DRAFT Minutes of the 44th Meeting of the EA Advisory Board
held online on Tuesday 3 November 2020

Participants:
EAAB Chair: Miruna Dobre (NA, Belgium).
EAAB Vice-Chair: Martin Stadler (BUSINESSEUROPE), Bruce McGill (TIC Council).
CAB College: Benny De Blaere (EUROCER Building), Alexander Safarik-Pstrosz (EUROLAB), Manuela Held (IIOC) replacing Alister Dalrymple (IQNet), Ivan Savov (EFAC).
Industry College: Andrew Evans (CAPIEL), Lars Bo Hammer (DI), Jörg Ed. Hartge (ORGALIM).
NA College: Natalia Kolibová (NA, Czech Republic), Michael Nitsche (NA, Germany), Anda Fuior (NA, Romania), Sezen Leventoglu (NA, Turkey).
European Standardisation Organisations: Enda McDonnell (CEN-CENELEC).
Metrology Stakeholders: Maria Luisa Rastello (EURAMET), Tuomo Valkeapää (WELMEC).
EC: Zacharias Bilalis (EC).
EFTA: Gudrun Rognvaldardottir (EFTA).
EA: Ignacio Pina (EA Chair), Andreas Steinhorst (EA Executive Secretary), Frédérique Laudinet (EAAB Secretariat).

Apologies had been received from Stephen Russel (ANEC).

1. Opening of the meeting

The Chair opened the meeting, welcoming the delegates to this second shortened online meeting owing to the Covid-19 pandemic. She invited EAAB Members to a roll call and addressed a special welcome to Ivan Savov (EFAC) as the fifth CAB College member and Enda McDonnell as the new CEN-CENELEC representative.

2. Approval of agenda

List of conclusions and resolutions and Minutes of 43rd Meeting of the EAAB
Action list (actions not covered elsewhere)

- Approval of agenda

The agenda was adopted as distributed for the meeting.

- Approval of previous Minutes

There was no comment on the draft minutes which were approved as distributed.

Conclusion
The minutes of 43rd meeting were approved and should be published onto the EAAB intranet and webpage. Action Secretariat

- Action List

The Chair went through the action list which raised no comment.
3. Topics for discussion

3.1 Stakeholders’ representation in EA; interaction between EAAB and EA

The Chair gave the floor to Z. Bilalis who introduced the issue by indicating what the EC expected from the EAAB:

1) the EAAB should, wherever possible, speak with “one voice” and reach an EAAB position in particular with regard to EA’s new initiatives, avoiding that every Board member speaks for his/her constituencies only;
2) the NA College should ideally represent the position of all national authorities, in the same way as the other colleges of the Board represent their entire constituencies. The positions of each college should result in an EAAB consensus, if possible.

The Chair led the discussions around the following couple of points:
- Can the EAAB speak with “one voice” as expected by the EC?
- The representativeness of each college of the Board as a group of all stakeholders.

- Can the EAAB speak with “one voice” as expected by the EC?

M. Stadler found it difficult to speak with “one voice” and reach a common position on the Board due to the large variety of interests between the EAAB colleges and the constituencies represented. It may be possible, but certainly not always and for all issues. More often there are several voices differing on a same matter.

For B. McGill, the EAAB should have rather a balanced approach than a “one voice” approach and then build a consolidated position upon this balanced approach.

The Chair agreed with M. Stadler that speaking with “one voice” was not possible every time. She did not think that this was expected actually. The “one voice” approach is too theoretical and different positions always arise in practice.

I. Pina disagreed: the EAAB should try and speak with “one voice” as a Board having a common position emerging from all represented parties and interests. At least, there should be an EAAB statement because EA needs the opinion of the Board, which is different from the opinion of one single college.

J. Hartge advocated like B. McGill that the Board should build up a consolidated opinion because he thought like M. Stadler that the EAAB cannot reach one single position. And the Board should make clear who the opinion it is from.

Z. Bilalis agreed that if different opinions could not be avoided, then they were to be put together in a consolidated form under the Board’s responsibility.

For M. Held, the EAAB gathers different stakeholders and does not represent the personal interests of the individual members. The Board should give signal back that, even in the EAAB, stakeholders could have different opinions.

