

TITLE GENERAL REGULATION FOR THE APPLICATION OF
STATUTARY PROVISIONS

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NOTE *The present document represents the English version of the document under reference at the specified revision. In case of conflict, the Italian version will prevail. To identify the revised parts reference must be made to the Italian version only.*

PREPARATION
THE DIRECTIVE COUNCIL

APPROVAL
MEMBERS' ASSEMBLY

AUTHORIZATION FOR ISSUE
MEMBERS' ASSEMBLY

APPLICATION DATE
12-05-2021

GENERAL REGULATION

OF APPLICATION OF THE STATUTE

FOREWORD

The General Regulation is prepared in conformity with the ACCREDIA Statute to regulate the application of the Statute itself and, more generally, to establish policies and criteria for the effective organization and good functioning of the Association.

The Articles of the present Regulation refer to the Articles of the ACCREDIA Statute which in turn refer explicitly to the Regulation itself – as well as referring to other elements where further clarification is considered useful – and they are presented in the same order in which they appear in the Statute. The numerical correspondence between the Articles of the present Regulation and the Articles of the Statute is given clearly.

Membership of ACCREDIA requires acceptance of this Regulation and of the ACCREDIA Statute.

ART. 1 – DENOMINATION AND MARKS **(ART. 1 OF THE STATUTE)**

The name ACCREDIA is used, in abbreviated form, to denominate “THE ITALIAN ACCREDITATION BODY”.

ART. 2 – ACCREDITATION ACTIVITIES AND THE USE OF PERSONNEL OF THE PUBLIC ADMINISTRATION AUTHORITIES **(ART. 2 OF THE STATUTE)**

Accreditation activity is undertaken in such a way as not to enter into competition with activity undertaken by Conformity Assessment Bodies which have obtained accreditation, either voluntarily or mandatory if regulated in any way whatsoever by the public sector.

The use of personnel belonging to the Public Administration Authorities (apart from positions covered by ACCREDIA’s corporate bodies), can occur only for the performance of conformity assessment activities, these being assessments, document reviews and associated activities, for the issue of opinions given by experts who are competent in the areas in which ACCREDIA operates.

Except for what has been regulated by the individual conventions or agreements which ACCREDIA signs with the Public Administration Authorities, this use of personnel does not affect the nature of the position of public employee of these persons and thus it has to be authorised in advance by the relevant Administration in compliance with the existing fiscal and administrative regulations.

Payment for services is made on the basis of the number of working days undertaken, unless a method of payment is used, in compliance with the law, which involves the payment of welfare contributions made to the Administration Authority to which the public employee belongs.

Public Administration employees are also called upon to sign the Code of Ethics and Conduct and the declarations and commitments which ACCREDIA requires from its collaborators and assessors in matters concerning confidentiality, independence and impartiality. In particular, they shall communicate both at the start of their collaboration and with subsequent updates, that they have not had, in the three previous years, any relations of consultancy or administration with previously or currently accredited or applicant CABs which they assess.

ART. 3 - CLASSIFICATION OF MEMBERS **(ARTICLES 5, 6, & 7 OF THE STATUTE)**

In the case of changes at national government level, the title of Full Member held by a ministry holding ACCREDIA membership is recognised by the Assembly also if a newly created ministry takes office having specific competences in activities which are the object of accreditation, as under Article 6 of the Statute. This happens independently of the fact that the new ministry is created by the subdivision of a ministry which is already a Full ACCREDIA Member. The ministry involved can relinquish its membership of ACCREDIA. If two ministries which are Full Members are unified or merged, the membership rights are transferred to the newly created ministry.

Recognition of the title of Sponsor Member cannot be given to organisations, companies, or Bodies which belong, either by organisational or by hierarchical position to the national administration, or to bodies which include or constitute other ACCREDIA Sponsor Members.

