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**RULES OF PROCEDURE  
OF  
THE ACCREDITATION COUNCIL**

## List of amendments

Nº	Date	Version, revision	Reason for amendment	Effective from:
5	Amendments in APPENDIX BAS QR 10 were approved at the meeting of the Accreditation Council held on 14.11.2013.	V.5, r.5	<i>Corrective actions against CN3 from the EA peer evaluation -- 2013</i>	01.02.14
6	12.11.14 (were approved at the meeting of the Accreditation Council held on 12.11.14)	V.5, r.6	<i>Suggestion for improvement in the Management System of EA BAS</i>	20.11.2014
7.	<i>02.12.2019r. (approved at the meeting of the Accreditation Council held on 11.12.2019r.)</i>	V.5, Rev.7	<i>Suggestion for improvement in the EN ISO 17011:2017</i>	<i>01.01.2020</i>

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## **FUNCTIONS, STRUCTURE, CONVENTION AND IMPLEMENTATION OF MEETINGS OF THE ACCREDITATION COUNCIL**

**Art. 1.(1).** The Accreditation Council (AccC) to EA "BAS" is a constantly operating advisory body, which establishes its internal organization and implements its activity on the basis of and in compliance with the Law on National Accreditation of Conformity Assessment Bodies (LNACAB), the Structural Regulations of Executive Agency "Bulgarian Accreditation Service" and the regulations of these rules.

**Art. 2.(1).** The Accreditation Council is summoned on regular working meetings at least twice a year by the AC Chairman or by the Executive Director of EA "BAS". If necessary, an extraordinary meeting of AC is summoned by the Executive Director, the AC Chairman or by a written demand, signed by at least thirteen of the AC' members. Extraordinary meeting is mandatory to be summoned on the demand of change in the AC membership under Article 10, paragraph 5 of the EA "BAS" Structural Regulations.

**(2).** As an exception, the AC may reach a decision without implementation of attended meeting, if at least thirteen of the AC members, with at least one representative of each stakeholder group, votes electronically without objection and the protocol of the reached decision is signed by the AC Chairman or Deputy Chairman.

**(3).** In the cases of demand of extraordinary meeting, the demand shall be motivated, as a concrete agenda shall be suggested. The AC Chairman is obliged to set the date of the meeting within seven days from the submitted demand.

**(4).** If the meeting is not summoned by the Chairman after expiration of the term under the preceding paragraph, it is summoned by the Executive Director of EA "BAS" and implemented within fourteen days from the date of the submitted demand.

**(5).** AC holds sessions in the meeting room on the territory of EA "BAS".

**Art. 3.(1).** The meetings of AC are summoned, as a message containing the date, hour and preliminary agenda of the meeting is sent to the personal e-mails of the AC members at least seven days before the meeting date.

**(2).** The agenda of the meetings is defined by the AC Chairman or the Executive Director, who summons the meeting, according to the submitted proposals to the AC Secretary not later than seven days before the meeting. Within the same term the materials for the meeting shall be provided to the AC members.

**(3).** Every AC member and the Executive Director of EA "BAS" have the right to propose items for the agenda of the AC meetings.

**(4).** At least once per year, or when necessary, the agenda of the AC meeting includes presentation from the Executive director of EA "BAS" regarding the requirements of Regulation 765/2008, the Law on National Accreditation of Conformity Assessment Bodies, basic requirements to accreditation bodies according to BDS EN ISO/IEC 17011 and other applicable regulations in the field of activity of EA "BAS".

**Art. 4.(1).** The AC members register their participation in the meeting by signing personally a list of AC members attending the particular meeting.

**(2).** AC members are five representatives of ministries/organizations from the groups under Art. 11, par. 2 of LNACAB, determined by the relevant group.

**(3).** AC members participate in the meetings personally, as they can not authorize other persons to represent them.

**(4).** For participant in AC meeting is considered also a person, which is communicated through bilateral telephone or other connection, guaranteeing his/her ascertained identity and enabling participation in the discussions and decision-making. The vote of this person is certified in the records of proceedings by the presiding person.