- The representativeness of each college of the Board as a group of all stakeholders

The Chair said that the NA College could not represent all national authorities in all EU Member States.
M. Nitsche asked the Board whether the other colleges managed to coordinate all their views and whether the representativeness’ issue was specific to the NA College.

M. Stadler replied that it was quite specific to the NA College to find a good way how to coordinate with all national authorities. The Industry College has an industry coordination group which meets before each EAAB meeting. The representativeness of all indirect customers is made transparent.
through BUSINESSEUROPE as the European umbrella association. It is however agreed, that trade and service organizations may be less represented.

B. McGill also replied that the TIC industry has coordinated quarterly meetings with different agendas and different opinions, where only consensus decisions could be made.

Then the Chair noticed that representativeness was a specific concern for the NA College. M. Nitsche advocated discussing the issue at the next IMP meeting to see how to improve it. He suggested trying to build a similar structure as the CAB and Industry Colleges and to hold preparatory meetings in advance of the EAAB meetings in order to figure out a national authorities’ position.

Z. Bilalis said that the EAAB was free to raise the issue at the next IMP meeting which was the right body actually to consider any possible improvement.

- **How to improve the interaction between EA and the EAAB?**
  - How do stakeholders consider the EAAB’s role in the future?

The Chair opened the floor for the colleges to report on their written contributions (EAAB(20)18), based on Document “Interactions between EA and EAAB: potential for improvement” (EAAB(20)03), on the following questions:

- How to improve the interaction between EA and the EAAB?
- How do stakeholders consider the EAAB’s role in the future?

M. Stadler said that a number of the actions proposed in 2008 had in the meantime been achieved and could be closed, while he proposed further steps and actions to improve the interaction between EA and EAAB as follows:

- EA should provide more 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. M. Stadler highlighted that the EAAB HHC observer’s role was directly linked to fulfilment of EAAB role as defined in Art. 4(11) of Regulation (EC) 765/2008;
- the EA Executive Committee’s membership should be revised to include one additional seat for the EAAB Chair in order to ensure that the positions taken by the Board are properly represented at the steering level of EA, as is the case e.g. in IAF. This would also contribute to raising the profile of the EAAB.

Furthermore, for the Industry College, there is a need for the EC to clarify, and set down in the form of a document, their expectations of “effective stakeholder involvement within EA” as referred to in Article 4 (11) of Regulation 765/2008/EU, and how this requirement should be properly implemented.

B. McGill reported that the CAB College would send its written contribution further to the meeting. He agreed with the Industry College 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.

On behalf of the NA College, the Chair pointed out that the NA College’s input to the EAAB was limited to the representatives’ position. While the NA College can gather information from all national authorities through the IMP meetings and CIRCABC (Communication and Information Resource Centre for Administrations, Businesses and Citizen), Member States have different positions and interests and it is not possible for the NA College to negotiate an unique position prior to meetings; this might be very different for the other colleges.

The Chair added that there was no obligation for EA to follow the EAAB’s opinion and advice, not even to take further actions. The only obligation for EA is to properly organise a stakeholder forum. In this respect, EAAB members/colleges are not equal: national authorities and the EC have the possibility to act through regulations, while other stakeholders rely only on the Board.
Finally she agreed on the Industry College’s suggestion that the EAAB should get some (voting) rights at the EA Executive Committee and General Assembly. The Chair also shared the Industry College's view on the need for a clear guidance from the EC on the issue.

M. L. Rastello and T. Valkeapää reported on EURAMET’s and WELMEC’s joint contribution, insisting on the fact that the EAAB should help EA to deliver transparency and confidence in the competence and integrity of the conformity assessment infrastructure and the results provided by CABs. The Board should 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”, i.e. that accredited measurement results or calibration certificates are related to a recognised reference, preferably the International System of Units (SI), through a documented unbroken chain of calibrations, each contributing to a stated measurement uncertainty. The EAAB should also support the verification of the metrological traceability of accredited measurement results, as well as the harmonisation of assessment practices for test and calibration laboratories.

A. Steinhorst replied that all EAAB matters were discussed in EA, and agreed with M. Stadler that much improvement had been achieved in the EAAB-EA interactions since 2008. EA always reacts to the EAAB’s opinion and advice, even if not exactly as expected by the Board. Every EA issue remains open for discussion (the issue of the HHC observer's support has already been discussed many times) and EA proves responsive enough to the Board. EA is fully complying with Regulation (EC) 765/2008, in particular with the requirements for increased cooperation with stakeholders.

