

## **CEN/CENELEC Guide 20**

# **Guide on membership criteria of CEN and CENELEC**

CEN and CENELEC decided to adopt this new CEN-CENELEC Guide 20 with CEN/AG Resolution 07/2011 and CLC/AG Decision 51/10 respectively.

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## Foreword

### The context

The European Council Conclusions on standardisation and innovation of September 2008 invited the 'national standardisation bodies, in coordination with European standardisation bodies, to examine the feasibility of introducing a voluntary peer assessment process to encourage continuous improvement and exchange of good practice'. In addition the report of the senior level experts group EXPRESS invites National Standards Bodies to share experience of best practices and implement a peer assessment system when relevant.

With these recommendations in mind CEN and CENELEC have decided to join forces in an active effort to maintain and strengthen, in a continuous improvement, the effectiveness of the European standardization system to reach excellence.

As part of this initiative, CEN and CENELEC Members have agreed on this 'Reference Document' containing a set of criteria to be fulfilled by all national CEN and CENELEC Members at all times.

Through continuous and well-structured assessment a very useful knowledge-base is created on successful handling of processes, which improve effectiveness and efficiency as well as many other aspects. All these together can be included under the concepts of *quality* and *profitability*.

Eventually, all stakeholders of CEN and CENELEC will benefit if Members share this knowledge.

In defining the membership criteria, CEN and CENELEC also took into account the core political values of the current European standardisation system, which have proved to be essential to the shaping and consolidating of the Single Market and to foster economic growth in Europe. Within this context the membership criteria are also in line with the formal position that CEN and CENELEC have taken in reply to the European Parliament IMCO Report on the future of European standardisation (2010/2051 (INI)) and of the European Parliament ITRE Opinion on the future of European standardisation, both issued in 2010 .

With the adoption of this 'Reference Document' CEN and CENELEC Members are definitely engaged towards an innovative approach aiming to excellence, which has two-fold objectives: on the one hand, the compliance of the established criteria for membership and, on the other hand, the sharing of information for the identification of good/best practices and the associated dialogue among the Members.

Finally, the criteria adopted under this 'Reference Document' are based on a *voluntary approach of self-imposed requirements*. By implementing this model, CEN and CENELEC Members aim at maintaining confidence and inspiring continuous improvement.

## Historical background

- In September 2008, the European Council invited '*national standardisation bodies, in coordination with European standardisation bodies, to examine the feasibility of introducing a voluntary peer assessment process to encourage continuous improvement and exchange of good practice*' (Council Conclusions on Standardisation and Innovation).
- In 2009, the CEN and CENELEC Boards decided to set up a CEN-CENELEC WG on Membership Criteria with the task of defining '*the list of criteria that all CEN-CENELEC national Members, present and future, will have to respect at all times,*
  - *Noting that such criteria could become the basis of a regular peer assessment exercise, in order to recognize and verify the CEN-CENELEC national member's accountability vis-à-vis these criteria, once accepted;*
  - *Recognizing that such criteria could be taken from any recognized international, European and national documents, such as the WTO/TBT Code of Good practice, ISO/IEC Guide 59:1994, Directive 98/34, etc.*
  - *in order to:*
    - *increase the mutual understanding*
    - *improve their responsibility toward the European system of standardization*
    - *develop accountability, taking into account their increasing number and different set-up (private, public, semi-public body)*
    - *facilitate the development of European and international standardization.'*
- The CEN-CENELEC WG on Membership was composed of a good mix of the CEN-CENELEC membership; it worked as a plenary and with a small preparatory core team.
- The WG based its work primarily on the principles of the World Trade Organization and the Technical Barriers to Trade (WTO/TBT) Code of Good Practice of Standards Bodies – they are all (partly by analogy, as the WTO Code refers to international standards bodies) part of the 'Reference Document', into which the 'Conditions for CEN-CENELEC Membership' have been integrated. This is logical consequence as these are the basis for becoming a Member and, of course, also the basis for being a Member.
- In January 2010 the CEN-CENELEC WG on Membership Criteria held its first meeting. The WG held further meetings in February, May and September 2010 and March and May 2011. It regularly reported on progress made to the CEN and CENELEC Boards and Assemblies as well as to the CEN-CENELEC Presidential Committee. On an informal basis, the European Commission was also kept informed about the exercise and progress made.
- Following the invitation from the CEN-CENELEC Presidential Committee the WG also integrated the 9 Conditions for CEN-CENELEC Membership into this 'Reference Document'.
- In January and February 2011 four pilot assessments were carried out, comprising big, medium and small organisations and both 'old' and 'new' Members:
  - 27 January 2011: ASI / Austria
  - 7 February 2011: ILNAS / Luxembourg
  - 8/9 February 2011 AFNOR / France
  - 14 February 2011 CYS / Cyprus

- The pilot assessments were made by a team of two independent experienced assessors (Jacob Holmblad and Gaston Michaud), thus ensuring that a broad management experience in the sector is combined with an independent and neutral approach.
- In its meeting of March 2011, the WG Membership reviewed the Report on the four pilot assessments and gave guidance on the finalisation of the 'Reference Document' and the document on the organisational model for handling the peer assessments exercises.
- In May 2011, following the Presidential Committee recommendation the WG finalised and agreed on the draft 'Reference Document' for approval by the CEN-CENELEC respective governing bodies.

<p><b>The six Criteria for Membership in CEN-CENELEC and the three additional Criteria for candidate organisations to become a Member of CEN-CENELEC</b></p>
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A Member has to comply with the six Criteria for Membership at all times.

The six Criteria for Membership include the following former Conditions for membership listed in the 'CEN *Guidelines for the accession of Affiliates to CEN national Member status*' and CENELEC Guide 11 on '*Guidelines for the Accession of Affiliates to Membership of CENELEC*', which have to be met by the candidate organisation:

- Condition 4 (Payment of membership fees);
- Condition 5 (To deal efficiently with CEN-CENELEC work);
- Condition 6 (IT infrastructure);
- Condition 7 (National implementation);
- Condition 8 (Notification procedure);
- Condition 9 (IPR policy).

In addition, Criteria A, B, and C in this document correspond to the following former Conditions of the 'CEN Guidelines' and CENELEC Guide 11:

- Condition 1 (Existence of 'Europe Agreement' or equivalent);
- Condition 2 (Approximation of the national system to that of EU);
- Condition 3 (NSB or NC officially recognised in its country).

Because these former Conditions apply specifically the national and legal environment in which the candidate standard organisation operates, they have been incorporated in separate Criteria A, B and C under the heading 'Additional Criteria for organisation applying for membership to CEN and CENELEC'.

Following the incorporation in this document of the 9 Conditions from the 'CEN *Guidelines for the accession*' and CENELEC Guide 11, these Guides are replaced by this document as of 1<sup>st</sup> January 2012.

## Terminology

Please note that in this document:

- The term 'Member' is used to indicate a National Standardisation Body or a National Committee Member of CEN and CENELEC or CEN only or CENELEC only;
- The term 'CEN-CENELEC Member(s)' indicate both communities on equal basis.

**CRITERIA TO BE FULFILLED BY  
ALL NATIONAL CEN AND CENELEC MEMBERS**

## 1. TRANSPARENCY

### WTO/TBT Criterion

*All essential information regarding:*

- *current work programmes,*
- *as well as on proposals for standards, guides and recommendations under consideration*
- *and on the final results*

*should be made **easily accessible** to **at least all interested parties in the territories of at least all WTO Members.***

*Procedures should be established so that **adequate time and opportunities are provided for written comments.** The **information on these procedures** should be **effectively disseminated***

*In providing the essential information, the procedures should, at a minimum, include:*

- *The publication of a **notice at an early appropriate stage**, in such a manner as to enable interested parties to become acquainted with it, that the international standardizing body **proposes to develop a particular standard***
- *the notification or other communication **through established mechanisms** to members of the international standardizing body, providing a **brief description of the scope of the draft standard, including its objective and rationale.** Such communications shall take place at an **early appropriate stage**, when amendments can still be introduced and comments taken into account*
- *upon request, the prompt provision to members of the international standardizing body of the **text of the draft standard***
- *the provision of an **adequate period of time** for interested parties **in the territory of at least all members of the international standardizing body** to make comments in writing and take these written comments into account in the further consideration of the standard*
- *the **prompt publication** of a standard upon adoption*
- *to publish periodically a **work programme** containing information on the standards currently being prepared and adopted*

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Transparency implies that sufficient and regularly updated information is easily accessible in due time to allow all parties, including other European stakeholders, to participate in the standardisation process if they want to. This should also include access to the contributions of all other parties actively involved in the standardisation work.

Procedures should be established so that adequate time and opportunities are provided for written comments. Information on these procedures should be effectively disseminated.

In addition to those minimum requirements set by WTO, the requirement related to the information on the Member's technical bodies' structure and processes is to be included (see item 1.6).

