



# ICC CONSENSUS PROCEDURES FOR CANADA

SCC Accredited May 29, 2023

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## 1. Standards Development

The International Code Council (ICC) adheres to the Standards Council of Canada (SCC): Canadian Standards Development Program along with this document to set forth the policies and procedures for the consensus development of ICC Canadian Standards as a National Standard of Canada (NSC).

## 2. ICC Consensus Committees

ICC Standards Developing Consensus Committees (Standards Committees) that develop ICC Canadian Standards shall be informed of these Consensus Procedures and shall comply with ICC Council Policy 7 – Committees and Members. Where there are conflicting or overlapping requirements between ICC Council Policy 7 and these Consensus Procedures, the requirements within these Consensus Procedures shall apply. Each such Standards Committee may develop additional procedures, with approval of the ICC Board of Directors, as needed to perform its assigned mission.

## 1 General

### 1.1 Administration

These procedures are designed to meet the requirements for due process and development of consensus for the development, revision, reaffirmation, approval and withdrawal of standards developed under the ICC Consensus Procedures for Canada and for approval as a National Standard of Canada in accordance with the SCC Rules and Guidelines.

### 1.2 Development and Maintenance of Standards

Development and maintenance of standards shall be in accordance with Section 5.

### 1.3 Objectives in the Standards Development

#### 1.3.1 Objective

In order to accomplish the ICC mission of providing a coordinated and comprehensive set of regulatory documents supporting the built environment, it is necessary to assure the availability of acceptable and sustainable Standards to safeguard the public health, safety, general welfare and address societal and industry challenges through design, construction, regulatory and testing requirements.

#### 1.3.2 Performance

Standards shall be expressed in terms of performance rather than design or descriptive characteristics whenever possible. A rationale should be given when it is determined that it is not possible to express the requirements in terms of performance.

#### 1.3.3 Conformity Assessment

Standards intended for conformity assessment and certification shall contain a clear statement to that effect in the introductory pages. Requirements in such standards shall have a stated purpose and be based on measurable terms with rationale, to the extent possible.

#### **1.3.4 Required Introductory Statement**

Standards shall include a statement in the introductory pages indicating that the standard was developed in compliance with SCC: Canadian Standards Development, Requirements & Guidance – Accreditation of Standards Development Organizations.

#### **1.3.5 Availability in Both Official Languages of Canada**

##### **1.3.5.1 General**

Canadian standards shall be published in both English and French except when it is determined in accordance with Section 1.3.5.2 that a bilingual standard is not required. For National adoptions of ISO Standards, the English-only adoption is permitted when a stakeholder does not require a bilingual standard.

##### **1.3.5.2 Determination**

The following criteria shall be applied at any point where the need is identified to determine when a bilingual standard is not required:

- a) no stakeholders' need;
- b) no user base need;
- c) no Authority Having Jurisdiction need; and
- d) no health and safety related needs;

#### **1.3.6 Key Stakeholder Strategic Need**

Prior to the start of the development process, the strategic need of key stakeholders (e.g. Authority Having Jurisdiction, industry, government, consumers) and confirmation expressing the need shall be identified.

This includes:

- a) strategic need of key stakeholder (e.g. legislator, industry, government, consumers);
- b) type of standard (international, regional, domestic standards and harmonization need);
- c) up-to-date vs. outdated standard to ensure latest innovative/technology/safety features available for businesses;
- d) intended to support national/regional/international certification programs; (e) stakeholder intention to transition to different standard;
- f) type of maintenance (periodic, continuous, stabilized, best before date); and
- g) use of "CAN" descriptor.

#### **1.3.7 Geographical Representation**

The standards committee or task groups created by the committee shall include Canadian geographical representation appropriate to the subject area covered by the standard.

### **1.3.8 Protection Against Misleading Standards**

Standards shall be developed in such a manner as to minimize the possibility that the standards may be used to mislead consumers and other users of a product, process or service addressed by the standard. Where identified, instances of standards being used to mislead are to be resolved in accordance with these procedures.

### **1.3.9 Place of Origin**

Standards shall not intentionally be developed to create unnecessary obstacles to international or inter-provincial trade. The requirements of the standard should not specify one location where the source of the products of the standard may be obtained. Requirements such as third-party certification, place of origin, and approval of authorities having jurisdiction shall not be normative. Where identified, such obstacles shall be removed from the normative text of the standard in accordance with these procedures. Non-normative specifications may be included as informative material.

### **1.3.10 Safety Markings**

Standards that include safety markings to address safety issues with appropriate cautionary text shall be provided in both English and French. Note: Safety markings depicting a graphical symbol without supplementary text are acceptable, such as the symbols provided in the International Standards series ISO 3864.

### **1.3.11 National Adoption of International/Regional Standards and Other Deliverables**

In addition to these policies and procedures, ICC shall comply with the Requirements & Guidance – National Adoptions of International/Regional Standards and Other Deliverables when adopting an ISO, IEC, or regional standard as a NSC.

## **1.4 Introductory and Front Matter Content**

### **1.4.1 Number and Title**

The “CAN” descriptor shall precede the standard designation based on the identified strategic need in accordance with Section 1.3.6.

### **1.4.2 Front Cover Page**

The following items shall be included on the front cover page of the standard:

- a) The bilingual SCC logo, placed with other organizational logos, if any, or at the bottom of the page; and
- b) The bilingual National Standard of Canada Symbol (NSC Symbol) placed with other identifying symbols, if any, or near the top of the page.

