

RULES AND REGULATIONS CONCERNING THE SAFETY OF LOW VOLTAGE EQUIPMENT

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Pursuant to Republic Act 4109, series of 1964; Executive Order No. 101, series of 1976, Executive Order No. 913, series of 1983; Executive Order No. 133T series of 1987; and Republic Act 7394, series of 1992, the following rules and regulations governing the Safety of Low Voltage Equipment that are placed in the market or put into service in the Philippines, is hereby promulgated for the guidance of all concerned.

I. OBJECTIVE

To take all appropriate measures to ensure that all electrical equipment that are placed in the market or put into service in the Philippines are

- a. constructed in accordance with good engineering practices and safety standards prevailing in the International Community
- b. installed and maintained in a manner that they do not endanger the safety or life of persons, domestic animals, and
- c. used in applications for which they were made.

To carry into effect this objective, the following requirements should be met:

1.1 Technical requirements

The electrical equipment shall be so constructed or fabricated in accordance with good engineering practices concerning safety and specified as harmonized standards, PNS or other relevant standards and technical documents. The principal elements of safety objectives are listed in Annex 1 [*] hereof.

1.2 Administrative requirements:

The manufacturers or his duly authorized representative shall comply with administrative procedures and instructions and make available the necessary records and documents required by the regulatory authority (e.g. conformity assessment procedures, marking on the product, technical files, declaration of conformity, and instructions for use if relevant).

2. SCOPE

2.1 This DAO covers electrical equipment placed in the market and designed for use with Input voltage ranging from 50 to 1000V for alternating current, and from 75V to 1500V for direct current.

2.2 This DAO shall not apply to Low Voltage Equipment (LVE) and Phenomena listed in Annex 2[*] hereof.

3. DEFINITIONS

For purposes of this DAO, the following definitions shall apply;

3.1 Accredited Laboratory - A testing, analysis or calibration laboratory, formally recognized by an official body

for its competence to carry out testing, analysis or calibrate tasks under established rules complying with ISO/IEC standard requirements.

3.2 Authorized Representative - The person or entity duly authorized in writing, by the manufacturer to act for and in his behalf.

3.3 Bureau of Product Standards (BPS) - BPS is the Philippines' National Standards Body (NSB) under the Department of Trade and Industry mandated to develop, implement and coordinate standardization activities in the Philippines. It is primarily involved in standards development and standards implementation/promotion.

3.4 Conformity Assessment - A systematic examination to determine the extent to which a product, process or service complies with specified requirements.

3.5 Conformity Assessment Body (CAB) -An official body designated by the regulatory authority to conduct Conformity assessment.

3.6 Certificate of Conformity (CoC) - A document issued by listed CABs under the rules of a certification system, providing confidence that a duly identified product, process or service is in conformity with the requirements.

3.7 Declaration of Conformity (DoC) - A declaration by the manufacturer or his duly authorized representative, that the product meets all the essential requirements provided by existing and applicable Rules and Regulations.

3.8 Department of Trade and Industry (DTI) - Under EO 133, the DTI serves as the primary coordinative, promotive, and facilitative arm for trade, industry and investment activities.

3.9 Designation - The authorization given by a Designating Body for a Conformity Assessment Body, to perform conformity assessment activities as specified under this DAO.

3.10 Designating Body - The Body appointed by a Member Country, which is given the responsibility to identify, designate and monitor Conformity Assessment Bodies as specified herein.

3.11 Harmonized Standard -A Philippine National Standard (PNS) presumed to comply with essential requirements of regulation and adopted by the regulatory authority.

3.12 Import Commodity Clearance (ICC)- A document issued by BPS-DTI attesting that the quality and/or safety of an imported product conforms to a PNS or BPS recognized international/foreign standard.

3.13 International Standard -A standard developed under the WTO principles for international standards development such as those developed by International standardization bodies like the International Organization for Standardization (ISO), International Electrotechnical Commission (IEC), International Telecommunication Union (ITU) and those developed by foreign standards bodies under these principles.

3.14 Low Voltage Equipment (LVE) also referred to as "Equipment" -All electrical or electronic equipment including components, parts, finished products, systems and installations, with input voltage rating as indicated in item 2.1

3.15 Manufacturer - The person or entity responsible for the design/manufacturer/construction/fabrication of electrical equipment and see to it that they comply with technical specifications.

3.16 Philippine National Standards (PNS) - A standard promulgated by the BPS relating to product specifications, test methods, terminologies and standardization procedures, guide lines or practices.

3.17 PS. License- A document issued by BPS-DTI to an entity to use the PS Quality and/ or Safety Certification mark for its product.

3.18 Registration mark-An indication that a regulated product has been registered with a concerned Regulatory Authority under a mandatory registration scheme of a Member Country if required.

3.19 Registration - The process by which an application filed by a supplier of a regulated product is approved by a Regulatory Authority on the basis of Certificate of Conformity issued by a listed CAB. To avoid any doubts, "Registration" does not require any conformity assessment activity by the Regulatory Authority over and above the conformity assessment by a listed CAB.

3.20 Regulatory Authority - An entity mandated by law to formulate, develop, implement and enforce rules and regulations.

3.21 Supplier - A person (natural or juridical) that places a product in the market, it includes importer, manufacturer, trader and distributor.

3.22 Technical documentation or technical file -A set of documents required to be submitted by a supplier to the Regulatory Authority, reflecting that a regulated product has been tested and certified as complying with essential requirements.

