



Adding Value to Evaluation



Client Guidelines

Electrical Product
Safety Certification Scheme

Informative

Most electrical equipment for household and similar use requires certification before it can be sold in Australia or New Zealand.

Conformity Certification Services Pty Ltd (the Company) trading as EESS Conformity Certification (the Business) has been accredited by the Joint Accreditation System of Australia and New Zealand (JAS-ANZ) as a third party Product Conformity Assessment Body in the field of Electrical Product Safety Certification.

EESS Conformity Certification is also declared by the Queensland Regulatory Authority as a Recognised External Certification Scheme (RECS) under the new Electrical Equipment Safety System (EESS) and as a Recognised External Approval Scheme (REAS) under the Electricity (Consumer Safety) Regulation 2006. This also gives recognition from all other States and Territories of Australia and New Zealand under the Mutual Recognition Agreement and the Trans-Tasman Mutual Agreement.

Certification by EESS Conformity Certification is accepted by all States and Territories of Australia and New Zealand. We add 'Value to Evaluation' by providing an independent, transparent, competent, consistent and prompt certification service to facilitate you in meeting your legal obligations for supplying electrical equipment constructed in accordance with good engineering practice with regard to safety, thus providing peace of mind to all stakeholders.

The new **Electrical Equipment Safety System (EESS)** categorises Electrical Equipment into three different risk levels: Level 3 (high risk), Level 2 (medium risk) and Level 1 (low risk). The requirements for Certification of Level 3 Equipment are similar to those for Declared Articles. The requirements for Certification of Level 2 and Level 1 are similar to those for Non-declared articles.

EESS Conformity Certification will issue a Certificate of Conformity for Level 3 Equipment (Declared Articles) under the EESS and upload your certificate details to the National Certification Database. Alternatively we can also issue a Certificate of Approval for Declared Articles as a REAS.

EESS Conformity Certification may also issue a Certificate of Suitability for Level 1 and 2 Equipment (Non-declared Articles) under the EESS. We are one of the only private certifiers who can upload these details to the National Certification Database.

For further information on the new Electrical Equipment Safety System (EESS) please email us or refer to our website www.eessconformity.com .

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Certification

An Application for Certification may be made to EESS Conformity Certification by submitting a completed “*Application for Certification of Electrical Equipment*” form EESS-F01 or by lodging on the Company’s online application portal.

Completed applications can be submitted to applications@eesconformity.com.

The certification decision is made by the Certification Manager and certification will only be granted based on:

- A completed ‘*Application for Certification of Electrical Equipment*’ (EESS-F01) with a signed Declaration by Applicant or Authorised Representative. This is considered to have been completed if the application is lodged through the Company’s online application portal;
- The client acknowledging that they have read, understood and will abide by the Company’s General Terms and Conditions of Service and these Client Guidelines (the latest version of either of these documents is available at www.eessconformity.com);
- A letter of authorisation signed by the applicant where the ‘*Application for Certification of Electrical Equipment*’ is made by an agent on their behalf;
- Provision of a compliant Test Report (refer to Test Reports);
- Provision of a Sample of the Electrical Equipment or detailed colour photographs (refer to Photographs);
- A review of the provided Technical Documentation including any Consideration letters;
- A review of the Materials and Critical Components lists (refer Critical Components); and
- Payment of the Fee.

The use of any specific consultant or test laboratory by the applicant, will not guarantee certification nor will it influence EESS Conformity Certification’s certification decision.

Where an Application for Certification is found to be incomplete or deficient during the review, the applicant will be notified in writing and has three (3) calendar months to provide the additional information, after which a new application may be required.

EESS Conformity Certification will maintain a Register of all certification activities and upload each certificate issued to the National Database within three (3) working days of certification and receipt of payment.

A flow diagram of the certification process is given in Appendix A.

Test Reports

A Test Report shall be a complete original or recognised copy and shall be one of the following:

- a NATA endorsed report; or
- an endorsed report from a laboratory with which NATA has a mutual recognition arrangement; or
- a CB test report issued under the IECCE CB Scheme (CBTL reports are not accepted without a CB certificate; TMP, WMT & SMT reports must be accompanied with a CB certificate and RMT reports are not accepted); or
- a report from a testing laboratory which has been included as part of an endorsed test report from a NATA (or equivalent) laboratory that is accredited for the standard/s and test/s concerned.

