



MINISTRY OF INVESTMENT, TRADE AND INDUSTRY  
DEPARTMENT OF STANDARDS MALAYSIA

## DEVELOPMENT OF MALAYSIAN STANDARDS

### POLICY ON STANDARDS 1 (PSD 1) - DEVELOPMENT OF MALAYSIAN STANDARDS

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**JABATAN STANDARD MALAYSIA**  
**Department of Standards Malaysia**

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## **1. Introduction**

- 1.1** As mandated under the Standards of Malaysia Act 1996 (Act 549), the Department of Standards Malaysia (Standards Malaysia) is the National Standards Body and responsible for developing and promoting standards.
- 1.2** This document shall be applicable to all organisations, committees and personnel engaged in Malaysian standardisation in any capacity and whether directly or indirectly engaged by Standards Malaysia. Other organisations, whether directly or indirectly appointed by Standards Malaysia to undertake tasks associated with the development, publication, promotion or distribution of Malaysian Standards, shall ensure implementation of management of national standardisation activities as well as management of Malaysia's participation in international standardisation activities. The document is to be applied by Standards Malaysia to function as National Standards Body and the committees managed by Standards Malaysia.

## **2. Purpose**

- 2.1** Standards Malaysia has established this policy to govern the development of voluntary Malaysian Standards. It is intended to ensure that all Malaysian Standards are developed in line with established best practices, in conformity with international and bilateral agreements and effective in serving all national stakeholders.
- 2.2** The policy has been developed to ensure all actions taken are consistent with the obligations as a member of the World Trade Organization (WTO) with regard to the Technical Barriers to Trade (TBT) Agreement and the Sanitary and Phytosanitary (SPS) Measures.

## **3. Maintenance of Policy**

- 3.1** The policies, principles and requirements in this document are subject to periodic review and amendment when necessary.
- 3.2** This document shall be approved by the Malaysian Standards and Accreditation Council (MSAC) based on recommendation by Coordination Committee, Standardisation Division and the Director General of Standards Malaysia.
- 3.3** Standardisation Division, Standards Malaysia is responsible for the maintenance and all changes are subjected to endorsement by Coordination Committee, Standardisation Division and subsequently approved by the Director General, Standards Malaysia Malaysian Standards and Accreditation Council (MSAC) prior to implementation.

#### 4. Normative References

- 4.1. Standards of Malaysia Act 1996 (Act 549).
- 4.2. ISO/IEC Guide 59 - ISO and IEC recommended practices for standardization by national bodies
- 4.3. Annex 3 to the WTO/TBT Agreement-Code of Good Practice for the Preparation, Adoption and Application of Standards
- 4.4. ISO/IEC Guide 2 Standardization and related activities – General vocabulary.
- 4.5. ISO/IEC Guide 21 - 1 Regional or national adoption of International Standards and other International Deliverable–Part 1: Adoption of International Standards.
- 4.6. ISO/IEC Guide 21 - 2 Regional or national adoption of International Standards and other International Deliverable – Part 2: Adoption of International Deliverables other than International Standards.
- 4.7. Annex 4 to G/TBT/9 Decision of the committee on principles for the development of International Standards, guides, and recommendations with relation to articles 2 and 5

#### 5. Terms and Definitions

For the purpose of this document, the following terms and definitions shall apply. Other definitions are as in ISO/IEC Guide 2.

##### 5.1. **balanced representation**

a representation of interest groups in a Standards Development Committee such that no single category of interest can dominate the voting procedures. The interest groups are categorised as: **General, Producer, Regulatory/ Authority/ Government and User.**

##### 5.2. **consensus**

general agreement characterised by the absence of sustained opposition to substantial issues by an important part of the concerned interest and by a process seeking to consider the views of all parties concerned and to reconcile any conflicting arguments.

NOTE Consensus need not imply unanimity.

[ISO/IEC Guide 2]

**5.3. International Standard**

International Standard where the international standards organization is ISO or IEC or SMIIC.

**5.4. maintenance of standards**

the action by Standards Development Committee (SDC) under Standards Malaysia of reviewing a standard which results in its amendment (editorial or technical), confirmation, revision, or withdrawal.

