

**CONFIRMED minutes of the 30<sup>th</sup> meeting of the EA General Assembly**  
held on 21-22 November 2012 in Bratislava, Slovakia

**1. Opening of the meeting – Welcome from the Host – Introduction of Members and Guests**

The Chair, Graham Talbot, introduced the President of the Slovak Office of Standards, Metrology and Testing, Dr Jozef Mihok, who gave a brief welcome speech.

The Chair welcomed all delegates with a special welcome to Nike Bönner and Margrethe Asserson from the European Commission and EFTA respectively, Michael Nitsche, the Chair of the EAAB, as well as stakeholders from Eurolab, EFAC and EOQ, observers from the Eurasian Economic Commission, the accreditation bodies of the Russian Federation (RosAccreditation) and Kazakhstan (NCA), and the Arab Accreditation Cooperation (ARAC).

The Chair invited a roll call. He confirmed that the quorum was reached.

**2. Approval of agenda**

The Chair indicated that the elections would be managed in 2 or 3 stages. He outlined the proposed process: the 1<sup>st</sup> stage would consist of electing the new EA Chairman, before the coffee break on the 1<sup>st</sup> day. For the elections of the HHC and MAC Chairs, the nominations would be open until after lunch on the 1<sup>st</sup> day. In case elections would be needed, they would take place during the 1<sup>st</sup> session in the afternoon. Then it would be known whether there is a position available as additional member of the Executive Committee. Nominations for that post would be accepted until the start of the morning session on day 2 of the meeting. If an election was required, it would take place during the morning session on day 2.

Agenda Item 8.2.1 would be discussed during the discussions under Item 7.2.3. A new agenda item 5.3.6 related to the Construction Products Regulation (CPR) was added for a short update.

The agenda was approved.

**3. Review and approval of the Minutes of the 29th meeting of the General Assembly in Madrid**

The draft minutes had been posted on the intranet section related to the General Assembly in Madrid. The Chair invited a review for accuracy. No proposal for any final change was made.

The minutes were approved without any change.

The correlated action points had either been completed, would be covered in the Agenda, or were still on-going.

#### **4. Chairman's Communications**

The Chair gave a personal overview of EA's necessary future development, highlighting the future strategic challenges ahead for EA by 2020. He offered questions and routes for further developing innovative ways of developing and managing activities with fewer resources.

He stressed a challenge is to improve EA's influence both in depth and breadth. EA's direct influence in Brussels is a key issue; he reiterated his view that the establishment of an Executive Secretary should be based in Brussels to achieve this.

Communications are another major challenge. Improved communications is not a responsibility of EA but also from all EA Members. EA should continue to promote the European model of accreditation. A future challenge will be about explaining why European regulators may have a different approach to accreditation, in some instances.

EA has been successful in bringing ILAC and IAF closer together. Further improvement can be achieved. The other regional co-operations also have grown in terms of size and influence. It is important for EA to avoid resting on past history. The EA Strategy should be under review soon; it is time to consider how to influence what we want the international framework to be.

A more critical issue is having the right sense of direction for the longer term. No doubt this will be a priority for the new Chair and the Executive Committee.

To conclude, the Chair pointed out that he remains fully confident that EA, with the support of its Members, will continue to develop successfully and meet the expectations of all its stakeholders.

#### **5. Operational issues**

##### **5.1 Proposed change to EA Rules of Procedure for EA elections**

The Chair pointed out that there is a gap in EA's rules when mid-term elections are required. He explained that maintaining the alignment of the tenures of every member of the Executive Committee is the point which is now proposed to be introduced in the Rules of Procedure (RoP).

No question was raised.

There were no objections or abstentions. EA Members gave unanimous support for the proposed change to the RoP which therefore enables this meeting to hold an election.

The terms of office of the current Executive Committee will continue to the normal end of the 2-year mandate.

##### **5.2 Ratification of ballots and decisions**

###### **5.2.1 EA Publications and Sector Schemes**

There were two sets of decisions for ratification concerning approval of EA Publications and Sector Schemes:

- EA - 2/13 *EA Cross Border Accreditation Policy and Procedure for Cross Border Cooperation between EA Members*. At the end of the voting period, the document was approved with 27 votes in favour and 4 against;
- EA-3/01 *EA Conditions for the use of accreditation symbols, text reference to accreditation and reference to EA MLA signatory status*. At the end of the voting period, the revised document was approved with 32 votes in favour and 1 vote against;
- IFS Cash&Carry Wholesale (C&C) and Household and Personal Care (HPC) sub-schemes. At the end of the voting period, the ballot did not pass.

