

Kiwa Regulations for the:

- General Policy Board
- Sector-specific Policy Boards
- Boards of Experts



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kiwa

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1. General

- 1.1. In order to obtain and maintain public support for its certification activities, Kiwa makes use of Boards in which all the parties with a major interest in the development of policies and principles regarding the content, functioning and implementation of a certification system may participate.
- 1.2. If any Boards have been set up by Kiwa itself after having consulted the interested parties, Kiwa will - in consultation with these Boards - determine their field of activity. The duties and powers, composition, terms of office and procedures of these Boards are laid down in articles 2 to 4 inclusive. For a further elaboration of these procedures the Boards may adopt by-laws while duly observing the provisions of the present Regulations.
- 1.3. If any Board has been set up by an external body, its field of activity will be determined by the external body in question. As to the duties and powers, terms of office and procedures of such a Board, reference is made to the documents of the body that set up the Board concerned.

2. Duties and Powers

- 2.1. Structure of the various boards
 - 2.1.1. Kiwa distinguishes the following Boards:
 - General Policy Board;
 - Sector-specific Policy Boards;
 - Technical Boards of Experts for specific product/market sectors.
- 2.2. Duties
 - 2.2.1. General Policy Board

The duties of the General Policy Board are to assist Kiwa with/give Kiwa advice about:

 - (the development of) policies relating to the impartiality of its certification activities;
 - counteracting any tendency on the part of the certification body to allow that commercial or other considerations prevent a consistently objective implementation of the certification activities;
 - matters affecting people's trust in certification, including the transparency of and support for the certification systems coming within the field of activity of the General Policy Board;
 - developments in the field of certification in general;
 - the certification regulations to be employed by Kiwa;
 - the basic level of the qualification requirements to be met by

the certification personnel, all this while duly observing the provisions of the accreditation standards.

The General Policy Board also has the duty of assessing the impartiality of the audit, certification and decision-making processes within Kiwa at least once every year.

In addition, the General Policy Board may, wherever necessary, function as a Board of Experts in the area of management system certification, insofar as its scope is not covered by a Board of Experts set up for this purpose.

- 2.2.2. Sector-specific Policy Boards

The coordination of the duties of the General Policy Board and the Sector-specific Policy Boards is provided for in their respective by-laws.
- 2.2.3. Boards of Experts
 - 2.2.3.1. The duty of the Boards of Experts is to advise Kiwa on the certification scheme with regard to at least the following aspects:
 - nature and content of the certification system;
 - the certification requirements to be used, all this while duly observing the demands made thereon in the accreditation standards;
 - frequency, nature and place of inspections;
 - the qualification requirements to be met by the certification personnel in addition to the basic level determined by the General Policy Board;
 - the use and meaning of the certificate;
 - the use and meaning of the marks to be used in connection with certification, i.e.
 - in the case of product certification: the registered certification mark to be affixed to the products;
 - in the case of technical approval: the identification mark to be affixed to the products.
 - 2.2.3.2. In addition, the Boards of Experts shall guide the functioning of the certification schemes on the basis of annual reports prepared by Kiwa in respect of the work performed.

2.3. Powers

- 2.3.1. General

All the above-mentioned Boards shall be authorised to advise Kiwa, both at the latter's request and on their own initiative, within their own fields of activity. They may give binding advice if so requested, provided that Kiwa shall submit any advice on the policies to be conducted by it to the General Policy Board.
 - 2.3.2. Furthermore, Boards of Experts shall be authorised to develop a policy to be pursued by Kiwa in respect of the measures to be taken by it in the event of non-conformities on the part of the certificate holders.
 - 2.3.3. If Kiwa does not follow the advice of a Board, the Board has the authority to inform the accreditation body and any other interested parties thereof, while observing the applicable requirements regarding the secrecy and the confidentiality of the data of Kiwa and its customers.
- 2.4. Participation of the chairman in the Board of Appeal

The chairman of a Board or his deputy shall be a member of the Board of Appeal as referred to in the Kiwa Regulations for the Board of Appeal if an appeal is lodged against a decision or measure taken by Kiwa within the field of activity of the Board.e.