## **1.1 Work Programme**

### ***What is meant***

- ✓ the Work Programme is up-to-date, complete and made publicly available, including to the other European counterparts
- ✓ to consider also:
  - Availability via Website/electronic/print, etc;
  - Frequency information update;
  - Access (public or restricted, possibly free of charge);
  - Availability of single TCs Business plans.

### ***How it can be demonstrated***

- ✓ Work Programme is published in due time via Website;
- ✓ Work Programme is included in the Members' periodic bulletins & newsletters;
- ✓ Work Programme is included in the Member's annual report.

### ***Existing information/reporting/monitoring:***

- ✓ Member's Website;
- ✓ Internal Rules of the Member;
- ✓ the Member's Annual report;
- ✓ Other information materials made available by the Member.

## **1.2 New Work Items**

### ***What is meant***

Apply in full Directive 98/34 concerning standardisation activities. (*This is also a condition for accession: i.e.: Additional Criterion B*).

Apply in full the notification procedure for national work, which includes a 'standstill' on all national work in the areas of agreed European work.

New Work Item (NWI) is made publicly available and duly notified when requested, including appropriate information to the European Commission, CEN or CENELEC and to the other Members; information also includes the relationship of this NWI to other European and/or International projects.

To consider also:

- other Member obligations under EC Directive 98/34;
- Voluntary notifications of service standards and other deliverables.

### ***How it can be demonstrated***

- ✓ New Work Item available via the Member:
  - Website;
  - Periodic bulletins & newsletters;
  - Annual report;
- ✓ Member's Internal Rules regarding notification reports and other requirements under EC Directive 98/34, including 'standstill' on all national work in the areas of agreed European work (*This is also a condition for accession: i.e.: Additional Criterion B*).

### ***Existing information/reporting/monitoring:***

- ✓ Notification reports;
- ✓ the Member's Internal Rules on implementation of Directive 98/34 requirements;
- ✓ Member's:
  - Website;
  - Periodic bulletins & newsletters;
  - Annual report.

## **1.3 Draft documents**

### ***What is meant***

The draft documents are made available in such a way to allow all parties participating in the standardisation process to make contributions and comments.

Members allow contributions to national work from parties established in other CEN-CENELEC member countries.

Furthermore the Member allows other CEN-CENELEC Members to be involved passively or actively (by sending an observer) in the planned/ongoing activities.

The European Commission and the European and national Members can receive all draft standards on request, and they are kept informed of the action taken on any comments they have made relating to drafts.

Access to draft documents under public enquiry by all parties participating in the standardisation process is free of charge.

### ***How it can be demonstrated***

- ✓ The Member's Internal Rules providing information/reporting/monitoring procedures (see also 1.5);
- ✓ The Member's periodic assessment studies on the actual availability of drafts among members;
- ✓ Draft document made available via the Member's web platform or its circulation in electronic Format (e.g. in pdf format with read-only restrictions, watermarked, etc...).

***Existing information/reporting/monitoring:***

- ✓ Studies/reports of the Member on the availability of drafts among members;
- ✓ The Member's Internal Rules;
- ✓ Internal assessment activities;
- ✓ The Member's web system;
- ✓ Draft documents in electronic format.

**1.4 Published deliverables – Final Documents*****What is meant***

The Member ensures access to the published deliverables, such as Standards, Guides, CWAs and other publications.

Equally the Member ensures appropriate information flow about the withdrawal of standards, including a system of traceability of standards.

Standards should be translated into the national language whenever deemed necessary.

The Member also provides information about withdrawal of conflicting national standards (see also Criterion 5 'Coherence').

***How it can be demonstrated***

- ✓ information publicly available (e.g. in the website) on:
  - Up to date catalogues with title and scope of the published standards;
  - Scope of the standard freely available;
  - Availability of standards translated into the national language;
  - Information about the withdrawal of standards, (possibly including a system of traceability of standards);
  - Information about withdrawal of conflicting national standards;
  - Information on how to buy publications;
- ✓ Other information on standing orders, update of services, speed of delivery, etc.

***Existing information/reporting/monitoring:***

- ✓ Updated statistics about current implementation of ENs;
- ✓ Statistics on withdrawal;
- ✓ Availability of CWAs;
- ✓ The Member's Internal Rules;
- ✓ The Member's Website.

## **1.5 Public enquiry process: Procedures**

### ***What is meant***

The Member has to ensure well-established procedures enabling adequate time and opportunities for written comments. Furthermore, information on these procedures is effectively disseminated to stakeholders.

### ***How it can be demonstrated***

- ✓ Systematic announcement and information on how to comment on the drafts submitted to public enquiry and votes;
- ✓ Indication of the time available for comment;
- ✓ Information on how to comment;
- ✓ Traceability of comments.

### ***Existing information/reporting/monitoring***

- ✓ The Member's Internal Rules regarding the above activities;
- ✓ Statistics on comments;
- ✓ Actual practice of Public Enquiry and provision of the above information.

## **1.6 Transparency of structures (no explicit requirements in WTO/TBT)**

### ***What is meant***

This Criterion refers to the availability of general information provided by the Member in order to facilitate a good understanding of the governance of the organisation.

### ***How it can be demonstrated***

Availability of general information about:

- ✓ The Member's rules and procedures (e.g. conditions for access, process, decision mechanisms, etc.);
- ✓ The existing structures for developing standards (TCs, WGs, etc.);
- ✓ The existing corporate structure, including legal status;
- ✓ The persons responsible for the projects and processes (Chair, Secretary, project manager...);
- ✓ The 'reality' of the standardisation structures and processes by indicating, inter alia, the categories of stakeholder actually involved (e.g. public/private, sectors/branches);
- ✓ Other general information of the Member (finance, governance, etc.).

### ***Existing information/reporting/monitoring***

- ✓ The Member's website;
- ✓ Internal Rules;
- ✓ Annual report;
- ✓ Statistics on participation.

## 2. OPENNESS AND DEVELOPMENT DIMENSION

### WTO/TBT Criteria

#### **Openness:**

Membership of an international standardizing body should be **open on a non-discriminatory basis to relevant bodies of at least all WTO Members**. This would include **openness without discrimination** with respect to the participation at the **policy development level** and at **every stage of standards development**, such as the:

- Proposal and acceptance of new work items
- Technical discussion on proposals
- Submission of comments on drafts in order that they can be taken into account
- Reviewing existing standards
- Voting and adoption of standards
- Dissemination of the adopted standards

Any interested **member of the international standardizing body, including especially developing country members**, with an interest in a specific standardization activity should be provided with **meaningful opportunities to participate at all stages of standard development**. It is noted that with respect to standardizing bodies within the territory of a WTO Member that have accepted the Code of Good practice for the Preparation, Adoption and Application for Standards by Standardizing Bodies (Annex 3 of the TBT Agreement) participation in a particular international standardization activity takes place, wherever possible, **through one delegation representing all standardizing bodies in the territory that have adopted, or expected to adopt, standards for the subject-matter to which the international standardization activity relates**. This is illustrative of the importance of participation in the international standardizing process **accommodating all relevant interests**.

#### **Development Dimension**

**Constraints** on developing countries, in particular, to effectively participate in standards development, **should be taken into consideration** in the standards development process, **tangible ways of facilitating** developing countries' participation in international standards development should be sought. The impartiality and openness of any international standardization process requires that developing countries are **not excluded de facto** from the process. With respect to improving participation by developing countries, it may be appropriate to use technical assistance, in line with Article 11 of the TBT Agreement. Provisions for capacity building and technical assistance within international standardizing bodies are important in this context.

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These two WTO criteria, adapted to the European context herein, may be considered as complementary as both relate to the participation of all categories of stakeholders in the standardisation work. With this in mind, in order to avoid duplication, they have been grouped into one single Criterion.

'Openness' guarantees participation to the parties that are directly or indirectly affected by the activity in question. The parties actively involved in the standardisation bodies are able to remain so at all the steps of the standardisation work.

*At a national level*, it is important to consider the trade-off between the non-discriminatory approach of openness, the principle of 'appropriate representation' of the stakeholders concerned and the 'manageable' size in the TC. Furthermore, participation of all interested parties should not be limited only to national stakeholders, but also open to NSBs of other European countries.

*At European level*, participation of the Members in a particular standardisation activity takes place through one delegation representing the consensus established by all national stakeholders. The principle of *national delegation* reflects of the importance of participation in the European standardisation process by accommodating all relevant interests at national level.

'Development dimension' is a WTO criterion that is not included in Directive 98/34. Because of the different geographical scope of CEN and CENELEC compared to the international standard organisations, this WTO criterion has been adapted to the European context. Hence, in our context the 'Development dimension' is to be interpreted as to promote and facilitate the participation of weaker stakeholders in the development of standards so as to ensure a real multi-stakeholder-process.

## **2.1 Participation open on a non-discriminatory basis at every stage of standards development**

### ***What is meant***

Participation is open to any person/entity with an interest in a specific standardisation activity and at all stages of the development of a standard (i.e.: principle of representative input).