**5.5. Malaysian Standard**

a standard declared in accordance with section 15 of the Standards of Malaysia Act 1996 (Act 549)

**5.6. Malaysian standards development system**

a governance structure formed under the provision of Section 10, 13 and 14 of the Act 549; which includes development of Malaysian Standards and management of Malaysia's participation in international standardisation activities.

**5.7. regional standard**

standard that is adopted by a regional standardizing/standards organization and made available to the public  
[ISO/IEC Guide 2, clause 3.2.1.2]

**5.8. regional standardising organisation**

Standards organisation whose membership is open to the relevant national body from each country within one geographical, political or economic area.  
[ISO/IEC Guide 2:2004, clause 4.3.1]

**5.9. standard**

a document, established by consensus and approved by a recognised body, that provides, for common and repeated use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order in a given context.

NOTE Standards should be based on the consolidated results of science, technology and experience, and aimed at the promotion of optimum community benefits.

[ISO/IEC Guide 2:2004, definition 3.2]

### 5.10. **Adoption**

Publication of Malaysian Standard based on a relevant International Standard & regional standard, or endorsement of the International Standard as having the same status as a national normative document, with any deviations from the International Standard identified.

[ISO/IEC Guide 2]

### 5.11. **vice versa principle**

principle whereby anything that is acceptable under the terms of the International Standard is acceptable under the regional or national standard and vice versa, and thus compliance with the International Standard also means compliance with the regional or national standard.

[ISO/IEC Guide 21-1:2005]

### 5.12. **Degree of Correspondence to International Standard/Regional Standard**

Degree of correspondence to International Standard / regional standard describes the degree of difference between the adopted MS to the International Standard / regional standard. The criteria of difference are technical content, structure and wording. There are two (2) categories of degree of correspondence as follows:

#### **5.12.1 Identical (IDT)**

The Malaysian Standard is identical to the International Standard when:

- a) Identical in technical content, structure and wording (or is an identical translation); or
- b) Identical in technical content and structure with minimal editorial changes. In this case, the "vice versa principle" is fulfilled.

[ISO/IEC Guide 21-1]

#### **5.12.2 Modified (MOD)**

A modified standard is a standard adapted from an International Standard with permitted technical; deviations, which are clearly defined and explained. The national standard reflects the structure of the International Standard. Changes to the structure are only permitted if an easy comparison of the content and structure of the two standards continues to be possible. Modified

standards also include the changes permitted under identical correspondence. In this case, the "vice versa principle" is not fulfilled.

[ISO/IEC Guide 21-1]

### **5.12.3 ISO/IEC/SMIIC deliverables**

International deliverables are documents published by ISO / IEC / SMIIC including:

- a) International Standard
- b) Technical Specification (TS)
- c) Publicly Available Specification (PAS)
- d) Technical Report (TR)
- e) Guide
- f) Technology Trend Assessment (TTA)
- g) Industry Technical Agreement (ITA)
- h) International Workshop Agreement (IWA) or other deliverables as stated in ISO/IEC Guide 21-2.

### **5.13 standardisation**

activity of establishing, with regard to actual or potential problems, provisions for common and repeated use, aimed at the achievement of the optimum degree of order in a given context.

Note 1: In particular, the activity consists of the processes of formulating, issuing and implementing standards.

Note 2: Important benefits of standardisation are improvement of the suitability of products, processes and services for their intended purpose, prevention of barriers to trade and facilitation of technological cooperation.

[ISO/IEC Guide 2:2004]

### **5.14 standards development committee (SDC)**

a committee established under Malaysian Standards Development System for the purpose of development of Malaysian Standards and participation in international standardisation activities.

NOTE These may include all National Standards Committees (NSCs/Sub-NSC), Technical Committee (TCs/ Sub-TC), and Working Group (WGs/Sub-WG).

### **5.15 technical regulation**

any written law that provides technical requirements, either directly or by referring to or incorporating the content of a standard, technical specification or code of practice.

### **5.16 work programme**

a document containing the list of standard published and under development. The list shall include stage codes and relevant references. The work programme shall be published at least once every 6 months.

