

List of Conclusions and Resolutions

**agreed at the 48th Meeting of the EA Advisory Board
held online on 16 November 2022**

Agenda Item 1 – Opening of the meeting and roll call

The Board takes note that:

- Miruna Dobre has become the Vice-Chair of EURAMET which she represents now on the Board;
- due to her stepping down from the National Authorities College (NAC) chairmanship, and the previous vacancy not filled during the NAC elections in 2021, a call for nominations of a couple of new NAC members has been launched until 28 November 2022;

Action EAAB Secretariat to update the EAAB membership list in due time.

- Miruna Dobre remains the EAAB Chair until the next term of the Board starting in autumn 2024.

Agenda Item 3 - Topics for discussion**Agenda Item 3.1 - Stakeholders' representation in EA; interaction between EAAB and EA
Notes of the meeting of TFG for improvement**

(TFG composed of M. Dobre, M. Logghe, M. Stadler and B. McGill).

The Board welcomes that, during the TFG meeting held online on 16 May 2022, it has been agreed that the EAAB Chair and Vice-Chairs and the EA President will now meet once in-between the two annual meetings of the Board in order to improve the communication and interaction between the EAAB and EA.

Action EAAB Chair to set up a new date for the next meeting in January-February 2023.

The Board also takes note that:

- the Industry College's members appear to have different access to the various folders on the EA intranet;
Action EAAB Secretariat to check and ensure EAAB members have equal access to the EA intranet.
- the next EA General Assembly in November 2022 will be followed on the second day by the first C-Level meeting targeted at EA NAB CEOs, convened by Roeland Nieuweboer from RvA, the Dutch NAB. The Board agrees to invite him to the next EAAB meeting in order for him to explain the rationale of these C-Level meetings.
Action EAAB Secretariat to invite R. Nieuweboer (RvA) at the Board's next meeting.

Finally, in regards to enhancing stakeholder relationships within EA, the Board agrees that an overlay review of the *ISO Guidance Document for Building Stakeholder Relations related to ISO 26000:2010 Guidance on Social Responsibility* should be carried out at the next EAAB Colleges TFG meeting in order to have a first look at the document before considering any need for action.

Action EAAB Secretariat to upload the links to documents on the Intranet (done).

Action EAAB Chair for agenda of TFG meeting.

Agenda Item 3.2 - Challenges for the conformity assessment infrastructure: new regulations for new technologies' implementation (Artificial Intelligence, Cybersecurity, Sustainability)

The Board:

- again acknowledges the concerns expressed by the CAB and Industry Colleges which raise the issue of the availability of sufficient experts and required competences to continue performing conformity assessment activities, and again stresses the need for a harmonised approach to the implementation of these regulations, especially when no harmonised standards exist;
- again acknowledges the needs expressed by the CAB and Industry Colleges to monitor the market situation and to ensure the readiness of harmonised implementation to the market;
- again 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;
- acknowledges that it is not sufficient to raise politicians' awareness and calls for proactive solutions given that the changing dimension of conformity assessment will have a huge impact in each college of the Board;
- agrees that the CAB College shares TIC Council's position paper on the issue;
Action CAB College Chair to send the paper to the EAAB Secretariat for publication on the intranet.
- acknowledges the opportunity to create a high-level (not technical) structure in order to liaise with the EC and to influence the EU legislation and implementation of regulations, and asks EA to consider the relevance of such a new structure.
Action EAAB Secretariat to put forward the issue to the EA Executive Board.

Agenda Item 3.3 - New single international accreditation organisation

The Board:

- takes note that the final decision on the merger between ILAC and IAF still depends on the outcome of a new survey asking whether stakeholders should have voting rights at the General Assembly or not;
- acknowledges that the Industry College: thanks EA for the clarity of its paper dated 24 June 2022 on the issue, agrees on EA's position that stakeholders' views shall be taken into account and this consideration shall be demonstrated, and like EA, emphasises the need for a clear distinction between conformity assessment bodies and accreditation bodies in the membership criteria;
- asks EA to keep the EAAB informed of any developments concerning the future single international organisation. **Action EA**

Agenda Item 4 - Topics for information

EAAB Matters

Agenda Item 4.1 - Report from the EAAB MAC observer: 4-5 October 2022 meeting Report from the EAAB HHC observer: 13-14 September 2022 meeting

The Board:

- takes note of the information contained in both reports published as EAAB(22)15 and EAAB(22)22, and thanks the observers for their comprehensive reports;
- agrees, upon his request, that the HHC observer should add relevant information documents to his report, provided that the EA HHC Chair does not see any objection;
Action EA to ask the HHC Chair for any problem of confidentiality.
- asks EA to keep the EAAB informed of the decisions and proposals made by WG AfN (Accreditation for Notification) about any additional conformity assessment modules needed for the verification of carbon footprint claims and other assessments that fit within the eco-design framework.
Action EA

