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**EA**  
**Rules of Procedure**

The title graphic consists of a large, light blue rectangular area with rounded corners. The background of this area is a complex, abstract pattern of thin, white, curved lines that create a sense of depth and movement, resembling a grid or a network. The text 'EA' is centered in the upper half, and 'Rules of Procedure' is centered in the lower half, both in a bold, black, sans-serif font.

***PURPOSE***

This document defines the formal structures and rules of procedure to be followed so that the objectives of the European co-operation for Accreditation (EA) as defined in Article 2 of the Articles of Association are fulfilled. It shall be interpreted at all times in such a manner as to give precedence to the Articles of Association.

*Authorship*

This document has been prepared by the Executive Board.

*Official language*

The official language of this document is English. The text can be translated into other languages if required.

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## **1. SCOPE**

### **1.1** These Rules of Procedure apply to:

- the General Assembly;
- the Executive Board;
- the Technical Management Board;
- EA Committees, Council, Working Groups, Task Forces and Networks;
- Financial Oversight Committee;
- the Secretariat.

### **1.2** Where necessary, EA bodies (Boards, Committees, Council, and Working Groups etc.) may establish their own supplementary rules of procedure, in harmony with these Rules of Procedure and the Articles of Association.

## **2. TASKS**

The main tasks which EA may undertake to achieve its objectives (see Article 3 of the Articles of Association and Regulation (EC) No 765/2008) are:

- 2.1** Maintaining an agreement for cooperation with the European Commission and the European Free Trade Association (EFTA) with the aim to contribute to the objectives of the Union policy in the field of accreditation;
- 2.2** Developing and refining procedures for the peer evaluation system of national accreditation bodies (NABs);
- 2.3** Managing the peer evaluation system operated by NABs, and providing EA members with peer evaluation services;
- 2.4** Establishing Cooperation Agreements with accreditation bodies that meet the requirements of EA's policy on its relationship with accreditation bodies of countries not being members of the EU or EFTA, published in a separate document;
- 2.5** Developing harmonised application, guidance and information documents on the accreditation of conformity assessment bodies including development of sectoral accreditation schemes;
- 2.6** Publishing position papers, documents and guidelines and reports;
- 2.7** Enabling mutual assistance among Members;
- 2.8** Encouraging Members to:
  - a) exchange information and experience,
  - b) harmonise procedures,
  - c) cooperate in assessments where the EA Cross Frontier Policy applies,

- d) cooperate in training activities,
- e) participate in EA activities;

- 2.9** Organising expert meetings in specific fields;
- 2.10** Develop a dialogue with the European Commission, its departments (DGs) and other authorities to further the adoption of legislation and of notification procedures adapted to the accreditation system;
- 2.11** Consult and cooperate with stakeholders on relevant issues;
- 2.12** Publishing and communicating the outcome of the peer evaluation of national accreditation bodies from EU/EFTA Member States to the European Commission and EU/EFTA Member States and for all EA Members to the International Laboratory Accreditation Cooperation (ILAC) and the International Accreditation Forum (IAF);
- 2.13** Disseminating information on EA to the European Commission, EFTA, national authorities, stakeholders and other parties having an interest in accreditation, the competence of accredited conformity assessment bodies and reliability of their work;
- 2.14** Identifying any need for standards and guides relating to the accreditation of conformity assessment bodies to the European and International Standardization Organisations or appropriate regulatory bodies and contributing to the development of such standards and guides;
- 2.15** Maintaining multilateral agreements with IAF and ILAC and cooperate with these bodies in the development of the international accreditation infrastructure;
- 2.16** Other tasks as decided by the General Assembly.

### **3 MEMBERSHIP**

- 3.1** The various categories of membership are defined in Article 5 of the Articles of Association.
- 3.2** More detailed rules and criteria concerning membership are defined in this Rules of Procedure and its supplement 1.
- 3.3** Each EA Member shall appoint a contact person who has the responsibility to disseminate information from EA to the organisation(s) that he or she represents and to provide EA with requested information about these. Each Member shall inform the Secretariat of the name and contact details of its appointed contact person.

