

Provision on the Accreditation Council of the National Accreditation Agency of Ukraine

**APPROVED BY
the Order of the Ministry of Economic
Development and Trade of Ukraine
of 26.08.2016 No. 1408**

**Registered in the Ministry of Justice
of Ukraine
on 13.09.2016 No. 1246/29376**

I. General provisions

1. The Accreditation Council of the National Accreditation Agency of Ukraine (hereinafter – the Council) is an advisory and supervisory body of the National Accreditation Agency of Ukraine (hereinafter – NAAU).
2. The Council in its activity follows the Constitution and Laws of Ukraine, Decrees of the President of Ukraine and Resolutions of Verkhovna Rada of Ukraine adopted in accordance with the Constitution and Laws of Ukraine, acts of the Cabinet of Ministers of Ukraine, orders of the Ministry of Economic Development and Trade of Ukraine (hereinafter – MEDT), normative and legislative acts that regulate relations in the field of accreditation as well as this Provision.
3. The aim of the Council activity is to ensure NAAU impartiality, to represent interests of all stakeholders regarding matters related to accreditation, and to provide NAAU with recommendations.

II. Composition of the Council

1. The Council is formed on parity basis consisting of 18 individuals. Composition of the Council includes central executive authorities, accredited conformity assessment bodies, scientific institutions, unions (alliances and societies), enterprises, public organizations (hereinafter – interested parties).
2. Individual composition of the Council is formed by MEDT upon taking into account proposals of NAAU and in accordance to the Criteria for selection of representatives for the National Accreditation Agency of Ukraine Accreditation Council set out in the Annex to this Provision, and is approved by MEDT Decree.
3. Members of the Council perform their duties on a voluntary basis.
4. The Council Chair and his Deputies are elected from different interested parties. The Council Chair and his Deputies comprise the Management Board of the Council. The Council Management Board members are elected by majority from each of interested parties. Each of the elected Council management members alternately performs functions of the Council Chair. The order and term of execution of functions of the Council Chair is determined at Council meetings.
5. Council Chair:
 - organizes the Council work;
 - convene and preside at meetings of the Council, approves agenda of meetings;
 - coordinates activity of the Council members and distributes duties between them.

6. When a member of the Council is not able to personally take part in the meeting, he or she may appoint a representative of a corresponding body to participate in the meeting.

7. Early suspension of a Council member authority is possible at his personal request through application on termination of his authority, or in connection with other circumstances that make performance of his duties in the Council impossible (dismissal of current position, etc.).

Proposals on suspension of a Council member authority are provided to the Council Chair who informs MEDT.

8. MEDT reviews Council composition at least once in two years period taking into account proposals coming from NAAU.

9. The Council members are obliged to:

- follow this Provision;
- have knowledge on normative and legislative acts, standards and other documents related to accreditation;
- take part in the Council activities.

10. The Council members shall ensure confidentiality of information received while performing their duties.

III. Authority and Rights of the Council

1. Main functions of the Council are as follows:

- development of recommendations concerning policy in the field of accreditation and supervision over its implementation;
- supervision over carrying out accreditation according to the principles, norms and requirements stated by the Law of Ukraine “On Accreditation of Conformity Assessment Bodies”, other normative and legal acts, standards and other documents related to accreditation;
- provision of recommendations regarding the procedure for carrying out accreditation and surveillance on compliance of conformity assessment bodies accredited by NAAU with the accreditation requirements as well as on consideration of appeals and determining fees for monitoring and accreditation work;
- endorsement of qualification requirements, procedure and rules for attestation of accreditation personnel and accreditation personnel Attestation Commission composition;
- appointment and dismissal of Commission on Appeals members;
- endorsement of the Provision of the Commission on Appeals and amendments to it;
- preparation of proposals regarding monitoring over NAAU accreditation work and its organizational and financial activities;
- endorsement of recommendations on conclusion of agreements on cooperation and mutual recognition of conformity assessment bodies accreditation;
- consideration of NAAU annual report with conclusion regarding it.