### **1.4.3 Introductory Pages**

The Standards shall have introductory pages with the following content in the language(s) appropriate to the standard:

- a) the established timeline for review of the standard;
- b) SCC foreword in accordance with the Canadian Standards Development Program Overview, Annex A;
- c) statement indicating the standard was developed in compliance with the SCC Requirements and Guidance-Accreditation of Standards Development Organizations;
- d) the names of the standards committee members or the number of standards committee members

representing the interest categories described in Section 3.4;

e) statement of availability of the Standard, English text in the French version, French text in the English version in accordance with the Canadian Standards Development – Program Overview, Annex B;

f) statement indicating it is the responsibility of the user of the standard to judge the suitability of the Standards for the user's purpose; and

g) ICS code(s).

#### **1.4.4 Normative Content**

The normative sections of Standards shall include the scope, normative references, technical requirements, and if applicable, normative annexes, and terms and definitions. If annexes are included, they shall be identified "normative" or "informative".

#### **1.5 Notification of Suits or Claims**

The Secretariat shall promptly notify SCC of any suits or claims made against ICC arising from a standard designated as a National Standard of Canada and provide periodic updates on status of such.

## **2 Organization and Responsibilities of the Standards Committee**

### **2.1 Standards Committees**

The Standards Committee shall:

a) be established by ICC;

b) be responsible for developing and maintaining standards within ICC's scope of accreditation;

c) have a sufficiently diverse membership to ensure reasonable balance with no particular interest category exceeding 1/3<sup>rd</sup> representation;

d) include Canadian representation by way of committee or task group participation;

e) Vote on approval of proposed Canadian National Standards within its scope;

f) Consider and act on identified views and objections;

g) Respond to requests for interpretations of the standard(s) developed by the committee;

h) Comply with committee procedures and revisions thereof; and,

i) Other matters requiring committee action as provided in these procedures.

### **2.2 Secretariat**

The ICC Codes and Standards Council (CSC) shall be responsible for maintaining the Secretariat for the Standards Committees. The actions and activities of the Secretariat may be assigned to ICC technical staff.

The Secretariat shall:

a) organize the committee;

b) perform administrative work, including secretarial services; meeting notices and arrangements; preparation and distribution of meeting agendas, minutes, ballots, and draft standards, and maintenance of adequate records;

- c) process membership applications and notification of employment changes;
- d) review of the committee membership, considering expertise, balance, geographical representation, and individual contributions, and taking into account changes in the nature of the committee's scope and changes in the interest category of the members;
- e) maintain all records pertaining to the committee, including committee activities;
- f) maintain a roster of the committee, subcommittees and task groups and a list of standards for which the committee is responsible;
- g) issue formal notifications;
- h) submit standards for public review;
- i) issue and administer ballots, conduct recorded votes at meetings, and participate in the resolution and disposition of negatives and late ballots;
- j) publish approved standards, revisions and supplements;
- k) process interpretations;
- l) oversee the committee's compliance with these Procedures;
- m) process appeals;
- n) process revisions to these Procedures;
- o) publish announcements in the media concerning standards activity, including work program announcements;
- p) be responsible for ongoing maintenance and reporting of standards:
- q) develop a standard development schedule: and,
- r) perform other administrative functions as required by these Procedures.

## **2.3 Standards Committee Records**

### **2.3.1 Availability**

Standards Committee records shall be available in the public domain for directly and materially interested parties, subject to retention in accordance with Section 2.3.2.

### **2.3.2 Retention**

Records shall be prepared and maintained to provide evidence of compliance with these procedures. Records concerning new, revised, or reaffirmed Canadian National Standards shall be retained for one complete standards cycle, or until the standard is revised. Records concerning withdrawn standards shall be retained for five years from the date of withdrawal of the standard.

## **2.4 ICC Board of Directors Responsibility**

The ICC Board of Directors shall:

- a) approve initiation of a standard project;
- b) adopt committee procedures and revisions thereof;
- c) appoint new committee members;
- d) approve termination of the committee;
- e) approve withdrawal of an existing standard;

- f) approve discontinuance of standard projects; and,
- g) approve a change in the committee or Standard scope.

## 2.5 ICC Codes and Standards Council Responsibility

The ICC Codes and Standards Council shall:

- a) consist of representatives from trade associations, testing laboratories, professional consultants, governmental regulators and utilities that were appointed by ICC's Board of Directors.; and,
- b) where required, consider and act on conflicts with other National Standards of Canada to comply with the Duplication Resolution Mechanism (DRM) in accordance with Section 6 of the Canadian Standards Development Program Overview.

## 3 Standards Committee

### 3.1 General

The committee shall consist of members having a direct and material interest in the activities of the committee. The addition or termination of members shall be subject to approval of the ICC Board of Directors.

### 3.2 Membership Application

Applications for membership shall be addressed to the ICC Secretariat, shall indicate the applicant's direct and material interest in the committee's work and shall show the applicant's qualifications and willingness to participate actively.

### 3.3 Review of Membership

The ICC Secretariat shall review the membership list periodically with respect to the criteria of this Section 3.4. Members are expected to fulfill obligations of active participation. Where a member is found in habitual default of these obligations, the ICC Secretariat shall direct the matter to the ICC Board of Directors for appropriate action, which may include termination of membership.