#### **4 RIGHTS**

To achieve the aims and tasks of EA, each EA Member shall have the following rights:

- a) To obtain non-confidential information on the operation of the accreditation activities of other EA Members;
- b) To participate in meetings organised by EA;
- c) To apply for the evaluation of its accreditation activities, provided that the Member has not applied for evaluation to another recognised organisation of accreditation bodies or to ILAC and IAF.

#### **5 OBLIGATIONS**

Each EA Member commits itself to the pursuance of the aims and tasks of EA. In particular, the obligations of each EA Member are:

- a) To operate its accreditation activities in compliance with EA rules, Regulation (EC) No 765/2008, European and/or International Standards, other normative documents on accreditation and conformity assessment bodies as published and/or approved by EA;
- b) To make available on request to the other EA Members information on the operation of its accreditation activities;
- c) To promote the international acceptance of certificates and reports issued by the conformity assessment bodies accredited by national accreditation bodies that are signatories to the EA Multilateral Agreement, to the ILAC Mutual Recognition Arrangement and to the IAF Multilateral Agreement;
- d) To respect any confidential information gained within EA;
- e) To abide by the decisions of the General Assembly, the Executive Board, the Technical Management Board (TMB) and the EA Multilateral Agreement Council (MAC);
- f) To pay its yearly financial contribution to EA;
- g) To actively contribute to the work of EA by participation in the General Assembly, Committee/Council, Working Group and Task Force meetings as appropriate and by providing feedback during comment periods and other requests;
- h) To be responsive to requests aiming at the resolution of complaints;
- i) To operate in cooperation with other NABs the peer evaluation system under the EA management, and to provide NAB personnel as peer evaluators according to the rules established by the MAC in charge of the operation of the Multilateral Agreement (MLA);
- j) To be responsible for payment of costs to its NAB personnel provided as peer evaluators (apart from travel costs paid by the NAB under peer evaluation), and to settle any justified claim whatsoever with respect to NAB personnel provided as peer evaluators, holding EA harmless;

k) For A and B Members to participate in EA ballots.

The General Assembly shall decide on sanctions proposed by the Executive Board towards Members who do not meet fully their obligations as listed above.

## **6 GENERAL ASSEMBLY**

### **6.1 The General Assembly**

**6.1.1** The General Assembly is composed as described in the Articles of Association.

**6.1.2** Each Member shall inform the Secretariat of the names of its appointed delegates to the General Assembly.

**6.1.3** With prior agreement of the President, delegates may be supported by experts at the General Assembly.

**6.1.4** Recognised Stakeholders shall be invited to participate in the meetings of the General Assembly or parts thereof.

**6.1.5** Other interested parties may be invited by the President to participate in the meetings of the General Assembly or parts thereof.

**6.1.6** Observers may be invited by the President to be present at meetings of the General Assembly or parts thereof.

### **6.2 Responsibilities of the General Assembly**

**6.2.1** The General Assembly is responsible for all matters contained in the Articles of Association, including:

- a) Establishing policies and strategic plans;
- b) Decisions on strategic aspects that will be binding on the Members;
- c) Election of President, Vice-President, Committee and Council Chairpersons, and Executive Board members;
- d) Acceptance of new Members;
- e) Terminations of membership for due cause;
- f) Setting up and disbanding EA Committees, Council and Boards;
- g) Approval of documents on EA governance, including membership criteria;
- h) Approval of reports from the Executive Board, including financial reports, and formally discharging any liability of the Executive Board;
- i) Approval of the EA budget and work programme;
- j) Approval of procedures for handling appeals and complaints;
- k) Receipt of information from the MAC on the outcome of peer evaluations;

- l) Approval of Terms of Reference for Committees/Council/Boards;
- m) Other matters as agreed by the General Assembly.

**6.2.2** The General Assembly may delegate powers and responsibilities for operational and specific technical issues to the Executive Board and other Boards, Committees and Council.