Any disputes regarding the application of such principles are duly discussed by ACCREDIA's Ordinary Assembly. The President requests an initial opinion from the Board of Auditors. Members involved can present their considerations to ACCREDIA's corporate bodies.

The same principle and the same procedure are applied in the case of fusions and mergers, divisions or other modifications of the legal status of Ordinary Members.

The representative in the Ministry's Advisory Committee or of the lapsed Sponsor Member, shall relinquish his/her appointment. Other managers, officers or representatives who cover roles in other ACCREDIA Bodies, especially on the Board of Auditors, in Sector Accreditation Committees and Sub-Committees, in the Accreditation Committee or the Steering and Guarantee Committee, can nevertheless continue to perform their respective roles, until and not beyond the end-date of the mandate.

ART. 4 – ADMISSION OF NEW ORDINARY MEMBERS

(ART. 8 OF THE STATUTE)

An applicant Member shall present the request signed by the legal representative, together with all the relevant documentation including, for example, reference to specific provisions of his/her own Statute, or his/her annual activity programs, or single projects approved by his/her own corporate bodies, his/her interest in becoming an ACCREDIA Member and the value of the accredited conformity assessments.

To this end, the applicant shall provide declarations of responsibility for the attestations to the Directive Council, as follows:

- a) for the holders of engagements related to legal representation, i.e. high level management responsibility, the absence of convictions for crimes related to the Anti-mafia Code, the Anti-bribery Code, the Consumer Code, the Code of Public Tenders, the Environment Code, or sanctions imposed by independent Authorities (such as AGCM, AGCOM, ANAC or other similar authorities);
- b) the necessity of representation, for example by means of the demonstration of widespread presence throughout the country, i.e. possessing considerable economic strength;
- c) where applicable, the existence of a number of members in line with reference to the area in which the applicant intends to operate.

In order to ensure full transparency and evidence of the evaluation process, the Directive Council shall adopt guidelines and, following inspection undertaken by the Directive Council, deliberate with regard to the application, usually within three months of receipt of the full accompanying documents. The Council may refuse the application for membership, giving reasons, not only in cases where the application is inadmissible due to a negative outcome as regards letter a), and also if the documentation presented is incomplete or if the public credibility is dubious or flawed on the basis of performed public initiatives or on the basis of the publication of articles and communications concerning conformity assessments or the failed use or support of accreditation.

For the acceptance of an application for admission it is also necessary to evaluate, in the light of the public interest which the body intends to pursue, any overlapping or duplication of representation, in terms of corporate co-participation (membership or sectoral) with respect to existing ACCREDIA Members.

ART. 5 – ASSEMBLY PARTICIPATION – VOTING PROCEDURES

(ART. 11 OF THE STATUTE)

Delegation for participation at the Assembly shall be signed by a person competent to represent the Member. To this end, the President of the Assembly can accept ministries with Full Member rights, delegations signed by the minister or by an officer whose position is not lower than General Director.

For other types of Member, apart from proxy delegations signed by the legal representative, the President can also accept those signed by directors: general directors, general secretaries or people with specific mandates, for example resulting from decisions taken by ACCREDIA or those with special authority and suchlike.

When the Assembly is held in presence, the vote can take place by show of hands, by informal approval, or by pre-filled ballots. In this case, the ACCREDIA secretariat verifies the attendance at the meeting at the time of the vote.

If the Members' Assembly is conducted in remote mode, the vote is expressed using suitable IT tools, made available by ACCREDIA and prepared by specialized suppliers, which must guarantee the counting of the votes cast directly and by proxy, the secrecy of the vote expressed - where required - the majority of the votes cast per single point (or candidate) and the final result.

When voting concerns persons, with candidates exceeding the number of places available, voting takes place by secret ballot.

ART. 6 - MEMBERSHIP RATES

(ART. 12 OF THE STATUTE)

Payments to ACCREDIA (for membership and the annual association fee) are decided by the Directive Council and are fixed definitively by the ordinary Assembly convened to approve the provisional annual budget forecast.

