

Points of Interest of the New Legal Framework (765/2008 and 768/2008/EC) for the Hellenic Certification Bodies

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1. Authorities and relevant Actions

Authority	Action
<div style="border: 1px solid black; padding: 5px; text-align: center;">Independent Public Authority</div>	<p>⇒ Market Survey</p>
<div style="text-align: center;">↓</div> <div style="border: 1px solid black; padding: 5px; text-align: center;">One National Accreditation Body (ESYD)</div>	<p>⇒ Accreditation of Certification-Inspection Bodies</p>
<div style="text-align: center;">↓</div> <div style="border: 1px solid black; padding: 5px; text-align: center;">Certification – Inspection Bodies</div>	<p>⇒ Certification of Companies</p>
<div style="text-align: center;">↓</div> <div style="border: 1px solid black; padding: 5px; text-align: center;">Certified Companies</div>	<p>⇒ Production</p>

2. Requirements for Market Surveillance



There must be
an Independent Authority
to carry out
Market Surveillance
(765/08, Article 17, point 2)

The function and notification
of this **Independent Authority**
should be
completed
until 1/1/2010
(765/08, Article 18, point 5)

3. Requirements for Accreditation Bodies



Each Member State shall appoint a **single national accreditation body.**
(765/08, Article 4, point 1)

The National Accreditation Body should:

Be a **Non-profit Organization**
(765/08, Article 4, point 7)

Be organized in such a manner as to make it **independent** of the conformity assessment bodies it assesses and **of commercial pressures**, and to ensure that **no conflicts of interest** with conformity assessment bodies occur
(765/08, Article 8, point 1)

Be **supervised by the State**
(765/08, Article 9, point 2)

Have **adequate personnel**
(765/08, Article 8, point 7)

Have the **proper resources** (human and material), which will be provided **by the State**
(765/08, Article 4, point 9)

4a. Activities eligible for European Community financing
(765/08, Article 32)



The Community may finance
the following activities in connection with the application of this Regulation:

the production
and revision
of sectoral
accreditation
schemes

the activities of
the secretariat
of the body,
such as the coordination
of accreditation
activities,
the processing
of technical work
linked to
the operation
of the peer
evaluation system,
the provision
of interested parties
with information
and the participation
of the body
in the activities
of international
organisations
in the field
of accreditation

the drawing up
and updating
of contributions
to guidelines
in the fields of
accreditation,
notification
to the Commission
of conformity
assessment
bodies,
conformity
assessment
and market
surveillance

inter-comparison
activities
linked to
the operation
of safeguard
clauses

the making
available
to the Commission
of technical expertise
for the purpose
of assisting
the Commission
in its implementation
of market
surveillance
administrative
cooperation,
including
the financing of
administrative
cooperation
groups,
market
surveillance
decisions
and safeguard
clause cases

4b. Activities eligible for European Community financing
(765/08, Article 32)



The Community may finance
the following activities in connection with the application of this Regulation:

the performance of preliminary or ancillary work in connection with the implementation of the conformity assessment, metrology, accreditation and market surveillance activities linked to the implementation of Community legislation, such as studies, programmes, evaluations, guidelines, comparative analyses, mutual joint visits, research work, the development and maintenance of databases, training activities, laboratory work, proficiency testing, inter-laboratory tests and conformity assessment work, as well as European market surveillance campaigns and similar activities

activities carried out under programmes of technical assistance, cooperation with third countries and the promotion and enhancement of European conformity assessment, market surveillance and accreditation policies and systems among interested parties in the Community and at international level

5a. Points that need great ATTENTION for their APPLICATION

- **“A body belonging to a business association or professional federation representing undertakings involved in the design, manufacturing, provision, assembly, use or maintenance of products which it assesses, may, on condition that its independence and the absence of any conflict of interest are demonstrated,**

be considered such a body”
(768/08/EC, Article R17).

⇒ HellasCert Position:

⇒ INDEPENDENCE AND ABSENCE OF CONFLICT OF INTEREST MUST BE DEMONSTRATED BY:

- Management
- Administration Personnel
- Auditors & Inspectors

NOT TO BE INVOLVED IN ANY OF THE ACTIVITIES OF ANY OF THE MEMBERS OF THE ASSOCIATION OR FEDERATION.

5b. Points that need great ATTENTION for their APPLICATION

- Application of a Body to be **NOTIFIED**:
“That application shall be accompanied by a description of the conformity assessment activities, the conformity assessment module or modules and the product or products for which that body claims to be competent,
as well as by an accreditation certificate, where one exists, [...]
(768/08/EC, Article R22)
- ⇒ HellasCert Position:
- ⇒ **PREREQUISITE FOR A CERTIFICATION – INSPECTION BODY IN ORDER TO BE A NOTIFIED BODY SHOULD BE ITS ACCREDITATION.**