In general, the following requirements also apply for test reports to be deemed acceptable:

- the scope of accreditation for the Testing Facility includes the applicable standard and clauses;
- the Testing Facility’s details (such as the company name and address) on the scope of accreditation match those listed on the report;
- the report relates to the submitted product or an identity declaration is provided unequivocally linking the submitted product to the report, signed by the manufacturer or if not possible by the applicant;

- the report is compliant with the current applicable standard;

- Where there have been variations in design to the original model tested in full, these may be assessed either in the body of the original report, in a separate report with only the clauses relating to the differences being assessed, or via a Considerations Letter by a Suitably Qualified Person indicating why further testing is not required based on the variations in question. Any testing shall be conducted by a Testing Facility with the required accreditation
- sections assessed non-complaint or not assessed are accompanied by a detailed Considerations Letter by a Suitably Qualified Person as to why the equipment should be certified;
- critical components are required to be tested and provided with Test Reports or Certificates that detail their compliance with the relevant Standards or be marked with certification body marks; and
- the Test Report shall be within any expiry date listed on the report. If no such date is listed, no more than 5 years old shall have passed from the date of testing unless specified otherwise by a Regulatory Authority. Test reports older than five (5) years may be used if the report is updated by a Testing Facility or Suitably Qualified Person to verify no components have changed in the equipment, and no changes have occurred to the standard that affect the compliance of the equipment to the relevant standard.

Samples

A sample of the equipment for which certification is sought is required to be submitted for examination. If clear and detailed colour photos are provided which unmistakably identify the product, this requirement may be waived.

Photographs

The photographs must be clear, detailed and in colour. In general they shall show:

- a complete view of the product (external sides, top and bottom);
- name plate (or artwork);
- warning labels on the product and/or indicator marks;
- close-ups of controls and switches;
- close-ups of the flexible cord and plug including markings (or a copy of the relevant Certificate of Approval/Conformity);
- cord entry into the product;
- overall internal layout including wiring and component locations;
- close-ups of the incoming supply cord / cord anchorage / supply terminal block / earth connection; and
- markings on critical components (switches, capacitors, transformers etc.).

Safety Standard

For the relevant safety standard, refer to Appendix B of AS/NZS 4417.2: 'Regulatory definitions and classification of equipment' or the class specification nominated for the article by order in the NSW Government Gazette.

The relevant standard for in-scope Level 1 Electrical Equipment is:

- a) If there is a Standards Australia (AS) or joint Standards Australia and Standards New Zealand (AS/NZS) standard that applies specifically to the type, that standard; or
- b) If there no AS or NZS that applies specifically to the type and there is an IEC standard that applies specifically to the type, that standard.
- c) If neither points (a) or (b) above apply then assessment for the relevant standard to apply shall be the same as point (b) for Level 2 and Level 3 equipment.

The relevant standard for In-scope Level 2 and Level 3 Electrical Equipment is:

- a) The standard shown in AS/NZS 4417 as the relevant standard for the type, and the standard can be readily applied to the type; or
- b) Chosen by the responsible supplier and accepted by a Regulatory Authority as a standard that can be readily applied to the type.

Note: Point (b) applies to alternative standards or solutions where an International, or other national standard, or other document containing requirements for the safety of electrical equipment, that provides the same or higher levels of electrical equipment safety as an AS or NZS. If the Responsible Supplier has chosen a standard that is not in AS/NZS 4417 as a standard that can be readily applied to the type of equipment, then the Responsible Supplier shall compile an alternate solution standard report justifying the standard chosen. This report must be submitted to ERAC for consideration of acceptance of the chosen standard. Refer to Section 8.3.2 of the ERAC Australian/New Zealand Electrical Equipment Safety System Equipment Safety Rules.

Critical Components

The materials and critical components lists must also be submitted. In general critical components are required to be tested and provided with Test Reports or Certificates that detail their compliance with the relevant Standards or be marked with certification body marks.

Note: Electrical Equipment may include a number of components, each of which, taken separately, is in itself an item of Electrical Equipment. Where the item of Electrical Equipment is a Declared or Risk Level 3 Article then details of the current Certificate of Approval or Conformity must also be included on the application.