It was highlighted that ratification aims to confirm that the process has been carried out correctly.

No objections were raised and the results were ratified.

### **5.3 Activities under the Executive Committee's monitoring – Report**

#### **5.3.1 DG ENTR – EU project to assist RosAccreditation**

The Chair reported that there is a need for technical assistance to be provided to support the setting up of an EU-compatible accreditation system in Russia. EA provided initial feedback to a request for assistance from the EU Delegation to the Russian Federation and received an invitation to tender. EA's membership was also invited to express interest. Finally DAkkS offered to take the lead with ESYD and EA, the 3 partners agreeing to act as a consortium.

The proposal submitted by EA outlined EA's proposed approach to carry out the project, minimizing the financial and operational risks. 2 or 3 years would be necessary to complete the project. Subsequently, a few issues were raised by the Contracting Authority which were clarified by end of October. The week before the General Assembly at a phone meeting, the project team confirmed they are keen to proceed with EA's proposal. EA will have to look into the details of the proposed contract backing up the project. A number of conditions that EA put forward in the preliminary stage of the tender process will have to be reflected in the future contract.

The objective is to give the Executive Committee the mandate to proceed with signing the contract.

Thomas Facklam (DAkkS) as the lead from the Executive Committee in the current negotiation phase added that EA should be the leading party -or main partner- because the process is restricted to one tenderer, EA. The proposal is that EA takes on administrative tasks with the project itself being performed by the other consortium partners. The objective is to help RosAccreditation achieve approximation of the Russian system to the EU rules.

The Chair pointed out that the Executive Committee will remain committed not to put EA's organisation or finances at risk. The Chair stressed that the Executive Committee is clear that EA will not commit any of its own finance to support the project as the project should not involve any cost from EA or its Members. It is acknowledged however that the partners may, on their own, accept to take some risks.

#### **5.3.2 DG CLIMA – EU/ETS**

- Presentation by the EX TFG Convener

The Chair stated that the way EA has operated on this project has been taken up as a model for interaction and cooperation between EA and the European Commission. This really good example is very much a result of the immense amount of work put into the project by the convener of the EX TFG.

The Chair invited Niels-Christian Dalstrup (DANAK), the convener of the EX TFG, to give his presentation. He thanked him on behalf of the Executive Committee and the General Assembly for the huge work achieved.

To conclude the presentation, the Chair commented that the discussions with the EC on the EU ETS Regulation have demonstrated that the introduction of a new regulation may require a significant amount of work to be done within EA. EA should be wary about whether there is a need for every new regulation to have the same level of attention paid to it by EA – because it may represent a considerable cost in resources to be allocated by EA and the EA Members.

### 5.3.3 DG SANCO – European Breast Cancer Services project

The Chair reported that there had been no change with regards to the technical details of the project so far. The Joint Research Centre (JRC) has carried out a survey across Europe in order to set up a baseline of how services are currently provided in the EU Member States. The results are not yet available.

In September, EA was presented with a draft of technical specifications to be put into an invitation to tender. The JRC proposal was to set up a contract before the end of 2012. The draft was considered within the appointed TFG and the Executive Committee where it raised many concerns; this resulted in the contract process being postponed until 2013.

A meeting is planned on 14 December to define the boundaries of the project and what contribution EA can make. The EA representatives will be Rolf Straub (SAS), Tuija Sinervo (FINAS) and Jane Beaumont (UKAS). An invitation to tender is expected to be issued by the JRC in the first months of next year. At present, EA does not know whether the contract will be for an action grant or a service contract. The Executive Committee will look in detail at how EA will be able to contribute to meet the project aims when these are fully clarified.

The EX needs to receive a mandate from the General Assembly to be able to proceed with responding to the invitation to tender and possibly signing the contract before the next General Assembly – although it seems unlikely that the contract will be ready for signing before May 2013.

The Chair insisted on the need to get full clarity on what EA can contribute to the project before moving towards signing any contract for the project.