### **6.3 Meetings of the General Assembly**

**6.3.1** In consultation with EA Members, the President will decide on the date and place of meetings of the General Assembly. The meeting place shall be in a country of an EA A or B Member.

**6.3.2** The Secretariat, in consultation with the Executive Board, shall prepare a provisional agenda for each meeting of the General Assembly, taking into account any proposals made by EA Members, recognized stakeholders and other interested parties. Such proposals should be sent to the Secretariat at least six weeks before the meeting at which the topic is to be discussed.

**6.3.3** A provisional agenda and meeting documents shall be sent to all EA contact persons and invited observers at least one month before the date of the meeting.

**6.3.4** The final agenda shall be sent to all EA contact persons and invited observers at least one week before the date of the meeting, and all agenda items for decision and items in relation to and/or have an impact on the EU shall be specified in the agenda.

**6.3.5** Issues related to the EU are those with relation or impact to EU policies, New Legislative Framework, EU legislations, EU Trade Agreements, EU - EA Framework Partnership Agreement, EU - EA Specific Agreements / Contracts.

**6.3.6** Any disagreement, whether an issue is related to or has an impact to the EU, shall be solved by the Executive Board.

**6.3.7** Draft minutes of meetings of the General Assembly shall be circulated to all EA contact persons and invited observers within two months following the meeting.

**6.3.8** Comments on the draft minutes shall be sent to the Secretariat within two months after circulation of the draft minutes.

**6.3.9** The minutes shall be confirmed at the next meeting of the General Assembly.

### **6.4 Voting**

**6.4.1** EA will seek to reach decisions by a process of consensus. Unless otherwise specified, voting, when required by the General Assembly, shall be conducted as defined in the Articles of Association.

- 6.4.2** On matters related to membership, election of President, Vice-President, Executive Board members and Committee and Council Chairmen, and other such matters as determined by the President, ballots shall be by confidential voting in which the Secretariat and/or scrutineers aware of the individual ballots shall maintain the confidentiality of that information.
- 6.4.3** With regard to technical issues, an unanimous resolution of Members or their delegates entitled to vote, even if they are not convened at a meeting of the General Assembly, shall have the same force as a resolution of the General Assembly, provided that it is passed with prior knowledge of the Technical Management Board, since the Executive Board has delegated its right to priorly be informed, as referred to in Article 11 paragraph 6 of the Articles of Association of EA, with regard to technical issues to the Technical Management Board; therefore the prior information of the Technical Management Board with regard to these technical issues is considered to be the prior information of the Executive Board.

## **7. PRESIDENT AND VICE-PRESIDENT**

### **7.1 Election**

- 7.1.1** The General Assembly will elect the President and Vice-President from delegates of A Members for a period of two years. The President and the Vice-President shall not act as delegates. The EA Member that has provided the President or the Vice-President will be invited to appoint another delegate as its representative. The President and the Vice-President may be re-elected twice.
- 7.1.2** Nominations for the position of President and Vice-President shall be received by the Secretariat at least two months before a General Assembly meeting.
- 7.1.3** A President and a Vice-President shall be considered as elected when a candidate obtains at least one half of the votes cast, cf. Article 10 and 11 of the Articles of Association.
- 7.1.4** If more than two nominations are received at any election and a 50 % majority vote is not achieved by one of the candidates, a further vote shall be held between the two candidates who received the highest number of votes in the first ballot. If the result of this second ballot is a tie, the decision is taken by a toss of a coin.
- 7.1.5** In case of resignation of the President or Vice-President during the elected two-year term a new election of President/Vice-President shall be conducted by the General Assembly.
- 7.1.6** The term of office of a President/Vice-President elected according to 7.1.5 shall be for the remaining period of the term of the elected members of the Executive Board.

**7.1.7** If the term of a President/Vice-President elected according to 7.1.5 is less than one year, the President/Vice-President may further be elected for three consecutive two years' terms of office.

