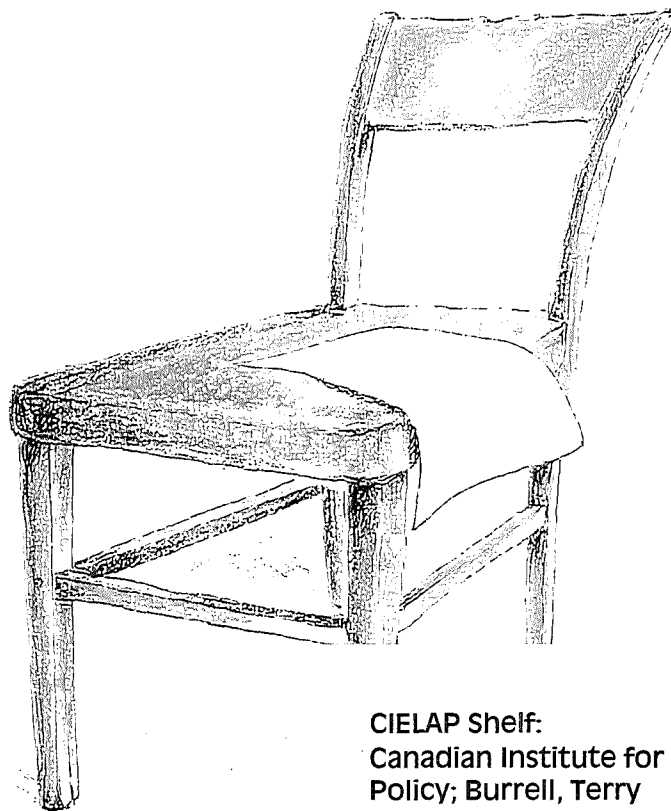


CSA Environmental Standards Writing:

Barriers to Environmental Non-Governmental Organizations Involvement



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CSA ENVIRONMENTAL STANDARDS WRITING
Barriers to Environmental Non-Governmental Organizations
Involvement

Prepared by:
Terry Burrell, MSc(Econ.), LLB.
Research Associate

May 1997

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For more information about this publication or its publisher contact the:

Canadian Institute for Environmental Law and Policy
517 College Street, Suite 400
Toronto, Ontario
M6G 4A2

Tel: (416) 923-3529
Fax: (416) 923-5949
E-mail: cielap@web.net
Home Page: <http://www.web.net/cielap>

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1. Introduction

The Canadian Standards Association (CSA) is well known to Canadians for its technical standards aimed at ensuring product performance and safety. The CSA label is clearly identified on products from hairdryers to hockey helmets.

Recently CSA has moved into standard setting in areas involving a range of issues which go well beyond the technical. CSA is engaged in setting voluntary standards for environmental managements systems (the ISO 14000 series, as a designate of the Standards Council of Canada), sustainable forestry management (SFM) and information privacy. All of these areas directly engage social and political values for which technical responses are inappropriate or insufficient.

This move has tested CSA's traditional way of discharging its mandate. That mandate is to develop "consensus" standards based upon participation and decision making from a group representing a "balanced matrix" of interests. CSA has found it challenging to attract and maintain a representative range of environmental NGO participation in CSA's environmental and sustainable forestry activities.

CSA is now engaged in a process of examining and redesigning the structures and procedures it uses in its environmental work.

CSA contracted the Canadian Institute for Environmental Law and Policy to undertake the present project. The project's primary purpose is briefly to identify factors which have constrained, or are likely to constrain, environmental NGO participation in CSA's work in the environmental area with special reference to ISO 14000.

The project drew on relevant written material and undertook interviews with selected NGO participants and non-participants in CSA processes to date. Given the project's resources, it

was not possible to interview everyone of potential relevance, or even to structure a sample that could yield statistically significant results. However, the author is of the view that the interviews encountered a sufficient cross section of current opinion to give a relatively reliable picture of present perceptions of the constraints to further environment NGO participation in CSA standards setting exercises.

The rest of the report is divided into three main sections. Part 2 deals with "Background and Current Standards Writing Processes". It is concerned with describing the manner in which standardization is structured in Canada, with special attention being paid to ISO 14000. ISO 14000, the series of international standards being developed by the International Organization for Standardization Provides a convenient focus because of CSA's role in coordinating Canada's participation and because of the controversial nature of ISO 14000 in environmental NGO circles.

Part 2 of the report is divided into four sections. The first three sections describe ISO, the Standards Council of Canada and CSA, the three main institutional players influencing voluntary environmental standards writing in Canada. The longest and final section is devoted to an analysis of CSA standards writing processes, especially committee structure and representation and the nature of consensus decision making at the CSA. CSA's processes are important to understand in their own right, but they are also illustrative of national and international approaches to standardization.

Part 3 of the report discusses three issues which form the backdrop to environmental NGO concerns with the present CSA processes. Part 4 is titled "NGO Perspectives on the Congeniality of the CSA Process to NGO" and addresses six issues identified in interviews with NGO representatives. Part 5 presents conclusions.

2. Present Standards Writing Processes

Writing of voluntary environmental standards in Canada is influenced by three main institutional players:

- The Standards Council of Canada, a crown corporation with responsibility for the National Standards System in Canada. The National Standards System is comprised of organizations involved in voluntary standard setting. Amongst other responsibilities, the Standards Council of Canada accredits standards writing organizations, such as CSA, and is Canada's representative on ISO, the International Organization for Standardization.
- The Canadian Standards Association, an organization writing standards for voluntary adoption in Canada, and accredited by the Standards Council of Canada. CSA administers Canada's membership on TC 207, the ISO technical committee overseeing ISO 14000.
- ISO, the International Organization for Standardization, an international federation of national standards bodies. It coordinates voluntary international standardization and is responsible for ISO 14000, a series of voluntary international environmental standards.

The next three sections describe these players in more detail, beginning with ISO.

2.1 ISO: The International Organization for Standardization

The International Organization for Standardization, founded in 1947, is a worldwide federation of national standards bodies from approximately 100 countries, with one representative from each country. "ISO" is not an acronym. It derives from the Greek word "isos", meaning "the same". ISO's mission is:

to promote the development of standardization and related activities in the world, with a view to facilitating the international exchange of goods and services, and to developing cooperation in the spheres of intellectual, scientific, technological and economic activity.¹

¹ Introduction to ISO, publication of ISO, undated.

ISO covers all standardization fields except electrical electronic engineering, which is the responsibility of the International Electrotechnical Commission (IEC). ISO has produced 9,300 international standards to date. Its work is carried out by some 2700 technical committees, subcommittees and working groups. According to ISO, decision making is by consensus, taking all interests into account, with formal approval of a international standard requiring "approval by two-thirds of the ISO members that have participated actively in the standards development process, and approval by 75% of all members that vote".²

Membership in ISO is comprised of one national representative from the body "most representative of standardization in its country". Canada's representative is the Canadian Standards Council. Funding for ISO comes from subscription fees from member bodies (70%) and sales of ISO's standards and other publications (30%).

As for the environmental area, ISO established the Strategic Advisory Group on the Environment (SAGE) in 1991 to examine the need for international environmental standardization. Toward the end of 1992 SAGE recommended that a Technical Committee be established to develop standards for international environmental management. TC 207 was established to undertake the work in this area and the Standards Council of Canada was awarded the secretariat of the committee. The Standards Council of Canada has designated CSA to administer Canada's involvement in the work.

A number of subcommittees and working groups were established and these are listed in Table 1.

² Idem, p. 6

Table 1
ISO TC 207: Subcommittees and Working Groups

Committee/ Group	Designation	Doc. Numbers
SC1	Environmental Management Systems	
WG1	Specification	14001
WG2	Guidance	14000
SC2	Environmental Auditing and Related	
WG1	General Principles	14010
WG2	Audit Procedures	14011.1
WG3	Qualification Criteria for Environmental Auditors	14012
SC3	Environmental Labelling	
WG1	Practitioner Programmes	14024
WG2	Type II Labelling	14021, 14022, 14023
WG3	Basic Principles for All Environmental Labelling	14020
SC4	Environmental Performance Evaluation	
WG1	Evaluation Of Environmental Performance Of The Management System And Its Relationship To The Environment.	14031
WG2	Evaluation Of Environmental Performance Of The Operational System And Its Relationship To The Environment.	14031
SC5	Life Cycle Assessment	
WG1	Life Cycle Assessment - General Principles and Procedures	14040
WG2	Life Cycle Inventory - General	14041
WG3	Life Cycle Inventory - Specific	14041
WG4	Life Cycle Impact Assessment	14042
WG5	Life Cycle Improvement Assessment	14043

SC6	Terms and Definitions	14050
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2.2 Standards Council Of Canada

In Canada, the Standards Council of Canada (SCC) is the lead agency in the voluntary standards setting system. The Standards Council of Canada is a crown corporation, established and authorized in 1970 by the *Standards Council of Canada Act*, major amendments to which were made in 1996.³ The mandate and powers of the Council, which were amongst the amendments made in 1996 are now set out as follows:

4(1) The mandate of the Council is to promote efficient and effective voluntary standardization in Canada, where standardization is not expressly provided for by law and, in particular, to

- (a) promote the participation of Canadians in voluntary standards activities,
- (b) promote public-private sector cooperation in relation to voluntary standardization in Canada,
- (c) coordinate and oversee the efforts of the persons and organizations involved in the National Standards System,
- (d) foster quality, performance and technological innovation in Canadian goods and services through standards-related activities, and
- (e) develop standards-related strategies and long-term objectives,

in order to advance the national economy, support sustainable development, benefit the health, safety and welfare of workers and the public, assist and protect consumers, facilitate domestic and international trade and further international cooperation in relation to standardization.⁴

The Act gives the Standards Council of Canada a range of powers to carry out these objects, including the authority to:

accredit, in accordance with criteria and procedures adopted by the Council, organizations engaged in standards development, and maintain a register of accredited organizations and of their standards marks⁵

³ R.S.C. 1985, Chapter S-16, as amended by the Miscellaneous Statute Law Amendment Act, 1987, S.C., 1987, c.1 and An Act to amend the Standards Council of Canada Act, S.C., 1996, c. 24.

⁴ *Idem*, s. 4(1).

⁵ *Idem*, s. 4(d.1)

Under this authority the Council may give accreditation to:⁶

- standards writing organizations such as CSA
- systems registrars like the Quality Management Institute (QMI) this includes registration for "quality systems" like ISO 9000 and environmental management systems such as ISO 14001. QMI is currently a quality system registrar and has applied to be a registrar for ISO 14001
- certifiers of auditors
- auditor training courses and auditor training course providers

The Act also gives the Standards Council of Canada the authority to adopt national standards.

The SCC may:

approve standards in those fields submitted by organizations accredited by the Council as national standards where appropriate, and maintain an index of approved standards⁷

The Standards Council of Canada exercises this authority to approve national standards under its policy CAN-P-2.

In addition the Standards Council of Canada is mandated to promote cooperation and information exchange between Canadian and non-Canadian voluntary standards organizations.

The legislation also assigns to the Standards Council of Canada the role of Canada's representative and watchdog on international bodies such as ISO. The Standards Council of Canada may:

unless otherwise provided for by any other Act of Parliament or by treaty,

- (i) represent Canada as the Canadian member of the International Organization for Standardization, the International Electrotechnical Commission and any other similar international organization, and

⁶ SCC has developed a number of policies which set out accreditation criteria: for standards writing it is CAN-P-1; for environmental management systems: EMS CAN-P-14; for auditor training, etc. it is CAN-P-1412, 1413, 1414.

⁷ *Idem*, s. 4(2)(e).

- (ii) ensure effective Canadian participation in the activities of those organizations.

The Standards Council of Canada describes its role as "the co-ordinating body of the National Standards System, a federation of independent autonomous organizations working towards further development and advancement of voluntary standardization in the national interest of Canada."⁸ It defines the National Standards System in more detail as:

National Standards System (NSS): A federation whose components are accredited standards-development, certification and testing organizations, the Canadian committees concerned with international standardization, and the Standards Council of Canada. The system provides a co-ordinated approach to the development and advancement of voluntary standardization in the national interest.⁹

The Standards Division of SCC directs Canada's participation in ISO through the Canadian National Committee on ISO (CNC/ISO). Participation in the technical work of ISO is done by Canadian Advisory Committees (CACs). These "are approved, function under the authority of, and report to the CNC/ISO".¹⁰ The CNC/ISO may turn over the administration of ISO technical work in any particular area to an accredited standards writing organization. The Standards Council of Canada has done this for ISO 14000; CSA administers Canada's participation in TC 207 (the ISO technical committee responsible for development of ISO 14000).

⁸ Standards Council of Canada, National Standards System: CNC/ISO Responsibilities and Procedures: Section D Canadian Advisory Committees, CAN-P-2014, May 1991, p. 3.

⁹ *Idem*, p. 5

¹⁰ *Ibid*

2.3 The Canadian Standards Association (CSA)

CSA is a private, not-for-profit standards development, testing and product certification organization. It has approximately 630 staff in 17 offices across North America, with 8,000 members who "given their time and knowledge to develop standards and programs that benefit business, industry and society."¹¹ The Quality Management Institute (QMI) a "quality system registrar" is a division of CSA.

Established in 1919, the CSA has developed a large number of standards in a wide variety of areas. Until relatively recently, its focus was largely technical. However, with ISO 9000 and a program of environmental and forestry standards setting including ISO 14000, CSA has moved into a different realm of standards writing, and one which the organization has identified as of particular importance for its future:

As we look to the future, we see the opportunities for CSA in the quickening expansion from purely technical standards to management-based systems of a social dimension. We have already put ourselves at the forefront of emerging issues of societal interest.

The environment is one example. Later this year, we expect to adopt the ISO 14000 series of standards for environmental management systems. QMI has applied to the Standards Council of Canada for accreditation to conduct registrations to ISO 14000, introduced extensive training of staff and offered ISO 14001 training courses to customers. CSA has been instrumental in developing the standard relating to lifecycle assessment, a means by which companies can gauge environmental impact at each stage of a product's life.

CSA recognizes the importance of providing an appropriate balance in its standards writing activities:

CSA's origin and acquired strength over the years lies in the delicate balance of disparate interests and issues. We have always accommodated differing and often competing points of view. The degree to which we manage diverse forces continues to be the barometer of our success.¹²

¹¹ Canadian Standards Association, 1996 Annual Report, p1.

¹² *Ibid*

The move into areas where CSA is writing standards for "management-based systems of a social dimension", that is, which involve important public policy issues, provides CSA with an important challenge in ensuring that it appropriately accommodates "differing and often competing points of view" in a manner that is consistent with the interests of public policy.

As the excerpt from the 1996 Annual Report indicates, the environment is one of the central areas where CSA has been writing standards for "management-based systems of a social dimension". CSA has an Environmental Management Program, which is independent of its ISO 14000 involvement, entails standards writing and training activities, and includes:

- Environmental Choice Program
- Labelling
- Lifecycle Assessment
- Environmental Site Assessment
- Green Procurement
- Design for the Environment

Appendix A is a list of CSA Environmental Management Program activities.

2.4 Regulations Governing CSA's Standards Writing

Some environmental NGOs have indicated confusion or concern about CSA's committee structure and decision making processes. This section examines the regulations which govern CSA's standards writing activities in order to clarify the parameters under which CSA operates.

As noted above, CSA's standards writing activities are accredited by the Standards Council of Canada. CSA's structure and procedures for standards writing are set out in its Regulations Governing Standardization (Canadian Standards Association, November 1990), which are in keeping with the Standard Council of Canada's policy and are attached as Appendix B.

All CSA standardization activities are governed by a Standards Policy Board. The development of standards in each specific area is guided and overseen by a Standards Steering Committee (SSC). The Canadian Environment Council (CEC) is the Standards Steering Committee for CSA work in the environmental area.

The work which results in the generation of a specific draft standard within an area is in turn overseen by a Technical Committee. The Standards Policy Board, Standards Steering Committees and Technical Committees are described in more detail below, along with the "Balanced Matrix" and CSA decision making procedures.

A. Standards Policy Board

The 30 member Standards Policy Board (SPB) oversees CSA's standardization activities. This 30 member Board has the following responsibilities:

- develops, maintains and ensures the implementation of CSA Regulations Governing Standardization;
- reviews all new standards activities calling for major extension to activities of Standards Steering Committee or organization of any new Standards Steering Committees;
- handles conflicts or disputes between Standards Steering Committees or a Standards Steering Committee and Technical Committee;
- develops guidelines for organization of Committees and development of CSA Standards;
- evaluates effectiveness of standards development process;
- hears appeals.

The Board has specific responsibilities with respect to Standards Steering Committees. It:

- establishes Standards Steering Committees;

- approves the terms of reference for each Standards Steering Committee;
- approves the matrix for the committee. The matrix is defined as total membership of a committee expressed in terms of categories (eg., producer, user, regulatory, general interest), rather than specific names or affiliations. Guideline B¹³ sets out the requirements for establishing and maintaining a steering committee and deals with matrix composition in detail. It is attached as Appendix C.
- appoint the chair and vice chair, ensuring balanced membership is maintained
- reviews activities on an annual basis for all standards steering committees.

The Standards Policy Board is also responsible for assigning new standards activities not otherwise covered in the terms of reference of an existing Standards Steering Committee.

B. Standards Steering Committees (SSCs)

Standards Steering Committees¹⁴ are established in each broad area of specialization by the Standards Policy Board and oversee the standards development work in that area. Each Standards Steering Committee has a chair, at least one vice chair and an executive committee.

Voting membership is dealt with in section 3.4 of Regulations Governing Standardization.

"Each Standards Steering Committee shall have members from producer, user, regulatory authority, and general interest or other appropriate categories, consistent with its terms of reference and these Regulations."

Members "shall be selected" in keeping with the following principles:

- "The members shall be appointed by the Executive Committee or the Chairman, with the concurrence of the Committee Administrator, consistent with the approved matrix

¹³ Guideline B: Procedures for Establishing and Maintaining Standards Steering Committees, 2nd edition, June 1989, revised December 1990.

