

**Singapore Productivity and Standards Board (Conformity Assessment)
Regulations 2002**

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SINGAPORE PRODUCTIVITY AND STANDARDS BOARD ACT (CHAPTER 303A)

SINGAPORE PRODUCTIVITY AND STANDARDS BOARD (CONFORMITY ASSESSMENT) REGULATIONS 2002

In exercise of the powers conferred by section 42 of the Singapore Productivity and Standards Board Act, the Singapore Productivity and Standards Board, with the approval of the Minister for Trade and Industry, hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Singapore Productivity and Standards Board (Conformity Assessment) Regulations 2002 and shall come into operation on 1st April 2002.

Definitions

2. In these Regulations, unless the context otherwise requires —

“CAB” means a conformity assessment body;

“country” includes a customs territory;

“Designating Authority” means the Singapore Productivity and Standards Board established under section 3 of the Act;

“IEC” means the International Electrotechnical Commission;

“IECEE” means the International Electrotechnical Commission system for conformity testing and certification of Electrical Equipment;

“ISO” means the International Organisation for Standardisation;

“MRA” means a mutual recognition agreement or arrangement between Singapore and any other country;

“RTL” means a recognised testing laboratory recognised by the Designating Authority under Part V.

PART II

DESIGNATION OF CABS

Designation of CABS

3.—(1) An application by any person to be designated by the Designating Authority as a CAB (Local) or a CAB (Local — MRA) shall be made in accordance with the provisions of this Part.

(2) A person may apply to be designated as a CAB (Local) to carry out any testing or certification of any product supplied in Singapore specified in the First Schedule to the Consumer Protection (Safety Requirements) Regulations 2002 (G.N. No. S 23/2002), for conformity to any safety requirements specified under those Regulations.

(3) A person may apply to be designated as a CAB (Local — MRA) to carry out any testing or certification of any product supplied in a country other than Singapore, for conformity to any requirements specified under an MRA.

(4) A person who, not being designated as a CAB (Local) or a CAB (Local — MRA), issues a certificate of conformity for the purposes of the registration of any product under the Consumer Protection (Safety Requirements) Regulations 2002 or for the purposes of an MRA (as the case may be) shall be guilty of an offence.

Criteria for designation

4. Any person may apply to the Designating Authority to be designated as a CAB (Local) or a CAB (Local — MRA) if the applicant —

- (a) carries on his business of conformity assessment in Singapore;
- (b) has sufficient capital and financial resources to maintain viable operations as a CAB;

- (c) is accredited by the Singapore Accreditation Council in accordance with an ISO/IEC standard relevant to his designation or, in the case of a designation in respect of an electrical or electronic product, is a member of an IECEE scheme relevant to his designation;
- (d) has the knowledge, capability, competence and equipment to perform the tests or certification for conformity to the requirements relevant to his designation;
- (e) does not carry on or otherwise have any interest in any business which may cause the applicant to test or certify any product for which he is designated in an unfair or a biased manner; and
- (f) in the case of an application for designation as a CAB (Local — MRA), also satisfies all criteria required for his designation under the relevant MRA.

Application for designation

5.—(1) An application for designation shall be made to the Designating Authority in such form as the Designating Authority may determine.

(2) For the purposes of an application under paragraph (1) —

- (a) the applicant shall provide to the Designating Authority such documents and information as the Designating Authority may require; and
- (b) the applicant shall provide the Designating Authority or such person as the Designating Authority may authorise access to the laboratory or other premises of the applicant to enable the Designating Authority or such person to observe and assess the testing procedures of the applicant, as may be necessary.

Application fee, costs and expenses for designation

6.—(1) The fee specified in the Schedule shall be payable together with an application referred to regulation 5 and shall not be refundable.

(2) Where the Designating Authority or such person as the Designating Authority may authorise conducts any observation under regulation 5(2)(b), the Designating Authority may require the applicant to pay to it all reasonable costs and expenses incurred by the Designating Authority or that person in conducting the observation.

Approval of designation and issue of Certificate of Designation