## **7.2 Responsibilities**

### **7.2.1 The President will be responsible for:**

- a) Chairing meetings of the General Assembly and the Executive Board;
- b) Ensuring the proper functioning of the Executive Board;
- c) Directing, on behalf of the General Assembly, the regular business of EA, and ensuring the execution of decisions entrusted to him/her by the General Assembly and Executive Board;
- d) Acting on behalf of EA between meetings of the General Assembly, wherever possible with the advice and support of the Executive Board;
- e) Ensuring efficient and coherent cooperation with the European Commission, EFTA, national authorities, recognized stakeholders and other interested parties;
- f) Monitoring the performance of the Executive Secretary taking into account any advice and feedback from the Executive Board in performing the task;
- g) Delegating tasks as appropriate.

### **7.2.2 The Vice President**

- a) Will take over all the functions of the President if he/she is unavailable,
- b) Chair meetings of the Technical Management Board,
- c) Undertakes special tasks as delegated by the President.

## **8. EXECUTIVE BOARD**

The EA shall have an Executive Board as laid down in Article 12 of the Articles of Association appointed by the General Assembly to conduct the business of EA between General Assembly meetings.

### **8.1 Membership**

**8.1.1** The Executive Board shall have six members all of which are delegates of A Members.

**8.1.2** An A Member of EA can only have one person elected to serve on the Executive Board.

**8.1.3** Election of members of the Executive Board shall follow the procedure as for the election of the President, except that nominations may be accepted on the first day of the meeting of the General Assembly.

- 8.1.4** The term of office of members of the Executive Board is two years. During this period of two years, when a new election is needed, for instance due to the resignation of one or several members of the Executive Board, the term of office of the newly elected person(s) shall terminate at the same time as the other members of the Executive Board. If the new election of an Executive Board member is for a term less than one year, then the newly elected person may further be elected for three consecutive two years' terms of office.
- 8.1.5** The term of service for Executive Board members shall be for a maximum of three consecutive, two-year terms i.e. a maximum of six years. A member once having resigned from the position or completed the maximum period of service shall not be eligible to serve in the same position for a further term, except at the request of the General Assembly.

## **8.2 Meetings**

Attendance at meetings of the Executive Board is restricted to Executive Board members and the Executive Secretary only (together with, when needed, other staff members from the Secretariat).

The Chairs of Committees/Council may be invited for specific issues.

Observers may be admitted at the invitation of the President.

## **8.3 Responsibilities of the Executive Board**

The responsibilities of the Executive Board are to implement EA governance and financial policies and to manage the organisation (including financial management) between the meetings of the General Assembly and as directed by the General Assembly. To these ends it will:

- a) Ensure the proper functioning of EA;
- b) Ensure the coherent and transparent operation of EA's activities in accordance with the objectives and other provisions of the Articles of Association;
- c) Ensure proposals, reports etc. are presented to the General Assembly in a coordinated, transparent and comprehensive manner. Such reports from the Multilateral Agreement Council, TMB and the Financial Oversight Committee shall be submitted directly by those bodies;
- d) Approve agreements and other contracts with the European Commission and EFTA;
- e) Prepare the annual EA budget;
- f) Prepare the annual Work Programme and associated budget for the Operating Grant and any specific Grants or Contract for submission to the European Commission and EFTA;
- g) Approve the report to the annual Work Programme for submission to the European Commission and EFTA;

- h) Ensure that an appropriate financial audit is conducted annually in a manner to satisfy the requirements of the Articles of Association;
- i) Develop proposals concerning the strategy, policies and activities of EA;
- j) Seek international cooperation between EA and relevant international bodies;
- k) Ensure proper cooperation with other relevant organisations/parties in the field of conformity assessment;
- l) Approve the status of Recognised Stakeholders following consultation with the EA Advisory Board;
- n) Review new member bodies' applications prior to approval by the General Assembly;
- o) Approve Cooperation Agreements with national accreditation bodies, that cannot become EA Members, and with regional accreditation cooperation's according the policies established by the General Assembly;
- p) Prepare policies for the cooperation with stakeholders prior to approval by the General Assembly;
- q) Establish the EA communication strategy for approval by the General Assembly;
- r) Establish the Secretariat;
- s) Elect, appoint and dismiss the Executive Secretary;
- t) Decide the authority and scope of work of the Executive Secretary and rules for conducting the affairs of the Organization;
- u) Supervise the Executive Secretary;
- v) Empower the Executive Secretary to sign employment contracts with staff members of the Secretariat and contract agreements with suppliers and service providers;
- w) Hold the responsibility of EA as an employer and be the contact point for the Executive Secretary in managing the Secretariat. The responsibility will normally be delegated to the President and Vice-President;
- x) Approve the Management Review.