### 3.4 Interest Categories

All appropriate interests that might be directly and materially affected by the standards activity of the committee shall have the opportunity for fair and equitable participation without dominance or imbalance by any single interest, individual or organization. The interest categories are subject to revision by the ICC Board of Directors upon recommendation by the ICC Secretariat. Members appointed to serve on the Standards Committee shall be classified as a representative in one of the following definitions:

- a) **Manufacturer:** Individuals assigned to the Manufacturer Interest category are those who represent the interests of an entity, including an association of such entities that produces an assembly or system subject to the provisions within the committee scope.
- b) **Builder:** Individuals assigned to the Builder Interest category are those who represent the interests of an entity, including an association of such entities that builds, installs or maintains an assembly or system subject to the provisions within the committee scope.
- c) **Standards Promulgator/Testing Laboratory:** Individuals assigned to the Standards Promulgator/Testing Laboratory Interest category are those who represent the interests of an entity, including an association of such entities that provides independent standards promulgation or laboratory testing of an assembly or system subject to the provisions within the committee scope.

- d) **User:** Individuals assigned to the User Interest category are those who represent the interests of an entity, including an association of such entities, which is subject to the provisions or voluntarily utilize the provisions within the committee scope, including designers, architects, consultants and building owners.
- e) **Utility:** Individuals assigned to the Utility category are those who represent the interests of an entity, including an association of such entities, which supplies power or water or accepts wastewater from an assembly or system subject to the provisions within the committee scope.
- f) **Consumer:** Individuals assigned to the Consumer Interest category are those who represent the interests of an entity, including an association of such entities that represent the ultimate purchaser of the assembly or system subject to the provisions within the committee scope.
- g) **Public Segment:** Individuals assigned to the Public Segment Interest category are those who represent the interests of an entity, including an association of such entities that represent a particular group of the public that benefits from the assembly or system subject to the provisions within the committee scope.
- h) **Government Regulator:** Individuals assigned to the Government Regulator Interest category are those who represent the interests of an entity, including an association of such entities, representing the entities that promulgate or enforce the provisions within the committee scope.
- i) **Insurance:** Individuals assigned to the Insurance Interest category are those who represent the interests of an entity, including an association of such entities, that insure subject to the provisions or voluntarily utilize the provisions within the committee scope, including insurance related inspection agencies.

### 3.5 Officers

At a minimum there shall be a chair and a vice-chair. Applicants interested in the chair and vice-chair positions shall be considered and appointed by the ICC Board of Directors at the time of Standards Committee appointments. Each will serve until a successor is selected and ready to serve. The vice-chair shall carry out the chair's duties if the chair is temporarily unable to do so.

### 3.6 Membership Size of Standards Committees

The CSC or ICC Secretariat shall determine the size of each Standards Committee (minimums and maximums) to ensure that:

- a) interests are adequately represented;
- b) balance of representation is maintained and there is appropriate Canadian participation; and
- c) the Standards Committee is able to function efficiently.

### 3.7 Membership Roster

The ICC Secretariat shall maintain a current and accurate committee roster and shall make it available on the ICC website and distribute it to the members periodically. The roster shall include the following:

- a) Title of the committee and its designation;
- b) Scope of the committee;
- c) Secretariat: name of organization, name of secretary, and address(es);
- d) Officers: chair and vice-chair;
- e) Members name, representation and business affiliation;

- f) Interest Category of each member; and,
- g) Tally of Interest Categories; total of voting members and subtotals for each interest category.

### **3.8 Alternates**

Committee members may appoint an individual authorized to act for a member of a committee in that member's absence subject to the approval of the ICC Board of Directors. The alternate's expertise shall correspond to the member's interest category. Each alternate shall represent only one voting member.

### **3.9 Representation of Members**

There shall be no more than one voting member from any given company or organization on any given Standards Committee.

### **3.10 Changes in Employment or Affiliation**

#### **3.10.1 Notification of Changes**

Standards Committee members shall notify the Secretariat of any changes in employment or affiliation affecting their interest category designation or voting interest and shall submit a new application if continued membership on the Standards Committee is desired.

#### **3.10.2 Review of Alternate**

The continued participation of a previously appointed alternate shall be reviewed at the same time as that of the member changing affiliation or employment.

### **3.11 Subgroups Created by the Committee**

#### **3.11.1 Subgroups**

When one or more subgroups (subcommittees, working groups, technical subcommittees, project teams, writing groups, etc.) are formed to expedite the work of the Standards Committee, their formation (and later disbandment) requires approval by a majority vote of the Standards Committee. The scope and duties delegated to the subgroup shall be approved at the time it is formed, and subsequent changes in scope or duties shall also require approval. The charge to the subgroup shall clearly state whether:

- a) The subgroup is responsible for the definitive content of one or more standards and for responding to views and objections thereon. Such subgroups shall comply with these procedures; or,
- b) The subgroup is responsible for assisting the committee (e.g. draft all or a portion of a standard, drafting responses to comments, draft positions on international standards, or other purely advisory functions).

Membership on subgroups may include interested parties who are not members of the Standards Committee. Balance representation shall not be required on subgroups and a quorum shall not be required when conducting subgroup business.

#### **3.11.2 Approval of Standards**

Draft standards and any substantive change in the content of a standard proposed by a subgroup shall be referred to the Standards Committee for approval.



### **3.11.3 Subgroup Identification**

A subgroup roster that includes the subgroup title and scope, and identifies the Chair and other members by name, representation and affiliation shall be made publicly available.

