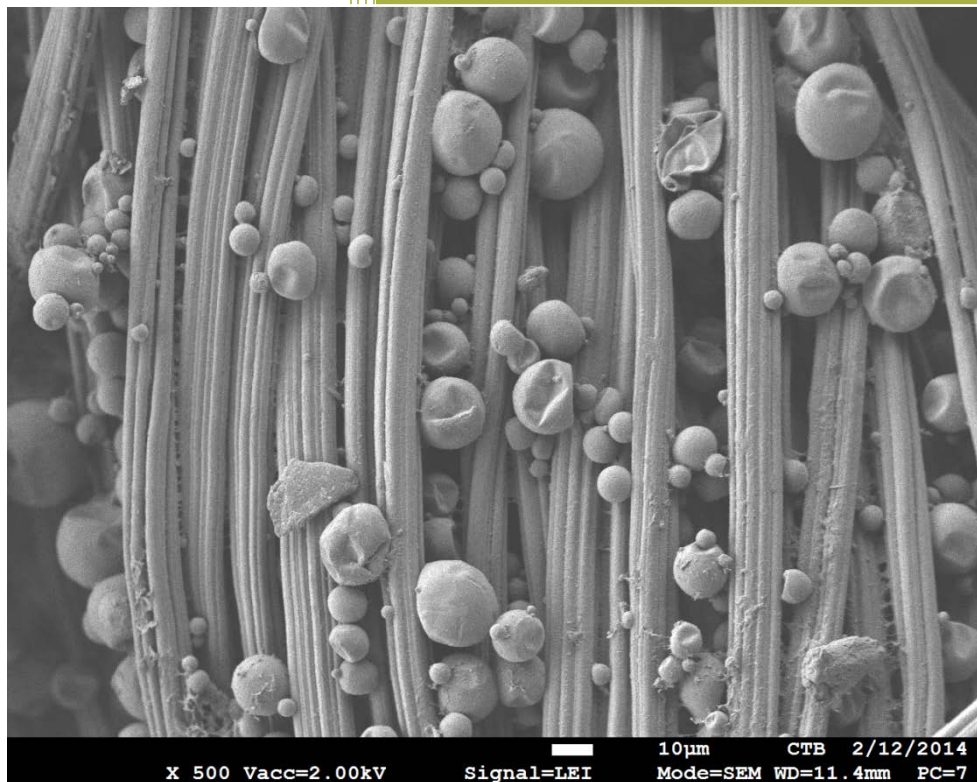


2015

Special Code of Conduct of NBN commissions managed by sector operator Centexbel



Karin Eufinger

Centexbel

9/25/2015

Introduction

Centexbel, the Scientific and Technical Centre for the textile industry, has been recognised by the NBN as a sector operator for the Belgian standard commissions, monitoring the activities of the following ISO and CEN commissions and sub-commissions:

- E099 Wallcoverings: CEN/TC 99
- E134 Floor coverings: ISO/TC 219 and CEN/TC 134
- E 189 Geosynthetics: CEN/TC 189 and ISO/TC 221 Geosynthetics
- E 217 Surfaces for sports areas: CEN/TC 217
- E248 Textiles and Textile products: CEN/TC 248 and ISO/TC 38, including
 - ISO/TC 38 SC 1
 - ISO/TC 38 SC 2
 - ISO/TC 38 SC 20
 - ISO/TC 38 SC 23
 - ISO/TC 38 SC 24
- I094 Personal protective equipment: ISO/TC 94
 - I09401 Head protection: ISO/TC 94 SC 1 and CEN/TC 158
 - I09403 Foot and leg protection: ISO/TC 94 SC 3 and CEN/TC 161
 - I09404 Protection against falls from a height: ISO/TC 94 SC 4 and CEN/TC 160
 - I09406 Eye protection: ISO/TC 94 SC 6 and CEN/TC 85
 - I09412 Hearing protection: ISO/TC 94 SC 12 and CEN/TC 159)
 - I09413 Protective clothing and hand protection: ISO/TC 94 SC 13 and CEN/TC 162)
 - I09414 Personal protective equipment for fire fighters: ISO/TC 94 SC 14
 - E079 Respiratory protection: CEN/TC 79 and ISO/TC 94 SC 15
- I18801 Personal safety equipment: ISO/TC 188/ SC 1 (final approval by NBN pending)

This document defines the modus operandi of the NBN commissions managed by sector operator Centexbel. It shall be read as a complement to the regulations and General Code of Conduct for standardisation commissions managed by sector operator Centexbel. In the event of contradictions, the regulations and in the second place the General Code of Conduct have priority to this document.

