**Guidance–Addendum (Annex to Guidelines 1/2018 on certification and identifying certification criteria in accordance with Articles 42 and 43 of the Regulation) Certification criteria assessment**

**Public Consultation – feedback**

| N° | Point of the document | Motivation | Proposed change |
|---|---|---|---|
| 1 | 10 If a scheme is to be used in more than one member state, the scheme owner will be able to demonstrate that their certification processes will take on board all relevant national regulations in those member states<br><br>Points 48 and 49 | There are many different legislation in the word. It is impossible that a scheme takes on board all the applicable regulations. The point is to focus on the competence of the assessors. It is enough to write a requirement in the scheme that says that "*in order to grant a certification, the certification body has to demonstrate the evaluation of the compliance of the applicable laws*".<br><br>If you have a good auditor, this is enough to perform an audit, if you have a bad auditor, even if you make a complete list of legislations, the result will be poor. So, no need to go into details in the scheme. The responsibility is on the shoulders of the CAB. | 10 If a scheme is to be used in more than one member state, the scheme owner will be able to demonstrate that has set requirements on auditor competence to guarantee that the certification body has the full competence to evaluate the compliance to the applicable laws |

DATA  **25-05-2021**

| 2 | 12. With this in mind, it is advisable that scheme owners should be prepared to provide to an SA:<br><br>•Details of scheme owner identity including contact details, establishment and data controller status, including, where applicable, the location of the headquarters ==and organisation establishments that intend to make certification decisions== | The decision on the certification has to be taken by the certification body, and not by the scheme owner. Not clear the meaning of this | 12. With this in mind, it is advisable that scheme owners should be prepared to provide to an SA:<br><br>•Details of scheme owner identity including contact details, establishment and data controller status, including, where applicable, the location of the headquarters ~~and organisation establishments that intend to make certification decisions~~ |
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| 3 | 12: that the certification mechanism takes into account for the requirements set out in ==ISO 17065/2012== | Wrong writing | 12: that the certification mechanism takes into account for the requirements set out in ==ISO 17065:2012== |
| 4 | 12 | ISO 17025 is very poor in detailing details on the scheme. So, it is necessary that these things are detailed in the scheme | 12. Add this point<br><br>- Competence criteria of assessors, reviewer and decision maker of the certification body<br>- Scope of the certification<br>- Duration of the certification<br>- Mechanism for surveillance and renewals<br>- Possible exclusions of requirements |
| 7 | 7 NOTICE TO AUDITORS /ASSESSMENT NOTES | It has to be clarified that the assessor shall NOT bring home copies of the documents evaluates | Add: auditor cannot make copies of the documents evaluates. All the documentation has to remain in the organization. In exceptionally cases, only with the agreement of all the parties, the |

| | | | auditor can take a copy of records that could help the certification body to take the decision. However, these circumstances has to be considered very limited and well justified by the certification body.<br><br>This is applicable also applicable to photographs |
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| 8 | 64 It also implies that depending on the context of the establishments/offices on several territories of MS, CB may require several accreditation. This situation has to be assessed on a case by case basis taking into account the activities of the CB's establishments/offices (seescenario 2). | This is against EU regulation 765/2008, that forbid multiple accreditations in Europe for the same legal entity for the same scope<br><br>All point 10 has to be revised taking into consideration reg. 765. | According Regulation 765/2008, a CB can require in Europe only one accreditation from European accreditation bodies for a specific scope. For any other details, see Eu reg. 765/08. |