



# Internal Regulations Part 1

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**Organization and structure**

January 2018

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## **Foreword**

The CEN/CENELEC Internal Regulations serve the purpose of detailing the implementation of identified Articles of the CEN Statutes and CENELEC Articles of Association.

The CEN/CENELEC Internal Regulations Part 1 are divided into four different chapters and annexes to reflect those elements that are specific for CEN and CENELEC and those other organizational aspects that are common to both associations.

## **1A: CEN**

### **1. Scope of CEN activities**

CEN is a European Standardization Organization, operating within the framework of EU Regulation 1025/2012 whose members are joint-producers and disseminators of market-driven European Standards (ENs) that serve the needs of business, industry and other interested parties.

CEN fulfils its purpose (see Article 5 of the CEN Statutes) through the following means:

- Use of a shared standards development process based on an effective and efficient infrastructure capable of delivering and maintaining market-relevant standards that achieve Europe-wide consensus through the principle of national delegation;

And in particular, through:

- Harmonization of national standards published by CEN Members;
- Promotion and prioritization of the development of standards within ISO and the adoption and implementation of ISO standards;
- Preparation of homegrown European Standards (EN) only when justified by European market needs;
- Adoption of European Standards at national level and withdrawal of any conflicting national standards;
- Support for world-wide standardization and promotion of European participation in the work of ISO.
- Provision of an interface to the European industrial associations, European Union institutions and the European Free Trade Association (EFTA);
- Cooperation with CENELEC and the European Telecommunications Standards Institute (ETSI), when appropriate.

### **2. CEN organization**

*This provision refers to Art. 6 of the CEN statutes*

CEN is composed of:

- The national Members;
- Three Governing bodies:
  - The General Assembly, the supreme Governing body of CEN;
  - The Administrative Board, who has broadest powers to direct and administer CEN;
  - The Presidential Committee, the joint Governing body with CENELEC, who manages and administers the business of CEN with respect to non-sector specific matters of common interest with CENELEC.
- The Officers of the association:
  - The President and the President Elect;
  - Three Vice-Presidents with competence on policy, financial and technical matters;
  - Nine ordinary Administrative Board members;

- The Director General.
- Other bodies able to support the achievement of the scope of CEN:
  - The Technical Board;
  - The Technical Committees;
  - The CEN Certification Board.
- The CEN-CENELEC Management Centre, who has an active role in the day-to-day management of CEN and is headed by the Director General.

### **3. General Assembly**

#### **3.1 Annual ordinary and statutory meetings of the General Assembly**

*This provision refers to Art. 11 of the CEN statutes*

##### Annual ordinary General Assembly meeting

One ordinary General Assembly is convened by the President each year between April and September to deliberate on matters as requested by Belgian law, notably on financial matters, and to elect the President and Vice-Presidents. This Assembly is normally associated with an open annual meeting, which may be organized jointly with CENELEC.

##### Statutory General Assembly meeting

Within the same year, a statutory General Assembly is convened by the President, between October and December, to deliberate on any matter relevant to the scope of the association and to elect CEN Officers other than the President and Vice-Presidents in accordance with the CEN Statutes.

##### Organizational modalities

Meetings of all General Assemblies are arranged by the Director General on the instructions of the Administrative Board.

##### Agenda and main documents

The Administrative Board decides upon, establishes and sets up the agendas of the General Assembly meetings.

The agenda and the main documents are circulated by the Director General to the national Members one month prior to the meeting for decision matters and two weeks for information matters. However, the Director General may also invite the General Assembly to consider and take decisions on matters of which documents have been circulated beyond the deadlines established.

##### Invitations

Representatives of national standard bodies having the status of CEN Affiliates, of the European Institutions, EFTA, CENELEC, ETSI, ISO, as well as any other relevant partners and guests of CEN, are invited as observers, with no voting rights, to attend the annual ordinary General Assembly that takes place between April and September.

Attendance at the statutory General Assembly meeting convened between October and December is normally reserved exclusively for the national Members of CEN. However, the President may decide to invite selected guests when their attendance and contribution is relevant for the debate and decisions of the General Assembly.

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The candidate member for hosting the CEN General Assembly meeting, other CEN annual meetings or any other technical or non-technical meeting, should give special consideration to avoiding any barriers to participation of representatives from other members.

When appropriate, in order to allow the concerned governing or technical body to take an informed decision on this matter, the candidate member for hosting the event is invited to provide all necessary information regarding visa requirements and visa application procedures that may be required for the participants coming from other CEN member countries.

### **3.2 Extraordinary meetings of the General Assembly**

*This provision refers to Art. 11.2 and 11.5 of the CEN statutes*

#### Organizational modalities

The President must convene an extraordinary General Assembly within one month of a request received from at least one fifth of the CEN national Members acting jointly in accordance with Art. 11.2 of the CEN statutes.

The agenda and the main documents are circulated by the Director General to the Members at least 10 days prior to the meeting.

#### Attendance and exceptional invitations of observers

Extraordinary General Assemblies are attended only by the CEN national Members. However, in exceptional circumstances the President may invite guests to the meeting as observers when their attendance and contribution are relevant for the debate and decisions of the General Assembly.

#### Proxies and proceedings

Requirements on proxies and written proceedings shall follow the same rules as those established for the ordinary General Assembly meetings.

### **3.3 Decisions of the General Assembly by secret ballot**

*This provision refers to Art. 12 of the CEN statutes*

Usually decisions at the General Assembly meetings are taken with open votes. Elections of CEN Officers may take place with vote by secret ballot; however, the President may at any time invite the Assembly to elect one or more CEN Officers by acclamation.

There shall be a vote by secret ballot on questions related to individuals, if at least two national Members request it.

## **4. Administrative Board and its Consultative Committees**

### **4.1 Delegation of authority**

*This provision refers to Art. 10 and Art. 13.3 of the CEN statutes*

The Administrative Board has delegated authority to manage the technical work of the association. To this purpose, the Administrative Board is regularly informed by the Vice-President Technical on the main decisions taken by the Technical Board and it can take decisions aimed at providing guidance to the Technical Board on any relevant technical matters having implications on the scope and activities of the association.



## **4.2 Meetings of the Administrative Board**

*This provision refers to Art. 15 of the CEN statutes*

The Administrative Board normally meet three times a year in connection with the Presidential Committee and/or the General Assembly. An Administrative Board meeting dedicated to budgetary and statutory financial matters takes place before the ordinary General Assembly convened each year to deliberate on those matters as requested by the Belgian legislation.

Dates and places of Administrative Board meetings are normally determined by the President or by the Administrative Board itself and timely communicated to all Officers of the Administrative Board by the Director General.

The President decides upon the agenda of the meeting of the Board he/she convenes.

The agenda of the Administrative Board shall reflect policy, operational and managerial matters of CEN, whereas any common CEN-CENELEC non-sector specific policy and strategic issues are handled by the Presidential Committee, as specified in the IR Part 1C.

The agenda and the main documents are circulated by the Director General to the Administrative Board one month prior to the meeting for decision matters and two weeks for information matters. However, the Director General may also invite the Administrative Board to consider and take decisions on matters of which documents have been circulated beyond the deadlines established.

## **4.3 Election of Officers of the Administrative Board**

*This provision refers to Art. 14, Art. 20.2 and Art. 21.1 of the CEN statutes*

The President is elected by simple majority vote. His/her one-year period of running-in as President Elect starts on January 1<sup>st</sup> of the year following the election. The President commences his/her term of office on January 1<sup>st</sup> of the second year following the election.

The Vice-Presidents and ordinary Administrative Board members are all elected by the General Assembly by simple majority vote for a term of office commencing on January 1<sup>st</sup> of the year following their election.

In case of a vacancy in the Administrative Board, be this due to Officer removal, resignation, death or declared incapacity, the General Assembly proceeds to the election of a new Officer of the Administrative Board upon nominations by the CEN national Members. In such cases, the Assembly may decide that the new Officer starts his/her term of office immediately after the election and for a term of office that may be longer than the usual duration.

### Proceeding for the elections of President, Vice-Presidents and ordinary Administrative Board members

Unless otherwise decided by the General Assembly, the election of Vice-Presidents precedes the election of ordinary Administrative Board members. Elections are normally organized according to the following process:

- Three months prior to the ordinary or statutory General Assembly meeting, the Director General informs the national Members on the expected vacant seats for President and/or Vice-President(s) and/or ordinary Administrative Board members for the following year, and invites them to provide their nominations of candidate(s) by a set deadline.
- One month prior to the ordinary or statutory General Assembly meeting, the Director General informs the General Assembly on the candidate(s) for the vacant seats nominated by the national Members.
- The ordinary or statutory General Assembly meeting elects the President, Vice-President(s) and/or ordinary Administrative Board members among the nominated candidate(s).