The sector operator hands out a copy of this Special Code of Conduct to all members of the standard commissions he manages. Membership of one of the standard commissions managed by Centexbel implies the acceptance of this Special Code of Conduct.

I.1 Work area (scope) and tasks of standard commissions

The work area of each NBN commission is the one of the corresponding CEN and/or ISO commission or sub-commission.

In the context of the annual general scheme of NBN standardisation programmes, a standard commission drafts a work programme within its work area. This work programme includes amongst others the standardisation programme and activities, and the composition of the standard commission. The standard commission monitors the progress of the work programme during the year.

The main tasks of a commission are:

- active participation in CEN and/or ISO, such as determining the Belgian position in view of European or international draft standards;
- providing comments and suggestions on standardisation activities;
- providing technical advice on the content of standard documents within the scope of the commission, more in particular on the steps to be taken to review or to withdraw standards that are causing problems or that are no longer in accordance with the technical state of the arts;
- assuring a good harmony of the standard documents developed by CEN and ISO with the Belgian regulations and quality system

Specific tasks (of a temporary nature) can be entrusted to workgroups.

I.2 Composition of the commissions

I.2.1 General

For the composition of a standard commission, the sector operator appeals to the concerned parties. These include producers (service providers), distributors and importers, users and/or consumers organisations, authorities, inspection and certification organisms, research centres, universities, etc.

All these interest groups shall have the possibility - in person or by means of a representative body - to participate in the activities of the commission. If, however, they prefer not to do so, this will not jeopardise the valid functioning or decision making of the commission.

Note: The websites of NBN and Centexbel contain the necessary information on the possibilities and conditions of a standard commission membership.

The commission members are experts in the field at hand, capable of jointly advocating the Belgian interests related to standardisation. The members have a seat in the name of the organisations or institutes that have nominated them.

The composition of a standard commission, i.e. the organisations and institutes being concerned parties, may be made public.

The main task of the commission members, including the chair and secretary, is to contribute in an active manner to the activities based on their own specific expertise and interest.

Members of a standard commission deeming it desirable or necessary to change the composition or the task of the commission, may submit a proposition to the sector operator. The sector operator will then submit this proposition for advice to the board of directors of the Standardisation Bureau.

I.2.2 The chair

The general management of a commission lies with the chair. He/she is responsible of the general management of the commission and its workgroups.

The commission appoints the chair among its members and on the proposal of the sector operator, for a mandate of three years. On the closure of the mandate, the resigning chair can be re-elected.

The chair is sufficiently experienced in the subject to be treated and can spend enough time to the standardisation process.

The chair supports the secretary of the commission in preparing the work programme and the revision thereof. He assures that the commission operates in correspondence with the action plan and that it reaches its goals. He assures that a clear task is given to each technical group under the responsibility of the commission.

The chair, or a member appointed by the standardisation commission, represents the commission to external organisms, on the condition of an approval in writing by the sector operator and/or the NBN.

Note: it will be evaluated case by case if the approval of the NBN is required.

The chair assures that the technical level of the standards is coherent with the one of the sector(s) to which the standards are destined and that the economic circumstances are being taken into account.

The chair has no voting right and remains impartial. Because the chair has no voting right, the member supplying the chair, has the right to delegate another representative with voting right to the meetings, without extra costs.

The chair leads the activities in view of reaching a consensus.

In the case the chair is indisposed to assist the preparation of a meeting or the meeting itself, the chair, or if he is in the impossibility to do so, the secretary, can appoint a temporary substitute.

