

HAR Agreement	PERMANENT DOCUMENT	HAR PD 3
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**Rules for assessment and recognition
of signatories of the HAR Agreement**



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0. OBJECTIVE

The purpose of this Permanent Document is to specify the general criteria and conditions that a Certification Body (and its own or employed testing laboratories and inspection bodies) must satisfy before signing the HAR Agreement as of 12 February 1974, and thereafter maintain as an active member of the HAR Group. It also includes criteria and conditions for changing status to become an inactive (“dormant”) member, and on termination of HAR Group membership.

This document shall also be used, where applicable, for the reassessment of existing signatories (see sub-clause 5.C).

In the following the terms Certification Body (CB) and Approval Organisation (AO) are equivalent.

1. BASIC DOCUMENTS

1.1 The assessment and recognition of signatories of the HAR Agreement are based on the following documents:

EN ISO/IEC 17020	Conformity assessment. Requirements for the operation of various types of bodies performing inspection
EN ISO/IEC 17021	Conformity assessment. Requirements for bodies providing audit and certification of management systems
EN ISO/IEC17025	General requirements for the competence of testing and calibration laboratories
EN ISO/IEC 17065	Conformity assessment. Requirements for bodies certifying products, processes and services

The requirements for the assessment and recognition of signatories of the HAR Agreement described in this PD have to be read in conjunction with PD ECS 050, PD ECS 051 and its related documents endorsed by the HAR Group.

The following Permanent and Operational Documents drawn up by the HAR Group, which will be made available to the candidate Certification Body at the moment of the acceptance of its application.

OD ECS 059	Documentation for applications and assessments
OD ECS 062	Application Form - CB
OD ECS 063	Application Form - TL
OD ECS 065	Questionnaire on the financial structure of European Schemes member/candidate
AD ECS 071	Check list for CBs
AD ECS 072	Check list for TLs
OD ECS 073	Assessment Report templates for the European schemes
OD ECS 074	European Assessment Report template - CB
OD ECS 075	European Assessment Report template - TL
OD ECS 095	Guidelines for Peer Assessment of CBs and TLs - general
OD ECS 095 Annex A	Guidelines for Peer Assessment of CBs and TLs - HAR

- 1.2 The following definitions apply:
- HAR Group: group of representatives of the Certification Bodies, signatories of the HAR Agreement;
 - ETICS Technical Officer in charge of the evaluation of new applicants and their laboratories (see sub-clause 3.16) and of the reassessment of existing signatories (see sub-clause 5.5);
 - Assessment team: group of experts, composed and appointed as defined in sub-clause 4.3, in charge of the initial assessment of the candidate Certification Body and its own or employed laboratory(ies);
 - Mentor: expert appointed as defined in sub-clause 3.14, having the task to review the test reports issued by a candidate Certification Body during the probationary period and to provide the necessary guidance and training, where necessary.

2. FUNDAMENTAL REQUIREMENTS

2.A Requirements for Certification Bodies

2.1 The HAR Agreement can be signed and operated by Certification Bodies which shall conform to EN ISO/IEC 17065.

2.2 The candidate Certification Body shall operate a well-established certification scheme of its own for cables and cords covered by the HAR Agreement and shall have a structure which permits the choosing of members of its governing board from among those interested involved in the process of certification without any single interest predominating.

2.2.1 Well established certification scheme denotes a certification scheme that can be presumed to give a reasonable added value to the HAR System and its clients.

It shall have:

- a registered certification mark
and
- a certification mark well known for/by consumers and manufacturers
and
- market and/or factory surveillance for certified products;

and it should have:

- been operated for more than five years and have issued more than 30 certificates
or
- issued over 100 certificates in all.

When judging the experience in certification, all certification activities by the candidate Certification Body in the electrical as well as in the non-electrical field shall be considered.

2.B Requirements for testing laboratories

2.3 When the Certification Body runs its own testing laboratories, they shall conform to EN ISO/IEC 17025.

2.4 Where testing is carried out on behalf of the Certification Body by external bodies,

the Certification Body shall ensure that these bodies conform to EN ISO/IEC 17025.

2.C Requirements for inspection bodies

- 2.5 Inspection activities operated by the Certification Body or on its behalf by external bodies shall conform to EN ISO/IEC 17020 in combination with relevant clauses of EN ISO/IEC 17065.

