

EA - EUROPEAN COOPERATION FOR ACCREDITATION

ADVISORY BOARD

TERMS OF REFERENCE

*As agreed at the constituting meeting on 16 November 1998
and amended at the 13th meeting on 28 October 2004,
at the 15th meeting on 19 October 2005, at the 22nd meeting on April 3rd 2009
and further to 30th meeting on 18 April 2013*

0. BACKGROUND

- 0.1 Accreditation is fundamental to the proper operation of a transparent and quality driven conformity assessment market in Europe. It is a service offered to manufacturing and service industries, which supports their competitiveness. It is fundamental to the public authorities, whether national or European, in order to obtain the proper level of confidence in the reports and certificates issued anywhere in Europe and thus to facilitate the free movement of products and services throughout the European Economic Area. It is fundamental to the conformity assessment bodies themselves, whether operating in the regulated or in the non regulated fields of activity, in order to help them demonstrate independently their technical competence, impartiality and integrity and to ensure transparent and quality driven competition between themselves.
- 0.2 The national accreditation bodies in Europe have organised themselves in the European Co-operation for Accreditation (EA), [which has been recognized as the European Accreditation Infrastructure pursuant to the provisions of EC Regulation 765/2008]. EA aims at building and maintaining mutual confidence in the accreditation schemes operated by its members. It does so with the objective of ensuring that the testing, calibration, certification and inspection services concerned meet the needs of industry and of the public authorities and of all other interested parties. In order for EA to respond and be responsible to the needs of its stakeholders, and to ensure transparency in accreditation, a mechanism whereby EA is answerable to and can receive input from its stakeholders is essential.
- 0.3 The EA Advisory Board constitutes the primary organ within EA to ensure the effective and balanced involvement of all interested parties in European accreditation regarding policy and strategy issues, and shall serve as the main stakeholder forum for EA to deal with such issues, pursuant to the requirements of Regulation (EC) 765/2008 and to the relevant provisions of the "General Guidelines for Co-operation between EA and the EC, EFTA and the competent national authorities".

- 0.4 Other means and procedures of involvement of stakeholders in EA activities are specified in the EA policy document for relations with stakeholders.

1. MISSION STATEMENT – OBJECTIVE

- 1.1 The EA Advisory Board, hereinafter called the Board, shall constitute an independent organ, composed of balanced representations of the stakeholders to which EA accounts for the independence, technical competence, cost effectiveness, impartiality and integrity of its accreditation and related activities. The Board shall represent a link between EA, the European Commission, EFTA Secretariat, the national authorities of the EU and EFTA Member States, the European conformity assessment and metrological infrastructures, the European business and industry, the European users and consumers, the European standards organisations, and other European parties competent and active in the field of accreditation and accredited conformity assessment services. It shall attempt to serve their needs without impinging on their respective responsibilities.
- 1.2 The Board shall seek assurance from EA that accreditation is applied in such a way that it ensures effectiveness, openness and transparency in conformity assessment activities in general and those carried out under EU legislation in particular, as well as quality driven competition between conformity assessment bodies and coherence with international accreditation practice.
- 1.3 The Board shall constitute a focal point for discussion, consultation, guidance on and input to policy and strategy matters related to the operation of accreditation. In this capacity, the Board shall be the main forum for the stakeholders of EA and the main channel for stakeholders to effectively interact with EA.

2. COMPOSITION

- 2.1 The composition of the Board shall ensure a well-balanced, effective and ample representation of the parties which depend upon and contribute to the European accreditation system. Representation on the Board shall be ensured, where possible, through organisations, federations, interest groupings etc. having a distinct European or international role and bearing a clear interest in accreditation activities. International organisations representing conformity assessment bodies may also be represented in the Board, provided they have a significant European membership. The Members of the Board shall be persons knowledgeable, representative and competent in matters related to accreditation.