## **4 Standards Committee Meetings**

### **4.1 Open Meetings**

Standards Committee meetings shall be held to conduct business, such as making assignments, receiving reports of work, considering draft standards, resolving differences among subgroups, and considering views and objections from any source. Meetings of the Standards Committee shall be open to all members and interested parties having a direct and material interest.

### **4.2 Notification**

At least a 30-day notice of scheduled in-person meetings shall be given by the ICC Secretariat in media designed to reach directly and materially affected interests. This notice can be reduced to a 14-day notice for virtual committee meetings. The notice shall describe the purpose of the meeting and shall identify a readily available source for further information. An agenda shall be available and shall be distributed in advance of the meeting to members and to others expressing interest. The ICC Secretariat may optionally maintain a permanent mailing list of other interests.

### **4.3 Executive Sessions**

Meetings may be held in executive session, as necessary and when directed by the Standards Committee Chair, for considering administrative and other sensitive issues not related to the technical content of any standards or the disposition of ballots or public comments. Attendance at executive sessions shall be limited to Standards Committee members and the ICC Secretariat.

### **4.4 Quorum**

A majority of the members of the committee shall constitute a quorum for conducting business at a meeting. If a quorum is not present, actions may be taken subject to confirmation by letter ballot. If a quorum is truncated during the course of a meeting, business may still be conducted by the committee for later approval when a quorum is present during the same or later meeting or confirmation by letter ballot.

### **4.5 Parliamentary Procedures**

On questions of parliamentary procedure, Robert's Rules of Order shall apply.

## **5 Notifications, Development, Public Review, and Publishing**

### **5.1 Notifications of Standards Activities**

#### **5.1.1 General**

The Canadian public shall be notified at specific stages in the development process subject to these procedures and appropriate timelines through the Notice of Intent (NOI) submitted to the Centralized Notification System (CNS) platform in accordance with the following:

- a) Proposals for new standards, reaffirmation, revision, amendments or withdrawal of existing standards shall be provided through NOI submitted to the CNS platform in either English or French or both.
- b) The NOI shall be updated if there are substantive alterations to the scope and title of the originally proposed NOI.

c) The content of the NOI's shall include:

- i) Designation number
- ii) Title
- iii) Scope
- iv) Project Need
- v) ICC's Contact information
- vi) ICS codes

d) ICC shall issue a new NOI when International harmonized stage code 10, Proposal stage, has not been met within a maximum timeframe of 12 months.

e) Any substantive changes made to a draft standard subsequent to public review shall be subjected to an additional public review, in accordance with Item (c).

f) Evidence shall be retained once a standard has undergone complete due process and is ready for publication.

(g) The Secretariat shall verify compliance with these procedures and the development process as a second level review prior to publishing the completed standard for submittal to SCC.

(h) Upon publication, a copy of the standard shall be submitted to SCC including electronic copies of new standards, new editions, amendments reaffirmations and the underlying metadata.

(i) Upon Completion, the Canadian public shall be notified that a standard has been completed. Published standards may be commented at any time, and such comments shall be referred to the responsible Standards Committee or Subcommittee for consideration or reserved until the required revision cycle.

## **5.1.2 Public Review Period**

### **5.1.2.1 Sixty Day Public Review Period**

Prior to final approval, Standards shall be available for public review for at least 60 calendar days except when it is determined that a 45-day public review is appropriate in accordance with Section 5.1.2.2. All comments received, regardless of place of origin, shall be considered by the standards committee. The Canadian public shall be notified of standards available for public review. The minimum information provided in the notice shall include:

- a) the start and end dates of the review period; and,
- b) indication of how and where to obtain a copy of the standard draft.

Fees charged for this service, apart from the real costs of delivery, should be the same for foreign and domestic parties. The minimum period of 60 calendar days may be shortened with appropriate rationale and action to proactively inform affected stakeholders. Appropriate rationale may involve urgent health and safety reasons for the public or the environment.

### **5.1.2.2 Forty-Five Day Public Review Period**

The public review period of a standard may be shortened to 45 calendar days when determined that urgent problems of safety, health or environment arise or threaten to arise. In this case, the Secretariat shall:

- a) Proactively notify affected stakeholders and where the draft standard can be obtained;
- b) Make the draft standard available in an electronic format within one day of a request; and,
- c) Specify the public review period start and end dates.

### **5.1.3 Work Program**

#### **5.1.3.1 CNS for Submitting Work Program Content**

The public shall have the ability to follow the Standards development progress through use of the ICC Work Program Table on the CNS platform. The ICC's Work Program content shall be provided to SCC to be published at least once every six months and to assist with SCC's publication of the ICC Work Program content, it should be entered into the CNS in January and July.

The ICC Work Program Table shall be publicly available on ICC's Standards Development website, and a copy shall be provided upon request. Fees charged for this service, apart from the real costs of delivery, should be the same for foreign and domestic parties. Notice of the ICC work program shall include the name and address of the standardizing body, the name and issue of the publication in which the work program is published, the period to which the work program applies, its price (if any), and how and where it can be obtained.

#### **5.1.3.2 Work Program Contents**

The work program provided to SCC shall include the following:

- a) The standard that is currently being prepared;
- b) The standards published in the preceding period;
- c) The classification relevant to the subject matter of the standard using the International Classification of Standards Codes (ICS);
- d) The development-stage code and start date, based on the ISO International harmonized stage codes;
- e) The public review comment period start and end dates; and,
- f) References to any International Standards taken as a basis.