This also implies that the Member allows other European Members to receive information by sending an observer to any meeting or other activity involved in the process.

### ***How it can be demonstrated***

- ✓ Statutory conditions for participation (nationality, membership, participation fee,...);
- ✓ Nomination and access conditions (geographical);
- ✓ Non-discriminatory procedure to accept (new) experts;
- ✓ Means of access (e.g. user friendliness of the IT tools that have to be used by the stakeholders).

### ***Existing information/reporting/monitoring:***

- ✓ The Member's Internal Rules;
- ✓ Relevant BT Resolutions about guidance for appropriate representation in technical bodies.

**2.2 To promote and facilitate the participation of weaker economic and societal stakeholders with the objective of ensuring a real multi-stakeholder process in the development of standards (development dimension)**

***What is meant***

The 'Development' dimension at a national level concerns seeking to design the national system in such a way that it promotes and facilitates the participation of weaker stakeholder groups in the process of the standardisation work. It implies putting in place awareness raising activities as well as procedures for monitoring the participation of different categories of industry and societal stakeholders.

At a regional level, this refers to support for weaker countries and provisions for weaker stakeholder groups, which might be supported by specialised regional structures (e.g. societal stakeholders).

This Criterion is complementary to Criterion 2.1.

***How it can be demonstrated***

- ✓ Number and quality of initiatives in place (e.g. seminars, information sessions, promotional documents, PR activities, etc.);
- ✓ Non-discriminatory procedure for accepting (new) experts;
- ✓ Information on stakeholders participation.

***Existing information/reporting/monitoring:***

- ✓ Record of participation of SMEs, NGOs, etc. (cf. Criterion 2.3);
- ✓ The Member's Internal Rules on access to TCs for societal stakeholders;
- ✓ The Member's Internal Rules on voting rights of participants;
- ✓ Relevant BT Resolutions about guidance for appropriate representation in technical bodies.

**2.3 Principle of '*appropriate representation*' of the stakeholders' interests in the Technical Bodies**

***What is meant***

This criterion refers to the participation of a range of stakeholders appropriate to each standard under development, in accordance with any current guidance, principles or resolution issued by CEN BT and CENELEC BT related to *appropriate representation* in technical bodies.

Examples of identifiable stakeholder groups may include manufacturers, vendors, users, consumer groups, testing laboratories, certification bodies, governments, public authorities, professions, research organisations, universities. Depending on the nature of the project it might also be desirable or necessary to involve other stakeholder groups representing wider

societal interests, and to make specific provision for the participation of weaker stakeholders who have a legitimate interest in the project.

Members are expected to be conscious of the needs and interests of all their stakeholders, and to take reasonable measures to facilitate their participation.

***How it can be demonstrated***

- ✓ NSB-NC have a system in place:
  - for identifying, on a case-by-case basis, the interested parties to be involved in the development of a standard;
  - for identifying the stakeholder category appropriate to each expert appointed to a CEN or CENELEC working group;
  - to strive for appropriate representation in the technical bodies;
  - for the appointment of national delegations to a CEN/TC or CENELEC/TC that reflect the different stakeholder interests;
- ✓ The Member has an effective mechanism in place to record complaints from stakeholders.

***Existing information/reporting/monitoring:***

- ✓ Relevant BT Resolutions about guidance for appropriate representation in technical bodies;
- ✓ The Member's Internal Rules;
- ✓ Statistics/data on stakeholders' complaints received and resolved;
- ✓ Data on the origin of the experts attending the national meetings.

<p><b>2.4 One delegation representing the consensus established by all national stakeholders. ('One delegation' principle) (No explicit requirements in WTO/TBT)</b></p>
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***What is meant***

The Member has the capacity:

1. To convey a national point of view at European level;
2. To strive after a range of participation and depth of expertise in the relevant Technical mirror Committees, so as to be able to create a meaningful consensus among all national stakeholders.

***How it can be demonstrated***

- ✓ The Member has in place a system enabling to collect data:
  - On the number of meetings of its national mirror committees, and the number and experts participating in them;
  - On the number of experts participating in CEN and CENELEC TCs/WGs;
  - On the origin of the experts attending the national meetings (see also 2.3 'Appropriate Representation');

- ✓ The existence of active Technical mirror Committees covering those strategic national economic sectors of the country of the Member.

***Existing information/reporting/monitoring:***

- ✓ The Member's Internal Rules;
- ✓ Relevant BT Resolutions about guidance for appropriate representation in technical bodies;
- ✓ Statistics/data on experts attending the national meetings.

<b>2.5 Governance (No explicit requirements in WTO/TBT)</b>
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***What is meant***

The Member should ensure adequate representation of stakeholders in its relevant governing bodies (e.g. Council; Board, other advisory bodies...).

***How it can be demonstrated***

- ✓ Actual participation of stakeholders.

***Existing information/reporting/monitoring:***

- ✓ Statute of the Member;
- ✓ National regulations/laws;
- ✓ Established practices.

### 3. IMPARTIALITY AND CONSENSUS

#### WTO/TBT Criterion

*All relevant bodies of WTO Members should be **provided with meaningful opportunities to contribute to the elaboration of an international standard** so that the standard development process will **not give privilege to, or favour the interests of, a particular supplier/s, country/ies or region/s**. Consensus procedures should be established that **seek to take into account the view of all parties concerned** and to **reconcile any conflicting arguments**.*

*Impartiality should be accorded throughout all the standards development process with respect to, among other things:*

- *access to participation in work*
- *submission of comments on drafts*
- *consideration of view expressed and comments made*
- *decision-making through consensus*
- *obtaining of information and documents*
- *dissemination of the international standard*
- *fees charged for documents*
- *right to transpose the international standard into a regional or national standard*
- *revision of the international standard.*

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The criterion of *Impartiality* with regard to a Member should be considered to be a need to ensure that the processes and procedures in place, as well as the Member's structures, guarantee an impartial and neutral platform for the standards development work.

#### 3.1 Impartiality of process

##### ***What is meant***

The Member's rules grant the same right to any stakeholder actively involved in the standardisation work to express his/her opinion and to have it duly taken into account.

The Member's rules ensure that all contributions are duly considered without favoring or ignoring *a priori* any of them.

Impartiality also includes the ability to keep an independent position by ensuring the appropriate balance between private and public, economical and societal and environmental interests induced by the standardisation work.

***How it can be demonstrated***

- ✓ The Member has a system in place to allow evidence of the impartiality of process with regard to:
  - Voting processes;
  - Implementation of the 'appropriate representation' principle (see above);
  - Means of access to the standardisation process (see also 2.3 'Appropriate Representation');
  - Rights for commenting;
  - Due consideration of all comments;
  - Nominations of Chairs and secretaries;
- ✓ Existence of a Code of conduct on impartiality of Chairs;
- ✓ Existence of a Code of conduct on impartiality of Secretaries.

***Existing information/reporting/monitoring:***

- ✓ The Member's Internal Rules;
- ✓ The Member's management processes and procedures;
- ✓ BT relevant Resolutions about guidance for appropriate representation in technical bodies;
- ✓ Statistics/data on stakeholders' appeals received and resolved.

**3.2 Consensus*****What is meant***

The standardisation process is collaborative and consensus-based as it takes into account all views expressed and bring together diverging opinions. A deliverable, or a position taken during the standardisation process, are considered to be consensual if they are subject to a general agreement without sustained opposition to substantial issues by any important part of the concerned interests.

Consensus does not imply unanimity.

***How it can be demonstrated***

The Member has a system in place to allow evidence of:

- ✓ An effective and efficient mechanism of appeal ('safety net');
- ✓ Procedures or established practices that seek to take into account the view of all parties concerned and to reconcile any conflicting arguments (in those cases that the technical body is requested to decide by consensus);
- ✓ Procedures or established practices that seek to ensure that all parties concerned are aware of their voting rights and the voting process (in those cases that the technical body is requested to decide by formal vote).

***Existing information/reporting/monitoring:***

- ✓ The Member's Internal Rules and procedures;
- ✓ Established practices.

<p><b>3.3 Neutrality of interests, impartiality and independency of structure (No explicit requirements in WTO/TBT)</b></p>
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***What is meant***

The Member ensures its *neutrality* with regard to the interests of those who develop the content of standards. This implies that the Member's structure is as much as possible *independent* from external factors and/or stakeholders that can have an influence on the *impartiality* of the Member.

Neutrality is also guaranteed by adequate internal processes aimed at ensuring the impartiality of the Member's structures managing the (consensus-based) technical work.

The Member's independent structures should be based on the following aspects:

- Legal independence (irrespective of the public, semi-public or private status of the Member);
- Financial independence;
- Robust governance and organisational practices.

It should also be noted that, with reference to neutrality, the Guide of the European Commission on 'the Main administrative structures required for implementing the acquis' of May 2005 recalls that the 'Member *should be independent*'.