The composition of the Board is as follows:

- The European conformity assessment bodies, i.e. laboratories, certification bodies, inspection bodies, may appoint five Members.
- The European metrological organisations may appoint two Members.
- The European industry, services and trade, including small and medium sized enterprises, may appoint five Members.

- The National Authorities of the EU and EFTA Members States may appoint five Members.
- The European consumers may appoint one Member.
- The European standards organisations may appoint one Member.
- The Services of the European Commission may appoint one Member.
- The Secretariat of the European Free Trade Association may appoint one Member.

The members appointed by the conformity assessment bodies, by industry, service and trade and by the national authorities, shall organise themselves within colleges. The colleges shall seek broad representation of all interests within their respective constituencies, including of sectoral interests.

- 2.2 The Members shall be appointed for a period of three years, which can be renewed.
- 2.3 EA shall be represented by its Chairman and Vice-Chairman and other persons nominated by the EA Chairman.
- 2.4 The Chairman of the Board may invite experts to attend certain parts of meetings of the Board or participate in task forces set up by the Board.

3. RELATIONS WITH OTHER INTERESTED PARTIES

- 3.1 Other interested parties at European or international level that have a clear stake in European accreditation and wish to further the objectives of accreditation by cooperating with EA can provide their policy inputs through contributing to the work of the Board.
- 3.2 Technical inputs to the EA activities may be provided by the parties represented in the Board, as well as by other interested parties, through participation in EA's technical activities pursuant to the EA policy for relations with stakeholders.

4. TASKS AND RESPONSIBILITIES

- 4.1 The Board shall give advice on the general direction of accreditation in Europe and contribute to the policies and strategies of EA in particular. The Board shall oversee the general operations of EA and determine whether they are conducted with efficiency and effectiveness and in response to the needs of its stakeholders and of the market at large.
- 4.2 The Board shall, together with the European Commission and representatives of the National Authorities, ensure the oversight of the EA peer evaluation system.
- 4.3 Where required, the Board shall assist EA in coordinating stakeholder consultations launched by EA and stakeholder inputs in the EA discussions related to policy and strategic issues.

The Board may, at its own initiative or at the request of EA, give input into the strategic aims and priorities to be pursued by EA. The Board shall – considering the rele-

vant European standards and assuring consistency and compatibility with them – give guidance as to the need and desirability of developing interpretation and harmonisation documents related to accreditation and shall provide its opinion before final adoption by EA.

- 4.4 The Board shall support EA in promoting the visibility of European accreditation, including promoting the European model of accreditation at international level.
- 4.5 The Board may, after due process has been followed pursuant to the applicable EA procedures, offer arbitration or advice on disputes related to accreditation and to the development of guidance.
- 4.6 The Board shall be the main forum for the exchange of information, experiences and discussion on accreditation in Europe with the aim of promoting confidence in accreditation as a vehicle for one stop testing and certification at the service of industry and public authorities.
- 4.7 The Board may adopt resolutions on its findings and guidance offered to EA. The Board shall publish its resolutions and other orientations on accreditation in an annual report.
- 4.8 The Board shall receive a report from EA on a regular basis. The document shall address to what extent EA has taken into consideration the recommendations from the Board in carrying out its activities.

5. CHAIRMAN AND OTHER OFFICIALS OF THE BOARD

- 5.1 The Members of the Board shall elect a Chairman and two Vice-Chairmen who will hold office for a period of three years with the possibility of re-election for one more term.
- 5.2 The duties of the Chairman are to:
 - preside over the meetings of the Board;
 - ensure the proper functioning of the Board;
 - together with the Secretariat prepare the meetings of the Board;
 - establish a draft agenda for the meetings of the Board;
 - ensure that conclusions and resolutions are prepared and published, where appropriate;
 - prepare a draft of the annual report of the Board.
- 5.3 The Vice-Chairmen shall assist the Chairman in carrying out his/her duties.
- 5.4 The Chairman, and the two Vice-Chairmen where necessary, shall represent the Board at the General Assembly of EA. Where the Chairman is unable to attend, he/she shall designate one of the Vice-chairmen to act as his/her proxy. In order to ensure consistency of the input from the relevant stakeholder groups, where any of the Vice-chairmen is unable to attend, he/she shall designate a suitable representative who has been properly informed of the discussions and conclusions of the preceding Board meeting. The EA Chairman shall be duly informed of any representation before the General Assembly meeting.
- 5.5 The Board shall appoint two of its Members to participate as observers in the meetings of the EA Multilateral Agreement Council (EA MAC). The appointed Members

