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MEMORANDUM OF AGREEMENT

This is a memorandum of agreement between the American National Standards Institute (ANSI) and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), covering the delegation of responsibility for the performance of the secretariat functions in connection with the ISO/TC and/or SCs listed.

This agreement shall be for an initial period of three (3) years, running from (1998-04-01) through (2001-03-31). At the expiration of such period, this agreement shall be automatically renewed for successive two (2) year periods unless either party provides notice of its intent to cancel, giving twelve (12) month's prior written notice.

1. Purpose of the agreement
 - 1.1 The purpose of the agreement is to define the rights and duties of the two parties to the agreement, ANSI and ASHRAE, concerning the secretariat.
 - 1.2 ANSI agrees to delegate responsibility for the administration, funding and operation of this secretariat to ASHRAE; provided however that ASHRAE understands that this delegation is subject to whatever policy changes ANSI may hereafter adopt concerning delegation of secretariats and the responsibilities associated with such delegations.
 - 1.3 ASHRAE agrees to clearly indicate on all official committee correspondence that it is administering the secretariat on behalf of ANSI.
 - 1.4 Notwithstanding the second paragraph of this Agreement, if at any time ANSI revises its policies to effect substantial changes in ASHRAE's delegated responsibilities and/or associated costs, ASHRAE may terminate this Agreement and its financial and administrative responsibilities for this secretariat upon ninety (90) days prior written notice to ANSI.
2. Operation of the secretariat
 - 2.1 ASHRAE shall be responsible for the operation of the secretariat in accordance with the current edition of the "ISO/IEC Directives", as such document may be revised from time to time. Administration, coordination, planning, reporting and all other required work in connection with these responsibilities shall be handled by ASHRAE through its offices. See Annex A for detailed responsibilities.
 - 2.2 Staff for the secretariat shall be managed by ASHRAE. The level and qualifications of staffing shall be determined by ASHRAE in cooperation with ANSI and shall be based upon reasonable needs of the international standardization effort. ASHRAE shall confirm within 12 months that the individual appointed as secretary is fully trained in the administration of an ISO TC/SC secretariat. In the case where ASHRAE and the individual appointed as secretary have no prior experience in the administration of an ISO TC/SC secretariat, training is mandatory within 12 months of assignment. [Training is also mandatory for new chairmen of US held ISO TC/SC secretariats (See Annex B)].

- 2.3 Correspondence, working papers, agendas, minutes, etc., related to the work of this secretariat shall be received and transmitted directly by ASHRAE to the Technical Committee or Subcommittee.
- 2.4 ASHRAE shall comply with the current edition of the "ANSI Procedures for U.S. Participation in the International Standards Activities of the ISO", as such procedures may be revised from time to time. ASHRAE shall forward all written materials described in Section 1.6.1 therein to ANSI so that ANSI may monitor the efficiency and effectiveness of ASHRAE's administration of this secretariat.
- 2.5 ANSI reserves the right to cancel this Memorandum of Agreement and withdraw delegation of this ISO secretariat from ASHRAE if ANSI reasonably determines that ASHRAE is unable or unwilling to perform its secretariat functions properly and effectively. Prior to any cancellation and withdrawal, ANSI shall make an assessment of ASHRAE's performance as secretariat, provide full disclosure to ASHRAE of the basis for the assessment and afford ASHRAE the right to respond within 30 days from the date ASHRAE receives the assessment.
3. Delegation of secretariat to a Third Party
- 3.1 ASHRAE shall not assign or delegate any of its rights and/or responsibilities in connection with this MoA to any person, company or organization (other than its own staff members) without the prior written approval of the ANSI International Committee. (See Annex D).
4. Membership in ANSI
- ASHRAE shall remain a member of ANSI and commits to encourage its members to join ANSI.
5. Funding
- 5.1 The cost of administering this secretariat shall be borne by ASHRAE. ASHRAE shall pay an annual fee to ANSI in accordance with ANSI's current dues schedule, as revised from time to time.
6. Other Provisions
- 6.1 This written Agreement constitutes the entire agreement between the parties and supersedes all prior agreements and understandings relating to the subject matter hereof.
- 6.2 No amendment of this Agreement shall be effective unless in writing and signed by other parties hereto.