¹⁴ Regulations Governing Standardization, November 1990, s. 3.

or subject to ratification of the matrix by the Standards Policy Board. Unless otherwise provided for in the Committee's terms of reference, members shall be appointed for 3 years and shall be eligible for reappointment."¹⁵

- all major areas of CSA activity within terms of reference of the Standards Steering Committee is to be adequately covered;
- the individual's expertise in, knowledge of, and familiarity with development, management and application of standards and management concepts in general;
- geographical representation;

Standards Steering Committees have the following responsibilities:

- planning and monitoring of standards writing activities;
- ensuring CSA Regulations and Guidelines are followed;
- encouraging promotion and acceptance of standards and special publications coming within its terms of reference;
- coordinating with other Standards Steering Committees and other international standards bodies;
- coordinating with appropriate levels of government to harmonize with existing and proposed regulations;
- establishing priorities and identifying sources and availability of resources to enable projects to be carried out;
- approving draft standards prepared and approved by Technical Committees (see below);
- establishing and overseeing technical committees

Standards Steering Committee meetings are normally open only to members of the Committee or their alternates "however, upon specific request, visitors and observers may be permitted to attend meetings with the consent of the Chairman and the concurrence of the Committee

¹⁵ *Idem*, s. 3.4.4

Administrator."¹⁶ Visitors and observers are permitted to speak only with the express permission of the chair.

Liaison committees are established to coordinate overlap between different Standards Steering Committees and a Regulatory Authority Committee is appointed when standards are likely to be adopted or referenced by regulatory authorities and thus become mandatory standards.

C. Technical Committees

Standards Steering Committees establish Technical Committees where there is a demonstrated need and resources are available. The Standards Steering Committee is responsible for approval of Technical Committee matrix and, where necessary approves its terms of reference. Technical Committees also have a chair and at least one vice chair. The voting member requirements are linked to the matrix in the same manner as are Standards Steering Committees voting members: "Each Technical Committee shall have members from the producer, user, regulatory authority, and general interest, or other appropriate categories consistent with its approved matrix"¹⁷

Technical committees are responsible for establishing sub-committees. As for attendance at meetings, the rules are the same as for Standards Steering Committees: members or alternates only, unless permission of chair and Committee Administrator is granted. Visitors and observers are permitted to speak only with the express permission of the chair.

¹⁶ *Idem*, s. 3.11.5.1.

¹⁷ *Idem*, s. 4.3.1.

D. Standards Decision-Making: Consensus and Voting

Consensus and voting both form part of the decision making which is mandated in the Regulations Governing Standardization. Sections 2.7.5, 3.11.4 and 4.9.4 all deal with "voting at meetings and by correspondence" for Standards Policy Boards, Standards Steering Committees and Technical Committees respectively. All three sections begin with the phrase "As far as possible, decisions should be made by consensus." The definition of consensus in the Regulations Governing Standardization is:

*Consensus is defined as substantial agreement reached by concerned interests. Consensus includes an attempt to resolve all objections and implies much more than the concept of simple majority, but not necessarily unanimity.*¹⁸

From conversations with meeting participants, it is the author's understanding that the style of meetings is oriented toward gaining consensus. However, voting is required on any motion, including a motion to adopt a draft standard.¹⁹ In fact voting members have an obligation to vote.²⁰ Draft standards are voted upon at the Technical Committee level. If approved they are passed to the Standards Steering Committee, which also votes on the draft standard.

Voting requirements are the same for the Technical Committee and the Standards Steering Committee. The voting can be done by a recorded vote at a meeting or by ballot. In order to

¹⁸ *Idem*, s. 2.7.5: Note that this is consistent with the Standards Council of Canada definition of consensus "Consensus: In standardization practice a consensus is achieved when substantial agreement is reached by concerned interests involved in the preparation of a standard. Consensus implies much more than the concept of a simple majority, but not necessarily unanimity.", Standards Council of Canada, National Standards System: CNC/ISO Responsibilities and Procedures: Section D Canadian Advisory Committees, CAN-P-2014, May 1991, p.5.

¹⁹ *Idem*, sections 2.7.5, 3.11.4 and 4.9.4.

²⁰ *Idem*, s. 7.4.5.1

be approved, a draft standard must obtain two-thirds of the votes cast and the votes cast must equal at least 50% of the voting membership.²¹

The member may vote one of three ways on a draft standard: affirmative, affirmative with comments or negative.²² An "affirmative with comments" vote signifies basic approval, with some suggested changes.

i) Negative Votes

The voting procedures at both Technical Committees and Standards Steering Committees have special provisions for dealing with negative votes.²³ All negative votes must be supported with reasons. At the Technical Committee, if a negative vote is cast, the Chair of the committee has the following options:

- rule the negative vote as "non-germane" if the negative vote was not accompanied by reasons or if the reasons "are not relevant to the items being balloted upon".²⁴ Non-germane votes are considered not to have been cast when determining whether the two-thirds affirmative requirement has been met. A voter whose vote has been ruled non-germane may appeal to the Standards Steering Committee;

²¹ *Idem*, s. 7.4.3: "For approval of a draft Standard, the affirmative vote shall (a) amount to two-thirds of the votes cast; and (b) constitute at least 50% of the total voting membership."

²² *Idem*, see sections 7.4.2 and 7.5.2.1.

²³ *Idem*, see sections 7.4.6.1 and 7.5.6.1

²⁴ Section 7.4.6.1 (a)(ii). There is slightly different wording for the comparable Standards Steering Committee provision: "the negative vote and supporting reasons are not considered as conforming to the criteria outlined in Clause 7.5.1; or (iii) the negative vote and supporting reasons are not considered relevant to the item being balloted upon". Clause 7.5.1 reads "In reviewing a draft Standard for formal approval as a CSA Standard, Standards Steering Committee members shall endeavour to discharge their responsibilities in accordance with these Regulations and without regard to vested interests. In approving a draft Standard, the Standards Steering Committee signifies that the draft Standard satisfies the intent, ie, the work item assigned has been satisfactorily addressed and, to the best of their knowledge, any lack of harmonization with other Standards is identified and that the draft Standard, to this stage in the process, has been subjected to proper procedures."

- attempt to "resolve each negative vote by editorial changes or explanation and thereby have the negative vote changed to affirmative; only the negative voter can change this vote.";²⁵
- declare the negative vote "non-persuasive". A negative vote is "non-persuasive" if the reasons for the negative vote were previously considered by the Technical Committee and were not accepted. Non persuasive votes are not considered affirmative votes, unless the voter revises the vote; or
- refer the matter to the Technical Committee if the particular reasons have not been previously discussed. There the Technical Committee may decide that:
 - the negative vote is persuasive and should be adopted
 - the negative vote is persuasive but should be considered for future study (and with the concurrence of the voter may be reclassified as affirmative); or
 - the negative vote is not persuasive.

There are similar provisions for dealing with negative votes at the Standards Steering Committee level, where the Chair of the Standards Steering Committee has the following options:

- rule the negative vote as "non-germane" if the negative vote was not accompanied by reasons or if the reasons "the negative vote and supporting reasons are not considered as conforming to the criteria outlined in Clause 7.5.1"²⁶ or "the negative vote and supporting reasons are not considered relevant to the item being balloted upon". Non-germane votes are considered not to have been cast when determining whether the two-thirds affirmative requirement has been met. A voter whose vote has been ruled non-germane may appeal to the SPB;
- "resolve each negative vote by explanation and thereby have the negative vote changed to affirmative; only the negative voter can change this vote.";²⁷

²⁵ *Idem*, s. 7.4.6.1(b).

²⁶ *Idem*. Clause 7.5.1 reads "In reviewing a draft Standard for formal approval as a CSA Standard, Standards Steering Committee members shall endeavour to discharge their responsibilities in accordance with these Regulations and without regard to vested interests. In approving a draft Standard, the Standards Steering Committee signifies that the draft Standard satisfies the intent, ie, the work item assigned has been satisfactorily addressed and, to the best of their knowledge, any lack of harmonization with other Standards is identified and that the draft Standard, to this stage in the process, has been subjected to proper procedures."

²⁷ *Idem*, s. 7.4.6.1(b).

- declare the negative vote "non-persuasive". A negative vote is "non-persuasive" if the reasons for the negative vote were previously considered by the Technical Committee and were not accepted. Non persuasive votes are not considered affirmative votes, unless the voter revises the vote; or
- if the negative vote is considered persuasive the Chair shall consult the Chair of the Technical Committee and the Committee Administrator to determine the appropriate steps to be taken.

To the outsider at least, this provision is unusual. While the system's two-thirds majority requirement appears stringent, the mechanism for dispositioning negative votes in effect mitigates the stringency by providing a constraint to the range of negative views considered to be appropriately held. Moreover, a question naturally arises about the consistency of such a voting feature with the assertion that CSA decision making is by consensus.

E. Committee Composition: The "Balanced" Matrix

Committee composition is critical in determining what standards will be considered and approved. Slight variations in committee composition take on special significance in a system based on consensus and having the requirement for a two-thirds majority.

The composition for Standards Steering Committees and Technical Committees is based on a "balanced matrix" model. Guideline B: Procedures for Establishing and Maintaining Standards Steering Committees²⁸ sets out the principles upon which such a matrix should be constructed. Guideline B is attached as Appendix C. A matrix is "the total membership of the Committee expressed in terms of categories rather than specific names or affiliations"²⁹

²⁸ Canadian Standards Association, Guideline B: Procedures for Establishing and Maintaining Standards Steering Committees, 2nd edition, June 1989, revised December 1990

²⁹ *Idem*, s. B3.1.

The Guideline emphasises the importance of balanced representation of all viewpoints:

B3.2 The intent of a Matrix is to ensure that all points of view pertinent to the subject matter are represented in a reasonable proportion, that any lack of balance through attrition is immediately apparent, and that the same proportion is continued when balance is restored.

B3.3 The size of a Committee should be the minimum number of members consistent with having all the appoints expressed.

As for the categories of interest to be represented, Guideline B gives the example of a matrix which is suitable for committees having responsibility for "standards specifying, products, most materials and some services":

B3.4.2 For many Committees that have responsibility for standards specifying products, most materials, and some services, the following categories are suitable:

General Interests - those who are not associated with product, distribution, direct use, or regulation of products, materials or services. This category typically includes professional and lay people employed by academic and scientific institutions, safety associations, certification agencies, etc.

Producer Interests - those who are predominantly involved with the production (manufacturing goods), promotion, retailing, or distribution of products, materials, or services.

Regulatory Authority - those who are predominantly involved in regulating by statute the use of products, materials, or services.

Involved User Interest - those who are predominantly interested in the use of products, materials, or services. This category usually includes consumers, who are defined as persons who use goods and services to satisfy their needs and desires rather than to resell them or product other goods with them.

However, there is no requirement for a specific number of categories and previous section of Guideline B states that the categories are governed by the Committee's scope:

B3.4.1 The Matrix should comprise categories as appropriate for the Committee's scope (see BC.2)³⁰ and consistent with clause B3.2.

³⁰ B2.2 reads "Scope (Subject Area) The description of the subject area to be covered should be sufficiently specific to avoid overlap or duplication of subject areas assigned to other Standards Steering Committees."

Explanatory or constraining comments should be provided under each category heading to define those who should be included in that specific category.

In discussing relative representation in each category, Guideline B stresses that each case should be decided on its own merits:

B3.5 The Matrix should stipulate the minimum and maximum number of voting members for each category and should be established on the basis of the following principles:

- (a) The Matrix should provide for a reasonable balance of representation; and
- (b) The Chairman shall be considered part of the Matrix.

Notes:

- (1) An appropriate balance of representation will of necessity have to be determined in each individual case depending on the subject, purpose, and application of the proposed program of work.
- (2) Whenever possible, those having broad interests, such as national or provincial associations, or other common interest groups, should be asked to nominate representatives.

However, there is a stipulation that any one category cannot contain more members than the sum of members in the smallest two categories:

B3.6 The actual number of voting members in any one category shall not be more than the sum of the actual number of voting members in the two smallest categories at any time.

3. NGO Involvement in CSA Processes: Background Concerns

CSA attempted to involve NGOs early on in its Environmental Management systems work:

With respect to Environmental Management Systems, the CSA has made several early efforts to involve many stakeholders. For example, early in 1993, the CSA conducted an extensive effort to involve the environmental community. This included mailing information packages and requests for participation to over 400 organizations in the CEN directory and conducting about 75 follow-up phone calls to the largest of these organizations, with personal visits to about 10.³¹

Despite these efforts NGO (particularly environmental NGO) involvement in CSA processes to date has been spotty, at best. Very few NGOs have participated from the beginning of the CSA entry into the environmental standards writing field. Several who participated in one or more CSA environmental standards writing exercise did not sustain their involvement.

The CSA is interested in increasing NGO participation, particularly environmental group participation. Two sets of factors will determine the likelihood of this taking place:

- NGO perspectives on voluntarism, ISO 14000 and the nature of CSA environmental standards "products"
- the CSA process and its congeniality to NGO participation.

This chapter provides background to an assessment of environmental NGO concerns about CSA processes by examining three sets of issues. The first issue is specific environmental NGO concerns and criticisms of ISO 14001. The second set of issues relates to the range of environmental NGO attitudes towards voluntarism, ISO 14000 and CSA standards "products". The third set of issues pertains to underlying environmental NGO concerns about CSA.

³¹ McCammon, Andrew ENGO Information & Strategy Session on ISO 14000 May 6, 1996. Tab 2.

3.1 ISO 14001: Some Environmental NGO Concerns

This section briefly reviews some environmental NGO criticisms and concerns about ISO 14001. This provides background to the consideration of environmental NGO concerns about being involved with CSA processes.

As noted above, ISO 14001 is an environmental management system which is the outcome of a process of international discussion and negotiation.³² The Standards Council of Canada designated CSA to manage the ISO 14000 process in Canada with the Canadian Advisory Committee (CAC) (in cooperation with the CEC) acting as a Steering Committee.

ISO 14001, which documents the management systems requirements, requires companies to establish an environmental policy, identify key environmental issues, set targets and objectives, establish programs for internal auditing and periodic management review and adopt training and documentation procedures. It requires companies to institute a system for responding to and correcting problems as they occur or are discovered. Compliance audits which monitor the system (but not system performance in terms of their impact on the environment) are also part of the framework.

ISO 14001 does not establish environmental standards. Instead it requires companies to commit to compliance with applicable laws in the jurisdiction in which they operate. It also requires companies to commit to continual improvement of their environmental management systems, and to "prevention of pollution".

Thus companies who adopt ISO 14001 and follow its requirements should be fully aware of the regulatory demands of the jurisdiction in which they operate and should have a system in place which ensures that all reasonable efforts have been taken to comply with them. If ISO

³² This section draws directly from Burrell, Terry, Law in the Public Interest: Shrinking Government and the Protection of Ontario's Environment. Prepared for The Canadian Environmental Law Association, November, 1996.

14001 is, as its advocates claim, a state of the art environmental management system, then it should protect its adherents from prosecution under environmental protection legislation, since the ISO 14001 system should meet or exceed what the courts have indicated is needed to demonstrate due diligence.³³

ISO 14001 permits different approaches to demonstrating adherence to its standards. A company can choose "registration", which requires an audit by independent auditors; or it can go the route of "self-declaration", by which a company itself states that it is adhering the standards and produces the required written documentation. Registration has the obvious advantage of credibility that an independent audit brings, but is more costly.

It should be emphasized that unlike some other environmental managements systems such as the European EMAS, ISO 14001 does not require the results of the audit to be made public. Nor does it audit, monitor, or report on actual environmental performance. An ISO 14001 audit would examine the existence of prescribed environmental system and report on the presence of required system elements (systems for ensuring awareness of regulatory requirements, training of personnel, etc.).

Some environmental NGOs regard ISO 14001 as a step in the right direction, increasing management awareness of the environment and providing an opening for ongoing dialogue and continuous improvement.

³³See Moffet, John and Dianne Saxe Voluntary Compliance Measures in Canada, Draft Report prepared for North American Commission for Environmental Cooperation, January 1996, especially pp 50-53.

Other environmental NGOs have been quite critical of ISO 14001 in a number of respects.³⁴ This critique is central to the reluctance that a number of environmental NGOs have towards participating in CSA environmental activities. It is useful, then, to describe briefly the criticism that has been made, in order to understand the nature of that reluctance. The following lists a number of the concerns expressed to date; not all environmental NGOs who are critical of ISO 14001 share every concern on the list:

1. Concerns about voluntarism's replacement of governmental standard setting activity. ISO 14001 has the highest profile of the current voluntary environmental programs. Voluntarism is being heavily touted by many government and business representatives as the way in which future environmental regulation will be done.

A number of environmental NGOs are alarmed at the prospect of decreased governmental willingness and ability to make and enforce environmental standards. They view rigorous and enforceable standards as essential for the protection of the environment. ISO 14000 is the most visible example of a trend regarded as retrograde.

2. Concerns about diversion of resources. ISO registration can cost many hundreds of thousands of dollars in consultants' fees and internal staff resources. Since ISO 14001 does not require any improvement over a commitment to meeting existing standards, the result may be an ISO registration for the company, but no improvement for the environment. In an era of decreasing resources available for environmental improvement, this is a serious waste.
3. Concerns about lack of specific environmental performance requirements. ISO 14001 requires a commitment to existing standards and to improvement, but does not audit for any performance indicator that this commitment is being met.
4. Concerns about the lack of an auditing requirement. Companies may self register, bypassing the requirement for any audit.

³⁴ See, for example: Benchmark Environmental Consulting ISO 14000: An Uncommon Perspective. Five Questions for Proponents of the ISO 14000 Series The European Environmental Bureau, October 1995. (See also UNCTAD (1996)); Bennett, David Beware ISO! Prepared by Dave Bennett National Director, Health, Safety and Environment Department Canadian Labour Congress, September, 1996.; UNCTAD ISO14001: International Environmental Management Systems Standards: Five Key Questions for Developing Country Officials, United Nations, 1996 (Draft prepared by Benchmarks Consulting); World Wildlife Fund, ISO Inside Out: ISO and Environmental Management, Prepared by Pierre Hauselmann, 1996.

5. Concerns about the definition of "prevention of pollution". This is very broadly defined in ISO 14001 as "use of processes, practices, materials, or products that avoid, reduce, or control pollution, which many include recycling, treatment, process changes, control mechanisms, efficient use of resources, and material substitution".³⁵ Thus a company may be fulfilling its "prevention of pollution" commitments by using end of pipe treatment or other post-generation control activities. This is not a commitment to pollution prevention, at least as environmental NGOs understand it.
6. Concerns about the lack of a requirement to provide information to the public or require the opening up of the company's performance to public scrutiny.
7. Concerns about misrepresentation of actual performance. A company displaying an ISO 14001 registration may or may not be a good environmental performer. The public and consumers have no way of making an informed distinction.

