List of Conclusions and Resolutions
agreed at the 44th Meeting of the EA Advisory Board
held online on 3 November 2020

Agenda Item 3 - Topics for discussion

Agenda Item 3.1 - Stakeholders’ representation in EA; interaction between EAAB and EA

The Board:

About whether the EAAB can speak with “one voice” such as expected by the EC:

- takes note of the EC's and EA's view that the EAAB's role should be to build common positions as a Board bringing together different represented parties by consensus;

- acknowledges that the Industry, CAB and NA Colleges find it difficult most often to “speak with one voice” due to the large variety of interests and stakeholder constituencies represented on the Board, and would rather seek to achieve a consolidated position based on a balanced approach;

- acknowledges the NA College's specific difficulty in representing and coordinating with all national authorities which it is intended to represent, whereas the CAB and Industry Colleges have relevant coordination mechanisms in place to achieve transparent consensus decisions within their constituencies; takes note that the NA College will raise the issue at the next IMP meeting on 9 November 2020; Action NAC College

About the written contributions, based on Document “Interactions between EA and EAAB: potential for improvement” (EAAB(20)03), sent by the Industry and NA Colleges as well as by the European representation of National Metrology Institutes (EAAB(20)18) on the following questions:

1/ How to improve the interaction between EA and the EAAB?

2/ How do stakeholders consider the EAAB’s role in the future?

- acknowledges that, for the Industry College, some of the actions proposed in 2008 have been achieved and can be closed, whereas there is still room for further improvement with regards to the main following points:
  - EA should more systematically provide specific feedback to the EAAB in response to specific comments made by the Board or its colleges;
  - EA should provide financial support for the EAAB HHC observer (by taking on the meeting-related fees) through the EC grant to EA, since the role of EAAB HHC observer is directly linked to fulfilment of EAAB role as defined in Art. 4(11) of Regulation (EC) 765/2008;
  - Membership of the EA Executive Committee should be revised and extended to include one additional seat to be reserved for the EAAB Chair (possibly in an observatory role and without voting rights) in order to ensure that the views and positions taken by the stakeholders on the Board are properly represented at the steering level of EA (as is the case e.g. in IAF);
  - The EC (in view of its role to oversee the correct implementation of EU legislation) needs and is called upon to clarify, and set down in the form of guidance, their expectations of “effective stakeholder involvement within EA” as referred to in Article 4 (11) of Regulation 765, and how this requirement should be properly implemented.
- acknowledges that the CAB College, which will send its written contribution further to the meeting, agrees with the Industry College on the fact that EA should demonstrate more responsiveness to the advice given by the EAAB, and that the EC should make a clear statement that EA should give effective support, including financial support, for the EAAB to play its role;

- acknowledges that the NA College also agrees with the Industry College’s proposal to have a clear guidance by the EC on the issue and to have an EAAB seat on the EA Executive Committee, and that the NA College points out that there is no obligation for EA to follow the advice offered by the EAAB which should continue to act as the main stakeholder forum for EA;

- acknowledges that, for EURAMET and WELMEC, the EAAB should help EA deliver transparency and confidence in the competence and integrity of the conformity assessment infrastructure and the results provided by conformity assessment bodies, and therefore should notably support a uniform understanding of the concept of “Metrological Traceability” according to the principles of the “Joint BIPM, OIML, ILAC and ISO declaration on metrological traceability”;

- takes note that EA asserts that all EA matters have been discussed in the EAAB, stressing that every EA issue remains open, that EA is responsive enough to the EAAB’s advice and that EA is fully complying with Regulation 765 in terms of cooperation with stakeholders;

- takes note that, for the EC, EA is fulfilling all its obligations and the EAAB should stick to its advisory role to EA;

- once the CAB College’s contribution is received (by the end of November 2020), agrees to summarise all EAAB Colleges’ and members’ positions on “How to improve the interaction between EA and the EAAB?” and “the EAAB’s role in the future” into one single paper (1-2 pages) bearing a common position of the Board, subsequently ask EA for further action and circulate the paper among other parties of the Board (EC).

**Action CAB College → Secretariat with Chair / Vice-Chairs → EA**

**Agenda Item 3.2 - Extension of implementation deadline for ISO/IEC 17025**

The Board notes that, since many assessments against the new ISO/IEC 17025 cannot be performed completely owing to the Covid-19 outbreak and, as a result, all laboratories cannot demonstrate compliance with the requirements to the new standard by November 2020, the EC has agreed to the ILAC decision to extend the implementation deadline of ISO/IEC 17025 until 1 June 2021, and will publish the extended transition period in the EU Official Journal by the end of the year. The EC will keep the EAAB and EA informed accordingly.