***How it can be demonstrated***

- ✓ The Member's practices aimed at ensuring its independence from external stakeholders (possibly in compliance with existing bylaws);
- ✓ The Member's practices on Governance;
- ✓ Diversified sources of financing;
- ✓ Legal framework for voluntary standardisation in place and fully operational (*This is also a condition for accession: i.e.: Additional Criterion B*).

***Existing information/reporting/monitoring:***

- ✓ The Member's Statute;
  - ✓ Internal Rules and procedures on governance;
  - ✓ Annual accounts;
  - ✓ The Member's annual report;
  - ✓ Established & documented practices.
-

## 4. EFFECTIVENESS AND RELEVANCE

### WTO/TBT Criterion

*In order to serve the interests of the WTO membership in facilitating international trade and preventing unnecessary trade barriers, international standards need to be **relevant** and to **effectively respond to regulatory and market needs**, as well as **scientific and technological developments in various countries**. They should **not distort the global market**, have **adverse effects on fair competition**, or **stifle innovation and technological development**. In addition, they should **not give preference to the characteristics or requirements of specific countries or regions when different needs or interests exist in other countries or regions**. Whenever possible, international standards should be **performance based** rather than based on design or descriptive characteristics.*

*Accordingly, it is important that international standardizing bodies:*

- ***Take account of relevant regulatory or market needs**, as feasible and appropriate, as well as **scientific and technological developments** in the elaboration of standards*
- *Put in place procedures aimed at **identifying and reviewing standards that have become obsolete, inappropriate or ineffective for various reasons***

*Put in place **procedures aimed at improving communication with the World Trade Organization**.*

The principles of relevance and effectiveness concern the standardisation work whereas the principle of 'coherence' concerns the normative documents themselves.

The standardisation work is effective when it takes into account in the elaboration of standards the feasible, appropriate and relevant market or regulatory needs, as well as scientific and technological developments. The Member should have in place procedures aimed at identifying and reviewing standards that have become obsolete, inappropriate or ineffective for various reasons.

An appropriate assessment of the risks and opportunities of standardisation process could also be a way of demonstrating the market relevance of the related standard.

The relevance of standards is also ensured by an efficient standardisation work, i.e. when the working processes produce the expected deliverables within the set deadlines and the parties involved are prepared to meet the associated costs.

Relevance and effectiveness of standards also refer to the capacity of the Member to ensure that technical publications, both at national and European level, are of high quality, duly maintained up to date and easily available to the end-users.

## **4.1 Activities to respond effectively to regulatory and markets needs, as well as to scientific and technological developments.**

### ***What is meant***

Members are expected to be able to contribute efficiently via appropriate processes, Mirror Committees and by assuming responsibilities in the work of CEN-CENELEC and, at all times, contributing expertise to the Technical Committees for which its national economy is active.

This also includes, after the completion of the initial standardisation work, a full (multi-stakeholder) Public Enquiry.

### ***How it can be demonstrated***

- ✓ A pro-active approach to stakeholders to identify their needs, and a systematic reach-out to stakeholders;
- ✓ Systematic use of Business Plans for projects/programmes which set clear objectives;
- ✓ The objectives and scope of each project are clearly defined;
- ✓ Impact assessment studies are made whenever necessary;
- ✓ Effective relationships with 'customers' (federations / chambers of commerce) systematically ensured;
- ✓ The number and origin of national experts participating in given TCs/WGs (see also 2.3 'Appropriate Representation') is given;
- ✓ An efficient and effective system of public Enquiry is in place;
- ✓ Other indicators for the relevance of the standard are considered when relevant (e.g. for future standards: analysis of sales figures of existing similar standards or in similar areas; for existing standards: unexpected drop in sales of the standard; etc...);
- ✓ The Member's *status* is broadly recognised by all stakeholders.

### ***Existing information/reporting/monitoring:***

- ✓ The Member's practice regarding its relationship with its customers;
- ✓ The Member's Internal Rules (including consultation mechanisms and the definition of standardisation priorities);
- ✓ Sales statistics;
- ✓ Certification statistics;
- ✓ The Member's contribution to regional/international standardisation;
- ✓ Secretariats;
- ✓ Mirror committees;
- ✓ Number of involved stakeholders;
- ✓ National legal recognition (national law or equivalent and practices with stakeholders).

**4.2 Standards should not distort the market, have adverse effects on fair competition, or stifle innovation and technological development*****What is meant***

A Member should ensure wherever relevant through impact/risk assessment studies that new standards do not cause distortion or adverse effects on the market and competition. This also concerns the legal aspect of the standardisation process and the implementation of a transparent and coherent policy within the CEN-CENELEC system of patent policy based on FRAND conditions. The same applies for the copyright policy. A mechanism for feedback from stakeholders and exchange of information with other Members is also encouraged.

***How it can be demonstrated***

- ✓ IPR Policy (patents on FRAND conditions and copyright) in line with CEN-CENELEC Guide 8 (IPR) and Guide 10 (distribution and sales policy);
- ✓ Mechanisms in place to ensure stakeholder feedback and/or appeal procedures (see also 3.1 'Impartiality of Process');
- ✓ No (or few) complaints against the Member for unfair competition;
- ✓ Knowledge, with regards to standardisation, of the European Commission 'Guidelines on the applicability of Article 101 of the Treaty on the Functioning of the European Union to horizontal co-operation agreements' of 2010.

***Existing information/reporting/monitoring:***

- ✓ The Member's Internal Rules and practice;
- ✓ Figures on sales of standards;
- ✓ Volume of certification issued against a particular Standard;
- ✓ Number of national standards transferred to European/international level;
- ✓ Patent declarations;
- ✓ Record of complaints against unfair competition.

**4.3 High quality Standard publications are duly maintained and made easily available to customers*****What is meant***

The Member should ensure that a high quality of the standards deliverables is maintained through periodic review of the quality checking procedures used before publication, especially in the case of standards documents translated into the national language, as well as ensure that efficient processes are in place for corrective actions in case inaccuracies in drafts and published standards are detected.

Equally, standards have to be kept updated in order to ensure their relevance in the context of changing market or regulatory needs and new scientific and technological developments.

The availability of standards to the end-users also implies that customers, especially those from small or microenterprises, are assisted as much as possible in their purchase of the most appropriate and relevant set of publications corresponding to their need.

***How it can be demonstrated***

- ✓ Quality check procedures for publication and translation of standards are in place, together with mechanisms for receiving and acting on customer feedback;
- ✓ Procedures in place aimed at identifying and reviewing standards that have become obsolete, inappropriate or ineffective for various reasons;
- ✓ Scope of standards freely available to customers and drafted as clearly as possible;
- ✓ The Member 's knowledge and Implementation of CEN/CENELEC Guide 10;
- ✓ Commercial practices.

***Existing information/reporting/monitoring:***

- ✓ The Member's Internal Rules on :
  - quality check procedures before publication, including translation into national language;
  - standards review and maintenance;
- ✓ Record of complaints on editorial inaccuracies in publications;
- ✓ Customers satisfaction enquiries (scopes of standards & practices).

## 5. COHERENCE

### WTO/TBT Criterion

*In order to avoid the development of conflicting international standards, it is important that international standardizing bodies **avoid duplication of, or overlap with, the work of other international standardizing bodies.** In this respect, **cooperation and coordination with other relevant international bodies** is essential.*

In the spirit of this WTO criterion, the Member has to ensure coherence of the system by avoiding duplication of -or overlap with- the work of European or international standardising bodies.

**5.1 Avoid duplication and overlap with standardisation at European level (CEN-CENELEC). '*Internal coherence within the system*' (No explicit requirements in WTO/TBT)**

#### ***What is meant***

Cooperation and coordination within the European system of CEN and/or CENELEC is essential to ensure coherence. NSBs-NCs have therefore to ensure coordination and cooperation at different standardisation development stages, such as planning, execution and adoption.

An essential duty of the CEN and/or CENELEC Members is the implementation of ENs, as stipulated in the CEN-CENELEC IR, Part 2. Implementation has two aspects: giving the ENs the status of national standards and withdrawing any conflicting standards.

As for the implementation of ENs, at least a minimum of 80 % of the CEN and CENELEC 'acquis' is implemented at all time, and the Member must undertake to reach full implementation in a reasonable period (e.g. within one year).

Finally, the Member must also have in place an efficient procedure of notification for national work, which includes a 'standstill' on all national work in areas of agreed European work.

#### ***How it can be demonstrated***

- ✓ Planning stage (e.g. practice of notification of New Work Items) available;
- ✓ Execution and implementation of standardisation programs at European level: the Member refrains from developing or publishing a new or revised national standard on the same subject that could endanger the progress of the work at European level (i.e. 'standstill' clause);
- ✓ Adoption of final deliverable by CEN/ CENELEC: the Member has a system in place that ensures the withdrawn of any document conflicting with the implementation a European standard or Harmonization Document at national level according to the CEN-CENELEC Internal Regulations;

- ✓ The Member's requests for 'A' deviations are kept at the minimum (*this is also a condition for accession, i.e. Additional Criterion B*);
- ✓ The Member has withdrawn conflicting national standards;
- ✓ The Member has an established membership of the relevant International Organisation (ISO/IEC);
- ✓ The Member has an established link with the rest of the national Quality infrastructure;
- ✓ At least a minimum of 80% of the adopted CEN and CENELEC standards is implemented at national level and, if not, a plan is set to reach the totality in a reasonable timeframe.