The requests for payment of annual membership fees are issued by ACCREDIA immediately after the Assembly has taken its decision. Payment of the sums requested must be made within thirty days of the date of the request.

The annual membership fee must be paid in full, irrespective of the moment in the year at which the Member is admitted to ACCREDIA.

For new Members, membership payments to ACCREDIA (admission and annual membership rate) shall be made within thirty days of the date of the request for payment issued by ACCREDIA, immediately after the Directive Council has decided in favour of membership.

ART. 7 - ELECTION OF MEMBERS OF THE DIRECTIVE COUNCIL

(ARTICLES 12 & 13 OF THE STATUTE)

The election procedure described below refers to members of the Directive Council elected to represent the Ordinary Members.

Before the election takes place, the Assembly must decide the number of Directive Council members (a minimum of 3 and a maximum of 8), as defined in the Statute.

At the same time as the receipt of the letter convening the Assembly for undertaking the election, all Ordinary Members with the right to participate and vote according to Article 11 of the Statute and those interested in being represented on the Directive Council, can submit a written request to the President for the nomination of candidates whom they wish to propose for election to the Directive Council. Such candidacies shall be presented not more than 5 working days before the meeting and they shall be communicated immediately to the Members.

Ordinary Members have the option not to present their candidature and they may propose or support a candidate from among other Ordinary Members.

During the Assembly, the President of the Assembly confirms the candidacies received and asks directly for their endorsement if they are not greater in number than the number of Directive Council Members to be elected as established beforehand by the Assembly.

If the number of candidates presented is higher than as described above, the President orders the distribution of ballot papers to all Ordinary Members present at the Assembly with voting rights. Each Member of the Assembly receives a number of ballot papers which corresponds to the number of Ordinary Members s/he represents.

Voting takes place separately: one is for the election of the representatives of the associations of accredited CABs, and participation is limited to the representatives of such associations; the other is for the election of the representatives of the other Ordinary Members, excluding the participation of the associations of accredited CABs. It is not permitted to put more than two names on the ballot paper.

The candidates elected shall be those who have received the highest number of votes until all available posts are covered.

Two classification lists shall be drawn up for this purpose: one for the posts reserved for associations of accredited CABs and the other for the other members of the Directive Council.

The results of the ballot are stated in the report of the meeting.

For the replacement of one or more members of the Directive Council elected as described above, made necessary due to hindrance, resignation or closure of mandate, at the first due Assembly voting shall take place for replacements, according to the procedures given above, distinguishing the classification/category of the Council Member to be replaced.

ART. 8 - COMPOSITION OF THE DIRECTIVE COUNCIL

(ART. 13 OF THE STATUTE)

Membership of the Directive Council must be based on the following principles:

- a) the members of ACCREDIA's Directive Council shall possess competence and experience in matters of administration and company management regarding the technical matters dealt with by ACCREDIA;

- b) persons who cannot be ACCREDIA Directive Council members are: ACCREDIA employees, persons involved in assessment activities for CABs accredited by ACCREDIA or for Bodies and CABs operating in sectors covered by ACCREDIA accreditation, except for situations as described in Article 13 regarding the representation of accredited CABs;
- c) the position of ACCREDIA Directive Council member is incompatible with that of membership of a Sector Accreditation Committee or Sub-Committee, of the Board of Auditors, the Board of Arbitrators and the Steering and Guarantee Committee.

It is obligatory for members of the Directive Council to inform the President of ACCREDIA with regard to any position which does not comply with above points a), b) and c).

For video conferences it is necessary that the President of the conference has checked in advance that it is possible to connect with all Directive Council members.

ART. 9 - ELECTION OF THE PRESIDENT AND VICE PRESIDENTS

(ART. 13 OF THE STATUTE)

Near to the expiry of the third year of the mandate of the Directive Council, the outgoing President shall ask both Full and Sponsor Members to nominate the Directive Council members pertaining to them. Confirmation of the outgoing Directive Council member, or of his/her replacement, must be made formal.