#### **5.1.4 Identification of Duplication**

The Secretariat shall monitor the CNS platform for possible duplication of existing standards. Prior to drafting a standard, the CNS platform shall be used to identify duplicate standards. When duplication is identified or raised, the Duplication Resolution Mechanism (DRM) shall be used in accordance with Section 6.1 of the Canadian Standards Development, Program Overview.

### **5.2 Processing of Public Review Comments**

#### **5.2.1 Resolution of Public Comments**

The Standards Committee shall give prompt consideration to the expressed views and objections of all participants commenting on the Standards drafts and attempt to resolve all public comments with the consideration of subcommittee (if any) input. Each commenter shall be notified, in writing, of the Standards Committee's decisions and reasons thereof regarding the resolution and disposition of their comments.

#### **5.2.2 Proposal Consideration**

Proposals for the development of new or revised standards shall be considered in a timely manner.

#### **5.2.3 Disposition of Comments**

The Chair or Secretariat shall determine which comments are editorial and which are substantive (i.e. technical). Editorial comments shall be resolved by the Secretariat with the commenter. Comments not

related to the matters being offered for public review shall be ruled non-germane and may be retained and considered as new proposals during the next development cycle with the agreement of the commenter.

#### **5.2.4 Non-persuasive or Non-germane Comments**

Comments ruled non-persuasive or non-germane shall be considered resolved if, within 7 calendar days of receiving a notification, the commenter does not respond in writing indicating that he or she wishes to have the comment reported as unresolved.

#### **5.2.5 Substantive Comments**

Substantive (technical) comments shall be resolved by the Standards Committee. Unresolved objections along with attempts at resolution and negative ballot comments, shall be reported to the committee members as a recirculation ballot, in writing, in order to afford all members an opportunity to respond to them or to reaffirm or change their votes within two weeks. Membership intending to change their vote shall notify the Secretariat in writing of their intention.

#### **5.2.6 Comments After Public Review Period Deadline**

Comments received subsequent to the closing of the public review and comment period may be considered, or they shall be considered for the next revision cycle.

### **5.3 Recording, Publishing, and Maintenance Including Amendments Reaffirmations and Withdrawals**

#### **5.3.1 Recording Records**

Records of the standards development activities shall be prepared and maintained.

#### **5.3.2 Publishing**

Standards shall only be published following a "Second Level" review as required in accordance with Section 5.1.1(g) to verify compliance with these procedures. Evidence of the "second level" approval shall be retained. Standards that have been approved by the Standards Committee for publication shall be published promptly, and made available under reasonable terms and conditions. Any fees charged for this service shall, apart from the real costs of delivery, be the same for foreign and domestic parties.

#### **5.3.3 Maintenance**

##### **5.3.3.1 General**

All Standards shall be responsive to stakeholder needs and reviewed on a periodic basis to ensure they reflect the current state of the industry and remain technically relevant. The schedule for periodic review of each Standard shall be included in the front matter of the Standard and the Secretariat shall initiate the Standards Committee review of each standard within an established timeline. In the event that no updates are issued for a period of four years from the date of publication, action to update (new edition or revision), reaffirm, or withdraw the Standard shall be initiated in accordance with these procedures.

##### **5.3.3.2 Periodic Maintenance**

Standards shall be kept current and relevant by committee review of the entire document and the outcome activity completion (publication or withdrawal) not to exceed five years from the date of publication.

##### **5.3.3.3 Continuous Maintenance**

When technical change is required, ICC shall:

a) validate technical changes with the Standards Committee;

- b) take appropriate action in order to address the issue(s); and,
- c) notify affected stakeholders/public.

#### **5.3.3.4 Stabilized Maintenance**

A Standard under stabilized maintenance shall meet the following:

- a) addresses mature technology/practices;
- b) is not health or safety related; and,
- c) is a published standard that has been reaffirmed at least once.

#### **5.3.4 New Editions and Revisions**

When a new edition is developed or an existing Standard is revised to incorporate technical changes, it shall comply with these Policies and Procedures.

#### **5.3.5 Reaffirmation**

A reaffirmation shall comply with the requirements specified in these Policies and Procedures.

#### **5.3.6 Withdrawal**

When considering the withdrawal of a National Standard of Canada, the Standards Committee shall consider the impact on Canadian legislation, in particular where a standard may be referenced. If a NSC is withdrawn and is included in the listings of standards for sale, it shall be clearly identified as withdrawn. If it is sold, the status of withdrawn as an NSC shall be included on the cover of the Standard itself. When a Standard fails to meet the requirements of these procedures, the Standard shall be withdrawn. The SCC and Canadian public shall be notified when a Standard has been withdrawn. The ICC Board of Directors is authorized to withdraw a Standard subject to this section.

## **6 Voting Procedures**

### **6.1 General**

The approval process shall be based on evidence of consensus reached by the Standards Committee. The approval process shall not be used to delay the promulgation of Standards.

### **6.2 Ballots**

#### **6.2.1 Letter Ballots**

Approval, revision, reaffirmation, interpretations and withdrawal of standards shall be approved by letter ballots of the Standards Committees. The Secretariat shall issue and tally the ballots. All voting members have the obligation to vote, and votes may be submitted by the members or their alternates when members are not present.

#### **6.2.2 Authorization of Letter Ballots**

A letter ballot may be authorized by any of the following:

- a) majority vote of those present at a Standards Committee meeting;

- b) the Chair;
- c) the Secretariat; or,
- d) petition of five or more members of the Standards Committee.

