

Modification of the South African Bureau of Standards Program on Issuance of Certificates of Compliance Related to Electromagnetic Compatibility for Manufacturers.

Implementation Date: 1 June 2017

1. The Acting Chairperson of the Independent Communications Authority of South Africa (ICASA), Councilor Nomvuyiso Batyi and the Chief Executive Officer of the South African Bureau of Standards (SABS), Dr Boni Mehlomakulu, signed a Memorandum of Understanding (MoU) on 30 March 2016. This enabled the two entities to collaborate on ensuring that electronic equipment entering the South African market meets the required quality-performance standards.
2. The influx of low quality products into the country and the risks they pose to consumers compelled the SABS and ICASA to review the process of issuing Electromagnetic Interference/Compatibility (EMI/EMC) Certificates of Compliance (CoC's). The Consumer Protection Act (Act No. 68 of 2008) calls for consumers' right to receive goods that comply with applicable standards set under the Standards Act.
3. As a result of this MoU all non-telecommunication electronic equipment that fall under the mandate of ICASA are subjected to robust conformity assessment procedures to ensure that such products meet the quality requirements as stipulated in the South African National Standards (SANS).

SABS COMMERCIAL SOC Ltd. Reg. No. 2000/013581/30

Directors: Mr J Molobela (Chairman), Dr MJ Ellman, Mr G Harris, Ms A Lötter, Mr WK Masvikwa, Dr B Mehlomakulu, Ms Z Monnakgotla, Ms N Naraindath, Ms DE Ndlovu, Ms W de Witt (Company Secretary).

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4. The South African Bureau of Standards (SABS) extensively engaged various stakeholders (including manufacturers) regarding, amongst others:
- the costs of compliance;
 - economic and safety impact on South Africa due to non-compliance;
 - the new processes;
 - turn-around times to verify participating labs and issuing of CoCs;
 - penalties for non-compliance;
 - declaration of all products currently in the South African market, and;
 - EMI/EMC skills in SABS.
5. The aforementioned discussions provided SABS with valuable insight and contributed to the modification of SABS' terms and conditions pertaining to issuing of certificate(s) of compliance. Consequently, and with effect from 1 June 2017, the SABS has implemented a new program for the issuance of EMC Certificates of Compliance (the Program). With effect from 1 June 2017, the Program was executed with additional momentum and entails the following:
- 5.1 Manufacturers who are compelled to comply with the necessary regulation pertaining to Electromagnetic Compatibility (EMC) can download SABS EMC Certificate of Compliance application form from SABS' website or request the applicable forms.
- 5.2 A non-refundable certification fee in the amount of R16 000.00 is payable, per application submitted.

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- 5.3 The current process will require manual submission of SABS EMC applications submitted directly to SABS. The testing of devices will be achieved through the manufacturers whom have access to various accredited third party laboratories that are authorised and competent to perform product tests. These laboratories will in return supply acceptable test results in respect of products which are compliant to the relevant South African National Standards (SANS). This manual process will be replaced by an online system by 1 October 2017.
- 5.4 Third party laboratories are verified through a separate SABS Laboratories verification process. Should a manufacturer require testing services from an independent laboratory that is not SABS verified, the manufacturer can request that independent 3rd party laboratory to apply to the SABS for verification. Information about SABS verified laboratories is available on the SABS website and is updated when new laboratories are verified.
- 5.5 Within a reasonable period of receiving a test report from an SABS verified third party laboratory, the SABS will review the report, once satisfied, the SABS will accept and approve the manufacturer's application for the SABS' EMC Certificate of Compliance and issue the manufacturer with a certificate of compliance. The certificate of compliance will be valid for a period of three (3) years calculated from the date of issue by the SABS.

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- 5.6 Under no circumstances will SABS accept test reports from unverified laboratories and where products have not been physically tested (i.e., no conversion of manufactures' tests reports will be accepted). Laboratories making use of this practice will be disqualified from the SABS Verified Laboratory Program. SABS reserves all rights to take the necessary actions against these laboratories and manufactures.
- 5.7 Surveillance of products in the market will be conducted periodically, starting from 1 September 2017, the SABS and ICASA reserve all rights to take the necessary actions against laboratories and manufactures who are non-compliant.
- 5.8 A manufacturer, being the holder of a certificate of compliance, will be required to pay a non-refundable annual fee to the amount of R 11 000.00. The annual fee is payable at least three (3) months before expiration of the annual anniversary date of the certificate of compliance. In the event that the payment is not made by the specified date, the SABS reserves the right to withdraw the certificate of compliance.
- 5.9 SABS will ensure continuous assessment of the products that have been issued with the certificate of compliance.

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- 5.10 Once a certificate of compliance is no longer valid, a manufacturer may not use the said certificate in respect of its product(s). In that event, the manufacturer must, in writing, inform SABS of the volume of products that are already in the market, to which a code relative to the certificate of compliance has been applied. Subject to the product undergoing an appropriate re-instatement process, the SABS may re-instate a lapsed certificate of compliance at any time.
- 5.11 The SABS will, in an appropriate format, periodically publish on its website, the status of all issued certificates of compliance.
- 5.12 In the event that modifications are made to the product details, after the SABS has issued a certificate of compliance, then the manufacturer must apply for a certificate update with the SABS. Based on the documentation submitted, SABS will make a determination on whether the product in question (in view of the modification(s)) should be re-tested and whether a new test report should be issued by a verified third party laboratory. In the event that there is merit in re-testing the product, the applicable process will have a cost of R5 000.00.
- 5.13 In the event that the products is manufactured at multiple factory sites, the manufacturer must indicate on the SABS EMC CoC application form the factory sites used for production. This will have a cost of R5 000.00 per factory registration.

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- 5.14 In the event of model name changes, manufacturers must indicate model name changes on the SABS EMC CoC application form. This will incur a cost of R5 000.00 per model name change.
- 5.15 A manufacturer, who no longer wishes to utilise its certificate of compliance, or ceases to operate, must inform the SABS by way of a written notice, delivered by hand or forwarded by registered mail to the head office address of the SABS.
- 5.16 SABS will on an annual basis publish the certification and annual fees payable by manufacturers through a notice on its official website, or by means of any other appropriate public media. The application and annual fee is subject to a reasonable annual price increase which will be determined by the SABS and communicated to participating manufacturers and published as stated above.

6. For clarification and assistance, kindly contact the SABS Team:

EMC related Information - EMC@sabs.co.za

Yours faithfully



Ian Plaatjes
Executive of Corporate Services

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