List of Conclusions and Resolutions
agreed at the 47th Meeting of the EA Advisory Board
held online on 26 April 2022

Agenda Item 1 - Roll call

The Board welcomes Thomas Votsmeier from EOQ, the European Organisation for Quality, as the new representative of those European private scheme owners being EA Recognised Stakeholders on the EAAB for the term 2022-2023.

Agenda Item 3 - Topics for discussion

Agenda Item 3.1 - Stakeholders’ representation in EA; interaction between EAAB and EA
Brief update about TFG’s proposal for improvement

The Board takes note that:

- the small TFG (composed of M. Dobre, M. Logghe, M. Stadler and B. McGill) set up in November 2021 to consider possible ways of how to improve the communication and interaction between the EAAB and EA, especially in between the Board’s meetings, and how to organise an increased feedback from EA on EAAB recommendations, will brainstorm during an one-hour remote meeting;
  
  Action TFG to meet online on Monday 16 May in order to draft a first outline of a proposal for improvement, to be forwarded to EAAB Members for further discussion

- there is no comment on the meeting documents (especially EAAB(21)13), except some concerns about the ways of how the EAAB will interact with the new single international accreditation organisation, which were further discussed under Agenda Item 4.11 (see hereafter).

Agenda Item 3.2 - Evaluation of the New Legislative Framework (NLF): first exchange of views on conformity assessment and accreditation issues

The Board:

- takes note that the final report on the EC’s public consultation aimed to provide assessment of the NLF, with no revision purpose which would go against the stability of the current framework, is intended to be published towards the end of 2022;

- acknowledges that the first results demonstrate the solidity of the accreditation and conformity assessment systems in place which, however, are faced with a number of challenges;

- is waiting for the EC to give the EAAB more details once the report is published.

  Action EC


Agenda Item 3.3 - Challenges for the conformity assessment infrastructure: new regulations for new technologies’ implementation (Artificial Intelligence Act, Cybersecurity Act)

The Board:

- acknowledges that the new regulations for new technologies’ implementation refer to the Artificial Intelligence and Cybersecurity Acts;

- acknowledges that EA Members are steadily informed of these new regulations in order to react immediately and put forward any conformity assessment issue to regulators, and that several specific EA TFGs (e.g., AfN, ENISA, Artificial Intelligence) closely follow up the progress on these proposed or new regulations;

- acknowledges the concerns expressed by the Industry College which raises the issue of the availability of required competences to continue performing conformity assessment activities, and stresses the need for a harmonised approach to the implementation of these regulations, especially when no harmonised standards exist;

- acknowledges the needs expressed by the CAB College to monitor the market situation and to ensure the readiness of harmonised implementation to the market;

- thanks EA for the efforts made to meet the challenges arising from the new regulations for new technologies’ implementation for the entire conformity assessment infrastructure, while asking EA and EA Members to support further and speed up these efforts to ensure timely implementation of the legislations;

- appreciates receiving information on major work progress made by EA TFGs, and requests EA to inform the EAAB and the whole stakeholder community of major developments and results achieved by these TFGs (reports, key documents, etc.), including in between the meetings.

Action EA

Agenda Item 4 - Topics for information

EAAB Matters

Agenda Item 4.1 - Report from the EAAB MAC observer: 6-7 April 2022 meeting
Report from the EAAB HHC observer: 1-2 March 2022 meeting

The Board takes note of the information contained in both reports published as EAAB(22)08 and EAAB(22)09, and thanks the observers for their comprehensive reports.

Agenda Item 4.2 - IAF CertSearch database: EAAB position paper - Update

The Board:

- acknowledges that EFTA, which could not attend the extraordinary meeting on 19 January 2022 dedicated to the IAF CertSearch database, shares the common points of concern outlined in the EAAB position paper and expresses its opposition to the proposed mandatory use of the database;

- asks the Secretariat to include this EFTA statement into a revised EAAB position paper EAAB(22)04, to put it forward to EA again, and to recirculate and republish it on the intranet. EA is also asked to put forward EFTA’s position to IAF.

Action Secretariat and EA
Agenda Item 4.4 - Confidentiality of proprietary information in the case of acquisition of notified bodies by non-EEA based organisations

The Board:

- emphasizes the need to ensure the confidentiality of proprietary information in the case of acquisition of notified bodies by non-EEA based organisations, stressing this confidentiality as a major concern for both the industry and the conformity assessment constituencies;

- raises the EAAB Members’ awareness of the issue whose consideration has just started, and invites them to reflect on it further with the aim to identify possible ways to strengthen and ensure further the confidentiality of company proprietary information in such cases.

EA Matters

Agenda Item 4.5 - Endorsement of EA new work items

The Board endorses the new work items proposed for the revision of EA-1-06: EA Multilateral Agreement - Criteria for Signing - Policy and Procedures for Development according to the rationale set out in Document EAAB(22)07.

Agenda Item 4.6 - Revision of the EC Blue Guide (update on EC challenges to notification)

The Board takes note that the revision of the EC Blue Guide should be published by the end of July 2022.

Agenda Item 4.7 - New relevant EU legislations

The Board thanks EA for compiling and regularly informing EAAB Members of the progress of those numerous revised and new EU legislations that are relevant for the conformity assessment community, and takes note that some of these include new product safety and durability criteria which EA is considering in order for them to be best covered under the existing modules.

Agenda Item 4.8 - CETA – Implementation of the Bilateral Cooperation Agreement with Canada/SCC

The Board takes note of EA regret’s that, since the publication of the Implementation Guide for the Protocol to the CETA Agreement between Canada, the European Union and its Member States regarding the mutual acceptance of the results of conformity assessment in the Official Journal of the European Union in September 2021, there has been so far no application from EA Members for being recognised under the CETA protocol.

Agenda Item 4.9 - Report from EA on various issues

The Board takes note that:

- the new membership categories (A, B, C, D) have been adopted in November 2021 and implemented, with the resulting need to revise all governance and policy documents accordingly;

- the BLA signatory status has been removed out to be transferred into the MLA signatory status (all BLA signatories have got the MLA signatory status), and the relevant documents have been revised accordingly and published on the EA website.
Agenda Item 4.11 - Single international accreditation organisation: update

The Board:

- takes note that the draft partial by-laws have been circulated for comments, and that the final decision on the merger between ILAC and IAF should be made in March 2023;

- acknowledges that EA’s and some of its Members’ comments put forward to ILAC/IAF during the consultation process would result in a lessening (compared to IAF present status) of stakeholders’ voting and membership rights within the proposed new organisation;

- acknowledges that the CAB College expresses concerns about the interaction between EA Recognised Stakeholders and the future single international organisation, and more generally about stakeholders’ representation within the new merger, and supports maintaining stakeholders’ membership and rights as they currently stand in IAF;

- asks EAAB Members to send any comments, either individual or consolidated ones, to the Secretariat which will put them forward to the EA Chair and Executive Secretary.

*Action EAAB Members to Secretariat*

Agenda Item 6 - Selection of date and place of next meeting

The Board agrees to have a hybrid full-day meeting on **Wednesday 16 November 2022** starting at 10 am, and thanks EFTA for offering to host the meeting at EFTA’s new offices in Brussels

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