Certificate

Certification is granted for a period of five (5) years unless specific requirements are made mandatory by Regulatory Authorities which limit the validity to a lesser period. Note: The validity period for hair straighteners is limited to a two (2) year validity period.

The certificate details will include:

- the type of certificate (Certificate of Approval, Conformity or Suitability)
- the name of the certificate holder;
- a description of the model (including marked brand or trade name);
- the fact EESS Conformity Certification has certified the article;
- the date of certification;
- the period of validity;
- the marking to be applied to the article to evidence the certification;
- the model reference code; and
- the declared class.

A Certificate of Approval will be issued for a Declared Article and a Certificate of Conformity will be issued for Class 3 Electrical Equipment if requested.

A Certificate of Suitability will be issued for all Non-declared Articles and Class 1 and 2 Electrical Equipment.

Within three (3) working days of payment being confirmed, EESS Conformity Certification will then upload the required certificate information to the National Database as detailed in the ERAC Australian / New Zealand Electrical Equipment Safety System, Equipment Safety Rules Appendix C.

The Responsible Supplier is still required to register their Equipment on the National Database.

Complaints and Appeals

Documentation is provided on our website www.eessconformity.com so that you may register a complaint or appeal, or dispute a decision made during the certification process in writing. We will deem that you have accepted our services if we do not receive correspondence stating otherwise within five (5) business days after the date you receive the certificate. The Certification Manager will respond and initiate action within thirty (30) working days of receipt of such notice.

Modifications after Certification

Certification is based on type testing where the electrical equipment submitted for certification is representative of a regular line of manufacture and each unit in that line is of the same construction as the type provided for compliance. Any modification to the electrical equipment must therefore be notified to EESS Conformity Certification in writing by submitting a completed *“Application for Certification of Electrical Equipment”* form EESS-F01 or via our online application portal.

For modifications that result in a new type of equipment, the applicant will need to submit a new Application for Certification.

Certification will follow the same process as for a new Application for Certification. The complete modified article must comply with the applicable safety standard, including the amendments to that standard.

Where certification is granted, a Modification Addendum Certificate or a General Modification Letter will be issued giving the details of the modification. A General Modification Letter will be issued when the modification does not necessitate a change to details on the original certificate (e.g. alternate component).

A modification after certification does not alter the validity period of the certificate.

Renewal of Certification

EESS Conformity Certification will notify the certificate holder three (3) months before the certificate validity period expires. The certificate holder may allow the certificate to expire or make an application for renewal of certification by filling in the *“Application for Certification of Electrical Equipment”* form EESS-F01.

Certification will follow the same process as for a new Application for Certification. The article must comply with the then current applicable safety standard, including amendments to that standard.

EESS Conformity Certification may extend the expiry date of an existing certificate only where:

- a) The in-scope Electrical Equipment has not been modified; and
- b) The relevant standard to which that type was tested has not changed significantly as applicable to the Electrical equipment since the current certificate was issued or the certificate relating to that type was modified.

Where points (a) and (b) cannot be satisfied, EESS Conformity Certification may extend the expiry date of an existing certificate only where a Regulatory Authority has provided written authorisation.

A certificate will lapse if not renewed prior to the expiry date and EESS Conformity Certification will then withdraw the certification.

Change in Certificate Holder details

Any change to the name or address of the existing holder of the certificate (where the Current Authorised Certificate holder still remains the same) must be notified to EESS Conformity Certification within one (1) calendar month of that change

An application for change in certificate holder details may be made to EESS Conformity Certification by filling in the *“Application for Certification of Electrical Equipment”* form EESS-F01 or via our online application portal.

Transfer of Certificate Holder

An application for the transfer of the certificate from the existing holder to another holder may be made to EESS Conformity Certification by filling in the *“Application for Transfer of Certificate Holder”* form EESS-F02.

Authorisation must be received from the current certificate holder first in order to transfer certificate holder details.

Suspension and Withdrawal of Certificates

EESS Conformity Certification will make all efforts to ensure that the certificates and certification marks are used as intended.