Near the end of the mandate, the secretary of the commission will distribute a call for candidates. The chair will be elected by consensus by the standardisation commission.

I.2.3 The secretary

The secretariat of each commission is run under the responsibility of the sector operator.

The secretary of the commission assures an efficient administrative and procedural support allowing the commission to fulfil its tasks properly.

The secretary proposes the calendar of the meetings and drafts, in agreement with the chair, the meeting agenda, invitations, reports and work documents (e.g. overview of comments). He actively participates in the commission activities, amongst others by contributing his technical knowhow of national and international standardisation.

The secretary assures the communications between the commission and the NBN.

The secretary has no voting right.

I.2.4 The members

The organisations or institutes, being a member of the commission, appoint a commission member (a person) to represent them. Each commission member has the right to invite one additional expert to each meeting. This expert will act in the name of the commission member and shall make himself known to the other participants at the opening of the meeting.

The number of representatives of the authorities or other sector operators allowed to participate in meetings is limited to 2 persons (i.e. the member and an expert).

Members can be replaced by substitutes in meetings, provided the secretary of the meeting has been informed thereof in advance.

The appointing organisations or institutes shall assure that all persons attending the meeting dispose of the relevant commission documents and will contribute in a constructive manner.

A commission may decide to invite authors of remarks and/or independent experts, without receiving a compensation, to participate in one or more meetings in order to solve a certain problem. These persons are not considered being commission members and therefore have no voting right.

Travel expenses, possible accommodation expenses and time spent in meetings are at the members' charges.

Note: to assure the good operation of the commissions, it is expected that the commission members have a sufficient passive knowledge of the second national language.

The commission members must be able to dispose of:

- the rules applying to the standardisation process
- the necessary relevant technical and scientific information

The commission shall monitor possible translations and publications of approved standard documents so that mistakes during these processes can be detected and corrected through the intervention of the NBN board of directors.

The commission members defend the interests of the member category to which they belong, and thus not exclusively their own interests, or the ones of the organisation or company they represent.

The commission members actively contribute to reaching a consensus.

I.3 Commission membership conditions

Membership means the possibility to attend the meetings of a commission, the disposition of documents and the possibility to comment.

The conditions of a membership of a NBN commission are:

- Demonstrate that one - as a person or as an organisation - has an interest in the standardisation within the work area of the commission in Belgium;
- Paying an annual contribution to the costs;
- Be prepared to respect the rules and procedures of standardisation

Applications to become a standard commission member shall be directed to the sector operator. The membership becomes effective as soon as the candidate member has demonstrated that he complies with the abovementioned conditions.

The membership of a commission shall cease as soon as it is determined that the member no longer complies with one or more of the abovementioned conditions.

Each year, the amount of the annual contribution fee is determined by the sector operator (see annex). The annual contribution fee is used by Centexbel for the administrative support to the standard commissions' work.

Possible other activities, as summed up in the list below, are not covered by the annual fees and shall thus be financed separately. They may be part of an action plan to be agreed upon by the commission that will determine the financial contribution and its distribution over the commission members, case by case.

These activities may include (non-exhaustive list):

- Development of new Belgian standard documents;
- Translation of European or International standard documents;
- Operating a European or international secretariat, provided the approval of the NBN Board of directors and of CEN or ISO;
- The financing of the participation of independent experts.

I.4 Document flow

I.4.1 Work documents

In analogy with ISO and CEN, NBN distributes standard work documents through the electronic Livelink platform. This electronic tool is put at the disposal of the members of the standard commissions by NBN and is accessible by using a password. Centexbel makes sure that all relevant documents are uploaded in time. The standard commission members are informed by email of documents for which a position needs to be determined (draft standards, resolutions, enquiries). The commission members shall therefore see to it that the commission secretary disposes of their actual email addresses.

With the exception of documents destined to public enquiry or formal vote, all documents that are put at the disposal of the commission members shall be considered as confidential and are destined for a limited distribution, even if this is not mentioned in an explicit way on the documents, unless the commission decides otherwise.