**(5)** A member of AC, which did not register for participation in the meeting, has the right to participate in the discussions during the meeting, but cannot vote.

**Art. 5.(1).** The Executive Director of EA "BAS" or his determined representative is within his rights to participate in the AC meetings and to take part in the discussions during the meeting without the right to vote.

**(2).** The Chairman or the Executive Director, who summons the AC meeting, determines the experts, which may attend the meeting.

**Art. 6.(1).** On its session, AC elects a Chairman and Deputy Chairman from its members for a term of three years, as each of the participating stakeholder groups can propose a candidate for the relevant position.

**(2).** For elected is considered the candidate, which has been supported by three of the participating stakeholder groups.

**(3).** If in the first vote none of the candidates receives the necessary majority, a vote for the second time shall follow, and in this second vote shall participate two of the candidates which have received the largest number of votes.

**Art. 7.(1).** The authorities of the AC Chairman shall be exercised by the Deputy Chairman in the cases when the Chairman has gone on a law-prescribed leave, a leave due to illness, or is abroad.

**(2).** In the cases noted in paragraph 1, the Deputy Chairman shall not delegate his authorities to another member of AC or to a third person.

**Art. 8.(1).** The Chairman or the Deputy Chairman of AC is dismissed ahead of term:

1. On their demand – by a written retirement submitted to the AC Secretary;
2. On a decline of their capacity of AC member, as a consequence of withdrawal of the authorization by the relevant organization and/or dropping out of the organization itself as a representative of a stakeholder group;
3. On a decline of the capability for participation in AC;
4. When they are put under judicial disability;
5. When there is a sentence for imprisonment in force for aforethought crime of general nature;
6. In case of permanent impossibility or consistent non-performance of his duties as a Chairman, respectively Deputy Chairman, for more than six months, with a resolution of AC adopted with the votes of three of the participating stakeholder groups.

**(2).** The dismissal according to paragraph 1, items 1, 2, 3, 4, 5 is announced without being discussed and voted on the first session of AC after the date of occurrence of the respective event.

**(3).** In the cases noted in paragraph 1, items 1, 2, 3, 4, 5 the Deputy Chairman, respectively Chairman shall summon an extraordinary meeting of AC and preside at the session for election of new Chairman/Deputy Chairman for the term of the expiry of the **five**-year mandate.

**(4).** In the cases noted in paragraph 1, item 6, the proposal is examined on the grounds of a written demand by the Executive Director of EA "BAS" or at least one third of all AC members, as the demand shall be a subject to vote on the first AC meeting after the day of the demand's submittal to the AC Secretary, and is considered adopted if it has been supported by three of the participating stakeholder groups.

**Art. 9. (1).** The authorities of the AC members are suspended ahead of term in the cases noted in items 1 to 5 of the preceding article, as the dismissal is announced without being discussed and voted on the first AC session after the date of occurrence of the respective event.

**(2).** The authorities of AC member may be discontinued in the event of 2 consecutive non-appearances on AC sessions after explicit notification by the organization, whose interests the member represents, and non-appearance on following session after the notification. The proposal for exclusion is presented for decision of AC on the first following session.

**(3).** Inclusion of a new AC member is made after discussion within respective group, which informs in written the Executive Director of the agency for the reached decision. The term for submission of the decision in the agency is three months from the date of submission of the application according to Art.11, Par. 3 of LNACAB.

**Art. 10.(1).** For the sessions of AC a record of proceedings (minutes) is composed, and it shall be certified for its truthfulness by the AC Chairman, and if he is absent, it is certified by the Deputy Chairman. The records are stored at EA "BAS", in pursuance to BAS QR 12 "Procedure on management of documents and records".

**(2).** In addition to the minutes, a respective list of the AC members is attached, personally signed by all of them and all other written materials that were subject of discussion during the meeting.

**(3).** Each AC member and the Executive Director of EA "BAS" has the right to get acquainted with the minutes of the AC meetings on demand.