No questions were raised.

### 5.3.4 DG AGRI – Organic farming

The MAC Chair represented EA at a recent EC Inter-services Accreditation Steering Group meeting and was invited to feedback.

He reported that DG AGRI gave a presentation on accreditation at the meeting and highlighted that this is another success story and that cooperation with EA has been extremely good. The EA representative's contribution was commended and the task force's outcome was considered to be of very good value.

The MAC Chair also emphasized that, in the discussions with DG CLIMA related to the implementation of the EU/ETS Regulations, it appears that DG CLIMA sees itself as a scheme owner – which proves to be an additional very positive result.

He concluded by saying that this shows that, provided EA can allocate the appropriate resources, success can be achieved.

#### 5.3.5 DG ENV – ETV and End Of Waste

The CPC Chair gave a brief update on the discussions with the EC on the End of Waste Regulations.

He pointed out that the main issue has been to convince DG ENV that they have to specify the criteria for CABs operating in the scheme. Some EA ABs have already been in contact with their National Authorities (NA) on how to apply the scheme.

Nike Bönner stated that it was acknowledged that putting down ISO 9001 as the required certification standard would be too heavy for SMEs. She indicated that decisions on the projects on paper and copper did not reach a majority in the EC committee. The “Glass” project reached a majority and will be published. Discussions are on-going on the “Paper” project and the “Copper” project should be solved within the next 2 months.

The Chair indicated that EA is keeping close contact with DG ENV to follow the progress.

Concerning ETV, the Chair reported that EA participated in a workshop organised by DG ENV in the autumn. EA was represented by UKAS which gave a presentation on EA. Good relationships are being developed with the EC in this field.

#### 5.3.6 Construction Products Regulation (CPR)

The Executive Committee had received feedback from the Directives Network (DN) convener that issues had been raised from notified bodies (NBs) with regards to accreditation and a perceived lack of harmonisation amongst EA ABs.

The EC (DG ENTR B1) has invited EA to a meeting on 4<sup>th</sup> December to give a presentation to representatives from the Notifying Authorities in EU Member States in order to clarify issues related to the use of accreditation in notification against the CPR. The Executive Committee has appointed two of its members to attend the meeting. It was also agreed with the EC to set up a preparatory meeting in advance of the meeting with the Notifying Authorities, involving EA together with DG ENTR B1 and DG ENTR C1.

During the discussions with the EC, additional issues were raised with regards to EA's communications and how the Directives Networks operate. EA should clarify where the responsibilities are in the processes in relation to the CPR scheme.

The Executive Committee view is that the responsibility for setting requirements is for the Regulators, not EA.

There was a comment that the discussions may be clouded by the opinions of some NBs or their representative organisations; EA should be careful to avoid ending up being criticised for aspects that do not fall under EA's remit. The meetings planned with the EC and the Notifying Authorities will be critical in this respect.

Vagn Andersen (DANAK) added that after a 2-year transition period for the CPR, all NBs will have to be assessed against the requirements of CPR; notification based on the previous Construction Products Directives will then be terminated. There are only a

few months left for NBs to be appointed against the CPR, so time pressure is real and NABs will have to deal with that transition. ABs should make it clear to their national authorities that Regulation 765 applies to the CPR.

The Chair indicated that the EX decided that feedback will be given to ABs following the 28 November preparatory meeting to give an indication on how to discuss the matter with their National Authorities in advance of the 4 December meeting.

Ignacio Pina (ENAC) pointed out that the message to the Notifying Authorities and the EC will be that NABs are ready to assess CABs applying for notification; there are no problems on the ABs' side and applications are welcomed from the NBs. But problems would certainly appear should applications come all at once shortly before the deadline.

It was also reported that the Medical Devices Regulation has been adopted. It was recognised that it is another regulation where it is acknowledged that EA may not be fully satisfied with the wording about accreditation contained in the text.

#### **5.4 Change in the FPA with EC/EFTA**

The Chair explained that a proposal has been made to amend the FPA to allow EA to implement its Reserves policy and also to introduce a few other changes reflecting experience gained in managing the operating grant over the past 2-3 years. When the GA paper was distributed, no response had yet been received from the EC to EA's proposed revision; however, the 2013 budget was prepared based on the assumption that the proposed changes would be supported by the EC.