***Existing information/reporting/monitoring:***

- ✓ National law indicating the status of the NSB-NC;
- ✓ Reports on activities at international level in the relevant International Organisation, (ISO/IEC);
- ✓ Formal status of the NSB-NC adopted deliverables;
- ✓ The Member's Internal Rules;
- ✓ The Member's statistics on implementation of European and international standards ;
- ✓ The Member's statistics on withdrawal of conflicting national standards;
- ✓ The Member's Internal Rules on accreditation/certification/metrology.

<p><b>5.2 Avoid duplication and overlap with standardisation at International level (ISO, IEC), 'External coherence with other systems' (No explicit requirements in WTO/TBT)</b></p>
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***What is meant***

The Member shall ensure that its activities are handled in accordance with the provisions and spirit of the Vienna and/or Dresden Agreements respectively. Within this framework, the Member promotes cooperation and coordination with the other relevant international standardisation bodies.

***How it can be demonstrated***

- ✓ Existing coordination/cooperation activities with standard bodies at international level developed under established agreements;
- ✓ Activities at international level in the relevant International Organisation (ISO/IEC);
- ✓ Compliance with the provisions coming from the Member's membership of the relevant International Organisation (ISO/IEC), such as in cases of adoption of ISO or IEC standards, or publication of national standards based on them.

***Existing information/reporting/monitoring:***

- ✓ Agreements of the Member with other relevant bodies;
- ✓ Nature and content of those agreements (e.g. subcontracting of standardisation work);
- ✓ Reports on activities at international level in the relevant International Standard Organisation (ISO/IEC);
- ✓ The Member's Internal Rules;

- ✓ The Member's implementation statistics (in case of EN identical /based on to ISO-IEC standards);
- ✓ The Member's withdrawal statistics;
- ✓ The Member's Internal Rules on accreditation/certification/metrology.

**5.3 Avoid duplication or conflict between sectors, within a Member's work programme or collection of published standards, and with national legal requirements  
(No explicit requirements in WTO/TBT)**

***What is meant***

The Member shall ensure a systematic check with sector representatives to avoid risk of duplications when a New Work Item is proposed. This obligation reflects the principle of 'one topic – one standard'.

Considering that some standardisation activity may have impact at public policy level (e.g. market surveillance activities), the Member should seek the involvement of the relevant public bodies and officials whenever necessary. Consequently, the Member's structures and rules have to be open to partners and to provide the possibility for them to participate. With this in mind, it should be noted that this Criterion is complementary to Criterion 1 'Transparency'.

***How it can be demonstrated***

- ✓ Frequency of meetings between sectors representatives;
- ✓ Composition in the Member's technical bodies, including public bodies and officials when relevant;
- ✓ Established contacts with the relevant public bodies and officials.

***Existing information/reporting/monitoring:***

- ✓ The Member's Internal Rules;
- ✓ Reporting on contacts with public bodies and officials;
- ✓ Data/lists of participants of the Member's technical bodies.

**5.4 Be complementary to legal requirements  
(No explicit requirements in WTO/TBT)**

***What is meant***

The Member has in place a system that allows identification of the possible role of standardisation in support of legislation.

In this context, the involvement of public bodies and officials is also to be ensured, especially in case of those standards that are aimed at supporting legislation (e.g. in New Approach area); this Criterion is complementary to Criterion 5.3.

***How it can be demonstrated***

- ✓ The Member is recommended to strive at having an information system in place about the relations between standards and national legislation;
- ✓ Composition of the Member's technical bodies, including public bodies and officials when relevant;
- ✓ Established contacts with the relevant public bodies and officials.

***Existing information/reporting/monitoring:***

- ✓ Database of references to standards;
- ✓ The Member's Internal Rules;
- ✓ Data/lists of participants in the Member's technical bodies.

## 6. VIABILITY AND STABILITY

### CEN-CENELEC Criterion

*National Members play a key role in the European standardisation system and at national level. They are expected to fulfill their tasks and remain part of the system even in economically turbulent times. This principle reflects the statutory provisions with regard to membership financial obligations, but also it requires, on a more general basis, the Member to ensure financial viability and legal stability in the long run.*

*In this context it is also necessary to reflect the CEN-CENELEC requirements for having in place adequate IPR policy (in line with the relevant Guides), as well as to ensure a stable infrastructure with qualified staff.*

*Formal governmental recognition is a fundamental aspect of this criterion.*

### 6.1 Financial viability

#### ***What is meant***

The Member may be either a public or private sector organisation, or a combination of the two. Irrespective of its legal status, the capacity by the Member to pay the annual fee - without any intervention from the EU/EFTA- is one of the conditions for membership.

This entails general *financial viability* being pre-requisite to membership to ensure the high quality output of the standardisation work in the long run.

Stable *financial viability* is also necessary for the fulfillment of the legal obligations arising from the Member's specific role at national level.

#### ***How it can be demonstrated***

- ✓ Regular payment of annual membership fee;
- ✓ The financial model of the Member.

#### ***Existing information/reporting/monitoring:***

- ✓ Annual Reports publicly available (e.g. in internet and in English), containing financial data;
- ✓ CEN-CENELEC budget lines on *Incomes* from membership.

## **6.2 National recognition and accountability**

### ***What is meant***

Additional Criterion C for accession to CEN foresees that the Member is recognised in its country as the official standards body, whereas Additional Criterion C for accession to CENELEC foresees that the Member is recognised in its country as an organisation officially competent in the areas of CENELEC's areas of competence.

This implies that the recognised Member must ensure adequate physical infrastructure, as well as adequate and competent human resources, to fulfill adequately its mandate and obligations at national and European level.

In this context, the Member's efficient management of the standardisation work at national level, as well as active participation in technical and corporate bodies at European level, have to be taken into account.

### ***How it can be demonstrated***

- ✓ Level and availability of infrastructure (offices, staff, IT resources, etc.);
- ✓ Active attendance and contributions in Technical and governing bodies at European level;
- ✓ Adequate Quality Management System.

### ***Existing information/reporting/monitoring:***

- ✓ National laws;
- ✓ The Member's annual reports;
- ✓ CEN-CENELEC annual reports;
- ✓ The Member's processes and procedures (ISO 9000 certification, if available).

## **6.3 Stability: adequate IT Infrastructure**

### ***What is meant***

Adequate physical infrastructure, including a functioning IT system in line with the CEN and CENELEC requirements, is an essential element to respond adequately to the membership obligations at European and national levels.

Concerning the formal participation in CEN and CENELEC processes, it is necessary for the Member to be in possession at all time of adequate operational telecommunications and IT infrastructure allowing it to respond efficiently to the high volume of data and document communication within the CEN and CENELEC respective system and to participate in the related voting process (e.g. electronic voting).

### ***How it can be demonstrated***

- ✓ Level and availability of IT infrastructure (offices, staff, IT resources, etc.);
- ✓ Feedback from IT users.

***Existing information/reporting/monitoring:***

- ✓ Annual Reports;
- ✓ IT data / reports.

**6.4 Stability: Protection of IPR (Copyright) and commercial policy*****What is meant***

The stability of the system is also guaranteed by two level of IPR protection:

At national level, with the signature/adoption by the national authorities of the following agreements from the World Intellectual Property Organization (WIPO):

- The Madrid Protocol of 1989 for the international registration of marks, located in Geneva, Switzerland;
- The Berne Convention for the Protection of Literary and Artistic Works.

At Member level with:

- The Member's commercial policy being fully in line with CEN-CENELEC Guide 10 'Guidelines for the distribution and sales of CEN-CENELEC publications';
- The National legislation on copyright not conflicting with the established CEN-CENELEC policy and practices under CEN-CENELEC Guide 10 and Guide 8.

***How it can be demonstrated***

- ✓ IPR practices in line with ISO/IEC and CEN-CENELEC policies and Guide 8;
- ✓ The Member's commercial policy is in line with CEN-CENELEC Guide 10.

***Existing information/reporting/monitoring:***

- ✓ Relevant copyright laws;
- ✓ Reporting/data on the Member's commercial practices.

