

STANDARDS, PRODUCTIVITY AND INNOVATION BOARD
ACT
(CHAPTER 303A, SECTION 43)

STANDARDS, PRODUCTIVITY AND INNOVATION BOARD
(CONFORMITY ASSESSMENT) REGULATIONS

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[1st April 2002]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Standards, Productivity and Innovation Board (Conformity Assessment) Regulations.

Definitions

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

“alternate testing laboratory” means —

- (a) a testing laboratory or manufacturer’s testing laboratory that is recognised under the IECEE CB Scheme;
- (b) a testing laboratory that is recognised by a Foreign Recognition Body; or
- (c) a testing laboratory the test reports of which are agreed to be accepted by one or more CAB

(Certification) or CAB (Testing) under an approved testing agreement;

[S 15/2018 wef 15/01/2018]

“approved testing agreement” means an agreement, approved by the Designating Authority, under which one or more CAB (Certification) or CAB (Testing) agree with the proprietor of a testing laboratory to accept test reports issued by that testing laboratory;

[S 15/2018 wef 15/01/2018]

“CAB” or “conformity assessment body” means a person that performs conformity assessment or any test relating to conformity assessment;

[S 15/2018 wef 15/01/2018]

“CAB (Certification)” means a person designated as such by the Designating Authority under regulation 7;

[S 15/2018 wef 15/01/2018]

“CAB (Certification — MRA)” means a person designated by a country other than Singapore to carry out any certification of any product for the purposes of an MRA to which both Singapore and that country are parties;

[S 15/2018 wef 15/01/2018]

“CAB (Testing)” means a person designated as such by the Designating Authority under regulation 7;

[S 15/2018 wef 15/01/2018]

“CAB (Testing — MRA)” means a person designated by a country other than Singapore to carry out any testing of any product for the purposes of an MRA to which both Singapore and that country are parties;

[S 15/2018 wef 15/01/2018]

“certificate of conformity” has the same meaning as in regulation 7(1) of the Consumer Protection (Safety Requirements) Regulations (Cap. 53, Rg 1);

[S 15/2018 wef 15/01/2018]

“country” includes a customs territory;

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

“Foreign Recognition Body” means an entity in a country other than Singapore that is authorised under any of the following agreements or arrangements to recognise CABs, testing laboratories, or both on behalf of that country:

- (a) the Asia Pacific Laboratory Accreditation Cooperation Mutual Recognition Agreement;
- (b) the International Laboratory Accreditation Cooperation Mutual Recognition Agreement;
- (c) an MRA to which both Singapore and that country are parties;

[S 15/2018 wef 15/01/2018]

“IEC” means the International Electrotechnical Commission;

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

“IECEE CB Scheme” means the scheme known as the International Electrotechnical Commission System of Conformity Assessment Schemes for Electrotechnical Equipment and Components Certification Bodies Scheme, administered by the IEC;

[S 15/2018 wef 15/01/2018]

“ISO” means the International Organisation for Standardisation;

“MRA” means —

- (a) a bilateral mutual recognition agreement or arrangement between Singapore and any other country; or
- (b) a multilateral mutual recognition agreement or arrangement between Singapore and 2 or more other countries.

[S 15/2018 wef 15/01/2018]

[Deleted by S 15/2018 wef 15/01/2018]

PART II

DESIGNATION OF CABS

**Application for designation as CAB (Testing) or CAB
(Certification)**

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

(2) A person may apply to the Designating Authority to be designated as a CAB (Testing) to carry out either or both of the following:

- (a) test any product to be supplied in Singapore that is specified in the First Schedule to the Consumer Protection (Safety Requirements) Regulations (Cap. 53, Rg 1) for conformity to the applicable safety requirements in regulation 7(1) or (2) of those Regulations;
- (b) test any product to be supplied in a country other than Singapore for conformity to the applicable requirements specified in an MRA to which both Singapore and that country are parties.

(3) A person may apply to the Designating Authority to be designated as a CAB (Certification) to carry out either or both of the following:

- (a) certify whether any product to be supplied in Singapore that is specified in the First Schedule to the Consumer Protection (Safety Requirements) Regulations conforms to the applicable safety requirements in regulation 7(1) of those Regulations;
- (b) certify whether any product to be supplied in a country other than Singapore conforms to the applicable requirements specified in an MRA to which both Singapore and that country are parties.