American National Standards Institute
Signed:

Frances E. Schrotter

Frances E. Schrotter
Senior Vice President

Date: 10/16/98

American Society of Heating, Refrigerating and Air-Conditioning Engineers
Signed:

Frank M. Coda

NAME: FRANK M. CODA
TITLE: Exec U.P.

Date: 9/8/04/14

ANSI (ASHRAE)

ISO Secretariats Administered

<u>ISO TC SC Number</u>	<u>TC SC Title</u>
TC 86	Refrigeration
TC 86/SC 1	Safety
TC 86/SC 2	Terms and definitions
TC 86/SC 8	Refrigerants and lubricants for use in the refrigeration industry
TC 180/SC 4	Systems Thermal performance, reliability and durability
TC 205	Building Environmental Design

Annex A to Memorandum of Agreement

Responsibilities of ISO TC/SC secretaries and chairmen

Please reference sections 1.8.2, 1.9.2, and Annex E of the *ISO/IEC Directives Part 1* (1995) (Reproduced below). Any references are to the *Directives Part 1*.

1.9.2 Responsibilities (secretariats)

The national body to which the secretariat has been allocated shall ensure the provision of technical and administrative services to its respective technical committee or subcommittee. The secretariat is responsible for monitoring, reporting, and ensuring active progress of the work, and shall use its utmost endeavour to bring this work to an early and satisfactory conclusion. These tasks shall be carried out as far as possible by correspondence.

The secretariat is responsible for ensuring that the ISO/IEC Directives and the decisions of Council and the Technical Management Board are followed.

The secretariat shall ensure the timely execution of the following:

- a) preparation of committee drafts, arranging for their circulation (See Annex J) and the treatment of the comments received;
- b) preparation of meetings (See also clause 3), including
 - establishment of the agenda and arranging for its circulation by the office of the CEO;
 - arranging for the circulation of all documents on the agenda, including reports of working groups, and indicating all other documents which are necessary for discussion during the meeting;
 - preparation of compilations of comments on documents which appear on the agenda;
- c) recording of decisions taken in a meeting and making these decisions available in writing for confirmation during the meeting;
- d) preparation of the minutes of meetings;
- e) preparation of reports to the Technical Management Board;
- f) preparation of enquiry drafts and Final Draft International Standards.

The secretariat of a technical committee or subcommittee is responsible for ensuring the equivalence of the English and French texts, if necessary with the assistance of other national bodies that are able and willing to take responsibility for the language versions concerned. (See also 1.9.5 and Annex F).

In all circumstances, each secretariat shall work in close liaison with the chairman of its technical committee or subcommittee.

A secretariat shall act in a purely international capacity, divesting itself of a national point of view.

The secretariat of a technical committee shall maintain close contact with the office of the CEO and with the members of the technical committee regarding its activities, including those of its subcommittees and working groups.

The secretariat of a subcommittee shall maintain close contact with the secretariat of the parent technical committee and as necessary with the office of the CEO. It shall also maintain contact with the members of the subcommittee regarding its activities, including those of its working groups.

The secretariat of a technical committee or subcommittee shall update in conjunction with the office of the CEO the record of the status of the membership of the committee and maintain a register of the membership of its working groups.

Annex E (normative)

Resources of secretariats and qualifications of secretaries

E.1 Definitions

E.1.1 secretariat: A national body to which has been assigned, by mutual agreement, the responsibility for providing technical and administrative services to a technical committee or subcommittee.

E.1.2 secretary: An individual appointed by the secretariat to manage the technical and administrative services provided.

E.2 Resources of a secretariat

A national body to which a secretariat has been assigned shall recognize that, no matter what arrangements it makes in its country to provide the required services, it is the national body itself that is ultimately responsible for the proper functioning of the secretariat. The secretariat shall therefore have adequate administrative and financial means or backing to ensure:

