

EA - EUROPEAN COOPERATION FOR ACCREDITATION

ADVISORY BOARD

TERMS OF REFERENCE

*As agreed at the constituting meeting on 16 November 1998
and amended at the 13th meeting on 28 October 2004,
at the 15th meeting on 19 October 2005, at the 22nd meeting on April 3rd 2009,
at the 30th meeting on 18 April 2013, at the 39th meeting on 3 May 2018,
and further at the 40th and 41st EAAB meetings on 17 October 2018 and 14 May 2019.*

0. BACKGROUND

- 0.1 Accreditation is fundamental for the correct operation of a transparent and quality driven conformity assessment market in Europe. It is a service offered to manufacturing and service industries, which supports their competitiveness. It is fundamental to public authorities, whether national or European, in order to achieve a reassuring level of confidence in reports and certificates issued anywhere in Europe and thus facilitate the free movement of products and services throughout the European Economic Area. It is fundamental to the conformity assessment bodies themselves, whether operating in the regulated or non-regulated fields of activity, in order to help them demonstrate independently their technical competence, impartiality, integrity and to ensure transparent and quality driven competition between themselves.
- 0.2 The national accreditation bodies in Europe have organised themselves in the European co-operation for Accreditation (EA) [which has been recognized as the European Accreditation Infrastructure pursuant to the provisions of Regulation (EC) No 765/2008]. The EA aims to build and maintain mutual confidence in the accreditation schemes operated by its members. It does so with the objective of ensuring that the testing, calibration, certification, inspection and validation and verification services concerned meet the needs of industry and of the public authorities and of all other interested parties. In order for the EA to respond and be responsible to the needs of its stakeholders, and to ensure transparency in accreditation, a mechanism whereby EA is answerable to and can receive input from its stakeholders is essential.
- 0.3 The EA Advisory Board constitutes the primary organ within EA to ensure the effective and balanced involvement of all interested parties in European accreditation regarding policy and strategy issues, and shall serve as the main stakeholder forum for the EA to deal with such issues, pursuant to the requirements of Regulation (EC)

No 765/2008 and to the relevant provisions of the “General Guidelines for Co-operation between EA and the EC, EFTA and the competent national authorities”.

- 0.4 Other means and procedures of involvement of stakeholders in EA activities are specified in the EA policy document for relations with stakeholders.

1. MISSION STATEMENT – OBJECTIVE

- 1.1 The EA Advisory Board, hereinafter called the Board, shall constitute an independent organ, composed of balanced representations of the stakeholders to which EA accounts for the independence, technical competence, cost effectiveness, impartiality and integrity of accreditation and related activities. The Board shall represent a link between EA, the European Commission, EFTA, the national authorities of the EU and EFTA Member States, the European conformity assessment and metrological infrastructures, the European business and industry, the European users and consumers, the European standards organisations, and other European parties competent and active in the field of, or relying on, accreditation and accredited conformity assessment services. It shall attempt to serve their needs without impinging on their respective responsibilities.
- 1.2 The Board shall seek assurance from EA that accreditation is applied in such a way that it ensures effectiveness, openness and transparency in conformity assessment activities in general and those carried out under EU legislation in particular, as well as quality driven competition between conformity assessment bodies and coherence with international accreditation practice.
- 1.3 The Board shall constitute a focal point for discussion, consultation, guidance on and input to policy and strategy matters related to the operation of accreditation. In this capacity, the Board shall be the main forum for the stakeholders of EA and the main channel for stakeholders to effectively interact with EA.

2. COMPOSITION

- 2.1 The composition of the Board shall ensure a well-balanced, effective and ample representation of the parties which depend upon and contribute to the European accreditation system. Representation on the Board shall be ensured, where possible, through organisations, federations, interest groupings etc. having a distinct European or international role and bearing a clear interest in accreditation activities. International organisations representing conformity assessment bodies may also be represented in the Board, provided they have a significant European membership. The Members of the Board shall be persons knowledgeable, representative and competent in matters related to accreditation.