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### Establishment of the Administrative Board

For the purpose of the establishment of the Administrative Board, national Members are allocated in three groups (A, B and C) according to their combined financial and technical contribution to the association calculated on the basis of the following weighted criteria:

a) Financial criteria:

- The % of annual membership fees paid by each national Member calculated on the total amount of annual fees paid by all national Members;
- This individual % is then weighted by 50%.

b) Technical criteria:

- The % corresponding to the number of secretariats of Technical Committees held by each national Member calculated on the total number of Technical Committees held by all national Members;
- This individual % is then weighted by 50%.

The composition of the groups is as follows:

- Group A comprises four national Members;
- Group B comprises ten national Members;
- Group C comprises all other national Members.

The calculation enabling the allocation of the national Members into the three groups according to the above weighted criteria is described in Annex 1 to these Internal Regulations.

The twelve Officers of the Administrative Board, comprising three Vice-Presidents and nine ordinary Administrative Board members, are allocated as follows:

- four are elected upon nomination from the national Members of group A;
- four are elected upon nomination from the national Members of group B;
- four are elected upon nomination from the national Members of group C.

Should the national Members of a group not be able to provide nominations for the vacant seat of an ordinary Administrative Board member attributed to such group, this vacant seat is filled *de jure* by the non-elected candidate from any of the two other groups who has received the most votes in the election process at the General Assembly meeting in which the vacant seat was due to be filled.

### **4.4 Consultative Committees of the Administrative Board**

*This provision refers to Art. 21 of the CEN statutes*

The Administrative Board may take the decision to set up Consultative Committees and other advisory groups in areas where the need to get support from dedicated experts is identified, such as financial and policy issues.

CEN Consultative Committees are normally chaired by a Vice-President (see also subclauses 6.2.1 and 6.2.2). They are composed of representatives of the national Members.

The Terms of Reference of the Administrative Board Consultative Committees dealing with policy and international relations (CACC POL) and with CEN finance (CACC FIN) are annexed to the present Internal Regulations (Annexes 2 and 3).

When needed, the Chair may invite CEN partner organizations and stakeholders to attend the meetings of the Consultative Committees as observers.

Advisory groups are normally chaired by an appointed Chairman nominated by the Administrative Board. The number of members may vary according to the topic and the Terms of Reference of the advisory group.

## **5. CEN Certification Board**

*This provision refers to Art. 24 of the CEN statutes*

The CEN Certification Board (CCB) works under the guidance and supervision of the Administrative Board. Its functioning is detailed in the CEN/CENELEC Internal Regulations Part 4:2014.

## **6. CEN Officers**

### **6.1 President**

*This provision refers to Art. 20 of the CEN statutes*

The President provides effective leadership to the CEN membership. He/she is an industry, business or science leader, or CEO/Managing Director/Executive Director or a similar Senior Executive.

The President is nominated by a CEN national Member, and elected by the General Assembly, taking into account the following criteria:

a) Experience:

- senior leader in industry, business or science;
- extensive European and international experience, exposure and contacts;
- strong high-level governance experience, e.g. Board Chairman or equivalent;
- good international experience.

b) Personal distinctive factors:

- visionary, charismatic yet promotes consensus;
- university education;
- effective communicator;
- ideally multilingual, fluent in English.

c) Resources

- financially supported by the relevant national CEN member that nominated him/her.

The CEN President, inter alia:

- provides effective high level representation of the overall strategic issues relevant to the association to the Governing bodies as well as leadership to the CEN Officers;
- presides over the General Assembly and other meetings attended by all members;

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- chairs the CEN Administrative Board meetings, sets the meeting schedule and agenda, in conjunction with the Director General. He/she is responsible for the effective functioning of the Administrative Board;
- chairs the Presidential Committee on a rotation basis;
- chairs the CEN President Coordination Group;
- consults with the Vice-Presidents and Director General and promotes open communication, constructive debate and effective decision-making;
- leads specific tasks/projects as mandated by the General Assembly;
- promotes efficient collaboration among the CEN Governing bodies, their Working Groups and other bodies of the association;
- works with the President Elect to ensure transfer of knowledge on relevant issues, in order to facilitate a smooth transition of Presidency. This also includes to entrust the President Elect to represent CEN by delegation or instead of the President;
- provides and facilitates effective communication between CEN, CEN national Members and stakeholders;
- represents the Association with external organizations and promotes the interests of CEN;
- coordinates closely with the Director General and provides advice as necessary on CEN operations;
- oversees CEN governance and ensures that CEN activity conforms to the statutes and objectives of the Association;
- liaises closely with the Director General and pursues in all his/her acts the interest of CEN.

The CEN President (and President Elect) is expected to be in a position to attend several meetings per year (most of them in Brussels).

### **6.2 Vice-Presidents**

*This provision refers to Art. 21 of the CEN statutes*

CEN Vice-Presidents are an industry, business or science leader, or CEO/Managing Director/Executive Director or a similar Senior Executive of a CEN national member.

They are nominated by a CEN national Member and elected by the General Assembly on the basis of the following criteria:

- a) Experience:
  - working knowledge of CEN including relevant experience in technical management, policy or finance;
  - good international experience.
- b) Personal distinctive factors:
  - university education;
  - effective communicator;
  - visionary, charismatic yet promotes consensus;
  - ideally multilingual, fluent in English.

c) Resources

- financially supported by the relevant national CEN member that nominated him/her.

**6.2.1 Vice-President Policy**

The Vice-President Policy, inter alia:

- provides leadership of the Administrative Board Consultative Committee dealing with CEN policy matters, including international relations (CACC POL), as well as effective representation of strategic and policy issues to the relevant governing bodies;
- chairs the meetings of the Administrative Board Consultative Committee dealing with Policy and international relations and:
  - ensures that its work is carried out efficiently;
  - promotes constructive debate and effective decision-making;
  - ensures access to information for the Consultative Committee to monitor CEN performance in areas where this has monitoring responsibility;
- ensures support to the implementation of the CEN Strategy taking into account the policy aspects and coordinates periodic input and review of policy aspects of the Strategy;
- ensures that the Consultative Committee on Policy coordinates periodic input and review of the CEN Strategy;
- ensures effective communication on policy and international relations issues between CCMC and CEN members and key stakeholders of CEN;
- chairs or participates in special Working Groups or Task Forces as created by the General Assembly or directed by the Administrative Board;
- as an Officer of CEN, actively supports and participates in the work of the Presidential Committee and other CEN relevant Governing bodies, including the coordination of CACC POL work with that of these bodies;
- as an Officer of CEN, works cooperatively with the other Officers for the greater good of CEN and pursues in all his/her acts the interest of CEN;
- liaises closely with the Director General and the Director External Relations.

The CEN Vice-President Policy is expected to be in a position to attend several meetings per year (most of them in Brussels).

**6.2.2 Vice-President Finance**

The Vice-President Finance, inter alia:

- provides leadership of the Administrative Board Consultative Committee dealing with CEN finance (CACC FIN), as well as effective representation of finance issues to the relevant governing bodies;
- ensures support to the implementation of the CEN Strategy taking into account financial aspects and coordinates periodic input and review of financial aspects of the Strategy;

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- chairs the meetings of the Administrative Board Consultative Committee dealing with finance and:
  - ensures that its work is carried out efficiently;
  - promotes constructive debate and effective decision-making;
  - ensures access to information for the Consultative Committee dealing with finance to monitor CEN performance in areas where this has monitoring responsibility;
- ensures that the Consultative Committee dealing with finance coordinates periodic input and review of the CEN Strategy;
- ensures effective communication on financial issues between CCMC and CEN members and key stakeholders of CEN;
- chairs or participates in special Working Groups or Task Forces as created by the General Assembly or directed by the Administrative Board;
- as an Officer of CEN, collaborates and works cooperatively with other Officers and, in particular, with CENELEC on those financial issues affecting the efficiency and functioning of CCMC;
- as an Officer of CEN, actively supports and participates in the work of the Presidential Committee and other CEN relevant Governing bodies, including the coordination of CACC FIN work with that of these bodies;
- as an Officer of CEN, works cooperatively with the other Officers for the greater good of CEN and pursues in all his/her acts the interest of CEN;
- liaises closely with the Director General and Director Finance.

The CEN Vice-President Finance is expected to be in a position to attend several meetings per year (most of them in Brussels).