(4) A person who, not being —

- (a) a CAB (Certification) designated to carry out the certification mentioned in paragraph (3)(a); or

(b) a CAB (Certification — MRA),

issues a certificate of conformity for the purposes of the registration of any product under regulation 7(1) of the Consumer Protection (Safety Requirements) Regulations, shall be guilty of an offence.

(5) A person who, not being —

(a) a CAB (Certification) designated to carry out the certification mentioned in paragraph (3)(b); or

(b) a CAB (Certification — MRA),

certifies that any product to be supplied in a country other than Singapore conforms to the applicable requirements specified in an MRA to which both Singapore and that country are parties, shall be guilty of an offence.

[S 15/2018 wef 15/01/2018]

Criteria for designation

4. Any person may apply to the Designating Authority to be a CAB (Testing) or a CAB (Certification) if the applicant —

(a) carries on —

(i) in the case of an application for designation as a CAB (Certification), a business of conformity assessment in Singapore or in a country specified in the First Schedule; and

(ii) in the case of an application for designation as a CAB (Testing), a business of testing of products relating to conformity assessment in Singapore or in a country other than Singapore;

[S 15/2018 wef 15/01/2018]

(b) has sufficient capital and financial resources to maintain viable operations as a CAB;

(c) is accredited for compliance with an ISO or IEC standard relevant to the designation applied for by an accreditation body that is —

(i) a party to one or more of the following arrangements:

(A) the International Accreditation Forum
Multilateral Recognition Arrangement;

(B) the Pacific Accreditation Cooperation
Multilateral Recognition Arrangement;

(C) the International Laboratory Accreditation
Cooperation Mutual Recognition
Arrangement;

(D) the Asia Pacific Laboratory Accreditation
Cooperation Mutual Recognition
Arrangement; or

(ii) a member of the IECEE CB Scheme, if the
designation applied for is in respect of an electrical
or electronic product;

[S 15/2018 wef 15/01/2018]

(d) has the knowledge, capability, competence and equipment
to perform the tests or certification for conformity to the
requirements relevant to the designation applied for;

[S 15/2018 wef 15/01/2018]

(e) does not carry on or otherwise have any interest in any
business which may cause the applicant to test or certify
any product in respect of which the application is made in
an unfair or a biased manner; and

[S 15/2018 wef 15/01/2018]

(f) in the case of —

(i) an application for designation as a CAB (Testing) to
carry out testing of any product to be supplied in a
country other than Singapore for conformity to the
applicable requirements specified in an MRA to
which both Singapore and that country are parties; or

(ii) an application for designation as a CAB
(Certification) to carry out certification of any
product to be supplied in a country other than
Singapore for conformity to the applicable

requirements specified in an MRA to which both Singapore and that country are parties,

also satisfies all criteria required for the designation applied for under the relevant MRA.

[S 15/2018 wef 15/01/2018]

[S 15/2018 wef 15/01/2018]

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 Second Schedule shall be payable together with an application referred to in regulation 5 and shall not be refundable.

[S 15/2018 wef 15/01/2018]

(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

7.—(1) On receipt of an application under regulation 5, the Designating Authority may, in its discretion —

- (a) approve the application, subject to such conditions as it thinks fit; or
- (b) refuse the application.

(2) Where the Designating Authority approves an application under regulation 5, the Designating Authority shall issue to the applicant a Certificate of Designation in such form as the Designating Authority may determine.

Duration and renewal of designation

8.—(1) Subject to these Regulations, the designation of a CAB shall be valid for a period of 3 years and may be renewed subject to such additional conditions as the Designating Authority thinks fit.

(2) Unless the Designating Authority otherwise allows, an application for renewal of designation of a CAB shall be made to the Designating Authority not less than 6 months before the designation of the CAB expires.

Application of regulations to renewal of designation

9. Regulations 4 to 8 shall, with the necessary modifications, apply to a renewal of designation of a CAB.

Register of CABs

10.—(1) The Designating Authority shall keep and maintain a register in which shall be entered the names and such particulars of the CABs designated by the Designating Authority as the Designating Authority may determine.