This does not prevent that the organisations represented in the commission must be able to study and discuss the documents. In this respect, absolute confidentiality of documents cannot be guaranteed by the sector operator. If commission members disclose commercially sensible information, they do so at their proper risk and peril.

I.4.2 Agenda and minutes

As a rule, the agenda shall be received by the members at least one week before the meeting of the standard commission. In view of a timely booking of the meeting dates of the standard commission, the meeting calendar is determined beforehand.

The minutes of each meeting of a standard commission mentions at least:

- the name of the commission
- venue and date of the meeting
- names of the chair and secretary
- list of participants and excused members
- name(s) of possibly invited expert(s)
- the agenda of the meeting
- the discussed points
- the decisions and resolutions and the way they have been reached
- the date of the next meeting(s) (if applicable)
- date of drafting of the minutes

I.5 Decision process and meetings

I.5.1 Decisions by correspondence

In order to formulate a national position regarding a European or international document (such as a draft standard or resolution), the decision procedure generally takes place by (email) correspondence.

An exception to this rule is made if the chair, the secretary or two members of the commission require the organisation of a commission meeting on the subject or if a meeting has already been planned during the duration of the procedure.

These consultations are announced to the members by email as soon as the related documents are available.

In principle, in the event of consultations per correspondence, the following minimum terms have to be accorded to the commission members in order to reply:

- 10 calendar days for (draft) resolutions
- 1 month for an enquiry/DIS
- 1 month for a formal vote/FDIS
- 6 weeks for a Unique Acceptance Procedure (UAP) of 3 months; and
- 2 months for public enquiries for a UAP of 5 months.

If these terms cannot be respected, independent of the will of Centexbel, Centexbel will announce this to the commission members and insist on a reaction within a shorter term or urge NBN to postpone the due date.

To formulate a national voting advice to the NBN, the following rules apply:

- The commission members shall reply within the determined term by email, fax or letter. No reply is considered as a vote in favour of the proposition as formulated in the consultation mail. Any technical or editorial comments shall (by preference in English) be formulated on the enclosed commentary form.
- From the answer it has to be clear whether the member accepts or rejects the proposal or whether he abstains. A negative position shall be clearly substantiated.
- If the sector operator receives technical comments, and more in particular if these lead to a negative positioning, he will communicate this to the commission members and request them to reveal their opinion.
- When at the end of the consultation period at least three quarters of the commission members have voted in favour (keeping in account that members who did not vote are considered as having voted in favour), the sector operator shall advise the NBN to vote in favour, while adding any received comments.
- When a simple majority of the members has voted against, the NBN will be advised to cast a negative vote.
- In other cases, the chair and the secretary will endeavour to have the group reach a consensus, possibly through an extraordinary meeting of the commission and a voting procedure during that meeting. If no consensus can be reached, the NBN will be advised to abstain.

I.5.2 Meetings and decisions during a meeting

The sector operator offers the commission members an appropriate venue to convene. If the commission agrees, the meeting can take place in another venue, for example in the seat of one of the members.

The members of the standard commission use Dutch and/or French as an operational language in meetings and to draft agendas and minutes. However, a commission can decide in mutual consent to draft the documents exclusively in English. The Belgian contributions on a European and international level are drafted in English.

The participants sign the list of attendees at the beginning of each meeting. The signing also means that one agrees with the content of the General and Special Code of Conduct and with the rules regarding Intellectual property rights (see I.8).

In accordance with the General Code of Conduct, decisions are made, in principle, by consensus. However, the General Code of Conduct state, that if a consensus seems impossible within a standard commission, the standard commission will decide on the position to be taken on a majority of two-thirds of the cast votes. In this case, the following rules apply:

- All present members dispose of 1 vote. The chair, the secretary and the invited experts have no voting right. It is impossible to vote by proxy.
- The chair and secretary formulate the proposal to be voted. Consensus has to be reached about this, before the voting can begin.