### **6.2.3 Vice-President Technical**

The Vice-President Technical, inter alia:

- ensures the leadership and chair of the Technical Board (BT) and effective representation of technical issues to the other relevant governing bodies;
- ensures support to the implementation of the CEN Strategy taking into account technical aspects and coordinates periodic input and review of technical aspects of the Strategy;
- leads development of planning of the BT's work, of the CEN Strategy, and reports to the Administrative Board and General Assembly on the implementation of the plan;
- chairs meetings of BT:
  - ensures the work of BT is carried out efficiently;
  - promotes constructive debate and effective decision-making;
  - ensures access to information for BT to monitor CEN's performance in areas where BT has monitoring responsibility;
- reports on progress and outcome of the technical work;

- ensures effective communication on technical issues between CCMC and CEN members and key stakeholders of CEN;
- chairs or participates in special Presidential Committee, Administrative Board and General Assembly Task Forces as directed by these governing bodies;
- as an Officer of CEN, actively supports and participates in the work of the Presidential Committee including the coordination of BT work with that of the other main CEN Governance bodies;
- as an Officer of CEN, works cooperatively with the other Officers for the greater good of CEN;
- as an Officer of CEN, collaborates and works cooperatively in particular in technical issues with ETSI and CENELEC;
- liaises closely with the Director General, the Director Standards and the Director Innovation.

The CEN Vice-President Technical is expected to be in a position to attend several meetings per year (most of them in Brussels).

## **7. Cooperation with other organizations**

### **7.1 Partnerships with European organizations**

CEN builds partnerships with European organizations, associations and other recognized stakeholders who have an interest in European standardization and are able and willing to provide added-value knowledge and to actively contribute with inputs and proposals to CEN governing and technical bodies.

The General Assembly shall decide on the principles and guidelines ruling the framework of these partnerships.

### **7.2 Joint Partnership with ETSI and CENELEC**

CEN co-ordinates and co-operates with CENELEC and ETSI both on strategic issues and the actual process of standardization with regards to new technologies, mandated work and areas of common interest.

The CEN/CENELEC/ETSI “Joint Presidents’ Group” manages the overall collaboration between the three ESOs, whose details are defined in a specific Agreement and in the Internal Regulations Part 2.

### **7.3 Partnership with the International Organization for Standardization (ISO)**

In support of the International Organization for Standardization (ISO), CEN and ISO have agreed to work in close cooperation for the development and adoption of International Standards. The details of this agreement, also known as the “Vienna Agreement” are set in the CEN Guidelines for the implementation of the Vienna Agreement.

## Annex 1

### Methodology for establishing the Administrative Board composition

For the purpose of the establishment of the Administrative Board composition, national Members are allocated in three groups (A, B and C) according to their combined financial and technical contribution to the association calculated on the basis of the following weighted criteria:

**Financial criteria:**

- The % of annual membership fees paid by each national Member calculated on the total amount of annual fees paid by all national Members;
- This individual % is then weighted by 50%.

**Technical criteria:**

- The % corresponding to the number of secretariats of Technical Committees held by each national Member calculated on the total number of Technical Committees held by all national Members;
- This individual % is then weighted by 50%.

The methodology of calculation is summarized in the following table:

as per membership fee calculation table  
 in CEN-CLC Guide 21

NSB	Financial unit	Financial contribution @ 100%	Nbr of TC secretariat	TC secretariat contribution @ 100%	Financial contribution @ 50%	TC secretariat contribution @ 50%	Total contribution	#	Group
	(1)	(3) = (1) / (2)	(4)	(6) = (4) / (5)	(7) = (3) * 50%	(8) = (6) * 50%	= (7) + (8)		
XXX								...	either A
YYY								...	or B
ZZZ								...	or C
....								...	
		-	-	-	-	-	-		
		(2)	(5)						

**Group A**

The 4 national Members ranking with the highest total technical and financial contributions.

**Group B**

The following 10 national Members ranking from 5 to 14 of the total technical and financial contributions.

**Group C**

All other national Members.

Ranking based on total % contribution	Group	Maximum number of Board seats per Group
1 to 4	Group A	4
5 to 14	Group B	4
15 and above	Group C	4
		TOTAL = 12



If a CEN national Member raises its technical or financial contribution so as to eventually result in a higher ranking compared with the last national Member of the group above (from Group C to B or from Group B to A), then the last national Member of the group above is automatically retroceded to the Group below.

Similarly, if a CEN national Member diminishes its technical or financial contribution so as to eventually result in a lower ranking compared with the highest CEN national Member of the group below (from Group A to B or from Group B to C), then the highest national Member of the group below is automatically upgraded to the Group above.

## Annex 2

# Administrative Board Consultative Committee Policy – CEN/CACC POL

## Terms of Reference

### 1 Role and definition

The CA Consultative Committee Policy (CACC POL) reports to the CEN Administrative Board (CA).

The CACC POL is responsible for preparing items for CA decision and for monitoring the implementation of CA decisions relating to CEN's policy at large. In its external relations activities, the Committee complements the work of the ESOs Joint Presidents Group (JPG) for sectoral issues of purely CEN nature.

### 2 Responsibilities

The CACC POL recommends decisions to the CA in particular those related to

- the follow-up of the implementation of CEN's strategy,
- the evolution of CEN's membership,
- CEN's involvement vis à vis the construction and enlargement of the EU and the European Economic Area, and issues relating to CEN's interface with third countries/regions' NSBs (e.g. affiliation) for matters that only concern CEN,
- the issues relating to CEN's interface with and involvement in ISO,
- agree inputs to PC and JPG,
- certification through a link with the CEN Certification Board (CCB),
- other tasks as decided by CA.

### 3 Working Method

The CACC POL is meeting at least twice a year. When necessary, additional meetings can take place upon the Chairman's specific invitation.

While meeting as necessary, the CACC POL operates as much as possible through the use of electronic tools to ensure transparency of its operation.

### 4 Composition

- Chairman: Vice-President Policy
- Members: Up to 9 members (the Vice-President Policy included)
- Secretariat: CCMC (Director External Relations)
- Permanent attendees:

- CEN-CENELEC Director General
- Vice-President Policy CENELEC

The Vice-President Policy may invite on an ad hoc basis the Chairman of the CEN/CCB and individuals or professionals/experts to contribute to the debates on particular subjects, when required.

NSBs not represented in the CACC POL could also be invited by the Chairman to take part in the meeting for issues where they are directly involved.

## **5 Appointment**

### Vice-President Policy (Chairman)

The Vice-President Policy is proposed by the CEN national members, and appointed by CEN/AG according to Article 21 of the CEN statutes and in line with the IR Clause 6, and in particular subclause 6.2.1.

### CACC POL Members

The CACC POL Members candidates are nominated by the CEN members and appointed by the CEN/AG for a two-year term.

In order to be eligible, the proposed candidates will meet the following profile criteria:

- the candidate holds a management/senior management position in his/her own organization;
- in his/her organization's day-to-day role and responsibilities, the candidate has an adequate and relevant level of decision and influence;
- the candidate has an adequate level of understanding of and involvement in standardization policy and external relations issues, in order to support the decision-making process on policy matters and support other CEN governing bodies;
- through his/her recommendations and decisions, the candidate will act and support the association for the benefit of European interests;
- the candidate may, or may not, be a CEN/CA member.

Should the number of proposed candidates exceed 8, the Vice-President Policy will try to reach a consensus before proposing a list of 8 CACC POL Members to the CEN/AG for decision, taking into account the criteria described above.

The CACC POL Members ensure regular attendance of the CACC POL meetings. Failure to attend may lead to the dismissal of the membership.

Should a Member be forced to resign for imperious reasons before the end of his/her two-year mandate term, the CEN member to which this CACC POL Member belongs will be invited by CCMC to propose a new candidate to take over his/her predecessor's mandate, to complete the term. The proposed candidate will need to meet the profile criteria as outlined above.

Should the CEN member decline the invitation, CCMC will invite the CEN members who do not already have a member in CACC POL to propose their candidate according to the relevant criteria. If appointed by CEN/AG decision, the new CACC POL Member will take over his/her predecessor's mandate immediately to complete the term.

## **6 Term**

### Vice-President Policy (Chairman)

The Chairman is appointed for a mandate of two years, starting on the 1st January of the following year to his/her election as Vice-President Policy.

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The two-year mandate can be renewed for one additional term of two years by CEN/AG decision before the new mandate anniversary date.

After his/her mandate(s) as Vice-President Policy, the Vice-President Policy cannot be re-appointed as CACC POL Member for the immediate next term, unless approved otherwise by the CEN/AG.

### *CACC POL Members*

The CACC POL Members are appointed for a mandate of two years, starting on the 1st January of the following year. Each two-year mandate is renewable, by CEN/AG decision, before the new mandate anniversary date.

## Annex 3

# Administrative Board Consultative Committee Financial Affairs CEN/CACC FIN

## Terms of Reference

### 1 Role and definition

The CA Consultative Committee Financial Affairs (CACC FIN) reports to the CEN Administrative Board (CA).

The CACC FIN is responsible for preparing items for CA decision and for monitoring the implementation of CA decisions relating to all financial related matters.