Regarding the suggestion of having the EAAB represented in the Executive Committee, A. Steinhorst pointed out that this would change the advisory role of the Board. The EAAB should provide advice, without participating in EA votes, either at the Executive Committee or General Assembly levels. The EAAB should keep a strong voice as an advisory Board.

As far as EA’s financial support of the EAAB HHC observer is concerned, A. Steinhorst asserted that many stakeholders attended HHC meetings and contributed to HHC work. He could not see any reason why EA should compensate the meeting fee of the EAAB HHC observer. There has been transparent communication on this point at several times. He reiterated that, according to Regulation (EC) 765/2008, EA shall have an EAAB observer in the MAC who is entitled to ask questions on the MAC’s general process; but concerning the HHC, it is up to the Board to appoint an EAAB observer or not.

Z. Bilalis confirmed that EA was fulfilling all its obligations. The EAAB should keep an advisory role and provide precious advice to EA – not to the EC.

The Chair concluded that EA was quite responsive to the advice given by the EAAB. She wondered whether advice and reactions should be recorded in some kind of table to keep track of actions.

A. Safarik-Pstrosz agreed on I. Pina’s request for having at least an EAAB statement, and suggested that the written positions of all colleges should be resumed into one common position paper in order to keep track of the numerous discussions held on the Board.

M. Stadler proposed that the Secretariat should summarise the different opinions and contributions of the EAAB colleges and members into a 1-2 page document before a position paper could be approved by the Chair, then ask EA to react, and finally circulate the document to other parties of the Board (EC).

He added that the Board’s participation in the Executive Committee could be in the form of an observer, without any voting rights.

I. Pina agreed that the EAAB, if acting as a single entity, could define a set of expectations. This could be useful provided that these expectations result from a common consensus and signal from the EAAB. The expectations should reflect the opinion of the EAAB as one single body.
Z. Bilalis agreed: the EAAB should build up a consensus on the issue before EA can take further action.

**Decision**

The Board:

**About whether the EAAB can speak with “one voice” such as expected by the EC, and representativeness of each college of the Board**

- took 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;

- acknowledged that the Industry, CAB and NA Colleges found 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;

- acknowledged the NA College’s specific difficulty in representing and coordinating with all national authorities which it was intended to represent, whereas the CAB and Industry Colleges had relevant coordination mechanisms in place to achieve transparent consensus decisions within their constituencies; took note that the NA College would 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?

- acknowledged that, for the Industry College, some of the actions proposed in 2008 had been achieved and could be closed, whereas there was still room for further improvement with regards to the main following points:
  
  o EA should more systematically provide specific feedback to the EAAB in response to specific comments made by the Board or its colleges;
  
  o 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 fulfillment of EAAB role as defined in Art. 4(11) of Regulation (EC) 765/2008;
  
  o 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);
  
  o 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.

- acknowledged that the CAB College, which would send its written contribution further to the meeting, agreed 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;

- acknowledged that the NA College also agreed 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 pointed out that there was no obligation for EA to follow the advice offered by the EAAB which should continue to act as the main stakeholder forum for EA;

- acknowledged 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”;

- took note that EA asserted that all EA matters had been discussed in the EAAB, stressing that every EA issue remained open, that EA was responsive enough to the EAAB’s advice and that EA was fully complying with Regulation 765 in terms of cooperation with stakeholders;

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

- once the CAB College’s contribution would be received (by the end of November 2020), agreed 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**

### 3.2 Extension of transition deadline for ISO/IEC 17025; listing in the OJEU

A. Steinhorst reported that EA was still waiting for the urgent publication of the extension of the 3-year transition deadline of the new ISO/IEC 17025 in the EU Official Journal. He reminded that the issue had been discussed in ILAC which had decided to extend the deadline until 1 June 2021.

Z. Bilalis confirmed that the EC agreed to extend the transition period for the new ISO/IEC 17025 as a result of the pandemic. The publication of the extended deadline in the EU Official Journal should take place by the end of 2020. The EAAB and EA will be kept informed of it.

