

**TERMS OF REFERENCE OF THE JOINT SECTORAL COMMITTEE
FOR THE AGREEMENT ON THE ASEAN HARMONIZED ELECTRICAL AND ELECTRONIC
EQUIPMENT REGULATORY REGIME (JSC EEE)**

Background

In response to the ASEAN Integration Initiative in the electrical and electronics sector, as one of the priority sectors for integration in ASEAN, the ASEAN Economic Ministers, during their 37th Meeting on 9 December 2005, has signed the Agreement on ASEAN Harmonized Electrical and Electronic Equipment Regulatory Regime (AHEEERR). The AHEEERR demonstrates the commitments of the ASEAN Members States in bridging the regulatory regimes of the AMS into single, common and cohesive regimes for electrical and electronic equipment. The AHEEERR was developed building upon the ASEAN Sectoral Mutual Recognition Arrangements on Electrical and Electronic Equipment (ASEAN EE MRA) which was signed by the AEM in 5 April 2002.

In order to facilitate and monitor the implementation of the AHEEERR, the Joint Sectoral Committee for Electrical and Electronic Equipment (JSC EEE) was established. The JSC EEE also assumes the monitoring and implementation of the ASEAN EE MRA.

With the establishment of the ASEAN Economic Community (AEC) on 31 December 2015 on the facilitation of goods in ASEAN characterised as a single market and production base; highly competitive economic region; equitable economic development; and fully integrated into the global economy, the ASEAN is moving further into a greater goal under the ASEAN 2025 envisioned to be (i) a Highly Integrated and Cohesive Economy; (ii) a Competitive, Innovative, and Dynamic ASEAN; (iii) Enhanced Connectivity and Sectoral Cooperation; (iv) A Resilient, Inclusive, People-Oriented, and People-Centred ASEAN; and (v) a Global ASEAN.

The ASEAN Consultative Committee for Standards and Quality (ACCSQ), in its role as the main body responsible for the overall coordination of matters related to metrology, standards, technical regulations and conformity assessment procedures in the region, has developed the 2016-2025 ASEAN standards and conformance strategic plan 2016-2025 in response to the ASEAN vision 2025. The JSC EEE, in support of the realisation of the ASEAN Standards and Conformance Strategic Plan 2016-2025 has developed its action plan 2016-2025 for the electrical and electronics sector.

Article 1 : Objective

The JSC EEE shall:

- (i) Monitor and implement the Agreement on ASEAN Harmonized Electrical and Electronic Equipment Regulatory Regime, including but not limited to transposition of the AHEEERR by all the AMS; development of mechanism for its full implementation such as harmonisation of standards, development of common conformity assessment regime, harmonisation of conformity assessment system, harmonisation of regulatory requirements, and development of information booklet for the AHEEERR;
- (ii) Monitor and implement the ASEAN Sectoral Mutual Recognition Arrangement for Electrical and Electronic Equipment, including but not limited to listing of testing laboratories and certification bodies;
- (iii) Engage stakeholders and related sectoral bodies on electrical and electronic fields in the development and implementation of JSC EEE programs.
- (iv) Implement the action plan 2016-2025 of the JSC EEE and support in the realisation of the overall ASEAN standards and conformance strategic plan 2016-2025.

Article 2 : Scope of the JSC EEE

According to Article 12 “Institutional Framework” of the AHEEERR, the JSC EEE shall be responsible, but not limited to the following:

- 2.1. Coordinate, review and monitor the implementation of the AHEEERR, including its Appendices.
- 2.2. Decide and adopt its rules and procedures or terms of reference by consensus.
- 2.3. Implementation of the ASEAN EE MRA in listing, suspension, removal and verification of testing laboratories and/or certification bodies in accordance with the AHEEERR and the ASEAN EE MRA.
- 2.4. Consider ways to enhance the operation of the AHEEERR such as developing outreach programme for promotion to industry and capacity building.
- 2.5. Engage stakeholders and other ASEAN sectoral bodies to cooperate on standards, technical regulations and conformity assessment procedures and other matters related to the electrical and electronic sector.
- 2.6. Where necessary, establish adhoc group to work on specific topic that needs focus and immediate result.

Article 3 : Structure

The JSC EEE shall comprise of:

- 3.1. One official representative from the Regulatory Authority of each ASEAN Member State. The representative shall:
 - i. have understanding of the AHEEERR, ASEAN EE MRA as well as their objectives and application.
 - ii. have understanding of the technical aspects relating to the regulation of electrical and electronic equipment.
 - iii. have understanding on the standards, technical regulations and conformity assessment procedures as it apply to electrical and electronic equipment.

The official representative may be accompanied by their delegation at the JSC EEE meetings.

- 3.2. The offices of the JSC EEE shall comprise of the Chair, Vice-Chair and official representatives of ASEAN Member States. The appointment of the Chair and the Vice-Chair will be determined through consultation with all members. The Chair and Vice-Chair will rotate among the AMS on a yearly basis in alphabetical sequence following the name of the Member State. The Vice-chair succeeds the Chair at the end of the one year appointed period and at which time a new Vice-chair will be appointed from the Member State, in alphabetical order. In case a Member State is designated as Chair or Vice-Chair, another official representative shall represent her country. 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.
- 3.3. The Chair and Vice-Chair shall be impartial when chairing the Meetings.
- 3.4. Secretariat for the JSC EEE will be provided by the ASEAN Secretariat.
- 3.5. The representatives from AMS will bear the cost of their participation to the JSC EEE Meetings.

- 3.6. Representatives from other sectoral bodies and private sector can be invited to participate in the JSC EEE as delegates or observers upon invitation by the JSC EEE and/or officially designated by the Head of Delegations of each AMS.
- 3.7. The minimum number of AMS to declare that the quorum has been reached in a particular JSC EEE meeting shall not be less than half of the total number of ASEAN Member States.

Article 4 : Responsibilities

- 4.1. The JSC EEE is to provide a forum and mechanism for discussing issues, sharing information and reaching decisions associated with the operation of the AHEEERR in accordance with Article 4 to 10 and 12 thereof, as well as ASEAN EE MRA in accordance with Article 7 to 10.
- 4.2. The JSC EEE will assist in any disagreement between Member States regarding the interpretation or implementation of the AHEEERR, including its Appendices in accordance with Article 11 of the Agreement as well as the implementation of the ASEAN EE MRA.
- 4.3. The JSC EEE is responsible to the ACCSQ in terms of the implementation of the AHEEERR and ASEAN EE MRA;

Article 5 : Mode of Operation

- 5.1. The JSC EEE will operate on the basis of consensus and in line with ASEAN rules and guidelines;
- 5.2. The JSC EEE will conduct meetings regularly at least once a year or when required for the discharge of its functions, including upon the request of the ACCSQ. In setting the date for the meeting, the Chair and Vice-Chair should attempt to hold the meeting in conjunction with other meetings, such as ACCSQ meeting, that members are likely to attend and notices of meetings need to be sent to members at least 30 days before the date of the meeting.
- 5.3. The JSC EEE will endeavour to conduct its business through electronic means such as e-mail or tele-conference
- 5.4. The meeting invitation and proposed agenda of the meeting shall be sent to the JSC EEE members at least 30 days before the date of the Meeting. The meeting and supporting documents will be sent to members at least 5 working days before the date of the meeting.
- 5.5. Decisions will be based on consensus in which each member will have one voice.

Chair of the JSC EEE,

Vice-Chair of the JSC EEE,

Mr. Mohd Elmi bin Anas

Mr. Neil Catajay

Date: 3 April 2018