3.2 NGO Perspectives on Voluntarism, ISO 14000 and the Nature of CSA Environmental "Products"

CSA's environmental "products" involve the voluntary adoption of standards by business and are closely associated in the mind of many NGOs with ISO 14000 and the CSA Sustainable Forestry Management (SFM) initiative. NGO attitudes towards these fundamentally condition their willingness to be involved in the CSA process.

These NGOs have diverse perspectives, opinions and approaches to the issue of increased voluntarism in general and ISO 14000 in particular. Some of the breadth of opinion, which heavily influences the groups' willingness to be involved in CSA activities, is represented in the following six simplified³⁶ viewpoints:

³⁵ Canadian Standards Association Plus 14000: The ISO 14000 Essentials. A Practical Guide to Implementing the ISO 14000 Standards, 1996, p. 24.

³⁶ "ISO 14000" is used, in part, as collective shorthand for ISO 14000, Sustainable Forestry Management and more generally the voluntary adoption of environmental standards by industry.

- View 1. *ISO 14000 reflects a fundamentally positive environmental trend embodying increased business and industry consciousness of environmental issues and willingness to take action. ISO 14000 will change boardroom attitudes toward environmental management and will improve environmental performance thereby. Voluntarism is the wave of the future and ISO 14000 looks to have an increasing impact internationally. Therefore it is important for NGOs to be involved with ISO 14000 and similar initiatives to maximize environmental NGO input and influence the final product in an environmentally positive manner.*
- View 2. *While ISO 14000 has the potential for positive environmental effects, its overall impact could be minimal or even negative. In order for ISO 14000 to be worthwhile and effective there must be a number of elements added to the minimum ISO 14000 system -- for example, a real commitment to measurable environmental performance standards over and above what is required by local regulation and guidelines (continuous improvement), independent external verification of performance standards and/or publication of the company's objectives and performance, including the results of verification by a credible independent third party. Therefore, it is important for NGOs to be involved with ISO 14000 to help ensure that implementation is pushed to include these and other features and to move in the direction of more rigorous standards.*
- View 3. *ISO 14000 may or may not have a positive impact. Much will depend upon the way in which the system is implemented. For example: i) more companies may comply with current standards and guidelines, and ii) the management systems requirements of ISO 14000 may result in the courts establishing a higher due diligence standard for industry generally. Moreover, like it or not, ISO 14000 and initiatives similar to it are growing in importance with dwindling governmental presence in the environmental field. The end result may be an important impact on the environment. The presence of NGOs in the voluntary standard setting process may have little or no impact on the nature of the standards adopted. However, it is important for NGOs to be present in order to influence the result as much as possible.*
- View 4. *ISO 14000 may or may not have a positive impact. Much will depend upon the way in which the system is implemented (eg., more companies may comply with current standards and guidelines, and the adoption of ISO 14000 may result in the courts establishing a higher due diligence standard) However, given the weakness in its verifiable performance requirements, it is questionable whether ISO 14000 will give companies the market entry they seek, because the standard's credibility is minimal. As a result ISO 14000 may not become widely adopted. In any case, ISO 14000 and voluntary compliance/exceedence initiatives are low (and will remain low) on the priority list of those NGOs whose primary focus is using the public policy making and public awareness to*

improve environmental performance. ISO 14000 and related efforts can safely be left to the private sector and NGOs who specialize in the corporate interface.

View 5. ISO 14000 is likely to have a negative impact on environmental performance. For the most part, companies will be able to avoid significant environmental improvements because of the lack of concrete performance requirements, including external verification and public reporting. ISO 14000 will give the impression of environmental improvement without any of the substance. Therefore:

5.1 NGOs should not be involved. NGO participation will give the process a credibility which is essential for its ongoing success and therefore should be denied to it; or

5.2 NGOs should be involved in future similar activities, but only if they can maintain an independent critical stance. Without NGO involvement the results will be much worse.

View 6. ISO 14000 is likely to have a negative impact on environmental performance for the reasons set out in View #5. Worse, ISO 14000 and similar initiatives are being used to promote the argument that government should have a diminished role in environmental standard setting. ISO 14000 is and will be put forward as a substitute for further governmental regulation -- something like "further governmental regulation is not needed because industry is doing it on its own via ISO 14000 and similar initiatives". This will result in a significantly negative impact on the environment. Therefore:

6.1 NGOs should not be involved. NGO participation will give the process a credibility which is essential for its ongoing success and therefore should be denied to it; or

6.2 NGOs should be involved, but only if they can maintain an independent critical stance. Without NGO involvement the results will be even worse.

Willingness to be involved in the CSA process depends fundamentally on these viewpoints. The more positive the NGO attitude toward voluntarism and/or the more powerful does the trend toward voluntarism (like it or not) appear to the NGO, the more likely it is that the NGO will regard participation in CSA processes as important. Not surprisingly, the NGOs who have consistently participated or shown active ongoing interest to date tend to be associated

with views 1, 2, 3 (or even 5.2, 6.2) and a number of the NGOs who have not participated in the CSA process to date, hold views 4, 5.1 or 6.1.

Accordingly, the impact of second factor (congeniality of CSA process to NGO participation) will not always be determinative. Some NGOs will wish to be involved in the CSA process despite any weaknesses in the process; some others are not likely to become involved regardless how much the process is improved.

This leaves the question of whether a change in the nature of the "products" is likely to change the willingness of NGOs to be involved. The above assumes that the nature of CSA "products" will remain fundamentally the same. What if CSA's orientation changes in directions of concern to environmental NGOs? For example, what if some of the proposals for change coming out of the December 9, 1996 CSA meeting are adopted (eg., a stronger orientation to writing performance standards)?

The response of the NGO will depend upon the nature of the change and the viewpoint of the NGO. For some NGOs a move by the CSA to performance based standards may be further reason not to become involved in the CSA process. For groups committed to a public policy orientation with strong governmental standards enforcement (eg., who favour View 6.1) performance based voluntary standards can only further undercut their efforts to have more rigorous standards implemented and enforced by government. On the other hand some NGOs may be further encouraged to participate.

3.3 NGO Perspectives on the CSA Process: Background Issues

A. CSA's Business/Industry and Technical Orientation

CSA is a private not for profit organization, almost exclusively writing standards for voluntary adoption by business. The theme of its 1996 Annual Report "producing standards that work

for people and business" illustrates the CSA orientation. CSA depends upon private sector sales and funding to maintain itself by meeting commercial demands for standardization services.

CSA's stock in trade has been the setting of technical standards for marketed products. The CSA label is familiar to consumers purchasing household appliances and a wide variety of other consumer goods. The CSA name is synonymous with safe and reliable product performance. CSA governing regulations were arguably established with this kind of technical standards product in mind. CSA staff, expertise and corporate culture reflect and embody this orientation to the writing of technical standards.

The move into environmental standard setting is a departure from this past orientation. It follows upon CSA's involvement in the ISO 9000 series and is a shift into areas which entail broad policy issues in a way that technical standard setting does not.

Public policy making has demands and constraints appropriate to a different form and style of consultation. It requires the commitment to a distinct brand of stakeholder consultation, including a commitment to transparency and a willingness to do what is necessary to ensure that the appropriate interests are represented in decision making. It can also involve a willingness to entertain questions about scope and purpose and be open to alternative ways of looking at issues.

Many of the criticisms of the CSA process in the environmental area can be traced to these factors, namely i) CSA's dependence upon and orientation to business/industry in an area which requires meaningful involvement of wider societal interests; ii) CSA's expertise,

procedures and corporate culture which are appropriate to technical standard setting rather than standards that fundamentally involve contentious public policy issues.³⁷

B. The Lack of A Clear Commitment to Environmental Values

CSA standards in the consumer product realm have the general reputation of supporting safety and performance reliability. Concern has been expressed that CSA has not clearly established a philosophy which is analogous to this in its environmental standard setting. CSA has yet to commit itself convincingly to a set of environmental values which truly preserves and enhances the environment. This is shown by:

- the lack of a statement of environmental philosophy committing the CSA to core environmental performance values. The 8 point CEC statement is at best a tepid gesture in this direction.
- the nature of CSA environmental products to date. ISO 14000 has weaknesses discussed at length above. The CSA sustainable forestry initiative was criticized for being fundamentally weak in areas such as recognition of aboriginal values, chain of custody, verification and meaningful community participation in decision making. Several environmentalist and aboriginal groups withdrew from the CSA process as a result of these criticisms.³⁸ The Sustainable Forestry Management experience appears to have resulted in several NGO organizations being reluctant to engage in further involvement with CSA processes.
- the nature of the CSA process to date (discussed below in more detail). The CSA process is criticized for being inattentive to problems of value differences amongst participants. The process to date has not been strong in acknowledging and dealing with these issues, including the recognition of alternative frameworks for analysing and resolving central public policy issues pertaining to environmental protection. For example, the CEC terms of reference and matrix composition (Attached as Appendix

³⁷ CSA has made moves in the direction of attempting to address this problem – eg., via staffing. However, the fundamental orientation appears to remain.

³⁸ See for example, Algonquins of Barrier Lake, CELA, et al. "An Environmentalist and First Nations Response to the Canadian Standards Association Proposed Certification System for Sustainable Forest Management", October 20, 1995.

D) is not much different from the "model" terms of reference contained in Guideline B, which is understandably based on a typical "products" model.³⁹

Without such a commitment CSA's involvement in the environmental area is viewed by some as questionable and even suspect. The lack of an environmental commitment does not engender confidence that time spent participating in a CSA environmental standard setting process is time spent helping the environment.

4. NGO Perspectives on the Congeniality of the CSA Process to NGO Participation.

4.1 Resources

CSA consultations can be quite demanding. Proper meeting preparation, including the scrutiny of highly technical documents requires a large time commitment. Travel and related expenses for CSA meetings are not trivial, especially for NGOs located outside Toronto.

Notwithstanding this, CSA has not routinely funded environmental NGOs' meeting expenses. Nor has it paid per diems for meeting attendance or preparation time. It follows that only those NGOs who have funds available to pay expenses and provide staff or volunteers for CSA functions are able to participate.

Corporate attenders, especially those from larger firms, do not seem to encounter these problems. It appears that the monetary value of participating in the standard setting process is expected to exceed its costs; firms are willing to make the investment. There is no shortage of corporate attenders whose companies are amenable to funding expenses, attendance and preparation time. NGOs receive no commercial benefit from attending CSA meetings.

³⁹ Compare the Guideline B model matrix in Appendix C with the CEC matrix in Appendix D. Arguably the failure to customize the CEC matrix violates section 3.5 of Guideline B: "(1) An appropriate balance of representation will of necessity have to be determined in each individual case depending on the subject, purpose, and application of the proposed program of work."

Many NGOs stated that lack of funding is a major issue. It is a significant stumbling block to additional participation and an ongoing concern for those currently involved in the CSA process.

Funds are increasingly difficult to come by for most NGOs and resource constraints have increased markedly over the past five years. Government funding has decreased while fundraising competition has increased. Moreover, demands for the services that NGOs provide appear to have increased. This is particularly true for participation in unfunded consultations. Even groups who have participated to date must periodically review the decision, weighing the priority of CSA attendance against its cost in terms of increasingly precious funds.

Possible Responses

The most direct response would be for CSA to make funds available for expenses, for preparation time and/or for time spent attending CSA meetings. CSA may find it difficult to do this because of implications for other attenders in the environmental consultations and for all participants in other CSA standards setting exercises.

It has been suggested that some commercial sector participants or funders may be willing to finance non-commercial participation. This should not be ruled as being automatically unacceptable to all NGOs. There is no uniform NGO position on accepting money from corporate sources. Some NGOs would be willing to accept direct funding from the commercial sector, under specific conditions -- eg., so long as the total funds from any one source do not exceed a specified amount and provided that the NGO clearly maintains its right to express contrary opinions in public.

Other suggested ways of providing resources which arose in discussion with interviewees included:

- decreasing the cost of attendance and participation by utilizing technology which does not rely upon personal attendance at meetings: E-mail/Internet, teleconferencing, etc.
- utilizing sympathetic academics as NGO representatives, particularly on technical committees and subcommittees. This would decrease the pressure on NGO staff and related resources (but does not address the issue of expenses).
- providing funds to NGOs for research of topics directly related to matters at issue in the standards setting exercise. This would provide NGOs (and others involved) with the information needed to support informed participation and help maintain staff (or representative) funding.

4.2 Industry/Business Bias: Concerns with the "Balanced Matrix"

Participants and "outsiders" both expressed serious concern about the nature of representation in the standard setting process. Environmental standard setting requires strong representation of environmental interests. However, there is a definite perception that the CSA process is currently dominated by corporate/commercial interests, particularly those of large companies. Meetings are attended primarily by those who are employed by large corporations, who depend upon that sector for their livelihood (eg., service/consulting category tied to commercial interests) or who are sympathetic to corporate/commercial perspectives (eg., Industry Canada).

Two concerns have been expressed:

- the matrix setup and the delegate representation for CEC, CAC and technical committee meetings are dominated by commercial interests. Environmental interests are heavily underrepresented.
- commercial interests often appear as non-delegates (observers) at meetings and voice opinions on matters being discussed. The discussion, which is consensus based, is pushed further in the direction of commercial interests by this attendance of non-voting participants.

The result is that representation of the non-commercial interest, including the environmental interest, appears small, isolated and even insignificant. The problem has not been confined to

the CEC and CAC. Martin Von Mirbach said the following about representation in the Sustainable Forest Management exercise:

The CSA Standards are being developed by what is billed as a "balance matrix" of different interests. This claim has been strongly challenged by environmental groups in Canada, which have for the more part denounced the process and declined to participate as full voting members of the Technical Committee developing the standards. Environmental NGO (ENGO) participation on the thirty-two member CSASFM Technical Committee is limited to three organizations, Wildlife Habitat Canada, The BC Federation of Mountain Clubs and the Ontario Federation of ENGOs and Anglers. None of these groups are what one would call Forest Activists Groups - Wildlife Habitat Canada is primarily involved in collaborative initiative with government and the private sector, while the other two groups have mandates that limit them to specialized interests.⁴⁰

The Current CEC/CAC Matrix

The matrix categories are Industry, Government, Service/Professionals and Public Interest, the same as that in the "model" Steering Committee terms of reference in Guideline B which section 3.4.2 said was suitable for "standards specifying products, most materials and some services". Table 1 gives the breakdown of representation by category for the CEC and CAC. The table is based upon the list of members on the committees prepared by Larry Futers in March, 1996 and enclosed as Appendix E.

The composition of the CEC shows that industry has 12 voting members (out of 34 or 35% of total votes) with the remaining total of 22 split almost equally amongst the remaining 3 groups: government has 8, service/professionals has 7, and public interest has 7. Examining the Service/Professional voting member representative origins, at least 4 appear closely linked to commercial interests.⁴¹ As for Government, 3 of the 8 are from economic ministries and a

⁴⁰ von Mirbach, Martin "Reward the Best or Improve the Rest?; Questions about Forest Certification in Canada and Internationally", paper prepared for February 23-27 1996 meeting of NGOs in Ottawa.

⁴¹ Canadian Bankers Association, Canadian Institute of Chartered Accountants, Institute of Chartered Management Consultants, Ernst & Young.

ERRATA

Environmental Standards Writing: Barriers to Environmental Non-Governmental Organizations Involvement, CIELAP 1997

Page 34: Second paragraph (the quote from Martin von Mirbach), third sentence should read:

Environmental NGO (ENGO) participation on the thirty-two member CSASFM Technical Committee is limited to three organizations, Wildlife Habitat Canada, The BC Federation of Mountain Clubs and the Ontario Federation of Anglers and Hunters



fourth from Public Works Canada.⁴² Thus looking strictly at affiliation, a total of at least 20 of 34 the voting participants (59%) can be associated with commercial interests.

A similar analysis of the CAC yields a total of at least 18 (13 Industry, 5 Service/Professional) of 25, or 72% of voting members clearly associated with the business/industry perspective. In both cases no account is taken of members who, while not directly affiliated with the commercial sector, are favourable to it.

As for other interests, the CEC has 3 government voting representatives with direct environmental attachments (Alberta Environment, CCME, Environment Canada). Of the 3 government voting representatives on the CAC, one is from Environment Canada, one from CIDA and the other from the Standards Council of Canada.

Table 1
The Current CEC/CAC Matrices⁴³

Category	CEC	CAC
Industry	V: 12 C: 1 NV: 2 Total 15	V: 13 NV: 3 Total 16
Service/Professionals	V: 7 NV: 5 Total 12	V: 5 NV: 5 Total 10
Government	V: 8 C: 1 NV: 2 Total 11	V: 3 NV: 2 Total 5

⁴² Industry Canada, Treasury Board of Canada, External Affairs and Trade, Public Works.

⁴³ Based on material prepared by Larry Futers March 22, 1996. See Appendix E.

Public	V: 7 NV: 1 Total 8	V: 4 NV: 1 Total 5
Total	V: 34 NV: 10 Total 46	V: 25 NV: 11 Total 36

V = Voting Delegate
C = Chair
NV = Non-voting participant

In the public interest category, CEC representation shows one labour, one consumer and two academic representatives. Of the three environmental representatives listed, only one is reported to have attended regularly and that member represents an organization whose focus is split between international development and environmental issues. The public interest category for the CAC shows one labour and one consumer representative and two regularly attending environmental representatives out of a total of 25 voting members.

These numbers reinforce the conclusion that non-commercial interests in general and environmental interests in particular are distinctly under-represented on the CEC and especially on the CAC. This is also true for other technical committees and subcommittees. This impression is strengthened by the fact that there appears to be a complete lack of strong environmental representation with direct grass roots support. It raises the following questions: Does an environmental standard setting process with a strong public policy component and this composition properly balance the relevant interests? Can it generate an appropriate result? Is it consistent with the CSA statement quoted in chapter 2?:

CSA's origin and acquired strength over the years lies in the delicate balance of disparate interests and issues. We have always accommodated differing and often competing points of view. The degree to which we manage diverse forces continues to be the barometer of our success. (1996 Annual Report, p.1)

The reality of commercial interest domination makes further NGO participation difficult. It is not only a matter of numbers, but also the lack of priority and respect that some NGOs (at least) feel is accorded the environmental perspective in meeting discussions. Not infrequently NGOs have felt isolated, their views discounted and marginalized, their activity seemingly of little effect. This is not a formula to stimulate NGO willingness to engage in the CSA process.