**Decision**
The Board noted that, since many assessments against the new ISO/IEC 17025 could not be performed completely owing to the Covid-19 outbreak and, as a result, all laboratories could not demonstrate compliance with the requirements to the new standard by November 2020, the EC had agreed to the ILAC decision to extend the implementation deadline of ISO/IEC 17025 until 1 June 2021, and would 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.

**Action EC**

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

A. Steinhorst reported 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 31 January 2022, had been endorsed at the EA General Assembly in May 2020. The membership criteria in EA-1/17 S1 continue to apply.

Referring to his paper EAAB(20)19, A. Steinhorst explained that the questions to be now answered by EA are the following:
Does EA agree in principle that membership criteria should be modified in order to allow UKAS to remain an EA member after the transition period? The answer to this question is yes, based on the responses received during the first round of comments to the discussion paper on the membership categories in September 2020.

If so, does EA agree to enlarge membership to allow any European country to be member of EA in order to EA become a full “European region”? If the answer to this question is yes, the proposal for identifying what an “European country NAB” is to use membership of the Council of Europe.

The next question to answer is how to keep the balance of the two following dimensions (“two souls”) of EA in terms of voting rights in the General Assembly and right to be elected as EA official:
- At first, EA is a regional accreditation cooperation body - recognized by ILAC and IAF as the European region - which was established as a platform for cooperation of NABs and for mutual recognition to ensure the certified/tested once accepted everywhere principle and thus supporting trade in Europe (and globally).
- On the other hand, from a regulatory/European perspective, EA is the body appointed by the EC to be responsible of the European Accreditation Infrastructure and as such receives funds from the EC and EFTA.

In this respect, different options can be identified, with different consequences as far as UKAS status is concerned:
- Keep things as they are now (option 1), with the result that UKAS cannot be an EA member anymore after the transition period.
- Give more weight to the “region” (option 2), meaning that UKAS maintains its full membership status with voting rights at the GA and can provide EA officials.
- Keep the existing focus on the “European Infrastructure according Regulation 765” (option 3), meaning that UKAS would become an Associate member because UK is a member of the Council of Europe.
- Keep some equilibrium between “Region” and “European Infrastructure” (option 4), meaning that either UKAS maintains its Full membership status or becomes adhered member, in both cases with voting rights at the GA, but cannot provide EA officials.

All the details of each option are provided in Document EAAB(20)19 published on the EAAB intranet.

A. Steinhorst added that the European element had to be considered: if UKAS were allowed to vote, UKAS would represent EA towards the European Commission.

Finally A. Steinhorst said that discussions would take place at the next EA General Assembly later in November. No decision will be made before 2021.

The Chair asked the Board for comments, reporting that the NA College had no opinion yet and was waiting for the IMP meeting.

A. Evans and M. Stadler thanked EA for the distribution of comprehensive papers. They said that they supported the aim to ensure that UKAS would continue its EA membership through an independent cooperation. This is in the interests of both UK and EU industry and trade.

The CAB College shared this opinion.

Z. Bilalis reported the EC position as set out in the EC letter in Document EAAB(20)21. As of 1 January 2021, the UK will no longer be bound by Regulation (EC) 765/2008 setting out the requirements for accreditation in the EU and UKAS will no longer be a NAB with the meaning and for the purposes of that Regulation. Full membership in such organisations as EA, which are intrinsically linked to the functioning of the Single Market, is not compatible with the freedom of regulatory divergence and the decision of the UK to leave the Single Market. The future status of UKAS in EA must therefore reflect the status of the UK as a third country that is no longer part of the Single Market. In this respect, UKAS cannot have any influence or voting rights either on issues
relating to EU legislation and policies or on matters related to the elaboration and implementation of the principles of the European accreditation.

M. Stadler agreed that the implementation of Regulation 765 in national legislation was a fundamental condition for the operation of EA full members as NABs and for EA to play its role as the European accreditation infrastructure. Therefore Regulation 765 implementation should be an additional element to be considered by EA in the various options so as to allow UKAS to keep its full membership.