The composition of the Board is as follows:

- The European conformity assessment bodies, i.e. laboratories, certification bodies, inspection bodies, may appoint five Members.
- The European metrological organisations may appoint two Members.
- The European industry, services and trade, including small and medium sized enterprises, may appoint five Members.

- The National Authorities of the EU and EFTA Members States may appoint five Members.
- The European consumers may appoint one Member.
- The European standards organisations may appoint one Member.
- The Services of the European Commission may appoint one Member.
- The Secretariat of the European Free Trade Association may appoint one Member.
- The European private scheme owners that are EA Recognised Stakeholders may appoint one Member.

The members appointed by the conformity assessment bodies, by industry, service and trade and by the national authorities, shall organise themselves within colleges. The colleges shall seek broad representation of all interests within their respective constituencies, including of sectoral interests.

- 2.2 The Members shall be appointed for a period of three years, which can be renewed.
- 2.3 The EA shall be represented by its Chair and Executive Secretary and/or other persons nominated by the EA.
- 2.4 The Chair of the Board may invite experts to attend certain parts of meetings of the Board or participate in task forces set up by the Board.

3. RELATIONS WITH OTHER INTERESTED PARTIES

- 3.1 Other interested parties at European or international level that have a clear stake in European accreditation and wish to further the objectives of accreditation by cooperating with EA can provide their policy inputs through contributing to the work of the Board.
- 3.2 Technical inputs to the EA activities may be provided by the parties represented in the Board, as well as by other interested parties, through participation in EA's technical activities pursuant to the EA policy for relations with stakeholders.

4. TASKS AND RESPONSIBILITIES

- 4.1 The Board shall give advice on the general direction of accreditation in Europe and in particular, contribute to the policies and strategies of the EA. The Board shall oversee the general operations of the EA and determine whether they are conducted with efficiency and effectiveness and in response to the needs of its stakeholders and of the market at large.
- 4.2 The Board shall, together with the European Commission and representatives of National Authorities, ensure the oversight of the EA peer evaluation system.
- 4.3 Where required, the Board shall assist the EA in coordinating stakeholder consultations and stakeholder inputs to EA discussions related to policy and strategic issues.

The Board may, on its own initiative or at the request of the EA, give input to the strategic aims and priorities to be pursued by the EA. The Board shall, considering the relevant European standards and assuring consistency and compatibility with them, give guidance as to the need and desirability of developing interpretation and harmonisation documents related to accreditation and shall provide its opinion before final adoption by the EA.

- 4.4 The Board shall support the EA in promoting the visibility of European accreditation, including promoting the European model of accreditation at international level.
- 4.5 The Board may, after due process has been followed pursuant to the applicable EA procedures, offer arbitration or advice on disputes related to accreditation and to the development of guidance.
- 4.6 The Board shall be the main forum for the exchange of information, experiences and discussion on accreditation in Europe with the aim of promoting confidence in accreditation as a vehicle for one stop testing and certification at the service of industry and public authorities.
- 4.7 The Board may adopt resolutions on its findings and guidance offered to the EA. The Board shall publish these resolutions and other positions on accreditation in an annual report.
- 4.8 The EA shall report on how far recommendations from the Board have been taken into consideration.

5. THE CHAIR AND OTHER OFFICIALS OF THE BOARD

- 5.1 The Members of the Board shall elect a Chair and two Vice-Chairs who will hold office for a period of three years with the option of re-election.
- 5.2 The duties of the Chair are to:
 - preside over meetings of the Board;
 - ensure proper functioning of the Board;
 - together with the Secretariat, prepare meetings of the Board;
 - establish a draft agenda for meetings of the Board;
 - ensure that conclusions and resolutions are prepared and where appropriate, published;
 - prepare a draft annual report of the Board.
- 5.3 The Vice-Chairs shall assist the Chair in carrying out his/her duties.
- 5.4 The Chair and where necessary, the two Vice-Chairs, shall represent the Board at the General Assembly of EA. Where the Chair is unable to attend, he/she shall designate one of the Vice-Chairs to act as his/her proxy. In order to ensure consistency of input from the relevant stakeholder groups, if both Vice-Chairs are unable to attend, he/she shall designate a suitable representative who has been properly informed of the discussions and conclusions of the preceding Board meeting. The EA Chair shall be duly informed of any representation before the General Assembly meeting.
- 5.5 The Board shall appoint one of its Members to participate as observer in the meetings of the EA Multilateral Agreement Council (EA MAC), and may appoint one of its Members to participate in the meetings of the EA Horizontal Harmonisation Commit-