### **6.3 Vote Options**

Each voting member shall vote using one of the following four options:

- a) Affirmative;
- b) Affirmative with comment;
- c) Negative with reasons: When the technical content of the draft is deemed unacceptable, in error, or incomplete. The reasons for a negative vote shall be given and if possible should include specific wording or actions that would resolve the objection; or
- d) Abstain with reasons.

### **6.4 Voting Period**

#### **6.4.1 Ballots**

The voting period for letter ballots shall not be less than 30 calendar days from the date of issue or as soon as all ballots are returned, whichever comes earlier. An extension may be granted at the Chair's option, when warranted. A follow-up notification requesting return of the ballot shall be sent, as appropriate, to members whose votes have not been received within ten working days before the ballot closes.

### **6.5 Numerical Criteria for Approvals**

#### **6.5.1 Requirements for Approval**

Approvals, revisions, reaffirmations, withdrawals, substantive changes to, interpretations of Standards and change of committee scope shall be considered approved when the following conditions have been met:

- a) more than 50% (simple majority) of the members who are eligible to vote cast affirmative votes; and;
- b) the number of affirmative votes cast shall constitute at least two-thirds of the votes cast, excluding abstentions and negatives without reasons.

A change of committee scope shall be subject to the ICC Board of Directors approval.

#### **6.5.2 Actions Requiring Approval by a Majority**

The following actions require approval by a majority of the membership of the Standards Committee either by formal recorded vote at a meeting or by letter ballot:

- a) confirmation of officers;
- b) approval of minutes and agendas;
- c) formation of, or modification of, a subgroup, including its scope and duties;
- d) disbandment of subgroups; and,
- e) disposition of public comments received during public reviews.

### **6.5.3 Resolution of Negative Comments**

Approvals shall require, in addition to the numerical requirements of Section 6.5.1, that all negative votes with reasons be resolved in accordance with Section 6.7.

## **6.6 Ballot Records**

### **6.6.1 Report of Final Results**

The final result of the voting shall be reported to the Standards Committee and include:

- a) number of voting members;
- b) number of voting members voting affirmatively;
- c) number of voting members voting negative with reasons;
- d) number of voting members voting negative without reasons;
- e) number of voting members abstaining with reasons; and,
- f) number of voting members not returning ballots.

### **6.6.2 Unresolved Objections**

Prompt consideration shall be given to negative ballot comments. All unresolved objections and attempts at resolution shall be designated as such and recirculated to the Standards Committee in accordance with Section 6.7.4.

## **6.7 Negative Votes**

### **6.7.1 Decisions on Comments**

The Secretariat or Chair shall determine whether comments received with a negative vote are technical (substantive) or editorial. Editorial comments received with negative votes may be:

- a) resolved by the Chair or Secretariat with concurrence of the vote submitter; or,
- b) be processed in accordance with Section 6.9.

### **6.7.2 Negative Votes**

Negative votes with reasons may be resolved and dispositioned by the Chair and the Secretariat by taking one or more of the following actions:

- a) attempt to resolve the negative vote directly with the vote submitter and have the negative vote changed to affirmative.
- b) rule the negative vote non-persuasive if the Chair and the Secretariat find the comment non-persuasive.
- c) rule the negative vote non-persuasive if the reasons for the vote have previously been considered and not accepted by the Standards Committee. Such decisions shall be supported by committee records.

d) rule the negative vote non-germane if:

- i) it is not accompanied by supporting reasons; or
- ii) the supporting reasons are not relevant to the items being balloted.

Non-germane votes shall be considered as not cast for the two-thirds affirmative votes' requirement in Section 6.5.1(b).

### **6.7.3 Rulings and Technical Changes**

In all cases, the rulings and technical changes to the Standards shall be confirmed by ballot or recorded vote and properly documented.

### **6.7.4 Notification of Activity**

Substantive changes, unresolved negative ballot comments and objections along with attempts at resolution shall be reported to the Standards Committee members, in writing, in order to afford all members an opportunity to respond to them or to reaffirm or change their votes within 14 days. Membership intending to change their vote shall notify the ICC Secretariat in writing of their intention. Recirculation negative votes shall be limited to the following:

- a) support of unresolved ballot or public review comments; and
- b) disagreement with any changes introduced to the standard.

If resolution is not achieved, each objector shall be informed in writing that an appeals process is available in accordance with these procedures.

### **6.8 Negative and Abstention without Justification**

Negative votes without reasons, abstentions without reasons, as well as unreturned and blank ballots, shall be considered not cast.

### **6.9 Comments**

Comments accompanying affirmative votes, comments accompanying abstentions, and editorial comments accompanying negative votes addressed in Section 6.7 shall be considered by the Secretariat as new proposals during the next development cycle in accordance with Section 5.1.1. The submitter of the comment shall be so notified.

### **6.10 Late Votes**

The Chair and the Secretariat shall decide whether negative votes submitted after the closing date of a ballot should be considered as new proposals during the next development cycle so as not to delay the publication of the standard.

## **7 Interpretations, Inquiries and Requests**

### **7.1 Purpose**

The purpose of the Standards Committee's activity is to provide official comments on the meaning and intent of the provisions of the Canadian National Standard for which the Standards Committee is responsible. It shall be the responsibility of the Standards Committee to review and ballot on preliminary Standards Committee Interpretations in accordance with the procedures indicated herein. A preliminary Standards Committee Interpretation approved by the Standards Committee will be issued by the Secretariat as a Standards Committee Interpretation.