Possible Responses

CSA is currently in the process of reviewing the CEC's composition and terms of reference. The matrix should be revised with a much clearer commitment to greater representation of non-commercial interests in general and environmental interests in particular. It is difficult to be precise about what this implies for total numbers, especially in light of the CSA regulation specification for matrix balance and voting percentages. However, the composition of the matrix should be such that:

- a) non-commercial interests are prominently represented and balanced against commercial interests in a way that validly embodies their true importance in setting standards for the environment;
- b) environmental interests have a proportion that ensures that they can influence the course of the discussion, rather having a token impact only. Arguably, in keeping with the nature of consensus decision making, environmental interests should be able to veto a proposal for environmental standards which is clearly not in the interests of the environment.

It should be noted, however, that it is unlikely that the CSA process will be able to attract large numbers of representatives from substantial environmental NGOs. There are simply not enough qualified and potentially willing NGO representatives. Accordingly, it may be necessary to keep the total number of participants in steering and technical committees comparatively low in order to ensure a properly balanced matrix (ie. one which reflects (a) and (b) above). This would require a significant drop in the total numbers currently listed as participating in the CEC and (perhaps) the CAC.

In the alternative, it may be necessary for the CEC to seek NGO input from "outside" the process as currently defined. For example, it may be necessary to attempt to construct an environmental advisory group analogous to the CEC, but without the constraints of a formal CSA steering committee. For this to be effective, however, it would be necessary for the group to have some real effect on CEC and CAC decision making.

At minimum, environmental NGO representation on the CEC/CAC executive would begin the process of redressing the imbalance.

The CSA is in the process of revisiting a number of aspects of its activity in the environmental area, including the structure and composition of the CEC. A decision by the CSA to stand pat or to make minimal changes in representation would likely be interpreted by NGOs as a clear signal that the CSA views the current matrix as appropriately balanced and does not truly wish to encourage further NGO involvement.

4.3 Consensus and the Nature of Decision Making

Some NGOs have concerns about the nature of CSA's decision making processes. Part of the concern relates to uncertainty about how decisions are actually made. NGOs have been told that the process is consensus-based, but they have also heard that votes are taken to resolve key issues.

The CSA, Standards Council of Canada and ISO processes have been represented to NGOs and others as being based upon consensus decision making. It is true that much of the discussion at committee meetings appears to be focused on obtaining agreement, rather than resolving issues via a vote. However, despite the fact that these are ostensibly consensus-based processes, as demonstrated in Section 2.4 D, voting plays an important part in deciding what standards are adopted by technical and steering committees.

Two issues are of potential concern for NGOs: i) the percentage of votes required to adopt or reject a standard and the relationship of this percentage to environmental representation in the balanced matrix and ii) the fact that a negative vote by a member is not necessarily a negative vote; as shown in section 2.4 D above, the CSA procedures permit the "dispositioning" of negative votes into "non votes" by the Chairman of the Committee.

As noted in Section 2.4 D, a two-thirds majority of all votes cast is required to adopt standards, with the total votes cast not being less than 50% of total voting representation on a committee. Thus environmental interests would require 33% of a particular vote to defeat the proposal for a standard that was against the environmental interest. This directly plays into concerns about representation in the matrix and the ability of organizations to influence the nature of the standards finally adopted.

It also raises issues of how environmental NGO participation is perceived by the public. Some in the public must ask the question: if the process is consensus-based and if environmental NGOs are involved in the process, is it not true that whatever emerges from the process must have the agreement of the environmental participants? If so, how is it possible for CSA standards to receive such environmental NGO criticism? Are the environmental NGOs involved in the process not doing their job properly? The potentially detrimental effect on the reputation of those involved is obvious.

Possible Responses

Concerns about voting imbalance and negative vote dispositioning relate directly to the current imbalance of committee representation. If concerns about the matrix are dealt with satisfactorily major concerns about voting will dissipate.

One way to dispel misconceptions about the nature of CSA and ISO consensus decision making is to clarify in public what the CSA and ISO mean by consensus.

The dispositioning of negative votes into "non votes" is antithetical to the notion of consensus based upon voluntary agreement. It is an objectionable procedure which should not be followed, especially in the context of a standards discussion involving public policy issues where legitimate differences in points of view can be expected. The Chair should exercise his/her discretion to find the no vote "persuasive" in every instance and thereby not invalidate any vote.

4.4 Meeting Process and Content

Some NGOs attenders have found the atmosphere and process at CSA meetings discouraging to NGO participation. Part of this is due to sheer numbers of those favouring a business/industry orientation (the matrix). Other factors include:

- the relative lack of substantive discussion concerning positions to be taken by Canadian representatives at international meetings, including meetings of ISO;
- the apparent discounting/devaluing of environmental NGO perspectives on the part of some participants and the relative lack of counterbalancing validation of environmental perspectives by CSA or others;
- the lack of background documentation, especially contextual and technical information, which would facilitate informed participation;
- the unwillingness of the process (at meetings and more generally) to welcome or even entertain the questioning of underlying presuppositions, or ways of defining or conceptualizing the issues on the table (Also see 4.5 B below);
- the lack of clear understanding by participants of their role on the committees and the groundrules of the process.

The last point is directly related to more general concerns about CSA process:

- lack of clarity about the interface between the CEC and CAC;
- excessive attention to concerns about organizational positioning between the CSA and the Standards Council of Canada, to the detriment of dealing with substantive issues.

Possible Responses

The CSA can take steps to address these concerns by:

- making changes to the way in which meetings are prepared and conducted;
- improving the pattern and nature of communication between CSA and the participants in the process. This includes ensuring adequate and accurate information is provided to participants on the nature of the CSA, Standards Council of Canada and ISO structures and processes;
- clarifying and improving the CSA/SCC interface.

4.5 The Need for Transparency in CSA Processes

Two issues have been highlighted in relation to the need for transparency:

- Delegation, representation and the nature of CSA selection process
- Definition of issues for resolution by Technical Committees and Subcommittees.

Both of these touch upon matters which affect the friendliness of CSA processes to NGO participation.

A. Delegation, representation and the nature of CSA selection process

Participants in the CSA process have expressed concern about the way in which decisions are made to invite committee membership and to pick delegates to international meetings.

Participants (and outsiders) are uncertain as to how decisions are made to invite groups or individuals to participate in the CEC and technical committees. What criteria are used? Can the criteria be changed? Who decides what environmental interests are represented or invited? Is the decision making process accessible by outsiders?

The same concerns also apply to decisions about membership in subcommittees and delegate selection for the CAC and ISO.

B. Definition Of Issues For Resolution by Technical Committees and Subcommittees

Participants have raised concerns about the way in which issues are addressed in CSA processes. For example, it is not clear to participants how the "terms of reference" for standard setting exercises are established. Nor is it clear why certain questions are open for discussion in technical committees and subcommittees, while others are not.

Questioning frameworks, probing alternative approaches and testing ranges of responses are necessary components of processes involving the determination of public policy issues. However, it seems to some participants that in the CSA process, these are (a) not well understood and (b) not welcome. This appears to be particularly true at the beginning of a new standard setting exercise. Options seem to be closed before they are discussed.

For instance, a consultant's report on a proposed standard sometimes appears and defines the terrain for the new standard before there has been any opportunity to discuss the appropriate framework for the standard. What is the reason for this? Is it not possible to open these matters up more to discussion prior to premature crystallization?

Possible Responses

The CSA can clarify the process and criteria upon which appointments and selection decisions are made. Dispelling the mystery should help to promote confidence and trust in the CSA process.

The same is true for the mechanisms by which issues are defined and terms of reference are set. Clarity of process and openness to debate and questioning will assist in making CSA processes more congenial to NGO participation.

4.6 Proper Representation of Positions

Participants have expressed concern that in the past CSA positions have been improperly represented, especially by industry participants, with little or no corrective response from CSA itself. For example, the CSA SFM has been characterized to the media by industry as certification rather than registration. Industry individuals have reportedly claimed to be representing the CSA or Standards Council of Canada abroad when in fact they are not delegates to ISO or other international bodies/processes. CSA has apparently failed to take vigorous steps to prevent further misrepresentations and this is cause for concern to some NGOs.

Similar concern has been raised about the apparently cavalier (or sloppy) actions of CSA in representing some NGOs as continuing participants long after they have ceased to be part of the CSA process. For example, the Sierra Club representative was listed as a participant in the SFM initiative long after she had initially notified the CSA that she would not participate and had reminded the CSA of this. This is a serious matter to NGOs, whose reputation is central to their effectiveness.

Possible Responses

CSA can show that these issues are of concern to it by taking serious and direct corrective action.

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5. Conclusions

CSA is currently reviewing the structure, composition and other matters affecting the Canadian Environmental Council (CEC), the Steering Committee for CSA's Environmental Management Program and the Canadian Advisory Council to the ISO 14000 process. CSA states that it wishes to include more environmental NGOs in its environmental standards writing activities. The current review is an opportunity to make changes that will enhance that possibility.

Environmental NGOs not currently involved in CSA activities have a variety of different reasons for not participating, such as:

- opposition to voluntary standards like those proposed by ISO 14001 because of their negative impact on governmental standard setting capability;
- insufficient resources;
- concern about the appropriateness of applying a model and an institution (CSA) that have been oriented to writing products standards for commercial interests, to issues of public policy such as environmental management systems and sustainable forestry;
- concern about the content of CSA standards "products" to date, including ISO 14001 and Sustainable Forestry Management;
- concern about lack of balanced representation in the process and domination of commercial interests;
- concern that CSA decision making procedures, in combination with lack of balanced representation, will result in "consensus" decisions which are contrary to the interests of the environment;
- concern about the unfriendliness of the process -- due to unbalanced representation, the lack of attention given to ensuring transparency of procedures, etc.; and/or
- concern about CSA's apparent lack of willingness to date to correct promptly misleading statements about CSA or ISO positions by participants and CSA's failure to take quick action to remedy misrepresentation of NGO participation in its processes.

The major issues for those environmental NGOs potentially open to CSA participation appear to be insufficient resources and the lack of balanced representation on CSA committees.

The present CEC and CAC review affords the CSA an important opportunity to demonstrate its desire to encourage further NGO participation. If CSA fails to make suitable modifications to its processes and practices, NGOs may interpret this as a signal that CSA is unwilling to make changes appropriate to attracting and maintaining NGO participation.

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APPENDIX A

CSA ENVIRONMENTAL MANAGEMENT PROGRAM

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CSA Environmental Management Program

as of May 3, 1996

CSA Environmental Management Projects with Parallel ISO work

		Status	Nature	Target Pub. Date
1.	Environmental Management Systems	published	Info. Plus Product	Z750
2.	Environmental Labelling	published	Consensus Document	Z761
3.	Environmental Life Cycle Assessment	published	Consensus Document	Z760
4.	Life Cycle Assessment in Practice	published	Info. Plus Product	Plus 1107
5.	Environmental Auditing: Principles & General Practices	published	Consensus Document	Z751
6.	Environmental Terminology for Canadian Business	published	Info. Plus Product	Plus 1109
7.	Design for the Environment	published	Consensus Document	Z762

CSA Environmental/Quality Management Projects with no current Parallel ISO work

		Status	Nature	Target Pub. Date
8.	Environmentally Responsible Procurement	published	Consensus Document	Z766
9.	Pollution Prevention	published	Info. Plus Product	Z754
10.	Emergency Planning for Industry (#2) (MIACC partnership)	published	Consensus Document	Z731
11.	Introduction to Environmental Risk Assessment	draft	Info. Plus Product	June 1996
12.	Risk Management: Guideline for Decision Makers (Q850)	draft	Consensus Document	1996
13.	Environmental Performance Reporting	published	Info. Plus Product	Plus 1131
14.	Environmental Site Assessment (Phase I)	published	Consensus Document	Z768
15.	Environmental Site Assessment (Phase II)	investigation	t.b.a.	t.b.a.
16.	Environmental Principles & Policies	draft	Info. Plus Product	August 1995
17.	Req. for the Competency of Environmental Analytical Labs.	published	Consensus Document	Z753
18.	Environmental Life Cycle Review	published	Info. Plus Product	Plus 1115
19.	Environmental Assessment of Buildings	investigation	Info. Plus Product	1997
20.	Canadian LCI Raw Material Database (Methodology)	draft	Methodology	July 1996
21.	Sustainable Forest Management (Z808/Z809)	draft	Consensus Document	Fall 1996
22.	Env. Impact Assess for Pulp & Paper Products & Processes	draft	Backgrounder	July 1996
23.	ISO 14001 Checklist	draft	Info. Plus Product	March 1997
24.	ISO 14001 Auditor's Handbook	draft	Info. Plus Product	March 1997

CSA Environmental Training Projects with no current Parallel ISO work

25.	NEWS Small Business Program - <u>Workbook</u> - "Competing: Leaner, Keener, Greener" - <u>Instructor's Manual</u>
26.	EMS Pilot Program
27.	Sustainable Forestry Management Pilot Program
28.	University Task Force

ISO Activity with no current Canadian work

		Status	Nature	Target Pub. Date
29.	* Environmental Performance Evaluation	Cdn. EPE committee	Consensus Document	1996

* Note: Aspects of EPE have been discussed by the CICA, CSA, IISD and others within the context of research on Environmental Performance Reporting

APPENDIX B

CSA REGULATIONS GOVERNING STANDARDIZATION

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Regulations Governing Standardization

November 1990

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Preface

This is the third edition of the *CSA Regulations Governing Standardization*; it replaces the second edition, which was issued in November 1984. It consists of 31 pages, each dated November 1990.

In the second edition, requirements were added for the interpretation of Standards and the appeals procedure was modified. Those clauses in the first edition which referred to the Advisory Councils have been omitted.

This edition better defines the membership requirements for the Standards Policy Board, more clearly defines the role of the Standards Steering Committees, revises the requirements for the formal approval of draft Standards, and reorganizes the approval procedure to reflect current needs.

The *CSA Regulations Governing Standardization* were prepared by a Standards Policy Board Task Force and were approved by the Standards Policy Board on September 6, 1990 and by the CSA Board of Directors on October 22, 1990.

Introduction

These Regulations apply to the organization of Committees and procedures for the development of CSA Standards. They are divided into two parts, Part I — Clauses 1 to 4 — defining the Standards Development Structure and Part II — Clauses 5 to 13 — defining the Standards Development Procedure.

Two appendices are included: Appendix A — *Resources for Standards Development*; and Appendix B — *Operational Guidelines for Standards Development*.

General Principles

Standardization through the Canadian Standards Association is intended to be voluntary and self-regulating, using the consensus principle. CSA Standards are widely used by industry and commerce and are often referred to in regulations by municipal, provincial, territorial, and federal governments, particularly in the fields of health, safety, and the environment.

CSA is a unique national organization made up of business, government, labour, consumers, and associations all working together voluntarily in their common interest to develop national consensus Standards.

CSA's management system makes it possible for these volunteers to accomplish their objectives.

The CSA procedure is based on the principle that any group having an interest in establishing a Standard has the right and responsibility to contribute technical knowledge, ideas, experience, and financial support to the development of that Standard. CSA Standards reflect a national consensus of producer, user, regulatory authority, general and other interests, as appropriate to the subject being standardized, chosen on a broad geographical basis to ensure national character.

Directives and Guidelines

In addition to these Regulations, Guidelines have been prepared that describe detailed procedures for the organization of Committees and for the development of CSA Standards. A list of Guidelines, some of which are referenced by these Regulations, is provided in Appendix B.

Some of the Guidelines are written using the verb "shall" and are, in fact, directives. It should be noted that these directives reflect CSA corporate policy.

Part I

Standards Development Structure

1. General

1.1

CSA Standards are developed through a formal structure consisting of

- (a) a Standards Policy Board;
- (b) Standards Steering Committees; and
- (c) Technical Committees.

Where appropriate this structure may be complemented by other groups such as Regulatory Authority Committees.

1.2

CSA Standards shall be formally approved in accordance with these Regulations.

1.3

A draft Standard is a document that, after approval, will become a new Standard, a new edition of a Standard, a supplement, or an amendment to a published Standard.

2. Standards Policy Board

2.1 General

A Standards Policy Board, consisting of approximately 30 members, operates under the authority of the CSA Board of Directors.

2.2 Chairmen

The Standards Policy Board shall have a Chairman and at least one Vice-Chairman. The Chairman and Vice-Chairmen shall be appointed for a 2-year term by, and shall serve at the pleasure of, the Board of Directors. They shall be eligible for reappointment.

2.3 Executive Committee

The Standards Policy Board may appoint an Executive Committee. It shall consist of the Chairman, Vice-Chairmen, a minimum of three members selected by the members of the SPB, and the Secretary to the Standards Policy Board.

2.4 Voting Members

2.4.1

Members shall be appointed by the Board of Directors, acting upon the recommendation of the Chairman of the Standards Policy Board, and they shall serve at the pleasure of the Board of Directors. The appointment is for a 3-year term; members shall be eligible for reappointment. See also Clauses 2.4.3 and 2.4.4.

2.4.2

Members shall be selected according to the following principles:

- (a) major areas of CSA present and perceived future Standards activities shall be covered to the fullest extent possible;
- (b) membership shall be based on the individual's expertise in, knowledge of, and familiarity with the development, management, and application of Standards, and management concepts in general;
- (c) members need not be active in Standards work at the time of their selection; their experience in such work, however, should be recent;
- (d) consideration shall be given to both national and geographical representation; and
- (e) a reasonable balance of producer, user, regulatory authority, and general interest members shall be maintained.

2.4.3

When considering a reappointment, the effectiveness of that member during the past term shall be taken into account. Specifically, the following should be considered:

- (a) attendance at meetings;
- (b) prompt return of letter ballots;
- (c) contributions made during meetings; and
- (d) participation in subsidiary groups, assignments, etc.

2.4.4

Appointments should be made so that approximately 30% of members are appointed or reappointed each year.

2.4.5

Appointments to the Standards Policy Board are individual appointments; neither alternates nor proxies are permitted.

2.5 Nonvoting (Associate) Members

2.5.1

The CSA President and the Vice-President of the Standards Division shall be recorded as ex-officio, nonvoting members.

2.5.2

The Executive Committee (see Clause 2.3) or Chairman, in consultation with staff, may appoint liaison representatives from the main areas of CSA standardization when these are not already represented by voting members.

2.5.3

Provision shall be made for a liaison representative from the Standards Council of Canada, who shall be recorded as a nonvoting member.