To this end, it is possible to accept, for Full Member government ministries, nominations signed by the minister or by ministerial delegation.

For other types of member typologies, other than the nominations signed by the legal representative, the President can also accept nominations signed by directors, general directors, general secretaries or persons with specific mandates (such as decisions taken by ACCREDIA or persons with special authority etc.)

The right, recognised at the Permanent Conference for relations between the State, the Regions and the Autonomous Provincial Regions of Trento and Bolzano, to nominate a member of the Directive Council, without performing a Member's role, is carried out by means of a designation which highlights interest in accreditation activities and is therefore manifested according to the applicable procedures of the conference for such cases.

The Directive Council, following completion of the election by the Assembly of the members representing Ordinary Members, at the end of the three-year mandate, proceeds (at the first due meeting) to the election of the President and the Vice Presidents.

This meeting is convened by the General Director as soon as possible and it is chaired by the most senior Member present.

Owing to the fact that the number of Vice Presidents is variable, ACCREDIA's President can include in a meeting agenda of the Directive Council, the nomination of Vice Presidents, as long as this number does not exceed the number of vacant Vice Presidential posts.

All voting carried out by the Directive Council for corporate appointments is by secret ballot except if there is equality between the number of candidates and the number of posts to fill.

The Directive Council proceeds to the election of the President and Vice Presidents separately. For the appointment of the President, if there is more than one candidate, the President of the meeting distributes the pre-completed ballot papers with the names of the candidates. Each member of Directive Council can choose one candidate and proxy voting is not permitted. The winning candidates must have a majority of at least 50% plus one of the votes cast. If no candidate obtains such majority, voting continues between the two candidates who have obtained the highest number of votes until one of the two obtains the necessary majority.

Following this the election of the Vice Presidents takes place. For this, the Directive Council shall establish in advance the number of Vice Presidents to be elected. It shall also be established whether one or more of these are tasked to undertake activities delegated by the Directive Council. If this is so, proceedings continue separately for each Vice President, on the basis of vote delegations, by means of the same method as for the President.

If there are candidates for the role/s of Vice President without connection to proxies or to a Department, a single vote is held for all the posts to be filled, in which each Directive Council member may express only one preference, or two, if it is necessary to elect three Vice Presidents.

The procedure is the same as that used for the President apart from the ballot which does not take place because candidates are elected anyway to hold the Vice Presidential posts if they obtain a straight majority of votes.

The results of the elections are reported in a report of the meeting.

ART. 10 – EXECUTIVE COMMITTEE **(ART. 15 OF THE STATUTE)**

The Executive Committee performs its functions in accordance with the same regulations as the Directive Council with the exception of advanced notice of the call date, which is reduced to four working days.

For the election of the members of the Committee, members of the Directive Council may express a maximum of four preferences; proxy voting is not permitted.

ART. 11 – TASKS OF THE VICE PRESIDENTS

(ART. 16 OF THE STATUTE)

When a Vice President is given the power to supervise one or more departments, except when provided for by the Statute regarding the attribution of such power and the relative competences of the Directive Council, this task carries with it an obligation, especially for the General Director and the corresponding Department Directors, to consult the Vice President in advance concerning the more important choices for the Department, which, to give examples but not a full list, include:

- structural changes (offices, activities, personnel);
- regulatory procedures with a significant impact on the Department (quality manual, Regulations for the activities of the Sector Committee);
- promotional initiatives.

Vice Presidents with these responsibilities are constantly kept up to date in matters regarding departmental accreditations (new accreditations, major sanctions, complaints [if any]). They are also required to be present at all ACCREDIA events concerning external matters, at meetings of Sector Accreditation Committees or Sub-Committees of reference, at the Steering and Guarantee Committee, at the Committee for Accreditation Activities, and their presence is also required for choosing candidates who will become assessors and who conduct training, refresh and the qualification of assessors.