Since the distribution of the GA paper, the proposed change with regards to reserves has been accepted by DG ENTR. This allows EA to collect from its Members a discreet amount of money that will be kept in a separate line as restricted reserves, in line with the agreed Reserves policy.

The proposal also included the ability to put aside a certain amount of money for instance, to pay for ILAC/IAF evaluator expenses over a 4-year period. However, DG ENTR stated that this money would remain as non-eligible in EA's accounts. The Executive Committee has just started to consider the implications of this and no decision has yet been reached as to whether EA should go ahead, so no such reserve has been introduced into the 2013 budget.

In its response, the EC also confirmed that the co-beneficiary concept for the Operating Grant also applies for Action Grants and the change proposed by EA was not seen as necessary.

#### **5.5 Report of EA Quality Manager**

The Quality Manager, Biserka Bajzek Brezak (HAA), presented her report. She updated the General Assembly on the progress made since the Madrid meeting and gave information on the planned future activities, in particular with regards to internal audits.

### **6. Elections**

Only one nomination had been received for the position of EA Chairman. Thomas Facklam (DAkKS) was elected unanimously.

He thanked the delegates for their confidence, highlighting that the results of EA are and will be those of the team of the Executive Committee with the support of the Vice-Chair, the EA Members, and the secretariat.

Nicole van Laethem (BELAC) was elected as the new EA MAC Chair.

Ignacio Pina (ENAC) was elected as the new EA HHC Chair.

For the election of the 4<sup>th</sup> additional Executive member, the Chair announced the 4 nominations received:

- Lucyna Olborska (PCA)
- Peter Kronvall (SWEDAC)
- Maria Papadzikou (ESYD)
- Lorraine Turner (UKAS)

The Chair reminded the delegates of the rules for voting as set out in the *EA Rules of Procedure*, section 7.1.2. A 1<sup>st</sup> round of voting did not produce a clear result so a 2<sup>nd</sup> round was necessary. At the end of the 2<sup>nd</sup> round, the results of the vote were a tie with one abstention. This was a first in EA's records and the General Assembly was asked to endorse the proposal that both candidates be elected for a one-year mandate. The proposal was endorsed.

The Chair expressed EA's thanks for all of the 4 candidates and their ABs for having put their names in the elections. This should be seen as a very positive signal and EA should look forward to having numerous candidates again in future elections.

## 7. Strategic and policy issues

### 7.1 Membership issues

#### 7.1.1 Bilateral agreement with BATA for calibration, testing and inspection

The MAC Chair reported that after the pre-peer evaluation, an evaluation was conducted and ended up in a positive decision by the MLA Council that BATA could become a signatory to the MLA through a bilateral agreement for calibration, testing and inspection.

The Chair reminded the meeting that it had earlier been decided to maintain the bilateral agreement with SANAS for inspection in the absence of an international MLA for that scope. Since that decision was made, the ILAC MRA for inspection has been signed in Rio in October and SANAS is one of the signatories. As a result of the international MRA for inspection being in place, the Executive Committee is proceeding with terminating the bilateral agreement with SANAS.

#### 7.1.2 Approval of New Recognized Stakeholders

- **IIOC** - Independent International Organisation for Certification
- **PEFC Council** - Programme for the Endorsement of Forest Certification Schemes

According to the EA procedure, the Executive Committee makes decisions on admission to the status of Recognised Stakeholder following consultation with the EAAB. The proposed agreements with IIOC and PEFC are supported by the EAAB and the Executive Committee has agreed to the 2 applications. The Chair called for support from the General Assembly to endorse the Executive Committee's decision concerning the 2 new EA Recognised Stakeholders.

There were no objections.

## 7.2 EA's relations with the European Commission and EFTA

### 7.2.1 EA Work Programme 2012 – Progress report

The Chair reported that the progress report was submitted to the EC in accordance with the FPA requirements. No comments were made.

### 7.2.2 EA draft Work Programme 2013

Minor changes have been made to the draft work programme since the Madrid General Assembly. It had been hoped that all negotiations with DG CLIMA and the EU Delegation to the RF about EU/ETS and RosAccreditation respectively would have been completed in order to be able to update the WP accordingly but it turned out that this could not be achieved.