2.D Specific requirements

- 2.6 In addition to the requirements mentioned under clauses 2.2, 2.2.1 and 2.3, the laboratory or laboratories, owned or employed by the candidate Certification Body, shall prove their possession, at the time of their admission, of all requested testing facilities for the cables and cords category of products (i.e. testing equipment, competent personnel, testing capacity and the complete set of related harmonised standards (HDs/ENs) and the documentation used within the HAR System). Additionally, the laboratory manager shall have at least 3 years of experience of testing activities in the relevant field of cables and cords.
- 2.7 The candidate Certification Body shall belong to a country whose National Standards Organisation is member of or affiliated to CENELEC and in which the harmonised specifications on cables and cords which are used in the system have entered into force and no conflicting standards exist.
- 2.8 In the candidate's country there shall not be conditions/circumstances of whatsoever nature which can be deemed to represent an unfair obstacle to the free circulation or import of products within the scope of the HAR Agreement.

3. APPLICATION PROCEDURE

3.A Application

- 3.1 The Certification Body and its testing laboratories shall be located in CENELEC countries.
- 3.2 The Applicant shall send an application for becoming signatory of the HAR Agreement to the Chairman of the HAR Group for consideration by the HAR Group.
Extensions of the number of testing laboratories, inspection bodies or of the scope thereof shall be handled in the same way.
- 3.3 After consideration and provisional acceptance by the HAR Group, a copy of the application letter accompanied with the application file, shall be sent to ETICS TECHNICAL OFFICER who verifies whether the application contains all the required information and reports his finding to the Chairman of the HAR Group.

3.B Application file

- 3.4 In its application, the Certification Body shall provide evidence that it complies with EN ISO/IEC 17065, e.g. by use of an internationally established questionnaire, and that it complies with the fundamental requirements defined in chapter 2.

- 3.5 For testing laboratories, whether own or external, the Certification Body shall provide evidence in its application that they comply with EN ISO/IEC 17025 and subsequently by carrying out a laboratory audit on a yearly basis using the relevant questionnaire. The Certification Body shall also provide evidence in its application that each of these testing laboratories complies with the requirements defined in sub-clauses 2.6 and 2.7.
- 3.6 For inspection bodies, whether own or external, the Certification Body shall provide evidence in its application that they comply with EN ISO/IEC 17020, in combination with the relevant clauses of EN ISO/IEC 17065.

3.C Acceptance of the application

- 3.7 ETICS TECHNICAL OFFICER shall inform the applicant within one month about any missing information needed to complete the application. The review of the application and the appointment of an assessment team by ETICS TECHNICAL OFFICER shall be made within one month, following the date of receipt of the complete application file.
- 3.8 The assessment of the candidate Certification Body, and its owned or employed laboratory or laboratories, will be completed within a period of three months following the acceptance letter. If a successful assessment has not occurred within 12 months, the application is considered void.
- 3.9 If the first assessment is only partially positive, the candidate Certification Body will be informed immediately about the remarks or findings to be corrected before recognition. Any point of non-compliance in the assessment report shall be corrected within six months.
- 3.10 If the results of the initial assessment are unsatisfactory or if, at the end of the probationary period (see 3.D), there exist still points of non-compliance in the assessment report which have not been corrected by the candidate Certification Body, the HAR Group can decide not to recognise the candidate and the matter is closed until a new application is made.
- 3.11 In case of rejection, the candidate Certification Body may address an appeal to the Chairman of the HAR Group, who will set up an appeal panel composed of three members: a representative of the candidate Certification Body, a representative of the HAR Group and a chairman to be chosen by the two aforementioned representatives. The decision of the panel will settle the differences between the parties. When making its decision, the appeal panel will consider all findings which led to the rejection of the application. The total period of these appeal proceedings should not exceed six months.
- 3.12 The candidate Certification Body shall ensure that the payment for expenses in connection with the assessment procedure is made within 30 days after receipt of the invoice. This includes all expenses in connection with the assessment procedure e.g. application fees, assessor's time, mentor's time, travelling costs, joint testing and comparative testing, unless otherwise decided by the HAR Group. Rates and charges for the HAR Group are given in Annex A and they are periodically amended.
- 3.13 The candidate Certification Body agrees to participating in all collective costs needed for the full operation of the Scheme, following decisions taken by the HAR Group.

- 3.14 In the acceptance letter, the Chairman appoints a mentor normally recruited from one of the existing signatories, not of the same nationality as the candidate Certification Body. The candidate shall be given the name and qualifications of the mentor proposed. The candidate may object "for cause" (reasons to be stated) to the appointment of a given mentor. The Chairman will decide whether the reasons stated make change of mentor necessary. A second objection will not be accepted. The mentor will agree with the candidate certification body on the way he functions in order to get agreement also on the level of costs involved.
- 3.15 The mentor has the responsibility to at least review ten test reports on the basis of which the candidate Certification Body grants HAR licences during the probationary period (see 3.D) and to provide the necessary guidance and training, where necessary.