ART. 12 - ACCREDITATION COMMITTEE - MEMBERS

(ART. 18 OF THE STATUTE)

The provisions of this article and of article 13 below refer to and are uniformly applicable to Sector Accreditation Committees and Sub-Committees.

The Members of the Accreditation Committee and those of the Sector Accreditation Committees and Sub-Committees must possess adequate competence and experience in the various matters and disciplines connected to activities which are the subject of accreditation, as well as sufficient familiarity with the reference standards and with the assessment procedures of accreditation.

The post of member of an accreditation Committee or Sub-Committee is incompatible with that of a member of the Steering and Guarantee Committee. Incompatibility also exists for members of the Committee for Accreditation Activities with regard to the following personnel:

- a) ACCREDIA assessor;
- b) administrator, dependent employee or collaborator of an accredited or applicant CAB or of their associations;
- c) member of a decision-making body and of the Committee for the Safeguarding of Impartiality (CSI) of a CAB accredited by ACCREDIA, or operators in sectors covered by ACCREDIA accreditation (laboratories, certifications of management systems, of product, of persons, assessments and audits).

Upon the nomination of the President of the Committee for Accreditation Activities, the Directive Council establishes the number of the other members and nominates them, with the option of nominating people from outside their own membership.

If a member of the Committee for Accreditation Activities, or a member of a Sector Committee or Sub-Committee steps down from his/her post during the three-year tenure – due to resignation or hindrance of various kinds, the Directive Council can appoint a replacement or leave the post vacant until the mandate of the Committee is concluded.

For details concerning the procedures of the Committee for Accreditation Activities, subject to compliance with the statutory provisions, reference must be made to the specific applicable Regulation.

ART. 13 - SECTOR ACCREDITATION COMMITTEES AND SUB-COMMITTEES **(ART. 18 OF THE STATUTE)**

The Directive Council, in establishing the number and competences of the Sector Accreditation Committees and Sub-Committees shall guarantee operative activities for comparable scopes, using as principle (but not binding) reference, the specific technical standards.

The identification of the number of members of each Sector Committee and Sub-Committee ensures the identification of competences necessary for the reference scheme.

In each Sector Accreditation Committee or Sub-Committee the presence must be guaranteed of at least one representative of the Public Administration Authorities, these being Technical Bodies of the State, of public Bodies or of national research entities.

The composition shall ensure, for each individual member, basic knowledge regarding the requirements for the Accreditation Bodies (Reg. 765/2008, Decision n. 768/2008, ISO/IEC 17011 and all other mandatory documents issued in Italy or by EA/IAF/ILAC/ISO referring to Accreditation Bodies) and it shall reflect overall the various specialist competences required generally, including:

- competences regarding individual conformity assessment activities concerning the Sector Accreditation Committee or Sub-Committee (e.g. calibration, testing, assessment, certification, audit etc.);
- knowledge regarding the individual accreditation standards (e.g. ISO/IEC 17020, 17021, 17024, 17025, 17043, 17065, etc.).

These competences must derive from direct and concrete experiences and they must be clearly documented by means of the presentation to ACCREDIA of suitable professional references, such as CVs. Possession of these requirements is evaluated by the Directive Council.

The Directors of Department, in agreement with the presidents of the corresponding Sector Accreditation Committees or Sub-Committees, decide the order of the day of the meetings and convene them according to the necessities of the activities in question.

The decisions of the Sector Committees and Sub-Committees are taken on the basis of factors, data and information related to the analysis carried out, under the supervision of the Department Directors, by ACCREDIA staff.

This data and information are gathered and documented appropriately (accreditation files signed for approval by the competent Department Director).

This documentation shall be sent to the members of the Sector Committee or Sub-Committee, usually at least 7 days in advance of the date of the meeting. In urgent cases, it can also be made available at the start of the meeting along with an explanation. If this occurs, it is the duty of the Committee or Sub-Committee to decide whether to proceed or not with the examination of the corresponding files. The data and information contained in this documentation shall be presented in a complete and objective form.