(2) The Designating Authority may, upon an application by any person accompanied by the fee specified in the Second Schedule, provide a certified copy of an entry in the register to the person.

[S 15/2018 wef 15/01/2018]

(3) Where —

- (a) the designation of the CAB expires and is not renewed in accordance with regulation 8;
- (b) the CAB applies to the Designating Authority for its designation to be withdrawn; or
- (c) the designation of the CAB is suspended or withdrawn under Part IV,

the Designating Authority may remove the details of the CAB from the register or indicate against the details of the CAB in the register the fact of such expiry, suspension or withdrawal of designation.

PART III

DUTIES AND OBLIGATIONS OF CABS DESIGNATED BY DESIGNATING AUTHORITY

Information to be provided to Designating Authority

11.—(1) A CAB designated by the Designating Authority shall maintain and make available to the Designating Authority a list of product certifications, submissions of testing, evaluation reports, certification reports, evidence of participation in proficiency testing or any other comparison exercise referred to in regulation 15(3)(b), and such other documents and information in connection with the business of conformity assessment or testing of products relating to conformity assessment of the CAB relevant to its designation as the Designating Authority may require.

[S 15/2018 wef 15/01/2018]

(2) Where a CAB (Certification) knows or has reason to believe that a product certified by it as conforming to any safety requirements for purposes of the Consumer Protection (Safety Requirements) Regulations 2002 (G.N. No. S 23/2002) no longer conforms to such requirements, the CAB (Certification) shall immediately notify in writing the Designating Authority and any person to whom it has provided such certification.

[S 15/2018 wef 15/01/2018]

(3) A CAB designated by the Designating Authority shall notify the Designating Authority in writing of the occurrence of any of the following not later than 2 weeks before such occurrence:

(a) the cessation of its business of conformity assessment or testing of products relating to conformity assessment for which it is designated;

[S 15/2018 wef 15/01/2018]

(b) where the CAB is a company, any change to its shareholding;

(c) any change to its organisational structure;

(d) any change to its accreditation status or its IECCEE scheme membership, as the case may be;

(e) any change to its key personnel;

(f) any change to its business address; and

(g) any change which may affect its ability to properly test or certify any product for conformity to the requirements for which it is designated.

(4) A CAB which contravenes paragraph (1) or (3) shall be guilty of an offence.

(5) In paragraph (3), “key personnel” means any board director, managing director, technical manager, quality manager or testing personnel of the CAB.

Complying with request for conformity assessment or testing of products relating to conformity assessment without delay

12. Where a CAB designated by the Designating Authority accepts a request to test or certify any product for conformity to the requirements for which it is designated, it shall carry out such request without delay, unless it has good reason for not doing so.

[S 15/2018 wef 15/01/2018]

**CAB (Certification) to accept test conducted by CAB (Testing),
etc.**

13.—(1) Subject to paragraph (2), where a CAB (Certification) is requested to certify that a product conforms to the applicable safety requirements in regulation 7(1) of the Consumer Protection (Safety Requirements) Regulations (Cap. 53, Rg 1), the CAB (Certification) must accept as correct a test report on that product issued by any CAB (Testing), CAB (Testing — MRA) or alternate testing laboratory.

(2) A CAB (Certification) must not cause another test to be conducted unless it has reason to believe that any test that was used to produce a test report mentioned in paragraph (1) was —

- (a) improperly or incorrectly conducted; or
- (b) conducted at a time when —
 - (i) the designation of the CAB (Testing) has been suspended or withdrawn under these Regulations;
 - (ii) the designation of the CAB (Testing — MRA) has been suspended or withdrawn by the country that designated it; or
 - (iii) the testing laboratory is no longer an alternate testing laboratory.

[S 15/2018 wef 15/01/2018]

Technical file

14.—(1) A CAB (Certification) shall maintain a technical file on every product which it certifies.

[S 15/2018 wef 15/01/2018]

(2) A technical file maintained by a CAB (Certification) shall include such documents and information as the Designating Authority may require, and the CAB (Certification) shall keep such file for a period of not less than 10 years from the date of expiry of the last certificate of conformity issued by that CAB (Certification) for the product in respect of which the file is maintained.