- a) facilities for typing in English and/or French, for providing texts in machine-readable form, and for any necessary reproduction of documents;
- b) preparation of adequate technical illustrations;
- c) identification and use, with translation where necessary, of documents received in the official languages;
- d) updating and continuous supervision of the structure of the committee and its subsidiary bodies, if any;
- e) reception and prompt dispatch of correspondence and documents;
- f) adequate communication facilities by telephone, telex and, if possible, telefax;
- g) arrangements and facilities for translation, interpretation and services during meetings, in collaboration with the host national body, as required;
- h) attendance of the secretary at any meetings requiring his presence, including technical committee and/or subcommittee meetings, editing committee meetings, working group meetings, and consultations with the chairman when necessary;
- i) access by the secretary to basic International Standards (See part 3 of the ISO/IEC Directives) and to International Standards, national standards and/or related documents in the field under consideration;

- j) access by the secretary, when necessary, to experts capable of advising on technical issues in the field of the committee. Whilst the Chief Executive Officer endeavours to send his representative to the first meeting of a technical committee, to meetings of technical committees with new secretariats, and to any technical committee or subcommittee meeting where such presence is desirable for solving problems, the office of the CEO cannot undertake to assist a secretariat, on a permanent or temporary basis, in carrying out its duties.

NOTE 14 In the case of IEC, a National Committee accepting to undertake secretariat duties is required to become party to the IEC "Basic Agreement" (1984).

E.3 Requirements of a secretary

The individual appointed as secretary shall

- a) have sufficient knowledge of English and/or French;
- b) be familiar with the *Statutes and rules of procedure*, as appropriate, and with the ISO/IEC Directives (See E.4);
- c) be in a position to advise the committee and any subsidiary bodies on any point of procedure or drafting, after consultation with the office of the CEO if necessary;
- d) be aware of any Council or Technical Management Board decision regarding the activities of the technical committees in general and of the committee for which he is responsible in particular;
- e) be a good organizer and have training in and ability for technical and administrative work, in order to organize and conduct the work of the committee and to promote active participation on the part of committee members and subsidiary bodies, if any. It is recommended that newly appointed secretaries of technical committees should make an early visit to the office of the CEO in Geneva in order to discuss procedures and working methods with the staff concerned.

E.4 Required documentation

The latest editions of the publications listed in E.4.1 and E.4.2 are essential reference materials for secretaries of ISO and IEC committees respectively.

E.4.1 For ISO secretaries

- a) The ISO/IEC Directives:
 - *Part 1: Procedures for the technical work.*
 - *Part 2: Methodology for the development of International Standards.*¹
 - *Part 3: Drafting and presentation of International Standards.*¹
- b) *ISO Statutes and rules of procedure.*
- c) *ISO Memento.*
- d) *ISO Council resolutions: classified list.*
- e) *ISO Liaisons.*
- f) *ISO Technical programme.*
- g) *ISO Catalogue.*
- h) *ISO Directory of international standardizing bodies.*
- i) *ISO Guide 26, Justification of proposals for the establishment of standards.*

¹ These publications list further documents to which a secretary will need to refer.

E.4.2 For IEC secretaries

a) The ISO/IEC Directives:

- *Part 1: Procedures for the technical work.*
- *Part 2: Methodology for the development of International Standards.¹*
- *Part 3: Drafting and presentation of International Standards.¹*

b) *IEC Statutes and rules of procedure.*

c) *IEC Directory.*

d) *Catalogue of IEC Publications.*

e) *IEC Yearbook.*

f) *IEC Guide for drafting Minutes of meetings.*

g) *IEC manuscripts drafting and presentation guide.*

h) *Basic Agreement governing the relations between a National Committee accepting to undertake the secretariat duties of a technical committee or a subcommittee and the Central Office of the IEC.*

i) *List of IEC working groups.*

j) *ISO Guide 26, Justification of proposals for the establishment of standards.*

1.8.2 Responsibilities (chairmen)

The chairman of a technical committee is responsible for the overall management of that technical committee, including any subcommittees and working groups. He shall advise the Technical Management Board on important matters relating to that technical committee via the technical committee secretariat. For this purpose he shall receive reports from the chairmen of any subcommittees via the subcommittee secretariats.

The chairman of a technical committee or subcommittee shall

- a) act in a purely international capacity, divesting himself of a national point of view; thus he cannot serve concurrently as the delegate of a national body in his own committee;
- b) guide the secretary of that technical committee or subcommittee in carrying out his duty;
- c) conduct meetings with a view to reaching agreement on committee drafts (See 2.5);
- d) ensure at meetings that all points of view expressed are adequately summed up so that they are understood by all present;
- e) ensure at meetings that all decisions are clearly formulated and made available in written form by the secretary for confirmation during the meeting;
- f) take appropriate decisions at the enquiry stage (See 2.6).