As well as the evidence gathered, which constitutes the basis for the decisions to be taken, the above documents shall record the initial judgement formulated by the Department Director, on the basis of the reports written by the assessors and the further details and verifications conducted by the competent personnel.

The Sector Accreditation Committee or Sub-Committee deals with the evaluation of the suitability of such preliminary judgements against the objective evidence recorded in the documentation, and requests, if necessary, any further information regarded as useful for the scope.

In order to optimise assessment activity, if the Department Director and/or the rapporteur, with the support – if necessary – of an external technical expert, considers that s/he has obtained elements of certainty regarding positive results of the analysis, s/he must inform the Committee or Sub-committee of this situation and the Committee can decide to ratify the conclusions or to proceed to an examination of the file. If, on the other hand, critical factors have been identified (e.g. during surveillance activity) the Department Director shall inform the Committee or Sub-committee which shall then conduct an in-depth analysis of the case.

Every decision taken, every proposal or evaluation expressed by the Sector Committee or Sub-Committee must be clearly recorded in a report signed by the President and by the Committee or Sub-Committee Secretary.

For details concerning the procedures of the Sector Accreditation Committees or Sub-Committee subject to compliance with the statutory provisions, reference must be made to the specific applicable Regulations.

ART. 14 - CONSTITUTION AND PROCEDURES OF THE STEERING AND GUARANTEE COMMITTEE

(ART. 19 OF THE STATUTE)

Constitution

The Steering and Guarantee Committee does not hold executive power, neither regarding the granting of accreditation – this is performed by the Sector Accreditation Committees – nor regarding the management and administration of ACCREDIA – the domain of the Directive Council. For these reasons, conditions of incompatibility do not exist between the activities undertaken by a Committee Member and the professional activity undertaken or the duties and functions covered at the location of, or in relations with, designated parties.

Every ACCREDIA Member has the right to delegate a representative in the Steering and Guarantee Committee, making sure that the representative possesses the required technical competences. In addition, other parties with interests in accreditation activities can designate their representatives on the Committee. Such requests, made by ACCREDIA Members and non-Members, shall be justified and signed by the legal representative of the applicant party and shall be evaluated by the Directive Council paying special attention to the thoroughness of the justification and the corporate role of the applicant.

ACCREDIA internal personnel, suppliers of services to ACCREDIA of any kind, assessors, members of Accreditation Committees and Sub-Committees and of the Directive Council are not permitted to be members of the Steering and Guarantee Committee.

Members of the Steering and Guarantee Committee shall declare, or face removal from the Committee if they fail to do so, that they have not received any juridical condemnations for breaches of the Anti-mafia Code, the Anti-corruption Code, the Consumer Code, the Code of Public Tenders, the Code of the Environment, or sanctions imposed by independent Authorities (such as AGCM, AGCOM, ANAC or other similar authorities).

Election of the President

The Steering and Guarantee Committee, at the first due meeting following deliberation by the Assembly for the re-appointment of the Directive Council, takes the appropriate steps for the election of its President.

This meeting is convened by the General Director and chaired by the most senior Member present. Each Member can present a chosen representative to be candidate for Presidency of the Committee, or another person designated by another member. Candidates can be presented up to five working days before the meeting and they are communicated immediately to the members of the Committee.

Voting takes place by secret ballot except in cases where there is only one candidate, in which case the candidate is confirmed. If there is more than one candidate the president of the meeting distributes the pre-completed voting papers containing the names of the candidates. Each Member has one vote and proxy voting is not permitted. The voting system is regulated by the relative regulation regarding the proceedings of the Steering and Guarantee Committee, taking care to combine the principle of broad representation (through the setting of a quorum for the initial vote) with the need to ensure the functionality of the Committee.

