

# CEN-CENELEC

# GUIDE

# 20

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

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## Foreword

This Guide complements – and should be read in conjunction with – CEN-CENELEC Guide 22 “Guide on the organizational structure and processes for the assessment of the membership criteria of CEN and CENELEC”.

The European Council Conclusions on standardization and innovation of September 2008 invited the "national standardization bodies, in coordination with European standardization 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 Standardization Bodies to share experience of best practices and implement a peer assessment system when relevant.

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

As part of this initiative, CEN and CENELEC Members have agreed on this Guide 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*.

As a result, all stakeholders of CEN and CENELEC will benefit if Members share this knowledge.

With the adoption of this Guide, CEN and CENELEC Members are definitely engaged towards an innovative approach aiming for 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 best practices and the associated dialogue among the Members.

Finally, the criteria adopted under this Guide 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.

Compliance with this Guide is compulsory.

### **The link with the EU Regulation 1025/2012 on European standardization**

In defining the membership criteria, CEN and CENELEC also took into account the core political values of the current European standardization system, which have proved to be essential to the shaping and consolidation of the Single Market and to foster economic growth in Europe.

The CEN and CENELEC membership criteria set in this Guide are, therefore, fully in line with EU Regulation 1025/2012 on European standardization of 25 October 2012, to which CEN, CENELEC and their national Members are bound.

To this purpose, this Guide highlights the link between the requirements of the membership criteria and the corresponding obligations under EU Regulation 1025/2012 whenever relevant in order to draw the attention of the CEN and CENELEC Members when handling their assessment exercise.

Practical details on how to take advantage of the synergy between the exercise of assessment of the membership criteria and the Members' annual reporting under EU Regulation 1025/2012 can be found in the above-mentioned CEN-CENELEC Guide 22.

### **The six Criteria for Membership in CEN-CENELEC and the three additional Criteria for candidate organizations to become a Member of CEN-CENELEC**

A CEN and/or CENELEC Member has to comply with the six Criteria for Membership at all times.

As for the candidate organizations to become Members in CEN and CENELEC, it should be noted that the six Criteria for Membership also include the following former 9 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*'. The former conditions for membership are incorporated in this Guide as follows:

- Condition 4 (Payment of membership fees) > Criterion 6;
- Condition 5 (To deal efficiently with CEN-CENELEC work) > Criteria 1, 2 and 3;
- Condition 6 (IT infrastructure) > Criterion 6;
- Condition 7 (National implementation) > Criteria 1, 4 and 5;
- Condition 8 (Notification procedure) > Criteria 1 and 5;
- Condition 9 (IPR policy) > Criterion 6.

In addition, Criteria A, B, and C in this Guide incorporate 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 the EU);
- Condition 3 (NSB or NC officially recognized in its country).

Because these former conditions apply specifically to the national and legal environment in which the candidate standardization organization operates, they have been incorporated in separate Criteria A, B and C, under the heading 'Additional Criteria for organization 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 documents are replaced by this Guide as of 1 January 2012.

### **The six Criteria for Membership in CEN-CENELEC and the additional Criterion D for a new legal entity successor of an existing Member of CEN and/or CENELEC.**

This Guide also applies in cases where CEN and/or CENELEC receive a request for membership from a national standardization organization having a different legal status from the corresponding existing Member, and claims to be entitled of succession to that Member in CEN and/or CENELEC.

In accordance with the statutory rules, the CEN and CENELEC General Assemblies take all decisions regarding the membership of national standardization organizations, including for the above-mentioned case. In order to support this process, the General Assemblies will receive prior to their decisions an assessment report against the fulfilment of the six criteria and of the additional criterion D of this Guide by the new legal entity successor of an existing Member.

Therefore, the acceptance of a new legal entity as Member will be based on the confirmation of the ability to abide by the membership criteria, as a result of the assessment made by independent experts under the coordination of the CEN-CENELEC Membership Relations and Monitoring Committee.

### **The role of the CEN-CENELEC Membership Relations and Monitoring Committee (MRMC)**

The MRMC is mandated by the CEN and CENELEC General Assemblies to manage the CEN-CENELEC assessment system and ensure the overall quality, coherence and fairness of the reporting made on compliance with the criteria of this Guide. Furthermore, all assessment exercises are handled by competent assessors under the supervision of a recognized *super partes* Chair.

MRMC scope, composition and functioning are described in CEN-CENELEC Guide 22 “Guide on the organizational structure and processes for the assessment of the membership criteria of CEN and CENELEC”.

Please note that in this Guide:

- the term 'Member' is used to indicate a National Standardization 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 an equal basis.

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



# 1 Transparency

## WTO/TBT Criterion

All essential information regarding:

- current work programme,
- as well as proposals for standards, guides and recommendations under consideration,
- and 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 standardization 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.

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 standardization process if they want to. This should also include access to the contributions of all other parties actively involved in the standardization 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).

This criterion also refers to the requirements under EU Regulation 1025/2012 on European standardization related to:

- the availability of the CEN-CENELEC Members' annual work programmes (Art. 3.2);
- the standstill rule (Art. 3.5);
- access to draft national standards, also by all relevant parties established in other Member States (Art 4.4).

### **1.1 Work programme**

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

In line with Article 3 of Regulation 1025/2012, the Work Programme is published at least once a year, complete and made publicly available, through the Member's website and other relevant publications.

The Work Programme shall contain information on the standards and European standardization deliverables which the Member intends to prepare or amend, which it is preparing or amending and which it has adopted in the period of the preceding work programme, unless these are identical or equivalent transpositions of international or European Standards.

The Work Programme indicates, in respect of each standard and European standardization deliverable:

- the subject matter;
- the stage attained in the development of the standards and European standardization deliverables;
- the references of any international standards taken as a basis.

To be considered also:

- frequency of information update at least once a year;
- public access and free of charge;
- availability of single TCs Business plans.

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

National annual Work Programme is<sup>1</sup>:

- either a specific periodical publication or a dynamic database;
- published in due time on, or linked from, the Member's website;
- notified to the other Members and the CEN-CENELEC Management Centre (CCMC);
- referenced as information in the Member's periodic bulletins, newsletters or annual report.

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

- Member's Website;

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<sup>1</sup> Please also refer to the information provided with the annual reporting to the EC under EU Regulation 1025/2012.

- Internal Rules of the Member;
- the Member's periodic bulletins, newsletters or annual report;
- notifications to the other Members and CCMC on the availability of the publication of the annual Work Programme<sup>2</sup>.

## 1.2 New Work Items

### What is meant?

*(This is also a condition for accession: i.e. Additional Criterion B).*

The Member applies in full the notification procedure for national work, which includes a 'standstill' on all national work in the areas of agreed European work. This is also in accordance with EU Regulation 1025/2012 Art. 3.5.

The 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 be considered also are the voluntary notifications of service standards and other deliverables.

### How can it be demonstrated?

- a) The reference of the New Work Item is available via the Member's:
  - 1) website;
  - 2) periodic bulletins & newsletters;
  - 3) annual report.
- b) The Member's Internal Rules regarding notification reports and other requirements under EU Regulation 1025/2012 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:

- a) Notification reports;
- b) the Member's Internal Rules on implementation of EU Regulation 1025/2012 requirements;
- c) the Member's:
  - 1) website;
  - 2) periodic bulletins & newsletters;
  - 3) annual report;
- d) The Member's input on the work programme to the CEN and CENELEC annual reports under Regulation 1025/2012.

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<sup>2</sup> Please also refer to the information provided with the annual reporting to the EC under EU Regulation 1025/2012

### **1.3 Draft documents**

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

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

As requested under EU Regulation 1025/2012 Art. 4, Members:

- ensure access to draft national standards in such a way that all relevant parties, in particular those established in other Member States, have the opportunity to submit comments;
- allow other Members to be involved passively or actively, by sending an observer, in the planned 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 standardization process is free of charge.

#### **How can it 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<sup>3</sup>;
- 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...);
- comments from other Members and the European Commission are replied to within 3 months<sup>4</sup>;
- the Member ensures access to all relevant parties, including those established in other Member States.

#### **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 and other technical deliverables (e.g. CWAs), Guides and other relevant publications.

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<sup>3</sup> Please also refer to the information provided with the annual reporting to the EC under EU Regulation 1025/2012.

<sup>4</sup> Same as above.

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

Standards and other deliverables should be translated into the national language whenever it is deemed necessary.

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

**How can it be demonstrated?**

- a) Information made publicly available (e.g. on the website) on:
  - 1) up to date catalogues with title and scope of the published standards;
  - 2) scope, summary and table of contents of standards made freely available (see also 2.2);
  - 3) availability of standards translated into the national language;
  - 4) information about the withdrawal of standards, (possibly including a system of traceability of standards);
  - 5) information about withdrawal of conflicting national standards;
  - 6) information on how to buy publications;
- b) 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 can it 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 organization.

It also includes information on Member's Technical Committees and Working Groups and their link with the corresponding European (CEN and CENELEC) and international (ISO and IEC) Technical Committees.

### **How can it 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.) and their link with the corresponding European (CEN and CENELEC) and international (ISO and IEC) structures;
- the existing corporate structure, including legal status;
- the persons responsible for the projects and processes (Chair, Secretary, Project Manager, etc.);
- the 'reality' of the standardization structures and processes by indicating, inter alia, the categories of stakeholder actually involved (e.g. public/private, sectors/branches);
- other general information about 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 Criterion

#### Openness

Membership of an international standardization 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 standardization 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 standardization 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 Standardization Bodies (Annex 3 of the TBT Agreement), participation in a particular international standardization activity takes place, wherever possible, **through one delegation representing all standardization bodies in the territory that have adopted, or expected to adopt, standards for the subject-matter to which the international standardization activity relates**. This illustrates 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 standardization bodies are important in this context.

These two WTO criteria, which may be considered as complementary, have been adapted to the European context also in compliance with EU Regulation 1025/2012, Art. 5 and Art 6. Indeed, both relate to the participation of all categories of stakeholders in the standardization work. This is why they have been grouped into one single Criterion under this Guide in order to avoid duplication.