[S 15/2018 wef 15/01/2018]

(3) A technical file maintained by a CAB (Certification) that carries out certification of any product to be supplied in a country other than Singapore for conformity to the applicable requirements specified in an MRA to which both Singapore and that country are parties, shall include such documents and information, and shall be kept for such period of time, as may be required for purposes of the relevant MRA.

[S 15/2018 wef 15/01/2018]

(4) A CAB (Certification) shall make available to the Designating Authority any technical file maintained by it within 7 days of receipt by the CAB of a request from the Designating Authority for such technical file.

[S 15/2018 wef 15/01/2018]

(5) A CAB (Certification) which contravenes any provision of this regulation shall be guilty of an offence.

[S 15/2018 wef 15/01/2018]

Standards of CABs

15.—(1) A CAB designated by the Designating Authority shall, throughout the period of its designation, maintain the criteria specified in regulation 4.

(2) A CAB designated by the Designating Authority shall, throughout the period of its designation —

(a) maintain such standards of practice as are necessary for the CAB to properly carry out the testing or certification of products, as the case may be, to the relevant requirements for which it is designated; and

[S 15/2018 wef 15/01/2018]

(b) comply with such guidelines as to standards of practice as the Designating Authority may, from time to time, issue.

(3) For the purpose of monitoring compliance with paragraphs (1) and (2), the Designating Authority may —

(a) conduct such surveillance assessments as it thinks fit; and

(b) require the CAB to participate in proficiency testing or such other comparison exercise as the Designating Authority may reasonably require.

(4) For the purposes of paragraph (3), the Designating Authority may require the CAB to pay to it all reasonable costs and expenses incurred by the Designating Authority in conducting any surveillance assessment.

(5) Any person who obstructs the Designating Authority or any person authorised by the Designating Authority in the conduct of any surveillance assessment referred to in paragraph (3)(a) shall be guilty of an offence.

Advertising as CAB designated by Designating Authority

16.—(1) A CAB designated by the Designating Authority shall not advertise or otherwise represent its designation in any way which suggests or implies any of the following:

- (a) that the CAB is entitled to test or certify any product for conformity to any requirements for which it is not designated;
- (b) that the Designating Authority is responsible for any service provided by the CAB or that the CAB is an agent or representative of the Designating Authority;
- (c) that the product the CAB is designated to test or certify is approved by the Designating Authority for any particular use.

(2) A CAB whose designation has been suspended or withdrawn under Part IV shall immediately discontinue any advertisement relating to its designation, and shall not make any further advertisement or other representation as to such designation.

PART IV

SUSPENSION AND WITHDRAWAL OF DESIGNATION

Suspension and withdrawal of designation

17.—(1) The Designating Authority may withdraw the designation of a CAB where —

(a) the CAB ceases to carry on the business of conformity assessment or testing of products relating to conformity assessment for which it is designated;

[S 15/2018 wef 15/01/2018]

(b) the CAB fails or neglects to properly test or certify any product for conformity to the requirements for which it is designated;

(c) the CAB has contravened, is contravening or is likely to contravene any provision of Part III;

(d) the CAB is guilty of any offence involving fraud or dishonesty;

(e) the CAB has contravened, is contravening or is likely to contravene any condition imposed by the Designating Authority on its designation;

(f) the CAB is unable to properly test or certify any product for conformity to the requirements for which it is designated;

(g) the CAB fails to pay to the Designating Authority any costs or expenses required under these Regulations;

(h) the CAB is for some other reason not fit to continue as a CAB designated by the Designating Authority; or

(i) in the case of —

(i) a CAB (Testing) designated to carry out any testing of any product to be supplied in a country other than Singapore for conformity to the applicable requirements specified in an MRA to which both Singapore and that country are parties; or

- (ii) a CAB (Certification) designated to carry out any certification of any product to be supplied in a country other than Singapore for conformity to the applicable requirements specified in an MRA to which both Singapore and that country are parties, the relevant MRA so requires.