Some further changes will be necessary as a result of proposed revisions to some committees' work programmes. When these last changes have been introduced, a revised version of the WP will be submitted to the EC and EFTA.

Eventually some changes will also have to be made to the draft budget 2013.

No comments were made.

### 7.2.3 Action grant with DG CLIMA – Draft Work Programme

The MAC Chair has looked at the impact of the specific EU/ETS evaluation program on the peer evaluation system, and the Executive Committee at the potential Action Grant to be set up with DG CLIMA to support the relevant activities. A meeting was held on 16 November between EA and DG CLIMA. EA was represented by Vagn Andersen and Thomas Facklam to discuss the proposed work programme and the peer evaluation process that needs to be put in place.

The objective is to create a new scope for verification as a new activity under level 2 and for conformity to ISO/IEC 14065 and applicable regulations under level 3 of the MLA.

The specific peer-evaluation programme provides for 3 regimes:

- normal regime;
- separate regime under a special peer-evaluation process for ABs with relevant experience;
- separate regime for ABs with little experience.

It is planned to start the MLA in autumn 2013 with most ABs having been evaluated; acceptance of the remaining ABs would have to be decided upon in 2014. The evaluation of 8 ABs has been planned under the special regime in 2013 and again 8 ABs in 2014.

The initial proposal was to set up an expert group composed of 5 members, with each expert expected to provide 20 days to complete the task. However this appeared not to be feasible from an AB perspective. The proposal will therefore be extended to 8 members in order to share the workload amongst a greater number of ABs.

Those experts must be peer evaluators and have gone through the EA specific training.

The process should be ready to start in early 2013 provided the relevant financial support has been received from DG CLIMA.

Vagn Andersen gave an update on the financial aspects. Discussions have been on-going with DG CLIMA for one year and it has been confirmed that financial support



would be available. The EC is eager to ensure a successful implementation of the Regulations, relying strongly on accreditation. The amount of this financial support remains unknown, but will be given for 2013 and 2014. DG CLIMA confirmed that financial support could only be given through an Action Grant.

This raises two issues:

1. In an Action Grant, it is required to specify in advance who will be the contributors and at what cost. Such information cannot be supplied by EA as far as peer evaluation activities are concerned;
2. Action Grants require that the partner shall co-finance at least 5% of the total eligible costs. The Executive Committee's objective is to seek recognition by the EC that the EA economic model relies upon ABs' voluntary involvement and therefore the question of co-financing shall be settled based on the concept of contribution in kind.

The work programme (WP) covers 4 activities: peer evaluation, management of the EU/ETS AB network, training and the database for accredited verifiers. The WP is being refined within the Executive Committee as it must be developed in a much more detailed format compared to what is required under the Operating Grant.

It was noted that the level of complexity involved with an Action Grant was not known when signing the FPA in 2010, and that the persons involved within DG CLIMA also do not seem to be very familiar with the applicable rules and requirements. A number of technical administrative details still need to be addressed with clarity to both EA and the EC. DGs ENTR and CLIMA have provided active support for an agreement to be reached as soon as possible.

To conclude, the Chair indicated that the Executive Committee will keep the General Assembly informed of the progress made on the issue.

### **7.3 EA Development Plan 2010-2015**

#### **7.3.1 Proposed change to the EA Secretariat structure**

The Chair reported the progress made with the EA Development Plan. Following the discussions at the previous General Assembly, the Executive Committee has been considering and agreed a proposed job description and job specification for the Executive Secretary, as well as some resulting changes to the job description of the EA Secretary.

Some tasks and responsibilities falling under the Quality Manager's or Treasurer's roles have been shifted. The Executive Secretary will take most of the tasks related to the management of the peer evaluation system, allowing the MAC to focus on the technical aspects of the system and decision-making.

The aim is to have the Executive Secretary in post in early 2014 and, for this purpose, the Executive Committee needs the General Assembly's mandate to start the recruitment process. It is envisaged to use external advisors to help in the process.

There is a very wide spectrum of possible personal profiles in relation to the tasks and expected competencies inherent in the position.

About the Executive Secretary's profile, ENAC insisted on the requirement that he/she should master a second language, though it should not be a show-stopper. He/she should not be necessarily a native English-speaking person. Having knowledge in another language will remain beneficial.

