

Using and referencing ISO
and IEC standards to support
public policy



What are International Standards?

- Represent **global consensus** on a solution to a particular issue
- Embody universally agreed procedure or practice
- Provide requirements, specifications, guidelines or characteristics to consistently ensure that materials, products, processes and services are fit for their purpose
- **Voluntary**

ISO standards do NOT:

- Seek to establish, drive or motivate public policy or regulations, social or political agendas
- Set performance thresholds (these are set by policy makers/regulators according to their requirements)



Why standards can be powerful instruments of governance



- **Efficient and cost-effective tools**
- Consistent with the obligations of countries that are WTO members to reduce technical barriers to trade
- When used in the public sector:
 - Enable greater transparency and competition, e.g. in public procurement
 - Provide essential requirements for industry (via reference in regulations and laws)
- When used in the private sector:
 - Create market incentives to follow internationally accepted practices
 - Encourage innovation and growth



Parallels between standards development and policy making best practices

Good policy-making practice



Good standardization practice



Benefits of using and referencing standards

International Standards:

- Are developed in a **multi-stakeholder environment** and reflect a **double layer of consensus** (between the technical experts and also between countries)
- Allow products to be supplied and used across different markets, reducing market inefficiencies and **facilitating regulator compliance**
- Can be used for **conformity assessment** to enhance confidence in products, systems , processes, services or personnel
- Offer the same level of **consumer protection** whether applied in a mature or evolving economy
- Are **globally applicable**



World trade and international standards

- The WTO's Agreement on Technical Barriers to Trade (TBT) exists to ensure that national regulations, standards, and procedures for assessment of conformity do not create unnecessary obstacles to international trade
- the TBT Agreement recognizes the contribution international standards can make toward improving the efficiency of production and international trade

6 core principles of international standards development agreed by the TBT committee:

1. Transparency
2. Openness
3. Impartiality and consensus
4. Effectiveness and relevance
5. Coherence
6. Addressing the concerns of developing countries

Annex 3 of the WTO/TBT Agreement – the Code of good practice for the preparation, adoption and application of standards



ISO and IEC and their members follow these principles and code of good practice



...Standards are more than just one means of regulating





How International Standards are used in governance and regulation

Legislative actions

- Laws (or Acts of Parliament)
- Technical regulations (which support the requirements of laws)
- Other actions include rules, notices, orders, determinations, and warrants.

Non-legislative actions

- Funding priorities
- Incentive systems
- Awareness campaigns
- Public procurement
- Codes of conduct

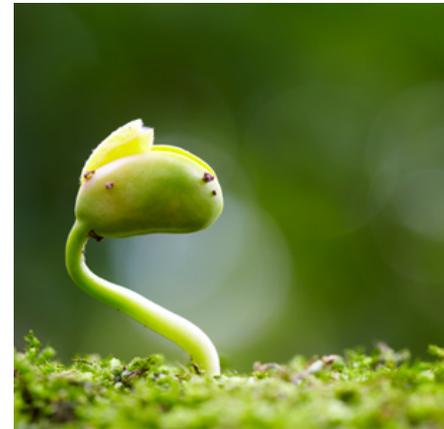
The International Standards developed by the IEC and ISO are voluntary

The tables above show examples of the types of legislative and non-legislative actions that International Standards can support.



Examples of ISO and IEC International Standards supporting non-legislative actions

- the Canadian government offers grants for industrial organizations that adopt systems and processes to improve energy performance. One of the criteria for eligibility to receive a grant is that companies must implement the CAN/CSA ISO 50001 Energy Management Systems Standard.
- the Japanese government's 'Basic Policy for the Promotion of Procurement of Eco-Friendly Goods and Services' defines 267 items as eco-friendly goods and, as of 2014, it references 72 JIS standards (including IEC and ISO standards that have been nationally adopted as JIS standards) as test and product standards.





Examples of IEC and ISO International Standards supporting legislative actions:

A **direct** reference to an IEC International Standard in a US regulation:

46 CFR (U.S. Code of Federal Regulations) 111.105-11 Title 46 — Shipping Chapter I — Coast Guard, Department Of Homeland Security, Part 111_Electric Systems — General Requirements, Subpart 111.105_Hazardous Locations, Sec. 111.105-11 Intrinsically safe systems. Sec. 111.105-11 Intrinsically safe systems.

Extract from the regulation: “(a) Each system required by this subpart to be intrinsically safe must use approved components meeting UL 913 or IEC 60079-11 (both incorporated by reference; see 46 CFR 110.10-1).”

An **indirect** reference to an ISO International Standard in EU regulation:

Regulation (EC) 1223/2009 *Cosmetics*. Article 8, clause 2 of this regulations states that “Compliance with good manufacturing practice shall be presumed where the manufacturer is in accordance with the relevant harmonised standards, the references of which have been published in the *Official Journal of the European Union*.”

The reference to EN ISO 22716:2007 *Cosmetics - Good Manufacturing Practices (GMP) - Guidelines on Good Manufacturing Practices* (ISO 22716:2007) can be found in the Harmonised standards (HAS) database, http://ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/cosmetic-products/index_en.htm



Considerations for policy makers when referencing standards in regulations

- Should the use of the standard be mandatory (providing the only solution) or voluntary (providing one possible solution)?
- What level of checks should be put in place to ensure the standard is suitable for the intended use and addresses all needs?
- Will the reference be to the whole standard or selected parts (only to certain clauses and sub-clauses)?
- How will the regulation be kept up-to-date if the standard is revised?

Accessibility of referenced standards

- Transparency – a key principle of both good policy making and good standardization practice – dictates that the content of legislations and regulations, which may include references to standards, should be **easily accessible**
- However, being easily accessible does not imply that standards should be made available for free
- Sales contribute to the recovery of the costs of developing International Standards. Therefore, it is important to ensure that ISO and IEC's copyright is respected





Creating better resources for policy makers – CASCO online platform

Interactive online tool to promote a harmonized approach to conformity assessment (CA) and support national regulators when they deal with CA matters.

- based on the CASCO toolbox; combines concepts and practical examples of the role/use of conformity assessment in regulations;
- intended for use by members together with national regulators;
- will be used for a series of ISO training sessions on CA

www.iso.org/cascoregulators

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