[S 15/2018 wef 15/01/2018]

(2) Where the Designating Authority is satisfied that any ground for withdrawing the designation of a CAB exists, the Designating Authority shall notify the CAB in writing and shall in that notification specify —

- (a) the ground entitling the Designating Authority to withdraw the designation of the CAB; and
- (b) a time period (not being less than 14 days) within which the CAB may provide to the Designating Authority any explanation it may wish to offer and to inform the Designating Authority if it wishes to be heard,

and the designation of the CAB shall be suspended from the date of such notification.

(3) Upon considering any explanation of the CAB made under paragraph (2) and upon providing the CAB with a reasonable opportunity to be heard (where such a request is made), the Designating Authority may —

- (a) subject to such conditions as it thinks fit, lift the suspension on the designation of the CAB; or
- (b) withdraw the designation of the CAB,

and the Designating Authority shall notify the CAB in writing of its decision.

(4) A person whose designation as a CAB (Certification) has been suspended or withdrawn must not, during the period of such suspension or starting from the date of such withdrawal (as the case may be) —

- (a) issue any certificate of conformity for the purposes of the registration of any product under regulation 7(1) of the

Consumer Protection (Safety Requirements) Regulations
(Cap. 53, Rg 1); or

- (b) certify that any product to be supplied in a country other than Singapore conforms to the applicable requirements specified in an MRA to which both Singapore and that country are parties.

[S 15/2018 wef 15/01/2018]

(5) A CAB (Certification) which contravenes paragraph (4) shall be guilty of an offence.

[S 15/2018 wef 15/01/2018]

(6) For the purposes of this regulation, the Designating Authority may require any person whom the Designating Authority believes to have knowledge of the matter —

- (a) to produce for inspection any book, document, paper or other record relating to or connected with the matter; and
- (b) to give such information relating to or connected with the matter as the Designating Authority may require.

(7) For the purposes of paragraph (1)(d), the Designating Authority may accept the conviction of the CAB as final and conclusive.

(8) A CAB whose designation has been withdrawn shall immediately return its Certificate of Designation and any duplicate thereof to the Designating Authority for cancellation.

(9) The Designating Authority may require the CAB concerned to pay to it such costs and expenses of and incidental to any inquiry conducted under this regulation as the Designating Authority thinks fit.

(10) Where the provisions of an MRA require the suspension or withdrawal of the designation of a CAB (Certification) or CAB (Testing) to carry out certification or testing of any product to be supplied in a country that is a party to the MRA for conformity to the applicable requirements specified in the MRA, then this regulation applies with such modifications as may be necessary to enable those provisions to be complied with.

[S 15/2018 wef 15/01/2018]

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FIRST SCHEDULE

Regulation 4(a)

PRESCRIBED COUNTRIES

1. Countries that are parties to the European Union-Singapore Free Trade Agreement.

[S 15/2018 wef 15/01/2018]

SECOND SCHEDULE

Regulations 6(1) and 10(2)

FEES

- 1.—(1) Application for or renewal of designation —

(a) as a CAB (Testing)	\$500
(b) as a CAB (Certification)	\$500
- (2) Duplicate of Certificate of Designation \$30
- (3) Certified copy of extract from register \$5 per page.
2. The fees referred to in paragraph 1 are not inclusive of goods and services tax chargeable under the Goods and Services Tax Act (Cap. 117A) on the services in respect of which the fees are payable, and the person responsible for paying such fees shall bear and pay to the Designating Authority any goods and services tax charged on the supply of services in addition to such fees.

[S 15/2018 wef 15/01/2018]

LEGISLATIVE HISTORY
STANDARDS, PRODUCTIVITY AND INNOVATION BOARD
(CONFORMITY ASSESSMENT) REGULATIONS
(CHAPTER 303A, RG 2)

This Legislative History is provided for the convenience of users of the Standards, Productivity and Innovation Board (Conformity Assessment) Regulations. It is not part of these Regulations.

**1. G. N. No. S 25/2002 — Singapore Productivity and Standards Board
(Conformity Assessment) Regulations 2002**

Date of commencement : 1 April 2002

**2. 2003 Revised Edition — Standards, Productivity and Innovation Board
(Conformity Assessment) Regulations**

Date of operation : 31 January 2003

**3. G.N. No. S 15/2018 — Standards, Productivity and Innovation Board
(Conformity Assessment) (Amendment)
Regulations 2018**

Date of commencement : 15 January 2018