## **7.2 Standards Committee Interpretations**

### **7.2.1 Purpose**

A Standards Committee Interpretation is intended to interpret the literal text of the standard and/or to interpret the intent of the text based upon the development of the Standard. Standards Committee Interpretations are intended to represent the official position of the Standards Committee. Any other statement either written or oral shall not be considered, referred to, or relied upon as a Standards Committee Interpretation.

### **7.2.2 Intent**

The intent of the Standards Committee Interpretation process is to clarify issues which do not appear to be addressed directly by the standard and are hence interpretive in nature. A request for a Standards Committee Interpretation will not be processed if such a request involves:

- a) a determination of compliance of a specific product, design or installation;
- b) a determination of compliance of an equivalency of protection;
- c) a review of a project's plans or specifications;
- d) a judgment or knowledge that is not readily available in the inquiry or which can only be acquired as a result of an on-site inspection;
- e) text that clearly provides the requested information; or,
- f) an issue which cannot be clearly and concisely phrased in the question asked.

## **7.3 Processing**

### **7.3.1 Requests**

A request for a Standards Committee Interpretations may be submitted by any person and shall be submitted in writing to the Secretariat.

### **7.3.2 Evaluation**

Each request received will be reviewed by a three-person panel, appointed by the Chair for conformance to 7.2.2. Any request not conforming with 7.2.2 will be returned to the inquirer with an explanation.

### **7.3.3 Preliminary Interpretation**

The Secretariat processes each request, providing answers and reasons for the answers to the interpretation questions, and distributes the request to each Standards Committee member for deliberation and ballot.

### **7.3.4 Ballot Return**

Standards Committee members must vote approval or disapproval and return the ballot within 20 calendar days from time of receipt. A disapproval vote of the interpretation must be accompanied by the reason for disapproval.

## **7.4 Committee Voting**

### **7.4.1 First Ballot**

A unanimous approval vote by the Standards Committee is required for the interpretation to be approved on the first ballot. If one or more Standards Committee member votes for disapproval on the first ballot, the interpretation request is returned to the committee for re-ballot with the reasons as given by the members voting for disapproval.

### **7.4.2 Second Ballot**

Sixty Seven percent (67%) approval votes are required on the second ballot for acceptance. If there are less than sixty seven percent (67%) approval votes, the interpretation request shall be considered unresolved pending action in 7.4.3.

### **7.4.3 Unresolved Interpretations**

Unresolved requests for interpretations shall be rewritten by the Secretariat, after due consideration of negative comments, and resubmitted for voting in accordance with 7.4.1 and 7.4.2. Should this re-voting fail to gain the necessary sixty seven percent (67%) positive votes, the Secretariat shall notify the requesting party in writing, citing the negative comments as reason for failure to reach a committee consensus, and a Standards Committee Interpretation shall not be issued.

## **7.5 Interpretation Distribution**

Standards Committee Interpretations shall be distributed in writing to the requestor and shall be made publicly available by ICC.

## **7.6 Inquiries and Complaints**

The Secretariat shall address, in a timely manner, inquiries and complaints from another SDO that has accepted the WTO/TBT Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards.

## **7.7 Information Requests**

The Secretariat shall provide standards development related information on request, within the limits of applicable privacy legislation.

## **7.8 Records**

Complete records of matters pertaining to Standards Committee Interpretations shall be maintained by the Secretariat for a period of one complete cycle or until the standard is revised.

# **8 Complaints and Appeals**

## **8.1 Criteria for Appeal**

Persons who have directly and materially affected interests and who have been or will be adversely affected by any procedural action or inaction by a standards developer with regard to the development of a proposed National Standard of Canada or the revision, reaffirmation, or withdrawal of an existing National Standard of Canada, have the right to appeal. The burden of proof to show adverse effect shall be on the appellant. Appeals shall be directed to the Secretariat. Appeals shall be processed in accordance with Section 8.

## **8.2 Complaint**

The appellant shall file a written complaint with the Secretariat within thirty days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objections, including any adverse effects, the section(s) of these procedures or the standard that are at issue, actions or inactions that are at issue, and the specific action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted.

## **8.3 Response**

Within thirty days after receipt of the complaint, the respondent (Chair or Secretariat representative) shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

## **8.4 Hearing**

If the appellant and the respondent are unable to resolve the written complaint informally in a manner consistent with these procedures, the appellant may, within ten working days of receiving the response required in Section 8.3, submit a request for an appeal hearing to the Secretariat. Upon receiving such a timely request, the Secretariat shall schedule a hearing with an appeals panel on a date agreeable to all participants, giving at least ten working days notice. If the appellant does not submit a timely request for an appeal hearing, the appeal shall be considered resolved and no hearing shall take place.

## **8.5 Appeals Panel**

An appeals panel shall consist of three individuals who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the dispute. The members of an appeals panel shall be chosen to reflect interest categories as described in Section 3.4, to the extent practical. Members of an appeals panel shall act at all times in a manner that promotes confidence in the integrity and impartiality of ICC's processes and procedures. No person shall serve on an appeals panel in connection with an appeal where that person:

- a) has performed any investigative or other functions directly related to the matter being appealed;
- b) has a financial, property, business or personal interest in the matter being appealed; or,
- c) has an actual or apparent conflict of interest in connection with the matter being appealed.