Nike Bönnen said that the EC will rely on the Executive Secretary as the EA key contact person able to advise the EC on accreditation-related matters.

Regarding location, there is some preference for Brussels or Paris, but location should not stand in the way of a very good candidate.

The job description may need to be further developed during the recruitment process.

The GA supported the proposed way forward.

#### **7.4 SOGS update**

The distributed paper gave a brief summary of the progress made with the documents under development within the SOGS.

The MAC Chair, who represented EA at the last meeting in October, reported briefly. He pointed out that the SOGS is a friendly environment, supportive of accreditation.

- About SOGS N658 “Activities of accreditation bodies that are not accreditation”  
The practice in some Member States of accepting that assessments do not necessarily result in accreditation appeared not to be an appropriate direction to follow. The SOGS supported EA’s position not to push for such a development. Comments on the SOGS paper have been called for.

- About SOGS N661 “Legal personality requirements to obtain accreditation”  
It was supported that a single person legal entity can be accredited, but the single person shall operate within an established body.

The Chair asked the EC representative to inform the meeting on the future of the SOGS.

Standardisation will have its own standing committee. The current SOGS will be maintained as an expert group. Although the name is changed to an Expert Group, EA has received re-assurance that the scope will be unchanged in relation to accreditation and market surveillance and continue to offer the appropriate route for discussion with EU Member States.

Trevor Nash from EFAC raised a question about the document SOGS N658 and the issue about ABs that are not NABs. He recalled that it had been considered to address separately the 2 issues of activities that are not accreditation and ABs that are not NABs and he asked about progress with this. Nike Bönnen confirmed that this was still the intention and the second issue will be further developed in a separate paper.

- About SOGS N659 Witnessing for new scopes of accreditation  
The MAC Chair reported that witnessing rules are under review within the HHC. The option of granting accreditation without any witnessing was discussed and there is support that accreditation could be granted on a provisional basis, to be confirmed on the basis of the results of witnessing activities.

To conclude, the Chair pointed out that the Executive Committee will maintain a close eye on papers that develop within the future Expert Group. It is critical for EA to be able to provide appropriate technical advice to the EC on these issues.

## **8. Financial issues**

### **8.1 Accounts 2012 – Revised forecast at 31.12.2012**

The Treasurer, Rózsa Ring, presented a comprehensive report on the 2012 accounts and realisation of the EA budget, which did not raise any question.

## **8.2 Accounts 2013 – Revised budget and fee schedule**

The Treasurer presented the proposed 2013 budget and fee schedule.

The Chair clarified that, according to the agreed reserves policy, it is planned to build in an annual €20,000 provision to be put to the reserves, which will be financed by a special contribution from the Membership, as reflected in the fee table.

The proposed fee schedule did not raise any objection.

### 8.2.1 Action grant with DG CLIMA – draft budget, criteria and procedures for management of action grant

This item was transferred to item 7.3.2

## **8.3 Procedure for the operating grant**

### 8.3.1 Revised Terms & Conditions

The Treasurer reviewed briefly the proposed changes to the Terms & Conditions which reflect experience gained with the verification of requests for payments (RfPs) and feedback from ABs.

It was clarified that ABs are expected to keep the original of the justifying documentation in their ABs for 5 years (according to clause A4.12), to be presented to the EC auditors if required.

## **8.4 EA VAT status**

At the moment, EA is not registered for VAT as a member-based association.

It is likely that EA will have to offer services under different contractual frameworks, for example under Service contracts as is contemplated for the project concerning RosAccreditation or under an Action Grant as should be the case for EU/ETS activities. In both cases, some complexity develops in relation to the impact of VAT on costs. Advice was sought from the EA accountants and a French specialist legal advisor for VAT issues. The implications of taking new activities on board, as mentioned before, would be to change EA's VAT status. Hence EA needs to pay attention in order to avoid, as far as possible, the situation where VAT would apply subsequently on membership fees as well.

The Executive Committee has agreed that there is no need to proceed with any change in the near future, and is committed not to undertake new activities that expose EA to a tax risk. Greater clarity is still needed and so the Executive Committee recommends continuing discussions with the advisors. When the details of the service contracts and Action Grants are fully identified, further advice will be sought; if it appears then that EA would have to change its VAT status, the Executive Committee will come back to the General Assembly for a decision.