The Executive Board delegates its authority to adopt rules and codes with regard to technical issues, with the approval of the General Assembly, to the Technical Management Board (see Article 18 Paragraph 3 of the Articles of Association).

#### **8.4 Reports to the General Assembly**

The Executive Board shall report to the General Assembly at least once a year. The annual report shall include a financial report.

## **8.5 Decisions**

Decisions of the Executive Board will preferably be reached by consensus. If consensus cannot be reached, decisions by the Executive Board shall be taken according to article 13 (9) in the Articles of Association.

## **9. TECHNICAL MANAGEMENT BOARD**

EA shall have a Technical Management Board (TMB) to coordinate the technical activities of EA.

Note: Issues which are related to or covered by level 1 – 5 standards/documents/activities (see EA-1/06 *EA Multilateral Agreement. Criteria for signing. Policy and procedures for development*) shall be deemed as technical activities.

### **9.1 Membership**

- 9.1.1** The TMB shall be composed of the Chairs of the Technical Committees, the EA Vice-President and the Chair of the MAC.
- 9.1.2** All TMB members shall be representatives of A and/or B Members as defined in the Articles of Association.
- 9.1.3** The EA Vice-President acts as the TMB Chair.
- 9.1.4** Under normal circumstances, each A and B Member of EA can only have one person elected to serve on the Executive Board and/or the TMB.
- 9.1.5** Election see 10.7.
- 9.1.6** TMB members shall remain members as long as they are Committee/Council chairs.

### **9.2 Meetings**

- 9.2.1** The TMB shall meet at least once a year and furthermore as often as the TMB Chair or at least two members of the TMB consider this desirable.
- 9.2.2** Attendance at meetings of the TMB is restricted to TMB members and the Executive Secretary (together with, when needed, other staff members from the Secretariat). However observers may be admitted at the invitation of the TMB Chair.
- 9.2.3** Further provisions about meetings of the TMB may be laid down in the Terms of Reference, which shall be approved by the General Assembly.

### **9.3 Responsibilities of the TMB**

The responsibility of the TMB is to monitor and to ensure proper coordination of the work, activities and reporting of the EA Technical Committees. That includes tasks such as:

- a) General management of the technical committees within the framework of policies established by the Executive Board, followed by approval of the General Assembly;
- b) Recommendation of the establishment and dissolution of technical committees, followed by the approval by the Executive Board and approval by the General Assembly;
- c) Coordination of work programmes of the Technical Committees and MAC;
- d) Approval of reports on work and activities of the Technical Committees;
- e) Approval of technical policy/mandatory issues (EA positions/resolutions) following the approval by the relevant TC or where necessary forwarding to the GA for approval;
- f) Dealing with all matters of coordination, performance and monitoring of technical committee activities;
- g) Dealing with technical issues affecting more than one Technical Committee on request of the concerned Technical Committee(s), the MAC and/or the Executive Board;
- h) Supporting cooperation with the European Commission / EFTA, stakeholders and other interested parties on technical matters, in cooperation with the Executive Secretary.

### **9.4 Reports to the General Assembly**

The TMB and/or the Committees/Councils shall report to the General Assembly at least once a year (see also 10.8).

### **9.5 Decisions**

Decisions of the TMB will preferably be reached by consensus. If consensus cannot be reached, decisions by the TMB shall be taken as set out for the Executive Board according to article 13 (11) in the Articles of Association.

In any case, members representing B members shall not take part in decisions on issues which are in relation to and/or have an impact on the EU.

