

6 December 2016

Dear Member,

IESSA's Response to the Compulsory Specification VC 9012 Proposed by the NRCS on 1 December 2016

Background:

The National Regulator for Compulsory Standards (NRCS) held a consultation meeting with IESSA representatives and other stakeholders on 3 November 2016, to further discuss the draft compulsory specification for electric luminaires (VC 9012).

This followed on the previous stakeholders meeting, held on the 6 July 2016, where it was decided that the NRCS will engage with the Department of Trade and Industry (**the dti**) on the way forward regarding the scope of the compulsory specification and that the final draft will be circulated to all stakeholders for comment before promulgation. The engagement between **the dti** and NRCS resolved that a consultation meeting with key role players (including municipalities, which were not part of the previous consultations) should be convened to further discuss the scope of this regulation.

IESSA was represented by Mr Daniel Kasper (IESSA Council member and official IESSA spokesperson for VC 9012), Ms Natasha Nel-Sakharova (IESSA President) and Mr Sekwanele Kubeka (IESSA Technical Committee Chair). In addition, Mr Connie Jonker and representatives from NRCS, **the dti**, City Power and SABS Lighting Technology laboratory participated. A new draft compulsory specification was circulated for discussion with the meeting invitation on 20 October 2016. This document differed significantly from the draft discussed at the previous stakeholder meeting. The scope no longer referred to luminaires used by ordinary persons, but now covered all luminaire types, including street lights.

The main topics for discussion were:

- Scope. One of the participants argued that all luminaires shall comply with the national standard in accordance with the requirements of Section 55 of the Consumer Protection Act and that there was therefore no purpose in discussing the scope of the compulsory specification any further (*This was not the view put forward by IESSA.*)
- A phase-in period for all exclusions in the current VC 8055 specification. (IESSA added this provision in response to the possibility of an amended scope as given above and stated that a period of at least 24 months is required);
- The power factor specifications for luminaires to be removed and replaced with a statement that the calculated value will be sufficient but it should be covered in the type test report or marked on the label (with a maximum tolerance of 10%), removing the requirement for a test certificate to prove compliance;
- A standard issued by different standardisation bodies such as ISO and EN, will only be accepted if it is proven, in the form of a declaration report from an accredited conformity assessment body, that they are technically equivalent to the relevant South African National Standard, or equivalent IEC standard.
- The view that there was no need for a compulsory specification was reiterated.

Participants from the lighting industry requested that the efficiency of the administrative process for issuing a Letter of Authority (LOA) be discussed. It was added to the agenda, however it was understood that the NRCS and **the dti** representatives at this meeting were not authorised to make binding decisions regarding the LOA administrative process.

The long service turnaround time (and backlogs), significant volumes of applications to be added once VC 9012 is promulgated, cost implications and time delays due to the SABS Product Testing laboratories' termination of partial testing, and significant cost burdens to lighting companies, especially SMMEs, were raised. Unless these challenges are quickly and efficiently addressed, implementation of VC 9012 will be severely problematic.

The NRCS representatives are responsible for preparing the proposed final draft from the input received during this consultation meeting for stakeholder comment prior to submission for Ministerial approval.

IESSA's Response:

The compulsory specification VC 9012 proposed by the NRCS on 1 December 2016 does not accurately reflect input given by the IESSA representatives during the preceding stakeholder meetings arranged by the NRCS. The minutes for the meeting held on 3 November 2016 incorrectly states that "IESSA supports inclusion of all luminaires under SANS 60598 series of standards...". This position was argued by a participant attending in his personal capacity, who was not representing IESSA.

IESSA will formally respond to the NRCS with comments on both the proposed compulsory specification drafted by the NRCS after the stakeholder meeting, as well as with corrections to the minutes. I have arranged for the deadline to be extended to 31 January 2017. Members of IESSA will be invited to submit comments on the proposed compulsory specification through an online survey to be launched by IESSA this week. The input received will be used to draft the formal IESSA response.

Way Forward:

To ensure an effective solution for all stakeholders, it is imperative that the lighting industry engages with the relevant public entities on the current urgent matters (VC 9012 and efficiency of the LOA process) in a unified and determined, yet systematic and professional manner. IESSA is leading this process on behalf of its members. This includes regular consultation and feedback opportunities for members, both through events and electronic media.

The efficiency of the administrative process for issuing a LOA and the suitability of this process for its intended purpose, is a matter which IESSA is pursuing further with the relevant authorities. In doing so, it is necessary for the Society to reference reliable statistics regarding the negative impact the LOA system currently has on the lighting industry and how the implementation of the proposed compulsory specification VC 9012, will further impact the lighting industry. IESSA has undertaken to draft such a report and the procedure for collating the data, with input from members and other sources, has been approved by the IESSA Council at its meeting on 15 November 2016.

On behalf of the IESSA Council, I would like to assure members that IESSA will be relentlessly pursuing all reasonable avenues to resolve these matters to the benefit of our industry and without compromising the interests of the general public. I urge members to constructively support Council in this endeavor by responding to surveys and calls for participation in committees or working groups throughout the process.

I remain committed to the Council's strive to continuously enhance membership value for IESSA. You are welcome to correspond with me in this regard by using the e-mail address below (keeping in mind that comments on VC 9012 must be done through the survey to be sent out later this week).

Yours sincerely,



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