### 2 Responsibilities

The CACC FIN recommends decisions to the CA in particular those related to

- monitoring the CCMC and CEN budgets,
- monitoring the CCMC financials and CEN accounts,
- monitoring and advising on financial issues and relations between CCMC, NSBs and the EC/EFTA,
- other financial tasks or projects as decided by the CA.

### 3 Working Method

The CACC FIN is meeting at least twice a year (in quarter 1, mainly to review the financial results of the previous year, and in quarter 4 to finalize the budget for the following year).

In addition, the CACC FIN meets by web conference during quarter 2 to review the provisional CCMC budget for the following year.

When necessary, additional meetings can take place upon the Chairman's specific invitation.

### 4 Composition

- Chairman: Vice-President Finance
- Members: Up to 9 members (the Vice-President Finance included)
- Secretariat: CCMC (Director Finance)
- Permanent attendees:
  - CEN-CENELEC Director General
  - Vice-President Finance CENELEC

The Vice-President Finance may invite on an ad hoc basis other individuals or professionals/experts to contribute to the debates on particular subjects, when required.

NSBs not represented in the CACC FIN could also be invited by the Chairman to take part in the meeting for issues where they are directly involved.

### 5 Appointment

#### Vice-President Finance

The Vice-President Finance is proposed by the CEN national members, and appointed by the CEN/AG according to Article 21 of the CEN statutes and in line with the IR Clause 6 and in particular subclause 6.2.2.

#### CACC FIN Members

The CACC FIN Members candidates are nominated by the CEN members and appointed by the CEN/AG for a two-year term.

In order to be eligible, the proposed candidates will meet the following profile criteria:

- the candidate holds a management/senior management position in his/her own organization;
- in his/her organization's day-to-day role and responsibilities, the candidate has an adequate and relevant level of decision and influence;
- the candidate has an adequate level of financial knowledge and background in order to support the decision-making process on financial matters and support other CEN governing bodies;
- through his/her recommendations and decisions, the candidate will act and support the association for the benefit of European interests;
- the candidate may, or may not, be a CEN/CA Member.

Should the number of proposed candidates exceed 8, the Vice-President will try to reach a consensus before proposing a list of 8 CACC FIN Members to CEN/AG for decision taking into account the criteria described above.

The CACC FIN Members should ensure regular attendance of the CACC FIN meetings. Failure to attend may lead to the dismissal of the membership.

Should a Member be forced to resign for imperious reasons before the end of his/her two-year mandate term, the CEN member to which this CACC FIN Member belongs will be invited by CCMC to propose a new candidate to take over his/her predecessor's mandate to complete the term. The proposed candidate will need to meet the profile criteria as outlined above.

Should the CEN member decline the invitation, CCMC will invite the CEN members who do not already have a member in CACC FIN to propose their candidate according to the relevant criteria. If appointed by CEN/AG decision, the new CACC FIN Member will take over his/her predecessor's mandate immediately to complete the term.

### 6 Term

#### Vice-President Finance (Chairman)

The Chairman is appointed for a mandate of two years, starting on the 1st January of the following year to his/her election as Vice-President Finance.

The two-year mandate can be renewed for one additional term of two years by CEN/AG decision before the new mandate anniversary date.

After his/her mandate(s) of Vice-President Finance, the Vice-President Finance cannot be re-appointed as CACC FIN Member for the immediate next term, unless approved otherwise by the CEN/AG.

#### CACC FIN Members

The CACC FIN Members are appointed for a mandate of two years, starting on the 1<sup>st</sup> January of the following year. Each two-year mandate is renewable, by CEN/AG decision, before the new mandate anniversary date.

## 1B: CENELEC

### 1. Scope of CENELEC activities

CENELEC is the European Standardization Organization in the field of electrotechnology and related technologies, facilitating and organizing with the participation of all interested parties.

The purpose of CENELEC (see Article 3 of the Articles of Association) may be realized in particular by the following means:

- Harmonization of national standards published by CENELEC Members;
- Prioritize and promote the development of standards within the International Electrotechnical Commission (IEC) and the implementation of IEC standards;
- Preparation of homegrown European Standards (EN) only when justified by needs in Europe, which are not accepted by the International Electrotechnical Commission (IEC);
- Support world-wide standardization and promote European participation in the International Electrotechnical Commission (IEC);
- Interface to the European industrial associations, European Union institutions and the European Free Trade Association (EFTA);
- Cooperation with the European Committee for Standardization (CEN) and the European Telecommunications Standards Institute (ETSI), where appropriate, in accordance with the IEC activities.

### 2. CENELEC organization

CENELEC consists of:

- Its Members;
- Its Officers, i.e.:
  - The President,
  - Three Vice-Presidents,
  - The President Elect;
- Its organs, as specified in Art. 5 of the CENELEC Articles of Association, i.e.:
  - The General Assembly,
  - The Administrative Board,
  - The Presidential Committee,
  - The Director General,
  - One or several Auditors;

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- The CEN-CENELEC Management Centre;
- The Technical Board (BT), which is mandated by the CENELEC General Assembly to manage the technical standardization (see Internal Regulations Part 2).

Moreover,

- The General Assembly or the Administrative Board may set advisory bodies.
- The President may set up advisory bodies to exchange information with CENELEC members.

### **3. General Assembly (AG)**

The General Assembly (AG) is the supreme authority of CENELEC, where all statutory and general policy decisions are taken. The Ordinary Meetings are taking place annually during the first half of the year and should be attended by a delegation of up to five representatives of each CENELEC Member, led by a Head of Delegation. (See also Articles 12 and 13 of the CENELEC Articles of Association.) The candidate member for hosting the CENELEC General Assembly meeting, other CENELEC annual meetings or any other technical or non-technical meeting, should give special consideration to avoiding any barriers to participation of representatives from other members.

When appropriate, in order to allow the concerned governing or technical body to take an informed decision on this matter, the candidate member for hosting the event is invited to provide all necessary information regarding visa requirements and visa application procedures that may be required for the participants coming from other CENELEC member countries.

### **4. Administrative Board and its Advisory Bodies**

#### **4.1 Administrative Board (CA)**

The Administrative Board (CA) manages and administers the Association's business. In addition, it prepares the agendas of the General Assembly, with inclusion of proposed recommendations, and ensures subsequently the correct execution of the decisions taken by the General Assembly. (See also Articles 14, 15 and 16 of the CENELEC Articles of Association.)

The Administrative Board comprises *ex officio* the CENELEC Officers (i.e. the President, three Vice-Presidents – amongst whom a Vice-President Finance, a Vice-President Policy and a Vice-President Technical – and the President Elect) and up to nine Board members. The members of the Administrative Board are appointed by the General Assembly.

For the purpose of the establishment of the Administrative Board, National Committees are allocated in four groups (A, B, C and D). The methodology for establishing the Administrative Board composition and the indication of the Members' grouping can be found in Annex 1 of these Internal Regulations.

The Officer status is primarily required for representation purposes, i.e. for the President to represent CENELEC, for the Vice-Presidents and the President Elect to represent CENELEC by delegation or instead of the President. The other Board members shall participate in, and contribute to the important tasks entrusted to the Administrative Board. All shall divest themselves from any national viewpoint.

Traditionally, the Administrative Board meets three times per year, one of which is in conjunction with the General Assembly. These meetings are convened by the President. The invitation is accompanied by the agenda of the meeting, decided by the President, and dispatched at least one month beforehand.



## **4.2 Advisory Bodies of the Administrative Board**

The Administrative Board may take the decision to set up advisory bodies or groups in areas where the need to get support from dedicated experts is identified, such as financial and other strategic issues.

The advisory body or group is chaired by the President, President Elect or a Vice-President. The members are representatives of the National Electrotechnical Committees, and occasionally of cooperating partners, and are recruited through an open call. The number of members may vary according to the topic and the terms of reference of the advisory group.

## **5. Advisory Body to the President – Heads of Delegation Meeting**

The President has the authority to invite the Heads of Delegation of the CENELEC Members to exchange information and discuss policy orientation.

As and when such consultation of the CENELEC Membership takes the form of a meeting, this meeting is open to a maximum of two from the President or Head of Delegation and the Secretary of each CENELEC National Committee as well as to the members of the Administrative Board. At the discretion of the President, special guests can be invited. The secretariat duties are normally ensured by the Director General.

## **6. Cooperation with other organizations**

### **6.1 Partnerships with European organizations**

A CENELEC Partner and Liaison organization is an independent European or international European based organization representing, with a sufficient degree of representation within its defined area of competence, a sector or sub sector of the electrotechnical field. Partnership with CENELEC is open to appropriately qualified organizations representing recognized stakeholders from the European Union (EU)/European Free Trade Association (EFTA) countries.

The principles ruling CENELEC partnership with European organizations are laid down in CEN/CENELEC Guide 25 “The concept of partnership with European organizations and other stakeholders”.