At least two members of an appeals panel shall be acceptable to the appellant, and at least two members of an appeals panel shall be acceptable to the respondent. Where the parties to the appeal cannot agree on an appeals panel within a reasonable amount of time, the matter may be referred to the CSC which shall appoint members of that appeals panel.

## **8.6 Conduct of the Hearing**

The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The respondent has the burden of demonstrating that the Standards Committee and the Secretariat took all actions in compliance with these procedures and that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments, and members of an appeals panel may address questions to individuals. *Robert's Rules of Order* (latest edition) shall apply to questions of parliamentary procedure for the hearing not covered herein.

## **8.7 Decision**

An appeals panel shall render its decision in writing within thirty days, stating findings of fact and conclusions, with reasons therefor, based on a preponderance of the evidence. The appellant and respondent shall receive a copy of the appeals decision. Consideration may be given to the following positions, among others, in formulating the decision:

- a) finding for the appellant, remanding the action to the Standards Committee or the Secretariat with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;
- b) finding for the respondent, with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections; or,
- c) finding that new, substantive evidence has been introduced, and remanding the entire action to the Standards Committee or the Secretariat for appropriate reconsideration.

The appellant shall be notified of the option to go to SCC if they are not satisfied with the appeals panel decision. The Secretariat shall provide SCC contact information to the appellant.

## **9 Anti-trust Compliance Guidelines, Conflict of Interest, Metric, and Patent Policies**

### **9.1 Anti-trust Compliance**

To minimize the anti-trust risks (i.e. pricing, production, bidding, markets, etc.) of ICC Canadian Standards development, participants should comply with ICC Council Policy 50 – Antitrust Compliance Guidelines.

### **9.2 Conflict of Interest**

Standards Committee members and participants shall comply with ICC Council Policy 7, Section 5.1.10 – Representation of Interests in the development of ICC Canadian standards.

### **9.3 Patent Policy**

ICC shall comply with the current ISO/IEC Directives, Part 1, — Consolidated ISO Supplement — Procedures specific to ISO.

### **9.4 Units of Measurement**

Standards shall be developed using SI (metric) and if applicable, equivalent Imperial/U.S. inch/pound units or other units of measurement. ISO 80000 series of standards shall be used to ensure clear and concise application of SI units, including conversions to and from other systems of measurement.

### **9.5 Date and Time Units**

All-numeric date and time units shall comply with ISO 8601.

## **10 Coordination and Harmonization**

### **10.1 Reference**

Standards shall reference and utilize, to the extent possible, requirements from existing international and regional Standards. A list shall be created identifying the existing standards considered for reference during the standards development process. Good faith efforts shall be made to resolve potential conflicts between and among existing standards and candidate standards.

### **10.2 Definition of Conflict**

Conflict within the standards development process refers to a situation where, viewed from the perspective of a future implementer, the terms of one standard are inconsistent or incompatible with the terms of the other standard such that implementation of one standard, under terms allowable under that standard, would preclude proper implementation of the other standard in accordance with its terms.

### **10.3 Standards Committees**

Standards Committees shall make a good-faith effort to resolve potential conflicts and to coordinate standardization activities intended to result in harmonized Canadian National Standards. A “good faith” effort shall require substantial, thorough, and comprehensive efforts to harmonize a candidate and existing standards, and shall include, at minimum, compliance with all relevant sections of these Policies and Procedures.

### **10.4 ISO/IEC SCC Mirror Committees**

Priority shall be given within the limits of resources to participate in the preparation of international and regional standards which are expected to be developed or adopted.

To ensure coordination of national and international activity within the applicable scope, harmonization of ISO/IEC SCC Mirror Committees with the Standards Committee is done in accordance with SSC’s harmonization requirements.

## **11 Revisions to These Policies and Procedures**

### **11.1 Proposals**

All proposals and revisions to these Policies and Procedures are subject to approval of the ICC Board of Directors.

### **11.2 Approval and Implementation**

The Secretariat shall notify the SCC of approved changes and revisions to these Policies and Procedures.

## **Annex A**

### **Referenced Documents**

ICC Council Policy #7 – Committees and Members

ICC Council Policy #50 – Antitrust Compliance Guidelines

ISO 3864 (Series) Graphical symbols -- Safety colours and safety signs  
Part 1: Design principles for safety signs and safety markings  
Part 2: Design principles for product safety labels  
Part 3: Design principles for graphical symbols for use in safety signs  
Part 4: Colorimetric and photometric properties of safety sign materials

ISO 8601 Data elements and interchange formats — Information interchange —  
Representation of dates and times

ISO 80000 Quantities and units,  
Part 1: General  
Part 2: Mathematical signs and symbols to be used in the natural sciences and  
technology  
Part 3: Space and time  
Part 4: Mechanics  
Part 5: Thermodynamics  
Part 7: Light  
Part 8: Acoustics  
Part 9: Physical chemistry and molecular physics  
Part 10: Atomic and nuclear physics  
Part 11: Characteristic numbers  
Part 12: Solid state physics

ISO/IEC Directives, Part 1, — Consolidated ISO Supplement — Procedures specific to ISO

#### **Standards Council of Canada (SCC):**

Canadian Standards Development

Program Overview

Requirements and Guidance – Accreditation of Standards Development Organizations

Requirements & Guidance – National Adoptions of International/Regional Standards and Other  
Deliverables

WTO/TBT

World Trade Organization, Agreement on Technical Barriers to Trade