 ANZEx Advisory Committee

The ANZEx Advisory Committee (AC) comprises members appointed by the System Owner. There is no formal limit to the number of members.

Positions may be declared open at any time at the discretion of the System Owner. Nominees for positions must demonstrate an involvement with the Ex Equipment industry. Nominees may decline the nomination. Nominees are appointed to the ANZEx AC by the System Owner. Appointment to the ANZEx AC is for a period of no more than five years, and reappointment is possible. Appointed members may remove themselves from the ANZEx AC at any time by advising the System Owner in writing.

The System Owner shall make appointments to the ANZEx AC so that there is a balanced representation of significantly interested parties, ensuring that no single interest predominates.

The ANZEx AC shall have a chairman (see Section 3.1.2).

3.1.2 ANZEx Advisory Committee Chairman

The ANZEx AC Chairman shall be recommended by the ANZEx AC and the appointment ratified by the System Owner. The Chairman's term of appointment shall be two years, and reappointment is possible.

3.2 Meetings

3.2.1 ANZEx Advisory Committee meetings

The ANZEx AC shall meet at least annually and may meet more frequently. ANZEx AC members are to be notified of the meeting at least three weeks before the date of the proposed meeting. Other than as detailed in this document, Robert's Rules of Order are to be followed. Delegates may be nominated by a member in case of unavailability to attend a meeting. Each member has one vote and the Chairman has a casting vote if required. Electronic attendance at meetings is permitted.

The ANZEx AC meetings are chaired by a Chairman appointed as outlined in Section 3.1.2.

Recommendations to the System Owner (such as adoption of documents) are accepted on the supporting vote of two-thirds of committee members present. Minutes detailing those present, any appointments made, and resolutions and proceedings of the meetings shall be recorded and maintained.

If the Chairman is absent, an alternate chairman may be appointed by the System Owner, or by the agreement of members attending if the System Owner is absent.

3.3 System actions

3.3.1 Investigative actions

The System Owner may require an ANZEx Scheme participant to take investigative actions. Investigative actions are communicated in writing. Such a requirement is to be considered stakeholder feedback in the management system of the ANZEx Scheme participant. The ANZEx Scheme participant shall provide timely reports to the System Owner regarding progress and outcomes of the investigative action. Outcomes of investigative actions may include disciplinary actions.

3.3.2 Instructions

The System Owner may instruct an ANZEx Scheme participant to take actions to comply with the requirements of the system or a scheme of the system. Instructions shall be communicated in writing. An instruction is to be considered stakeholder feedback in the management system of the ANZEx Scheme participant. The ANZEx Scheme participant shall provide timely reports to the System Owner regarding progress and outcomes of the instruction. Outcomes of instructions may include disciplinary actions.

3.3.3 Disciplinary actions

As part of their role within a Scheme, an ANZEx CB or ANZEx SFR may direct applicants to take actions to comply with the requirements of the system or a scheme of the system, or to comply with the requirements of the internal processes of an ANZEx CB or ANZEx SFR. Disciplinary actions shall be communicated in writing. Affected applicants shall provide timely reports to the relevant ANZEx CB or ANZEx SFR regarding progress and outcomes of the disciplinary action.

Disciplinary actions may include suspension or cancellation of certification. The disciplinary action shall be appropriate to the deficiency and shall consider the prospects for remediation. As part of disciplinary actions, an ANZEx CB or ANZEx SFR may require that the applicant notifies its clients, the public, end users and regulators of changes to the status of certification. The date the ANZEx certificate was suspended or cancelled will be recorded on the ANZEx website.

3.4 System instruments

3.4.1 Rules

Changes to the System and Scheme Rules may be proposed by any interested person. Proposals for change are to be reviewed by the ANZEx AC, which is to draft changes if supported by the AC.

Recommendations for acceptance or rejection of change proposals are referred to the System Owner for final decision.

3.4.2 Scheme certificates

ANZEx scheme compliance is communicated through ANZEx certificates. Specific rules for the content of ANZEx certificates and for managing certification are detailed in the various scheme-specific rules.

3.4.3 Guidance notes

The ANZEx AC may recommend that the System Owner issue guidance notes. Guidance notes may be proposed by interested parties or developed by subcommittees. They are endorsed by resolution within the ANZEx AC and then provided to the System Owner for approval and publication.

All changes to proposed guidance notes following endorsement by the ANZEx AC are to be regarded as a fresh proposal and require that the approval process re-commence.

Published guidance notes are to be made publicly available.

Guidance notes are non-binding recommendations and information that support the operation of the system.

3.4.4 Directions

The ANZEx AC may recommend that the System Owner issue directions. Directions may be proposed by interested parties or developed by subcommittees. They are endorsed by resolution within the ANZEx AC and then provided to the System Owner for approval and publication. Published directions are to be made publicly available. Directions are binding decisions.

3.4.5 ANZEx system documentation

The ANZEx AC may recommend that the System Owner issue system documentation. System documentation and changes to ANZEx system documentation may be proposed by interested parties or developed by subcommittees. System documentation materials are endorsed by resolution within the ANZEx AC and then provided to the System Owner for approval and publication. All changes to proposed ANZEx system documentation following endorsement by the ANZEx AC are to be regarded as a fresh proposal and require that the approval process re-commence.

Deliberations of the ANZEx AC do not form part of the system documentation and may be held confidential from scheme participants.