It was suggested to get an indication of how many EA ABs are not registered for VAT. In a show of hands, approximately 1/3 of the members reported they are not. The question will be formally raised after the meeting.

Because VAT registration may mean various things and has various consequences for ABs, it was recommended to be very precise on the questions to be asked in order to ensure that the responses provide the expected feedback. **Action Secretariat**

### **8.5 Revised fee formula**

The Executive Committee is reviewing the present rules for the calculation of Membership fees with a view to propose a new formula that ensures more stability from one year to another.

In her presentation, the Treasurer indicated that, at this stage, the objective is to show the complexities of setting a fee formula. There are a number of implications that will be given further consideration in the Executive Committee.

The issue had been discussed in the EX and it was agreed to work out a firm proposal to be circulated for comments among the General Assembly Members in February 2013. A final decision will have to be made in May 2013 to be applied for the 2014 budget.

In particular, there is a need to clarify what is covered by “number of accreditations”.

Some transition for implementation of the new rules will also have to be discussed and agreed upon. It could be that there is no need to establish any transition. However if needed, transition will have to be managed with the appropriate balance between EA’s needs in terms of expenditures and an acceptable use of EA reserves.

SWEDAC commented that any move to turn the system into a fairer one will be welcomed.

## **9. Status of complaints and appeals**

The Vice Chair, Daniel Pierre, briefly reviewed his report.

To conclude, he pointed out that, unless a new case is lodged with EA, it is likely that at the end of the year, there is only one complaint left open and it is the one against DAKKS.

Although no progress had been reported, DAKKS was invited to provide information about the process at the court level. DAKKS confirmed that a letter had been received from the Court to confirm that the suit was opened. There will not be any other move in the Court before 2013.

## **10. Reports**

### **10.1 EAAB report**

The EAAB Chair, Michael Nitsche, presented his report.  
There were no comments.

### **10.2 MAC report**

#### **10.2.1 MLA for EU/ETS**

The MAC Chair, Thomas Facklam, presented his report.  
No question was raised.

### 10.3 HHC report

The HHC Chair, Merih Malmqvist Nilsson, presented her report, pointing out that it would be her last report as Chair of the HHC – which would also mark the end of her mandate as an Executive Committee Member.

About the seminar for DN Convenors and ABs on notification, she pointed out that the objective is to provide a platform for exchange of information on accreditation practices. The seminar has not been designed to share experience on how ABs communicate with regulators.

The EAAB Chair supported that EA should create and activate communication channels with regulators. At the EC level, it would be relatively easy to identify the relevant contact point persons and action has already been taken in that direction. It is recognised that it will be more complex to set up and maintain equivalent communication mechanisms at the national level.

The HHC Chair reported that the concept of DNs will be reviewed in 2013, based on experience and feedback received. For SAS the concept has proved to be a good mechanism to collect and exchange experience.

The HHC Chair stressed that if a mistake was made with the DNs, it was to create wrong expectations. DNs were designed to be the technical forums for ABs to discuss accreditation issues related to notification and nothing more. Output provided by the DN was meant to be considered from a purely technical perspective.

To conclude, the HHC Chair thanked the Executive Committee, the ABs and Stakeholders for their continuing support to HHC work and input in the discussions.

### 10.4 CPC report

#### 10.4.1 CPC Workshop on the EA Search Facility

The CPC Chair reviewed his report.

UKAS welcomed the project of a survey to collect data on the level of involvement of EA ABs, and suggested taking account of the results in the discussions about the change in the fee formula.

For electronic surveys, SWEDAC advocated making sure that a printable version is available to allow circulation within the AB when internal discussions must happen before a response is sent to EA.

Furthermore, the results of surveys should be published systematically.

### 10.5 LC report

#### 10.5.1 Approval of revised Terms of Reference

#### 10.5.2 MLA for RMP and PTs – Approval of NWI

The LC Chair presented his report.

About re-issuance of test reports, it was said that it is very common practice in the IECEE field, as shown by the MoU between ILAC and IECEE.

For NA, EA shall have an EA position on the issue and not just rely on an ILAC position.