Agenda Item 4.2 - 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 has just been released a few days ago, and confirms the reliability of the accreditation and conformity assessment systems in place;
Action EAAB Secretariat to upload the evaluation report on the Intranet (done).
- thanks the EC and all those engaged in the evaluation process for this very interesting paper, acknowledges that this evaluation did not aim to reshuffle the NLF but was intended to consider the current state-of-play of it, and takes note that the EC will inform the EAAB of the next steps;
- agrees that EAAB members should read the evaluation report and list any possible critical issues for the next EAAB meeting so that they can be tabled for discussion at future meetings;
Action EAAB Colleges/members to send a response paper to the EAAB Secretariat for inclusion into the papers of the next meeting.
- asks EA which will soon discuss the evaluation report to share any response paper with the EAAB. **Action EA**

Agenda Item 4.3 - IAF CertSearch database: Update

The Board takes note that the new principles of the IAF CertSearch database have been approved, including its mandatory use for CBs which have to upload and maintain relevant information concerning their certificates in the database.

Agenda Item 4.4 - Brexit: update

The Board takes note that the deadline for when businesses need to use the UKCA marking has just been extended to 31 December 2024, until when the CE marking and reversed epsilon marking on the GB market are still accepted for the purpose of UKCA marking.

Agenda Item 4.5 - Confidentiality of proprietary information in the case of acquisition of notified bodies by non-EEA based organisations

The Board:

- again emphasises the need to ensure the confidentiality of proprietary information in the case of acquisition of notified bodies by non-EEA based organisations, and definitively confirms this confidentiality as a major and possibly growing concern for both the industry and the conformity assessment constituencies;
- acknowledges that the CAB College supports putting forward the issue to the EC and EU legal experts, also to warn about any recurrent need for strengthening and ensuring further the confidentiality of company proprietary information in such cases;
- agrees to keep the issue on the agenda and, if needed, to put it forward to EA.
Action EAAB Chair for next agenda.

EA Matters

Agenda Item 4.6 - Endorsement of EA new work items

The Board endorses the new work items proposed for:

- the elaboration of an EA Code of Conduct according to the rationale set out in Document EAAB(22)11;
- the elaboration of a *Guidance Document on Transfers of Certificates under ISO/IEC 17024* according to the rationale set out in Document EAAB(22)20;
- the revision of EA-2/15: *EA Requirements for the Accreditation of Flexible Scopes* according to the rationale set out in Document EAAB(22)12;
- the revision of EA-2/02 S4: *Procedure for the Management of the Peer Evaluations in case of Extraordinary Circumstances* according to the rationale set out in Document EAAB(22)13.

Agenda Item 4.7 - Publication of the EC “Blue Guide” on the implementation of EU product rules 2022

The Board takes note that the revised EC *Blue Guide* has been published in June 2022, and the new elements contained herein are considered by the EA HHC.

Agenda Item 4.8 - CETA – Implementation of the Bilateral Cooperation Agreement with Canada/SCC: new momentum with EU recognition of SCC; news about the guidelines for implementation of the new protocol

The Board takes note of EA regret's that, despite the renewal of the partnership agreement with SCC to support CETA on 29 September 2022, there has been still no application from EA Members for being recognised under the CETA protocol.

Agenda Item 4.9 - Report from EA on various issues (FPA, BSCA, EA-1/13, etc.)

The Board is pleased with the signature of the 4th Framework Partnership Agreement (FPA) for 2023-2026 by EA and the EC on 30 August 2022, and takes note that EFTA will sign a similar agreement with EA in the coming days.

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The Board also takes note that EA is considering a suspension or termination of BSCA membership in EA, because Belarus suspended partnership under the EU Neighborhood Policy (ENP) which allows BSCA to be eligible for EA membership.

Agenda Item 4.11 - Relations with stakeholders

The Board endorses the applications for EA Recognised Stakeholder status submitted by:

- the Comité Européen des Constructeurs d'Instruments de Pesage (CECIP), the European weighing industry association ;
- the Recreational Craft Sectoral Group (RSG), a Notified Body Coordination Group pursuant to Article 42 of Recreational Craft Directive (RCD) 2013/53/EU;
- the EU FPR Notified Body Coordination Group pursuant to Article 36 of the Fertilising Products Regulation (FPR) 2019/1009/EU.

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

The Board agrees to have a hybrid full-day meeting on **Thursday 11 May 2023** from 10 am to 3 pm (to be confirmed), and thanks EFTA for offering to host the meeting at EFTA House in Brussels.

Action EFTA to confirm room availability.