2.5.4

The Secretary to the Standards Policy Board shall be provided by CSA and shall be nonvoting.

2.6 Responsibilities

2.6.1 General

The Standards Policy Board shall be responsible for

- (a) developing and maintaining the *CSA Regulations Governing Standardization*, subject to confirmation by the Board of Directors;
- (b) ensuring implementation of the *CSA Regulations Governing Standardization*;
- (c) reviewing, in consultation with the Director, Standards Development, all new Standards activities that call for
 - (i) a major extension to the activities of a Standards Steering Committee; or
 - (ii) the organization of a new Standards Steering Committee;
- (d) reviewing and recommending appropriate action with regard to any area of conflict or dispute that may arise between Standards Steering Committees, or between a Standards Steering Committee and a Technical Committee;
- (e) developing, maintaining, and implementing the Guidelines for the organization of Committees and for the development of CSA Standards;
- (f) evaluating the effectiveness of the Standards development process;
- (g) hearing appeals (see Clause 8); and
- (h) performing such other duties as may be assigned to it by the Board of Directors.

2.6.2 Establishing Standards Steering Committees

The Standards Policy Board shall be responsible, in consultation with CSA staff, for the establishment of Standards Steering Committees in broad fields of standardization consistent with both the policies of the CSA Board of Directors and CSA resources. The Standards Policy Board shall also be responsible for

- (a) the approval of the terms of reference and matrix (see Note);
 - (b) the appointment of the Chairman and Vice-Chairmen;
 - (c) ensuring that membership balance is maintained; and
 - (d) a review of activities on at least an annual basis;
- for all Standards Steering Committees.

Note: *A Matrix is defined as the total membership of a Committee expressed in terms of categories (eg, producer interest, user interest, regulatory authority, general interest) rather than specific names or affiliations (see Guideline B, Procedures for Establishing and Maintaining Standards Steering Committees).*

2.6.3 Assigning New Standards Activities

The Standards Policy Board shall be responsible, in consultation with the Director, Standards Development, for the assignment of a Standards activity not otherwise covered by the terms of reference of an existing Standards Steering Committee. Depending upon the activity,

- (a) it may be assigned to an existing Standards Steering Committee; or
- (b) a new Standards Steering Committee may be organized.

2.7 Meetings

2.7.1 Frequency

The Standards Policy Board shall meet at least once annually.

Note: *The Board typically meets twice each year.*

2.7.2 Notice of Meeting

A notice of meeting and the agenda shall be circulated at least 3 weeks in advance of the meeting.

Note: *Meeting agendas should be structured to ensure that items requiring decisions by vote precede information items.*

2.7.3 Attendance

Meetings of the Standards Policy Board shall normally be open only to members of the Board. However, on specific request, visitors or observers may be permitted to attend with the consent of the Chairman.

2.7.4 Quorum

One-half of the total voting members of the Standards Policy Board shall constitute a quorum.

2.7.5 Voting at Meetings and by Correspondence

As far as possible, decisions should be made by consensus*. For approval of any motion, the affirmative vote shall:

- (a) amount to two-thirds of the votes cast; and
- (b) constitute at least 50% of the total voting membership.

**Consensus is defined as substantial agreement reached by concerned interests. Consensus includes an attempt to resolve all objections and implies much more than the concept of a simple majority, but not necessarily unanimity.*

2.7.6 Reports

The Chairman shall submit a report to the CSA Board of Directors after each Standards Policy Board meeting or as directed.

3. Standards Steering Committees

3.1 General

A Standards Steering Committee shall be established under the authority of the Standards Policy Board in each of the broad areas of standardization in which CSA has competence and for which there is a demonstrated need for Standards.

If a new Standards Steering Committee is necessary, the terms of reference and a matrix shall be prepared and referred to the Standards Policy Board for approval.

Note: *See Guideline B, Procedures for Establishing and Maintaining Standards Steering Committees.*

3.2 Chairmen

3.2.1

Each Standards Steering Committee shall have a Chairman and at least one Vice-Chairman. Unless otherwise provided for in the Committee's terms of reference, their appointment shall be for 3 years and each shall be eligible for reappointment.

3.2.2

The Chairmen shall be persons with experience or interest in the broad areas of standardization as defined by the terms of reference of the Standards Steering Committee. Appointments shall be based on the individual's expertise in, knowledge

of, and familiarity with the development, management, and application of Standards and management concepts in general.

3.3 Executive Committee

3.3.1

Each Standards Steering Committee should establish an Executive Committee to undertake functions, including

- (a) administration;
- (b) timely handling of work of the Standards Steering Committee;
- (c) liaison with the Committee Administrator.

3.3.2

The Executive Committee shall consist of the Chairman, Vice-Chairmen, Committee Administrator, and a small number of Committee members, chosen by the members of the Standards Steering Committee.

3.3.3

Decisions of the Executive Committee shall be subject to ratification by the Standards Steering Committee as a whole.

3.4 Voting Members

3.4.1

Each Standards Steering Committee shall have members from the producer, user, regulatory authority, and general interest, or other appropriate categories, consistent with its terms of reference and these Regulations.

3.4.2

The members shall be selected according to the following principles:

- (a) all major areas of CSA Standards activities within the terms of reference of a Standards Steering Committee shall be adequately covered;
- (b) membership shall be based on the individual's expertise in, knowledge of, and familiarity with the development, management, and application of Standards and management concepts in general; and
- (c) geographical representation.

Notes:

(1) Membership on Steering Committees is not restricted to Canadians.

(2) Before appointment to membership on a Committee, individuals may be requested to provide a curriculum vitae to help assess their likely contribution to the work of the Committee.

3.4.3

Consideration shall be given to the appointment of Technical Committee Chairmen or their designates as voting members of the Standards Steering Committee, provided that such appointments are consistent with the approved matrix. See also Clause 3.5.1.

3.4.4

The members shall be appointed by the Executive Committee or the Chairman, with the concurrence of the Committee Administrator, consistent with the approved matrix or subject to ratification of the matrix by the Standards Policy Board. Unless otherwise

provided for in the Committee's terms of reference, members shall be appointed for 3 years and shall be eligible for reappointment.

Note: *Responsibility for the appointment of members should be assigned to the Executive Committee once it is organized.*

3.4.5

When unable to attend a meeting, a member may nominate an alternate, with the agreement of the Chairman. The alternate may represent the member for all topics or may be restricted to specific subjects. Alternates shall be considered on a meeting-by-meeting basis and shall vote only on behalf of the member they represent. See also Clause 7.5.5.2.

3.5 Nonvoting (Associate) Members

3.5.1

The Chairmen of those Technical Committees under the jurisdiction of the Standards Steering Committee shall be recorded as Associate (ex-officio, nonvoting) members of the Standards Steering Committee if they are not recorded as voting members in some other capacity (see Clause 3.4.3).

3.5.2

The Committee Administrator shall be recorded as nonvoting.

3.6 Responsibilities

3.6.1 General

Each Standards Steering Committee, with the concurrence of the Committee Administrator, shall be responsible for

- (a) planning, assigning, coordinating, and monitoring all Standards-writing activities coming within its terms of reference;
- (b) ensuring that the Regulations and Guidelines are implemented within the Standards Steering Committee and its subsidiary groups;

Note: *Any proposed deviation from the Regulations and Guidelines is subject to the approval of the Standards Policy Board*

- (c) encouraging the promotion and acceptance of those Standards and Special Publications coming within its terms of reference;
- (d) coordinating its activities with other Standards Steering Committees and with other national or international Standards organizations (see Clause 3.7);
- (e) coordinating its activities with appropriate levels of government to harmonize with existing and proposed regulations (see Clause 3.8); and
- (f) establishing priorities and identifying the sources and availability of resources required to enable standardization projects to be carried out.

Notes:

- (1) *See Appendix A, Resources for Standards Development.*
- (2) *Decisions concerning the format and publication of Standards, eg, size, typeface or style, publication availability, and price, rest with CSA staff.*

3.6.2 Responsibilities Concerning Technical Committees

3.6.2.1

Each Standards Steering Committee shall be responsible, with the concurrence of the Committee Administrator, for the establishment of Technical Committees in specific, well-defined areas, where there is a demonstrated need and consistent with available resources.

3.6.2.2

For those Technical Committees under its jurisdiction, each Standards Steering Committee shall also be responsible for

- (a) the approval of the matrix and, where necessary, the terms of reference;
- (b) the appointment of the Chairman and Vice-Chairmen; and
- (c) ensuring that proper membership balance is maintained.

3.6.2.3

Each Standards Steering Committee shall also be responsible for

- (a) the formal approval of all draft new Standards prepared by its Technical Committees (see Clause 7.5);
- (b) ensuring that all drafts are prepared in accordance with the Regulations;
- (c) authorizing the issuance or extension of a Preliminary Standard (see Clause 9); and
- (d) approving the withdrawal of a CSA Standard. (See Clause 13).

3.7 Liaison Committees

3.7.1

Each Standards Steering Committee may establish liaisons or a Liaison Committee, as and when required, for coordination in those areas where its activities overlap those of other Standards Steering Committees or those of other national or international bodies (eg, CNC/ISO, CNC/IEC).

3.7.2

The Standards Steering Committee shall be responsible for the appointment of the Chairman and members of the Liaison Committee. The Chairman should be a member of the Standards Steering Committee; the members need not be.

3.7.3

A Liaison Committee shall be advisory only, ie, it may submit recommendations for action to the Standards Steering Committee, but shall not initiate this action itself.

3.8 Regulatory Authority Committee

3.8.1

A Standards Steering Committee may establish a Regulatory Authority Committee when any or all of the Standards prepared under the jurisdiction of the Standards Steering Committee are likely to be adopted or referenced by the Regulatory Authorities and thus become mandatory Standards.

3.8.2

The membership of Regulatory Authority Committees shall be limited to persons

directly representing a Regulatory Agency of Government, whether Federal, Provincial, Territorial, or Municipal, and to other representatives acceptable to these Authorities.

Note: *When a CSA Advisory Council serves a specific field, the Advisory Council should fulfil the role of the Regulatory Authority Committee in that specific field in addition to its other responsibilities.*

3.8.3

The function of Regulatory Authority Committees shall be to review proposals for new Standards and draft Standards, and advise as to their suitability for adoption by the various regulatory agencies.

3.9 Rules of Operation

Each Standards Steering Committee may establish additional rules of operation, consistent with these Regulations, subject to the approval of the Standards Policy Board.

3.10 Reports

Each Standards Steering Committee shall report to the Standards Policy Board on its organization and activities on an annual basis or as directed by the Standards Policy Board.

3.11 Meetings

Note: *See Guideline D, The Role of a CSA Committee Chairman and Procedures for the Appointment of Chairmen and Committee Members; and Guideline E, Preparing for and Conducting a CSA Committee Meeting.*

3.11.1 Frequency

Each Standards Steering Committee should meet at least once annually; such meetings may be teleconferences. Exceptions, with reasons, shall be reported to the Standards Policy Board.

3.11.2 Notice of Meeting

Members shall be notified of a meeting, with the agenda, at least 2 weeks in advance of the meeting.

Note: *Meeting agendas should be structured to ensure that items requiring decisions by vote precede information items.*

3.11.3 Quorum

One-half of the total voting membership shall constitute a quorum. Proxies shall not be included. Alternates shall be included.

3.11.4 Voting at Meetings and by Correspondence

As far as possible, decisions should be made by consensus.* For approval of any motion, including the approval of a draft Standard, members have an obligation to vote. The affirmative vote shall

- (a) amount to two-thirds of the votes cast; and
- (b) constitute at least 50% of the total voting membership.

*See under Clause 2.7.5.

3.11.5 Public Attendance

3.11.5.1

Standards Steering Committee meetings shall normally be open only to members (or their alternates); however, upon specific request, visitors and observers may be permitted to attend meetings with the consent of the Chairman and the concurrence of the Committee Administrator.

Should there be no agreement between the Chairman and the Administrator, the decision of the Vice-President, Standards Division, shall be final.

3.11.5.2

Visitors and observers are permitted to speak only with the express permission of the Chairman.

4. Technical Committees

4.1 General

A Technical Committee shall be established, under the authority of the Standards Steering Committee, with the concurrence of the Director, Standards Development, in each specific well-defined area of standardization falling within the broad jurisdiction of the Standards Steering Committee and for which there is a demonstrated need for a Standard(s) and for which resources can be identified.

If a new Technical Committee is necessary, a matrix shall be prepared for approval by the Standards Steering Committee.

Note: See *Guideline C, Procedures for Establishing and Maintaining Technical Committees.*

4.2 Chairmen

4.2.1

Each Technical Committee shall have a Chairman and at least one Vice-Chairman. Unless otherwise provided for in the Committee's terms of reference, their appointment shall be for 3 years and each shall be eligible for reappointment.

4.2.2

Chairmen shall be knowledgeable in the subject concerned, be familiar with standardization policies, procedures, and processes, and be prepared to devote the time necessary to meet the requirements of the project.

4.3 Voting Members

4.3.1

Each Technical Committee shall have members from the producer, user, regulatory authority, and general interest, or other appropriate categories consistent with its approved matrix.

4.3.2

Members shall be selected according to the following principles:

(a) all major areas of interest, consistent with the approved matrix, shall have representation including liaison with other Technical Committees in related fields where necessary;

- (b) membership shall be based on technical expertise or interest in the project; and
- (c) geographical representation.

Notes:

(1) *Membership on Technical Committees is not restricted to Canadians.*

(2) *Before appointment to membership on a Committee, individuals may be requested to provide a curriculum vitae to help assess their likely contribution to the work of the Committee.*

4.3.3

Members shall be appointed by the Chairman, with the concurrence of the Committee Administrator, consistent with the approved matrix or subject to ratification of the matrix by the Standards Steering Committee. Unless otherwise provided for in the Committee's terms of reference, members shall be appointed for 3 years and shall be eligible for reappointment.

4.3.4

When unable to attend a meeting, a member may nominate an alternate, with the agreement of the Chairman. The alternate may represent the member for all topics or may be restricted to specific subjects. Alternates shall be considered on a meeting-by-meeting basis and shall vote only on behalf of the member they represent. See also Clause 7.4.5.2.

4.4 Nonvoting (Associate) Members

4.4.1

The Chairmen of subsidiary Committees under the jurisdiction of the Technical Committee shall be recorded as Associate (ex-officio, nonvoting) members unless they are recorded as voting members in some other capacity in that Technical Committee.

4.4.2

Associate (nonvoting) members may be appointed to a Technical Committee by the Chairman, with the concurrence of the Committee Administrator, in the following categories:

- (a) representatives of other recognized Standards-writing organizations;
- (b) those individuals who have been selected for their technical ability and experience to give advice and assistance to the Technical Committee;
- (c) representatives of the CSA Certification Division, Canadian Welding Bureau, the Quality Management Institute, and other staff, and liaison representatives from other Committees;
- (d) representatives of other recognized certification agencies; and
- (e) government personnel who have an interest in the subject area for regulatory purposes.

4.4.3

The Committee Administrator shall be recorded as nonvoting.

4.5 Responsibilities

Each Technical Committee shall have full responsibility for the technical content of all Standards under its jurisdiction and, in addition, shall be responsible for

- (a) scheduling its activities toward the timely completion of its proposed Standard(s);

- (b) ensuring that a draft Standard is consistent with the scope assigned by the Standards Steering Committee;
- (c) reviewing a published Standard on a continuing basis to keep it up to date or to eliminate significant problems;
- (d) reviewing a published Standard at least once every 5 years for reaffirmation or withdrawal (see Clauses 12 and 13);
- (e) the interpretation of a published Standard (see Clause 11); and
- (f) complying with the policies and procedures of the Standards Policy Board and with CSA corporate policy, as appropriate.

4.6 Regulatory Authority Committee

4.6.1

A Technical Committee may establish a Regulatory Authority Committee when any or all of the Standards prepared under the jurisdiction of the Technical Committee are likely to be adopted or referenced by the Regulatory Authorities and thus become mandatory Standards.

4.6.2

The membership of Regulatory Authority Committees shall be limited to persons directly representing a Regulatory Agency of Government, whether Federal, Provincial, Territorial, or Municipal, and to other representatives acceptable to these Authorities.

4.7 Subsidiary Committees

4.7.1

Each Technical Committee shall be responsible, with the concurrence of the Committee Administrator, for establishing Subcommittees and Task Forces as necessary to carry out its assignments.

4.7.2

The Chairmen of all subsidiary Committees shall be appointed, with the concurrence of staff, by the Chairman of the Technical Committee or by the Committee as a whole.

Note: *It is recommended that the Chairmen of Subcommittees be members of the Technical Committee.*

4.8 Reports

Each Technical Committee shall report to its Standards Steering Committee on its organization and activities annually or as directed by the Standards Steering Committee.

4.9 Meetings

4.9.1 Frequency

Meetings should be called only when it has been clearly established that sufficient business is at hand to justify the time and expense of members and the Committee Administrator. Business may also be handled by correspondence, teleconferences, or other effective methods.

4.9.2 Notice of Meetings

Members shall be notified of a meeting at least 2 weeks in advance of the meeting. See also Clause 7.4.5.1.

4.9.3 Quorum

One-half of the total voting membership shall constitute a quorum. Alternates shall be included; proxies shall not be included.

4.9.4 Voting at Meetings and by Correspondence

As far as possible, decisions should be made by consensus*. For approval of any motion, including the approval of a draft Standard, members have an obligation to vote. The affirmative vote shall

- (a) amount to two-thirds of the votes cast; and
- (b) constitute at least 50% of the total voting membership.

*See under Clause 2.7.5.

4.9.5 Public Attendance

4.9.5.1

Technical Committee meetings shall normally be open only to members (or their alternates); however, upon specific request, visitors and observers may be permitted to attend meetings with the consent of the Chairman and the concurrence of the Committee Administrator.

Should there be no agreement between the Chairman and Administrator, the decision of the Vice-President, Standards Division, shall be final.

4.9.5.2

Visitors and observers are permitted to speak only with the express permission of the Chairman.

Note: See *Guideline D, The Role of a Committee Chairman; and Guideline E, Conducting a CSA Committee Meeting.*

Part II

Standards Development Procedure

5. Request for a New Standard

5.1 General

A request for a new Standard, or for an amendment to an existing Standard, may be submitted in writing to the Director, Standards Development, by any interested person, organization, or Committee.

5.2 Evaluation of a Request

5.2.1 New Standard

5.2.1.1

A request for a new Standard shall be evaluated by CSA staff, according to the following criteria:

- (a) CSA corporate policy;
- (b) need and support for the proposed Standard; and
- (c) available resources.