A. Steinhorst recognised that EA had to wait of the results of the trade negotiations between the EU and the UK.

**Decision**

The Board:

- acknowledged 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, had been endorsed at the online EA General Assembly in May 2020;

- took note that EA agreed in principle that EA membership criteria should be modified in order to allow UKAS to remain a member of EA beyond 2022, but had 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;

- acknowledged the CAB College’s support for UKAS to continue EA membership for independent cooperation;

- acknowledged 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) was 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.*

- agreed that the Industry College’s view was the EAAB position to be put forward to the EA General Assembly on 25 November. **Action EAAB Chair**

### 3.4 Digitalisation and conformity assessment [EA and EAAB readiness]

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

A. Steinhorst explained the papers distributed for the meeting.

About Document EAAB(20)09, he reported that ENISA was preparing a first Common Criteria based European candidate cybersecurity certification scheme (EUCS scheme), which shall allow for the cybersecurity certification of ICT products according to ISO/IEC 15408 and the Common Criteria (CC). The CC scheme should be finalised by mid-2021 and published as an implementing act. ENISA is also preparing a second scheme dedicated to cloud service providers, which will also be published as an implementing act. The EUCC scheme covers assurance levels “substantial” and “high” of the Cybersecurity Act. There is an additional peer-evaluation level between CABs.

About the *White Paper on Artificial Intelligence* (Document EAAB(20)08), A. Steinhorst reported that there were a lot of activities on artificial intelligence (AI) and EA was maintaining close contacts with
DG Connect. Cooperation should deal with how to enforce conformity assessment and accreditation in the proposed future legislative act.

A. Steinhorst concluded that any relevant product would have to meet various requirements based on the Cybersecurity Act and future AI act and, as a result, the NLF structure would have to be closely followed up in the future.

M. Stadler wondered about how to ensure that national authorities could cooperate with EA for the implementation of these schemes. He proposed to share the BUSINESSEUROPE position paper on the implementation of the Cybersecurity Act with the NA College.

Further to a question by the Chair, M. Stadler pointed out that “EA and EAAB readiness” indicated that EA and the EAAB were ready to follow the developments of the Cybersecurity Act in order to urge the EC, when relevant, to include conformity assessment and accreditation requirements.

A. Steinhorst added that the last draft of the Cybersecurity Act had been distributed among the meeting papers and should be finalised soon. As soon as it is published in the EU Official Journal, EA will be ready to implement it in cooperation with ENISA.

A. Safarik-Pstrosz drew the attention of the Board to the webinar organised by the TIC Council in June 2020, entitled “The contribution of the TIC sector to cybersecurity: implementation opportunities and challenges of the European Cybersecurity Act” (Document EAAB(20)14).

The Board:
- took note that the Industry College should send the NAC College the Business Europe’s position paper on the EU Cybersecurity Act; Action Industry College
- acknowledged that EA and EAAB were following the developments under the Cybersecurity Act in order for conformity assessment and accreditation to be prepared to support the relevant cybersecurity schemes.

3.5 EC challenges to notifications
- DG GROW transfer policy in light of the Brexit
- Notifications under the CPR and other regulations

A. Steinhorst introduced the issue as elaborated on in his letter to DG Grow (Document EAAB(20)10). The EC is challenging notification requirements for notified bodies in order for assessment of NBs to be improved, and EA has to look at this very carefully. A consensus has to be reached with the EC on some important issues in order to develop strategies how they can be transferred into sound and legally binding requirements. These issues are about notified bodies’ own staff, liability insurance, independence and locally employed staff, as well as civil engineering studies. Examples given in the letter concern the Construction Products Regulation (CPR), but others can be found in other sectors as well. A common understanding with the EC has to be achieved to guarantee a harmonised and robust application of accreditation in the field of the CPR as well as other legislation falling into the NLF. As long as corresponding requirements are not sufficiently laid down in legislation, it will not be possible to implement them via accreditation (and also via the notifying authorities).

A. Steinhorst asked for the Board’s advice on this big issue for EA.

M. Nitsche asked why not to ask the notifying authorities. A. Steinhorst answered that NABs were indeed contacting their notifying authorities, but this was also an EA issue because EU regulators were involved as well.

B. McGill pointed out that legislation and standards gave very clear guidance on what and how decisions could be made. The problem lies more in the application of legislation as it is than in the expertise of management structure.
For M. Stadler, this is a very technical issue. He agreed that legislation did not regulate criteria in every detail and that, if needed, the development of additional guidance is left to the relevant interested parties. He also agreed that only what was provided by the law, and not any interpretation by the EC, had to be mandatorily complied with. M. Stadler shared EA’s concern presented by A. Steinhorst. The Industry College’s advice would be to follow the approach detailed in EA’s letter, and adopt a constructive approach by developing specific guidance in specific sectors, in the CPR area for instance, so as to leave the definition of technical details to competent organisations. EA should discuss with notifying authorities what details are to be added in such guidance documents.