'Openness' guarantees participation to the parties that are directly or indirectly affected by the activity in question. The parties actively involved in the standardization bodies are able to remain so at all the steps of the standardization 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-NCs of other European countries (see also section 1.3 and Article 4 of EU Regulation 1025/2012).
- *At European level*, participation of the Members in a particular standardization activity takes place through one delegation representing the consensus established by all national stakeholders. The principle of *national delegation* reflects the importance of participation in the European standardization process by accommodating all relevant interests at national level.

'Development dimension' – Because of the different geographical scope of CEN and CENELEC compared to the international standardization organizations, this WTO criterion has been adapted to the European context. Hence, in this Guide 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 standardization activity and at all stages of the development of a standard (i.e. principle of representative input).

This also implies that, in compliance with Article 4 of EU Regulation 1025/2012, the Member allows other European Members to receive information by sending an observer to any meeting or other activity involved in the process (see also section 1.3).

#### How can it be demonstrated?

- Statutory conditions for participation (nationality, membership, participation fee, etc.);
- 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);
- Information/statistic on the categories of participating stakeholders, including SMEs, societal stakeholders and national authorities.

#### Existing information/reporting/monitoring:

- the Member's Internal Rules;
- relevant BT Resolutions about guidance for appropriate representation in technical bodies;
- database classifying stakeholders.



## 2.2 Development dimension: to promote and facilitate the participation of all relevant stakeholders, including weaker economic and societal stakeholders, with the objective of ensuring a real multi-stakeholder process in the development of standards

### 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 all relevant stakeholders, especially weaker stakeholder groups, in the process of the standardization work. It implies putting in place awareness raising activities, policies as well as formal procedures for encouraging and monitoring the participation of different categories of industry (e.g. SMEs) and societal stakeholders.

In particular, it should be noted that EU Regulation 1025/2012, Art. 6 requests the Members to encourage and facilitate SME access, for instance by:

- identifying, in the annual work programme, the standardization projects which are of particular interests to SMEs;
- giving access to standardization activities without obliging SMEs to become a Member of a national standardization body;
- providing free access or special rates to participate in standardization activities;
- providing free access to draft standards and making available free of charge on their websites abstracts of standards;
- applying special rates for the provision of standards or providing bundles of standards at a reduced price.

In line with the objective of facilitating access to relevant information of standards' users from societal stakeholders, the Member should also ensure that its website provides a search tool on European and international standards as user-friendly as possible:

- in the national language;
- that allows tracing standards by product and service.

Furthermore, the Member should provide the Summary and the Table of Contents of the standard along with its Scope.

At regional level, this refers to support for weaker countries and provisions for weaker stakeholder groups, which might be supported by ad-hoc regional structures.

The Member is also encouraged by EU Regulation 1025/2012 to exchange best practices concerning SME issues with other Members.

This Criterion is complementary to Criterion 2.1.

### How can it be demonstrated?

- Number and quality of initiatives in place to engage stakeholders (e.g. seminars, information sessions, promotional documents, PR activities, etc.);
- Non-discriminatory procedure for accepting (new) experts;
- Information/statistics on the categories of participating stakeholders, including SMEs, societal stakeholders and national authorities<sup>5</sup>.

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<sup>5</sup> Please also refer to the information provided with the annual reporting to the EC under EU Regulation 1025/2012.

**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 SMEs and societal stakeholders;
- the Member's Internal Rules on voting rights of participants;
- relevant BT Resolutions about guidance for appropriate representation in technical bodies;
- database classifying stakeholders, including SMEs.

**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, other public authorities (e.g. Chambers of Commerce), professions, research organizations and 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 provisions 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 can it be demonstrated?**

- a) The Member has a system in place:
  - 1) for identifying, on a case-by-case basis, the interested parties to be involved in the development of a standard;
  - 2) for identifying the stakeholder category appropriate to each expert appointed to a CEN or CENELEC working group;
  - 3) to strive for appropriate representation in the technical bodies;
  - 4) for the appointment of national delegations to a CEN/TC or CENELEC/TC that reflect the different stakeholder interests;
- b) 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.

## **2.4 One delegation representing the consensus established by all national stakeholders ('One delegation' principle). (No explicit requirements in WTO/TBT)**

### **What is meant?**

The Member has the capacity:

- to convey a national point of view at European level;
- 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 can it be demonstrated?**

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

## **2.5 Governance (No explicit requirements in WTO/TBT)**

### **What is meant?**

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

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

- Actual participation of stakeholders<sup>6</sup>.

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

- statute of the Member;
- national regulations/laws;
- established practices.

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<sup>6</sup> Please also refer to the information provided with the annual reporting to the EC under EU Regulation 1025/2012.

### 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 the whole standards development process with respect to, among other things:

- access to participation in work;
- submission of comments on drafts;
- consideration of views 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.

The criterion of *Impartiality* with regard to a Member should be considered as to be the 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 standardization 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 standardization work.

**How can it be demonstrated?**

- a) the Member has a system in place to allow evidence of the impartiality of process with regard to:
  - 1) voting processes;
  - 2) implementation of the 'appropriate representation' principle (see above);
  - 3) means of access to the standardization process (see also 2.3 'Appropriate Representation');
  - 4) rights for commenting;
  - 5) due consideration of all comments;
  - 6) nominations of chairs and secretaries;
- b) existence of a Code of Conduct on impartiality of Chairs;
- c) 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 Decisions about guidance for appropriate representation in technical bodies;
- statistics/data on stakeholders' appeals received and resolved.

### **3.2 Consensus**

**What is meant?**

The standardization process is collaborative and consensus-based as it takes into account all views expressed and brings together diverging opinions. A deliverable, or a position taken during the standardization 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 can it 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.

### 3.3 Neutrality of interests, impartiality and independency of structure (No explicit requirements in WTO/TBT)

#### 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 organizational 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 can it 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 standardization in place and fully operational (this is also a condition for accession: i.e. Additional Criterion B).

### Existing information/reporting/monitoring:

- the Member's Statutes;
- 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 standardization 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 standardization work whereas the principle of *coherence* concerns the normative documents themselves.

The standardization 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 standardization 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* standardization 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 and mirror committees, as well as 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 standardization work, a full (multi-stakeholder) Public Enquiry.

### **How can it 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 Technical Committees/Working Groups (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 recognized 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 standardization priorities);
- sales statistics;
- certification statistics;
- the Member's contribution to regional/international standardization;
- 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 standardization 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 can it be demonstrated?**

- IPR Policy (patents on FRAND conditions and copyright & trademark protection) in line with CEN-CENELEC Guide 8 (IPR), Guide 10 (distribution and sales policy) and Guide 24 (trademark);
- 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 standardization, 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;
- patents 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.

In accordance with Art. 6 (f) of EU Regulation 1025/2012, 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.

In line with the objective of facilitating access to relevant information to standards' users from societal stakeholders, the Member should also ensure that its website provides a search tool on European and international standards as user-friendly as possible:

- in the national language;
- that allows tracing standards by product and service.

### How can it 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, summary and Table of Contents freely available to customers and drafted as clearly as possible;
- The Member 's knowledge and implementation of CEN-CENELEC Guide 10;
- Commercial practices including special rates for the provision of standards or providing bundles of standards at a reduced price to SMEs.

### Existing information/reporting/monitoring:

- a) The Member's Internal Rules on:
  - 1) quality check procedures before publication, including translation into national language;
  - 2) standards review and maintenance;
- b) record of complaints on editorial inaccuracies in publications;
- c) 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 standardization bodies **avoid duplication of, or overlap with, the work of other international standardization 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 standardization bodies.

### **5.1 Avoid duplication and overlap with standardization 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. The Members have, therefore, to ensure coordination and cooperation at different standardization development stages, such as planning, execution and adoption.

An essential duty of the CEN and CENELEC Members is the implementation of ENs, as stipulated in the CEN-CENELEC IR, Part 2. Implementation has two aspects:

- a) giving the ENs the status of national standards, and
- b) withdrawing any conflicting standards.

Furthermore, Art 3.6 of EU Regulation 1025/2012 stipulates that during the preparation of a harmonized standard or after its approval, the Member does not take any action which could prejudice the harmonization intended and, in particular, does not publish in the field in question a new or revised national standard which is not completely in line with an existing harmonized standard.

After publication of a new harmonized standard, all conflicting national standards have to be withdrawn within a reasonable deadline.

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 (see also section 1.2).

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

- Planning stage (e.g. practice of notification of New Work Items) available;
- Execution and implementation of standardization 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 withdrawal 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 organization (ISO and/or 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 organization (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.

**5.2 Avoid duplication and overlap with standardization at international level (ISO, IEC), 'External coherence with other systems' (no explicit requirements in WTO/TBT)**

**What is meant?**

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

**How can it be demonstrated?**

- Existing coordination/cooperation activities with standard bodies at international level developed under established agreements;
- Activities at international level in the relevant international organization (ISO and IEC);
- Compliance with the provisions coming from the Member's membership of the relevant international organization (ISO and 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 standardization work);
- reports on activities at international level in the relevant international standard organization (ISO and IEC);
- the Member's Internal Rules;
- the Member's implementation statistics (where ENs are identical to/based on ISO and/or 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 ensures 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 standardization 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. This is also taking into account Art. 7 of EU Regulation 1025/2012, which asks the EU national governments to encourage, where appropriate, participation of public authorities, including market surveillance authorities, in national standardization activities aimed at the development or revision of harmonized standards.

Consequently, the Member's structures and rules have to be open to these and other partners and to provide the possibility for them to participate.

This Criterion is also complementary to Criterion 1 'Transparency'.

**How can it 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 standardization 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<sup>7</sup>.

**How can it be demonstrated?**

- The Member has an information system in place concerning the links 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.

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<sup>7</sup> To note also that Art. 7 of EU Regulation 1025/2012 stipulates that "*Member States shall, where appropriate, encourage participation of public authorities, including market surveillance authorities, in national standardization activities aimed at the development or revision of standards requested by the Commission in accordance with Article 10*".