### **6.2 International Electrotechnical Commission (IEC)**

In support of the International Electrotechnical Commission (IEC) as the global organization for electrotechnical standardization, CENELEC and IEC have agreed to work in close cooperation for the development and adoption of International Standards. The details of this agreement can be found in CENELEC Guide N° 13 “IEC/CENELEC Cooperation Agreement on common planning of new work and parallel voting” also known as the Dresden Agreement.

Furthermore, CENELEC and IEC have established the Management Coordination Group (MCG), a forum for high-level consultations on matters affecting both organizations. The Terms of Reference of the MCG can be found in Annex 2 of these Internal Regulations.



## CENELEC Members grouping\*

Group	Country	Member organization
Group A	France	AFNOR-FrSS-UTE
	Germany	DKE
	Italy	CEI
	United Kingdom	BSI
Group B	Austria	ÖVE
	Belgium	CEB-BEC
	Greece	NQIS/ELOT
	Netherlands	NEC
	Poland	PKN
	Portugal	IPQ
	Romania	ASRO
	Spain	AENOR
	Sweden	SEK
	Switzerland	Electrosuisse
	Turkey	TSE
Group C	Bulgaria	BDS
	Croatia	HZN
	Czech Republic	UNMZ
	Denmark	DS
	Finland	SESKO
	Hungary	MSZT
	Ireland	NSAI
	Lithuania	LST
	Norway	NEK
	Serbia	ISS
	Slovakia	UNMS
Group D	Cyprus	CYS
	Estonia	EVS
	Former Yugoslav Republic of Macedonia	ISRM
	Iceland	IST
	Latvia	LVS
	Luxembourg	ILNAS
	Malta	MCCAA
	Slovenia	SIST

## Annex 2

### IEC-CENELEC Management Coordination Group (MCG)

#### Terms of Reference

##### Definition

The Management Coordination Group, hereafter referred to as **MCG** acts as a forum for top-level agreement between IEC and CENELEC. It serves as a basis for consultation of the members on matters affecting the two organizations.

##### Objectives

The MCG is:

- A place for overseeing collaboration between IEC and CENELEC on common technical, promotional, and other matters;
- A place for discussion on issues affecting electrotechnical standardization;
- A focus for organizing conferences and other events to promote electro-technical standardization and how we work.

##### Composition

Chairperson: CENELEC and IEC presidents in turn, in annual rotation.

Members: Up to six representatives per organization

**CENELEC:** President  
Vice-President Policy  
Vice-President Technical  
Vice-President Finance  
Director General  
President-Elect when relevant

**IEC:** President  
Vice-Presidents  
General Secretary  
Deputy-President

Secretariat: IEC/CO

##### Working methods

The MCG operates as much as possible by correspondence and the use of the IEC-CENELEC Collaboration Tool.

The MCG meets once per year, preferably in the context of the IEC/GM.

Agendas will be available one month before the meeting, except in urgent circumstances with the meeting's agreement.

## Annex 3

### CENELEC Working Group on Policy (WG POL) Terms of Reference

#### Role and definition

The CENELEC Working Group on Policy (CLC WG POL) reports to the CENELEC Administrative Board (CA).

The CLC WG POL is responsible for preparing proposals on general policy issues for CA and Presidential Committee (PC) decision, and for monitoring the implementation those decisions.

#### Responsibilities

The CLC WG POL recommends decisions to the CA in particular related to:

- The follow-up of the implementation of CENELEC's strategy,
- The evolution of CENELEC's membership,
- CENELEC's involvement vis à vis the construction and enlargement of the EU and the European Economic Area, and issues relating to CENELEC's interface with third countries/regions' NSBs (e.g. affiliation) for matters that only concern CENELEC,
- The general policy relating to CENELEC's interface with and involvement in IEC,
- The follow-up and guidance of Technical Assistance projects in the electrotechnical field led by CCMC,
- Agree inputs to PC and JPG,
- Discuss the relations with the EC and regulators in the electrotechnical sector,
- Other tasks as decided by CA.

#### Working Method

CLC WG POL is meeting at least twice a year. When necessary, additional meetings can take place upon the Chairman's specific invitation.

While meeting as necessary, the CLC WG POL operates as much as possible through the use of electronic tools to ensure transparency of its operation.

CLC WG POL meetings take a twofold format. The meeting is structured in two sessions: one closed with participation restricted to Members (NCs) only, and one open with participation of relevant external guests (Partner Organisations and European Counsellors), thus offering an open platform to gather stakeholders' needs and feedback and to ensure the market relevance of CENELEC policy activities.

The CLC WG POL can decide to create ad-hoc groups to discuss specific topics in a smaller group that will make a draft proposal to be submitted to CLC WG POL.

#### Composition

Chairman:	Vice-President Policy
Members:	All interested Members' representatives (as per section 4 of IR 1b)
Secretariat:	CCMC (Director External Relations)
Permanent attendees:	CEN-CENELEC Director General
Observers:	Partner Organizations (cfr. CEN/CENELEC Guide 25)

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The Chairman may invite on an ad-hoc basis other individuals or professionals/experts to contribute to the debates on particular subjects, when relevant.

### **Appointment**

#### *Vice-President Policy*

The Vice-President Policy is proposed by the CENELEC national committees among the members to the Administrative Board, and appointed by the CENELEC/AG according to Article 14.5 of the CENELEC Articles of Association.

#### *CLC WG POL Members*

The National Committees and Partners appoint the members to CLC WG POL, with a maximum of one representative per National Committee and Partner.

The appointed Members will be in a position to provide active input to the policy discussions and will have experience in external relations .

Members will commit to invest adequate time to these responsibilities and are encouraged to attend the meetings regularly. Failure to attend more than two consecutive meetings may lead to the dismissal from the WG POL membership.

### **Term**

#### *Vice-President Policy (Chairman)*

The Chairman is appointed for a mandate of 2 years, starting on the 1<sup>st</sup> January of the following year to his election as Vice President Policy. Each 2-year mandate can be renewed by CENELEC/AG once.

#### *CLC WG POL Members*

The CLC WG POL members' appointment will be confirmed every 3 years.

The composition of CLC WG POL will be submitted to CENELEC/CA for information on a yearly basis.

## Annex 4

### CENELEC Working Group on Finance (WG FINPOL) Terms of Reference

#### Role and definition

The CLC WG FINPOL is responsible for preparing proposals on all financial related matters for CA decision and PC recommendations, and for monitoring the implementation of the decisions.

The CENELEC Working Group on Finance (CLC WG FINPOL) is an Advisory Body that reports to the CENELEC Administrative Board (CA).

#### Responsibilities

The WG FINPOL recommends decisions to the CA in particular those related to:

- The monitoring of the CCMC and CENELEC budgets;
- The monitoring of the CCMC financials and CENELEC accounts;
- The monitoring and advices on financial issues and relations between CENELEC, CCMC, NCs and the EC/EFTA;
- Other financial tasks or projects as decided by CA.

#### Working Method

The CLC WG FINPOL is meeting at least twice a year (in quarter 1, mainly to review the financial results of the previous year, and in quarter 4 to finalize the budget for the following year).

In addition, WG FINPOL meets by web conference during quarter 2 to review the provisional CCMC budget for the following year.

When necessary, additional meetings can take place upon the Chairman's specific invitation.

While meeting as necessary, the CLC WG FINPOL operates as much as possible through the use of electronic tools to ensure transparency of its operation.

The CLC WG FINPOL can decide to create ad-hoc groups to discuss specific topics in a smaller group that will make a draft proposal to be submitted to CLC WG FINPOL.

#### Composition

Chairman:	Vice-President Finance
Members:	Up to 9 members (the Vice President Finance included) appointed from the NC (as per section 4 of IR 1b)
Secretariat:	CCMC (Director Finance & Facilities)
Permanent attendees:	CEN-CENELEC Director General Vice President Finance CEN

The Chairman may invite on an ad hoc basis other individuals or professionals/experts to contribute to the debates on particular subjects, when required.

## **CEN/CENELEC Internal Regulations Part 1:2018**

NCs not represented in the CLC WG FINPOL could also be invited by the Chairman to take part in the meeting for issues where they are directly involved.

### **Appointment**

#### *Vice-President Finance*

The Vice-President Finance is proposed by the CENELEC national committees among the members to the Administrative Board, and appointed by the CENELEC/AG according to Article 14.5 of the CENELEC Articles of Association.

#### *CLC WG FINPOL members*

The CLC WG FINPOL members candidates are nominated by the CENELEC national committees and appointed by the CENELEC/CA for a 3 years term.

In order to be eligible, the nominated candidates will meet the following profile criteria:

- holds a management/senior management position in his/her own organization;
- has an adequate and relevant level of decision and influence in his/her organization's day-to-day role and responsibilities;
- has an adequate level of financial knowledge and background in order to support the decision making process on financial matters and support other CENELEC governing bodies;
- will act and support the association for the benefit of the European interest, through his/her recommendations and decisions.