Note: See *Guideline A*, The Evaluation of Requests to Develop CSA Standards.

5.2.1.2

Provided the criteria of Clause 5.2.1.1 are met, a proposed Scope for the project shall be prepared by CSA staff and referred to either

- (a) an appropriate Standards Steering Committee*, which shall review the request and the proposed Scope, amend it if necessary in light of technical considerations, and
 - (i) assign the project to an appropriate Technical Committee; or
 - (ii) establish a new Technical Committee (see Clause 4.1); or
- (b) the Standards Policy Board, which shall review the proposed Scope and direct
 - (i) that the project be assigned to an existing Standards Steering Committee and its terms of reference be amended appropriately; or
 - (ii) that a new Standards Steering Committee be organized (see Clause 3.1).

**An appropriate Standards Steering Committee is one whose current terms of reference include the subject area of the new Standard.*

5.2.2 New Editions or Amendments

5.2.2.1

A request for a new edition or an amendment to an existing Standard shall be referred directly to the appropriate Technical Committee through the Committee Administrator.

5.2.2.2

When the request implies a change to the Scope of the Standard or a change to the terms of reference of the Technical Committee, the request shall be referred to the appropriate Standards Steering Committee for authorization.

5.2.3 Interpretation of a Standard

A request for an interpretation of a Standard shall be directed to the Committee Administrator for processing. See Clause 11.

5.3 Public Notice

5.3.1

CSA shall inform the public, by appropriate notification in CSA or other publications, of its intent to proceed with the development of a new Standard, a new edition, or a Supplement, and before the withdrawal of a published Standard.

5.3.2

CSA shall, at an appropriate time during the development of a draft Standard (new Standard, new edition, supplement, or amendment), offer the draft for public review for a minimum of 30 days, by notification in CSA or other publications.

6. Preparation of a Standard

6.1

With the aid of the Committee Administrator, the Technical Committee shall commence preparation of a draft Standard, either itself or through a subsidiary Committee(s), taking into account all available directly relevant national and international documents.

6.2

A draft Standard shall contain a precise Scope outlining the areas of application of the proposed new Standard as well as any limitations in its application.

Note: See *Guideline F*, The Preparation of CSA Standards.

6.3

Standards that are being developed, or amended, for publication as National Standards of Canada shall be prepared in accordance with the latest edition of the Standards Council of Canada Publication CAN-P-2, *Criteria and Procedures for the Preparation and Approval of National Standards of Canada*.

Note: See *Guideline G*, The Preparation and Advancement of CSA Standards as National Standards of Canada.

6.4

When completed, a draft Standard shall be submitted to the full Technical Committee for detailed consideration. Unresolved technical objections that may have arisen during the preparation of the draft Standard should be brought to the attention of the Technical Committee.

6.5

When the Technical Committee is generally satisfied with the contents of a draft Standard, it shall be referred to the Committee Administrator for formal processing (see Clause 7).

Notes:

(1) *Responsibility for the technical content of a CSA Standard rests with the Technical Committee. Only when a consensus exists within the Technical Committee as to technical content should the draft Standard be submitted to the approval process.*

(2) *In some instances, Standards Steering Committees may prepare Standards in accordance with special procedures, authorized by the CSA Board of Directors, whereby the final authority for the approval of the Standard is vested in the Standards Steering Committee.*

7. Formal Approval of a Draft Standard

7.1 General

7.1.1

The technical content of CSA draft Standards, amendments to Standards, reaffirmation of published Standards, and Preliminary Standards requires formal approval by a Technical Committee.

7.1.2

Draft new Standards, draft new editions, and supplements require formal approval by a Standards Steering Committee.

However, a Standards Steering Committee may decide that only the title, scope, and abstract of draft new Standards, and draft new editions where the scope has been revised from the current edition, require formal approval by the Standards Steering Committee.

Notes:

(1) *Draft Standards should be sent for ballot to the Steering Committee simultaneously with the Technical Committee ballot, so that the Technical Committee can address all technical matters at one time, thereby facilitating their work. See Clause 7.5.1 and Guideline N.*

(2) *When the draft Standard is lengthy, and with the permission of the Chairman, the scope and abstract of the draft Standard (instead of the complete draft) may be circulated to the Standards Steering Committee for ballot: any member wishing to receive the complete draft may do so, on request. See Clause 7.5.1.*

7.2 Negative Votes — Due Process

7.2.1

If there are unresolved negative votes from the Technical Committee ballot, the negative votes, together with the Committee position, shall be submitted for ballot to the Standards Steering Committee. This is to confirm that the draft Standard had been subjected to proper procedures with regard to the handling of negative votes.

The documents supporting the letter ballot shall include

- (a) the reasons submitted in support of the unresolved negative vote(s); and
- (b) the reasons why the negative vote(s) are not acceptable to the Technical Committee.

7.2.2

In the case of a Preliminary Standard, when there are unresolved negative votes, the procedure given in Clause 9.4 shall be followed.

7.3 Methods of Formal Approval

7.3.1

Formal approval of a draft Standard by a Technical Committee or a Standards Steering Committee shall be by either

- (a) letter ballot (see Clauses 7.4.4 and 7.5.4); or
- (b) recorded vote at a meeting (see Clauses 7.4.5 and 7.5.5).

Letter ballots shall be issued by staff: recorded votes shall be taken by staff only.

7.3.2

The time allotted for a reply to a letter ballot is normally 30 days unless a different duration is authorized by the Committee Chairman. If at the closing date there are insufficient returns for approval, staff will attempt to gain sufficient votes to close the ballot by contacting those from whom a ballot has not been received.

A negative vote received after the closing date for the ballot should normally be considered as new business and shall not necessarily be cause for delaying the publication of the Standard. Under exceptional circumstances, the Chairman may decide that the negative vote requires consideration before publication of the Standard.

7.4 Formal Approval of a Draft Standard by the Technical Committee

7.4.1 Criteria

The criteria for formal approval of a draft Standard by the Technical Committee are as follows:

- (a) the technical requirements are reasonable and justifiable considering the state of the art in the particular technical field;
- (b) the draft Standard fulfils the need;
- (c) the Scope of the draft Standard is met by the technical requirements included; and
- (d) in the case of a Preliminary Standard, the reasons given for the inability to complete the Standard are valid.

7.4.2 Voting Options

When voting on a draft Standard, one of the following options shall be used:

- (a) *affirmative* — when the draft is acceptable as presented;
- (b) *affirmative with comment* — when the draft is basically acceptable, no substantive changes are required, and editorial changes or clarifications are proposed; or
- (c) *negative* — when the draft is unacceptable, in error, or incomplete. Negative votes shall be supported with reasons.

7.4.3 Requirements for Formal Approval

For approval of a draft Standard, the affirmative vote shall

- (a) amount to two-thirds of the votes cast; and
- (b) constitute at least 50% of the total voting membership.

7.4.4 Formal Approval by Letter Ballot

7.4.4.1

Formal approval of a draft Standard may be by letter ballot vote. The draft Standard shall be circulated at least 21 calendar days prior to the closing date of the ballot. All voting members have the obligation to vote.

7.4.4.2

If there are aspects of the draft Standard that are not acceptable to one or more members of a Technical Committee, such members may register a negative vote and at the same time shall submit their reasons for so voting. Whenever possible, the negative voter should include suggestions for resolving the negative vote.

7.4.4.3

CSA staff shall refer a summary of the balloting, including reasons for any negative votes and any other comments, to the Chairman of the Technical Committee. All negative votes shall be dispositioned in accordance with Clause 7.4.6. All comments shall also be considered.

7.4.5 Formal Approval by Recorded Vote at a Meeting

7.4.5.1

Formal approval of a draft Standard by recorded vote may be given at a meeting of the Technical Committee. For such approval, the draft Standard shall be circulated to the members of the Committee at least 21 calendar days prior to the meeting; the members shall be given notice, at that time, that formal approval of the draft Standard by recorded vote will be considered at the meeting. All voting members have the obligation to vote.

7.4.5.2

The votes of Proxies and Alternates shall be counted when the voting members they represent are absent. Should there be insufficient members present to gain the required number of affirmative votes, the absent members shall be subsequently polled for their votes.

7.4.5.3

If there are aspects of the draft Standard that are not acceptable to one or more members, such members may register a negative vote and have the reasons therefor recorded in the minutes of the meeting. All negative votes shall be addressed and dispositioned in accordance with Clause 7.4.6.

7.4.5.4

A draft Standard that is being considered for approval by recorded vote at a meeting and that is amended and subsequently approved at that meeting shall be considered to be formally approved. The agreed changes shall be documented in the minutes.

7.4.6 Consideration of Negative Votes

7.4.6.1

The Chairman of the Technical Committee, acting on behalf of the Committee and with the concurrence of the Committee Administrator, shall take one or more of the following courses of action, as appropriate:

- (a) rule a negative vote as "non-germane" if^{*}
 - (i) the negative vote is not accompanied by supporting reasons; or
 - (ii) the negative vote and supporting reasons are not relevant to the items being balloted upon;

such votes shall be considered as not having been cast when considering the requirements of Clause 7.4.3(a);

**The ballot shall contain notice of this provision.*

- (b) attempt to resolve each negative vote by editorial changes or explanation and thereby have the negative vote changed to affirmative; only the negative voter can change this vote;

- (c) declare a negative vote "non-persuasive" if the particular reasons for the vote have previously been considered and were not accepted by the Technical Committee; in such instances this decision shall be supported by Committee records; negative votes that have been declared "non-persuasive" shall not be counted as "affirmative votes" unless the member, after explanation, revises his vote to "affirmative"; or
- (d) refer the negative vote to the Technical Committee (see Clause 7.4.6.2) if the particular reasons for the vote have not previously been considered by the Technical Committee or if the vote has not been dispositioned under Items (a), (b), or (c) above.

7.4.6.2

The Technical Committee may decide that

- (a) the negative vote is persuasive and should be adopted;
- (b) the negative vote is persuasive but should be considered for future study;
- (c) the draft Standard should be withdrawn for further study; or
- (d) the negative vote is not persuasive.

A negative vote that is considered persuasive but is considered for future study may, with the concurrence of the voter, be reclassified as affirmative.

7.4.6.3

CSA staff shall inform each negative voter of the action taken in reference to the negative vote.

7.4.6.4

If a negative vote has been declared "non-germane", the voter may appeal this decision in writing to the Administrator of the Standards Steering Committee within 30 days of the notice in Clause 7.4.6.3. The Standards Steering Committee shall give consideration to this appeal and shall make recommendation(s) concerning the arguments concerning the "non-germane" decision and provide suitable guidance to the Chairman of the Technical Committee.

Note: *Recommendations concerning the technical content should be avoided because this remains the domain of the Technical Committee.*

7.4.6.5

The Chairman, with the concurrence of the Committee Administrator, shall determine whether changes resulting from resolution of comments and objections are technical or nontechnical. Technical changes shall be submitted to the Technical Committee for formal approval. Any significant nontechnical changes shall be referred to the Technical Committee for its information.

7.5 Formal Approval of a Draft Standard by the Standards Steering Committee

7.5.1 Criteria

In reviewing a draft Standard for formal approval as a CSA Standard, Standards Steering Committee members shall endeavour to discharge their responsibilities in accordance with these Regulations and without regard to vested interests.

In approving a draft Standard, the Standards Steering Committee signifies that the draft Standard satisfies the intent, ie, the work item assigned has been satisfactorily addressed and, to the best of their knowledge, any lack of harmonization with other Standards is identified and that the draft Standard, to this stage in the process, has been subjected to proper procedures.

In addition, members may comment on the technical adequacy of a draft Standard. Any technical points raised shall be dealt with by the appropriate Technical Committee.

7.5.2 Voting Options

7.5.2.1

When voting on a draft Standard, one of the following options shall be used:

- (a) *affirmative* — when the draft meets the assigned objective;
- (b) *affirmative with comment* — to identify conflicts, or to suggest technical improvements; or
- (c) *negative* — when the draft does not meet the assigned objective. Negative votes shall be supported with reasons.

7.5.2.2

When voting on due process (see Clause 7.2), one of the following options shall be used:

- (a) *affirmative* — when the member believes that the negative voter has received adequate consideration of his/her views; or
- (b) *negative* — when the member believes that the negative voter has not received adequate consideration of his/her views. In this case, reasons for the vote shall be provided.

7.5.3 Requirements for Formal Approval

For approval of a draft Standard, the affirmative vote shall

- (a) amount to two-thirds of the votes cast; and
- (b) constitute at least 50% of the total voting membership.

7.5.4 Formal Approval by Letter Ballot

7.5.4.1

Formal approval of a draft Standard may be by letter ballot vote. The scope and abstract of the draft Standard shall be circulated at least 21 calendar days prior to the closing date of the ballot. All voting members have the obligation to vote.

7.5.4.2

If one or more members of the Standards Steering Committee conclude that the draft Standard should not be accepted for publication, such members may register a negative vote and at the same time shall submit their reasons for so voting.

7.5.4.3

CSA staff shall refer a summary of the balloting, including reasons for any negative votes and all other comments, to the Chairman of the Standards Steering Committee. All negative votes shall be dispositioned in accordance with Clause 7.5.6.

7.5.5 Approval by Recorded Vote at a Meeting

7.5.5.1

Formal approval of a draft Standard by recorded vote may be given at a meeting of the Standards Steering Committee. For such approval, the scope and abstract of the draft Standard shall be circulated to the members of the Committee at least 21 calendar days prior to the meeting; members shall be given notice, at that time, that formal

approval of the draft Standard by recorded vote will be considered at the meeting. All voting members have the obligation to vote.

7.5.5.2

The votes of Proxies and Alternates shall be counted when the voting members they represent are absent. Should there be insufficient members present to reach the required number of affirmative votes, the absent members shall be subsequently polled for their votes.

7.5.5.3

If one or more members of the Standards Steering Committee conclude that the draft Standard should not be accepted for publication, such members may register a negative vote and have the reasons therefor recorded in the minutes of the meeting. All negative votes shall be dispositioned in accordance with Clause 7.5.6.

7.5.6 Consideration of Negative Votes

7.5.6.1

The Chairman of the Standards Steering Committee, acting on behalf of the Committee and with the concurrence of the Committee Administrator, shall take one or more of the following courses of action, as appropriate:

- (a) a negative vote may be ruled "non-germane" if*
 - (i) the negative vote is not accompanied by supporting reasons; or
 - (ii) the negative vote and supporting reasons are not considered as conforming to the criteria outlined in Clause 7.5.1; or
 - (iii) the negative vote and supporting reasons are not considered relevant to the item being balloted upon;such votes shall be considered as not having been cast when considering the requirements of Clause 7.5.3(a);

**The ballot shall contain notice of this provision.*

- (b) an attempt shall be made to resolve each negative vote by explanation and thereby have the negative vote changed to affirmative; only the negative voter can change this vote;
- (c) declare a negative vote "non-persuasive" if the particular reasons for the vote have previously been considered and were not accepted by the Technical Committee; in such instances this decision shall be supported by Committee records; negative votes that have been declared "non-persuasive" shall not be counted as "affirmative votes" unless the member, after explanation, revises his vote to "affirmative"; or
- (d) when the negative vote is considered persuasive, the Chairman shall consult with the Chairman of the Technical Committee and the Committee Administrator to determine the appropriate steps to be taken.

7.5.6.2

CSA Staff shall inform each negative voter of the action taken in reference to the negative vote.

7.5.6.3

If a negative vote has been declared "non-germane", the voter may appeal this decision in writing to the secretary of the Standards Policy Board within 30 days of the notice in Clause 7.5.6.2. The Standards Policy Board shall give consideration to this appeal and

shall make recommendation(s) concerning the arguments concerning the “non-germane” decision and provide suitable guidance to the Chairman of the Standards Steering Committee.

Note: *Recommendations concerning the technical content should be avoided because this remains the domain of the Technical Committee.*

8. Standards Appeals

Note: *See Guideline T, Appeals Concerning the Preparation of Standards.*

8.1

Any individual who believes that a CSA Standard is being prepared by procedures that do not conform to the *CSA Regulations Governing Standardization* may appeal to the Standards Policy Board for a review of the project.

8.2

Appeals shall be based on procedural matters and not on technical considerations.

8.3

Application for appeal shall not necessarily be considered cause for delaying the development or publication of a Standard.

8.4

All appeals shall be submitted in writing to the CSA Corporate Secretary.

8.5

The CSA Corporate Secretary shall notify the appellant of the decision of the Standards Policy Board and shall refer the decision to the Director, Standards Development, for implementation.

9. Publication of a Preliminary Standard

Notes:

(1) *Technical Committees should strive to complete a Standard in all cases rather than request permission to issue a Preliminary Standard.*

(2) *In some instances a Technical Committee may wish to consider the publication of a Preliminary Standard as a means of providing published requirements when the state of the art is such that the draft Standard cannot be completed within a reasonable time.*

9.1

A Technical Committee may request permission from the Standards Steering Committee to publish a Preliminary Standard when

(a) the proposed draft Standard cannot be completed because of insufficient technical data; or

(b) further investigation or field experience is necessary to substantiate the proposed requirements, test methods, or compliance criteria.

9.2

The submission to the Standards Steering Committee shall include

(a) the Scope of the proposed Standard;

- (b) reasons why the proposed Standard cannot be completed at this time; and
- (c) an explanation of the need for a Preliminary Standard.

Note: *Approval of the actual draft Standard by the Standards Steering Committee is not required before a Preliminary Standard is published.*

9.3

If authority is given for the publication of a Preliminary Standard, the draft Standard shall be submitted to the Technical Committee for formal approval (see Clause 7.4). The submission shall also include reasons why the proposed Standard cannot be completed and an explanation of the need for a Preliminary Standard (see Note). It shall also be offered for public review.

Note: *This information should also be included in the preface of the Preliminary Standard.*

9.4

A Preliminary Standard shall be considered approved for publication when it has been approved by the Technical Committee in accordance with the requirements of Clause 7.4.3.

Should there be negative votes, they shall be dispositioned in accordance with Clause 7.4.6. Their disposition shall be documented and the Chairman of the Standards Steering Committee advised of the actions taken. No formal Standards Steering Committee ballot for due process is required.

9.5

The life of a Preliminary Standard shall be limited to 2 years from the date of publication, except as permitted by Clause 9.6.

