

Belac appreciates the work performed by the European Data Protection Board in drafting the Guidance on certification criteria assessment and the opportunity to provide feedback.

We appreciate the value of the document in assisting scheme owners in the development program of certification schemes.

I have the following comments/suggestions:

- Art 12: “it is advisable that scheme owners should be prepared to provide to an SA”. We would recommend to change the wording as this is considered mandatory for the evaluation of schemes in the international field (EA 1/22).
- Art 12: At this stage it is also important for the scheme owner to consider if and which additional requirements will exist towards CBs that will deliver certification against the certification scheme (f.e. with regards to communication between scheme owner and CB)
- Art 12: Additionally to the above, requirements to the NABs should also be mentioned in the scheme documents. Requirements for NABs may not be enforced by MOU’s or other contractual agreements.
- Title 5.2: It is recommended that the Scheme owner explicitly considers the applicable requirements from the relevant norms (ISO/IEC 17025; ISO/IEC 17020; ISO/IEC 17021-1) if these are to be used in the evaluation phase of the certification procedure (ISO/IEC 17065:2012 §6.2.1)
- The scheme owner should also be urged to consider and explicitly describe requirements on training and competences of the certification body personnel involved in the certification procedure.
- Footnote 16: The risk of forum shopping with regards to accreditation is also mitigated by the requirements set forth in EA 2/13 (“EA Cross Border Accreditation Policy and procedure for cross border cooperation”)
- Further reference reading for scheme owners intending to draft a conformity assessment scheme can be found in EA 1/22 and ISO/IEC 17067.