At the discretion of the System Owner, published ANZEx system documentation may be made publicly available or may be held confidential to scheme participants or to the ANZEx AC.

3.5 Indemnity and insurances

The system is protected under the provisions of the System Owner.

3.6 Contract

The System Owner may enter into an agreement with a person or persons with respect to carrying out some matters covered by these Rules (see Section 2.4.1).

3.7 Administrative support

The System Owner may appoint a manager to support the operation of the system.

3.8 Confidentiality

To maintain the integrity of the ANZEx Certification System, it is essential that the ANZEx Scheme participants and the ANZEx AC communicate with each other about technical and application matters. In matters relating to the ANZEx Certification System operation, the ANZEx System Owner has the right to access any relevant information provided to any ANZEx Scheme participant and to share this with the AC.

When confidential issues need to be addressed, particularly in association with recommendations for decisions to be taken, the circulation of documents may be restricted to the nominated representatives by the Chairman. When these matters are discussed at a meeting, the Chairman may choose to restrict the presence of certain persons. If necessary, these matters may be recorded in separate confidential minutes with restricted circulation.

3.9 Emergency powers

These Rules may be set aside at the discretion of the System Owner to facilitate prompt action to protect the integrity of the ANZEx Certification System. Actions taken under this Emergency Powers clause shall be documented.

4 Rules Relating to ANZEx Scheme Participants

4.1 General

ANZEx Scheme participants are accepted when they show they have met the requirements detailed in this section.

4.2 Acceptance, rescindment, changes, closure

4.2.1 Acceptance

Organisations seeking acceptance in the ANZEx Certification System shall provide evidence to the ANZEx System Owner that they have satisfied the relevant requirements. The ANZEx System Owner shall accept those (one or more) organisations that satisfy the relevant requirements as ANZEx Scheme participants and shall notify them in writing.

4.2.2 Rescindment

Acceptance as an ANZEx Scheme participant may be rescinded at the discretion of the ANZEx System Owner if a participant is shown to have systematically failed to comply with the Scheme criteria. The criteria detailed in Section 4.2.4 shall be applied.

4.2.3 Changes

An ANZEx Scheme participant shall advise the ANZEx System Owner of significant changes to personnel, processes, requirements or management affecting the delivery of services to applicants.

4.2.4 Closure of an ANZEx Scheme participant

If an ANZEx Scheme participant ceases operation or decides to withdraw from the Scheme, the following must be addressed.

- The decision to cease operations shall be communicated to the System Owner.
- Affected applicants must be advised that the organisation is no longer involved in the relevant ANZEx Scheme.
- Other ANZEx Scheme participants must be informed by the System Owner.
- Where relevant, arrangements must be made with another ANZEx CB or ANZEx SFR to continue any ongoing surveillance before the next quality assessment audit.
- Management of past files/certification documentation should be handled in accordance with arrangements between the applicant, the ANZEx Scheme participant, and any requirements associated with the JAS-ANZ accreditation and/or closure of business.
- Scheme-specific requirements are identified in the relevant Scheme Rules.

4.3 Criteria for acceptance

4.3.1 General

For acceptance as an ANZEx Scheme participant, an organisation shall undertake to:

- acknowledge that continued acceptance depends on maintaining relevant accreditation/certification and abiding by the ANZEx Certification System rules
- advise the ANZEx System Owner of significant changes to its operations that are relevant to the ANZEx Certification System
- advise the ANZEx System Owner of all changes relating to ANZEx certificates
- permit the ANZEx System Owner or its delegate to make public the content of ANZEx certificates
- cooperate with the ANZEx System Owner in its activities in support of the ANZEx Certification System, including providing access to personnel and records when requested
- pay fees as levied by the ANZEx System Owner
- abide by the ANZEx Certification System and relevant Scheme Rules
- attend meetings of the ANZEx AC and subcommittees as appropriate
- have adequate provision (e.g. insurance or reserves) to cover liabilities arising from its operations
- meet all relevant requirements if deciding to withdraw from participating in the Scheme.

4.4 Operational requirements

4.4.1 Maintenance of acceptance

For continued acceptance as an ANZEx Scheme participant, an organisation shall meet the criteria for acceptance detailed in Section 4.3.

The ANZEx System Owner may audit, at its discretion, the performance of an ANZEx Scheme participant by reviewing files, conducting audits or witnessing service delivery.

4.4.2 Use of the System Mark

The System Rules make provision for the use of a System Mark.

4.4.3 Use of identifier

ANZEx schemes require the use of an identifier, which is addressed in Section 2.56 and in the rules of the various schemes of this system. Documentation, tags and compliance plates on conforming new-built, and compliant overhauled or repaired equipment may carry the identifier.

The identifier may not be applied:

- in cases of misuse as detailed in the rules of the various schemes of this system
- if the ANZEx certificate has been suspended, cancelled or withdrawn.

The ANZEx CB or ANZEx SFR shall ensure the identifier is not misused.

4.4.4 Arrangements for changes to Ex standards

Each scheme shall have specific rules addressing handling of legacy Ex standards, and changes to Ex standards because of the varied use of standards between the different schemes of the ANZEx System.

4.4.5 Handling of equipment certified under other schemes and using legacy standards

Each Scheme shall have specific rules addressing handling of equipment certified under other schemes and/or compliant with legacy Ex standards because of the varied focus of the different schemes of the ANZEx System.