shall provide advice and recommendations on behalf of the Board, and shall report back to the Board on their observations and considerations in full respect of the confidentiality of the information divulged.

6. PROCEDURES

- 6.1 The Board shall meet at least twice a year. Meetings shall be called at the initiative of the Chairman or at the request of at least one fourth of its Members.
- 6.2 Meetings must be held within four weeks after a meeting has been requested and must be called on at least 3 weeks prior notice.
- 6.3 All Members have the right of raising questions that should be addressed by the Board, and of proposing draft resolutions. Interested parties that are not Members can raise questions to the Board that are of direct interest to them through the Board Secretariat.
- 6.4 The annual report and resolutions should be adopted by consensus. If consensus cannot be reached, the annual report and resolutions shall be adopted by absolute majority voting. The representatives of EA shall not vote.
- 6.5 The annual report and resolutions can be adopted by the Board only if at least half the total number of the Members are present at the meeting. If, at any meeting, the above quorum is not achieved, a new meeting shall be called at which the annual report and/or resolutions on the subject placed on the agenda of the first meeting may be adopted, irrespective of the number of Members then present. This second meeting shall be called for a date not later than thirty days from the date of the first meeting call. The notice calling the new meeting shall state that it concerns a second meeting and that resolutions may be passed at it, irrespective of the number of Members present.
- 6.6 A Member may be represented by proxy by another Member. The proxy shall be in writing and clearly state which points on the draft agenda the proxy is valid for. The proxy shall be presented to the Chairman and Secretary of the meeting before the meeting is opened.
- 6.7 The meetings shall be presided by the Chairman and in the case of his/her absence, by the Vice-Chairman authorized by the Chairman.

7. RULES OF PROCEDURES FOR THE BOARD

- 7.1 The Board shall establish its internal rules of procedure in order to execute its tasks and responsibilities in an efficient, effective and transparent manner. Such rules of procedure shall include the obligations for the Board to review on a regular basis its functioning and its composition and making public the relevant results.

8. TASK FORCES

- 8.1 The Board may decide to establish task forces to deal with specific issues related to accreditation for a limited period of time. In addition to the members of the Board, ex-

perts may be called to participate in these task forces upon invitation of the Chairman of the Board. The Board shall lay down the terms of reference for these task forces, including the scope, composition, tasks to be carried out and deadline for results.

9. SECRETARIAT

9.1 The Secretariat of the Board shall be provided by the EA Secretariat. The duties of the Secretariat are to:

- assist the Chairman in arranging the meetings of the Board, including preparing the drafts of the agendas, of the lists of conclusions and resolutions, and of the minutes of the meeting;
- assist the Chairman in the preparation of the annual report;
- make available the documents for the meetings early enough before the date of the meetings and provide information of relevance to the Board;
- maintain appropriate communications with the Members of the Board;
- maintain the Board procedures as established by the Board;
- publish the reports of the Board and the results of the review carried out by the Board;
- ensure the administrative functions of the Board in general.

9.2 The above functions shall be performed in accordance with the pertinent provisions of the EA Secretariat management system [Ref.].

10. AMENDMENTS

10.1 Amendments to these Terms of Reference shall be adopted by a two-thirds majority vote of all the Members of the Board. Each Member has one vote. The representatives of EA shall not vote.