

BS EN 16341:2012



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Selection of standards and standard-like documents for defence products and services — Order of preference

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National foreword

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A list of organizations represented on this committee can be obtained on request to its secretary.

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English Version

Selection of standards and standard-like documents for defence products and services - Order of preference

Sélection de normes et de documents normatifs destinés
aux produits et services de la Défense - Ordre de
préférence

Auswahl von Normen und anderen normartigen
Dokumenten für wehrtechnische Produkte und
Dienstleistungen - Rangfolge

This European Standard was approved by CEN on 11 February 2012.

CEN members are bound to comply with the CEN/CENELEC Internal Regulations which stipulate the conditions for giving this European Standard the status of a national standard without any alteration. Up-to-date lists and bibliographical references concerning such national standards may be obtained on application to the CEN-CENELEC Management Centre or to any CEN member.

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EUROPEAN COMMITTEE FOR STANDARDIZATION
COMITÉ EUROPÉEN DE NORMALISATION
EUROPÄISCHES KOMITEE FÜR NORMUNG

Management Centre: Avenue Marnix 17, B-1000 Brussels

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Foreword

This document (EN 16341:2012) has been prepared by the CEN/CENELEC Stakeholder Forum for Defence Procurement Standardization.

This European Standard shall be given the status of a national standard, either by publication of an identical text or by endorsement, at the latest by September 2012, and conflicting national standards shall be withdrawn at the latest by September 2012.

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. CEN [and/or CENELEC] shall not be held responsible for identifying any or all such patent rights.

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Introduction

This document describes the order of preference when applying standards and standard-like documents for defence products and services and considers the selection requirements of the Directive 2009/81/EC.

1 Scope

This European Standard applies to the provision, development, use, improvement and disposal of defence products and services in accordance with Chapter II of Directive 2009/81/EC. It also applies to measures intended to maintain the operational readiness of products. This document supports project managers in the selection and use of applicable standards and standard-like documents.

2 Normative references

The following documents, in whole or in part, are normatively referenced in this document and are indispensable for its application. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC

ISO/IEC Guide 2:2004, *Standardization and related activities — General vocabulary*

3 Terms and definitions

For the purposes of this document, the terms and definitions given in Directive 2009/81/EC and ISO/IEC Guide 2:2004 apply.

4 Order of preference

4.1 General

The standards and standard-like documents applicable to contracts shall be identified by the Purchaser or agreed on proposal by contracting parties. Among them, the non-application of a standard requires the Purchaser's written approval.

4.2 Edition

For the execution of contractually agreed work the edition of the standard specified in the contract shall apply.

If difficulties occur in the execution of a contract due to the fact that a new edition is issued during contract duration, it is at the discretion of the contracting parties to apply the new edition.

4.3 Preferences

If, for the specification of the capability of a defence product or a service, standards or standard-like documents of different domains or origin are available and deemed suitable by the Purchasing Authority, they shall be selected and used in the following order of preference:

- a) Standards and other standard-like documents, which are referenced in laws, ordinances and statutory provisions;
- b) International Military Alliances Standards (e.g. NATO Allied Publications and associated Standardization Agreements (STANAG));

NOTE For NATO nations this applies if the standards are ratified (without reservations) with the intention of implementation for e.g. achieving the required interoperability between forces.

- c) National civil standards, transposing European standards (e.g. BS EN, NF EN, DIN EN,...);

d) European Technical Approvals (ETA);

NOTE Mainly in the construction sector.

e) Common European Technical Specifications;

f) National civil standards, transposing international standards (e.g. BS ISO,...);

g) other international civil standards;

h) other technical reference systems established by the recognized European standardization bodies.

If for the present application no suitable standards or standard-like documents according to a) to h) are available, appropriate standards or standard like documents shall be chosen in accordance with the following order of preference:

i) other national civil standards and standard-like documents (e.g. BS);

j) National Technical Approvals or Technical Specifications (e.g. DIN-SPEC);

k) widely recognized civil technical specifications stemming from industry.

If the necessary requirements cannot be met by the application of the aforementioned standards or standard-like documents, appropriate defence standards or standard like documents shall be chosen among others from the following technical reference systems:

l) National Defence Materiel Standards (e.g. UK Defence Standards, German VG);

m) Mandatory national regulations and directives relating to specific equipment (e.g. aircraft or naval ships);

n) National Technical Specifications issued by governmental defence procurement authorities;

o) Military standards of partner nations, such as MIL Standards (USA);

p) Company standards may be chosen, in cases where the requirements cannot be covered by the documents previously mentioned; where the application of company standards is envisaged, the Contractor shall ensure that these standards are made available to the Purchaser together with the related rights of use.

Each reference in tendering documents shall be followed by the expression "or equivalent" as stated in Directive 2009/81/EC.

EDSTAR shall be considered during the standards selection process as it contains recommended Best Practice Standards for the acquisition of defence materiel.

NOTE EDSTAR is the former "European Handbook for Defence Procurement (EHDP)".

See under: www.eda.europa.eu/EDSTAR

4.4 Contract changes

Issues may arise during the execution of a contract which necessitate a change in the list of standards and standard-like documents or make a change appear reasonable; such changes being driven by:

a) new experience gained during contract execution;

b) standards lower in the selection order being referred to in laws, ordinances and statutory provisions;

- c) standards lower in the selection order appearing to be more suitable from a technical point of view;
- d) the application of standards lower in the selection order being more economical;
- e) other orders of preference being defined in bilateral or multilateral projects.

Where the initiative to change the list of standards and standard-like documents is taken by the Contractor, the Purchaser's prior consent shall be obtained; and the change shall be laid down in a contract amendment.

5 Disclaimer

The editor of standards and standard-like documents makes no warranty that the subject of standardization is free of protective right or copyright claims; the standardization does not grant permission to exploit such rights.

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BSI Group Headquarters

389 Chiswick High Road London W4 4AL UK

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Useful Contacts:

Customer Services

Tel: +44 845 086 9001

Email (orders): orders@bsigroup.com

Email (enquiries): cservices@bsigroup.com

Subscriptions

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Email: subscriptions@bsigroup.com

Knowledge Centre

Tel: +44 20 8996 7004

Email: knowledgecentre@bsigroup.com

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