## 6 Viability and Stability

### CEN-CENELEC Criterion

National Members play a key role in the European standardization 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 organization, 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 and EFTA – is one of the conditions for membership.

This entails general *financial viability* being a pre-requisite to membership to ensure the high quality output of the standardization 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 can it be demonstrated?

- Regular payment of annual membership fee;
- sound financial figures.

#### Existing information/reporting/monitoring:

- *Unqualified* audit reports;
- the Members' financial statements;
- the Members' Annual Report or other publications containing financial data.

### 6.2 National recognition and accountability

#### What is meant?

Additional *Criterion C* for accession to CEN requests that the Member is formally recognized by law as the official standards body in its country, whereas Additional *Criterion C* for accession to CENELEC requests that the Member is recognized by law in its country as an organization officially competent in the areas of CENELEC's areas of competence.

Such recognition implies that the Member must ensure at all times an adequate physical infrastructure, as well as adequate and competent human resources, to fulfill its mandate and obligations at national and European level.

In this context, the Member's:

- efficient management of the standardization work at national level, and;
- active participation in technical and corporate bodies at European level, have to be taken into account.

Members must provide timely reporting as requested in Article 24 of EU Regulation 1025/2012 related to national activities.

**How can it be demonstrated?**

- Reports requested by the EU Regulation 1025/2012 made available to CCMC;
- 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 can it 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 levels of IPR protection:

At national level: the National legislation on IPR is not conflicting with the established CEN-CENELEC policy and practices under the CEN-CENELEC:

- Guide 8 on implementation of the Common IPR Policy on Patent (and other statutory intellectual property rights based on inventions);
- Guide 10 on sales and distribution of CEN and CENELEC publications;
- Guide 24 on use and protection of the trademarks and domain names of CEN and CENELEC.

The country is a signatory member of the following international 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 and legal policies and practices are fully in line with the above-mentioned CEN-CENELEC Guides 8,10 and 24.

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

- IPR practices in line with CEN-CENELEC policies and practices and with Guide 8 and Guide 24;
- 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 Organizations applying for  
membership to CEN and CENELEC**

## **Background**

- The fulfilment of the six CEN-CENELEC Membership Criteria is to be considered as a requirement that all CEN and CENELEC Members, present and future, have to respect at all times.
- 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 and 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 and 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 organization, as one of the important steps towards the full participation of the concerned countries in the European Internal Market.
- Furthermore, CEN and 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 organization has to fulfil three additional Criteria for accession to CEN and CENELEC.

## 1- Capability of becoming a member of EU or EFTA (criteria A & B)

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/EFTA must have reached such a point that:

- The specific legislative framework for voluntary standardization 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 of EU Regulation 1025/2012 concerning standardization activities.

## **2- Status of the applicant (criterion C)**

### **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 for membership**

The acceptance of a new Member by the CEN and/or CENELEC General Assemblies has to be based on the evidence of the ability by the applicant to abide to the membership criteria, as a result of the assessment made by independent experts under the coordination of the CEN-CENELEC Membership Relations and Monitoring Committee.

CEN-CENELEC Guide 22 provides the details on the process regarding the assessment of the applications for membership in CEN and CENELEC. For the sake of clarity, the following should be noted:

- CEN Statutory requirements for membership

Article 7.2 of the CEN Statutes foresees that a national standardization body is admitted as national Member if it: i) submits a written application for membership of the association to the Director General; ii) commits itself to conform to the rules of the association as set in the Statutes, Internal Regulations and Guides; iii) obtains the consent of the General Assembly, voting by secret ballot, with a three-quarters majority of the national 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 Articles 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.

**ADDITIONAL CRITERIA FOR CEN AND/OR CENELEC MEMBERS  
WHO CHANGE LEGAL STATUS (CRITERION D)**

## **Background**

- The fulfilment of the six CEN-CENELEC Membership Criteria is to be considered as a requirement that all CEN and CENELEC Members, present and future, have to respect at all times.
- A National Standardization Body or National Committee Member of CEN and Member of CENELEC may decide -or be requested by the national Public Authorities- to change its legal status or, alternatively, be replaced by a new legal entity in the domain of standardization at national level. All those cases may lead *de jure* and *de facto* to a new legal entity.
- Any new national legal entity who claims membership in CEN and CENELEC as the legitimate successor of an existing Member requires careful consideration, especially regarding the fulfilment of the criteria of this Guide, including the formal recognition as the sole recognized official national standardization body in the country.
- Furthermore, often the changes of legal status are accompanied by organizational restructuring in terms of staff, operations and structure. These changes may have a serious impact on the ability of the “new” national Member to cope with the pace of the work and potentially slow down the progress of CEN and CENELEC, which is governed by market needs.

## 1- Status of the new legal entity successor of an existing Member (criterion D)

The new legal entity is:

- An organization having a different legal status of an existing CEN Member that claims to be entitled of succession of that Member in CEN and is recognized in its country as the official standardization body competent for all areas of CEN's own areas of competence;

or

- An organization having a different legal status of an existing CENELEC Member that claims to be entitled of succession as CENELEC Member and is officially recognized in its country as competent for all areas of CENELEC's own areas of competence;

and

- The statutory rules applicable for the legal entity successor of an existing Member are fully compatible with the mode of organization of voluntary standardization as operated in CEN and/or CENELEC.

## 2- Processing the assessment of the status of the new legal entity in CEN and CENELEC

CEN-CENELEC Guide 22 provides the details on the process regarding the assessment of the legal status of the new legal entity replacing an existing Member in CEN and/or CENELEC. For the sake of clarity, the following should be noted:

- CEN Statutory requirements for membership

Article 7.2 of the CEN Statutes foresees that a national standards body is admitted as national Member if it: i) submits a written application for membership of the association to the Director General; ii) commits itself to conform to the rules of the association as set in Statutes, Internal Regulations and Guides; iii) obtains the consent of the General Assembly, voting by secret ballot, with a three-quarters majority of the national Members present or represented, an abstention not being counted as a vote.

Following a well-established practice, in case of change of legal status, Art 7.2 ii) and iii) shall apply.

- CENELEC Statutory and Internal Regulations requirements for membership

Article 7 of the CENELEC Articles 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.

Following a well-established practice, in case of change of legal status, all relevant provisions of Art. 7 shall apply, including the consent of the General Assembly.

## **ANNEXES**



## Annex 1

### Documents to be taken into account

#### 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 standardization 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, Standardization 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

## **CEN-CENELEC Guide 20:2015 (E)**

- 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 organized 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)
- Budgets of the Sectoral Standardization Body (SSB) appointed by the Member to develop standards at national level
- SSB Intranet
- SSB List of hardware
- SSB Organizational Chart
- SSB Process Interaction map
- SSB 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 enquiries 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

## **Annex 2**

### **Checklist**

**to be used by the assessors during their assessment of the Criteria  
to be fulfilled by all CEN-CENELEC National Members**

**and**

### **Assessment Plan Template**

## Checklist to be used by the assessors during their assessment of the Criteria to be fulfilled by all CEN-CENELEC National Members

*Please note that this checklist is a supporting assessment tool and does not intend to be exhaustive*

CRITERION – 1. TRANSPARENCY						
Nr	TOPIC	ELEMENT	CONDITION <sup>8</sup>	OK	EVIDENCE <sup>9</sup>	CONFIDENTIAL
1.1	Work Programme	Work Programme is updated at least once a year ( <i>EU Regulation No 1025/2012</i> ), art. 3(1)	Required	<input type="checkbox"/>	1	<input type="checkbox"/>
		The work programme indicates, in respect of each standard deliverable: <ul style="list-style-type: none"> <li>the subject matter;</li> <li>the stage attained in the development of the standards;</li> <li>the references of any other (international) standards taken as a basis.</li> </ul> ( <i>EU Regulation No 1025/2012</i> ), art. 3(2)	Required	<input type="checkbox"/>	2	<input type="checkbox"/>
		Work Programme is published via public web site ( <i>EU Regulation No 1025/2012</i> ), art. 3(3)	Required	<input type="checkbox"/>	3	<input type="checkbox"/>
		Notification of availability of each new yearly Work Programme is included in other NSB-NC publications (periodic bulletins & newsletters, ...) ( <i>EU Regulation No 1025/2012</i> ), art. 3(4)	Required	<input type="checkbox"/>	4	<input type="checkbox"/>

<sup>8</sup> Required: Non-compliance to a required element that will result in a non-conformity.

Recommended: Non-compliance to a recommended element will result in a recommendation for improvement.

Optional: Non-compliance to an optional element will result in a comment.

<sup>9</sup> Please state the reference (if any), title and date of the evidence presented.