**Additional Criteria for Organisations applying for membership to  
CEN and CENELEC**

<b>Background</b>
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- The fulfilment of the six CEN-CENELEC Membership Criteria is to be considered as a requirement that all CEN-CENELEC Members, present and future, have to respect at all time.
- Affiliation already provides conditions for wide voluntary participation in CEN-CENELEC work. Full membership provides further rights (such as voting), but also stringent obligations.
- Some of these obligations concern directly the candidate National Member itself, but others are indirectly related to its national context, notably the national legislative framework for technical legislation.
- New CEN-CENELEC national Members must be able to cope with the pace of the work of the CEN-CENELEC system in order to benefit fully from it and not to slow down the progress of CEN-CENELEC which is governed by market needs.
- All in all, the process of accession to CEN-CENELEC membership must be seen, by CEN-CENELEC as well as by the candidate organisation, as one of the important steps towards the full participation of the concerned countries in the European Internal Market.
- Furthermore, CEN-CENELEC's capacities to absorb new Members is an important issue to consider, and the acceptance of new Members must not jeopardize the existing system.
- This step should therefore be made at the right time in the context of progression towards the EU Internal Market.
- In this respect the candidate organisation has to fulfil three additional Criteria for accession to CEN and CENELEC.

#### CEN Statutory requirements for membership

- Article 7.1 of the CEN Statutes foresees that a national standards body is admitted as national Member if it: i) commits itself to comply with the rules set by the Statutes of the association; ii) submits a written application for membership of the association; iii) obtains the unanimous consent of the General Assembly, voting by secret ballot of the members present or represented, an abstention not being counted as a vote.

#### CENELEC Statutory and Internal Regulations requirements for membership

- Article 7 of the CENELEC Article of Association stipulates that the Members are the National Electrotechnical Committees of EU or EFTA countries or of countries capable of becoming EU or EFTA members. There can only be one CENELEC national Member per country. A National Electrotechnical Committee may be admitted as a Member provided it commits itself to comply with the rules laid down in the Articles of the Association. This also implies the capacity also to comply with the provisions of Internal Regulations, and/or other policy decisions.

The granting of membership requires at least two thirds of the votes cast by the Members present or validly represented, abstentions not included.

## 1- Capability of becoming a member of EU or EFTA

This Condition is already applied for the consideration of a request for affiliation with CEN-CENELEC. The European Commission and the EFTA Secretariat are systematically consulted on this before decision. However, for the granting of full membership, a closer examination is necessary, notably in the light of existing decisions of the European Union.

The European Council meeting in Essen (1994) has in particular approved a strategy to prepare the associated countries for their participation in the Internal Market by aligning their legislation with that of the Union (Community 'acquis'). This document stresses the importance of preparatory steps for the extension of the Internal Market to candidate countries for the accession negotiations, quoting in particular 'the complex process of approximation of legislation, norms and standards'.

In order to allow, in line with the EU policy, full membership in CEN and CENELEC to be a meaningful step in the process towards accession of the candidate countries to EU membership, the above condition may be interpreted as follows for the purpose of accession to CEN-CENELEC membership:

### **Criterion A for accession to CEN and CENELEC**

***There must be a "Europe Agreement" (or equivalent) between EU/EFTA and the candidate country, specifying a transitional period for accession to EU/EFTA.***

Normally, an application for full membership can be considered only if target dates for accession to the EU/EFTA have been established.

### **Criterion B for accession to CEN and CENELEC**

***The process of approximation of the national system with that of EU must have reached such a point that the specific legislative framework for voluntary standardization is in place and fully operational.***

The process of approximation of the national system with that of EU/EFTA must have reached such a point that:

- The specific legislative framework for voluntary standardisation is in place and fully operational;
- Pre-existing technical legislation which would permit the adoption (or keeping in place) of technical rules which would contradict the European standards, thus forcing the

Member either not to implement in full the ENs, or to request systematic 'A' deviations are removed as far as possible, or modified in such a way as to allow ENs to play the same role in the market as they play in the Internal Market. Approximation of the main sets of technical legislation to the directives in force in the EU and in the EEA or the equivalent legislation in Switzerland is a privileged way of achieving this result;

- there is full application Directive 98/34/EC and its amendments concerning standardisation activities.

## 2- Status of the applicant

### Criterion C for accession to CEN and CENELEC

***The candidate organization is recognized in its country as the official standards body competent for all areas of CEN's own areas of competence (which covers all economic sectors, except those covered by CENELEC and ETSI).***

***and/or***

***The candidate organization is officially recognized in its country as competent for all areas of CENELEC's own areas of competence.***

***The statutory rules applicable for the national standards body must be fully compatible with the mode of organization of voluntary standardization as operated in CEN and/or CENELEC.***

## 3- Processing of applications in CEN and CENELEC

1. An official letter of application is to be addressed to CEN and or CENELEC. This letter must provide evidence, and a supporting file regarding the items developed in this document is to be annexed (notably demonstrating compliance with the above criteria).
2. On receipt of the file and letter, the Director General, in consultation with the CEN and/or CENELEC President and Vice-Presidents, will commission independent experts to review the documentation and to prepare a report related to the conditions for acceptance.

3. A consultation with the European Commission and EFTA Secretariat will be arranged.
4. A consultation with the other ESOs will be arranged (notably on the weighted voting).
5. On the basis of the outcome of the above steps, negotiations will start between CCMC and the candidate organisation on the terms of accession to membership and, in particular, with respect to the calendar and the weighted vote to be granted.
6. The completed file will be transmitted to CEN and/or CENELEC Board for recommendation and from this to the CEN and/or CENELEC General Assembly for decision.
7. The General Assembly of CEN will vote in accordance with Article 7.1 of the CEN Statutes.
8. The General Assembly of CENELEC will vote in accordance to Article 7 of the Articles of Association.



**Other Documents**

**Assessment Guidelines**

**Criteria to be fulfilled by all national CEN-CENELEC Members**

**Purpose of this Assessment**

- Initial Assessment
- Ordinary Assessment
- Extraordinary Assessment

**Assessment Dates**

\_\_\_\_\_

**National Standardisation Body – National Committee Assessed**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Postcode/Town \_\_\_\_\_  
Country \_\_\_\_\_  
Contact person: \_\_\_\_\_

**Assessment team**

Assessor 1 \_\_\_\_\_  
Assessor 2 \_\_\_\_\_  
Assessor 3 \_\_\_\_\_  
Observer (if any) \_\_\_\_\_

Date & Signature of Assessment Team leader \_\_\_\_\_

**General Information****Organisation:**

Foundation of the NSB-NC	- National standardisation law (or similar acts) - Statutes
Members CEN - CENELEC Since	
Current legal status	- Annual reports (last 2 years)  - Internal Regulations  - Brief description of standardisation landscape in the country
Number and location of subsidiaries	(if necessary a separate list may be provided)
Is there an insurance contract signed covering the NSB-NC liability risks arising from its standardisation activities (e.g. staff liabilities or activity liabilities (i.e. case of defective standards))?	
Main organisational changes since last Assessment (e.g. legal status, ownership, structure...):	
Does your NSB-NC have any link to governmental bodies? If so, please indicate.	

**Staff:**

Total number of staff	- Organisation chart, with some explanation of the functions and the number of staff    - Internal Regulations
Number of experts	
Sectors managed directly	
Sectors subcontracted	

**Participation in corporate activities**

AGs	- CEN CLC reports - NSB-NC Annual reports (last 2 years)
CAs	
Corporate advisory bodies (JCAG, PR...)	

**Participation technical activities**

BTs	- CEN and CLC or Common - List of Technical Committees and if possible their relationship with European and international counterparts
TCs	
WGs	
Others (please specify)	

**Other general information on the organisational structure (see Item 1.6)**

<ul style="list-style-type: none"> <li>-Statutes, ownership, business policy, activities, structure,sites</li> <li>-Further points to clarify may be: <ul style="list-style-type: none"> <li>- History of the NSB-NC since foundation</li> <li>- Integrity, competence built up during the organisation's history</li> <li>- Influence of the NSB-NC in the national landscape</li> <li>- Information about the persons being responsible for the projects and processes (Chair, Secretary, project manager...)</li> <li>- General information available to the public of the NSB/NC (legal status, finance, governance) CEN and CLC or Common</li> </ul> </li> </ul>
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**Specific Information**