- Voting is public, unless the voting concerns people or on the express request of one or more members of the commission.
- Each member having voting rights casts his vote
- The proposal is accepted when at least two thirds of the members vote in favour (abstentions are not counted). If this is not the case, the proposal is rejected.
- In voting a draft standard, the NBN will be advised to abstain, if no majority by two-thirds is found in favour or against a draft.

1.6 Workgroups

The standard commissions are the heart of the standard process. They are responsible for the preparation, elaboration, and review of standards and for contributing to the European and international standardisation.

Standard commissions can create workgroups to perform certain tasks. Although these workgroups provide the most important technical contributions, the final responsibility of all drafted documents lies with the standard commission.

In general, a workgroup is created to fulfil a very specific task, related to a certain standard or a series of related standards or to determine the opinions of a certain sector to a certain commission or sub-commission. A workgroup is always accountable to the commission or sub-commission to which the workgroup belongs.

Note: Workgroups have to comply with the conditions of representativeness, neutrality and transparency in accordance with the needs to fulfil a specific task.

The sector operator is not responsible for the organisation of the workgroup meetings of the commissions for which it is the sector operator. Organisations wishing to manage a workgroup have to reach an agreement on this with the sector operator. Such agreements have to be communicated to the NBN.

Workgroups shall inform the commissions in time on the results of their activities.

The organisations managing a workgroup are responsible for its composition, that shall be balanced and representative for the subject to be treated. The composition of the workgroup and possible changes to the composition shall be made known to the commission to which the workgroup belongs. Participation to the activities of a workgroup may not be connected to the membership of an organisation.

1.7 Participation in European of international standardisation activities

A major task of the NBN commission is the monitoring of the European and/or international standardisation activities. This can take place by studying and commenting on European and/or international documents and/or by participating in the European and/or international standardisation activities.

The Belgian representatives in a CEN or ISO technical (sub) commission are appointed by the standard commission. They represent the NBN and shall therefore defend the position of the NBN commission and report to this commission. They are not reimbursed for this.

Experts in a CEN or ISO workgroup are appointed for their specific expertise, however, they shall take into account the position taken by the NBN commission on the subject at hand.

If more candidates are available than the number of representatives that will be accepted on a European or international level, the commission will assure that all interested parties (e.g. representatives for all treated products) are represented.

Note: in general, 3 representatives per national standardisation institute are accepted on a European or international level, although this is not an absolute rule.

I.8 Intellectual property rights

The NBN looks after the copyright interests of ISO, CEN and other national standard bureaus in Belgium.

Each reproduction, distribution, sale or communication to non-commission members of standard documents, by any support is forbidden, without the express permission in writing by the NBN.

Each reproduction, distribution, sale or communication to non-commission members of the commission's work documents, by any support is forbidden, without the express permission in writing by the sector operator.

The members of the commission cannot claim intellectual property rights on the standards and technical documents on which they have collaborated and declare their acceptance, by their participation in the standardisation commission, of the transfer of copyrights to the NBN.

I.9 Protection of privacy

The sector operator shall respect the privacy of the commission members and strive to protect the personal data in accordance with the regulations in applications:

Centexbel engages itself to use the personal data of the commission members exclusively in accordance with the law on the protection of privacy.

The personal data are exclusively used for purposes as described in the present Special Code of Conduct. Centexbel has taken the appropriate safety measures to protect the personal data of the commission members against loss, misuse or fraud.

Centexbel reminds the commission members that one has the right to consult, change or remove all data in the name of the commission members, in accordance with the conditions provided by law. Commission members can always resist, without charge and on demand, the use and processing of their data. Commission members shall contact Centexbel hereto.

Annex: annual contribution fee

The contribution fee is determined each year and communicated to the commission members. The commission members receive an invoice.

The contribution fee per individual member amounts to 200 euro per commission in which one participates.

Are exempt from the annual contribution fee:

- The mandatory or voluntary members of Centexbel
- The members and collaborators of Fedustria
- Representatives of Centexbel and other sector operators
- Representatives of the authorities
- Representatives of associations have paid a collective contribution for the entirety of their members
- Collaborators of universities and colleges