Should the number of proposed candidates be exceeding 8, the Vice President will try to reach a consensus before proposing a list of 8 CLC WG FINPOL members to CENELEC/CA decision taking into account the criteria described above.

The CLC WG FINPOL members should ensure regular attendance of the CLC WG FINPOL meetings. Failure to attend may lead to the dismissal of the membership.

Should a member be forced to resign for imperious reasons before the end of his/her 3 years mandate term, the CENELEC NC to which this CLC WG FINPOL member belongs will be invited by CCMC to propose a new nominee to take over his/her predecessor's mandate to complete the term. The nominee will need to meet the profile criteria as outline above.

Should the CENELEC NC decline the invitation, CCMC will invite the CENELEC NC who do not have already a member in CLC WG FINPOL to propose a nominee according to the relevant criteria. If appointed by CENELEC/CA decision, the new CLC WG FINPOL member will take over his/her predecessor's mandate immediately to complete the term.

### **Term**

#### *Vice-President Finance (Chairman)*

The Chairman is appointed for a mandate of 2 years, starting on the 1<sup>st</sup> January of the following year to his election as Vice-President Finance.

The 2 years mandate can be renewed for one additional term of 2 years by CENELEC/AG decision before the new mandate anniversary date, but never to exceed the ongoing term of office as member of the Board.

After his/her mandate(s) of Vice-President Finance, the Vice-President Finance cannot be re- appointed as CLC WG FINPOL member for the immediate next term, unless approved otherwise by the CENELEC/CA.



*CLC WG FINPOL members*

The CLC WG FINPOL members are appointed for a mandate of 3 years, starting on the 1<sup>st</sup> January of the following year to their appointment. Each 3 years mandate is renewable, by CENELEC/CA decision before the new mandate anniversary date.

## **1C: CEN-CENELEC common organizational regulations**

### **1. Presidential Committee and its advisory bodies**

#### **1.1 Presidential Committee**

The Presidential Committee is a joint corporate body created by the CEN and CENELEC General Assemblies, mandated by the Administrative Boards of both organizations to perform certain functions described hereafter. (See also Article 17 of CEN Statutes and Article 17 of CENELEC Articles of Association.)

In that respect, the Presidential Committee manages and administers the common CEN-CENELEC non-sector specific policy and strategic issues, including:

- Membership issues (potential new members, affiliates, PSB). In accordance with the statutes, all membership issues have to be confirmed by the respective AGs;
- Common strategic issues, e.g.:
  - Innovation & Research;
  - External Relations:
    - with European institutions (EC, EFTA, EP, Council),
    - with organizations representing societal interests (SMEs, consumers, environment, trade unions),
    - with international organizations (ISO, IEC, Regional Standards Organizations, individual countries),
    - with European organizations representing common interests,
    - technical assistance;
- CEN/CENELEC/ETSI Joint Presidents' Group issues and in general issues linked to European standardization strategy;
- To conduct the selection process for the common CEN-CENELEC Director General and propose a candidate for appointment by the CEN and CENELEC Administrative Boards;
- To set up joint CEN/CENELEC Technical Committees and joint CEN/CENELEC Working Groups;
- Common Communications & Visibility Policy;
- Identification of common elements in search of further synergies/optimization of resources;
- CEN-CENELEC contractual relations – services contracts.

ISO and IEC technical related issues are under the responsibility of the CEN and CENELEC respective CAs and BTs.

#### **1.2 Advisory bodies to the Presidential Committee**

The Presidential Committee may take the decision to set up advisory bodies or groups in areas where the need to get support from dedicated experts is identified, such as the representation and promotion of the European Standardization System outside Europe and the reinforcement of the interconnection between standardization, research and innovation.

## **2. CEN-CENELEC Management Centre**

The CEN-CENELEC Management Centre is headed by the Director General and comprises such staff as CEN and CENELEC may require to perform the operations of the Associations. The CEN-CENELEC Management Centre is normally located at the same place as the registered office of CEN and CENELEC. (See also Article 25 of CEN Statutes and Article 19 of CENELEC Articles of Association.)

The Director General or his/her staff representative acts in an advisory capacity as the secretary of meetings of CEN and CENELEC such as:

- The General Assemblies;
- The Administrative Boards;
- The Presidential Committee;
- The Technical Boards;
- Committees and other advisory groups set up by these bodies, unless otherwise agreed.

The Director General is responsible for the implementation of decisions of these bodies. The Director General or his/her staff representative is entitled to attend any meeting, which the fulfilment of his/her task makes necessary. The Director General manages the funds of CEN and CENELEC and directs the staff of the CEN-CENELEC Management Centre with all powers to engage or dismiss personnel.

## **3. Cooperation with other European organizations**

### **3.1 European Commission (EC) and European Free Trade Association (EFTA)**

Having regard to the political role the European Commission and EFTA play in European standardization, these two European institutions are invited to participate with observer status in the work of the Associations.

The relationship between CEN and CENELEC on the one side and the European Commission and EFTA on the other is described in CEN/CENELEC Guide 4 “General Guidelines for the cooperation between CEN, CENELEC and ETSI and the European Commission and the European Free Trade Association”, and detailed for the contractual aspects in mutually agreed documents.

### **3.2 European Standardization Organizations**

CEN, CENELEC and ETSI are the three recognized European Standardization Organizations according to Regulation (EU) No. 1025/2012 Annex 1. They have agreed to work closely together. This is reflected in the CEN/CENELEC Guide N° 3 “CEN and CENELEC Cooperation Agreement” as well as in the CEN/CENELEC/ETSI Basic Cooperation Agreement.

A CEN/CENELEC/ETSI Joint Presidents’ Group acts as a forum for discussion of matters of common interest, fixing lines of demarcation of work where necessary and serving as a basis for consultation of the members on matters affecting all three organizations.

## **4. Cooperation with standardization bodies not members of CEN and/or CENELEC**

### **4.1 Affiliates**

Affiliation with CEN and CENELEC is available to a National Standards Body, which is a member (or corresponding or associate member) of ISO or IEC respectively and which represents or has the ambition to represent all parties concerned in an evolving market economy of a EU Neighbouring Country having links with EU or EFTA in relation to relevant scientific, political and social conditions. Details regarding Affiliates Status are given in the CEN/CENELEC Guide N°12 "The concept of Affiliation with CEN and CENELEC".

### **4.2 The concept of a Companion Standardization Body with CEN and CENELEC**

The status of a Companion Standardization Body (CSB) with CEN and CENELEC is available to a National Standards Body, which is a member (or corresponding or associate member) of ISO or IEC, respectively, and which represents or has the ambition to represent all parties concerned in an evolving market economy of a country which is not eligible for obtaining the status of CEN and/or CENELEC national Member or CEN and/or CENELEC Affiliate. Details regarding the CSB status are given in the CEN-CENELEC Guide 13 "The concept of a Companion Standardization Body with CEN and CENELEC".

### **4.3 Relations with other standards bodies**

An Agreement is offered to any National Standards Body not desiring to become Affiliate or PSB but intent in developing official relations with CEN and/or CENELEC. This model of cooperation may comprise elements such as: exchange of information, transfer of knowledge, cooperation of standardization activities and bodies.

The Memorandum of Understanding is a tool established to start official cooperation relations with recognized Regional Groupings or Third Country National Standards Bodies.

## 1D: CEN and CENELEC Membership Requirements

### Scope

As part of CEN and CENELEC initiative to maintain and strengthen, in continuous improvement, the effectiveness of the European standardization system to achieve excellence, in 2012 CEN and CENELEC agreed to establish a set of criteria for membership to be fulfilled by all national Members at all times. These criteria, formerly included in CEN-CENELEC Guide 20 on membership criteria, were revised in 2017 and included under the present CEN-CENELEC Internal Regulations Part 1D.

These membership criteria are complemented – 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”, which describes the management of the organizational aspects of the assessment exercises, of their reporting and follow-up.

The regular assessment of Members’ compliance with the established criteria for membership shall also serve the purpose of sharing information for the identification of best practices and the associated dialogue among the Members.

The CEN and CENELEC membership criteria are also fully in line with the WTO/TBT Agreement on Technical Barriers to Trade, Annex 3 “Code of good practice for the preparation, adoption and application of standards” and with EU Regulation 1025/2012 on European standardization of 25 October 2012, to which CEN, CENELEC and their national Members are bound. Section 9 hereunder provides a table summarising the relevant link between CEN and CENELEC membership requirements, the WTO/TBT Agreement and EU Regulation 1025/2012.

Please note that 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.