**Art. 11.(1).** The sessions of AC are opened and directed by the AC Chairman, in his absence, by the Deputy Chairman with an oral report for availability of quorum for implementation of the meeting.

**(2).** Quorum is available, if at least thirteen AC members are present and at least one representative of each of the stakeholder groups according to Art. 11, Par. 2 of LNACAB.

**(3).** In case of lack of quorum, the beginning of the meeting shall be postponed by an hour, and after this hour passes, the meeting is conducted regardless of the number of the present AC members, provided that present is at least one representative of each of the stakeholder groups according to Art. 11, Par. 2 of LNACAB.

**Art. 12.(1).** The presiding person proposes agenda for the meeting, published in the message, along with the additionally lodged proposals for items in the agenda.

**(2).** Additional items in the agenda are included in the agenda of the meeting, if they are unanimously adopted by all stakeholder groups.

**(3).** Each additional item, rejected for inclusion in the agenda of the meeting is included in the agenda for the next meeting, if it is supported by three of the participating stakeholder groups.

**Art. 13.(1).** On its first session AC elects AC Secretary from the membership of EA "BAS" employees, who organizes the registration of the AC members, the admittance in the meeting room of AC members only and the experts for the meeting, prepares the minutes of the AC sessions and performs any other activity related to the organizational-technical service of AC activity.

**(2).** By a suggestion of the Chairman, the AC Secretary is dismissed from the position and appointed shall be a new AC Secretary by a procedural decision of AC.

**Art. 14.** The presiding person gives the floor for statements, observing the order of the requests, as controls the statement not to deviate materially from the discussed topic.

**Art. 15.(1).** Voting shall be strictly personal, as initially the members of each of the five stakeholder groups vote in order to form the decision of the respective group, afterwards a representative of the group announces the decision of the group, as the possibilities for vote are "in favor of" and "against" the voted draft-decision.

(2). The made proposals are subject to voting in the order of their submission, as the adopted proposal cancels the need for voting of any consecutive contradictory or selfexcluding proposals.

**Art. 16.(1).** *The decisions in the separate stakeholder groups are reached by a simple majority of the voters.*

(2). The decisions of the separate interested in accreditation groups are valid also in the cases, when only one representative of the respective group has attended the meeting.

(3). *AC reaches decisions with qualified majority of four-fifths, as each of the groups has the right of one vote.*

**Art. 17.(1).** An AC member shall not participate in the discussion and decision-making, when a conflict of interests is evident under the sense of the Law on prevention and disclosure of conflict of interests.

(2). In the cases noted in paragraph 1, the AC members are obliged to inform of this matter the presiding person, as the notification is done preliminarily in written or orally on the meeting itself, which shall be noted in the minutes.

(3). In case that AC member has participated in the discussion and adoption of a decision in violation of paragraphs 1 and 2, the AC shall re-vote the decision on its next session, as the respective AC member is removed from the voting.

**Art. 18.(1).** *At the proposal of the Executive Director, the Accreditation Council may establish commissions and working groups to support its activities and the current activities of BAS.*

(2). In its decision for establishment of a commission, AC determines its tasks, number, nominal membership, management and term of activity.

**19.** None of the AC members have the right to misuse his authorities, delegated to him by these rules, as well as to disclose any information of which he/she becomes aware during the mandate, as well as after its expiration.

## CLOSING DECREES

**§1.** The rules may be amended and supplemented on proposal of the AC Chairman, the Executive Director of EA "BAS", or by a written proposal by at least one third of the AC members.

**§2.** The rules are adopted on the grounds of Art. 11, Par. 6, item 5 of LNACAB.

**§3.** All AC members are obligated to sign a declaration under Art. 19 of the Rules of Procedure of the Accreditation Council.

❖ *This document translation has been prepared for the needs of activities related to the accreditation, based on the official document of EA BAS.*

*In case of discrepancies and differences between the Bulgarian document and its translation, the original document in Bulgarian shall be considered as leading.*