CRITERION – 1. TRANSPARENCY						
Nr	TOPIC	ELEMENT	CONDITION <sup>8</sup>	OK	EVIDENCE <sup>9</sup>	CONFIDENTIAL
		Notification of availability of each new yearly Work Programme is made by the NSB-NC to CEN and CENELEC as appropriate ( <i>EU Regulation No 1025/2012</i> , art. 3(4))	Required	<input type="checkbox"/>	5	<input type="checkbox"/>
		Other: .....		<input type="checkbox"/>	6	<input type="checkbox"/>
1.2	New Work Item (NWI)	All NWI are made publicly available	Required	<input type="checkbox"/>	7	<input type="checkbox"/>
		CENELEC: all NWI are notified according to the rules of the Vilamoura procedure, (Dresden Agreement), including information on matters related to standstill	Required	<input type="checkbox"/>	8	<input type="checkbox"/>
		○ National standards	Required	<input type="checkbox"/>	9	<input type="checkbox"/>
		○ Other deliverables	Optional	<input type="checkbox"/>	10	<input type="checkbox"/>
		The notification process is included within systematic internal procedures	Required	<input type="checkbox"/>	11	<input type="checkbox"/>
		Information includes the relationship between the NWIs and the European and/or International projects	Required	<input type="checkbox"/>	12	<input type="checkbox"/>
		Other: .....		<input type="checkbox"/>	13	<input type="checkbox"/>
1.3	Working documents	Working documents (with full text accessible) are made available to all members participating in the national technical bodies <u>via web platform / circulated in electronic format</u> (pdf, read-only, etc.).	Required	<input type="checkbox"/>	14	<input type="checkbox"/>

CRITERION – 1. TRANSPARENCY						
Nr	TOPIC	ELEMENT	CONDITION <sup>8</sup>	OK	EVIDENCE <sup>9</sup>	CONFIDENTIAL
		Working documents (and their related deliverables listed as normative references) are made available to all members participating in the national technical bodies <u>free of charge</u>	Required	<input type="checkbox"/>	15	<input type="checkbox"/>
		All members participating in the national technical bodies are able to make comments and contributions to the working documents	Required	<input type="checkbox"/>	16	<input type="checkbox"/>
		Upon request, other CEN-CENELEC Members are allowed to participate (actively or passively) in the planned/ongoing drafting activities ( <i>EU Regulation No 1025/2012</i> ), art. 4(4)	Required	<input type="checkbox"/>	17	<input type="checkbox"/>
		Internal rules are in place including information, reporting and monitoring procedures	Required	<input type="checkbox"/>	18	<input type="checkbox"/>
		Other: .....		<input type="checkbox"/>	19	<input type="checkbox"/>
1.4	Published deliverables – Final documents	<u>The following information is publicly available:</u>			20	
		○ up-to-date catalogues with title and scope of the published standards and other deliverables ( <i>EU Regulation No 1025/2012</i> ), art. 6(1)	Required	<input type="checkbox"/>	21	<input type="checkbox"/>
		○ summary and table of contents of the published standards	Recommended	<input type="checkbox"/>	22	<input type="checkbox"/>
		○ systematic methodology and approach on availability of translated standards whenever needed by the market	Recommended	<input type="checkbox"/>	23	<input type="checkbox"/>

CRITERION – 1. TRANSPARENCY						
Nr	TOPIC	ELEMENT	CONDITION <sup>8</sup>	OK	EVIDENCE <sup>9</sup>	CONFI-DENTIAL
		○ Dates of withdrawal of conflicting national standards	Required	<input type="checkbox"/>	24	<input type="checkbox"/>
		○ System of traceability of withdrawn standards	Recommended	<input type="checkbox"/>	25	<input type="checkbox"/>
		○ Information on how to obtain publications	Required	<input type="checkbox"/>	26	<input type="checkbox"/>
		Published deliverables are made available in accordance with CEN-CENELEC Guide 10	Required	<input type="checkbox"/>	27	<input type="checkbox"/>
		Internal statistics on standards translated in national language	Recommended	<input type="checkbox"/>	28	<input type="checkbox"/>
		Internal statistics on implementation time needed to adopt ENs i) Not translated; ii) translated	Recommended	<input type="checkbox"/>	29	<input type="checkbox"/>
		List of CWAs available for sale	Recommended	<input type="checkbox"/>	30	<input type="checkbox"/>
		Other: .....		<input type="checkbox"/>	31	<input type="checkbox"/>
1.5	Public enquiry process - Draft documents and procedures	Free <i>accessibility</i> to draft deliverables in public enquiry stage to allow comments and contributions ( <i>EU Regulation No 1025/2012</i> ), <i>art. 5(1) &amp; art. 6(1)</i>	Required	<input type="checkbox"/>	32	<input type="checkbox"/>
		Procedures in place enabling systematic announcement and information on how to comment and time for comment on drafts submitted to public enquiry and national vote ( <i>EU Regulation No 1025/2012</i> ), <i>art. 5(1) art. &amp; art. 6(1)</i>	Required	<input type="checkbox"/>	33	<input type="checkbox"/>

CRITERION – 1. TRANSPARENCY						
Nr	TOPIC	ELEMENT	CONDITION <sup>8</sup>	OK	EVIDENCE <sup>9</sup>	CONFI- DENTIAL
		Information related to these procedures is effectively disseminated	Required	<input type="checkbox"/>	34	<input type="checkbox"/>
		Information on how to comment on the drafts submitted to public enquiry and national vote & time for comment	Required	<input type="checkbox"/>	35	<input type="checkbox"/>
		Traceability of comments; language(s) accepted	Required	<input type="checkbox"/>	36	<input type="checkbox"/>
		Systematic handling of comments expressed during public enquiry and national votes is applied and monitored	Required	<input type="checkbox"/>	37	<input type="checkbox"/>
		Comments from other NSB-NCs and the European Commission are replied within 3 months (EU Regulation No 1025/2012), art. 4(2)	Required	<input type="checkbox"/>	38	<input type="checkbox"/>
		Statistics on number of comments and on their nature (editorial or technical)	Recommended	<input type="checkbox"/>	39	<input type="checkbox"/>
		Record of the draft national standards sent to the other NSB-NCs or to the Commission upon their request (EU Regulation No 1025/2012), art. 4(1)	Required	<input type="checkbox"/>	40	<input type="checkbox"/>
		Procedure of consultation with CCMC (and the European Commission) in place to handle those cases when the NSB-NC receives comments indicating that the draft national standard would have a negative impact on the European internal market (EU Regulation No 1025/2012), art. 4(3)	Required	<input type="checkbox"/>	41	<input type="checkbox"/>
		Other: .....		<input type="checkbox"/>	42	<input type="checkbox"/>



CRITERION – 1. TRANSPARENCY						
Nr	TOPIC	ELEMENT	CONDITION <sup>8</sup>	OK	EVIDENCE <sup>9</sup>	CONFI-DENTIAL
1.6	Transparency of structures	Structural information publicly available on:				
		○ Statutes or similar legal acts	Required	<input type="checkbox"/>	43	<input type="checkbox"/>
		○ National standardization law or similar acts	Required	<input type="checkbox"/>	44	<input type="checkbox"/>
		○ Date of accession to CEN and CENELEC	Required	<input type="checkbox"/>	45	<input type="checkbox"/>
		○ Current status of the legal entity or organization	Required	<input type="checkbox"/>	46	<input type="checkbox"/>
		○ Link to national governments	Required	<input type="checkbox"/>	47	<input type="checkbox"/>
		General description of the involvement of the NSB-NC in the CEN and CENELEC corporate activities (General Assemblies, Administrative Boards and other corporate advisory bodies)	Recommended	<input type="checkbox"/>	48	<input type="checkbox"/>
		○ Name of BT member and description of the involvement of the NSB-NC in the technical activities of CEN and CENELEC (BTs, TCs, WGs and others)	Required	<input type="checkbox"/>	49	<input type="checkbox"/>
		Information on the involvement as Chairpersons and Secretaries in CEN and CENELEC TCs	Required	<input type="checkbox"/>	50	<input type="checkbox"/>
		List of national TCs and their relationship with European and international counterparts	Required	<input type="checkbox"/>	51	<input type="checkbox"/>
		Information is internally available on the insurance contract covering the NSB-NC liability risks arising from its standardization activities (e.g. staff liabilities or activity liabilities (i.e. case of defective standards))	Recommended	<input type="checkbox"/>	52	<input type="checkbox"/>

<i>Regarding the <b>Transparency criterion</b>, the assessors have the following comments / suggestions / <b>Good Practices</b>:</i>	
1)	
2)	
3)	
4)	

## Checklist to be used by the assessors during their assessment of the Criteria to be fulfilled by all CEN-CENELEC National Members

*Please note that this check list is a supporting assessment tool and it does not intend to be exhaustive*

CRITERION – 2. OPENNESS AND DEVELOPMENT DIMENSION						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI- DENTIAL
2.1	<b>Participation open on a non-discriminatory basis at every stage of standards development</b>	Rules & processes to allow participation of all stakeholders concerned on a non-discriminatory basis are made publicly available	Required	<input type="checkbox"/>	53	<input type="checkbox"/>
		○ Non-discriminatory procedures of nomination of new experts in National Technical Bodies (NTBs)	Required	<input type="checkbox"/>	54	<input type="checkbox"/>
		○ Absence of discriminatory conditions for participation of experts (e.g. based on nationality, membership, participation fee, etc.)	Required	<input type="checkbox"/>	55	<input type="checkbox"/>
		Equal access for all experts to IT tools and other means of communication of the relevant NTB	Required	<input type="checkbox"/>	56	<input type="checkbox"/>
		Database listing the experts participating in each NTB ( <i>EU Regulation No 1025/2012</i> ), art. 24(1)	Required	<input type="checkbox"/>	57	<input type="checkbox"/>
		Database classifying the stakeholders represented by each expert, including SMEs, societal stakeholders and national authorities ( <i>EU Regulation No 1025/2012</i> ), art. 5(1) art. 6(1)	Required	<input type="checkbox"/>	58	<input type="checkbox"/>

CRITERION – 2. OPENNESS AND DEVELOPMENT DIMENSION						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI-DENTIAL
		Information on % of composition of experts in NTBs according to the stakeholder representation ( <i>EU Regulation No 1025/2012</i> ), art. 24(1)	Required	<input type="checkbox"/>	59	<input type="checkbox"/>
		Other.....		<input type="checkbox"/>	60	<input type="checkbox"/>
2.2	<b>Development dimension: to promote and facilitate the participation of all stakeholders, including weaker economic and societal stakeholders, with the objective of ensuring a real multi-stakeholder process in the development of standards</b>	Initiatives to encourage participation of societal stakeholders and SMEs (such as promotional documents, information sessions, PR activities) ( <i>EU Regulation No 1025/2012</i> ), art. 5(1)	Required	<input type="checkbox"/>	61	<input type="checkbox"/>
		○ Initiatives undertaken in the past 2 years to facilitate the engagement of stakeholders	Required	<input type="checkbox"/>	62	<input type="checkbox"/>
		○ Ongoing initiatives to facilitate the engagement of stakeholders	Required	<input type="checkbox"/>	63	<input type="checkbox"/>
		○ Planned initiatives to facilitate the engagement of stakeholders	Recommended	<input type="checkbox"/>	64	<input type="checkbox"/>
		Internal yearly statistics on participation of societal stakeholders and SMEs in NTBs ( <i>EU Regulation No 1025/2012</i> ), art. 5(1)	Required	<input type="checkbox"/>	65	<input type="checkbox"/>
		Website providing a search tool on European and international standards in the national language allowing research by product and service	Recommended	<input type="checkbox"/>	66	<input type="checkbox"/>
		NSB-NC policy to promote participation of SMEs and societal stakeholders, in particular with rules/practices allowing SMEs to	Required	<input type="checkbox"/>	67	<input type="checkbox"/>

