<u>List of Conclusions and Resolutions</u>
agreed at the 50th Meeting of the EA Advisory Board
held on 20 October 2023 in a hybrid form in Brussels, Belgium

Agenda Item 2 - Approval of draft minutes of 49th meeting

The Board:

- agrees that the Conclusion and Resolution List should be published within two weeks of its meetings, and the draft minutes sent out for comments within two months of its meetings;
  Action Chair to include revision of EAAB Rules of Procedure into next meeting agenda.

- approves the draft minutes of its 49th meeting as distributed, with the following post-meeting footnote to be added under Agenda Item 4.4 about the IAF CertSeach Database:
  The draft mandatory document was shared with the IAF CertSeach Database Working Group members on 14 March 2023. This was then shared with the IAF Technical Committee Leads (one of which exists for each IAF member) on 6 April 2023. Finally, further to the EAAB meeting, the draft mandatory document was shared with all IAF members for 60-day consultation.
  Action Secretariat to amend and publish the minutes of the relevant intranet and internet pages.

Agenda Item 3 - Topics for discussion

Agenda Item 3.1 - Challenges for the conformity assessment infrastructure: new regulations for new technologies' implementation (Artificial Intelligence, Cybersecurity, Sustainability): update

The Board:

- shares the concerns raised in the marketplace about the growing risk of uneven levels of competence of notified bodies resulting in uneven levels of conformity assessment, in particular regarding regulations addressing new technologies;

- partially attributes this risk to the different routes for conformity assessment as well as, in particular, to the varying routes for competence assessment and monitoring of notified bodies applied by the Member States' notifying authorities;

- acknowledges the concerns expressed by the Industry College which calls for the peer-evaluation system to take account also of smaller schemes within the risk-based approach, and asks EA to give feedback on how this risk is mitigated.
  Action EAAB MAC Observer to communicate EAAB concern at next MAC meeting.

Agenda Item 3.2 - Implementation of revised EA-2/17

The Board:

- thanks EA for having carried out the survey and harmonisation work concerning the revised EA-2/17: *EA Document on Accreditation for Notification Purposes* published in April 2020 which is a

good example of transparency, and looks forward to any further update with regard to new regulations;

- would welcome any feedback on the usage and deviations of accreditation standards for notification in national notifying authorities for transparency purposes;

- would recommend stronger cooperation between the EC, notifying authorities and EA in a future update of the list of "preferred standards" to be provided for in the different sectors.

Agenda Item 3.3 - Accreditation policy developments: effective EC communication strategy

The Board:

- acknowledges the communication channels established by the EC, including those put in place more recently, but would like to see them used in a more frequent and consistent way so as to reflect a global communication strategy;

- agrees to collect the EAAB Colleges' main concerns, expectations and suggestions for improvement and to put them together in a paper to be drafted at the next EAAB-EA Chairs' in-between communication meeting and to be brought to the attention of the EC.
  Action EAAB Colleges by next EAAB-EA Chairs' in-between communication meeting.

Agenda Item 4 - Topics for information

EAAB Matters

Agenda Item 4.1 - Report from the EAAB MAC Observer: 4-5 October 2023 meeting
Report from the EAAB HHC Observer: 13-14 September 2023 meeting

The Board:

- takes note of the information contained in the EAAB MAC Observer's report published as EAAB(23)16, and thanks the observer for her comprehensive report;

- asks the Secretariat to ensure that every EAAB Member as a recognised stakeholder "*of right*" (see EA-1/15) has access to the EA intranet folders, especially to the HHC documents.
  Action Secretariat together with EA Executive Secretary and Head of Administration.

Agenda Item 4.2 - Stakeholders' representation in EA; interaction between EAAB & EA

The Board agrees to discuss at the next meeting whether EAAB positions should support EA positions or remain only internal positions as a matter of principle. ***Action EAAB Chair for next agenda***

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-1/22: *EA Procedure and Criteria for the Evaluation of Conformity Assessment Schemes by EA Accreditation Body Members* according to the rationale set out in Document EAAB(23)12;

- the revision of EA-4/20: *Assessment of Laboratories against ISO 15189 Performing Point-Of-Care Testing (POCT)* according to the rationale set out in Document EAAB(23)13.

Agenda Item 4.6 - EA reply to IIOC, IQNET, TIC Council questions dated May 2023 with reference to the Italian Council of State (Judgement No. 04089/2023 REG.PROV.COLL. N. 05072/2022 REG.RIC of 21 April 2023

The Board acknowledges EA's reply to the issue of maintaining the MLA for those organisations having certificates with an accreditation from a non-EU-based AB, and considers it to be in line with the EU Commission's position and Regulation (EC) 765/2008.

Agenda Item 4.9 - International trade agreements
- **CETA - Implementation of the Bilateral Cooperation Agreement with Canada/SCC**

The Board:

- acknowledges that there are still very few recognised conformity assessment bodies in the EU for the machinery sector under the CETA protocol, and that the EC will organise another event targeted at notified bodies to promote the protocol and increase the interest herein from the EU side;

- notes that the Industry and CAB Colleges will discuss this issue further within their constituencies, and would be interested in receiving information on the obstacles to recognition in the EU.
  Action Industry College and EC/EA

Agenda Item 5 - Any other business

Agenda Item 5.1 - Update of the EAAB Work Programme
Agenda Item 5.2 - Revision of document "*EAAB Management Review of Role, Operations and Interaction with EA*"

The Board agrees to:

- remove the EAAB Work Programme (WP) from the EA website since it is considered as an internal document of the Board; *Action Secretariat*

- update the EAAB WP, dated November 2019, at the next meeting;
  Action EAAB Chair for next meeting agenda

- update the document entitled "*EAAB Management review of role, operations and interaction with EA*", dated 2016, at the next meeting, and republish it on the EAAB web page.
  Action EAAB Chair for next meeting agenda

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

The Board agrees to:

- hold the spring EAAB meetings in a hybrid manner in Brussels at the EFTA House (subject to room availability) and the autumn meetings exclusively remotely, from now onwards and until further notice;
  Action Chair to include revision of EAAB Rules of Procedure into next meeting agenda.

- schedule the next EAAB meeting for **Friday 3 May 2024** (hybrid format) and thanks EFTA for offering to host the meeting at the EFTA House in Brussels.

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