DANAK recalled that an EA decision had been taken in 2003, which is reflected in a UKAS document, and recommended reconsidering that decision in the LC discussions with a view to change it as needed.

CYS-CYSAB mentioned an initiative taken at CEN to set up a WG for drafting a combined standard based on ISO/IEC 17020 and ISO/IEC 17025 for forensic activities. This is likely to create confusion, including at the MLA level. EA may need to follow up developments in CEN. It was agreed that Kyriacos Tsimillis will pass the information through to the EA LC for future action. **Action K.Tsimillis. Done**

The Convener of the LC WG Health Care added that ILAC has also started to look at combining standards to cover the whole forensic process. The ILAC WG involved will be re-established to carry out the task. This is a distinctly different initiative to that in CEN.

The elected MAC Chair, Nicole van Laethem, pointed out that proliferation of standards to be included under the EA MLA at level 2 may create a concern by potentially affecting the size and complexity of EA evaluations.

## **10.6 CC report**

The CC Chair, Leopoldo Cortez, presented his report.

He reported that CC Members' questions are first reviewed and answered by a specific Review Panel before they are discussed at the AB-dedicated full session.

The CC work programme now reflects the revised ToR of the Committee. It also shows the planned activities related to training and the future management and publication of the FAQs.

There was no question.

## **10.7 IC report**

### **10.7.1 Approval of revised Terms of Reference**

The IC Chair, Rolf Straub, presented his report.

He highlighted that a TN for Car inspection had been set up thanks to the valuable input from Tomas Holm, a very experienced colleague from SWEDAC.

## **11. International issues**

### **11.1 ILAC/IAF resolutions to be adopted by EA**

The Chair informed the General Assembly that the list of ILAC resolutions had been reviewed by the Executive Committee. In particular the GA is invited to endorse the ILAC resolution on transition to ISO/IEC 17020. The Chair called for comments on the proposed resolutions for adoption by EA.

Nicole van Laethem (BELAC) pointed to the resolution on Reference Material Producers (RMP) and the use of ISO/IEC 17025 in combination with ISO Guide 34. She asked if it will be still allowed to mention the 2 standards on accreditation certificates. The ILAC Vice Chair, Merih Malmqvist Nilsson, clarified that the resolution reads that accreditation can be delivered solely against Guide 34 and so only that should be mentioned. The EA Vice Chair commented that the ILAC approach with RMP is the same as with Proficiency Testing providers, and this is what the ILAC resolution is reflecting.

There were no other comments.

## **12. Cooperation with international and regional organisations**

### **12.1 APLAC**

A written report had been published with the GA meeting papers. There was no oral report.

### **12.2 ARAC**

The ARAC Chair presented a short oral report.

### **12.3 IAAC**

A written report had been published with the GA meeting papers. There was no oral report.

### **12.4 CASCO**

A written report had been published with the GA meeting papers. There was no oral report.

### **12.5 ILAC and IAF**

The Chair reported that a written report from IAF had just been received and would be posted on the intranet.

## **13. Cooperation with stakeholder organisations**

### **13.1 EEPKA**

A written report had been published with the GA meeting papers. There was no oral report.

## **14. Adoption of resolutions**

The EA resolutions as listed in EAGA(12)59 were all adopted unanimously.

## **15. Next meetings of the General Assembly**

The following dates and locations were confirmed or agreed - see EA Resolution 2012(30)24:

### **2013**

29-30 May in Paris, France - hosted by COFRAC

20-21 November in Oslo, Norway - hosted by NA

### **2014**

27-28 May in Prague, Czech Republic - hosted by CAI

For the November 2014 and 2015 meetings, three offers have been received respectively from Akkreditierung Austria, ACCREDIA and RENAR. Decisions will be made at the next General Assembly meetings after further consideration.

The General Assembly expressed its warm and sincere thanks to the EA Chair for his outstanding contribution to the development of EA during his successive mandates. The HHC Chair also was warmly congratulated for her dedicated and enthusiastic involvement in the EX, as Chair of the IC and HHC over 10 years.

Offering his congratulations and thanks to SNAS for a successful meeting and very pleasant dinner in Bratislava, the Chair thanked the delegates for their participation and support during his mandates as Vice Chair then Chair of EA, and closed the General Assembly.

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