CRITERION – 2. OPENNESS AND DEVELOPMENT DIMENSION						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI-DENTIAL
		participate without becoming a member of the NSB-NC ( <i>EU Regulation No 1025/2012</i> ),art. 6.1				
		Commercial arrangements to promote standards sales for SME and societal stakeholders ( <i>EU Regulation No 1025/2012</i> ), art. 6(1)	Required	<input type="checkbox"/>	68	<input type="checkbox"/>
		Commercial arrangements to promote standards distribution to academia	Optional	<input type="checkbox"/>	69	<input type="checkbox"/>
		Commercial arrangements to promote standards distribution to public/national libraries	Optional	<input type="checkbox"/>	70	<input type="checkbox"/>
		Commercial arrangements to promote standards distribution to public authorities	Optional	<input type="checkbox"/>	71	<input type="checkbox"/>
		Cooperation activities to support other NSBs/NCs in weaker countries	Optional	<input type="checkbox"/>	72	<input type="checkbox"/>
		Other.....		<input type="checkbox"/>	73	<input type="checkbox"/>
2.3	<b>Principle of “appropriate representation of the stakeholders’ interests in the Technical Bodies</b>	List of represented stakeholders are made available to Chairs and Secretaries of the NTBs	Required	<input type="checkbox"/>	74	<input type="checkbox"/>
		Process for the <u>identification</u> of the relevant category of stakeholder to be involved in an NTB in the development of a standard is in place ( <i>EU Regulation No 1025/2012</i> ),art. 5(1)	Required	<input type="checkbox"/>	75	<input type="checkbox"/>

CRITERION – 2. OPENNESS AND DEVELOPMENT DIMENSION						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI-DENTIAL
		Process on <u>invitation</u> of new relevant category of stakeholder in an NTB in the development of a standard is in place	Required	<input type="checkbox"/>	76	<input type="checkbox"/>
		Internal statistics on the participation in NTBs of the experts representing the different categories of stakeholders is in place	Required	<input type="checkbox"/>	77	<input type="checkbox"/>
		Data on complaints from stakeholders about lack of appropriate representation in NTBs are logged	Required	<input type="checkbox"/>	78	<input type="checkbox"/>
		Record of the actions undertaken to reply to the complaints from stakeholders about lack of appropriate representation in NTBs	Required	<input type="checkbox"/>	79	<input type="checkbox"/>
		Other .....		<input type="checkbox"/>	80	<input type="checkbox"/>
2.4	<b>One delegation representing the consensus established by all national stakeholders ('one delegation' principle) (no explicit requirements in WTO/TBT)</b>	System in place to identify the need to create a mirror NTB, which also takes into account the strategic national economic sectors	Required	<input type="checkbox"/>	81	<input type="checkbox"/>
		Established links between the mirror NTBs and the corresponding CEN-CENELEC TC	Required	<input type="checkbox"/>	82	<input type="checkbox"/>
		Data on the experts/stakeholders of mirror NTBs attending the corresponding CEN-CENELEC TC are available	Required	<input type="checkbox"/>	83	<input type="checkbox"/>
		System in place to monitor that the national delegate follows the position of the mirror NTB when attending CEN-CENELEC TCs	Recommended	<input type="checkbox"/>	84	<input type="checkbox"/>
		System in place to allow a coherent vote/position to be taken in CEN-CENELEC BT/TC in case there is no interested stakeholder (no mirror NTB) in the country	Recommended	<input type="checkbox"/>	85	<input type="checkbox"/>

CRITERION – 2. OPENNESS AND DEVELOPMENT DIMENSION						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI-DENTIAL
		Other.....		<input type="checkbox"/>	86	<input type="checkbox"/>
2.5	<b>Governance (no explicit requirements in WTO/TBT)</b>	Adequate representation of categories of stakeholders in the relevant governing bodies (e.g. Boards, Council, Assemblies) ( <i>EU Regulation No 1025/2012</i> ), art. 5.1	Recommended	<input type="checkbox"/>	87	<input type="checkbox"/>
		Agreements of cooperation with key stakeholders (industry associations, public authorities consumers, environment & trade unions)	Recommended	<input type="checkbox"/>	88	<input type="checkbox"/>
		Established practices of involvement of public and private stakeholders in the main governance matters of the NSB-NC affecting their interests	Recommended	<input type="checkbox"/>	89	<input type="checkbox"/>
		Other.....		<input type="checkbox"/>	90	<input type="checkbox"/>

<i>Regarding the <b>Openness and Development dimension</b> criterion, the assessors have the following comments / suggestions / <b>Good Practices</b>:</i>	
1)	
2)	
3)	
4)	



## Checklist to be used by the assessors during their assessment of the Criteria to be fulfilled by all CEN-CENELEC National Members

*Please note that this check list is a supporting assessment tool and it does not intend to be exhaustive*

CRITERION – 3. IMPARTIALITY AND CONSENSUS						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI- DENTIAL
3.1	Impartiality of process	Internal rules and established practices recognizing that all stakeholders are entitled to express their views and positions in the National Technical Bodies (NTBs) ( <i>EU Regulation No 1025/2012</i> , art. 5(1))	Required	<input type="checkbox"/>	91	<input type="checkbox"/>
		Views and positions of all stakeholders are duly recorded in the reports of NTBs meetings	Required	<input type="checkbox"/>	92	<input type="checkbox"/>
		Monitoring system in place to ensure the above elements are taken into account	Optional	<input type="checkbox"/>	93	<input type="checkbox"/>
		Existence of a Code of Conduct on independence of Chairs of NTBs	Required	<input type="checkbox"/>	94	<input type="checkbox"/>
		Existence of a Code of Conduct on independence of Secretaries of NTBs	Required	<input type="checkbox"/>	95	<input type="checkbox"/>
		Rules for nominations of Chairs and Secretaries of NTBs	Required	<input type="checkbox"/>	96	<input type="checkbox"/>
		Other .....		<input type="checkbox"/>	97	<input type="checkbox"/>

CRITERION – 3. IMPARTIALITY AND CONSENSUS						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI-DENTIAL
3.2	<b>Consensus</b>	Appeal mechanism in place allowing stakeholders to ask for corrective actions	Required	<input type="checkbox"/>	98	<input type="checkbox"/>
		Statistics on stakeholders complaints (received vs resolved)	Recommended	<input type="checkbox"/>	99	<input type="checkbox"/>
		Principle of consensus embedded in the internal rules	Required	<input type="checkbox"/>	100	<input type="checkbox"/>
		Other .....		<input type="checkbox"/>	101	<input type="checkbox"/>
3.3	<b>Neutrality of interests, impartiality and independency of structure (No explicit requirements in WTO/TBT)</b>	National law (or other similar act) reflects independency of the NSB-NC from any specific interest group	Required	<input type="checkbox"/>	102	<input type="checkbox"/>
		The NSB-NC governance rules do not give privilege status to any category of stakeholder in the decision making process	Recommended	<input type="checkbox"/>	103	<input type="checkbox"/>
		National legal framework for voluntary standardization is in place and fully operational	Required	<input type="checkbox"/>	104	<input type="checkbox"/>
		Existence of more than one single source of financing	Recommended	<input type="checkbox"/>	105	<input type="checkbox"/>
		Other .....		<input type="checkbox"/>	106	<input type="checkbox"/>

<i>Regarding the <b>Impartiality and Consensus criterion</b>, the assessors have the following comments / suggestions /<b>Good Practices</b>:</i>	
1)	
2)	
3)	
4)	

**Checklist to be used by the assessors during their assessment of the  
Criteria to be fulfilled by all CEN-CENELEC National Members**

*Please note that this check list is a supporting assessment tool and it does not intend to be exhaustive*

CRITERION – 4. EFFECTIVENESS AND RELEVANCE						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFIDENTIAL
4.1	<b>Activities to respond effectively to regulatory and market needs, as well as to scientific and technological developments</b>	<p>A system is in place to ensure systematic communication between the regulators (national administrations), the NSB-NCs and/or its National Technical Bodies (NTBs); elements thereto could be</p> <ul style="list-style-type: none"> <li>the existence of periodic meetings</li> <li>a platform for introducing and evaluating needs (<i>EU Regulation No 1025/2012</i>, art. 5(2))</li> </ul>	Recommended	<input type="checkbox"/>	107	<input type="checkbox"/>
		<p>A system is in place to ensure systematic communication between the professional industrial organizations, the NSB-NCs and/or its NTBs; elements thereto could be</p> <ul style="list-style-type: none"> <li>the existence of periodic meetings</li> <li>a platform for introducing and evaluating needs (<i>EU Regulation No 1025/2012</i>, art. 5(1), 6(1))</li> </ul>	Recommended	<input type="checkbox"/>	108	<input type="checkbox"/>
		<p>A system is in place to ensure systematic communication between research centres and universities, the NSB-NCs and/or its NTBs; elements thereto could be</p> <ul style="list-style-type: none"> <li>the existence of periodic meetings</li> <li>a platform for introducing and evaluating needs</li> </ul>	Recommended	<input type="checkbox"/>	109	<input type="checkbox"/>

