



Terms of Reference of the EA Multilateral Agreement Council

Approved by the EA General Assembly on 9th May 2022

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1. SCOPE AND FIELD OF APPLICATION

The EA Multilateral Agreement Council (MAC) is the forum responsible for the effective and impartial management and monitoring of the peer evaluation process.

It is the decision-making body on issues relating to the Multilateral Agreement (MLA) signatory status of National Accreditation Bodies.

2. COMPOSITION

2.1 Members

The MAC is composed of representatives of the EA members.

In accordance with *EA-1/17 Rules of Procedure (RoP)* clause 10.11, each EA member is entitled to nominate one member to the MAC. However, a deputy representative per National Accreditation Body (NAB) may also be nominated and attend MAC meetings. The main representative is the person entitled to vote in the name of his/her NAB.

In accordance with the RoP clause 10.5, the MAC provides for the following competencies requirements for its members: *Criteria for MAC Members - Annex to MAC ToR*.

The EA Secretariat provides a Secretary to the MAC.

The following may attend MAC meetings as observers:

- One representative from the EA Advisory Board;
- One representative from the European Commission;
- One representative from any NAB which has signed a Cooperation Agreement for Mutual Recognition (COAMR) with EA in accordance with EA-1/13;
- One representative of the monitoring authority of a NAB, at the meeting when the NABs Peer Evaluation report is being discussed;
- Representatives of IAF and ILAC as part of the evaluation of EA as a region.

Further observers can be invited by the MAC Chair, as appropriate.

The MAC members are strongly encouraged to exchange information and experiences and to promote the EA MLA.

2.2 Chair and Vice Chair

The Chair is elected by the General Assembly in accordance with the Articles of Association and RoP.

The Vice Chair is elected by the MAC from A, B, C and D Members for a term of service of two years, with the possibility of re-election.

The term of service for the Vice Chair shall be for a maximum of three consecutive term of service.

Candidates can be nominated by A, B, C and D Members (RoP clause 10.10). The deadline for sending nominations to the Secretariat will be specified in the call for nominations.

The quorum must be reached (three quarters of the vote cast) for the result to be valid. For a candidate to be elected, he/she must obtain the simple majority. If no candidate obtains the simple majority at the end of the first round, a second round will be set up. The 2 candidates that have collected the greatest number of votes will progress to the second round.

The MAC Chair is responsible to propose a yearly work plan in accordance with the ToR, to be agreed by the MAC.

The MAC Chair is also responsible to ensure that the MAC ToR, the Articles of Association and the RoP are respected.

The Vice Chair assists the Chair in carrying out his/her duties.

2.3 Management Group

In accordance with the RoP, clause 10.5 and 10.13, the MAC may set up a Management Group.

The MAC Management Group (MAC MG) is established by the MAC to achieve a more effective management and harmonization of the peer evaluations and operations of the MAC, including meetings. The MAC MG has no decision-making authority of its own.

The MAC MG is led by the MAC Chair. The composition of the MAC MG is defined in the MAC MG ToR.

3. MEETING

The MAC meets at least once a year, normally twice a year, although extraordinary meetings may be called upon the initiative of the MAC Chair.

The date and location of the MAC meeting will be decided by the MAC Chair, in consultation with the membership and other committees' Chairs, as necessary in line with RoP.

A draft agenda will be distributed at least 4 weeks before each meeting, except where otherwise agreed. Agendas will be confirmed at the beginning of each meeting, thus subject to changes.

Draft minutes will be distributed within 2 months after the meeting.

Decisions lists may be considered and approved at the meeting and published immediately after the meeting.

The organization of the meetings will follow EA-0/10 Procedures for EA meetings.

4. TASK AND RESPONSABILITIES

- 4.1** The MAC is responsible for the effective and impartial management and monitoring of the peer evaluation process. The MAC is also responsible for the decisions on the MLA signatory status of National Accreditation Bodies and on results of peer evaluations to be taken by all signatories to the MLA (see EA Articles of Association).