In case that a Committee Chair cannot take part in decisions on issues which are in relation to and/or have an impact on the EU, the Vice-Chair of the relevant Committee can be invited by the TMB Chair for this issue. The voting right of the Committee Chair shall be transferred for this case to the TMB Chair.

## **10. EA COMMITTEES, COUNCIL, WORKING GROUPS, TASK FORCES AND NETWORKS**

**10.1** The General Assembly is entitled to set up EA Committees, Council (MAC), and other working parties. These shall be set up to carry out the objectives, aims and tasks of EA in an appropriate way.

**10.2** EA Committees and Council shall be set up to deal with specific tasks of a permanent nature.

Note: The General Assembly established the following Technical Committees (see Article 1 clause t. of the Articles of Association):

- Horizontal Harmonisation Committee (HHC)
- Certification Committee (CC)
- Inspection Committee (IC)
- Laboratory Committee (LC)

**10.3** EA Members have the right to be a member of Committees and Council.

**10.4** EA Committees and Council shall have defined terms of reference that shall be approved by the General Assembly.

**10.5** Terms of reference for Committees/Council may contain provisions concerning the competencies of its members to ensure that the Committee/Council has the expertise available to perform its specific task. Terms of reference may also include provisions on the organisation of the Committee/Council including setting up of a management group.

**10.6** Committee/Council meetings shall either be held in a country of an A or B Member or virtually using web-based technology.

**10.7** Each EA Committee or Council shall have a Chair elected by the General Assembly, preferably from amongst the Committee or Council's delegates.

The Chair of the HHC and MAC shall be a representative of an A Member.

The Chairs of the CC, IC and LC shall be a representative of an A and/or B Member.

The procedure for the election shall be the same as for the election of the President and Vice-President except that nominations may be accepted on the first day of the meeting of the General Assembly.

**10.8** The term of office of a Committee/Council Chair is two years. During this period of two years, when a new election is needed, for instance due to the resignation of one or more Committee/Council Chair(s), the term of office of the newly elected person(s) shall terminate at the same time as the other Committee/Council Chairs. If the new election of Committee/Council Chair is for a term less than one year, then the newly elected person may further be elected for three consecutive two years' terms of office.

- 10.9** The term of service for a Committee/Council Chair shall be for a maximum of three consecutive, two-year terms i.e. a maximum of six years. A Chair once having resigned from the position or completed the maximum period of service shall not be eligible to serve in the same position for a further term, except at the request of the General Assembly.
- 10.10** The Committee/Council may elect a Vice-Chair of the Committee/Council from amongst the Committee/Council delegates. The Vice-Chair will support the Chair in managing the Committee/Council and act as Acting Chair until the election of a Chair by the General Assembly has taken place in the event the Chair resigns from the Committee/Council.  
In case that the Chair of a Technical Committee is elected from a B Member, a Vice-Chair shall be elected amongst delegates of A Members.
- 10.11** The EA Committee/Council members shall be nominated by the Members of EA, unless otherwise determined in the terms of reference of the Committee/Council in question. Each EA Member is entitled to nominate one member to each EA Committee/Council. Recognised Stakeholders are entitled to nominate one person to each EA Committee/Council except Committees or Council which are only open to EA Members. Other stakeholders and observers may be invited by the Committee/Council Chair.
- 10.12** EA Committees/Council and/or the TMB shall report to the General Assembly at least once every year.
- 10.13** The Executive Board, the TMB and the EA Committees/Council may decide to set up working groups and task forces or other sub-structures (e.g. management groups or project groups), to deal with specific issues. Working groups will be set up to deal with specific questions of a long-term nature that are within the competence of the Committees/Council, and task forces and other sub-structures to deal with questions or projects that can be solved within a limited time.  
EA may work on some of its tasks together with other organisations in common working groups or task forces. The relevant EA Committee/Council shall approve the basic terms of reference of such co-operations and the terms of reference for each such working group or task force.
- 10.14** The conveners of the working groups, task forces and other sub-structures shall be approved by the relevant Committee/Council. The term of office of conveners shall be 2 years. The conveners may be re-elected for further two consecutive two years' terms of office.
- 10.15** The Committees/Council to which the working groups or task forces or other sub-structures report decide how members of these groups shall be appointed. Relevant organisations of stakeholders will be invited to participate.
- 10.16** The Committee/Council Chair and the conveners of working groups, task forces and other sub-structures may invite other experts to participate in their work.