3.D Probationary period

- 3.16 The decision on the acceptance of the Certification Body to participate in the scheme during a probationary period will be taken by the Chairman of the HAR Group on the basis of the evaluation of the candidate Certification Body and its laboratory(ies) by the ETICS TECHNICAL OFFICER.

If the initial assessment of the candidate Certification Body and its laboratory(ies) as foreseen in sub-clauses 3.8 and 4.1 is successful, the decision on their recognition on the basis of the above-mentioned evaluation will be taken as soon as possible within 14 calendar days after the completion of the initial assessment, through a written procedure. The probationary period will start from the date of the notification by the Chairman on the participation of the candidate in the scheme.

- 3.17 The probationary period ends after the review of ten test reports by the mentor has been completed.
- 3.18 The Chairman notifies the end of the probationary period to the candidate and proposes the final acceptance as signatory of the HAR Agreement at the forthcoming HAR Group meeting.
- 3.19 If the review of ten test reports by the mentor cannot be completed before the HAR Group meets, the probationary period will continue until the completion of the mentorship duty.
- 3.20 Only once the probationary period has been completed may the Certification Body seek registration of the HAR Group trade marks in its relevant territory.

4. ASSESSMENT PROCEDURE

4.A Appointment of assessment team

- 4.1 When an application has been received in accordance with clause 3, the Chairman of the HAR Group, after consultation with CENELEC on the fulfilment in the candidate's country of obligations in sub-clause 2.7, will notify the candidate of the composition of the assessment team of three experts. In case a testing laboratory shall be assessed, at least one expert shall be from a testing laboratory.
- 4.2 A candidate Certification Body and its laboratory or laboratories and its inspection body are accepted to be assessed for the categories for which they can give evidence that their experience is at least that required in clause 2.

- 4.3 The members of the assessment team should represent the following knowledge/experience as appropriate:
- certification and quality assurance;
 - application of standards and testing;
 - equipment, instruments and their calibration.

The members of the assessment team shall be nominated from bodies representing different, earlier recognised Certification Bodies, testing laboratories or inspection bodies. They will be appointed by the Chairman of the HAR Group, on the basis of a proposal made by the ETICS TECHNICAL OFFICER. A candidate Certification Body may object “for cause” (reasons to be stated) to the appointment of the assessors. The Chairman will decide whether the reasons stated make change of persons necessary. A second objection will not be accepted.

4.B Assessment

- 4.4 The assessment team will assess, besides what is specified in this document, whether or not:
- the Certification Body complies with EN ISO/IEC 17065 and EN ISO/IEC 17021 (as far as it is relevant to the assessment activities);
 - own or employed testing laboratories comply with EN ISO/IEC 17025 and are third-party laboratories;
 - own or employed inspection bodies comply with EN ISO/IEC 17020, in combination with the relevant requirements of EN ISO/IEC 17065;
 - the evidence of experience as proved by the Certification Body and its laboratory or laboratories, complies with that required in clause 2.

The assessment team shall take into account any national accreditation that may have been obtained.

- 4.5 All subcontractors used by a testing laboratory employed by the Certification Body shall be considered and if judged necessary assessed by the assessment team.

New subcontractors after the assessment is made shall be reported to the HAR Chairman, who will decide what actions may be necessary.

- 4.6 During the visit, the assessment team shall establish whether the laboratory staff have the required experience in testing to the standards adherence is applied for. The assessors shall:
- verify the test report in comparison with standard and test sample;
 - have some essential tests repeated, if necessary;
 - ask questions about requirements and tests to establish whether or not solid knowledge and understanding about the standard(s) exist.

During the visit, samples for each standard adherence is applied for shall be available for tests and examination, if judged necessary by the assessors.

The assessment team shall check that the measuring and test equipment necessary for the scope of the application is available.

4.C Assessment report

- 4.7 The findings of the assessment team will be reported to the HAR Group who, after advice from the ETICS TECHNICAL OFFICER, decides that recognition should be granted to the
- Certification Body as a signatory to the HAR Agreement;
 - own or employed testing laboratory or laboratories;
 - own or employed inspection body or bodies.
- 4.8 The application, the assessment report, and the assessor's questionnaire shall be recorded and temporarily retained by the ETICS TECHNICAL OFFICER according to the tasks to be carried out. The a.m. documents are strictly confidential and their archive is by the Secretariat. Only the assessment report will be distributed to the HAR signatories. Other documents shall be made available only to the HAR signatories on request.