## **1 Transparency**

Transparency implies that sufficient and regularly updated information is easily accessible in due time to allow national and European stakeholders to participate in the standardization process. This includes access by any party actively involved in a specific standardization work to the contributions of all the other parties actively involved in this specific standardization work. Procedures should be established so that adequate time and opportunities are provided for written comments. Such procedures should be effectively disseminated to all interested national and European stakeholders.

### **1.1 Work programme**

The complete Work Programme of the Member shall be published, free of charge, at least once a year, and made publicly available, through the Member's website or other relevant publications.

The Work Programme shall contain information on the European and national standards and standardization deliverables that the Member intends to prepare or amend, that it is preparing or amending and that 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, for each standard and standardization deliverable:

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

### **1.2 New Work Items**

The Member shall apply the notification procedure for national work, which includes a 'standstill' on all national work in the areas of agreed European work.

Reference to a New Work Item (NWI) shall be made publicly available and shall be provided upon request to the European Commission, CEN or CENELEC and to the other Members.

For CENELEC, the Vilamoura procedure has been established and should be adhered.

### **1.3 Draft documents**

#### **1.3.1 Working documents**

The Member shall make available the European technical body's working documents to all those parties participating at national level in the standardization process mirroring that European technical body in such a way as to allow them to make contributions and comments.

#### **1.3.2 Draft national standards**

The Member shall:

- ensure access to draft national standards and other draft national standardization deliverables in such a way that all relevant parties, including those established in other Member's countries, have the opportunity to participate in the development of the standard and submit comments while respecting given rules;
- allow other Members to be involved passively or actively, by sending an observer or a participant, in the planned activities while respecting given rules.

All Members and the European Commission can request a Member to provide a draft national standard. The Member shall keep them informed of the action taken on any comments they have made relating to that draft.

#### **1.4 Published deliverables – Final Documents**

The Member shall ensure access to the published deliverables, such as standards, other standardization deliverables, guides and other relevant publications.

Equally, the Member shall ensure that appropriate information is made available to the public regarding the withdrawal of standards.

The Member shall provide information to the public about withdrawal of conflicting national standards (see also Criterion 5 'Coherence').

#### **1.5 Procedures for a publicly open enquiry aimed at all interested parties**

The Member shall have well-established procedures in place to:

- ensure access to draft standards for comment to all interested parties and to all stakeholders free of charge while the enquiry is open;
- allow adequate time and opportunities for all interested parties and all stakeholders to provide written comments.

#### **1.6 Transparency of structures**

The Members shall ensure that general information on both governance and technical structure of the organization is provided to the public in order to facilitate a good understanding of how the Member operates.

This 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.

## **2 Openness and Sustainable Development**

Participation shall be open to all parties that are directly or indirectly affected by the activity in question and, for those who are actively involved in the Member's technical bodies, to remain so at all the steps of the standardization work while respecting given rules.

Sustainable development is a means of expressing the broader expectations of society as a whole. This includes promoting and facilitating the involvement of all stakeholders, including potentially under-represented stakeholders such as SMEs and representatives of societal interests, in the development of standards, so as to ensure representation in a real multi-stakeholder-process.

### **2.1 Participation open at every stage of standards development**

The Member shall comply with the principle of open participation to any stakeholder or interested party with an interest in a specific standardization activity, and this at all stages of the development of a standard, according to the Member's procedures established for the authorization of participants.

The Member shall also allow other Members to be involved as observers in its technical bodies' activities, and to receive draft standards and information on the standardization process, as specified in section 1.3.

### **2.2 Sustainable development**

The Members shall encourage and facilitate the participation of all stakeholders, including potentially under-represented stakeholders such as SMEs and representatives of societal interests, to participate in the standards development process.

The Member shall identify the most appropriate means of participation in accordance with the situation at national level.

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

The Member shall have a process in place to identify and take into account the needs of all stakeholders, with a view to facilitating appropriate representation and participation.

### **2.4 One delegation representing the national position ('national delegation' principle)**

The Member shall have the capacity:

- to convey a national position at European level;
- to gather appropriate representation and expertise in the relevant national technical committees, so as to generate a meaningful consensus among all national stakeholders.

### **2.5 Principle of adequate representation of the stakeholders' interests in the Governing Bodies**

The Member shall ensure adequate representation of stakeholders in its relevant governing bodies.

## **3 Impartiality and Consensus**

The Member shall ensure that its organizational structure, the processes and procedures in place, including management of appeals, guarantee an impartial and neutral platform for the standards development work.

Furthermore, the Member shall ensure that its governance structure guarantees neutrality with regard to the representation of specific private or public interests in its relevant governing bodies.

### **3.1 Impartiality of the standardization process**

The Member shall keep an impartial and independent position by ensuring an appropriate balance of the interests represented in the standards development process, i.e. private and public, economic, societal and environmental interests.

The Member's rules shall grant the same right to all stakeholders actively involved in the standardization work to express their opinions and to have them duly taken into account.

The Member's rules shall ensure that all contributions are duly considered without favouring or ignoring any of them.

### **3.2 Consensus**

The Member shall ensure that the standardization process remains collaborative and consensus-based and that it takes into account all views expressed and brings together diverging opinions.

The Member shall have rules and process in place to demonstrate the capacity to facilitate consensus.

For the sake of clarity, the definition of consensus as defined in the EN 45020:2006 is:

*“A general agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments.”*

*NOTE: Consensus does not imply unanimity.”*



### **3.3 Neutrality of interests, impartiality and independence of the Member's governance**

The Member shall ensure a structure that is neutral with regard to the specific interests of the private and public stakeholders participating in its relevant governing bodies. This implies that the Member's rules enable the functioning of its relevant governing bodies in such a way to guarantee that external factors and/or stakeholders cannot have an undue influence on the independence or impartiality of the Member.

The Member's structures and rules shall be based on the following aspects:

- Legal independence shall be demonstrated by the Member's independent legal status, irrespective of whether it is a public, semi-public or private entity;
- Behavioural independence shall be demonstrated by:
  - o the Member's governing bodies, technical bodies and staff maintaining independence from the stakeholders that finance it;
  - o making it possible for all interested parties to express themselves;
  - o the diversity of stakeholders;
  - o the work being conducted in an impartial manner, where no stakeholder is favoured over another.
- Robust governance and organizational practices shall be demonstrated by the Member's organizational structure, its governing and technical bodies being formalized and that available financial and human resources are stable and adequate to face the tasks incumbent upon it.

## **4 Effectiveness and Relevance**

The standardization work is effective when it takes into account all appropriate and relevant market needs and scientific and technological developments, as well as societal and regulatory needs.

The Member shall have in place procedures aimed at identifying and reviewing standards that have become obsolete, inappropriate or ineffective for various reasons.

The Member shall ensure that working processes produce the expected deliverables within the set deadlines and the parties involved are prepared to meet the associated costs.

The Member shall ensure that technical publications, both at national and European level, are of high quality, duly maintained, up to date and readily available to the end-users.

### **4.1 Activities to respond to market needs, scientific and technological developments, as well as societal and regulatory needs**

Members shall be able to respond to these needs by establishing appropriate processes, so as to facilitate contributions to the CEN and CENELEC standardization activities.

### **4.2 Standards that promote the functioning of a competitive market**

The Member shall ensure that new standards do not cause unlawful distortion or adverse effects on competition in the market. In particular, they shall ensure a transparent and coherent policy of the standardization process, notably regarding:

- Copyright policy;
- Compliance with competition law requirements for participants in standardization activities.

- Patent policy based on royalty-free or FRAND conditions;

### **4.3 High quality standard publications are duly maintained and made easily available to customers**

The Member shall ensure that its standards deliverables are maintained to a high quality through the use of adequate quality checking procedures before publication. Furthermore, the Member shall ensure that processes are in place for corrective actions in case inaccuracies in published standards are detected, especially in the case of standards translated into the national language.

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

The availability of standards to the end-users also implies that the Member assists as much as possible customers in their purchase of the most appropriate and relevant set of publications corresponding to their need.

## **5 Coherence**

In order to ensure coherence of the system it is important to avoid the development of conflicting standards. Hence, cooperation and coordination within the European system of CEN and/or CENELEC is essential to ensure coherence.

As stipulated in the CEN-CENELEC Internal Regulations Part 2, the Member shall implement the European standards, by fulfilling two essential obligations:

- a) Giving the European standards "ENs" the status of national standards, and;
- b) Withdrawing any conflicting national standards.

### **5.1 Avoid duplication and overlap with standardization at European level (CEN-CENELEC) 'Internal coherence within the system'**

The Member shall avoid duplication of, or overlap with, the work of CEN and CENELEC at European level by ensuring a process of coordination and cooperation at different standardization development stages, such as planning, execution and adoption.

Furthermore, during the preparation of a standard or after its approval, the Member shall not take any action which could prejudice harmonization and, in particular, shall refrain from publishing in the field in question a new or revised national standard which is not consistent with an existing European standard.

