

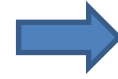


New body

IAF-ILAC One Organization Project

Presentation on the status of the project
Webinar 13. December 2021

Report by the contractor
Thomas Facklam



New body

Process in general

The general rules of the New body should be defined and endorsed first.

If consensus could be reached on the general rules the process to form One International Organization for Accreditation should go ahead.

The general rules, called “partial Bylaws” being related to the general purpose, the general structure and the membership and voting rules have been established and sent to the members.

Additionally, the draft requirements for the state/economy for registration are defined.



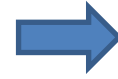
New body

Process (1):

Compilation of the existing IAF/ILAC rules **04.2021**

Agreement with the steering committee on the partial Bylaws of the New body (with alternatives if no consensus could be reached) **09.2021**

JEC feedback **11.2021**



New body

IAF-ILAC One Organization Project

Process (2):

After JEC feedback revised general rules
sent for membership comments

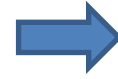
11.2021

Webinar on the partial Bylaws of the New body

13.12.2021

Membership feedback

15.01.2022



New body

Process (3):

New body general rules including Mission, vision, values, who are we, membership definition, voting rights and right to hold positions, general structure, second round for comments or voting on the revised document by IAF/ILAC members

25.01.2022

As the timing depends on the possible necessity to have more than one commenting round – that process will be finalized

31.03 – 31.05.2022



New body

International Co-operation
for accreditation

Process (4):

Definition of the requirements for the state/
economy for registration JEC feedback **11.2021**

Membership comments on the definition of the
requirements for the state/economy for registration **02.2022**

If no second round of comments within
the members needed – member decision **04.2022**



New body

IAF-ILAC One Organization Project

The draft partial Bylaws of the New body are established in cooperation between the One Organisation Project Steering Committee and the contractor.

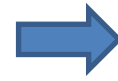
The resulting document has been sent to the JEC members for a 4 weeks feedback including decisions on 4 alternatives on which no consensus could be reached within the steering committee.



New body

Voting results of the JEC members on alternatives for the Bylaws

Issue	Alternative 1 Endorsed	Alternative 2	Yes 1	Yes 2
1) Voting rights General rules of the New body (e.g.: for General Assembly or Main Committees, except for Executive committee – see below)	Voting rights are provided to all members as defined above within the New body with a restriction of the overall percentage the stakeholders could have in a ballot. The maximum of votes for all stakeholders together should be 20% of all votes cast (without the abstentions) except for ballots within the stakeholder group itself.	Voting rights are provided for accreditation body members only, except for the executive committee with regional accreditation groups have voting rights in addition to the accreditation bodies.	19	5



New body

Voting results of the JEC members on alternatives for the Bylaws

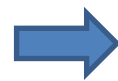
Issue	Alternative 1	Alternative 2 Endorsed	Yes 1	Yes 2
2) Restriction of the number of votes if the number of accreditation bodies coming from one state/economy extend a specified threshold	There will not be a restriction of voting rights based on the number of accreditation body members from one state/economy	There shall be a restriction of the number of votes provided to the accreditation body members from one state/economy if its number exceeds a defined threshold value (using e.g. the current ILAC approach)	9	14



New body

Voting results of the JEC members on alternatives for the Bylaws

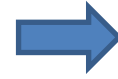
Issue	Alternative 1	Alternative 2 Endorsed	Yes 1	Yes 2
3) Right to provide the chair and the vice chair of the New body and the chairs/convenors, vice-chairs/convenors, co-chairs/convenors of committees and subordinate groups except the executive committee and the stakeholder structure(s)	All constituencies could provide a vice-chair of a Committee	Vice-chairs of main Committees shall be accreditation body representatives. However, if no accreditation body representatives is volunteering, all constituencies could provide a vice-chair	7	16