9.6

The Technical Committee shall make every effort to complete the Standard as soon as possible after the Preliminary Standard has been published. If it is not possible to complete the Standard prior to the expiry date of the life of the Preliminary Standard, then the Technical Committee may request that the Preliminary Standard be extended by 1 year.

9.7

Amendments are not published for Preliminary Standards.

10. Publication of a Standard

10.1

The authority to publish a Standard has been delegated to the Vice-President, Standards Division, by the Board of Directors.

10.2

A draft Standard shall be considered approved for publication when it has been processed in accordance with the requirements of Clause 7 and it has been formally approved by

(a) a Technical Committee and, where appropriate,

(b) a Standards Steering Committee,

and when all negative votes have been addressed and dispositioned in accordance with Clauses 7.4.6 or 7.5.6.

10.3

When a Standard that has been prepared by another body has been formally processed and approved in accordance with these Regulations, the decision to publish it as an adopted CSA Standard or to endorse it rests with the Vice-President, Standards Division.

11. Interpretation of a Standard

The interpretation of a Standard, or any Clause thereof, is the responsibility of the Technical Committee.

Note: See *Guideline U*, The Interpretation of CSA Standards.

12. Reaffirmation of a Standard

A Standard should be reviewed and, where appropriate, reaffirmed every 5 years. Reaffirmation shall require formal approval by the Technical Committee.

If a need for significant technical change is identified, the request shall be evaluated in accordance with Clause 5.2.2. If there is no further need for the Standard, it should be considered for withdrawal; see Clauses 5.3.1 and 13.

13. Withdrawal of a Standard

The withdrawal of a Standard shall require formal approval by the Technical Committee and the Standards Steering Committee, where such exist. When no responsible Committee exists, the Vice-President, Standards Division, after due enquiry, may authorize the withdrawal of the Standard.

Appendix A

Resources for Standards Development

A1. Introduction

The *CSA Regulations Governing Standardization* require that each Standards Steering Committee assume responsibility for planning, coordinating, and monitoring all Standards-writing activities coming within its terms of reference. The overall responsibility for managing each sector of Committee work has been assigned to the Standards Steering Committee.

This Appendix is designed to strengthen the concept of cost-recovery for Standards development by encouraging each Standards Steering Committee to identify, in cooperation with CSA staff, not only the need but also the means for supporting all Committee operations in its specific field of activity, with a view to attaining self-sufficiency in its operations, wherever feasible. The principle of cost-recovery has already been firmly established as the accepted *modus operandi* for other Divisions of the Association.

A2. Object

The subject of Committee resources (in the broadest context) is an important element of the planning process. Resources not only relate to the availability of members to serve on Committees but also directly affect the quality and timeliness of Committee work.

This Appendix is intended to advise and guide Standards Steering Committees in identifying and meeting the various resource commitments associated with the operations of the Technical Committees under their jurisdiction.

A3. *Modus Operandi*

A3.1

Each Standards Steering Committee, in consultation with the Director, Standards Development, should establish a *modus operandi* to deal with the subject of resources. This matter can be handled either by the Executive Committee of the Standards Steering Committee or by a separate Resources Task Force.

A3.2

The activities for which a Resources Task Force or the Executive Committee of the Standards Steering Committee is responsible include but are not necessarily limited to the following:

- (a) resources associated with volunteer committee manpower, including, where appropriate, such resource needs as out-of-pocket expenses for consumer representatives and other members unable to obtain assistance;
- (b) resources associated with staff support of Committees and related secretarial activities; and
- (c) resources associated with the research and development needs of Technical Committees, including payment for special technical services, etc.

A3.3

Once the *modus operandi* has been established for a particular field, CSA staff will assist the Executive Committee or the Resources Task Force to effectively plan and implement a program of resource management.

A3.4

To achieve coordination among Standards Steering Committees, any request for financial support from governments shall be made through the Director, Standards Development, Standards Division.

APPENDIX C

**GUIDELINE B: PROCEDURES FOR ESTABLISHING
AND MAINTAINING STANDARDS STEERING COMMITTEES**

**GUIDELINE B
PROCEDURES for ESTABLISHING and
MAINTAINING STANDARDS
STEERING COMMITTEES**

Second Edition
June 1989
Revised: December 1990

B1. General

B1.1

This Guideline describes the procedures for establishing and maintaining a Standards Steering Committee (hereafter referred to as the *Committee*), including preparation of its terms of reference and defining its matrix, structure, and membership.

B1.2

The terms of reference of the *Committee*, including the matrix, and all amendments thereto require Standards Policy Board approval.

Notes:

(1) *The terms of reference and matrix, and any amendments thereto, should be prepared by CSA staff in consultation with the Executive Committee, Chairman, or Chairman-Designate of the Steering Committee.*

(2) *A model terms of reference is attached as Appendix BA.*

B2. Terms of Reference

B2.1 Supplementary Note

A note should indicate that the terms of reference are supplementary to the *CSA Regulations Governing Standardization*.

B2.2 Scope (Subject Area)

The description of the subject area to be covered should be sufficiently specific to avoid overlap or duplication of subject areas assigned to other Standards Steering Committees.

Note: *A description that merely provides a listing of Technical Committees tends to be limiting and should not be used.*

B2.3 Objectives

The broad objectives of the *Committee* with respect to one or more of the following should be defined:

- (a) safety;
- (b) performance;
- (c) design;
- (d) product acceptability;
- (e) workmanship;
- (f) general standardization, eg, standard sizes, definitions, symbols, etc;
- (g) user information;
- (h) quality management;
- (i) effective application and acceptance of Standards; and
- (j) other.

B2.4 Responsibilities

Broad *Committee* responsibility should be described with respect to

- (a) the organization and operation of Technical Committees under the jurisdiction of the *Committee*;
- (b) the areas of priority, promotion of Standards, and government consultation; and
- (c) liaison with other CSA committees, harmonized CAC/ISO and CSC/IEC committees, other Standards writing organizations, and with organizations such as the Associate Committee of the National Building Code (ACNBC), or industry trade associations.

B3. Matrix

B3.1

A matrix is the total membership of the *Committee* expressed in terms of categories rather than specific names or affiliations, and each category is expressed as a minimum and maximum.

B3.2

The intent of a matrix is to ensure that all points of view pertinent to the subject matter are represented in reasonable proportion, that any lack of balance through attrition is immediately apparent, and that the same proportion is continued when balance is restored.

B3.3

The size of a committee should be the minimum number of members consistent with having all viewpoints represented.

B3.4 Categories

B3.4.1

The matrix should comprise categories as appropriate for the *Committee's Scope* (see B2.2) and consistent with Clause B3.2. Explanatory or constraining comments should be provided under each category heading to define more clearly those who should be included in that specific category.

B3.4.2

For many *Committees* that have responsibility for Standards specifying products, most materials, and some services, the following categories are suitable:

General Interest — those who are not associated with production, distribution, direct use, or regulation of products, materials or services. This category typically includes professional and lay people employed by academic and scientific institutions, safety associations, certification agencies, etc.

Producer Interest — those who are predominantly involved with the production (manufacturing goods), promotion, retailing, or distribution of products, materials, or services.

Regulatory Authority — those who are predominantly involved in regulating by statute the use of products, materials, or services.

User Interest — those who are predominantly interested in the use of products, materials, or services. This category usually includes consumers, who are defined as persons who use goods and services to satisfy their needs and desires rather than to resell them or produce other goods with them.

B3.4.3

Different descriptions of categories, or categories additional to the above, or both, may be required.

B3.5

The matrix should stipulate the minimum and maximum number of voting members for each category and should be established on the basis of the following principles:

- (a) the matrix should provide for a reasonable balance of representation; and
- (b) the Chairman shall be considered part of the matrix.

Notes:

(1) *An appropriate balance of representation will of necessity have to be determined in each individual case depending on the subject, purpose, and application of the proposed program of work.*

(2) *Whenever possible, those having broad interests, such as national or provincial associations or other common interest groups, should be asked to nominate representatives.*

B3.6

The actual number of voting members in any one category shall not be more than the sum of the actual number of voting members in the two smallest categories at any time.

B4. Membership

B4.1 Officers

The *Committee* should have a Chairman and at least one Vice-Chairman, each of whom should represent a different category within the matrix. *Committee* officers are appointed by the SPB, usually in response to nomination by the *Committee*.

B4.2 Voting Members

Note: *See also Guideline D.*

B4.2.1 Selection

B4.2.1.1

Voting members shall be appointed by the Executive Committee (see Clause B5.1), or the Chairman, with the concurrence of CSA staff, in accordance with the provisions of the matrix (see Clause B3). The term of the appointment — typically 3 years — should be stated.

B4.2.1.2

Voting members should be selected according to the following principles:

- (a) all major areas of activity within the Terms of Reference of the *Committee* should be adequately covered;
- (b) membership should be based on the individual's expertise in
 - (i) the development, management, and application of Standards;
 - (ii) the analysis, evaluation, and management of business, government, and nonprofit entities;
- (c) geographical representation; and
- (d) an organization should not have more than one voting member on the *Committee**.

** Sometimes the Committee may be better served by having more than one representative from the same organization. In such cases, each representative should be from a separately identifiable segment of that organization, the organization should provide CSA staff with its rationale for needing multiple representation, and it should identify each segment of the industry to be represented.*

B4.2.1.3

Technical Committee Chairmen, or their designates, should be appointed as voting members, except when restricted by the matrix. See Clause B4.3.1.

B4.2.1.4

Voting members should be categorized on the basis of their predominant interest in the activities of the *Committee*. See Clause B3.4.2.

B4.2.1.5

No individual should be classified as a voting member of more than two contiguous levels of the *Committee* within any segment.

Note: *A segment is the subject area covered by a Steering Committee and its subsidiary committees.*

B4.3 Associate Members

B4.3.1

The *Regulations Governing Standardization (RGS)* require that the Chairmen of those Technical Committees under the jurisdiction of the *Committee* be appointed as associate members if they are not recorded as voting members in some other capacity. See also Clause B4.2.1.3.

B4.3.2

Liaison members from other committees shall be classified as associate members unless they are recorded as voting members in some other capacity.

B4.4 Liaison

When liaison between a *Committee* and another committee is important, a formal liaison should be established. The liaison member from a *Committee* should be nominated by that committee. See also RGS* Clause 4.7. Such members should be formally identified and charged with carrying out the liaison duties with the designated Standards Steering Committee.

** Cross references to the Regulations Governing Standardization are given in this form throughout this Guideline.*

B4.5 Maintaining Membership

A rule should be included in the terms of reference stipulating that if a member fails to

- (a) attend a specified number of consecutive meetings;
- (b) respond to a specified number of consecutive letter ballots;
- (c) respond promptly and appropriately to *Committee* correspondence; or
- (d) be actively and appropriately involved in the work and responsibilities of the *Committee*; the Chairman or Executive should, in consultation with CSA staff and after enquiry, direct that the member be removed from the *Committee*.

Notes:

(1) *It is not the intention of this Clause to coerce members into conformity, but rather to provide guidance on establishing acceptable performance criteria and to make provision for removal of*

a member whose decisions are incompetent or obstructive, so that the timeliness of Standards development is improved and the cost-effectiveness of the Committee is optimized.

(2) When any Committee member has been nominated for membership by an organization or interest, that organization or interest should be consulted before a membership change is made.

(3) For additional help when it becomes necessary to withdraw the membership of an individual, consult the Administrator.

B4.6 Administrator

CSA will assign a member of the Standards Division staff to act as Administrator for the *Committee*. The Administrator shall be nonvoting (see RGS Clause 4.5.2).

B5. Structure

B5.1 Executive

The terms of reference should include provision for the appointment of an Executive and a general statement relating to the size of the Executive (eg, the Chairman, the Vice-Chairman, two or three members, and the Administrator). Alternates should not be permitted.

B5.2 Technical Committees

The *Committee* should establish Technical Committees as necessary to prepare Standards and related documents within its terms of reference. Specific assignments should be made for each Technical Committee so that there is no duplication of effort.

B5.3 Regulatory Authority Committee

The *Committee* may establish a Regulatory Authority Committee to provide advice to the Steering Committee (see RGS Clause 4.8).

B5.4 Task Forces

The *Committee* may establish task forces for specific assignments as required from time to time. They should be disbanded when the assignments have been completed.

APPENDIX BA MODEL TERMS of REFERENCE

STANDARDS STEERING COMMITTEE on

TERMS of REFERENCE

Note: *This document is supplementary to the CSA By-Laws and CSA Regulations Governing Standardization.*

1. Authorization

1.1

The Standards Steering Committee on _____ (hereinafter called the *Committee*) operates under the authority of the Standards Policy Board.

1.2

Amendments to these terms of reference may be proposed by the *Committee* for consideration by the Standards Policy Board.

2. Scope

2.1

The *Committee* shall manage the development of Standards in the field of _____ and _____ and the related requirements for _____. These shall include the following:

- (a) _____;
- (b) _____;
- (c) _____;
- (d) other materials and products not specifically within the responsibility of another CSA Standards Steering Committee; and
- (e) Standards dealing with procedures for quality control and certification of these products.

2.2

The *Committee* shall not manage those Standards which primarily involve requirements related to electrical shock and prevention of fire from electrical sources (eg, *Canadian Electrical Code, Parts I and II*) or that would be more logically assigned, because of their specific nature or generic association, to another Standards Steering Committee.

3. Membership

3.1 Officers

The *Committee* shall have a Chairman and at least 1 Vice-Chairman, each of whom shall represent a different category of interest (see Clause 3.3.1). These officers shall be appointed by the Standards Policy Board, on the nomination of the *Committee*, for a term of 3 years; they shall be eligible for reappointment.

3.2 Executive

The *Committee* may establish an Executive Committee, which shall include the Chairman, Vice-Chairmen, a small number of voting members, and the Administrator.

3.3 Voting Members

3.3.1 Categories

Members shall represent the following categories, as follows, on the basis of their predominant interest in the products or services detailed in Clause 2.1, with consideration being given to geographical representation:

- (a) **Producer Interests** — those who are predominantly involved with production, promotion, retailing, or distribution of the products or services;
- (b) **User Interests*** — those who are predominantly interested in the use and who are not involved in any way in production and/or distribution of the products or services;
- (c) **Regulatory Authority** — those who are predominantly involved in regulating by statute the use of the products or services; and
- (d) **General Interest†** — those who are not associated with production, distribution, direct use, or regulation of the products or services.

**This category may include representatives of the consumer associations.*

†This category may include professional and lay people employed by academic and scientific institutions, testing laboratories, certification agencies, and safety associations.

3.3.2 Matrix

The matrix of the *Committee* shall be as follows:

Code	Category	Min	Max
PI	Producer Interest	10	12
UI	User Interest	6	8
RA	Regulatory Authority	6	8
GI	General Interest	6	8

Note: The categories and numbers given here are examples only. The specific categories and the minimum and maximum numbers will depend on the needs of the particular Committee in each case.

Additional information on the makeup of the individual categories may be presented as follows:

Code	Category	Min	Max
PI	Producer Interest	10	12
	of which (i) suppliers	3	4
	(ii) service suppliers	3	4
	(iii) intangible support suppliers	3	4
UI	User Interest	6	8
	of which (i) private sector users	3	4
	(ii) government users	3	4
RA	Regulatory Authority	6	8
	of which (i) federal	2	4
	(ii) provincial	3	4
GI	General Interest	6	8
	from consultants, academic and scientific institutions and other interested parties		

3.3.3 Balance

The actual number of voting members in any one category shall be not more than the combined actual numbers of the voting members in the two smallest categories.

3.3.4 Changes to Matrix

The *Committee* may recommend a change in its matrix to the Standards Policy Board after consideration at a meeting or by correspondence.

3.4 Non-voting Members

3.4.1

Chairmen of Technical Committees and of other subsidiary committees reporting directly to the Standards Steering Committee shall be recorded as associate members, provided that they are not voting members in some other capacity.

3.4.2

Suitably qualified individuals may be appointed as associate members if participation by such members would help to carry out the responsibilities of the *Committee*.

3.4.3

The Chairman of the Advisory Council on _____ shall be recorded as an associate member of the *Committee*.

3.4.4

CSA shall assign a member of the Standards Division staff to act as Administrator for the *Committee*.

3.5 Qualification of Members

Membership shall be based on the individual's expertise and interest in, knowledge of, and familiarity with the development, management, and application of Standards and management concepts in general as well as specialized knowledge and interest in the items detailed in Clause 2.1.

3.6 Appointment

Members may be nominated by the *Committee*, interested agencies, associations, or other bodies. Members shall be appointed by the Executive or Chairman, with the concurrence of CSA staff, for a term of 3 years; they shall be eligible for reappointment.

3.7 Maintaining Membership

If a member or alternate fails to attend or otherwise actively participate in two consecutive meetings or fails to respond to two consecutive letter ballots, membership shall be subject to review. Also, if member participation is not appropriate, the Executive may, after enquiry, direct that membership be terminated. Notice of the termination shall be sent by the Administrator.

3.8 Regulatory Authority Committee

3.8.1

The *Committee* may appoint a Regulatory Authority Committee to review proposed Standards and advise as to their suitability for adoption by the various regulatory agencies.

3.8.2

When an Advisory Council exists, it shall act as the Regulatory Authority Committee.

3.8.3

The membership of the Regulatory Authority Committee shall be limited to those *Committee* members representing the regulatory authority and the qualified General Interests acceptable to those authorities.