## **6. General Policies**

The following policies shall govern the development of all Malaysian Standards

### **6.1 General Principles for the development of Malaysian Standards**

#### **6.1.1 Transparency**

All essential information regarding current work programmes, as well as on proposals for standards, guides and recommendations under consideration and on the final results should be made easily accessible to at least all interested parties. Procedures should be established so that adequate time and opportunities are provided for written comments.

The publication of a notice at an early appropriate stage, in such a manner as to enable interested parties to become acquainted with it, that the international standardizing body proposes to develop a particular standard

#### **6.1.2 Openness**

Membership of standard development committee (SDC) should be open on a non-discriminatory basis to relevant bodies. This would include openness without discrimination with respect to the participation at the policy development level and at every stage of standards development, such as the:

- a) proposal and acceptance of new work items;
- b) technical discussion on proposals;
- c) submission of comments on drafts in order that they can be taken into account;
- d) reviewing existing standards;
- e) voting and adoption of standards; and
- f) dissemination of the adopted standards

#### **6.1.3 Impartiality and Consensus**

- 6.1.3.1 All relevant bodies should be provided with meaningful opportunities to contribute to the elaboration of Malaysian Standards so that the standard development process will not give privilege to, or favour the interests of, a particular supplier/s.



- 6.1.3.2 Consensus procedures should be established that seek to take into account the views of all parties concerned and to reconcile any conflicting arguments.
- 6.1.3.3 Impartiality should be accorded throughout all the standards development process with respect to, among other things:
- a) access to participation in work;
  - b) submission of comments on drafts;
  - c) consideration of views expressed and comments made;
  - d) decision-making through consensus;
  - e) obtaining of information and documents;
  - f) dissemination of the standard;
  - g) fees charged for documents;
  - h) right to adopt/adapt any other organizational, national, regional or international deliverables, where necessary; and
  - i) revision of the standard.

#### 6.1.4 Effectiveness and relevance (performance based/national interest)

The basis for the development of Malaysian Standards is the consideration of national interest such as based on current national policy and direction. Wherever appropriate, the standardising body shall specify standards based on product requirements in terms of performance rather than design or descriptive characteristics.

Anyone wishing to propose a new Malaysian Standard development project (proposer) will need to complete and submit the appropriate Proposal Form available from Standards Malaysia's website (NP form), where guidance on completion is available as an Annex. A proposal is intended for a single project. Criteria for new proposal is as follows:

Criteria	Details
<b>Funding</b>	Declaration of any funding received or allocated by the committee, its members or related stakeholders for the proposed project/program; or  Please specify if the proposer is willing to provide partial/full allocation for the development of the proposed standard
<b>Alignment to Government policies</b>	Public and national interest objectives as specified by Government of Malaysia will be considered
<b>Impact on public health &amp; safety</b>	Describe how the proposed standard will/can improve public and/or workplace health or safety

<b>Criteria</b>	<b>Details</b>
<b>Impact on environmental</b>	Consider the environmental impact/benefit of the standard, including 'intangible' costs and benefits (e.g. noise; pollution; amenity)
<b>Impact on trade Facilitation</b>	Consider the economic impact of the proposed standard on different sectors of the community, such as consumers, manufacturers, small business, suppliers etc.
<b>International alignment</b>	Specifies level of alignment to relevant international activity where there is an existing International Standard or project. Examples include Identical/modification
<b>Reference to public legislation</b>	References made to the Malaysian Standard in act, technical regulation, by-law or other statutory rules made under the authority of the federal or state government of Malaysia.
<b>Sales record</b>	a) Not applicable for new application b) Only for maintenance of existing Malaysian standards e.g. confirmation, revision and amendment. c) Provide history of purchasing record in hard/soft copy
<b>Usage</b>	Identify potential users of the proposed standard

### 6.1.5 Coherence (avoid duplication)

Every effort to avoid duplication of, or overlap with the work of standards development in Malaysia or with the work of relevant international or regional standardising bodies, shall be made.