3. Composition and Term of Office

- 3.1. Composition
 - 3.1.1. Boards shall be composed of representatives from the interested parties in the relevant sector.
 - 3.1.2. Kiwa shall appoint an independent chairman, a deputy chairman and the other members of a Board.
 - 3.1.3. Managers of Kiwa or the employees appointed by them may be advisory members. Advisory members shall not have the right to vote.
- 3.2. Corresponding Members
 - 3.2.1. If an interested group decides that it will not participate in the meetings of a Board, Kiwa shall give such a group the opportunity to participate in the Board as a corresponding member.
 - 3.2.2. Corresponding members shall receive all the documents relating to the meeting and shall be enabled to bring forward their point of view for the meeting or to exercise the voting right.
- 3.3. Appointment
 - 3.3.1. Kiwa shall appoint an independent chairman, a deputy chairman and the other members of a Board.

¹ The advice given by the General Policy Board is binding.

- 3.3.2. The members of the Board shall be appointed by Kiwa in a personal capacity or on the recommendation of the relevant interested group.
- 3.3.3. The Board's membership shall in any case end if the member loses the capacity in which he was recommended, as well as if the relevant interested group indicates such or if the extended term referred to in article 3.4.1. ends. Furthermore, Kiwa may decide to end the membership of a representative of the Board if he can no longer be regarded as sufficiently expert, if the participation in and contribution to the Board is insufficient and/or if the obligation of secrecy is violated. Before taking any action, Kiwa shall first seek the advice of the independent chairman.
- 3.3.4. In case of a termination within the meaning of the second sentence of the previous article, Kiwa shall give the member and/or the interested group that he represented the opportunity to share his/its view with respect to the intended early termination of the membership.
- 3.4. Term of Office
- 3.4.1. The chairman and members shall be appointed for a term of office of four years. They may be re-appointed once for a period of the same duration. The latter provision may be deviated from in special cases.
- 3.4.2. The members appointed on the recommendation of an interested group shall hold office for as long as they are deemed to represent the group in question.
- 3.5. Support by Kiwa
- 3.5.1. Kiwa shall be responsible for the secretariat of a Board.
- 3.5.2. Kiwa shall consult the interested groups on the filling of any vacancies.
4. Procedure
- 4.1. A Board shall meet whenever this may be necessary for the Board to function properly, but at least once a year.
- 4.2. Each Board shall aim at reaching consensus on the advice to be given, taking into account the points of view of the corresponding members within the meaning of article 3.2, where appropriate. If no consensus can be reached, the chairman may decide that a decision may be reached by a majority of votes. In doing so, account shall be taken of the equality of the voting proportions² of the interested parties. Employees of Kiwa attending the meeting, the secretary and advisers shall not have the right to vote. If there is a tie in voting, the matter shall be decided by the chairman or his deputy.
- 4.3. A Board may invite experts in a particular field to attend one or more of its meetings. These persons shall have an advisory role and shall not have the right to vote.
- 4.4. Committees
- Kiwa may set up committees on the recommendation of a Board. The composition, duties and procedures of these Committees shall be laid down in writing in consultation with each Board concerned.
5. Final provisions
- 5.1. These Regulations replace the Kiwa Regulations for the Policy Board and Boards of Experts dated 15 February 2011.
- 5.2. These Regulations may be quoted as the Kiwa Regulations for the General Policy Board, Sector-specific Policy Boards and the Boards of Experts: 2014.
- 5.3. These Regulations have been validated by Kiwa and shall take effect on 1 May 2014.

This text is a translation. Only the Dutch text shall be legally binding.

² The Board may for this purpose include a voting protocol in its by-laws.