	Question	Evidence	Check list
<b>TRANSPARENCY</b>			
1.1	Through which means the TC's Work Programme made available?	<ul style="list-style-type: none"> <li>- Work Programme published via Website</li> <li>- NSB-NC periodic bulletins &amp; newsletters</li> <li>- Annual report</li> </ul>	
	Do you inform other CEN-CENELEC members of the TC's Work Programme?		
1.2	Through which means is a New Work Item made available?	<ul style="list-style-type: none"> <li>- Information includes the relationship with this NWI and the European and/or International projects</li> <li>- Notifications of ALL topics or only products?</li> <li>- Notifications ALL deliverables or only standards?</li> </ul>	
	Do you inform the European Commission, CEN - CENELEC members?	<ul style="list-style-type: none"> <li>- Internal procedures on notification reports and other requirements under EC Directive 98/34 (including 'standstill' on all national work in the areas of agreed European work)</li> </ul>	
1.3	How do you make available draft documents to allow contributions and comments from participating parties?	<ul style="list-style-type: none"> <li>- Internal rules on information, reporting, monitoring procedures</li> <li>- Periodic assessment studies on the actual availability of drafts among members</li> <li>- Draft document (with full text accessible) made available via web platform/ circulation of electronic Format (pdf, read-only...).</li> <li>Commercial practices, Guides, CWAs and other deliverables</li> </ul>	
	Do you have means to facilitate contributions from other CEN-CENELEC European Countries?		
	Is access to draft documents free of charge to all parties participating in the standardisation?		
1.4	How do you provide access to your published deliverables?		
	Do you make the scope of the standards freely available (on a web-site)?	<ul style="list-style-type: none"> <li>- Website including information on: <ul style="list-style-type: none"> <li>○ Up to date catalogues with title and scope of the published standards.</li> <li>○ Availability of standards translated into the national language.</li> <li>○ Information about the withdrawal of standards, (including a system of traceability of standards?)</li> <li>○ Information about withdrawal of conflicting national standards</li> <li>○ Information on how to buy publications</li> </ul> </li> <li>- Other information on standing orders, update services, speed of delivery, etc.</li> </ul>	
	What % of standards are translated into your	<ul style="list-style-type: none"> <li>- Internal statistics, web-site, catalogues of standards</li> </ul>	

	national language?		
1.5	Can you describe your procedures of public enquiry?	<ul style="list-style-type: none"> <li>- Internal Rules should cover <ul style="list-style-type: none"> <li>o Procedures to provide adequate time and opportunities for written comments;</li> <li>o Information on these procedures is effectively disseminated;</li> <li>o Information on how to comment on the drafts submitted to public enquiry votes; time for comment;</li> <li>o Information on how to comment; traceability of comments; languages accepted</li> </ul> </li> </ul>	
	Can you show how comments are taken into account?	<ul style="list-style-type: none"> <li>- Statistics on comments</li> <li>- Actual Practice of Public Enquiry and provision of the above information</li> </ul>	
1.6	See general information.		
<b>OPENESS AND DEVELOPMENT DIMENSION</b>			
2.1	How do you implement the rules allowing participation on a non-discriminatory basis?	<ul style="list-style-type: none"> <li>- Statutory conditions for participation (nationality, membership, participation fee...)</li> <li>- Rules on nomination and access conditions</li> <li>- Procedure to accept (new) experts</li> <li>- Means of access (IT tools...)</li> </ul>	
	What is % of composition of the experts in your TCs (e.g. academic compared with business)?	<ul style="list-style-type: none"> <li>- Database of contract with experts</li> </ul>	
2.2	What is the distribution of expertise and appropriate representation?	<ul style="list-style-type: none"> <li>- Statutory conditions for participation (nationality, membership, participation fee...)</li> <li>- Nomination and access conditions</li> <li>- Procedure to accept (new) experts</li> <li>- means of access (IT tools...)</li> </ul>	
2.3	What measures do you have in place to ensure that the experts in the mirror committee represent a good balance of national interests?	<ul style="list-style-type: none"> <li>- Procedure to accept (new) experts</li> <li>- BT Resolutions on appropriate representation</li> <li>- National mirror committees: data on number of meetings and expert participation</li> <li>- Number of experts in CEN-CENELEC TCs/WGs</li> <li>- Data on origin of the experts attending the national meetings (see appropriate representation)</li> <li>- Number of mirror committees active in strategic sectors of the national economy</li> </ul>	
	What measures do you have in place to ensure that the National Delegation to CEN-CENELEC represents a good balance of national interests in the Mirror Committee?		
	What about in case you have one / very few companies in the country?		

2.4	How do you vote in Europe and at international level when there is no industry in the country?		
	How do you ensure that the national delegates follow the mirror committee position?		
	How does the national delegation report back to the concerned mirror committees?		
	How do you assess the need to involve specific stakeholders?		
	What are the mechanisms of complaint for stakeholders?		
2.5	Do you have representation of stakeholders in your relevant governing bodies (e.g. Councils; boards other advisory bodies)?	- Statutory conditions, relevant CA, AG decisions, national regulations / laws (if relevant) - Established practices	
	<b>DEVELOPMENT DIMENSION</b>		
	How do you promote standardisation among different categories of industry (SMEs) and societal stakeholders?	- Number and quality of activities in place: e.g. seminars; information sessions; promotional documents, PR initiatives, etc.	
	How do you monitor the participation of different categories of industry and societal stakeholders?	- Fee policy to promote participation. - Commercial arrangements on standards sales for weak societal stakeholders.	
	Do you have cooperation activities to support other NSBs/NCs in weaker countries?	- Commercial arrangements on standards sales for SMEs.	
<b>IMPARTIALITY AND CONSENSUS</b>			
3.1	If you find unbalanced committees, what remedial action do you take?	- Evidence of the impartiality of process should be found through: <ul style="list-style-type: none"> <li>o Existing voting rules</li> <li>o 'Appropriate representation' principle (see above)</li> <li>o Means of access to the standardisation process (see above)</li> <li>o Procedures/Rules giving rights for commenting</li> <li>o Procedures/Rules for the consideration of comments</li> <li>o Voting rules</li> <li>o Rules for nominations of Chairs and secretaries</li> <li>o Existence of a Code of conduct on independence of Chairs</li> <li>o Existence of a Code of conduct on independence of Secretaries</li> </ul>	
	How do you inform all stakeholders and allow them to participate if willing to do so?		

	If you are challenged with partiality or conflict of interest in the mirror committee, how do you resolve it?	- Safety valve mechanisms (appeal) - conflict of interest declarations	
	What about public financing? Can it be a source of interference or limitation of your freedom?	- Sources of finance NSB-NC Annual accounts/reports - Practices of involvement of public authorities	
3.2	What are the established practices that seek to take into account the view of all parties concerned and to reconcile any conflicting arguments (principle of consensus)?	- Existing information/reporting/monitoring: - IR of NSB-NC: in particular: - Safety valve mechanisms (appeal ) - Voting rules	
3.3	How do you ensure legal independence?	- Statutory rules of NSB-NC - Governance - Sources of finance (NSB-NC Annual accounts/reports)	
	How do you decide to allocate money and resources (financial independence)?	- Sources of finance (NSB-NC Annual accounts/reports)	

**EFFECTIVENESS AND RELEVANCE**

4.1	How do you define standardisation priorities?	<ul style="list-style-type: none"> <li>- This should include:                             <ul style="list-style-type: none"> <li>o a pro-active approach to stakeholders to identify their needs, a systematic reach-out to stakeholders;</li> <li>o systematic use of Business Plans for projects/programmes</li> <li>o a clear definition of the objectives (and non-objectives) of each project;</li> <li>o indicators for the relevance of the standard (sales figures, certification etc...);</li> <li>o impact assessment studies.</li> </ul> </li> </ul>	
	Are you reactive or proactive with regards new areas?		
	How do you monitor that the standards remain relevant?		
	How do you ensure they are timely reviews and revisions?		
4.2	What are the mechanisms to ensure that new technologies are not unduly excluded from standards?	- Adequate Patent Policy in place (FRAND) in line with Guide 8 - Feedback mechanisms - Record of complaints	
4.3	What are the quality check procedures in place before publication?	- Quality Procedures for: <ul style="list-style-type: none"> <li>o Translation of a standard</li> <li>o Editorial mistakes</li> </ul> - Record of complaints on editorial inaccuracies	
	How do you ensure that standards are kept updated?	Internal procedures to identify and review standards that have become obsolete,	
	How do you ensure that the right standard is purchased by customers according to their real needs?	- Scope of standards freely available and drafted as clearly as possible - Implementation of CEN/CLC Guide 10 policy - Commercial practices of advice/assistance to small or microenterprises - Customers satisfaction enquiries	

**COHERENCE**

5.1	How do you ensure that you have really withdrawn all conflicting standards?	<ul style="list-style-type: none"> <li>- Status and scope of NSB</li> <li>- International status of the member (member of the relevant International Organisation, ISO/IEC</li> <li>- Official status of deliverables</li> <li>- IR</li> </ul>	
	How do you ensure compliance your national legal system?		
	Are you able to show the last notifications		