CRITERION – 4. EFFECTIVENESS AND RELEVANCE						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI-DENTIAL
		There is an identified title and scope for each standardization project	Required	<input type="checkbox"/>	110	<input type="checkbox"/>
		The standardization projects, which are of particular interests to SMEs are identified ( <i>EU Regulation No 1025/2012) art. 6(1)</i> )	Required	<input type="checkbox"/>	111	<input type="checkbox"/>
		The feasibility of New Work Items (NWIs) is systematically assessed (experts availability, financial implications and secretariat support)	Required	<input type="checkbox"/>	112	<input type="checkbox"/>
		A process of public enquiry for draft standards is in place	Required	<input type="checkbox"/>	113	<input type="checkbox"/>
		A feedback system for the users about the content of the standards is in place (e.g. online entry on the website, form provided with the standard, ...)	Recommended	<input type="checkbox"/>	114	<input type="checkbox"/>
		Complaints against a standard (e.g. for unfair competition) and follow-up actions are recorded.	Required	<input type="checkbox"/>	115	<input type="checkbox"/>
		Other.....		<input type="checkbox"/>	116	<input type="checkbox"/>
4.2	<b>Standards should not distort the market, have adverse effects on fair competition, or stifle innovation and technological development</b>	NSB-NCs IPR Policy (patent declarations based on FRAND conditions) is in line with CEN-CENELEC Guide 8 (IPRs) including availability of the declarations themselves	Required	<input type="checkbox"/>	117	<input type="checkbox"/>
		Training of NTBs Secretaries about rules, processes and duties are held on a regular basis	Recommended	<input type="checkbox"/>	118	<input type="checkbox"/>
		Other.....		<input type="checkbox"/>	119	<input type="checkbox"/>

CRITERION – 4. EFFECTIVENESS AND RELEVANCE						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI-DENTIAL
4.3	<b>High quality standards publications are duly maintained and made easily available to customer</b>	A process of periodic review of standards is in place	Required	<input type="checkbox"/>	120	<input type="checkbox"/>
		○ There is a quality procedure for editorial mistakes	Required	<input type="checkbox"/>	121	<input type="checkbox"/>
		○ There is a quality procedure for translation of a standard	Required	<input type="checkbox"/>	122	<input type="checkbox"/>
		Record of complaints on editorial inaccuracies is available	Required	<input type="checkbox"/>	123	<input type="checkbox"/>
		Internal procedures to identify and revise national developed standards (not EN implementation) that have become obsolete	Required	<input type="checkbox"/>	124	<input type="checkbox"/>
		The scope of standards is freely available ( <i>EU Regulation No 1025/2012</i> , art. 6(1) (see also 1.4))	Required	<input type="checkbox"/>	125	<input type="checkbox"/>
		Customers satisfaction enquiries are held	Recommended	<input type="checkbox"/>	126	<input type="checkbox"/>
		Special rates are applied for the provision of standards or bundles of standards at a reduced price to SMEs ( <i>EU Regulation No 1025/2012</i> , art. 6(1))	Required	<input type="checkbox"/>	127	<input type="checkbox"/>
		Reports on activities to enhance SMEs participation to standardization and access to standards are made available on a yearly basis on the web site of the NSB-NCs ( <i>EU Regulation No 1025/2012</i> , art. 6(3))	Required	<input type="checkbox"/>	128	<input type="checkbox"/>

<i>Regarding the <b>Effectiveness and Relevance criterion</b>, the assessors have the following comments / suggestions / <b>Good Practices</b>:</i>	
1)	
2)	
3)	
4)	

## Checklist to be used by the assessors during their assessment of the Criteria to be fulfilled by all CEN-CENELEC National Members

*Please note that this check list a supporting assessment tool and it does not intend to be exhaustive*

CRITERION – 5. COHERENCE						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFIDENTIAL
5.1	<b>Avoid duplication and overlap with standardization at European level (CEN-CENELEC)</b>	There are rules and practices within the NSB-NCs process, stipulating adherence to the 'standstill policy' induced by the CEN-CLC IR Part 2 as well as in the EU Regulation No 1025/2012, art. 3(5) and art. 3(6) <i>(i.e. during the preparation of a European Standard or after its approval, NSB-NCs shall not take any action which could prejudice the harmonization intended and, in particular, shall not publish in the field in question a new or revised national standard which is not completely in line with an existing European Standard or a European Standard under development)</i>	Required	<input type="checkbox"/>	129	<input type="checkbox"/>
		There is a process in place for the identification and withdrawal of national standards that are to be withdrawn following the publication of a European Standard. (see CEN-CLC IR Part 2 implementation requirement and the associated 'date of withdrawal - dow' as well as in the <i>EU Regulation No 1025/2012 art. 3(6)</i> )	Required	<input type="checkbox"/>	130	<input type="checkbox"/>
		○ Corresponding national standards are withdrawn before the 'dow'	Required	<input type="checkbox"/>	131	<input type="checkbox"/>



## CRITERION – 5. COHERENCE

Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI-DENTIAL
		There is a practice in place about A-deviations			132	
		○ to identify national laws and regulations hampering harmonization	Required	<input type="checkbox"/>	133	<input type="checkbox"/>
		○ to notify these to the relevant CEN-CENELEC technical body (NTBs)	Required	<input type="checkbox"/>	134	<input type="checkbox"/>
		○ to notify these to the national authorities	Required	<input type="checkbox"/>	135	<input type="checkbox"/>
		At least 95 % of the adopted CEN and CENELEC standards are implemented at national level	Required	<input type="checkbox"/>	136	<input type="checkbox"/>
		100 % of the adopted CEN and CENELEC standards are implemented at national level	Recommended	<input type="checkbox"/>	137	<input type="checkbox"/>
		CEN standards are implemented at national level within 6 months from the date of availability (dav)	Required	<input type="checkbox"/>	138	<input type="checkbox"/>
		CENELEC “home-grown” standards are implemented at national level within 12 months from the date of ratification (dor)	Required	<input type="checkbox"/>	139	<input type="checkbox"/>
		CENELEC standards developed in parallel with IEC (Dresden Agreement) are implemented at national level within 9 months from the date of ratification (dor)	Required	<input type="checkbox"/>	140	<input type="checkbox"/>

CRITERION – 5. COHERENCE						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFIDENTIAL
		<i>Only for organization candidate to membership in CEN and CENELEC: At least 80 % of the adopted CEN and CENELEC standards are implemented at national level and a plan is set to reach the totality in a reasonable timeframe</i>	Required	<input type="checkbox"/>	141	<input type="checkbox"/>
		Other.....		<input type="checkbox"/>	142	<input type="checkbox"/>
5.2	<b>Avoid duplication and overlap with standardization at International level (ISO, IEC) “External coherence with other systems”</b>	The NSB-NC is member of ISO and/or IEC	Required	<input type="checkbox"/>	143	<input type="checkbox"/>
		The NSB-NC complies with the provisions coming from its membership in the relevant international organization (ISO/IEC), in cases of adoption of ISO or IEC standards, or publication of national standards based on them	Optional	<input type="checkbox"/>	144	<input type="checkbox"/>
		Other.....		<input type="checkbox"/>	145	<input type="checkbox"/>
5.3	<b>Avoid duplication or conflict between sectors, within a Member’s work programme or collection of published standards,</b>	<p>A system is in place to ensure systematic communication between the regulators (national administrations) and the NSB-NC; elements thereto could be:</p> <ul style="list-style-type: none"> <li>• the existence of periodic meetings</li> <li>• a platform for introducing and evaluating needs</li> </ul>	Recommended	<input type="checkbox"/>	146	<input type="checkbox"/>

CRITERION – 5. COHERENCE						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFIDENTIAL
	<b>and with national legal requirements (complementary to Criterion 1)</b>	In case a New Work Item (NWI) is assessed by the relevant body to have an impact at public policy level, a system is in place to inform and invite the relevant public authorities to participate to the work ( <i>EU Regulation No 1025/2012</i> ), art. 6(1) & art. 6(2)	Required	<input type="checkbox"/>	147	<input type="checkbox"/>
		A system is in place to ensure systematic communication between the professional industrial organizations and the national standardization body; elements thereto could be <ul style="list-style-type: none"> <li>• the existence of periodic meetings</li> <li>• a platform for introducing and evaluating needs</li> </ul>	Recommended	<input type="checkbox"/>	148	<input type="checkbox"/>
		Other.....		<input type="checkbox"/>	149	<input type="checkbox"/>
5.4	<b>Be complementary to legal requirements (complementary to Criterion 2.1 and 2.3)</b>	The NSB-NC has a system in place to inform and invite the relevant public, including market surveillance authorities, to participate to the work of those NWI in support of the national legislation ( <i>EU Regulation No 1025/2012</i> ), art. 6(1) & art. 6(2)	Required	<input type="checkbox"/>	150	<input type="checkbox"/>
		Database indicating NSB-NC standards that are referenced in the national law	Required	<input type="checkbox"/>	151	<input type="checkbox"/>

<i>Regarding the <b>Coherence criterion</b>, the assessors have the following comments / suggestions / <b>Good Practices</b>:</i>	
1)	
2)	
3)	
4)	

## Checklist to be used by the assessors during their assessment of the Criteria to be fulfilled by all CEN-CENELEC National Members

*Please note that this checklist is a supporting assessment tool and it does not intend to be exhaustive*

CRITERION – 6. VIABILITY AND STABILITY						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFIDENTIAL
6.1	Financial viability	Audited financial statements for the previous 3 financial years received	Required	<input type="checkbox"/>	152	<input type="checkbox"/>
		<i>Unqualified</i> Statutory Audit Report for the previous 3 financial years received	Required	<input type="checkbox"/>	153	<input type="checkbox"/>
		Business Plan and budget for the previous, current and following financial year received	Recommended	<input type="checkbox"/>	154	<input type="checkbox"/>
		NSB-NC policies on Internal control and financial/accounting procedures available	Recommended	<input type="checkbox"/>	155	<input type="checkbox"/>
		Clear segregation of duties between payment preparation, approval and execution	Required	<input type="checkbox"/>	156	<input type="checkbox"/>
		3 years comparison analysis using the financial statements obtained to calculate <u>viable cash flow</u> : cash flow current ratio >1	Required <sup>10</sup>	<input type="checkbox"/>	157	<input type="checkbox"/>

<sup>10</sup> Please refer to the "GUIDANCE NOTE to CRITERION 6.1 - Financial Viability".