3.23 DAO - Department Administrative Order

3.24 R.A. -Republic Act

3.25 EO - Executive Order

3.26 RA4109: 1964 - An Act to Convert the Division of Standards under the Bureau of Commerce into a Bureau of Standards, to provide for the Standardization and/or inspection of Products and Imports of the Philippines and for other purposes.

3.27 R.A. 7394: 1992-The Consumer Act of the Philippines.

3.28 E.O 133:1987: Reorganizing the Department of Trade and Industry, its Attached Agencies, and for other Purposes.

3.29 E.O. 101:1976: Authorizing the Bureau of Standards to promulgate Rules and Relationships on the Marking of Goods Standardized by the Bureau.

3.30 E.O. No. 913:1983:-Strengthening the Rule-Making and Adjudicatory Powers of the Minister of Trade and Industry in Order to Further Protect Consumers.

3.31 DAO No. 01, series of 1997: - Revised Rules and Regulations concerning the Philippine Standard (PS) Quality and/or Safety Certification Mark Scheme and its Implements Guidelines.

3.32 DAONo. 02, series of 2007: Defining the Responsibilities and Liabilities of Manufacturers, Importers, Traders, Wholesalers, Distributors, Retailers, Service providers and or their Agents, with Regard to Products/Services Covered by Philippine Standard Certification Mark Schemes and Prescribing Penalties for Violation Thereof.

3.33 DAO No. 05, Series of 2001: Revised Rules and Regulations concerning the import Commodity Clearance (ICC) and its Implementing Guidelines.

4. ROUTES TO COMPLIANCE

4.1 LVE included in the List of PNS under Mandatory Product Certification dated 01 October2006 and its future amendments.

4.1.1 The product certificate for Mandatory Products shall be issued by a certification body listed as Conformity Assessment Body (listed CAB).

4.1.2 The manufacturer or his authorized representative shall;

- a. Comply with the essential requirements as referred to item 1;
- b. Issue a declaration of conformity (see Annex VI*);
- c. Retain the technical file (see Annex VII*) containing the PS license or ICC certificate to be presented on request of the authorities; and
- d. Affix PS or ICC mark (see Annex VIII*).

4.1.3 To comply with technical requirements, the manufacturer shall use a Philippine National Standard.

- a. For conformity assessment procedures DAO 1: 1997 and DAO 5:2001 and its future amendments applies according to Annex III*.
- b. For High Risk products (give the list or indicate where we find the list of high risk products), system 5 of ISO guide 67 (2004) applies according to Annex IV*.
- c. For Medium Risk products (give the list or indicate where we find the list of medium risk products), system 1 of ISO guide 67 (2004) applies according to Annex V*.
- d. For Low Risk products (give the list or indicate where we find the list of low risk products). Requirements for Declaration of Conformity (DoC) based ISO/ IEC 17050-1:2004 - Conformity Assessment -Supplier's Declaration of Conformity - Part 1: General requirements

4.2 LVE not included in the list of PNS under Mandatory Product Certification dated 01 October 2006 and its future amendments.

4.2.1 The manufacturer or his authorized representative shall:

- a. Comply with essential requirements as referred to item 1.
- b. Issue a declaration of conformity (see Annex VI);
- c. Retain the technical file, including conformity assessments reports or certificates CoC as issued by a listed CAB for registration to regulatory authority if required, according to the standards or specifications used, to be presented on request of the authorities and;
- d. Affix a marking on equipment prior to placing on the market or putting into service.

4.2.2 To comply with technical requirements the manufacturer may use harmonized PNS or its absence the following as prioritized:

- a. International standards;
- b. Regional standards;
- c. National standards;
- d. Other technical specifications

5. MANUFACTURER RESPONSIBILITIES

5.1 The manufacturer or his authorized representative shall abide by R. A. 4109:1964, R.A. 7394:1992, E.O. 133:1987, E.O. 101:1976, E.O. 913:1983, and their implementing rules and regulations, and orders which the BPS

issues in pursuance with its authority under the law. The manufacturer or his authorized representative shall comply with the rules and regulations stated in the DAO 1:1997 and DAO 5:2001 and their future amendments.

5.2 In case of non compliance with this Order, DAO No. 2, series 2002 and its future amendments will apply.

5.3 The manufacturer or his duly authorized representative shall ensure that its certified product conforms at all times and undertake in writing that it shall be liable for any damage caused by the said product to any consumer.

6. RESPONSIBILITIES AND AUTHORITIES OF REGULATORY AUTHORITY

The Regulatory Authority is responsible for the implementation and enforcement of this Order. Any violations or infraction of this rules and regulations by any person, corporation or entity shall be a cause for administrative sanction by the Regulatory Authority and impose fines and penalties in accordance with the existing laws, rules and regulations

7. SEPARABILITY CLAUSE

Should any provision of this Order or any part thereof be declared invalid, the other provisions, so far as they are separable from the invalid ones, shall remain in force and effect.

8. FINAL PROVISIONS

The provisions of this Order may be amended in the future.

9. EFFECTIVITY

This Order shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Adopted: 07 Feb. 2008

Recommended by:

(SGD.) JESUS L. MOTOOMULL

(SGD.) ZENAIDA CUISON MAGLAYA

Bureau Director

Undersecretary

Bureau of Products Standard

Consumer Welfare and Trade

Regulation

Approved:

(SGD.) PETER B. FAVILA

DTI Secretary

[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman Quezon City

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