## 6.2 Adoption of International Standard

6.2.1 When International Standards are adopted, they shall only be adopted as Malaysia Standards and shall ensure that the identification of the International Standard is clearly stated. There are two options for adoption of International Standards:

### 6.2.1.1 Endorsement method (IDT)

- (i) If the International Standard is declared by Standards Malaysia to have the status of Malaysian Standard, an "endorsement notice" may be issued. The endorsement notice may contain information or instructions pertinent to this declaration. An endorsement notice should only be

issued where the national standard is identical to the International Standard in technical content, structure and wording (or is an identical translation).

- (ii) Each endorsement notice should only refer to one International Standard (including any amendments and/or technical corrigenda). Example of an endorsement notice:

*For use with an identical adoption only:*

*“International Standard ISO 00000:2019, Products intended for use in the global market — General requirements, including its Amendment ISO 00000/Amd.1:2020, is endorsed as an MY national standard with the reference number MS ISO 00000. International Standards ISO 00000 and ISO 00000/Amd.1 can be obtained from the sales unit of JSM.”*

- (iii) The endorsement notice may allocate a unique national reference number to each endorsed International Standard. Alternatively, the reference number of the International Standard should be used.
- (iv) The endorsement notice may appear in the website. The text of the International Standard should not usually be attached to the endorsement notice.

#### **6.2.1.2 Republication**

- (i) There are three methods of republication, namely **Reprinting, Translation** and **Redrafting**.

- (a) **Reprinting**

- The International Standard is printed as Malaysian Standard by direct reproduction of the published document

- (b) **Translation**

- If the Malaysian Standard is solely the translation of an International Standard, it may be published in a bilingual or monolingual form.

- (c) **Redrafting**

- If an International Standard is published as Malaysian Standard and it is not a reprint or identical

translation of the International Standard, this is considered to be a redraft

NOTE see Clause 5.3 of ISO/IEC Guide 21-1 for (a)– (c)

- (ii) Independent of which method of republication is chosen, Standards Malaysia as the national identifier of the organisation adopting the International Standard, shall appear on the cover page and all other pages of the Malaysian Standard.

6.2.2 To promote the usage of Adopted MS, the republication method is recommended.

6.2.3 If there is a need to adopt International Standard using endorsement method, proposal is subject to approval by Standards Malaysia

6.2.4 Standards Malaysia shall maintain a database of adopted MS and its degree of correspondence including the latest edition/ status of the International deliverables/ regional standard.

6.2.5 Presentation and numbering of adopted MS shall be in accordance to the specified guideline/procedure.

6.2.6 The adoption of International standard/regional standard may be started from the stage of Draft of International Standard (DIS). For other deliverables, the adoption shall be based on the published document.

6.2.7 Numbering of adopted MS is as stated in SOP/STD 2, Numbering of Malaysian Standards.

### **6.3 Trade**

Standards should be developed to meet the needs of the market place and should contribute to advancing trade in the broadest possible geographic and economic contexts. It shall be ensured that standards are developed so as not to create unnecessary obstacles to international or domestic trade, or both. When a published standard is noted to cause in the impedance or restriction of trade, action shall be taken to resolve an unjustified impediment or restriction to trade.

### **6.4 Anti-competitive requirements**

Standards shall not be developed as a means to fix prices, nor to exclude competition or otherwise inhibit commerce beyond that necessary to meet

requirements of relevant technical regulations or other legitimate sectoral or local requirements for compatibility, environmental protection, health and safety.

## **6.5 Patents**

- 6.5.1 The inclusion of patented items in a standard shall be avoided unless the use of a patented item is justifiable for technical reasons and the right holder agrees to negotiate licenses with interested applicants, wherever located, on reasonable terms and conditions.
- 6.5.2 Any party participating in the work of developing MS should, from the outset, draw the attention of the Senior Director of Policy and Standards or the officers of the SDA, to any known patent or to any known pending patent application, either of their own or of other organisations. Fulllest available information about evidence, validity or scope of patents or similar rights should be disclosed; and
- 6.5.3 The patent holder has to provide a written statement to be filed at Standards Malaysia, using the appropriate "Patent Statement and Licensing Declaration" form. This statement must not include additional provisions, conditions, or any other exclusion clauses in excess of what is provided for each case in the corresponding boxes of the form.