2. The Accreditation Council provides MEDT with proposals regarding candidates for the position of NAAU Chairman.

3. For the purpose of resolving issues within its competence the Council has the right to:

- request and receive from NAAU the information, documents and other materials necessary for the performance of its functions according to the established procedure;
- involve experts including NAAU employees (upon the consent of NAAU Chairman), and other consultants and experts (upon their consent);

- form temporary work groups, involve specialists from the central and local executive authorities, local government bodies, enterprises, institutions, organizations of all forms of ownership upon consent of their CEOs and independent experts (upon consent);

Members of temporary work groups and involved specialists shall ensure confidentiality of the information received while performing their duties.

IV. Organizational basis of the Council activities

1. Organizational form of the Council work are its meetings, which are organized on necessity but no less than in six-month period.

2. Extraordinary meeting of the Council may be convened upon the proposal of the Council Chair, Minister of Economic Development and Trade of Ukraine or the person who performs his duties, NAAU Chairman or upon a proposal of at least half of the Council members.

3. Extraordinary meeting of the Council is convened no later than in ten business days after the Secretary receives a corresponding written proposal.

Proposal on convention of the Council extraordinary meeting shall be signed by a person(s) who submit(s) it.

A proposal shall include:

- full name, position of a person(s) who submit(s) it;
- justification of the necessity for convention of the Council extraordinary meeting;
- issues proposed for consideration at the extraordinary meeting.

4. The organizational support of the Council work is performed by NAAU.

5. Paperwork of the Council is performed by a Secretary of the Council who is appointed by NAAU Chairman from among NAAU employees.

6. The Council Secretary ensures:

- preparation for the Council meetings, informing its members on the date, time and place of meetings, as well as on its agenda;
- providing Council members with all the necessary documents and other information on issues included in the agenda of meetings;
- finalizing documents adopted (considered) by the Council;
- control over compliance with deadlines on fulfilment of decisions made by the Council;
- upkeeping and storing minutes of meetings and correspondence;
- preparation of draft plans on the Council activities.

7. No later than seven days before a meeting the Council Secretary informs each member of the Council with a letter (including e-mail address that is provided to the Council secretary by each its member). The message shall contain information on date, time and venue of the Council meeting and its agenda. Materials necessary for the Council members to prepare for participation in the meeting are attached to the message.

8. The Council members have the right to submit written proposals regarding agenda of the Council meeting no later than three business days before the day the meeting is to be performed.

9. A meeting of the Council is considered to be at quorum if representatives of three interested parties are present. Total number of the Council members present shall be no less than half of its composition. A

member of the Council shall inform the Council Chair in writing regarding impossibility of participation no later than two business days before the date of meeting.

10. The meeting is presided by the Council Chair, and in case of his absence by one of Deputy Chairs upon Chair's order.

11. Council decision is accepted by open ballot and is considered adopted if at least two interested parties voted for it. During the ballot each interested party has one vote, which is determined by a majority of its representatives. In case of tie votes of representatives of the interested party, member of the Council management who represents this party has a deciding vote. In case of disagreement with the decision, a Council member may express a separate opinion which is included in the Minutes.

12. Representatives of NAAU and executive authorities, scientific and other institutions, public alliances, enterprises and organizations, members of temporary working groups established by the Council, specialists involved to the work of the Council as well as representatives of mass media can be invited to attend meetings of the Council upon the order of the Council Chair.

The Council Secretary sends invitations upon orders of the Council Chair.

13. Decisions of the Council are drawn up in the Minutes which is signed by the Council Chair and its Secretary.

Copies of the Minutes are sent by the Council Secretary to all its members, MEDT and NAAU no later than five business days starting from the date the Council Meeting took place.

14. Control over the implementation of decisions made by the Council is performed by the Council Chair or his Deputy upon order of the Chair.