Procedures

If the creation of Working Groups by the Control and Guarantee Committee incurs expenses for ACCREDIA, it must be approved by the President of the ACCREDIA.

The Steering and Guarantee Committee is convened by the Committee President in agreement with the General Director.

The President of ACCREDIA is present at meetings of the Steering and Guarantee Committee, without voting rights, as ACCREDIA's highest officer, so as to better understand the needs of the Committee; the General Director of ACCREDIA participates as secretary with the task of preparing the order of the day and the draft of the minutes of the meeting; the President of the Accreditation Committee participates as liaison between the two bodies.

A report is written for every meeting of the Steering and Guarantee Committee and signed by the President and the secretary of the meeting.

Decisions regarding policies and general recommendations of a technical and management nature for the better conduct of accreditation activities, also regarding Regulations, procedures and other rules regulating accreditation activities shall be taken with a favourable opinion of the majority of the representatives of each of the four categories mentioned in the Statute. In particular, voting is carried out "by category".

Monitoring and interactive activities undertaken by the Steering and Guarantee Committee with regard to the Accreditation Committee and the Sector Committees or Sub-Committees, are primarily undertaken by obtaining the deeds of these committees (e.g. summaries of meetings, drafts of regulations, accreditation procedures and accreditation rules etc.).

This monitoring is conducted by means of meetings convened by the ACCREDIA President at least once a year, in which the President, the General Director, the President and the members of the Accreditation Committee, the President of the Steering Committee and Guarantee and four Members designated by the Committee itself and belonging to each of the categories referred to in art. 5 of the Statute.

At such meetings it is also possible to set out the collaboration and interaction activities with the Directive Council.

For details concerning the procedures of the Steering and Guarantee Committee, subject to compliance with the statutory provisions, reference must be made to the specific applicable Regulation.

ART. 15 - COMMITTEE FOR COORDINATION WITH ACCREDIA'S MEMBER PUBLIC ADMINISTRATION AUTHORITIES

(ART. 20 OF THE STATUTE)

Fundamentally, the Committee is required to fulfil the following functions:

- a) it acts as a point of contact and exchange of different accreditation experiences, expertise and recognition undertaken by public structures;
- b) it sets out shared proposals for the extension of accreditation activity in mandatory sectors;
- c) it further develops the technical modalities of such activities (forms of agreement, instruments used by state employees; price-listing principles);

In order to carry out its duties the Committee follows the same procedures as the Directive Council except for the advance notice of a meeting, which is reduced to four working days.

The President of ACCREDIA can, on a case-to-case basis, delegate the presidency of Committee meetings. If such delegation assumes a permanent character it must be approved by the Directive Council and it can only be conferred upon one of the Vice-Presidents or a member of the Directive Council nominated by a Full Member Ministry or by a public body which is qualified as an ACCREDIA Sponsor Member.

ART. 16 – THE COMMISSION OF APPEALS

(ART. 21 OF THE STATUTE)

The members of the Commission of Appeals shall possess competence and experience in the various matters regarding the accreditation activities and familiarity with the reference standards and assessment procedures of the accreditation itself.

The members shall declare the absence of any conflict of interests with respect to an appellant before the start of discussion of an appeal.

A report is written of every meeting of the Commission of Appeal and it is signed by the President and by the Secretary of the meeting.

In order to assess an appeal, the Commission has access to all the documentation available at ACCREDIA; it can decide for a hearing not only of the appellant but also any other interested parties, including external experts.

The post of Commission member lasts three years and reconfirmation is possible. If a member tenders resignation during his/her mandate, a replacement is made according to the same modalities as for a nomination to the Commission, for the remaining period of that mandate.

For decisions to be deemed valid the presence of at least three fifths of the members is necessary and proxy voting is not permitted.

Decisions are adopted by a vote in favour of at least three fifths of the members of the Commission.

The competent Department Director with regard to the appeal made to ACCREDIA shall attend the Commission meetings, without voting rights. The Directive Council and the Committee of Steering and Guarantee are informed regarding appeals and the decisions of the Commission.