NOTE For further details please refer to "Guidelines for Implementation of the Common Patent Policy for ITU-T/ITU-R/ISO/IEC.

## **6.6 Language**

A Malaysian Standard is in English and/ or Bahasa Malaysia. However, it may also be made available in other languages, if such need arises.

## **7. Requirement for Development of Standards**

### **7.1 Written Procedures**

Processes for the development, maintenance, declaration and publication, of standards shall be defined and shall be documented in written procedures. Procedures for standards development and maintenance shall be based on the consensus principle. Copies of the procedures shall be made available to interested parties in a reasonable and timely manner upon request.

### **7.2 Proposals for Development of Standards**

Proposals for the development of new or maintenance of standards, when submitted according to appropriate procedures by any person or organisation shall be given prompt consideration.

### 7.3 Participation

Participation in standardisation processes shall be accessible for affected persons residing in, and organisations based in Malaysia. Participation in standards committees is subjected to balance and size of committees.

### 7.4 Balance of Interests

Provision for balanced representation of interest categories in standards committees shall be made. These committees are typically identified as producer interest, regulatory authority, user interest and general interest. Where consumer and public interest representation would provide the needed balance of interests, efforts to secure support for equal access and effective participation of such interests shall be made.

Note:

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

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

**User** - those who are predominantly interested in the use of products, materials and services. This category usually includes consumers, who are defined as persons who use goods and services.

**General** - 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.

### 7.5 Use of ICS classification

The International Classification for Standards (ICS) shall be used for classifying all standards.

### 7.6 Notification Requirements

Reasonable access for all potential stakeholders to participate in the process of standards development shall be provided. To enable this, the public shall be notified at specific milestones in the development process, including:

- a) at the inception of a new standard, revision, amendment, confirmation or withdrawal of standard;
- b) when the draft is available for public review and comment; and
- c) at the time of publication of the approved standard

#### 7.6.1 Notice of Public Comment and Review

All draft standards shall be available for public review and comment for a minimum of 60 calendar days by notification in publications, or by electronic means before approval by the NSC. However, this period

may be shortened in cases where urgent problems of safety, health or environment arise or threaten to arise.

A copy of the draft standard that has been submitted for comments shall be provided, upon request. Any fees charged for this service shall, apart from the real cost of delivery, be the same for foreign and domestic parties. Comments received on drafts through the public review process shall be considered, and responded to accordingly.

### **7.6.2 Information Requests**

Membership of all SDCs shall be made available for viewing.

### **7.7 Publication Process**

Malaysian Standards shall be promptly published when formally approved in accordance with the requirements of the Standards of Malaysia Act 1996 (Act 549).

### **7.8 Maintenance of Standards**

All standards shall be reviewed within 5 years to ensure that they remain up-to-date and technically valid. A standard may be reviewed earlier than 5 years when necessary. A review may result in the standard being: confirmed, revised, amended, or withdrawn. The outcome of the review should be implemented in a timely manner.

### **7.9 Mechanism for Dispute Resolution (complaints and appeals mechanism)**

Documented procedures containing provisions for dealing with complaints and handling appeals shall be established. These procedures shall:

- a) Provide impartial treatment
- b) deal with complaints and appeals in a timely manner
- c) provide accessibility to the process to interested parties
- d) be made readily available to the public

Note: Complaints may be either of a substantive (technical) nature or procedural. Appeals are procedural in nature, and are launched as a result of decisions, which the appellant considers to be procedurally in error

## **8. Provisional MS**

Acknowledging Clause L in the Annex 3 to the Agreement of WTO/TBT and Clause 6 of this document, the development of MS(P) is not encouraged. However, in the event where the government requires the standard urgently

due to addressing the public safety, health and environment, MS(P) may be developed.

## **9. Copyright**

In accordance with Section 18A, Standard of Malaysia Act (Act 549), Standards Malaysia reserves the right to all MS developed. In this regard, the copy right policy can be referred in document namely PSD 3 - Policy on publications and the protection of Malaysian Standards (MS) for distribution, sales, reproduction of publications and the protection of copyright (POMS)

**END**

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