4. Responsibilities

4.1

The *Committee* shall be responsible for

- (a) establishing and organizing the subsidiary Technical Committees by
 - (i) approving the matrix;
 - (ii) appointing the chairmen and vice-chairmen; and, where appropriate,
 - (iii) approving the terms of reference;
 - (b) planning, coordinating, and monitoring the standards-writing activities of Technical Committees* within the scope of Clause 2.1 to
 - (i) help guard against and minimize the possibility of injury to the public or injury to persons associated with the installation, use, and maintenance of the products, or damage to property, by prescribing minimum safety requirements and/or safe working practices;
 - (ii) provide direction to owners, employers, supervisors, and others concerned with the application of the Standards; and
 - (iii) coordinate with appropriate levels of government to ensure that there is minimum conflict with laws and regulations;
- *Each Technical Committee has full responsibility for the technical content of its Standards.*
- (c) monitoring and, if necessary, assisting the activities of Technical Committees to
 - (i) ensure that the proper level of coordination and liaison exists between the Technical Committees and other CSA committees;
 - (ii) identify and obtain commitment for those human and financial resources and research programs required to enable Standards to be prepared;
 - (iii) provide Standards and related information to regulatory authorities to support the preparation of regulations;
 - (iv) foster innovation and improvement in response to significant needs; and
 - (v) assist staff to establish priorities for Standards' development;
 - (d) approving the organization of new Technical Committees where there is demonstrated need and support for new Standards or assigning responsibility for the development of new standards to existing Technical Committees if the subject area falls within the terms of reference of such Technical Committees;
 - (e) monitoring the membership and voting procedures of the Technical Committees to ensure that the Regulations are met;
 - (f) providing the final approval of all draft Standards submitted by subsidiary Technical Committees;
 - (g) approving the withdrawal of Standards;
 - (h) encouraging the promotion and acceptance of those Standards and publications coming within its terms of reference and making recommendations concerning such promotional activities;

- (i) setting up procedures that will facilitate the feedback from regulatory authorities, industry, users, and others to the Technical Committees and/or the Standards Steering Committee;
- (j) maintaining continuing liaison with the Advisory Council on _____, the Standards Steering Committee on _____, other standards steering committees, and the national and international organizations, such as CAC/ISO committees, concerned with standards related to the *Committee's* activities; and
- (k) policy concerning all activities within the responsibility of the *Committee*.

4.2

The Executive shall assist in the timely planning and administering of the work of the *Committee* and shall be responsible for appointing officers of the subsidiary committees with the concurrence of staff. All executive decisions shall be subject to ratification by the *Committee*.

4.3 Subsidiary Committees and Task Forces

4.3.1

The *Committee* may establish subsidiary committees and task forces for specific purposes, including making recommendations for implementing the responsibilities of the *Committee*. Chairmen of such committees should be members of the *Committee* and shall be appointed by the Executive with the concurrence of staff.

4.3.2

The *Committee* may establish liaisons or liaison committees for coordination in those areas implementing the provisions of Clauses 2 and 4.1.

5. Meetings

5.1

The *Committee* shall meet at least once annually. Meetings may be by teleconference, if appropriate.

5.2

The meetings of the *Committee* shall be arranged by the Administrator, after consultation with the Chairman, to be at a time and place agreeable to a majority of the members.

5.3

The agenda shall be sent to each member at least 3 weeks before the meeting. Items for distribution with the agenda shall be made available to the Administrator at least 6 weeks before the meeting.

5.4

A member may be represented at a meeting by an alternate with power to vote, provided that the member so informs the Administrator in writing.

5.5

A quorum shall consist of one-half of the voting members. Proxies shall not be included when a quorum is being determined.

5.6 Motions

5.6.1

As far as possible, decisions should be made by consensus. For approval of any motion, including the approval of a draft Standard, members have an obligation to vote. The affirmative vote shall

- (a) constitute at least 50% of the total voting membership; and
- (b) amount to two-thirds of the votes cast.

5.6.2

In the event of a lack of a quorum, or if agreed by those present at a meeting, the vote on a motion may be confirmed by a letter ballot.

5.7 Visitors

On specific request, visitors may be permitted to attend meetings with the consent of the Chairman in consultation with the Administrator.

Note: *After SSC Terms of reference have been approved, details giving the Standards Division Report (Number, Date) or SPB (Minute) reference should be added to facilitate traceability.*

| | | | | | | | | | | | | | | | | | | | | |

APPENDIX D

**CANADIAN ENVIRONMENTAL COUNCIL
TERMS OF REFERENCE**

CANADIAN ENVIRONMENTAL COUNCIL

TERMS OF REFERENCE

Note: *This document is supplementary to the CSA By-Laws and CSA Regulations Governing Standardization.*

1. Authorization

1.1

The Strategic Steering Committee on Environmental Management (hereinafter called the *Committee*) operates under the authority of the Standards Policy Board.

1.2

Amendments to these Terms of Reference may be proposed by the *Committee* for consideration by the Standards Policy Board.

2. Scope

2.1

The *Committee* shall manage the development of CSA Standards and Information Products in the field of environmental management *and technology*.

Environmental technology includes the following:

- (a) *acoustics and noise control;*
- (b) *air quality;*
- (c) *water quality;*
- (d) *waste management;*
- (e) *soil quality;*
- (f) *pesticides; and*
- (g) *related environmental subjects.*

3. Membership

3.1 Officers

The *Committee* shall have a Chairman and a Vice-Chairman, each of whom shall represent a different category of interest (see Clause 3.3.1). These Officers shall be appointed by the Standards Policy Board, on the nomination of the *Committee* for a term of 3 years; they shall be eligible for reappointment.

3.2 Executive

The *Committee* may establish an Operating Committee, which shall include the Chairman, Vice-Chairman, a small number of voting members, and the Administrator.

3.3 Voting Members

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3.3.1 Categories

Members shall represent the following categories on the basis of their predominant interest in the products or services detailed in Clause 2.1, with consideration being given to geographical representation:

(a) General Interest†—those who are not associated with production, distribution, or regulation of the products or services.

†*This category may include representatives of the consumer associations, environmental groups, academic, professional and lay people employed by academic and scientific institutions, and those not otherwise covered by the other categories.*

(b) Government/Regulatory Authority—those who are employed by government or crown corporations, or who are predominantly involved in regulating by statute the use of products or services; and

(c) Producer Interest—those who are predominantly involved with manufacturing, production, promotion, retailing, or distribution of products and materials;

(d) Service Interest—those who are predominantly involved with production, promotion, retailing, or distribution of services.

3.3.2 Matrix

The matrix of the *Committee* shall be as follows:

<u>Code</u>	<u>Category</u>	<u>Min</u>	<u>Max</u>
SI	Service Industry	7	9
GR/RA	Government/Regulatory Authority	8	10
PI	Producer Interest	11	13
GI	General Interest	6	8

3.3.3 Balance

The actual number of voting members in any one category shall be not more than the combined actual numbers of the voting members in the two smallest categories.

3.3.4 Changes to Matrix

The *Committee* may recommend a change in its matrix to the Standards Policy Board after consideration at a meeting or by correspondence.

3.4 Nonvoting Members

3.4.1

Chairmen of Technical Committees and of other subsidiary committees reporting directly to the Strategic Steering Committee shall be recorded as Associate Members, provided that they are not voting members in some other capacity.

3.4.2

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CANADIAN ENVIRONMENTAL COUNCIL

TERMS OF REFERENCE

Note: This document is supplementary to the CSA By-Laws and CSA Regulations Governing Standardization.

1. Authorization

1.1

The Strategic Steering Committee on Environmental Management (hereinafter called the *Committee*) operates under the authority of the Standards Policy Board.

1.2

Amendments to these Terms of Reference may be proposed by the *Committee* for consideration by the Standards Policy Board.

2. Scope

2.1

The *Committee* shall manage the development of CSA Standards and Information Products in the field of environmental management *and technology*.

Environmental technology includes the following:

- (a) acoustics and noise control;*
- (b) air quality;*
- (c) water quality;*
- (d) waste management;*
- (e) soil quality;*
- (f) pesticides; and*
- (g) related environmental subjects.*

3. Membership

3.1 Officers

The *Committee* shall have a Chairman and a Vice-Chairman, each of whom shall represent a different category of interest (see Clause 3.3.1). These Officers shall be appointed by the Standards Policy Board, on the nomination of the *Committee* for a term of 3 years; they shall be eligible for reappointment.

3.2 Executive

The *Committee* may establish an Operating Committee, which shall include the Chairman, Vice-Chairman, a small number of voting members, and the Administrator.

3.3 Voting Members

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- (iii) foster innovation and improvement in response to significant needs; and
- (iv) establish priorities for Standards and Information Products development;
- (d) approving the organization of new Technical Committees where there is demonstrated need and support for new Standards and Information Products or assigning responsibility for the development of new Standards and Information Products to existing Technical Committees if the subject area falls within the terms of reference of such Technical Committees;
- (e) monitoring the membership and voting procedures of the Technical Committees to ensure that CSA's Regulations Governing Standardization are met;
- (f) providing the final approval of all draft Standards and Information Products submitted by subsidiary Technical Committees;
- (g) approving the withdrawal of Standards and Information Products;
- (h) encouraging the promotion and acceptance of those Standards and Information Products and publications coming within its terms of reference and making recommendations concerning such promotional activities;
- (i) setting up procedures that will facilitate the feedback from regulatory authorities, industry, users, and others to the Technical Committees and/or the Strategic Steering Committee;
- (j) maintaining continuing liaison with other Strategic Steering Committees and the national and international organizations, such as CAC/ISO Committees, concerned with standards related to the *Committee's* activities; and
- (k) policy concerning all activities within the responsibility of the *Committee*.

4.2

The Executive shall assist in the timely planning and administering of the work of the *Committee* and shall be responsible for appointing officers of the subsidiary committees, with the concurrence of staff. All Executive decisions shall be subject to ratification by the *Committee*.

4.3 Subsidiary Committees and Task Forces

4.3.1

The *Committee* may establish subsidiary committees and task forces for specific purposes, including making recommendations for implementing the responsibilities of the *Committee*. Chairmen of such committees should be members of the Strategic Steering Committee and shall be appointed by the Executive, with the concurrence of staff.

4.3.2

The *Committee* may establish liaisons or liaison committees for coordination in those areas implementing the provisions of Clauses 2 and 4.1.

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Suitably qualified individuals may be appointed as Associate Members if participation by such Members would help to carry out the responsibilities of the *Committee*.

3.4.3

CSA shall assign a member of the Standards Division staff to act as Administrator for the *Committee*.

3.5 Qualification of Members

Membership shall be based on the individual's expertise and interest in, knowledge of, and familiarity with the development, management, and application of Standards, Guidelines, Information Products, and Management Concepts in general as well as specialized knowledge and interest in the items detailed in Clause 2.1.

3.6 Appointment

Members may be nominated by the *Committee*, interested agencies, associations, or other bodies. Members shall be appointed by the Executive or Chairman, with the concurrence of CSA staff, for a term of 3 years; they shall be eligible for reappointment.

3.7 Maintaining Membership

If a member or alternate fails to attend or otherwise actively participate in two consecutive meetings or fails to respond to two consecutive letter ballots, membership shall be subject to review. Also, if member participation is not appropriate, the Executive may, after enquiry, direct that membership be terminated. Notice of the termination shall be sent by the Administrator.

4. Responsibilities

4.1

The *Committee* shall be responsible for

- (a) establishing and organizing the subsidiary Technical Committees by
 - (i) approving the Matrix;
 - (ii) appointing the Chairmen and Vice-Chairmen; and, where appropriate,
 - (iii) approving the terms of reference;
 - (b) planning, coordinating, and monitoring the standards-writing activities of Technical Committees* within the scope of Clause 2.1 to
 - (i) provide direction to owners, employers, supervisors, and others concerned with the application of the Standards and Information Products; and
 - (ii) coordinate with appropriate levels of government to ensure that there are no conflicts with laws and regulations;
- *Each Technical Committee has full responsibility for the technical content of its Standards.*
- (c) monitoring and, if necessary, assisting the activities of Technical Committees to
 - (i) ensure that the proper level of coordination and liaison exists between the Technical Committees and other CSA committees;
 - (ii) identify and obtain commitment for those resources and research programs required to enable Standards to be prepared;

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5. Meetings

5.1

The *Committee* shall meet at least once annually. Meetings may be by teleconference, if appropriate.

5.2

The meetings of the *Committee* shall be arranged by the Administrator, after consultation with the Chairman, to be at a time and place agreeable to a majority of the members.

5.3

The agenda shall be sent to each member at least 2 weeks before the meeting. Items for distribution with the agenda shall be made available to the Administrator at least 4 weeks before the meeting.

5.4

A member may be represented at a meeting by an alternate with power to vote, provided that the member so informs the Administrator in writing.

5.5

A quorum shall consist of one-half of the voting members. Proxies shall not be included when a quorum is being determined.

5.6 Motions

5.6.1

As far as possible, decisions should be made by consensus. For approval of any motion, including the approval of a draft Standard or guideline, members have an obligation to vote. The affirmative vote shall

- (a) constitute at least 50% of the total voting membership; and
- (b) amount to two-thirds of the votes cast.

5.6.2

In the event of a lack of a quorum, or if agreed by those present at a meeting, the vote on a motion may be confirmed by a letter ballot.

5.7 Visitors

On specific request, visitors may be permitted to attend meetings with the consent of the Chairman in consultation with the Administrator.

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CEC ENVIRONMENTAL PRINCIPLES

These principles provide the Council, and our Canadian delegates representing Canada at international fora, with guidance for the development and implementation of environmental standards.

The Council and Delegates will

1. Ensure affected stakeholders are able to participate in both the development and implementation process.
2. Recognize the need to improve Canadian competitiveness and foster environmental performance through the development of international standards to effectively eliminate non-tariff barriers to trade.
3. Focus on voluntary initiatives based on accepted scientific principles that define the desired management activity and outcomes without being prescriptive.
4. Emphasize participation in international fora and co-ordinate with national activities to avoid duplication of effort.
5. Consider the needs of all organizations, irrespective of size or sector, as well as the needs and capabilities of other countries.
6. Emphasize synergy with other management systems such as Quality, Management, Health and Safety.
7. Promote the integration of environmental considerations into public and private economic activity, by fostering the definition and adoption of appropriate environmental management standards, guidelines and information products.
8. Encourage restorative actions, acknowledging the need to cooperatively address the issue of existing environmental degradation.

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APPENDIX E

**COMPOSITION OF CANADIAN ENVIRONMENTAL COUNCIL
AND CANADIAN ADVISORY COMMITTEE
Prepared by Larry Futers March 22, 1996**

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Category	Affiliation	Company	Names	CAC	CEC	OC	
Industry	Automotive Parts Manufacturers Association		Mark Cotter		A		
	Canadian Association of Petroleum Producers		David Manning		V		
			Rob McManus	V		A	
	Canadian Chamber of Commerce		Barry McDougall		V		
	Canadian Chemical Producers Association		David Bandy	V	V	V	
			Bruce Caswell		I	I	
	Canadian Electrical Association		Patrick McNeil		V		
	Canadian Environmental Industry Association		Douglas Langley		V		
	Canadian Manufacturers' Association		Doreen Henley	V			
			Steve Van Houten		C	C	
	Canadian Petroleum Products Institute		Bob Clapp		V		
			Angus Henderson	V		V	
	Canadian Pulp and Paper Association		Dave Barron	V	V	V	
			Brian McClay	I			
	International Council on Metals and the Environment		Guy Ethier	I	I	I	
	Mining Association of Canada		Justyna Laurio-Lean		V	V	
	Motor Vehicles Manufacturers Association		Ken Rossi		V	V	
			Alcan	Steve Pomper	V	V	V
			Barrick Gold	Ed Kustan	V		
			Hydro Quebec	Andre Chamberland	V		
		IBM Canada	Bill Bryans	V			
		IBM Canada	John Warner		V	V	
		Noranda	Frank Frantisak	C	V	V	
		Northern Telecom	Robert Oakley	V		A	
		Procter & Gamble	Glenn Parker	V		V	
		Stelco	Al Schuldt	V			
				# of voting members	12	12	9
				Voting Range	—	(11-13)	—

V=Voting, A=Associate, C=Chair, AD=Administrator, I=Information Only

Category	Affiliation	Company	Names	CAC	CEC	OC	
Government	Alberta Environment		Al Schult		V		
	Canadian Council of Ministers for the Environment		Liseane Forand		V		
	Canadian International Development Agency		Linda Collette	V			
	Environment Canada		Tony Clarke			C	V
			Dennis Durnat		V		V
			Asit Hazra		A		
	External Affairs & International Trade		Celine Fittes		V		
	Health and Welfare Canada		Roy Hickman		V		
	Industry Canada		Lucien Bradet			V	
			Deep Khosla				V
	Public Works Canada		Moe Cheung		V		
	Standards Council of Canada		Douglas Langloz		A		
			Jack Perrow			V	
Standards Council of Canada/CASCO		Garry Barnds		V			
Treasury Board of Canada		Martin Ulrich			V	V	
# of voting members				3	8	4	
Voting Range				—	(8-10)	—	

Young, A=Associate, C=Chair, AD=Administrator, I=Information Only

Category	Affiliation	Company	Names	CAC	CEC	OC	
Service/ Professionals	Bureau de Normalisation du Quebec		Daniel Lafebvre	A			
	Canadian Bankers Association		Doug Bisset		V	V	
	Canadian Bar Association (Federal)		Diane Saxe		V	V	
	Canadian Council of Professional Engineers		Laurie MacDonald		V		
	Canadian General Standards Board		Nancy Richards	A	A		
	Canadian Institute of Chartered Accountants		Bill Swirsky		V		
			Alan Willis	A		A	
	Canadian Standards Association		Jim Dixon		A	A	
			Ahmad Hussein	AD	AD	AD	
			Kevin McKinley		A		
	Institute of Chartered Management Consultants		Peter French		V		
	Order of Chemists of Quebec		Claude St. Pierre		A		
	Major Industrial Accidents Council of Canada		Roland Anderson			V	
			Michael Salib		V		
	Underwriters Laboratories of Canada		V.K. Aggarwal	A			
			Altech	Alan Chapple	V		V
			Davies, Ward & Beck	Doug Hatch	I		
			Ernst & Young	Randy Billing	V	V	V
			Gov't Policy Cons.	Jeremy Byatt		A	A
KPMG Environmental Services Inc.			Ann Davis	V		V	
McMillan, Bull and Casgrain			John Hurley	V			
Price Waterhouse			Craig Campbell	V			
# of voting members				5	7	6	
Voting Range					(7-9)		

V=Voting, A=Associate, C=Chair, AD=Administrator, I=Information Only

Category	Affiliation	Company	Names	CAC	CEC	OC
Public Interest	Canadian Labour Congress		David Bennett		V	
			Rick Coronado	V		
	Consumers Association of Canada		Jenny Hillard	V		V
	Counservation Council of Ontario		Andrew McCammon	V		V
	Friends of the Earth		Rob Kerr		V	
	International Institute for Sustainable Development		Stephan Barg	V		V
			Art Hanson		V	
	National Roundtable for the Environment and the Economy				V	V
	Pollution Probe		Patti Chilton		V	V
	TC 207		George Connell	A	A	
	University of Toronto		John Kirton		V	
	University of Victoria		David Cohen		V	
# of voting members				4	7	5
Voting Range				—	(6-8)	—

V=Voting, A=Associate, C=Chair, AD=Administrator, I=Information Only