CRITERION – 6. VIABILITY AND STABILITY						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI-DENTIAL
		3 years comparison analysis using the financial statements obtained to calculate <u>solvency ratio</u> : Solvency ratio > 1	Required <sup>3</sup>	<input type="checkbox"/>	158	<input type="checkbox"/>
		3 years comparison analysis using the financial statements obtained to calculate <u>Debt-to-Equity ratio</u> : Debt-to-Equity ratio < 1	Required <sup>3</sup>	<input type="checkbox"/>	159	<input type="checkbox"/>
		Profitability ratio	Recommended <sup>3</sup>	<input type="checkbox"/>	160	<input type="checkbox"/>
		Reports requested by Art. 24 of EU Regulation No 1025/2012 made available to CCMC	Required	<input type="checkbox"/>	161	<input type="checkbox"/>
		Other.....			162	<input type="checkbox"/>
6.2	National recognition and accountability	CEN NSB: national law (or other similar act) recognising the NSB as the official standards body in its country competent for all areas in the field of competence of CEN	Required	<input type="checkbox"/>	163	<input type="checkbox"/>
		CENELEC NC: national law (or other similar act) officially recognising the NC as competent for all areas in the field of competence of CENELEC	Required	<input type="checkbox"/>	164	<input type="checkbox"/>
		<b>Only for organization candidate to membership in CEN and CENELEC:</b> Existence of a "Europe Agreement" or equivalent between EU-EFTA and the candidate country, specifying a transitional period for accession to EU-EFTA.	Required	<input type="checkbox"/>	165	<input type="checkbox"/>

CRITERION – 6. VIABILITY AND STABILITY						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFIDENTIAL
		<b>Only for organization candidate to membership in CEN and CENELEC:</b> The statutory rules applied by the candidate NSB-NC are fully compatible with the mode of organisation of voluntary standardization as operated in CEN and/or CENELEC.	Required	<input type="checkbox"/>	166	<input type="checkbox"/>
		<b>Only for organization candidate to membership in CEN and CENELEC:</b> Assessment of the process of approximation related to standardization of the national system with that of EU	Required	<input type="checkbox"/>	167	<input type="checkbox"/>
		<ul style="list-style-type: none"> <li>○ A specific legislative framework for voluntary standardization is in place and fully operational</li> </ul>	Required	<input type="checkbox"/>	168	<input type="checkbox"/>
		<ul style="list-style-type: none"> <li>○ Pre-existing technical legislation that would permit the adoption (or keeping in place) of technical rules which would contradict the ENs, (thus forcing the candidate 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.</li> </ul>	Required	<input type="checkbox"/>	169	<input type="checkbox"/>
		<b>Only for organization candidate to membership in CEN and CENELEC:</b> There is full application of EU Regulation No 1025/2012 in the country.	Required	<input type="checkbox"/>	170	<input type="checkbox"/>

CRITERION – 6. VIABILITY AND STABILITY						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI- DENTIAL
		Other.....			171	<input type="checkbox"/>
6.3	<b>Stability: adequate IT Infrastructure</b>	Available IT resources for set-up, maintenance/upgrades and operation of IT infrastructure and IT tools, such as: <ul style="list-style-type: none"> <li>List of IT staff</li> <li>Procedures for maintenance, back-up, project development, etc.</li> <li>List of outsourcing and sub-contracting staff and projects.</li> </ul>	Required	<input type="checkbox"/>	172	<input type="checkbox"/>
		Available IT infrastructure, including compatible software to interact with services provided by CEN and/or CENELEC (internet browsers, Word versions, etc.)	Required	<input type="checkbox"/>	173	<input type="checkbox"/>
		Document management system in place (local or hosted system) enabling to support high volume of document storage and compatible exchange in line with CEN and/or CENELEC requirements/processes, with regard: <ul style="list-style-type: none"> <li>Governing bodies documents</li> <li>Technical bodies documents</li> <li>Standards and draft standards</li> </ul>	Required	<input type="checkbox"/>	174	<input type="checkbox"/>
		Available data management system (local or hosted system) for work programme information to support high volume of data storage and compatible exchange in line with CEN and/or CENELEC requirements/processes	Required	<input type="checkbox"/>	175	<input type="checkbox"/>



CRITERION – 6. VIABILITY AND STABILITY						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFIDENTIAL
		Operational telecommunication (high speed internet, email system)	Required	<input type="checkbox"/>	176	<input type="checkbox"/>
		Available on-line public commenting	Recommended	<input type="checkbox"/>	177	<input type="checkbox"/>
		Up-to-date web site	Required	<input type="checkbox"/>	178	<input type="checkbox"/>
		Ability to follow the evolution of IT Tools and services supporting the CEN and/or CENELEC processes, e.g. through registration in WG IT Tools	Recommended	<input type="checkbox"/>	179	<input type="checkbox"/>
		Other.....		<input type="checkbox"/>	180	<input type="checkbox"/>
6.4	<b>Stability : Protection of IPR (Copyright-) and commercial policy</b>	The national government is signatory party of the following agreements of the World Intellectual Property Organization (WIPO): <ul style="list-style-type: none"> <li>• The Madrid Protocol of 1989 for the international registration of marks;</li> <li>• The Berne Convention for the Protection of Literary and Artistic Works.</li> </ul>	Optional	<input type="checkbox"/>	181	<input type="checkbox"/>
		<b>Only for organization candidate to membership in CEN and CENELEC:</b> The national legislation on protection of copyright does not conflict with the copyright ownership principles as set in the CEN-CENELEC Guide 10.	Required	<input type="checkbox"/>	182	<input type="checkbox"/>
		<b>Only for organization candidate to membership in CEN and CENELEC:</b> The national legislation on Patents does not conflict with the principles as set in the CEN-CENELEC Guide 8	Required	<input type="checkbox"/>	183	<input type="checkbox"/>

CRITERION – 6. VIABILITY AND STABILITY						
Nr	TOPIC	ELEMENT	CONDITION	OK	EVIDENCE	CONFI-DENTIAL
		A system of notification to CCMC about European Standards that become compulsory at national level is in place	Recommended	<input type="checkbox"/>	184	<input type="checkbox"/>
		Copyright protection: a system of watermarking of paper & electronic copies of standards is in place	Required	<input type="checkbox"/>	185	<input type="checkbox"/>
		Copyright protection: a system of invisible watermarking of paper & electronic copies of standards is in place	Recommended	<input type="checkbox"/>	186	<input type="checkbox"/>
		Copyright protection: other initiatives implemented by the NSB-NC	Optional	<input type="checkbox"/>	187	<input type="checkbox"/>
		Patents: a system of patent declaration is in place in line with CEN-CENELEC Guide 8	Recommended	<input type="checkbox"/>	188	<input type="checkbox"/>
		Patents: a database/list of patent declarations is in place and publicly available	Required	<input type="checkbox"/>	189	<input type="checkbox"/>
		Other.....		<input type="checkbox"/>	190	<input type="checkbox"/>

<i>Regarding the <b>Viability and Stability</b> criterion, the assessors have the following comments / suggestions / <b>Good Practices</b>:</i>	
1)	
2)	
3)	
4)	

## **GUIDANCE NOTE**

### **Checklist CRITERION 6.1 - Financial Viability**

#### **Introduction**

Financial viability is about being able to generate sufficient income to meet operating payments, debt commitments and, where applicable, to allow growth while maintaining service levels.

Assessment of financial viability is an integrated process involving a review of audited financial statements, business plan and other information that supports financial analysis. The initial focus of the financial viability assessment is the audited financial statements for the previous financial year. The results are assessed with the budget and financial projections in the business plan. The trends in actual results over a three-year period are then assessed and projected forward over one to three years (if available).

To place these results into a broader context, the business plan is used in order to understand the future plans as well as the perspective on the business, growth (where applicable) and risks.

The business plan will provide insights into the resource management, growth plans (where applicable), capital structure and liquidity. The business plan provides the roadmap to guide the Member towards its long-term goals.

#### **LIQUIDITY or CURRENT RATIO (viability of cash flow)**

A large factor determining the short-term financial health is liquidity (liquidity refers to the ease with which an asset can be converted into cash). The short-term liquidity determines how well necessary payments can be made (cash outflows) - which include employee wages, interest and supplier costs - given the revenue generated (cash inflows). In other words, it helps to determine whether a company/association can meet its short-term obligations. The current ratio compares all current assets to all current liabilities, where the term "current" means less than one year. So,

- Current assets include: cash, accounts receivable, inventory, prepaid expenses and other assets that can be converted to cash within one year;
- Current liabilities include short-term debt, interest, accounts payable and any other outstanding liabilities that are due within a year's time.

The current ratio must be calculated as follows:

$$\text{Current ratio} = \frac{\text{Current Assets}}{\text{Current Liabilities}}$$

- if the ratio is above 1, the company/association is likely to meet its short-term obligations
- if the ratio is less than 1, the company/association is likely to fall short

## SOLVENCY RATIO

The solvency ratio is used to find out the company/association's ability to meet its long-term requirement obligations and thus remain solvent and avoid insolvency or bankruptcy.

The solvency ratio must be calculated as follows:

$$\text{Solvency ratio} = \frac{\text{Equity}}{\text{Total Liabilities}}$$

- the highest ratio above 1, the more solvent the company/association is likely to be
- if the ratio low and/or is less than 1, the company/association is likely to be exposed to insolvency

## DEBT-TO-EQUITY RATIO

The debt to equity ratio is the measure of the business organization or company/association's leverage: how much financing the business has in the form of debt when compared with how much cash it has invested in the business.

The Debt-to-Equity ratio must be calculated as follows:

$$\text{Debt-to-Equity ratio} = \frac{\text{Total Liabilities}}{\text{Equity}}$$

- if the ratio is lowest possible and less than 1, the company/association is financing its assets through equity
- if the ratio is above 1, the company/association is financing its assets through debt

*NOTE: Generally, a debt to equity ratio of over 0.40 to 0.50 should be looked at more carefully to make sure there are no liquidity problems. If you find that the current ratio is drastically low, this may be a sign of serious financial weakness.*

## PROFITABILITY RATIO

The profitability ratio shows the relation in terms of generating returns or profits on the investment made in the business, i.e. the percentage of profits earned out of sales.