**Agenda Item 3.3 - Brexit and EA: status update [CFTA Annex 5-1, conformity assessment]**

The Board:

- acknowledges that, further to the United Kingdom’s withdrawal from the European Union in January 2020, the application of Article 6 clause 7 in the *EA Articles of Association* allowing the UK to remain an EA Member for a period of time no longer than two years, i.e. until January 2022, has been endorsed at the online EA General Assembly in May 2020;

- takes note that EA agrees in principle that EA membership criteria should be modified in order to allow UKAS to remain a member of EA beyond 2022, but has still to decide on the best option, mainly between Options 2 (full membership) and 3 (associate membership with neither vote rights nor EA representativeness) as defined in Document EAAB(20)19;
acknowledges the CAB College's support for UKAS to continue EA membership for independent cooperation;

acknowledges the Industry College's view that the implementation of Regulation 765 in national legislation (as far as the principles and requirements for accreditation are concerned) is the fundamental base for the operation of EA full members as NABs and for EA to play its role as the European accreditation infrastructure and, as a result, should be an additional element to be considered in the various options so as to allow UKAS to keep its full membership;

Secretariat's post-meeting note: this fundamental base for EA full membership is clearly mentioned in EA-1/17 S1: Rules of Procedures - Criteria for Membership.

agrees that the Industry College's view is the EAAB position to be put forward to the EA General Assembly on 25 November. Action EAAB Chair

Agenda Item 3.4 - Digitalisation and conformity assessment [EA and EAAB readiness]

- Cybersecurity including schemes under the EU Cybersecurity Act
- Proposed regulation on artificial intelligence and conformity assessment

The Board:

- takes note that the Industry College should send the NAC College the Business Europe’s position paper on the EU Cybersecurity Act; Action Industry College

- acknowledges that EA and EAAB are following the developments under the Cybersecurity Act in order for conformity assessment and accreditation to be prepared to support the relevant cybersecurity schemes.

Agenda Item 3.5 - EC challenges to notifications

- DG GROW transfer policy in light of the Brexit
- Notifications under the CPR and other regulations

The Board:

- supports EA's approach and points of view in its letter to the EC referenced as EAAB(20)10, agreeing with EA that NBs and NABs need to apply requirements as they are set in the relevant legislation and standards;

- acknowledges the Industry College's view that legislation does not regulate NB competence criteria in every detail and that, if necessary, additional guidance or specifications should be developed in collaboration with the competent bodies and stakeholders in the field (EC, EA, notifying authorities, NBs, industry) and in a harmonised way;

- takes note that Eurocer Building is ready to provide the EAAB and EA with feedback and advice in the Construction Products Regulation (CPR) area in order to improve technical issues;

- welcomes, as a good basis, EA's important improvement of EA-2/17: EA Document on Accreditation for Notification purposes, especially in the construction products area, in order to achieve better consistency and harmonisation in the use of standards for the notification of CABs.
Agenda Item 4 - Topics for information

EA Matters

Agenda Item 4.4 - Endorsement of new EA work items

The Board endorses the new work items proposed for the revision of:
- EA-2/02: Procedure for the evaluation of a National Accreditation Body;

Agenda Item 4.9 - EA policy for future EA travels and climate change

The Board supports EA's willingness to make a contribution to the EU Green Deal and to reduce the GHG emissions caused by travels to EA meetings, while considering the nature of EA and the value of having meetings in different countries with different cultures.

Agenda Item 4.10 - Report from EA on various issues

The Board:
- looks forward to the new EA management structure to be in place in January 2021 further to the elections held at the EA General Assembly on 25 November 2020;
- thanks Ignacio Pina, the EA Chair, who is attending his last EAAB meeting, for his personal and strong commitment in the Board’s matters since May 2018.

Agenda Item 6 - Confirmation and selection of dates and places of next meetings

The Board confirms to meet on Thursday 29 April 2021 and, provided that there are no more travel restrictions due to the Covid-19 pandemic, thanks EFTA for offering to host the meeting at EFTA’s new offices; if the latter were not finalised yet, the meeting would take place in the Federal Public Service Economy’s building in Brussels.