	(Vilamura procedure)?	<ul style="list-style-type: none"> <li>- Implementation statistics</li> <li>- Withdrawal statistics</li> </ul>	
	How many 'A Deviations' do you have?		
	How do you ensure the correct link between A deviations and national law?		
5.2	How do you monitor compliance with the provisions of and spirit of the Vienna and Dresden agreements?	<ul style="list-style-type: none"> <li>- Agreements of NSB with other relevant bodies</li> <li>- Nature and content of those agreements (e.g. subcontracting of standardisation work)</li> <li>- International status of the member (member of the relevant International Organisation, ISO or IEC)</li> <li>- Internal Rules of the national member</li> <li>- Implementation statistics (in case of ENs identical with or based on ISO or IEC standards)</li> <li>- Withdrawal statistics</li> <li>- Internal Rules of the national member on accreditation/certification/metrology...</li> </ul>	
	Do you have a strategy of cooperation at international level?		
5.3	Do you organise coordination meetings between sector representatives?  Do you also involve public officials in your committees?	<ul style="list-style-type: none"> <li>- Internal Rules of NSB-NC</li> <li>- Frequency of contacts with/participation of public officials</li> <li>-</li> </ul>	
5.4	Do you have a database of references to standards in support of legislation?	<ul style="list-style-type: none"> <li>- Track record of reference to standards</li> <li>- Internal Rules of NSB-NC</li> <li>- Practices of contacts with / participation of public officials</li> </ul>	
	Do you invite public officials to attend TCs when developing standards in support of legislation?		
<b>STABILITY AND VIABILITY</b>			
6.1	What is your financing model?	<ul style="list-style-type: none"> <li>- NSB-NC Annual Reports publicly available (e.g.: internet and in English)</li> <li>- CEN and CENELEC Annual reports</li> <li>- CEN and CENELEC budget</li> </ul>	
	Do you pay your membership fee regularly?		
6.2	Is your legal status appropriate with regards your duties as a CEN-CENELEC member?	- National laws	
	Is your level and availability of infrastructure (offices, staff, IT resources...) adequate?	- Existing infrastructure	
	What is the level of attendance and contributions in Technical and governing bodies at European level?	<ul style="list-style-type: none"> <li>- NSB-NC Annual Reports</li> <li>- CEN and CENELEC Annual reports</li> </ul>	
6.3	Is your IT system adequate with regard to your duties as CEN-CENELEC member? (IT evolution)	<ul style="list-style-type: none"> <li>- IT data / reports</li> <li>- IT reports</li> </ul>	
	Do you have a system in place for feedback from users?		
6.4	IPR: How do you protect the copyright of standards ?	- IPR practices in line with ISO/IEC and CEN-CENELEC policies	
	What happen in your country if the standard become compulsory?		

<b>DOCUMENTS TO BE TAKEN INTO ACCOUNT</b>
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**Document for reference****WTO Agreement on Technical Barriers to Trade:**

- WTO Agreement on Technical Barriers to Trade, Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards;
- Interpretation document.

**ISO/IEC:**

- ISO/IEC Guide 59:1994, ISO/IEC Code of good practice for standardization;
- ISO Code of Ethics;
- ISO/IEC 17040:2005, Conformity Assessment – General requirements for peer assessment of conformity assessment bodies and accreditation bodies (implemented as EN ISO/IEC 17040:2005);
- EN ISO 9004 (Copyright clause);
- ISO/IEC 27000.

**EU:**

- Guide to the Main Administrative Structures required for implementing the Acquis (May 2005) Chapter 1, P. 8f.;
- 'Council Conclusions on standardisation and innovation' of 25 September 2008.

**CEN-CENELEC:**

- Application for Membership Audit Manual;
- CEN CA Resolution 25/2009 on 'National regulations affecting standardization';
- EXPRESS Report;
- CEN-CENELEC Guide 8 on implementation of the common IPR policy;
- CEN-CENELEC Guide 10 on distribution and sales of CEN/CENELEC publications;
- Relevant CEN or CENELEC BT Resolutions.

**OTHER:**

- NF X 50-088:2009, *Standardisation and related activities — Activity of a standardizing body — Principles, requirements, and indicators.*

**Documents useful for the assessments**

- Notifications
- Rules for mirror committees (Objective, Scope, Legal Basis and Definitions)
- External Arrangements with other national bodies
- IT department Task & duties
- IT Infrastructure
- IT Infrastructure programme databases
- Link to published Standards and list of Standards adopted by cover page method

- List of Adopted CEN-CENELEC standards
- List of Adopted ISO and IEC standards
- List of Amendments of Adopted CEN-CENELEC Standards
- List of CEN-CENELEC/WG Experts
- List of comments and dummy votes
- List of Mirror Committees
- List of Mirror Committees meetings
- List of national standards (non EN) withdrawn including both those in conflict with ENs and Mandatory
- List of references in the Official Journal
- List of revisions of Adopted CEN-CENELEC standards
- List of training organised for Mirror Committees members
- List of CEN / CENELEC meetings attended
- List of withdrawn adopted CEN-CENELEC standards
- Statistic on Adoption Rate (ex: 4 104 Standards-%99.6 Adoption)
- SPC Budgets
- SPC Intranet
- SPC List of hardware
- SPC Organizational Chart
- SPC Process Interaction map
- SPC Process Interaction Map
- SPC Quality Manual
- Standards preparation activities for Mirror Committee Membership (to be signed by Mirror Committees members)
- Standards preparation activities for Working Group Membership of ISO, IEC, CEN, CENELEC
- Statistical details of the number of the EN standards adopted
- Statistical details of the number of the EN standards adopted per European Directive
- Technical and editorial enquires submitted to CEN-CLC TCs and other relevant bodies
- Timetable for adoption of remaining ENs
- Timetable For Withdrawal of Remaining standards conflicting with ENs
- WTO Notification form C 2006-2010
- Customer satisfaction surveys
- Examples of draft agendas
- Examples of minutes duly signed by mirror committee members and indicating the deadlines for actions related to the decisions taken at the meeting
- Examples of the templates for draft agendas and minutes
- Law on Intellectual and Artistic Work
- Examples of declaration of assignment of exploitation rights to the Member by the experts
- National deviation procedure applied to CEN-CENELEC standards
- National standard notification (98/34 notification procedure)
- Statistic (Pie charts) identifying SMEs and societal participation
- Quality Manual
- Standstill procedure

**EXAMPLE OF ASSESSMENT REPORT TEMPLATE**

**DRAFT TEMPLATE<sup>2</sup>**  
**CEN-CENELEC**

**SELF-ASSESSMENT**

***Internal assessment  
team:***

***Assessment purpose:*** Assessment of conformity and efficiency of the system against draft Reference Document Criteria to be fulfilled by all national CEN-CENELEC Members, Version XXX

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**Signature:**

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<sup>2</sup> To be reviewed on the basis of the feedback received by the Members **(the text in red indicates examples)**.

### 1. Scope

The scope includes:

- *activities as a national standardisation organisation in accordance with EU Directive 98/34, Guidelines for Accession and national legislation.*

### 2. Extent

The assessment covers the following addresses:

Site	Address	Postal code and city	Employees
Number of employees:			

The Assessment covered the activities planned in the Assessment agenda forwarded by mail dated XXXX with the following exceptions:

- *Department YY omitted as the field was examined by ...*
- *Section ZZ of the standard was left out due to shortage of time and will be included at a later occasion*

During the Assessment the following system documentation is used:

- <Reference to the company's system documentation e.g. table of contents>

### 3. Main conclusions

Recommendation:

It can be concluded that (examples):

- *the system complies with the criteria.*
- *the system documentation is implemented to a satisfactory extent.*
- *the system, on the whole, seems suitable and efficient when reviewed against the company's conditions and processes*

Extent or number of non-conformities, regulatory requirements, important customer requirements ...

Conclusion:

In general following strengths have been revealed during the assessment :

- *Strength n*
- *Strength n+1*

Based on the overall results of this Assessment, the management was recommended to focus on the following topics, working with progressive improvements in the standardisation organisation:

- *Topic 1*
- *Topic 2 ...*

<If relevant...> Documentation for the execution of an internal assessment was found satisfactory, reliable and conforming with the requirements.

<If relevant...> The system is evaluated as sufficiently effective to meet the defined objectives.

Furthermore the system documentation has been reviewed and we conclude that the requirements of

- <pl05 > have been met.

Or

- <pl05 > have been met, though some observations have been noted. These are listed in the following table.

Or

- <pl05 > have not been met with regards to the non-conformities noted below.

Areas of improvement:

The Assessment identified the following areas of improvement. The fields are not binding and implementation is therefore not required.

No	Description of the areas of improvement

Observations:

No	Ref. to requirements	Description of observation	Deadline

The observations revealed are to be dealt with by <name > before the mentioned deadline, after which they will be followed up by the Assessment team.

When handling the above observation(s) consideration needs to be given to whether any similar observations might appear elsewhere in the organisation. If so, preventive actions within these parts of the standards organisation should be initiated.

Non-conformities:

The Assessment team did not find any non-conformity.

*or*

During this Assessment we found XX nonconformities. There are detailed in the attached non-conformity report(s). The deadline for rectifying appears from the non-conformity report(s).

#### **4. Since last Assessment**

Follow-up on observations revealed at previous Assessment (not relevant this time)

Changes in the company's activities (not relevant this time)

#### **5. Agreements**

Next Assessment X-ZZZZ is planned for xxxx-xx-xx.

It has been arranged, that the following topics should be covered by the next Assessment:

- A
- B
- C

Agenda as well as self evaluation shall be forwarded in due time ahead of the Assessment planned.