The Profitability ratio must be calculated as follows:

$$\text{Profitability ratio} = \frac{\text{Operating profit margin}}{\text{Sales}} \times 100$$

- the highest ratio, the most profitable the company/association is likely to be
- a low ratio, would mean the company is likely not to be profitable

Peer assessment of 'NSB-NC' - Assessment plan					
Date: 21yy-mm-dd to 21yy-mm-dd					Duration: NN days
Date	Time	Assessment criteria (reference)	Interviewed Unit	Name and function of interviewee	Peer assessors (names / NSB-NC)
21yy-mm-dd	hh.mm-hh.mm	Reference to criteria	Unit of interviewee	Name and Function	Names
21yy-mm-dd	hh.mm-hh.mm				
21yy-mm-dd					
	hh.mm-hh.mm	Summary of findings	Peer assessors (Names)		
21yy-mm-dd	hh.mm-hh.mm	Debriefing to Management	Name(s) and Function(s)		
21yy-mm-dd <i>To be decided with the Member</i>	N/A	Sending of draft assessment report	Peer assessors (Names)		

## **Annex 3**

**[self] or [peer] or [self in combination with EN ISO 9001]**

**Assessment Report and Action Plan Template**



**[self] or [peer] or [self in combination with EN ISO 9001]**

## **ASSESSMENT REPORT**

**against criteria defined in CEN-CENELEC Guide 20:2015**

**Organization assessed:**

**Assessment date:**

**Assessment type:**

- ☐ Initial assessment
- ☐ Follow-up assessment (Number: 1<sup>st</sup>, 2<sup>nd</sup> ...)
- ☐ Extraordinary assessment

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**Signatures of assessors:**

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## SECTION 1 – General Information

### 1.1 Scope

The scope of the Assessment includes the activities of the <NSB-NC> in accordance with CEN-CENELEC Guide 20 on “Guidelines on Membership Criteria for CEN and CENELEC”.

### 1.2 Extent

The Assessment covers the following Entity/site(s):

Entity/Site	Address	Postal code and city	Number of employees
Total number of employees:			

The Assessment covered the activities planned in the Assessment agenda with the following exceptions:

- Section ZZ of the **Criteria XX** was left out due to (e.g.: lack of time or insufficient information, etc.) and will be included in a later assessment;
- The missed information is to be provided by YYYY-MM-DD....

### 1.3 Assessment data

#### 1.3.1 Assessment team

Name (lead assessor) :

Company :

Email :

Tel. :

Name :

Company :

Email :

Observer (if any) :

Company :

Email :

Observer (if any) :

Company :

Email :

**1.3.2 Duration of the assessment**

Number of days :  
 Number of m/days :

**1.3.3 Contact persons within the organization**

Name :  
 Department :  
 Function :  
 Email :  
 Tel. :

Name :  
 Department :  
 Function :  
 Email :  
 Tel. :

**1.3.4 Number of staff interviewed**

Staff	Actual	Interviewed
Top management		
Management		
Others		
Total		

**1.3.5 Reference documentation and records**

During the Assessment, the reference documentation and records that were used are mentioned in the annexed checklist [Assessors to annex the checklist used during their assessment].

**1.3.6 Other General Information**

Number of persons participating in national TCs/SCs and WGs	
Sectors managed directly by the NSB-NC	
Sectors subcontracted by the NSB-NC	
Copy of the Organization chart, with some explanation of the functions and the number of staff	

## SECTION 2 – Conclusions and Results

### 2.1 Executive summary

The assessment concluded that (tick as appropriate):

- ☐ The documentation/evidence shown during the Assessment is satisfactory, reliable and conforming with the requirements
- ☐ Good practices were identified (if any): <Number>
- ☐ The NSB-NC system is sufficiently effective to meet the defined criteria.
- ☐ Non-conformities were detected (if any): <Number>
- ☐ Areas for improvement were identified (if any): <Number>

### 2.2 Results and findings

#### 2.2.1 Identification of good practices

The Assessment team identified the following good practices:

Nr	Table of good practices	
1	Criterion	
	Ref. of Element (Annex 3)	
	Description of the practice	
	Ref. to related documentation (if any)	
2	Criterion	
	Ref. of Element (Annex 3)	
	Description of the practice	
	Ref. to related documentation (if any)	

#### 2.2.2 Overview per criterion

1. Transparency	Required element(s)			Recommended element(s)
	Met	Met with comments <sup>11</sup>	Not met	Not met
1.1 Work programme	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2 New Work Items	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.3 Working documents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.4 Published deliverables - Final documents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.5 Public enquiry process - Draft documents and Procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.6 Transparency of structures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>11</sup> This column should be used to indicate that the required elements are met but with some comments from the assessors. Comments related to those elements should be described within subclause 2.2.5 of this report.

2. Openness and Development Dimension	Required element(s)			Recommended element(s)
	Met	Met with comments	Not met	Not met
2.1 Participation open on a non-discriminatory basis at every stage of standards development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.2 Development dimension: promotion and facilitation of the participation of weaker economic and societal stakeholders with the objective to ensure a real multi-stakeholder process in the development of standards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.3 Principle of “ <i>appropriate representation</i> ” of the stakeholders interests in the Technical Bodies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.4 One delegation representing the consensus established by all national stakeholders (“One delegation” principle)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.5 Governance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Impartiality and consensus	Required element(s)			Recommended element(s)
	Met	Met with comments	Not met	Not met
3.1 Impartiality of process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.2 Consensus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.3 Neutrality of interests, impartiality and independency of structure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Effectiveness and relevance	Required element(s)			Recommended element(s)
	Met	Met with comments	Not met	Not met
4.1 Activities to respond effectively to regulatory and market needs, as well as to scientific and technological developments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2 Standards should not distort the market, have adverse effects on fair competition, or stifle innovation and technological development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.3 High quality standards publications are duly maintained and made easily available to customers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Coherence	Required element(s)			Recommended element(s)
	Met	Met with comments	Not met	Not met
5.1 Avoid duplication and overlap with standardization at European level (CEN-CENELEC) “Internal coherence within the system”	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.2 Avoid duplication and overlap with standardization at International level (ISO, IEC), “External coherence with other systems”	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.3 Avoid duplication or conflict between sectors, within a Member’s work programme or collection of published standards, and with national legal requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.4 Be complementary to legal requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Stability and viability	Required element(s)			Recommended element(s)
	Met	Met with comments	Not met	Not met
6.1 Financial viability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.2 National recognition and accountability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3 Stability: adequate IT Infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.4 Stability: Protection of IPR (Copyright) and commercial policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SWOT analysis summarizing the implementation of the six criteria**

Strengths	Weaknesses
Opportunities	Threats

### 2.2.3 Non-fulfilment of required elements (non-conformities)

The Assessment team identified the following areas of non-conformity:

Nr	Table of non-conformities (NC) (non-fulfilment of required elements)	
1	<b>Criterion</b>	Transparency – 1.1 Work Programme
	<b>Ref. of required Element (Annex 3)</b>	1.1, § 2
	<b>Description of NC</b>	The work programme is not accessible via the web site
2	<b>Criterion</b>	
	<b>Ref. of required Element (Annex 3)</b>	
	<b>Description of NC</b>	

<NSB-NC> shall communicate the deadlines (using the action plan) by which the non-conformities will be dealt with to Peer Assessors by YYYY-MM-DD. After that date, the non-conformities will be followed-up in line with relevant MRMC decision.

### 2.2.4 Non-fulfilment of recommended elements (recommendations)

The Assessment team noted some observations leading to the following areas for improvement.

Nr	Table of recommendations (non-fulfilment of recommended elements)	
1	<b>Criterion</b>	
	<b>Ref. of recommended Element (Annex 3)</b>	
	<b>Description of the observation</b>	
2	<b>Criteria</b>	
	<b>Ref. of recommended Element (Annex 3)</b>	
	<b>Description of the observation</b>	

The observations should be handled by < NSB-NC > in view of the next Assessment, during which these will be followed up by the Assessment team.

### 2.2.5 Comments (incl. optional elements)

The Assessment team noted some comments to the following areas.

Nr	Table of observations (comments and optional)	
1	<b>Criterion</b>	
	<b>Ref. of Element</b>	
	<b>Description of the observation (Annex 3)</b>	
2	<b>Criterion</b>	
	<b>Ref. of Element (Annex 3)</b>	
	<b>Description of the observation</b>	

The observations made should be handled by < NSB-NC > in view of the next Assessment, during which these will be followed up by the Assessment team.

**Any other comments:**

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### **SECTION 3 – Since last Assessment**

#### Follow-up on observations revealed at previous Assessment

NOTE: This includes follow-up of actions taken as a result of non-conformities or recommendations.

- <Topic 1>
- <Topic 2> ...

#### Changes in the company's activities

NOTE      Main organizational changes (e.g. legal status, ownership, structure ...)

- <Topic 1>
- <Topic 2> ...

### **SECTION 4 – Next steps**

Next Assessment < NSB-NC > is planned for YYYY-MM-DD.

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

- <Topic 1>
- <Topic 2> ...

Agenda of the [self] or [peer] or [self in combination with EN ISO 9001] evaluation shall be forwarded in due time ahead of the Assessment planned.



Assessment of NYC-NC on CCYY-MM-DD - Action Plan and Follow-up						
Criteria	Non-Conformity	Corrective actions	Who	For when	Date realization	Evidence/ documentation
e.g. 5.2.1						
Criteria	Recommendation	Improvement actions	Who	For when	Date realization	Evidence/ documentation
Name of Assessors:      Date:		Established by Name:      Date:			Action plan completed on: CCYY-MM-DD	
Signature:		Signature:			Action plan effective (all actions implemented) on: CCYY-MM-DD	