New body

Voting results of the JEC members on alternatives for the Bylaws

Issue	Alternative 1 Endorsed	Alternative 2	Yes 1	Yes 2
<p>4) Executive committee (just membership and voting rights)</p> <p>Each member of the executive committee shall be elected by the General Assembly</p>	<p>Members of the executive committee will be defined in detail later, e.g.: Chair and Vice chair of the New body, a representative from each regional accreditation group, chairs of the main committees, representatives from the stakeholders, with the number of stakeholder representatives not exceeding 20% of the number of executive committee members, others to be defined.</p> <p>Each executive committee member has one vote</p>	<p>Members of the executive committee will be defined in detail later, e.g.: Chair and Vice chair of the New body, a representative from each regional accreditation group, chairs of the main committees, others to be defined.</p> <p>Representatives from the stakeholder, with the number of stakeholder representatives not exceeding 20% of the number of executive committee members are invited to be observers at the executive committee.</p>	15	8



New body

Draft partial Bylaws of the New body

Vision

The New body, as the global organization of accreditation bodies and its stakeholders It provide a system which ensures that conformity assessment results to be used by regulators, trade operators, industry and end-users are consistent, recognized everywhere and reliable. These results contribute in a sustainable way to international trade, confidence, safety of persons and a clean environment – making the world better



New body

Mission

The New body, as the world organization of accreditation bodies and its stakeholders, should be seen as the 'hub' for all players in the economic system providing a platform for dealing with all issues relevant for accreditation, peer evaluation and conformity assessment and its use, including the preparation of general application rules for accreditation and conformity assessment based on international standards as needed and being the body ensuring the competence of accreditation bodies and the competence of the conformity assessment bodies by executing a rigorous peer evaluation system.



New body

Who we are

The New body brings together practitioners of conformity assessment with a focus on accreditation bodies and regional accreditation groups for the execution of accreditations and peer evaluations, including the establishment of related application documents based on and not contradicting international standards as needed. The associations of conformity assessment bodies and the users of conformity assessment together with the accreditation bodies provide a wide forum for the establishment of a level playing field for the worldwide acceptance of accredited conformity assessment results



New body

Membership

The New body is an inclusive organization, the members are accreditation bodies, regional accreditation group and stakeholder organizations fulfilling the respective membership criteria. The New body could conclude an MoU with organizations fulfilling the criteria for members or observers which may become members of the New body or being observers.

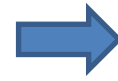
(Remark: The existing membership of IAF and ILAC is eligible to become a member of the New body, but must confirm they meet the appropriate membership rules – a transition period (time and conditions to be defined) might be possible. Bodies that have an MOU with IAF/ILAC will be invited to cooperate in a similar way with the New body.)



New body

Values

1. Inclusive
2. Consensus-driven
3. Transparent
4. Confident
5. Integrity
6. Competence
7. Impartial
8. Consistent



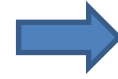
New body

Member categories

Accreditation body members

Accreditation Body Members shall consist of entities that fulfil the requirements of ISO/IEC 17011 and the rules of the New body:

- have recognition by authorities or regulators – declaring e.g. being the National Accreditation Body or similar; or
- have recognition by industrial/trade organizations within its economy, region or internationally



New body

Accreditation body members (2)

- and are engaged in developing, or conducting and/or administering accreditation of entities that perform conformity assessment, that in each case also demonstrate that the operation of such conformity assessment is in accordance with international standards and application documents e.g. ISO CASCO documents which are approved from time to time by the New body Members.

The Accreditation body shall have been accepted as a signatory to the New Body Arrangement (MLA/MRA).

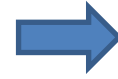


New body

Regional accreditation groups

Groups of Accreditation Bodies established in a well-defined geographical area whose aims include the maintenance of Regional Multilateral Recognition Arrangements recognising the equal reliability and/or equivalence of their members' accreditations and conformity assessment results provided by accredited conformity assessment bodies.