tee (EA HHC) in order to receive direct information about the EA peer evaluation system and (horizontal) accreditation issues. The EAAB observers may ask questions and provide advice on behalf of the Board. The EAAB MAC observer shall not interfere with the decision-making process.

The EA MAC and EA HHC shall facilitate the roles of the EAAB observers. The observers shall report back to the Board in full respect of the confidentiality of the information divulged.

6. PROCEDURES

- 6.1 The Board shall meet at least twice per year. Meetings shall be called at the initiative of the Chair or at the request of at least a quarter of its Members.
- 6.2 Meetings must be held within four weeks after a meeting has been requested and must be called with at least 3 weeks prior notice.
- 6.3 All Members have the right to raise questions which should be answered by the Board and to propose draft resolutions. Interested parties that are not Members can raise questions to the Board which are of direct interest to them through the Board Secretariat.
- 6.4 The annual report and resolutions should be adopted by consensus. If consensus cannot be reached, the annual report and resolutions shall be adopted by absolute majority voting. The representatives of EA shall not vote.
- 6.5 The annual report and resolutions can be adopted by the Board only if at least half of the total number of Members are present at the meeting. If, at any meeting, the above quorum is not achieved, a new meeting shall be called at which the annual report and/or resolutions on the subject placed on the agenda of the first meeting may be adopted, irrespective of the number of Members then present. This second meeting shall be called for a date not later than thirty days from the date of the first meeting. The notice calling the new meeting shall state that it concerns a second meeting and that resolutions may be passed at it, irrespective of the number of Members present.
- 6.6 A Member may be represented by proxy by another Member. This proxy shall be in writing and clearly state which points on the draft agenda the proxy is valid for. The proxy shall be presented to the Chair and Secretary of the meeting before the meeting is opened.
- 6.7 The meetings shall be presided over by the Chair and in the case of his/her absence, by the Vice-Chair authorised by the Chair.

7. RULES OF PROCEDURES FOR THE BOARD

- 7.1 The Board shall establish its internal rules of procedure in order to execute its tasks and responsibilities in an efficient, effective and transparent manner. Such rules of procedure shall include the obligations for the Board to review on a regular basis its functioning, composition and making public the relevant results.

8. TASK FORCES

- 8.1 The Board may decide to establish task forces to deal with specific issues related to accreditation for a limited period of time. In addition to the members of the Board, experts may be called to participate in these task forces upon invitation by the Chair of the Board. The Board shall lay down the terms of reference for these task forces, including the scope, composition, tasks to be carried out and deadline for results.

9. SECRETARIAT

- 9.1 The Secretariat of the Board shall be provided by the EA Secretariat. The duties of the Secretariat are to:

- assist the Chair in arranging the meetings of the Board, including preparation of draft agendas, lists of conclusions and resolutions, and minutes of the meeting;
- assist the Chair in the preparation of the annual report;
- make available the documents for the meetings early enough before meeting dates and provide information of relevance to the Board;
- maintain appropriate communications with the Members of the Board;
- maintain the established Board procedures;
- publish the Board reports and results of the review carried out by the Board;
- fulfil the administrative functions of the Board in general.

- 9.2 The above functions shall be performed in accordance with the relevant provisions of the EA Secretariat management system.

10. AMENDMENTS

- 10.1 Amendments to these Terms of Reference shall be adopted by a two-thirds majority vote of all Members of the Board. Each Member has one vote. The representatives of the EA shall not vote.