A. Safarik-Pstrosz warned that any guidance added to the EU legislation should be developed in a harmonised way. B. McGill agreed on a harmonised approach. In this respect, EA-2/17: EA Document on Accreditation for Notification Purposes proves to be a very useful document. A. Steinhorst replied that EA-2/17 did not add any additional requirement – this was not EA’s role. B. McGill recognised that EA only applied the rules.

B. De Blaere was very pleased with EA’s clear letter. He acknowledged that there was some ground for improvement of technical issues in the CPR area, and proposed to give feedback and advice to the EAAB and EA in this matter.

The Board:

- supported 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 needed to apply requirements as they were set in the relevant legislation and standards;

- acknowledged the Industry College’s view that legislation did 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;

- took 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;

- welcomed, 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.

4. Topics for information

EAAB Matters

4.1 Report from the EAAB MAC observer: last meeting
Report from the EAAB HHC observer: last meeting

A report on the last MAC meeting held remotely on 7-8 October 2020 had been drafted by S. Leventoglu, the EAAB MAC observer, and distributed among the papers.

A report on the last HHC meeting held remotely on 15-16 September 2020 had been drafted by Christian Schramm (IIOC), the EAAB HHC observer, and distributed among the papers.

There was no comment on both reports.
4.2 Multi-site certification: need for harmonised approach - Update from the EA Certification Committee

There was no comment on the comments called for within the EA Certification Committee on the paper “Role and organization of the “central function” according to IAF MD1:2018” (EAAB(20)04).

M. Held reminded that the CAB College had agreed, at the previous meeting, to continue to observe the proceedings on this issue at the IAF level. She ensured the Board that the issue was being considered through the IAF Consistency Forum.

4.3 Coronavirus outbreak and its impact on the assessment of CABs

A. Steinhorst reported that a lot of remote assessment activities were performed by EA NABs thanks to IT technologies. He pointed out that they were learning from this pandemic situation to build up new remote assessment processes in the future. In the same way, EA had to rethink peer evaluations in a remote perspective.

**EA Matters**

4.4 Endorsement of new EA work items

There was no comment on the new work items proposed by EA.

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

4.5 EA event (26 November) on digitalisation and its impact on accreditation

A. Steinhorst reported that the *EA Virtual Conference on Accreditation in light of Cybersecurity, Artificial Intelligence and Digitalisation* would take place on 26 November in the afternoon, with high profile speakers from ENISA and the EC. He invited the Board to visit the EA website for further information and registration.

The Chair will attend the event.

**(Secretariat to forward the invitation mail to EAAB Members - Done)**

4.6 Revision of the EC *Blue Guide*

A. Steinhorst reported that the commenting period on the draft revised *Blue Guide* was now closed, and the revision is nearing completion. The EC is expecting to publish the new Guide in mid-2021.

4.7 EA MLA mark

A. Steinhorst reported that the procedural aspect related to the use of the mark had been finalised by the HHC in EA-3/01-S1: *Rules on the use of the EA MLA Mark*, which had been balloted and adopted in October. The registration phase is progressing now, which includes submitting the rules to the European Union Intellectual Property Office (EUIPO) as part of the official registration of the EA MLA mark.

The EA MLA mark will be applied in 2021. A. Steinhorst reiterated that the application of the EA MLA mark should remain voluntary for NABs.
4.8 CETA - Implementation of the Bilateral Cooperation Agreement with Standards Council of Canada (SCC) - Progress report

A. Steinhorst reported that the problem regarding the recognition of SCC as National Accreditation Body according the CETA Protocol on Conformity Assessment had not yet been solved. But there are still some Canadian CABs, which are asking for accreditation/recognition under CETA, for instance for the scope ATEX. According to Article 3 (2), the Protocol allows that a Canadian CAB can apply for accreditation to an EA (EU) NAB for the purpose of being recognised for European legislations. That is not EA's preferred option, but as long as the situation of SCC's recognition is not solved, this is the only alternative applicable and this option may help to demonstrate the implementation of the CETA Protocol. The EC has informed that those Canadian CABs will be listed in NANDO database as “recognised “CABs. Of course, the accreditation/assessment by SCC should be recognised in order to minimise the effort and costs for Canadian CABs. Meanwhile SCC and EA continue to progress work.