For details concerning the procedures of the Commission of Appeals, subject to compliance with the statutory provisions, reference must be made to the specific applicable Regulation.

ART. 17 – ACCREDIA ASSESSORS

(ART. 24 OF THE STATUTE)

The criteria of selection, qualification and conferment of duties to ACCREDIA assessors, are thoroughly specified in the relevant procedures. These procedures must in every case be in conformity with the applicable technical standards and with the general guidelines described below.

ACCREDIA endeavours to equip itself with a team of assessors which comprises a sizeable percentage of persons (employees or collaborators) who operate exclusively or prevalently for ACCREDIA and do not conduct activities potentially in conflict with assessment activities.

The position of an ACCREDIA assessor is compatible with the duties of an assessor on behalf of another foreign accreditation body, or of one or more bodies accredited by ACCREDIA (Laboratories, Certification and/or Inspection Bodies), granted that the declaration of fulfilment of commitments, signed by the assessor, does not result in a conflict of interests (not undertaking assessment activities of subjects as mentioned above) or a breach of confidentiality.

The position of an ACCREDIA assessor is compatible with participation in Bodies deliberating or confirming the granting of attestations of conformity to CABs accredited by ACCREDIA or by other Accreditation Bodies signatory to the MLA EA and IAF or MRA or ILAC MRA agreements, or with participation on Committees or other bodies/structures for the Safeguarding of Impartiality, except for specific cases as described in the following paragraphs.

The position of an ACCREDIA assessor is incompatible with the performance of consultancy or internal audit activities for persons who are accredited or applying for ACCREDIA accreditation, carrying out administrative, managerial or operative tasks, such as dependent staff or collaborators with parties accredited by ACCREDIA or equivalent Bodies as mentioned above. Exemptions are acceptable in the case of technical assessors operating jointly with other assessors, as established in the specific procedures of use and provided that the commitment to the task is carried out with independence and impartiality.

ACCREDIA assessors shall not, in any case whatsoever, carry out assessment activities on behalf of CABs operating outside ACCREDIA accreditation or the accreditation of another equivalent Body as above, nor can they take part in decision-making Bodies or in the Committee or other body/structure for the Safeguarding of Impartiality.

The position of an ACCREDIA assessor is compatible with the undertaking of consultancy activities on "objects" which come within the sectors covered by ACCREDIA accreditation.

However, if such consultancy with organizations represents the main activity of the party in question, this fact shall be made known to ACCREDIA which may request the signing of certain commitments other than those which are normally required.

The position of an ACCREDIA assessor is incompatible with training activities for accredited bodies. Any exceptions, for particular cases, must be authorized in advance by the General Director.

ACCREDIA assessors shall not obtain engagements to perform assessments of Bodies and organisations with which they have had economic relations in the previous three years. It is their obligation to ensure that they do not have any economic relations in the three years following the assessment and they must sign the ACCREDIA Code of Ethics and Conduct.

ART. 18 – FINANCIAL STATEMENT AND BUDGET **(ART. 26 OF THE STATUTE)**

The provisions of the Statute regarding the drafting of the final financial statement with criteria in force for joint stock companies is to be considered indicative and not binding for all items specifically set down in the Civil Code. The Board of Auditors supervises adherence to this principle.

The General Director oversees the provision of a general budget of ACCREDIA for the calendar year and this is discussed and approved by the Executive Committee and by the Directive Council before being submitted to the Assembly for approval. The budget is set out in costs with regard to each individual department.

Among the main purposes of the details contained in the budget, apart from those stated in Article 26 of the ACCREDIA Statute, there is the purpose of guaranteeing general balance of management of ACCREDIA as a whole and of the individual departments.

The Executive Committee shall:

- a) give guidance to the activities of the General Director and of the Department Directors for achieving objectives;
- b) include specific incentives for achieving these goals.