5. BUILDING OF MUTUAL CONFIDENCE

5.A Mutual confidence

- 5.1 In order to build and to maintain mutual confidence between the signatories including their own or employed testing laboratories and inspection bodies the relevant provisions of EN ISO/IEC 17025, EN ISO/IEC 17020, EN ISO/IEC 17065 and EN ISO/IEC 17021 shall be implemented.
- 5.2 A Certification Body shall take all necessary steps to ensure that no misleading or harmful information regarding the HAR Agreement is given by the Certification Body itself or its own or employed testing laboratories and inspection bodies in the communication with clients, in promotional material and brochures or any other communication media.
- It is not allowed:
- to publish the assessment report or parts thereof;
 - for the employed testing laboratory or inspection body to make reference to the HAR Agreement in any communication other than with the agreement of the Certification Body for which they are employed to work.

5.B Application of standards

- 5.3 Consultations between officers of relevant bodies or laboratories shall be held on cases of different results or interpretations which are found during the certification process.
- 5.4 Matters of principle emerging from such consultations shall be brought to the attention of all signatories, through the HAR Operational Staff Meeting (HAR-OSM), at which staff involved with certification, testing or inspection will exchange information and experience.

5.C Reassessment

- 5.5 The reassessment of the recognised Certification Bodies, testing laboratories and inspection bodies is carried out on a regular basis following the agreed criteria for peer assessment.

- 5.6 The HAR Group shall take steps to suspend a Certification Body, testing laboratory and/or inspection body
- after recommendation by ETICS TECHNICAL OFFICER;
 - when it has made frequent mistakes in testing;
 - when it does not follow the rules and procedures of the HAR Agreement;
 - when it does not cooperate and communicate in the HAR System;
 - when it discredits the goodwill of the HAR System in the market;
 - for not fulfilling its financial obligations within the HAR Group.
- 5.7 Reassessment approval procedure.

For the approval of reassessments of HAR CBs and TLs, ECS procedures will be followed:

- The ETICS Secretariat publishes reassessment reports to the HAR Group Members as soon as released.
- Upon the advice of the ETICS TECHNICAL OFFICER, issued after completion of all corrective actions, the ECS Board of Directors pronounces continued acceptance of the assessed bodies.
- After each of its meetings, the ETICS Board of Directors reports decisions on continued acceptance to the ECS.
- In his yearly report to the HAR Group, the Peer Assessment Officer lists all continued acceptance approvals of HAR CBs and TLs during the previous year.

5.D Maintenance of records

- 5.8 It must be ensured that records and test reports are available during a minimum period of ten years after expiry of the relevant HAR Licence.

6. DORMANT STATUS

- 6.1 It is foreseeable that, due to market conditions or for other reasons, an active member of the HAR Group may wish to cease active membership. On application in writing to the HAR Group Chairman, and subject to the agreement of the HAR Group, the status of the member may be changed to “dormant”.
- 6.2 Dormant members may not issue certificates under the HAR Scheme or bearing the HAR logo, and may not maintain any such certificates issued previously when the member was active. Dormant members remain subject to the requirements of section 5.2 of this document.
- 6.3 Dormant members must maintain their registration of HAR Group trade marks in their relevant territory and enforce any contraventions as normal. Dormant members must retain records in accordance with section 5.8 of this document.
- 6.4 Dormant members must pay an appropriate reduced level of fees to the HAR Group, as decided by the HAR Group from time to time. Any deposit paid on original application is retained by the HAR Group.
- 6.5 Dormant members are not subject to regular reassessment (section 5.C).
- 6.6 Dormant members may attend all HAR Group and relevant sub-committee meetings in the same way as active members, but are not entitled to a vote.

- 6.6 Dormant members may on application in writing to the HAR Group Chairman, and subject to the agreement of the HAR Group, request to have their active membership reinstated. Dormant members making such an application will be subject to full assessment in line with sections 3, 4 and 5 of this document, and once accepted be subject to regular initial assessment.

7. TERMINATION OF MEMBERSHIP

- 7.1 Should either an active or a dormant member resign membership of the HAR Group, it shall arrange for the transfer of any HAR Group trade mark registrations to the Secretariat.
- 7.2 Active or dormant members must retain records in accordance with section 5.8 of this document, or make arrangements to transfer such records to the Secretariat.

Annex A to PD 3

Schedule of rates and charges for applying and participating in the HAR Agreement

1. Daily rate assessor's and mentor's time: 800 euros.

When determining the assessors' time, their travelling time and the preparatory, analysis and editing time of the lead assessor shall also be included. The same rate is applied for determining the mentor's costs.

2. Fixed charges.

Refer to PD ECS 050 for the fixed charges amounts.
These amounts are revised annually.

3. A candidate Certification Body shall pay to the HAR Group:

- 5 000 euros for application including 1 testing laboratory;
- 5 000 euros when signing the HAR Agreement;
- 2 500 euros for each additional test laboratory.

4. Payment

Payment for expenses in connection with the assessment, mentorship, joint testing, comparative testing, etc. is made directly to the organisation involved.
Payment of the charges is made to the HAR Group.