Z. Bilalis had nothing new to report.

4.9 EA policy for future EA travels and climate change

A. Steinhorst informed that EA was thinking about how to contribute to the European Green Deal and what measures EA could take to reduce its carbon footprint. Normally EA committees, working groups, task force groups and other groups have either face-to-face or web meetings. All meetings are important, but with respect to climate change, it is also essential to evaluate whether some of physical meetings can be replaced by remote meetings. In order to maintain the benefit of having meetings in different countries, but to save GHG emissions, the proposed idea would be that every second face-to-face meeting (e.g. autumn meetings) should be held in central Europe and close to an international hub airport; these meetings should be hosted by EA and organised exclusively by the Secretariat. A first draft of EA’s proposal has been sent out for feedback last summer to EA members who had very emotional reactions considering the nature of EA and the value of having meetings in different countries with different cultures. A second draft will be discussed at the EA General Assembly later in November.

**Decision**

The Board supported 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.

4.10 Report from EA on various issues

A. Steinhorst informed that a new EA structure would be implemented as from January 2021: the current Executive Committee will be divided into an Executive Board (EB), chaired by the EA President, in charge of governance matters, and a Technical Management Board (TMB), chaired by the EA Vice-President, composed of EA technical committees’ chairs and responsible for technical matters. New elections for EA officers will take place at the EA General Assembly on 25-26 November 2020.

A. Steinhorst seized this opportunity to inform that Ignacio Pina would not stand for reelection for another term; he thanked him very much as EA Chairman. I. Pina added this was his last EAAB meeting. He said how much he had been enjoying the meetings and the opinions of the Board, emphasizing the importance of the EAAB’s role.
The Board:
- looked 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;
- thanked Ignacio Pina, the EA Chair, who was attending his last EAAB meeting, for his personal and strong commitment in the Board's matters since May 2018.

4.11 Single international accreditation organisation: update

A. Steinhorst gave a brief update about the state of play regarding the single international accreditation organisation, which should not be a merging. The IAF/ILAC Joint Executive Committee approved in May the Terms of Reference for the Steering Committee and the contractor profile, as well as the process for the selection of the contractor. A public tender has been sent out to find this external facilitator who should coordinate operational issues; the applications are being selected now.

The Board thanked EA for the oral and written reports provided under these items.

4.12 Relations with stakeholders

There was no application so far.

5. Any other business

None.

6. Confirmation and selection of dates and places of next meetings

The Board confirmed to meet on Thursday 29 April 2021 and, provided that there were no more travel restrictions due to the Covid-19 pandemic, thanked 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.

The Chair thanked the Board's Members for their valuable participation and closed the remote meeting.
List of the abbreviations taken for granted in the minutes

AB: accreditation body
APAC: Asia Pacific Accreditation Cooperation
ARAC: Arab Accreditation Cooperation
CAB: conformity assessment body
CAS: conformity assessment scheme
CB: certification body
CD: committee draft
CCMC: CEN-CENELEC Management Centre
EA BLA: EA Bilateral Agreement
(EA) CC: EA Certification Committee
(EA) CPC: EA Communications and Publications Committee
(EA) HHC: EA Horizontal Harmonisation Committee
(EA) LC: EA Laboratory Committee
(EA) MAC: EA Multilateral Agreement Council
EA MLA: EA Multilateral Agreement
EC: European Commission
ECOS: Environmental Council of the States
EFTA: European Free Trade Association
ENP: EU Neighbourhood Policy
EU ETS: European Union Emissions Trading System
FPA: Framework Partnership Agreement
IAF: International Accreditation Forum
ILAC: International Laboratory Accreditation Cooperation
IMP expert group: Internal Market of Products expert group
NAs: national authorities
NAB: national accreditation body
NBs: notified bodies
NoBos: Group of Notified Bodies
NLF: New Legislative Framework
NWI: new work item
RoP: Rules of Procedure
RS: Recognised Stakeholder
TIC industry: testing, inspection and certification industry
SS: sector scheme
SO: scheme owner
TFG: task force group
ToR: Terms of Reference
WG: working group
WP: work programme