

**Terms of Reference for the Joint Sectoral Committee under the  
ASEAN Sectoral Mutual Recognition Arrangement for Building and  
Construction Materials**

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**Background**

As required by the ASEAN Sectoral MRA for Building and Construction Materials (Sectoral MRA), that was signed by ASEAN Economic Ministers on XX, a Joint Sectoral Committee (JSC) shall be established, and shall be responsible for the effective functioning of the Sectoral MRA.

In undertaking such functions and responsibilities, the JSC will be guided by the Terms of Reference (TOR). The TOR may be amended as the need arises based on consensus and endorsed by the Building and Construction Working Group (BCWG).

The tenure of JSC shall begin on the thirtieth day after Member States have notified completion of their internal requirements or on 31 December 2021 whichever is earlier, as stipulated in Article 12 of the Sectoral MRA.

**Article 1: Objective**

To ensure the effective functioning of the Sectoral MRA

**Article 2: Role of the JSC under the ASEAN Sectoral Mutual Recognition Arrangement for Building and Construction Materials**

The JSC shall be responsible to:

- 2.1 Identifying and listing of standards for specific products;
- 2.2 Listing, suspension, removal, verification of technical competence of Conformity Assessment Bodies (CABs) in accordance with Annex B on Procedures and Requirements Relating to Listing, Suspension, Removal, Verification, and Technical Competence of CABs (hereinafter referred to as “Annex B of the Sectoral MRA”);
- 2.3 Providing a forum for discussion of issues that may arise concerning the implementation of the Sectoral MRA;
- 2.4 Proposing amendments to the provisions of the Sectoral MRA, including its Annexes, and proposing additional annexes;
- 2.5 Considering ways to enhance the operation of the Sectoral MRA;

- 2.6 Formulating the respective rules and procedures; and
- 2.7 Considering any other matters and taking appropriate actions relating to the effective functioning of the Sectoral MRA.

**Article 3: Composition of the JSC under the ASEAN Sectoral MRA for Building and Construction Materials**

The JSC will comprise of:

- 3.1 Official representative from each Member State's Regulatory Authority. Member States without a Regulatory Authority as defined in subparagraph (n) of Article 1 of the Sectoral MRA shall appoint an entity as the Regulatory Authority for the purposes of the Sectoral MRA. The Official representative may be accompanied by their delegation at meetings of the JSC.
- 3.2 Representative(s) from the ASEAN Secretariat; and
- 3.3 The Chair and the Vice-Chair shall be determined and appointed through the agreement by all JSC members from among the Official representative.

**Article 4: Duties and Responsibilities of Chair and Vice-Chair**

- 4.1 The Chair and Vice-Chair of the JSC shall preside at every meeting of the JSC, keep discussion to the point, and ensure that all interests are heard and all decisions made are based on consensus.
- 4.2 In the absence of the Chair, the Vice-Chair shall assume the duties and responsibilities of the Chair.
- 4.3 Prior to any of its meetings, the Chair will consult with the members of the JSC on the agenda to be covered during the Meetings.
- 4.4 The Chair shall report to the BCWG on the proceedings and the decisions made during the JSC meetings for endorsement by BCWG to the ASEAN Consultative Committee for Standards and Quality (ACCSQ).

**Article 5: Meeting and Reports**

- 5.1 The JSC shall endeavour to meet at least once a year or as the need arises.
- 5.2 All meetings of the JSC shall be convened by the Chair and/or the Vice-Chair.

- 5.3 The Chair/Vice-Chair of JSC will report the proceeding of the meeting to the BCWG.
- 5.4 Every decision of the JSC shall be reached by consensus of the members. Any disagreement amongst the JSC shall be settled in accordance with Article 8 (Settlement of Disputes) of the Sectoral MRA.
- 5.5 Notices of Meetings and Meeting Agendas shall be dispatched to all members of the JSC by the ASEAN Secretariat at least 60 days before the date of the meeting.
- 5.6 The meeting should have at least 6 Official representatives from each Member State's Regulatory Authority.
- 5.7 The report of the meeting shall be circulated to all Member States. For the absent Member State(s), they will be given 2 weeks period for endorsement of the meeting report.

**Article 6: Terms of Office**

- 6.1 The appointment of the first Chair and the first Vice-Chair will be determined through consultation with all members.
- 6.2 The terms of office for the Chair and Vice-Chair of the JSC shall be for a period of one year and followed by alphabetical order. In the event an AMS cannot take up the position of Chair or Vice-Chair, the next AMS by alphabetical order will be offered the position.

**Article 7: Secretary**

The Secretary shall be an officer of the ASEAN Secretariat appointed under the authority of the Secretary General. The Secretary shall be responsible for maintaining records of membership, meetings and proceedings of the JSC, and shall provide the support and assistance in all matters relating to the implementation of this TOR. This shall include records of requirements and procedures for the listing, suspension, removal, verification, and technical competence of CABs.

**Article 8: Rules of Procedures**

The JSC may determine its respective rules of procedures. These rules of procedure and changes shall be endorsed by the BCWG.