

PLENARY SESSION

Normative references

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Content

- ▲ Drafting Rules – key to success
- ▲ Harmonized Standards: EC requirements
- ▲ Common understanding with the EC

Internal Regulations Part 3 (IR3)

‘Principles and rules for the structure and drafting of CEN and CENELEC documents (ISO/IEC Directives — Part 2:2016, modified)’

This Part 3 of the CEN/CENELEC Internal Regulations is applicable to all enquiry and final drafts registered after 2017-07-01.

The system of referencing between standards

- ▲ essential to the integrity of the collection of International and European standards
- ▲ avoiding repetition
- ▲ reduce risk of error
- ▲ shorten the length of documents

IR 3 – clause 15: Normative references clause

- ▲ Mandatory
- ▲ In principle informative
→ a source of reference, for the convenience of the user
- ▲ How references apply → indicated **where they are cited in the document**

IR 3 – clause 15: Standard wording

The following documents are referred to in the text in such a way that some or all of their content constitutes requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

OR

There are no normative references in this document.

IR 3 – clause 10: [Permitted references](#)

- ▲ [Basis](#): documents published by CEN, CENELEC, ISO, IEC
- ▲ [Others conditional to](#):
 - recognized (by the TC) for wide acceptance and authoritative status;
 - the agreement of the authors or publishers (where known)
 - of the inclusion as a reference,
 - to inform the TC of their intention to revise and what points the revision will affect and
 - availability under commercial terms which are fair, reasonable and non-discriminatory.

Drafting Rules

IR 3 – clause 10.4: [Undated references](#)

Allowed when:

only referring to a **complete document**

AND

possible to use **all future changes of the referenced document**

for the **purposes** of the referring document

AND

the reference will include **all amendments to and revisions of the referenced document**

Drafting Rules

IR 3 – clause 10.5: [Dated references](#)

- ▲ Normally the default solution
- ▲ Date when conditions under IR3§10.4 are not met
- ▲ Referenced document amended or revised?
 - ▲ review the dated references
 - ▲ assess whether they should be updated or not
- ▲ **Dating: within the text**

▲ IR 3 – clause 15.5.2 and annex ZB.2.2

**„Annex Z ...
(normative)**

Normative references to international publications with their corresponding European publications

The following documents are referred to in the text in such a way that some or all of their content constitutes requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

replacing the references in the body of text → normative

IR 3 – important statements

- ▲ **Informative** references shall be listed in the **bibliography**.
- ▲ Normatively referenced documents shall have reached at least the enquiry stage (30.99)
- ▲ Normative references **to enquiry or final drafts** are potentially **risky**, and **are strongly discouraged**, as the referenced document may change before publication.
- ▲ The committees shall **validate all referenced documents when a document is revised**.

Harmonized Standards: EC requirements on normative references

[VADEMECUM part III § 2.8.3](#)

- ▲ try to achieve limited and controlled reference chains
- ▲ do not need to be harmonized standards, nor requested by EC
- ▲ evaluate the suitability of each normative reference



IR 3

Harmonized Standards: EC requirements on normative references

[VADEMECUM part III § 2.8.3](#)  IR 3

- ▲ References should be made to EN or ISO/IEC standards
- ▲ Undated references should be avoided
 - Risk of loss of conformity with a harmonized standard because of later changes in its undated normative references
 - Risk of loss of Presumption of conformity
- ▲ to the latest editions available during the adoption of a harmonized standard
- ▲ Publicly available

Common understanding with the EC

- ▲ There's a common understanding that both dated and undated references can be used in the harmonized European Standards
- ▲ Whenever TC considers the use of non-dated references they shall check with the HAS Contractor who will revert the question to the European Commission;
- ▲ If deemed necessary by the HAS Contractor, the TC would be requested to carry out a risk assessment/impact assessment on the legal effects of undated references
- ▲ In case an undated reference is included, the Commission may consider publishing a notice in the OJEU
- ▲ This notice will inform the user of the harmonized standard that undated references are included and require detailed reading;
- ▲ Detailed reading would be required as the informative Annex ZA(CEN)/ZZ(CLC) would include a notification of undated references whether or not linked to parts of the standards providing presumption of conformity
- ▲ Therefore CEN & CENELEC will strengthen the support to TCs that develop harmonized standards, amongst others to comply with the **existing drafting rules**



IR 3

CEN BT 009/2018 – CLC BT D158/006

What does this mean?

- ▲ Both dated and undated references can be used
- ▲ IR 3 = the best basis
- ▲ Analyse, manage and update your normative references
- ▲ Risk assessment/impact assessment on the legal effects of undated references
 - Is the reference in the chain leading to supported E.R.?
 - If so, what is the impact if the undated reference changes?

→ Hence the pilot projects



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