In case of geographical overlaps and resulting multiple membership of a accreditation body in more than one regional accreditation group, there should be clear rules about the peer evaluation process with this kind of accreditation body including any issues seen differently by the two regional accreditation groups involved.



New body

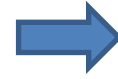
Stakeholders

Definition and requirements for stakeholders have to be worked out, the below proposal and remarks are just reminders

Who might be a stakeholder:

Groups of entities that are

- accredited by the accreditation body members of the New body, the specific rules and requirements for this constituency needs to be worked out;



New body

Stakeholders (2)

- engaged in, make use of, accept or rely on, conformity assessment results from bodies accredited by Accreditation Body Members of the New body. The specific rules and requirements for this constituency needs to be worked out;
- International organisations (IOs), according to OECD definition, engaged in normative activities, i.e. the development and management of “rules” regardless of their mandate, sector, legal attributes or nature.



New body

Stakeholders (3)

These organisations share critical features: they generate rules, be they legal, policy or technical instruments / standards and they are international in that they involve “representatives” from several countries. <https://www.oecd.org/gov/regulatory-policy/IO-Rule-Based%20System.pdf>, , the specific rules and requirements for this constituency needs to be worked out.

The stakeholders should be organized in a way to be able to articulate its position towards general issues dealt with by the New body as a corporate group and to deal with specific issues relevant for defined parts of the stakeholder constituency by defined subgroups.



New body

Stakeholders (4)

Stakeholder provide technical competence not necessarily available at the accreditation bodies and stakeholder could contribute to cope with new developments like digitalization and new processes to confirm the competence of conformity assessment bodies, conveyance of first-hand feedback from markets; bringing forward opportunities and threats to the achievement of New Body main goals; present information and data on the impact and consistency of New Body's work, actions, processes and procedures, etc. – it is essential to attract the stakeholders to work within the New body to benefit from their contributions rather than to let them walk away taking part in other structures being in competition with the New body.



New body

Stakeholders (5)

Scheme owners might be affiliated to the stakeholder group with rules to be worked out – the role of conformity assessment schemes and its owners need to be defined in the New body including the clarification concerning the MLA coverage.

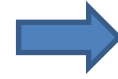


New body

Observers

Observers and its role should be defined later,

E.g. accreditation bodies not being signatories to the New body
MLA/MRA, organizations fulfilling the criteria for stakeholders but
don't want to be members, etc. could be observers



New body

Voting rights - general

For decisions relevant for a specific group within the New body only, this specific group will take the decision independently, observing the general rules of the New body and allowing for observers for feedback and transparency (to be defined in detail later).



New body

Voting rights – general (2)

Examples for specific decisions to be taken by specific constituencies or specific groups within the New body are:

- Decisions on MLA-related issues like MLA signatories, rules for the peer evaluation system, application of ISO/IEC 17011 should be taken by accreditation body members only with the stakeholders involved as observers for feedback and to ensure transparency.
- Decisions relevant for internal issues of stakeholders only should be taken by the stakeholders themselves observing the rules of the new body.



New body

General rules of the New body (e.g.: for General Assembly or Main Committees, except for Executive committee – see below)

- Voting rights

Voting rights are provided to all members as defined above within the New body with a restriction of the overall percentage the stakeholders could have in a ballot.

The maximum of votes for all stakeholders together should be 20% of all votes cast (without the abstentions) except for ballots within the stakeholder group itself.