Certification may be suspended on the following grounds:

- the certificate holder gives a written request to EESS Conformity Certification for withdrawal or suspension;
- by written request of a regulatory authority to EESS Conformity Certification;
- the Electrical equipment is found to be unsafe by reason of its design or construction;
- the Electrical Equipment is found to be non-compliant with the relevant or declared safety standards for that type;
- if the certificate holder incorrectly references the certification scheme, its certificates or certification marks in publically available material;
- if the certificate holder breaches its obligations under the General Terms and Conditions of Service; and
- any other ground that may be prescribed by legislation.

When non-conformity with certification requirements is detected and substantiated, EESS Conformity Certification will consider and decide upon the appropriate actions to be taken and convey this decision to the certificate holder in writing

If the certificate holder does not remedy the non-conformity within 90 (ninety) days then EESS Conformity Certification will withdraw certification indefinitely.

If the non-conformity has potential to cause a safety hazard, the Certification Manager will advise the certificate holder that they must invoke the process outlined in the latest Australian Competitor & Consumer Commission (ACCC) Consumer Product Safety Recall Guidelines and the ERAC Electrical Safety Recall Guide for Industry as applicable. These are available at the ACCC web site www.recalls.gov.au and ERAC web site www.erac.gov.au. The appropriate regulators will be advised at this point that recall action has been recommended.

Withdrawal of certification will be conveyed to the certificate holder as a final notice and in such cases the relevant authorities will also be notified within three (3) days of the certificate withdrawal. The certificate details will then be modified accordingly on the certification registers (e.g. the National Database).

Re-instatement of withdrawn certification is subject to satisfactory completion of a full review of the intended method of resolution of non-conformance, either technical or administrative. Certification will follow the same process as for a new Application for Certification.

Upon suspension or withdrawal of certification, all advertising matter that contains any reference to the certification shall be discontinued and other actions as required by EESS Conformity Certification shall be taken, including the return of certificates and any other reasonably required measures to discontinue use of the certificate.

Refer also to the General Terms and Conditions of Service.

Ongoing Responsibilities

The certificate holder must ensure that

- the required marking as specified on the certificate or
- the Regulatory Compliance Mark (RCM) in accordance with its conditions of use as set out in the latest edition of AS/NZS 4417.1

is clearly and indelibly marked upon the electrical equipment before supply.

The certificate holder must ensure that on-going production of the certified equipment continues to fulfil the requirements for certification.

Any modification to the electrical equipment must be immediately notified to EESS Conformity Certification for certification.

Any changes to the certificate holder's details must be notified to EESS Conformity Certification within one (1) calendar month.

The certificate holder shall keep a record of all complaints and corrective actions relating to the Electrical Equipment's compliance with the relevant standard and make these available to EESS Conformity Certification on request.

EESS Conformity Certification is responsible for communicating any new or revised requirements that certificate holders are obliged to comply with and will do so via its weekly email newsletter and website.

Confidentiality

During the certification process, all information including communications, documents and test reports are treated as "*Commercial in Confidence*" with the Client and/or their Authorised representative.

Where certification is granted, certification details will be uploaded by EESS Conformity Certification to the National Database as required by the ERAC Australian / New Zealand Electrical Equipment Safety System, Equipment Safety Rules Appendix C. A Certificate Lock Password will be assigned to prevent unauthorised Responsible Suppliers from registering their products using this certificate.

Except as required by law, information gained in the course of certification activities about a particular product or supplier will not be disclosed to a third-party without the written consent of the applicant. Where the law requires information to be disclosed to a third-party, the applicant will be informed in writing of the information provided as permitted by the law.

On request from JAS-ANZ or the appropriate Regulatory Authority, information which was used in any decision to issue certification or other data which may be needed to verify, trace or identify items will be provided by EESS Conformity Certification to JAS-ANZ or the appropriate Regulatory Authority within three (3) working days of such a request.

Refer also to the General Terms and Conditions of Service.

Fee Schedule

Refer to www.eessconformity.com for the latest Schedule of Fees.

A Tax Invoice will be sent on completion of the review. Invoices must be paid by the client within 7 days of the date of the invoice. Within three (3) working days of certification and payment being confirmed, the certificate details will be uploaded to the National Database and the Hard Copy of the Certificate posted.

Payment is due regardless of whether EESS Conformity Certification grants its certification in respect of the application or not. Accepted methods of payment are by EFT, Credit Card, PayPal or Cheque. Please refer to www.eessconformity.com for more specific details on how you can pay for our services.

Appendix A - Certification Process