The MAC shall inform the EA General Assembly about all decisions made on the MLA. These decisions do not need to be endorsed by the EA General Assembly.

The MAC is also responsible for the peer evaluation process, including decision-making, regarding COAMR signatory status according to EA-1/13.

Pursuant to the above functions, three major tasks are identified, each with related subtasks:

a) Operational issues

- Establishing and updating peer evaluation criteria and procedures in line with ILAC and IAF procedures;
- Identifying concerns of customers or stakeholders about acceptance and relevance of the MLA and seeking solutions;
- International evaluations of EA as an IAF/ILAC Regional group;
- Discussing issues in relation to the MLA;
- Reporting to the EA General Assembly on these issues.

b) Managing evaluations and making decisions on acceptance into the MLA and further decisions - as described in EA-2/02 - on the signatory status of EA National Accreditation Bodies as well as COAMR signatory status in accordance with policies and procedures approved by the members.

- Processing applications for evaluation;
- Managing and monitoring the peer evaluation activities, studying evaluation reports and deciding on admitting new signatories, continuation of signatory status, and on suspension or withdrawal;
- Interacting whenever appropriate with other regional groups, IAF and ILAC on combined evaluations;
- Maintaining a system of control (re-evaluations) on the signatories;
- Informing the EA General Assembly on the outcome of decisions.

c) Management of resources

- Conducting evaluator training sessions and evaluator harmonisation events;
- Ensuring that enough peer evaluators are available, with the skills necessary to cover the full scope of the MLA;
- Ensuring a balanced contribution of resources by MLA signatories to the peer evaluation process;
- Cooperating with regional groups, IAF and ILAC on evaluator training;
- Identify areas for additional harmonisation.

- 4.2** The MAC can delegate tasks to the MAC MG as appropriate but shall ultimately remain responsible for decisions made by the MAC MG.

The MAC can delegate the operational management and related decisions of the peer evaluation process to persons within EA Secretariat who fulfil all the competence requirements stipulated in EA-2/02 S1. This includes planning stages, reviewing statistics, determining choice of evaluation option, determining team and effort, appointing Team Leader and Team Members, controlling peer-evaluation implementation, and checking reports submitted for completion.

Decisions in relation to EA MLA signatory status cannot be delegated.

- 4.3** The MAC is responsible for liaisons with ILAC/IAF, following up on the implementation of the EA “One Voice” approach, following up new developments in accreditation schemes and regulations, resolving technical issues arising in peer evaluations, following up on management of standards transition, highlighting issues to be covered by promoting in EA’s communications.
- 4.4** The MAC shall pursue any other activity required by the General Assembly, Executive Board or Technical Management Board and cooperate with the other EA committees on a regular basis.
- 4.5** Complaints and appeals against MAC operations or decisions are handled through the EA Complaints and Appeals Procedure EA-1/17 S3.

5. WORKING GROUP / TASK FORCE GROUP / TECHNICAL NETWORK

The MAC shall establish Task Force Groups (TFG)¹, according to EA-2/02 for reviewing of peer evaluation reports and for eventual reporting to the MAC.

The MAC may decide additionally to set up working groups and task forces or other sub-structures to deal with specific issues. In this case, the provisions set out in the RoP clauses 10.13 - 10.16 and 10.18 shall be respected.

The MAC will keep a list of the active working groups and task forces or other sub-structures, their tasks and compositions.

6. DECISION MAKING / VOTE OTHER THAN FOR ELECTIONS

Decisions will be taken in accordance with the RoP clause 11.

¹ For these TFGs the RoP provisions does not apply.

7. CONFIDENTIALITY AND IMPARTIALITY

The MAC members and observers are required to use all information from peer evaluation reports and subsequent discussions in a confidential and professional manner.

The MAC members shall act impartially.

A MAC member shall not take part in any decision on the MLA signatory status of an accreditation body with which the NAB it is representing is associated through the provision of consultancy service within three years prior to the evaluation. In particular, it shall not have provided any specific advice or training to the NAB under evaluation on the operational or management procedures in the 3 years prior to the evaluation in all cases