New body

- **Voting rights (2)**

Majority needed for a decision

Quorum: more than 50% of the members that have the right to vote

Validity of the vote: majority of more than 50% of the members present and voting firmly (abstentions are not counted), if not defined differently in the Bylaws for specific decisions (e.g. for the winding down of the New body)



New body

- **Voting rights**

Restriction of the number of votes if the number of accreditation bodies coming from one state/economy extend a specified threshold

There shall be a restriction of the number of votes provided to the accreditation body members from one state/economy if its number exceeds a defined threshold value (using e.g. the current ILAC approach)



New body

Right to provide the chair and the vice chair of the New body and the chairs/convenors, vice-chairs/convenors, co-chairs/convenors of committees and subordinate groups except the executive committee and the stakeholder structure(s)

Chair and vice-chair of the New body shall be representatives of accreditation bodies, but coming from different Regions

Chairs of any structure Main Committee, which see accreditation bodies as members, shall be representatives of accreditation bodies



New body

Vice-chairs of Main Committees, which see accreditation bodies as members, shall be accreditation body representatives. However, if no accreditation body representatives is volunteering, all constituencies could provide a vice-chair

For subordinate groups: All constituencies could provide a convenor or co-convenor. At least one between convenor or co-convenor shall be representatives of accreditation bodies, if the subordinate groups see accreditation bodies as members



New body

Executive committee (just membership and voting rights)

Each member of the executive committee shall be elected by the General Assembly

Members of the executive committee will be defined in detail later; members might be e.g.:

Chair and Vice chair of the New body, a representative from each regional accreditation group, chairs of the main committees, representatives from the stakeholders, with the number of stakeholder representatives not exceeding 20% of the number of executive committee members, others to be defined.

Each executive committee member has one vote



New body

MLA committee

In the MLA committee accreditation body members have voting rights only. Representatives from regional accreditation groups are members and stakeholders could provide observers not exceeding 20% of the number of MLA committee members

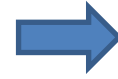


New body

Elaboration on the state/economy for registration

The new organization should be owned by its members and should be a non-profit distributing organization.

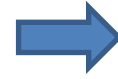
The state/economy in which the New body should be registered shall fulfil several requirements as far as possible



New body

Neutrality

This means that the state/economy of registration should not influence the membership policy of the New body, should not restrict the possibility for any candidate member from any state/economy to become a member and the New body should not be obliged to terminate or change in any way the membership because of decisions by the state/economy going beyond restrictions decided by UN resolutions.



New body

Easy administrative establishment and running of the New body

The New body should easily be established in the state/economy with as little bureaucratic burden as possible – e.g. there should be no requirements for the leadership of the legal entity, it should not be needed to have officers of the New body residing in the state/economy of registration:



New body

There should not be the necessity to have a physical office in the state/economy of registration or a representative working there, if a permanent address of the New body in the state/economy of registration is needed that can be a formal address without an office. The process to register the legal entity should be easy and with reasonable cost as well as the reporting requirements.

The fact that the legal system of the chosen State is efficient and easy to manage will also be considered.



New body

Tax exemption

It should be possible to define the activities of the New body in a way that all financial transactions to the New body are not subject of paying taxes (it should be possible to receive membership fees, registration fees for events and other donations and to transfer money from one fiscal year to another and to keep a reserve without paying taxes).

Caution: Tax exemption might have rules for not being able to transfer money of the body outside the country in case of transfer it to another country or winding it down.



New body

Language

It was recommended that the state/economy for registration should have English as the first language or allow the documents and communication being in English to avoid difficulties with translations.



New body

Possible states/economies to look at

United Kingdom (taking into account parts of UK with independent requirements for conditions listed in this document)

The Netherlands

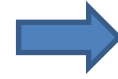
Switzerland

Singapore

Denmark

Austria

USA is not proposed because of the experience with the restrictions to Iran.



New body

Proposed time for the definition of the state/economy for the registration of the New body

30/01/2022 Evaluation what state/economy fulfils the defined conditions best (using external resources for the legal and tax issues)

31/01/2022 Proposal for the state/economy for the registration of the New body to the JEC

15/01/2022 Feedback from the JEC regarding the proposal

22.01.2022 Sending the revised proposal for comments to the members

28/02/2022 Depending on the feedback revision of the proposal or sending it for ballot to the members

31/04/2022 Decision on the state/economy for registration



New body

IAF-ILAC One Organization Project

Thank you for the attention