**10.17** Decisions of the Committee will preferably be reached by consensus. If consensus cannot be reached, decisions shall be taken by a majority of two thirds of the votes cast at a meeting at which at least two third of the combined A, B and C Members are represented.

Decisions in relation to and/or have an impact on the EU will preferably be reached by consensus of all A Members. If consensus on EU issues cannot be reached, decisions shall be taken by a majority of two thirds of the A Member votes cast at a meeting at which at least two third of the A Members are represented.

Should any dispute arise on the question if a specific topic is or is not in relation to and/or have an impact on the EU the final decision shall be taken by a simple majority of A members.

**10.18** In case of the election of persons, the person may be elected by an absolute majority of the votes cast at a meeting at which at least two third of the A, B and C Members are represented.

**10.19** Decisions may be taken otherwise than at a meeting. In this case, votes may only be cast by ballot, which shall be understood to be voting in writing or electronically. In such voting, the same requirements as aforementioned apply.

**10.20** A delegate who is entitled to vote on behalf of a A, B or C Member may have her/his vote cast at the meeting by proxy given in writing to the delegate of another member entitled to vote.

The requirement of the proxy being in writing shall be met if the proxy has been laid down electronically.

Proxies are not applicable to decisions to be taken in writing or electronically.

**10.21** A Communication Network shall be set up as the forum for the exchange of information and experiences related to and discussion of communication issues relevant for EA members and stakeholders.

EA Members and Recognised Stakeholders shall have the right to be a member of the Communication Network.

The Communication Network shall have defined terms of reference that shall be approved by the General Assembly.

## **11. MULTILATERAL AGREEMENT COUNCIL (MAC) – DECISION-MAKING PROCESS**

According to Article 9 of the Articles of Association decisions on issues related to the EA Multilateral Agreement (MLA) signatory status of National Accreditation Bodies and on the results of the peer evaluations shall be taken by all signatories to the EA MLA in an independent and impartial manner.

Furthermore, decisions regarding cooperation agreements for mutual recognition (COAMR, see EA-1/13) shall also be taken by all signatories to the EA MLA.

Valid decisions shall be adopted by a majority of two thirds of the votes cast at a MAC meeting at which at least three quarters of the EA MLA signatories are represented.

Decisions may be taken otherwise than at a MAC meeting. Votes may only be cast by ballot, which shall be understood to be voting in writing or electronically. In such voting, the same requirements as aforementioned apply.

A delegate who is entitled to vote on behalf of a MLA signatory may have her/his vote cast at the meeting by proxy given in writing to the delegate of another MLA signatory entitled to vote.

The requirement of the proxy being in writing shall be met if the proxy has been laid down electronically.

Proxies are not applicable to decisions to be taken in writing or electronically.

## **12. FINANCIAL OVERSIGHT COMMITTEE**

**12.1** Members of the Financial Oversight Committee are elected by the General Assembly from amongst EA Member's delegates.

**12.2** The Financial Oversight Committee shall have a minimum of 3 members.

**12.3** The Financial Oversight Committee shall have a Chair and other members elected by the General Assembly from amongst its delegates. The procedure for election shall be the same as for the election of the President and Vice-President except that nominations may be accepted on the first day of the meeting of the General Assembly. The term of office of a Financial Oversight Committee Chair is two years. The Chair may be re-elected twice.

**12.4** The Financial Oversight Committee shall prepare a recommendation to the General Assembly regarding the annual financial statements and the Executive Board's financial report.

**12.5** The activities of the Financial Oversight Committee shall be governed by Terms of Reference approved by the General Assembly.

## **13. SECRETARIAT**

**13.1** The Executive Secretary holds the overall responsibility for the activities and operation of the Secretariat.

**13.2** The Executive Secretary shall assist the President and Vice-President in the performance of their functions and support the Executive Board and the TMB in performing its tasks.

**13.3** The Executive Secretary shall manage issues related to EA being an employer and other legal matters related to EA as a registered legal entity.

- 13.4** The Executive Secretary shall manage recruitment of staff to the Secretariat to levels agreed by the Executive Board.
- 13.5** The Secretariat shall observe relevant EA procedures in all its activities.
- 13.6** The main functions of the Secretariat shall be:
- a) To conduct the day-to-day activities of EA, in particular, the execution of the decisions taken by the Executive Board, TMB, MAC and the General Assembly;
  - b) To provide administrative support to the operation of the peer evaluation system for national accreditation bodies;
  - c) To administer and manage the EA accounts and prepare the financial reporting and budget to be presented to the Executive Board and General Assembly;
  - d) To be the contact point for the European Commission, EFTA and other scheme owners and coordinate the EA input in the related work;
  - e) To document, implement and maintain the management system of the EA;
  - f) To monitor that all the process and activities performed by EA are done in strict observation of EA relevant procedures;
  - g) To prepare communications to EA Members and stakeholders on EA activities, including EA committee and EAAB meetings, developments of the cooperation with the Commission and regulators and on other issues of common interest;
  - h) To prepare and circulate documents for and minutes of meetings of the General Assembly, EA Advisory Board, the Executive Board, the Technical Management Board, Council/Committees and the Communication Network, and serve as the secretariat for these bodies;
  - i) To liaise with stakeholders and other interested parties;
  - j) To provide administrative support to EA Committees in planning activities and in execution and implementation of decisions including the management of the EA MLA;
  - k) To administer contracts with the European Commission and suppliers of technical and administrative services;
  - l) To deal with external correspondence;
  - m) To publish information on EA decisions, activities, EA documents;
  - n) To manage the archives of EA;
  - o) To manage the EA website and Intranet.

## **14. COOPERATION WITH INTERESTED PARTIES**

Close cooperation with interested parties and their involvement in the development of accreditation policies is essential in order to ensure overall acceptance and a coherent approach to accreditation.

The EA Advisory Board (EAAB) is composed by as broad range of interested parties and shall serve as the main stakeholder forum for EA as provided for in Article 16 of the Articles of Association, 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”.

EA cooperation with the EAAB shall ensure an effective and balanced involvement by relevant stakeholders in European accreditation regarding policy and strategy issues.

Representative(s) of the EAAB shall be invited to participate in the General Assembly.

A separate document specifies the principles and mechanisms for EA’s cooperation with interested parties and their involvement in the activities of EA.

## **15. ELABORATION OF EA DOCUMENTS**

A separate document describes the process for the elaboration and approval of EA documents.

Stakeholders should be involved at the starting and developing stages of the elaboration of EA documents that can affect them.

## **16. EA BUDGET AND MEMBERSHIP CONTRIBUTIONS**

### **16.1 Budget**

Each year the Executive Board shall propose to the General Assembly a draft budget for the coming calendar year. It should show expected incomes (membership fees and any other type of financial resources), and expenses as well as provision for specifically funded projects.

### **16.2 Membership contributions**

The EA membership fees for a particular calendar year shall be set according to a formula agreed by the General Assembly, the aggregate of which will be sufficient to meet agreed budget objectives. For specific purposes the General Assembly may decide to collect other financial contributions from EA members.

### **16.3 Financial Reporting**

**16.3.1** Each year a presentation of income and expenditure for the previous calendar year (annual accounts) together with the financial auditor’s report shall be given by the Executive Board to the General Assembly.

**16.3.2** EA members have access to all financial information and records of EA.

**17.    *VALIDITY OF EA RULES OF PROCEDURE***

**17.1**    These Rules of Procedure may be amended by decision of the General Assembly.

**17.2**    These Rules of Procedure are effective from the date of its publication.