After publication of a new European standard, all conflicting national standards shall be withdrawn by the approved implementation date (Date of withdrawal).

The Member shall strive to have full implementation and, in any case, shall ensure that a minimum of 90 % of the CEN and CENELEC 'acquis' is implemented at all times.

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).

### **5.2 Avoid duplication and overlap with standardization at international level (ISO, IEC). 'External coherence with other systems'**

The Member shall ensure that its activities are handled in accordance with the provisions and established practices of the CEN-ISO Vienna Agreement and CENELEC-IEC Frankfurt Agreement. Within this framework, the Member shall promote cooperation and coordination with the other relevant international standardization bodies.

### **5.3 Avoid duplication or conflict between sectors, within a Member's work programme or collection of published standards, and with national legal requirements**

The Member shall ensure a systematic check to mitigate the 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), whenever necessary the Member shall endeavour to seek the involvement of the relevant public bodies and officials. Consequently, the Member's rules shall provide the possibility for participation of the relevant national public bodies.

### **5.4 Be complementary to legal requirements**

The Member has in place a system that allows identification of the possible role of standardization in support of legislation (i.e.: the link between standards and national legislation).

In this context, whenever necessary the Member shall endeavour to seek the involvement of the relevant public bodies and officials, especially in case of those standards that are aimed at supporting legislation (e.g. by establishing presumption of conformity to legislation, re. *New Approach*).

## **6 Viability and Stability**

National Members play a key role in the European standardization system and at national level. They are expected to fulfil their tasks and ensure business continuity at all times. This principle reflects the statutory provisions with regard to membership financial obligations, but, on a more general basis, it also requires the Member to ensure financial viability and legal stability in the long run.

In this context the Member shall also fulfil the CEN and CENELEC requirements for having in place an adequate IPR policy (in line with the relevant CEN-CENELEC Guides), as well as adequate infrastructure.

A formal governmental recognition is a fundamental requirement of this criterion.

### **6.1 Financial stability and viability**

Financial stability and viability, irrespective of the legal status of the Member, is a pre-requisite to membership to ensure stable involvement in standardization work.

The Member shall ensure its capacity to pay the annual membership fee.

### **6.2 National recognition**

The Member shall be recognized as the official national standardization body in its country. National recognition may come from e.g. national law, a public administrative act, or a private arrangement concluded with the relevant national authority.

A CENELEC member shall also be recognized in its country as an organization officially competent in the area of electrotechnical standardization.

### **6.3 Infrastructure and resources**

The Member shall ensure at all times an adequate infrastructure, competent staff and IT system as well as adequate quality management processes, to fulfil its mandate and obligations at national and European level.

The Member shall guarantee:

- Efficient management of the standardization work at national level;
- Efficient management of the data exchange within the CEN and CENELEC respective systems, and;

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- Effective participation in technical and governing bodies at European level.

### 6.4 Protection of CEN-CENELEC legal interest, including Intellectual Property Rights (IPR), as well as their distribution policy

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 policy on Patent (and other statutory intellectual property rights based on inventions);
- Guide 10 on dissemination, sales and copyright of CEN-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:

The Member's commercial and legal policies and practices are fully in line with the above-mentioned CEN-CENELEC Guides.

The Member's policy regarding the participation of its representatives in the CEN and CENELEC activities at technical and governance level, is compliant with Guide 31 on competition law for participants in CEN-CENELEC activities.

## 7 Additional principles for CEN and/or CENELEC members that change legal status

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 organization in the domain of standardization at national level.

While the above-mentioned cases may lead *de jure* or *de facto* to a new organization, 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, shall have to respect at all times.

Any new national organization that claims membership in CEN and CENELEC as the legitimate successor of an existing Member requires careful consideration, especially regarding the fulfilment of the above membership criteria, 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.

## **7.1 Status of the organization successor of an existing Member**

The new organization that has a different legal status from an existing CEN and/or CENELEC Member and that claims to be entitled to succession of that Member in CEN and/or CENELEC shall be recognized in its country as the official standardization body competent for all areas of CEN's and or CENELEC's own areas of competence.

The statutory rules of the organization successor of an existing Member must be fully compatible with the above-mentioned criteria for membership and the mode of organization of voluntary standardization as operated in CEN and/or CENELEC.

## **7.2 Processing the assessment of the status of the new legal entity successor of an existing Member**

The acceptance of an organization as the successor of an existing Member by the CEN and/or CENELEC General Assemblies shall be based on the objective evidence of the ability of that organization's successor of an existing Member to abide to CEN and CENELEC Statutory requirements for membership (i.e.: Article 7.2 ii) and iii) of the CEN Statutes and Article 7 of the CENELEC Articles of Association) and the above 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 of the process regarding the assessment of the applications for membership in CEN and CENELEC.

Following a well-established practice, in case of change of legal status, the consent of the General Assembly shall be required.

## **8 Additional principles for organizations applying for membership to CEN and CENELEC**

The Candidate Organization to become a CEN and CENELEC national Member (i.e.: the Candidate Organization) 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. In this respect, the Candidate organization shall fulfil three additional Criteria for accession to CEN and CENELEC.

### **8.1 Capability of the country to become a member of EU or EFTA**

There must be a "Europe Agreement" (or equivalent) between EU/EFTA and the organization's 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.

CEN and CENELEC shall consult the European Commission and the EFTA Secretariat before taking their respective decisions to grant full membership, notably regarding the relevant decisions of the European Union on the preparatory steps for the extension of the Internal Market to the candidate country within the accession negotiations.

### **8.2 Adequate legislative framework in place**

CEN and CENELEC shall assess if the process of approximation of the national system with that of EU/EFTA has reached such a point that:

- The specific legislative framework for voluntary standardization is in place and fully operational.

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- 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.

### 8.3 Status of the Candidate Organization

The Candidate Organization shall be 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 shall be officially recognized in its country as competent for all areas of CENELEC's own areas of competence.

The Candidate Organization is member of the International Organization for Standardization (ISO) and/or the International Electrotechnical Committee (IEC), as appropriate.

The statutory rules of the Candidate Organization must be fully compatible with the above-mentioned criteria for membership, including the mode of organization of voluntary standardization as operated in CEN and/or CENELEC.

### 8.4 Processing of applications for membership

The acceptance of a new Member by the CEN and/or CENELEC General Assemblies shall be based on the objective evidence of the ability of the Candidate Organization to abide to CEN and CENELEC Statutory requirements for membership (i.e.: Article 7.2 of the CEN Statutes and Article 7 of the CENELEC Articles of Association) and the above 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.

## 9 Cross Reference between Requirements, WTO/TBT Criteria and EU Regulation 1025/2012

Requirement	WTO/TBT Criterion	Reg. 1025/2012
<b>1. Transparency</b>		
1.1 Work Programme	Yes	Art.3.2
1.2 New Work Items	Yes	Art. 3.5
1.3 Draft Documents	Yes	Art.4
1.4 Published deliverables - Final Documents	Yes	No
1.5 Procedures for a publicly open enquiry aimed at all interested parties	Yes	No
1.6 Transparency of structures	No	No
<b>2. Openness and Sustainable Development</b>		
2.1 Participation open at every stage of standards development	Yes	Art. 4
2.2 Sustainable development	Yes	Art. 6
2.3 Principle of 'appropriate representation' of the stakeholders' interests in the Technical Bodies	Yes	No

Requirement	WTO/TBT Criterion	Reg. 1025/2012
2.4 One delegation representing the national position ('national delegation' principle)	No	No
2.5 Principle of adequate representation of the stakeholders' interests in the Governing Bodies	No	No
<b>3. Impartiality and Consensus</b>		
3.1 Impartiality of the standardization process	Yes	No
3.2 Consensus	Yes	No
3.3 Neutrality of interests, impartiality and independence of the Members' governance	No	No
<b>4. Effectiveness and Relevance</b>		
4.1 Activities to respond to market needs, scientific and technological developments, as well as societal and regulatory needs.	Yes	No
4.2 Standards that promote the functioning of a competitive market	Yes	No
4.3 High quality standard publications are duly maintained and made easily available to customers	Yes	Art. 6(f)
<b>5. Coherence</b>		
5.1 Avoid duplication and overlap with standardization at European level (CEN-CENELEC). 'Internal coherence within the system'	No	Art. 3.6
5.2 Avoid duplication and overlap with standardization at international level (ISO, IEC), 'External coherence with other systems'	No	No
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	Art. 7
5.4 Be complementary to legal requirements	No	Art. 7 and 10
<b>6. Viability and Stability</b>		
6.1 Financial stability and viability	No	No
6.2 National recognition	No	Art 27
6.3 Infrastructure and resources	No	No
6.4 Protection of CEN-CENELEC legal interest, including Intellectual Property Rights (IPR), as well as their distribution policy	No	No