In case of unforeseen unavailability of the chairman at a meeting, a session chairman may be elected by the participants.

¹ These publications list further documents to which a secretary will need to refer.

Annex B to Memorandum of Agreement

Training of ISO TC/SC secretaries and chairmen

ANSI has an obligation to ensure the proper administration of all US held secretariats. As part of this obligation ANSI must ensure that the committee secretary and chairmen are adequately prepared to perform their roles.

When an ANSI-held ISO TC/SC secretariat is delegated to an ANSI member organization, the following shall apply:

- If neither ASHRAE nor the individual appointed as secretary have previous experience administering an ISO TC/SC secretariat, training is mandatory within 12 months of assignment.
- If either ASHRAE or the individual appointed as secretary has previous experience administering an ISO TC/SC secretariat, ASHRAE shall confirm, within 12 months of assignment, that the secretary is fully trained.

For newly appointed chairmen of US held ISO TC/SC secretariats:

- If the individual appointed as chairman has no previous experience, then training is mandatory within 12 months of their appointment.
- If the individual appointed as has previous ISO chairman experience, ASHRAE shall confirm within 12 months of assignment that the chairman is fully trained.

ANSI offers several training and education courses that are related to ISO secretariat and/or chairman. Please contact Mr. Stacy Leistner at ANSI for further information on ANSI curricula. His contact information is as follows;

Tel: 212-642-4931

Fax: 212-398-0023

E-mail: sleistne@ansi.org

Annex C to Memorandum of Agreement

TO: American National Standards Institute

FROM: Mr. Frank Coda, ASHRAE

SUBJECT: Confirmation of ISO TC/SC secretariat and chairman training requirement

Be advised that ASHRAE has fulfilled its obligation under section 2.2 of the MoA signed with ANSI requiring that the individual appointed as secretary or chairman of an ISO TC/SC has been or will be adequately trained to perform the functions of this post.

(name of secretary/chairman) has been or will be trained against the requisites set forth in the *ISO/IEC Directives Part 1 (1995)*, sections 1.8.2, 1.9.2, and Annex E. (name of organization or US TAG) accepts full responsibility for all actions taken by this individual relative to their role as an ISO TC/SC secretary or chairman.

The following information is provided to ANSI for information:

Secretariat

Chairman

Name:
Affiliation:
Address:
Tel:
Fax:
E-mail:

EXPERIENCE

- Previous ISO TC/SC secretariat/chairman experience:

TRAINING

- Check one of the below:

_____ Has utilized/Will utilize ANSI training

_____ Has utilized/Will utilize internal training

OTHER

- Related experience and/or training

Annex D to Memorandum of Agreement

TO: ANSI International Committee (IC)

FROM: Mr. Frank Coda, ASHRAE

SUBJECT: Approval of ISO TC/SC secretaries delegated to a third party

Be advised that ASHRAE has fulfilled its obligation, under section 3 of the Memorandum of Agreement signed with ANSI, by informing the IC that ASHRAE will assign responsibility for the ISO TC/SC secretariat to (name of individual) approval of the ANSI/IC. (name of individual) represents (affiliation) and has a good working knowledge of the ISO TC/SC structure and process.

(name of individual) has been trained against the requisites set forth in the *ISO/IEC Directives Part 1 (1995)*, sections 1.9.2 and Annex E. ASHRAE accepts full responsibility for all actions taken by this individual relative to their role as an ISO TC/SC secretary.

The IC is invited to approve (name of individual) as being qualified and capable of performing the necessary functions and responsibilities associated with administering the secretariat of an ISO TC/SC on behalf of ASHRAE.

The following information is provided to the IC for consideration (REQUIRED):

Secretary

Name:
Affiliation:
Address:
Tel:
Fax:
E-mail:

EXPERIENCE

- Previous ISO TC/SC secretariat/chairman experience:

TRAINING

- Check one of the below:

_____ Has utilized/Will utilize ANSI training

_____ Has utilized/Will utilize internal training

OTHER

- Any other reasons why consideration should be given to this individual: