



---

# Internal Regulations Part 1

---

## Organization and structure

January 2024

---

---

**European Committee for Standardization**

Tel: +32 2 550 08 11

**European Committee for Electrotechnical Standardization**

Tel: +32 2 550 08 11

Rue de la Science 23

1040 Brussels – Belgium

---

**[www.cencenelec.eu](http://www.cencenelec.eu)**

---

## Table of Contents

1A: CEN .....	7
1. Scope of CEN activities .....	7
2. CEN structure.....	7
3. General Assembly .....	8
3.1 General Assembly meetings .....	8
3.2 Extraordinary meetings of the General Assembly .....	10
3.3 Decisions by correspondence .....	10
3.4 Voting rules .....	10
4. Administrative Board and its Consultative Committees .....	11
4.1 Powers and delegation of authority .....	11
4.2 Meetings of the Administrative Board.....	12
4.3 Election of members of the Administrative Board.....	13
4.4 Consultative Committees of the Administrative Board.....	14
5. CEN Functions .....	14
5.1 President.....	14
5.2 Vice-Presidents.....	15
5.2.1 Vice-President Policy .....	16
5.2.2 Vice-President Finance .....	16
5.2.3 Vice-President Technical .....	17
6. Appeal Policy .....	17
6.1 Scope and general dispositions .....	17
6.2 Decisions taken by CEN Corporate Bodies.....	18
6.3 Decisions taken by joint Corporate Bodies with CENELEC .....	18
7. Cooperation with other organizations .....	18
7.1 Partnerships with European organizations .....	18
7.2 Joint Partnership with ETSI and CENELEC .....	18
7.3 Partnership with the International Organization for Standardization (ISO) .....	19
Annex 1 - Methodology for establishing the CEN Administrative Board composition .....	20
Annex 2 - Administrative Board Consultative Committee Policy (CEN/CACC POL) .....	23
Annex 3 - Administrative Board Consultative Committee Financial Affairs (CEN/CACC FIN) .....	25
Annex 4 - Appeal Procedure .....	28
1B: CENELEC .....	29
1. Scope of CENELEC activities .....	29
2. CENELEC Structure.....	29
3. General Assembly (AG) .....	30
3.1 General Assembly meetings .....	30
3.2 Extraordinary meetings .....	32
3.3 Decisions by correspondence .....	32
3.4 Voting rules .....	32
4. Administrative Board and its Advisory Bodies .....	33
4.1 Administrative Board (CA) powers and election .....	33
4.2 Advisory Bodies of the Administrative Board.....	35
5. CENELEC functions .....	35
5.1 President.....	35

5.2 Vice-Presidents .....	36
5.2.1 Vice-President Finance .....	37
5.2.2 Vice-President Technical .....	37
5.2.3 Vice-President Policy .....	38
6. Appeal Policy .....	39
6.1 Scope and general dispositions .....	39
6.2 Decisions taken by CENELEC Corporate Bodies .....	39
6.3 Decisions taken by joint Corporate Bodies with CEN .....	39
7. Advisory Body to the President – Heads of Delegation Meeting.....	40
8. Cooperation with other organizations .....	40
8.1 Partnerships with European organizations .....	40
8.2 International Electrotechnical Commission (IEC) .....	40
Annex 1 - CENELEC Administrative Board composition .....	41
Annex 2 - CENELEC Working Group on Finance (WG FINPOL).....	44
Annex 3 - CENELEC Working Group on Policy (WG POL).....	47
Annex 4 - IEC-CENELEC Management Coordination Group (MCG).....	49
Annex 5 - Appeal Procedure .....	50
1C: CEN-CENELEC common organizational regulations.....	51
1. Presidential Committee and its advisory bodies .....	51
1.1 Presidential Committee .....	51
1.2 Advisory bodies to the Presidential Committee .....	52
2. CEN-CENELEC Management Centre (CCMC).....	52
3. The Director General.....	52
4. Appeal policy.....	53
4.1 Appeal against a CEN-CENELEC joint Technical Body decision.....	54
4.2 Board of Appeal .....	54
5. Cooperation with other European organizations.....	54
5.1 European Commission (EC) and European Free Trade Association (EFTA).....	54
5.2 European Standardization Organizations.....	55
6. Cooperation with standardization bodies not members of CEN and/or CENELEC.....	55
6.1 Affiliates .....	55
6.2 The concept of a Companion Standardization Body with CEN and CENELEC.....	55
6.3 Relations with other standards bodies .....	55
Annex 1 – Informative REMuneration and NOMination COMmittee (RENOCO).....	56
1. Role and definition (including scope of the group) .....	56
2. Responsibilities (including expected deliverables and deadlines).....	56
3. Reporting line .....	56
4. Working method .....	56
5. Composition .....	56
6. Appointment and qualification criteria .....	57
7. Role and responsibilities of the appointed members.....	57
8. Timeframe and resources .....	57
1D: CEN and CENELEC Membership Requirements .....	58
1. Standardization Principles.....	60
1.1 Transparency .....	60
1.2 Openness and Sustainable Development.....	62
1.3 Impartiality and Consensus .....	63
1.4 Effectiveness and Relevance .....	64
1.5 Coherence.....	65
1.6 Viability and Stability .....	66

2. Application for CEN or CENELEC membership .....	68
2.1 Procedure for membership application.....	68
2.2 Procedure to become a Blue-type Member .....	69
2.3 Procedure to become a Red-type Member.....	69
2.4 Procedure to become a Yellow-type Member.....	70
3. Compliance with membership criteria.....	71
3.1 Procedure of assessment of compliance with membership criteria .....	71
3.2 Change of legal status.....	74
4. Loss of Membership Status .....	75
4.1 Reasons for loss of membership status .....	75
4.2 Escalation procedure .....	76
5. Cross Reference between Requirements, WTO/TBT Criteria and EU Regulation 1025/2012 .....	77
Annex 1 .....	79
Annex 2 Conformity and non-conformities with members obligations .....	84
Annex 3.....	85

## Foreword

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

CEN and CENELEC Internal Regulations Part 1 is divided into four Parts. Part 1A regulates the organization and structure of CEN and Part 1B the organization and structure of CENELEC. Part 1C details the organizational aspects that are common to both organizations. Part 1D outlines the CEN and CENELEC membership criteria, including the rights and obligations of the Members. It also refers to rights and obligations of Affiliates and organizations with a Partnership Agreement with CEN and CENELEC.

*Any reference in CEN Internal Regulations Part 1 to the previous version of the Terms of Reference (“Annex 3 – Administrative Board Consultative Committee Financial Affairs (CEN/CACC FIN)”) means the new version of the Terms of Reference (“Annex 3 - Advisory Committee Financial Affairs (CEN/FIN)”).*

*Any reference in CENELEC Internal Regulations Part 1 to the previous version of the Terms of Reference (“Annex 2 – CENELEC Working Group on Finance (WG FINPOL)”) means the new version of the Terms of Reference (“Annex 2 - Advisory Committee Financial Affairs (CENELEC/FIN)”).*

*Any reference in CEN-CENELEC Internal Regulations Part 1 to the CEN/CACC FIN means CEN/FIN, across the entire document.*

*Any reference in CEN-CENELEC Internal Regulations Part 1 to the WG FINPOL means CENELEC/FIN, across the entire document.*

## 1A: CEN

### 1. Scope of CEN activities

*This provision refers to Art. 4 and 5 of the CEN Statutes.*

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 aims 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 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 structure

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

CEN is composed of:

- Members;
- Corporate 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 Director General;
  - The Technical Board;
  - The Technical Committees;
  - The Board of Appeal, when established in accordance with the Statutes and Internal Regulations.

The Functions in CEN are:

- The President and the President-Elect;
- Three Vice-Presidents with competence in policy, financial and technical matters;
- Nine ordinary Administrative Board members.

## CEN-CENELEC Internal Regulations - Part 1:2024

- The CEN-CENELEC Management Centre (CCMC), joint technical exploitation unit with CENELEC. It has an active role in the day-to-day management of CEN and is headed by the Director General (see IR Part 1C).

### 3. General Assembly

#### 3.1 General Assembly meetings

*This provision refers to Art. 11 and 12 of the CEN Statutes.*

##### General Assembly Meetings

The General Assembly (AG) is the supreme authority of CEN, where all statutory and general policy decisions are taken.

One General Assembly meeting is convened by the President each year during the first half of the year to deliberate on matters of interest to the Association, such as to hear the report of the Administrative Board on the activities of the Association during the past year, hear the report of the Auditors, approve the accounts of the past year and grant the discharge to the Administrative Board and the Auditors with regard to their tasks.

Within the same year a second General Assembly meeting is convened by the President to approve the budget of the following year and deliberate on other matters of interest to the Association.

Each Member appoints up to five representatives to take part in their national delegation, one of them being the Head of Delegation to represent the national position of the Member, which includes casting the vote.

##### Common session of the General Assemblies

In addition to individual meetings, CEN and CENELEC respective General Assemblies' meetings are organized in common sessions to discuss and take decisions on all non-sector-specific matters of common interest, in accordance with CEN-CENELEC Guide 35.

In order to ensure an efficient decision-making process, the CEN and CENELEC Presidents agree on the most appropriate sequence of the two individual General Assemblies' meetings and the common session of the General Assemblies.

In compliance with Belgian law, the common session of the General Assemblies formally constitutes –and is recorded in the respective General Assemblies' minutes as– a part of the individual meeting of each General Assembly.

CEN and CENELEC Members endeavour to reach consensus on identical decisions regarding the matters of common interest that are discussed during the common session of the General Assemblies. Any decision taken by the two General Assemblies during their common session is formally recorded as a decision taken by each General Assembly respectively.

The CEN or CENELEC President who is mandated to chair the Presidential Committee also chairs the common session of the General Assemblies on an annual rotational basis.

##### Organizational modalities

The meetings of all General Assemblies are arranged by the Director General on the instructions of the Administrative Board. The President shall send the invitation letter to all Members and participants by mail or by electronic means of communication, at least one month before the date of the meeting.

The Administrative Board decides on the format of the meeting, namely, whether the meeting shall be held in person, remotely or in a hybrid format. One yearly meeting shall be held in person unless exceptional circumstances do not allow participation in person, such as *force majeure* situations.

Participation in person means that all participants are present in person at the meeting.

Remote participation means that the meeting is held by electronic means of communication in respect of the modalities described.



Hybrid participation means that some participants are present in person at the place where the meeting is held, while other participants participate via electronic means of communication.

The Members shall be informed of the format of the meeting in the invitation letter for the meeting.

Representatives of CEN Affiliates, European Institutions, EFTA, CENELEC, ETSI, ISO, as well as any other representatives of National Standardization Bodies having a cooperation framework and from organizations having a partnership agreement with CEN, are invited as observers, with no voting rights, to attend at least one of the General Assembly meetings.

The President may decide to invite selected guests when their attendance and contribution are relevant for the debate and decisions of the General Assembly.

The Member who is a candidate for hosting a CEN General Assembly meeting, or any other technical or non-technical CEN meetings, should give special consideration to avoiding any barriers to the participation of representatives from other Members.

When appropriate, in order to allow the concerned Corporate or Technical Body to take sound decisions, the member who is a candidate 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.

#### Remote participation in the meetings

When the meetings are held remotely, the Director General shall ensure that the invitation letter includes clear instructions for connection and participation in the meeting. The same procedures shall be detailed on the webpage of the Association that is made accessible at all times to all participants having the right to attend General Assembly meetings.

The minutes of the meeting shall include any technical problem or incident incurred that might have prevented or disrupted the electronic participation in the meeting and/or in the voting. The means of communication used for remote participation must allow the participants to be aware in a direct, simultaneous and continuous manner of all discussions, to ask questions, to participate in the discussion in an active way, and to exercise their voting rights.

The Association shall make available such means of communication.

The participants shall give special consideration to ensuring that the access to the Internet or other network used is of sufficient quality as to provide smooth participation in the meeting.

In case of hybrid meeting, the participants who attend the meeting remotely shall be deemed present in the place where the meeting is held, for the purpose of calculating presence, quorum and majority requirements. There must be no differentiation between the participants whatsoever. The Association shall ensure that the participants who attend remotely are provided the opportunity to participate in the meetings in the same way as the participants who are present in person. The decision on which participants are to attend remotely and which are to attend in person is given either to the participants themselves by the Administrative Board, or to the Administrative Board itself, who will communicate the decision to the President together with other organizational modalities.

#### 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 Members one month prior to the date of the meeting for decision matters and two weeks prior to the date of the meeting 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.

Written minutes of all meetings of the General Assembly are kept at the registered office of the Association. Copies or extracts of the minutes are made available to all Members by the Director General through appropriate electronic means in accordance with the laws of Belgium.

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

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

#### Organizational modalities

The President must convene an extraordinary General Assembly following a request received from at least 20 percent (20%) of the CEN Members acting jointly in accordance with Art. 11 of the CEN Statutes. The request for an extraordinary meeting shall clearly state the reasons for and the subject of the meeting. The invitation to the meeting is sent by post or by electronic means of communication by the Director General at least one (1) month before the date of the meeting. The date, place and format of the meeting are determined by the President of the Association in consultation with the Administrative Board or the General Assembly itself. In case of remote participation, the same rules as for any General Assembly meeting shall be applied (see 3.1).

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

#### Attendance and exceptional invitations of observers

Extraordinary General Assemblies are attended only by the CEN 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 General Assembly meetings as detailed in Art. 12.4 of the CEN Statutes.

### **3.3 Decisions by correspondence**

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

In between General Assembly meetings, the General Assembly may take decisions by correspondence for particular matters that need to be decided upon. The Director General launches the so called "one-month procedure", inviting Members to cast their votes within one (1) month. In case of urgent matters, the Administrative Board may decide on a shorter duration of the process.

The voting on the decision by correspondence must be held with open votes with a quorum of two thirds of the Members. To be adopted, the decision taken by correspondence must be voted by a unanimous affirmative vote of all Members casting the vote. Negative votes shall mean that the decision is not approved by correspondence and will be brought for discussion in the next meeting.

The voting is compulsory for all Members and non-respect of the voting obligation constitutes a reason for expulsion of the Member in accordance with the escalation mechanism as described in Internal Regulations Part 1D.

### **3.4 Voting rules**

*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 Presidents, Vice-Presidents or other functions may take place with vote by secret ballot; however, the President may at any time invite the Assembly to elect one or more CEN Functions by acclamation.

There shall be a vote by secret ballot on questions related to individuals, if at least two Members request it. The decisions are taken by a simple majority of votes of all Members present or represented, except for the matters on which the Statutes require a qualified majority of votes. For the purpose of calculating the votes, abstentions are not taken into account.

In case of equal votes, the President or in their absence the Chairperson, shall cast their vote.

In accordance with Art. 12.4 of the CEN Statutes, any Member unable to attend the meeting may decide to provide a proxy to another Member. The proxy shall be duly signed by the Member not attending the meeting and shall be valid for that meeting only. Representation shall be considered full, including deliberation and exercise of voting rights in the name of the represented Member. One Member can only be the holder of one proxy. All proxies are duly verified by the President prior to the meeting and are noted in the minutes of the meeting.

The CEN General Assembly appoints three (3) assessors to monitor the voting process and the validity of the results to ensure that the process and formalities required are respected. For specific decisions as required by the laws of Belgium, additional requirements may apply.

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

### **4.1 Powers and delegation of authority**

*This provision refers to Art. 13 of the CEN Statutes.*

The Administrative Board acts as a Corporate Body empowered by the General Assembly to manage the technical work of the Association. For 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 for the scope and activities of the Association.

In accordance with the CEN Statutes, the Administrative Board has the broadest powers to direct and administer the Association's business and to handle all administrative matters and provisions which relate to the scope of the Association, namely:

- to direct the work and coordinate the actions of all bodies with the aim of executing the decisions taken by the General Assembly, except for matters which the CEN Statutes expressly reserve for the General Assembly and the Presidential Committee;
- to undertake in the name of the Association all the steps it deems essential for the achievement of its corporate goals in its dealings with national, European or international authorities as well as any other persons or any other organizations;
- to manage the technical work by delegation to the Technical Board;
- to receive from the Members the nominations for Presidency, Vice-Presidency and membership in the Administrative Board of CEN and propose the candidates to the General Assembly;
- to represent the Association in all extrajudicial acts and follow up any legal proceedings, whether as plaintiff or defendant, in the name of the Association at the request of the General Assembly, of the President of the Association, of a Vice-President or of the Director General, without prejudice to Article 25 of the CEN Statutes.

The Administrative Board reports regularly on its current and planned activities to the General Assembly.

## 4.2 Meetings of the Administrative Board

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

The Administrative Board normally meets 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 required by Belgian law.

The dates, format and places of Administrative Board meetings are normally determined by the President or by the Administrative Board itself and timely communicated to all Administrative Board members by the Director General. The invitation to the meeting shall contain the date, place and format of the meeting. In case of possible remote participation, the invitation letter shall contain clear and precise information on the procedures for connection and participation in the meeting.

Meetings of the Administrative Board may be held either in person or remotely by electronic means of communication. Hybrid meetings are organized if the President so decides.

The electronic means of communication that may be used for the meetings of the Administrative Board must connect all members present and allow an effective deliberation. The electronic means of communication must meet adequate technical requirements to ensure the identification and effective participation of the participants in the meeting by transmitting continuously and simultaneously the voice and/or image of the members who are participating remotely, allowing each participant to actively participate in the deliberations, ask questions and cast their vote.

Administrative Board members participating in the deliberations of the Administrative Board by electronic means are deemed present for the calculation of the quorum and majority requirements.

In between the meetings, in order to prepare for discussions and decisions in the next meetings, the Administrative Board members may organize meetings by electronic means of communication that are dedicated to specific topics, without taking a decision.

The meetings are usually chaired by the President of the Association and are considered held if there is a quorum which implies having at least seven members of the Administrative Board attend the meeting. In case the President cannot chair the meeting, the Vice-President Policy shall act as the Chairperson.

The President decides upon the agenda of the meeting of the Board they convene. Meetings may be recorded if the President so decides and the recordings may serve as minutes of the meeting.

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 (1) month prior to the meeting for decision matters and two weeks prior to the meeting 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.

All Administrative Board members have the obligation to attend the meetings on regular basis and to exercise their voting rights systematically. The member who does not attend to their duties, shall be deemed as failing to fulfil their duties and obligations.

A member of the Administrative Board shall attend the meetings in person or remotely. No attendance at any of the meetings within a full calendar year will be deemed as failure to fulfil their duties.

The obligation to vote must be equally exercised in the meetings held in person, in the remote meetings or when requested for the decisions taken by correspondence. If the member does not exercise their voting rights in a recurrent manner, either in person or by correspondence, for two (2) consecutive meetings without a justified reason for non-attendance, this is considered as failure to fulfil the obligation to vote as member of the Administrative Board.

Any failure to attend to their duties as member of the Administrative Board may be the reason for their expulsion as member and termination of their duties as an Administrative Board member. The Director General shall bring the non-fulfilment of the duties and obligations to the attention of the Administrative Board by sending an official letter. The Administrative Board may decide to recommend to the General Assembly to expel the Administrative Board member who does not attend to their duties, which includes failure to exercise their voting rights on a recurrent basis or failure to participate in meetings on a recurrent basis, and to organize elections for the vacant post.

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

*This provision refers to Art. 14, Art. 20 and Art. 21 of the CEN Statutes.*

The President is elected by a simple majority vote. Their 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 their 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 a 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 a member's removal, resignation, death or declared incapacity, the General Assembly proceeds to the election of a new member of the Administrative Board upon nominations by the CEN Members. The General Assembly shall first elect the President-Elect, then it shall hold elections for the three Vice-Presidents and afterwards it shall elect the ordinary members of the Administrative Board. In such cases, the General Assembly may decide that the new Administrative Board member starts their 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 other Administrative Board members

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

- Three (3) months prior to the General Assembly meeting, the Director General informs the Members of the expected vacant seats for President and/or Vice-President(s) for the following year, and invites them to provide their nominations of candidate(s) by a set deadline;
- Two (2) months prior to the General Assembly meeting, the Director General informs the Members of the expected vacant seats for other Administrative Board members for the following year and invites them to provide their nominations of candidate(s) by a set deadline.
- One (1) month prior to the General Assembly meeting, the Director General informs the General Assembly of the candidate(s) for the vacant seats nominated by the Members.
- The General Assembly elects the President, Vice-President(s) and/or ordinary Administrative Board members among the nominated candidate(s).

#### Establishment of the Administrative Board

For the purpose of establishing the Administrative Board, Members are divided into three groups (A, B and C) according to their combined financial and technical contribution to the Association, as well as according to their type of membership (Blue, Red and Yellow). The General Assembly reviews and updates the Members' division into groups every three years.

The methodology for establishing the Administrative Board is described in Annex 1 of Internal Regulations Part 1A.

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

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 Chapter 2). They are composed of representatives of the 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 (Annex 2 and 3, respectively).

When needed, the Chairperson 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 Chairperson 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 Functions**

### **5.1 President**

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

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

The President is nominated by a CEN Member. Candidates affiliated to Blue-type and Red-type Members are automatically eligible for the vacant post of President. To nominate a candidate for the President affiliated to a Yellow-type Member, the Yellow-type Member must have completed five years as Member before such President-Elect is set to effectively become President.

In addition to the eligibility criteria mentioned in the Statutes, the following criteria must be taken into account for the nomination of a candidate President.

- 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 Chairperson or equivalent;
  - good international experience.
  
- b) Personal distinctive factors:
  - having a clear vision for the Association and promoting consensus;
  - university education;
  - effective communicator;
  - ideally, multilingual, fluent in English.
  
- c) Resources:
  - financially supported by the relevant CEN Member of their affiliation.

The CEN President, *inter alia*:

- provides effective high-level representation of the overall strategic issues relevant to the Association to the corporate governing bodies as well as leadership to the CEN Administrative Board members;
- presides over the General Assembly and other meetings attended by all Members;
- chairs the CEN Administrative Board meetings, sets the meeting schedule and agenda, together with the Director General. They are responsible for the effective functioning of the Administrative Board;
- chairs the Presidential Committee on a rotational basis;
- 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 corporate 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, which includes entrusting the President-Elect to represent CEN by delegation or instead of the President;
- provides and facilitates effective communication between CEN, CEN 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 their acts the interest of CEN.

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

## 5.2 Vice-Presidents

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

CEN Vice-Presidents are industry, business or science leaders, or CEOs/Managing Directors/Executive Directors or similar Senior Executives of a CEN Member.

They are nominated by a CEN Member and elected by the General Assembly.

In addition to the eligibility criteria mentioned in the CEN Statutes, the following criteria must be taken into account for the nomination:

- 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;
  - has a clear vision for the Association and promotes consensus;
  - ideally, multilingual, fluent in English.
- c) Resources:
  - financially supported by the relevant CEN Member of their affiliation.

### 5.2.1 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 Corporate 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 it has a 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;
- actively supports and participates in the work of the Presidential Committee and other CEN relevant Corporate Bodies, including the coordination of CACC POL work and its Keymark Taskforce (KTF);
- works cooperatively with the other bodies and functions for the greater good of CEN and pursues in all their acts the interest of CEN;
- liaises closely with the Director General and the senior management team.

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

### 5.2.2 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 corporate 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;
- 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 it has a monitoring responsibility;
- ensures that the Consultative Committee dealing with finance coordinates periodic input and review of the 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;
- collaborates and works cooperatively, in particular, with CENELEC on those financial issues affecting the efficiency and functioning of CCMC;
- actively supports and participates in the work of the Presidential Committee and other CEN relevant corporate Bodies, including the coordination of CACC FIN work with that of these bodies;
- works cooperatively with the other Corporate bodies and functions for the greater good of CEN and pursues in all their acts the interest of CEN;



- liaises closely with the Director General and the senior management team.

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

### 5.2.3 Vice-President Technical

The Vice-President Technical, *inter alia*:

- ensures the leadership and chairs of the Technical Board (BT) and effective representation of technical issues to the other relevant Corporate Bodies;
- ensures support to the implementation of the Strategy taking into account technical aspects and coordinates periodic input and review of technical aspects of the Strategy;
- leads the development of planning of 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 the BT is carried out efficiently;
  - promotes constructive debate and effective decision-making;
  - ensures access to information for the BT to monitor CEN's performance in areas where the BT has a 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 Corporate Bodies;
- actively supports and participates in the work of the Presidential Committee, including the coordination of BT work with that of the other main CEN Corporate Bodies;
- works cooperatively with the other Corporate Bodies and Functions for the greater good of CEN;
- collaborates and works cooperatively, in particular in technical issues with CENELEC and ETSI;
- liaises closely with the Director General and the senior management team.

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

## 6. Appeal Policy

### 6.1 Scope and general dispositions

A Member may appeal against a decision of a Corporate Body when such decision is considered not to be in accordance with the CEN Statutes or the Internal Regulations.

Organizations having a cooperation framework (in accordance with CEN-CENELEC Guide 12) or being Partners (in accordance with CEN-CENELEC Guide 25) with CEN may appeal against a decision considered not to be in accordance with the CEN Statutes or the Internal Regulations and related to the work carried out by the CEN Technical Bodies to which that organization has contributed.

Appeals can be lodged within the first three months following the distribution or the upload of the decision on a platform that is accessible to all persons concerned.

Each party shall bear its own costs as well as the expenses for the evidence and relevant documentation provided by it.

## CEN-CENELEC Internal Regulations - Part 1:2024

For an appeal related to the technical/standardization work, while that appeal is being considered, any work in progress should be continued unless the Member or organization lodging the appeal provide evidence it presents a serious risk to the health, safety, environment or security of persons or to competition rules.

The Member or organization lodging the appeal shall have the burden of proof to present the reasons for the appeal and provide evidence and relevant documentation evidencing the facts claimed, namely:

- Documents evidencing the process/decisions that is object of the appeal;
- The decision/resolution that is subject of the appeal, including the date of its circulation;
- Document attesting the date of availability of the results of the vote by correspondence;
- Document attesting the date of availability of the decision taken at the meeting;
- Document attesting that the deadline for taking a required action has been met; etc.

A decision taken in settlement of an appeal is final.

A detailed description of the appeal procedure is provided in Annex 4.

### **6.2 Decisions taken by CEN Corporate Bodies**

Decisions taken by a CEN Technical Body shall be appealed to the CEN Technical Board (BT).

Decisions taken by the CEN Technical Board (BT) shall be appealed to the CEN Administrative Board (CA).

Decisions taken by the CEN Administrative Board shall be appealed to the General Assembly.

Decisions of the General Assembly are final.

### **6.3 Decisions taken by joint Corporate Bodies with CENELEC**

Decisions taken by a joint CEN-CENELEC Technical Body shall be appealed to the CEN and CENELEC Technical Boards. In cases where the CEN and CENELEC Technical Boards take different decisions, the appeal shall be submitted to the Presidential Committee as referred in IR Part 1C.

Decisions taken by the Presidential Committee shall be appealed to a Board of Appeal established by the CEN and CENELEC General Assemblies (see Internal Regulations Part 1C for detailed provisions).

## **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 corporate 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 coordinates and cooperates 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 out in the CEN Guidelines for the implementation of the Vienna Agreement.

## **Annex 1 - Methodology for establishing the CEN Administrative Board composition**

*These provisions refer to Article 14 of the CEN statutes*

For the purpose of the establishment of the Administrative Board, Members are divided into three groups (A, B and C) according to their type of membership (Blue, Red and Yellow), and combined financial and technical contribution to the Association calculated on the basis of the following weighted criteria:

a) Financial criteria:

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

b) Technical criteria:

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

c) Type of membership criteria

Group A only includes Blue-type Members.

The composition of the groups is as follows:

- Group A comprises the four Blue-type Members with the highest combined financial and technical contribution calculated on the basis of the above weighted criteria;
- Group B comprises the ten Members with the highest combined financial and technical contribution calculated on the basis of the above weighted criteria, which are not already part of Group A;
- Group C comprises all other Members.

The calculation enables the division of the Members into the three groups according to the above weighted criteria.

The twelve Administrative Board members other than the President (three Vice-Presidents and nine other Administrative Board members), are elected as follows:

- four are elected from eligible candidates with the same affiliation as one of the Group A Members, nominated by at least one Member (it being understood that the nominating Member(s) may be from a different group);
- four are elected from eligible candidates with the same affiliation as one of the Group B Members, nominated by at least one Member (it being understood that the nominating Member(s) may be from a different group);
- four are elected from eligible candidates with the same affiliation as one of the Group C Members, nominated by at least one Member (it being understood that the nominating Member(s) may be from a different group).

Should there be no nomination of a candidate with the same affiliation as any of the Members of a 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.

Should the Members not be able to provide nominations for the vacant seat of an ordinary Administrative Board member attributed to one of the groups, 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.

The methodology of calculation is summarized in the following table:

As per annual membership fee calculation table in CEN-CENELEC Guide 21

NSB	Membership Type (Blue, Red or Yellow)	Annual Financial contribution in %	Nbr of TC secretariat	TC secretariat contribution in %	Financial contribution weighted @ 50%	TC secretariat contribution weighted @ 50%	Total contribution in %	Ranking #	Group
	(1)	(2)	(3)	(5) = (3) / (4)	(6) = (2) * 50%	(7) = (5) * 50%	(8) = (6) + (7)		
NSB name #1								...	either A
NSB name #2								...	or B
NSB name #3								...	or C
NSB name #4								...	...
.....								...	...
		100%	sum	100%	50%	50%	100%		
			(4)						

**Group A**

The four (4) Blue-type Members ranking with the highest total technical and financial contributions.

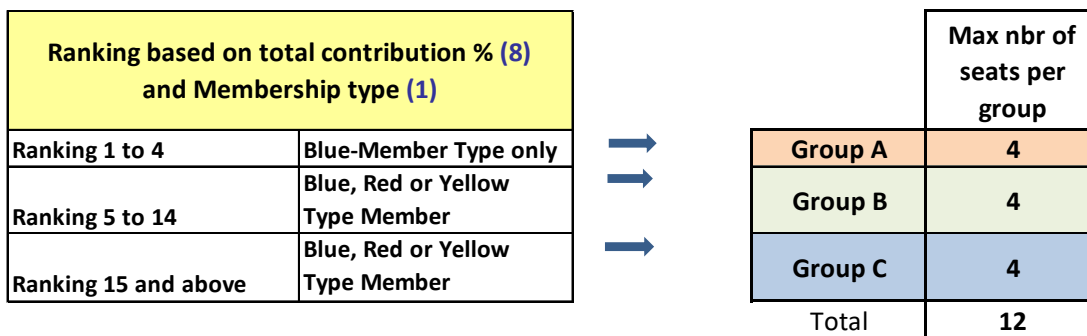
**Group B**

The following ten (10) Members ranking from 5 to 14 with regard to the total technical and financial contributions, which are not part of the group A.

**Group C**

All other Members.

**Criteria for Group Allocation:**



If a CEN Member increases its technical or financial contribution so as to eventually result in a higher ranking compared to the lowest-ranking Member of the group above (from Group C to B or from Group B to A), then the last Member of the group above is automatically downgraded to the group below, provided it meets the criteria regarding the type of Members and affiliation to a Member.

Similarly, if a CEN Member decreases its technical or financial contribution so as to eventually result in a lower ranking compared to the highest-ranking CEN Member of the group below (from Group A to B or from Group B to C), then the highest Member of the group below is automatically upgraded to the Group above, provided it meets the criteria regarding the type of Members and affiliation to a Member.

**CEN Members grouping\***

<b>Group</b>	<b>Country</b>	<b>Member organization</b>	<b>Membership type</b>
Group A	France	AFNOR	Blue
	Germany	DIN	Blue
	Italy	UNI	Blue
	Spain	UNE	Blue
Group B	Austria	ASI	Blue
	Belgium	NBN	Blue
	Denmark	DS	Blue
	Netherlands	NEN	Blue
	Norway	SN	Blue
	Poland	PKN	Blue
	Sweden	SIS	Blue
	Switzerland	SNV	Red
	Turkey	TSE	Red
	United Kingdom	BSI	Yellow
Group C	Bulgaria	BDS	Blue
	Croatia	HZN	Blue
	Cyprus	CYS	Blue
	Czech Republic	UNMZ	Blue
	Estonia	EVS	Blue
	Finland	SFS	Blue
	Greece	NQIS/ELOT	Blue
	Hungary	MSZT	Blue
	Ireland	NSAI	Blue
	Iceland	IST	Blue
	Latvia	LVS	Blue
	Lithuania	LST	Blue
	Luxembourg	ILNAS	Blue
	Malta	MCCAA	Blue
	Portugal	IPQ	Blue
	Republic of North Macedonia	ISRSM	Red
	Romania	ASRO	Blue
	Serbia	ISS	Red
	Slovakia	UNMS SR	Blue
	Slovenia	SIST	Blue

## **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 relating purely to CEN.

#### **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,
- inputs to PC and JPG,
- relations with the European Institutions and regulators,
- policy matters related to conformity assessment,
- certification through its dedicated Keymark Taskforce (KTF),
- other tasks as decided by the CA.

#### **3. Working method**

The CACC POL meets online and relies as much as possible on digital collaborative tools to organise its work. Meetings will normally take place twice a year. Additional meetings can take place upon the chairperson's initiative.

#### **4. Composition**

- Chairperson: Vice-President Policy
- Members: All interested Members' (NSBs) representatives (as per Clause 4 of IR Part 1A)
- Secretariat: CCMC

## CEN-CENELEC Internal Regulations - Part 1:2024

- Permanent attendees:
  - CEN-CENELEC Director General
  - CENELEC Vice-President Policy
  - Observers: Partner Organizations (cfr. CEN-CENELEC Guide 25)

The convenor of the Keymark Taskforce (KTF) reports to the CEN/CACC POL on the achievements of the Keymark on a yearly basis.

The Vice-President Policy may invite on an *ad hoc* basis individuals or professionals/experts to contribute to the debates on particular subjects, when required. In accordance with the CEN-CENELEC Guide 35, the CACC POL usually meets in the form of common meetings with the CENELEC WG POL, to discuss specific common policy matters and make joint recommendations upon request made by the Presidential Committee by one or the other Administrative Board, by the two Administrative Boards during their common session, or upon their own initiative. The CEN CACC POL may decide to organize a separate meeting if this is needed to discuss sector-specific policy matters affecting only CEN.

### 5. Appointment

#### Vice-President Policy (Chairperson)

The Vice-President Policy is proposed by the CEN Members, and appointed by the CEN General Assembly according to the CEN Statutes and in line with the IR Part 1A, Clause 5, and in particular subclause 5.2.1.

#### CACC POL Members

The National Standardization Bodies (NSB) and Partners appoint the members to the CACC POL, with a maximum of one representative per NSB 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 dedicate 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 CACC POL membership.

### 6. Term

#### Vice-President Policy (Chairperson)

The Chairperson is appointed for a mandate of two years, starting on the 1<sup>st</sup> of January of the year following their election as Vice-President Policy.

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

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

#### CACC POL Members

The CACC POL Members' appointment will be confirmed every three (3) years.

The composition of the CACC POL will be submitted to the CEN/CA for information on a yearly basis.



*In line with the CEN/AG Decision (11/2023) these Terms of Reference (“Annex 3 – Advisory Committee Financial Affairs (CEN/FIN)”) supersede and replace the previous iteration of the Terms of Reference (“Annex 3 – Administrative Board Consultative Committee Financial Affairs (CEN/CACC FIN)”), dated on December 2022.*

## **Annex 3 - Advisory Committee Financial Affairs (CEN/FIN)**

### **Terms of Reference**

#### **1. Role**

The role of the Advisory Committee Financial Affairs (CEN/FIN) is to advise the CEN Administrative Board (CEN/CA) on all financial matters.

#### **2. Responsibilities**

The CEN/FIN makes recommendations to the CEN/CA in relation to:

- the preparation of the CEN budget and the monitoring of the CEN actuals, including its CCMC component,
- the CEN statutory accounts,
- financial relations between CEN and CENELEC, NSBs, the European Commission and EFTA,
- other financial matters or projects as decided by the CEN/CA or at its own initiative.

#### **3. Reporting line**

The CEN/FIN reports to the CEN/CA.

#### **4. Working method**

The CEN/FIN meets *in situ* or online at least three times a year (in quarter 1 on the financial results of the previous year, in quarter 2 on the budget frame for the following year, and in quarter 4 on the detailed budget for the following year).

When necessary, additional meetings can take place upon the Chair’s specific invitation.

In accordance with the CEN-CENELEC Guide 35, the meetings of the CEN/FIN are held by default in the form of a common session with the CENELEC/FIN.

The CEN/FIN may decide to hold a separate meeting if needed to discuss specific financial matters affecting the association only.

The CEN/FIN makes recommendations based on consensus.

#### **5. Composition**

The members of the CEN/FIN are:

- the CEN Vice-President Finance (Chair)
- one representative of the CEN/CA
- four representatives nominated by NSBs

The permanent attendees are:

- the CEN-CENELEC Director General
- the CEN-CENELEC Head of Finance (CCMC secretariat)
- the Vice-President Finance of CENELEC

## CEN-CENELEC Internal Regulations - Part 1:2024

The CEN Vice-President Finance may invite on an ad hoc basis other individuals or experts to contribute to the discussions on specific subjects, when needed.

### 6. Appointments and qualification criteria

The composition of the CEN/FIN is approved by the CEN/CA sitting in a common session with the CENELEC/CA.

The members of the CEN/FIN are appointed as follows:

- CEN Vice-President Finance (Chair):  
The Vice-President Finance is appointed by the CEN/AG according to article 21 of the CEN Statutes and in line with the provisions of clause 5 of the Internal Regulations Part 1A.
- CEN/CA representative:  
The CEN/CA representative is appointed by the CEN/CA following a call for nomination.
- Representatives from NSBs:  
The representatives are nominated by NSBs following a call for nomination and appointed by the CEN/CA sitting in a common session with the CENELEC/CA.

The nominated candidates shall meet the following qualification criteria:

- ✓ Holding a management position in their own organization with a relevant level of decision-making and influence,
- ✓ Possessing adequate financial knowledge to support the decision-making process of the association on financial matters,
- ✓ Committed to active involvement and participation to *in situ* and online meetings.

If the list of nominated candidates exceeds 4, the CEN Vice-President Finance shall select the candidates based on the qualification criteria, taking Membership diversity into account, and provide a recommendation to the CEN/CA for approval.

### 7. Role and responsibilities of the CEN/FIN members

The CEN/FIN members commit to allocate the appropriate time and efforts to the accomplishment of their mission. In their contribution to the development and adoption of the CEN/FIN recommendations, they serve in a personal capacity and support the association for the benefit of European interests.

Failure to attend two consecutive meetings of the CEN/FIN without appropriate justification shall lead to the dismissal of the CEN/FIN membership.

In case of a vacancy, be this due to retirement, resignation, removal, declared incapacity or death, a nomination process is launched as per clause 6 of the present Terms of Reference. The appointed candidate will complete the term of his/her predecessor.

### 8. Terms of office

The terms of office of the members of the CEN/FIN are defined as follows:

- CEN Vice-President Finance (Chair):  
The Chair is appointed for a term of office corresponding to the length of his/her term as Vice-President Finance.
- CEN/CA representative:  
The CEN/CA representative is appointed for a term of office corresponding to the length of his/her term as member of the CEN/CA.
- Representatives from NSBs:  
The representatives from NSBs are appointed for a renewable term of office of three years, renewable once.

## **9. Resources**

The CEN/FIN members cover all their expenses.

Resources in support of the CEN/FIN include the time and direct costs incurred by the members, CCMC in its secretariat role and the use of IT tools.

## **Annex 4 - Appeal Procedure**

### **1. Appeal against a CEN Technical Body decision**

The Member, the organization having a cooperation framework or partnership agreement with CEN shall submit the appeal including the relevant evidence and documentation to the BT Chairperson and the CEN-CENELEC Director General, who shall inform the BT members of the lodge of the appeal within one month.

The Technical Board shall decide on the Appeal, within three months from the date of the receipt of the Appeal.

The Decision of the Technical Board is final.

### **2. Appeal against a CEN-CENELEC Technical Body decision**

The Member, the organization having a cooperation framework or partnership agreement with CEN shall submit the appeal including the relevant evidence and full documentation to the CEN and CENELEC technical Boards Chairpersons and to the CEN-CENELEC Director General, who shall inform the CEN BT members and CENELEC Permanent Delegates of the lodge of the Appeal within one month.

The CEN and CENELEC Technical Boards shall decide on the Appeal, within three months from the date of the receipt of the Appeal.

If both Technical Boards reach the same decision, the Decisions of the Technical Boards are final.

If the decisions of the CEN and CENELEC Technical Boards differ, the appeal shall be submitted to the Presidential Committee.

The Decision of the Presidential Committee is final on appeals against decisions taken by joint CEN and CENELEC Technical Bodies when the CEN and CENELEC Technical Boards decisions on the first level appeal differ.

### **3. Appeal against a CEN Technical Board decision**

The Member shall submit the appeal including the relevant evidence and full documentation to the CEN Chairperson of the Administrative Board and CEN-CENELEC Director General, who shall inform the CEN Administrative Board members of the lodge of the appeal within one month.

The Administrative Board shall take a Decision on the Appeal within 3 months from the date of the receipt of the Appeal.

The Decision of the Administrative Board is final.

### **4. Appeal against a decision of the CEN Administrative Board**

The Member shall submit the appeal together with the relevant evidence and full documentation to the CEN President and the CEN-CENELEC Director General. The Director General shall inform the General Assembly of the lodge of the Appeal within 1 month from the receipt of the appeal.

The General Assembly shall decide on the Appeal on the occasion of the first upcoming meeting.

The decision of the CEN General Assembly is final.

### **5. Appeal against a decision of the Presidential Committee**

The Member shall submit the appeal including the relevant evidence and full documentation to the to the CEN-CENELEC Director General, who will inform the General Assembly of the Appeal within one (1) month from the receipt of the appeal.

The General Assemblies of CEN and CENELEC will establish a Board of Appeal (see Internal Regulations Part 1C).

The decision of the Board of Appeal is final.

## 1B: CENELEC

### 1. Scope of CENELEC activities

CENELEC is the European Standardization Organization in the field of electrotechnology and related technologies.

The aims of CENELEC (see Article 4 of the CENELEC Statutes) may be realized in particular by the following means:

- a) developing voluntary European electrotechnical standards and other deliverables and taking action for their implementation and promotion;
- b) taking actions to support development and adoption of international standards by working closely with the International Electrotechnical Commission (IEC) in order to promote European participation and to pursue the goal of 'one standard, one test, accepted everywhere';
- c) harmonizing national standards by supporting the adoption of European and international standards and the withdrawal of conflicting standards;
- d) cooperating with the two other European Standardization Organizations CEN and ETSI;
- e) operating a European market-driven standardization system that is open, transparent, consensus-based through the participation of a wide range of stakeholders, including groups, bodies and international organizations interested in European standardization, European industrial associations, European Union institutions and the European Free Trade Association (EFTA), in compliance with the WTO principles and Code of Good Practice for the Preparation, Adoption and Application of Standards (Annex 3 of the WTO Agreement on Technical Barriers to Trade).

### 2. CENELEC Structure

*This provision refers to Art.6 of the CENELEC Statutes.*

CENELEC consists of:

- Members;
- Corporate bodies:
  - The General Assembly, the supreme body of CENELEC;
  - The Administrative Board, who has broadest powers to direct and administer CENELEC;
  - The Presidential Committee, the joint Corporate Body with CEN, who manages and administers the business of CENELEC with respect to non-sector-specific matters of common interest with CEN;
  - The Director General;
  - The Technical Board (BT), which is mandated by the CENELEC General Assembly to manage the technical standardization (see Internal Regulations Part 2);
  - The Technical Committees;
  - The Board of Appeal, when established in accordance with the Statutes and Internal Regulations.
- the Functions in CENELEC are:
  - The Presidents and the President-Elect;
  - Three Vice-Presidents with competence in financial, technical and policy matters;
  - Nine ordinary Administrative Board members.
- The CEN-CENELEC Management Centre (CCMC), joint technical exploitation unit together with CEN has an active role in the day-to-day management of CENELEC and is headed by the Director General (see Internal Regulations Part 1C).

## CEN-CENELEC Internal Regulations - Part 1:2024

Moreover, the General Assembly or the Administrative Board may set advisory bodies and the President may set up advisory bodies to exchange information with CENELEC Members.

### 3. General Assembly (AG)

*This provision refers to Art. 10, 11 and 12 of the CENELEC Statutes.*

#### 3.1 General Assembly meetings

*This provision refers to Art. 11 of the CENELEC Statutes.*

The General Assembly (AG) is the supreme authority of CENELEC, where all statutory and general policy decisions are taken.

One General Assembly meeting is convened by the President each year to deliberate on matters of interest to the Association, such as to hear the report of the Administrative Board on the activities of the Association during the past year, hear the report of the Auditors, approve the accounts of the past year and grant the discharge to the Administrative Board and the Auditors with regard to their tasks.

The President may convene another General Assembly meeting during the same year to approve the budget for the following year.

The General Assembly meeting takes place in 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.

Each Member appoints a Head of Delegation to act as representative of the Member in the meeting of the General Assembly, and to represent the national position of the Member, which includes casting the vote.

#### Common session of the General Assemblies

In addition to individual meetings, CEN and CENELEC respective General Assemblies' meetings are organized in common sessions to discuss and take decisions on all non-sector-specific matters of common interest, in accordance with CEN-CENELEC Guide 35.

In order to ensure an efficient decision-making process, the CEN and CENELEC Presidents agree on the most appropriate sequence of the two individual General Assemblies' meetings and the common session of the General Assemblies.

In compliance with Belgian law, the common session of the General Assemblies formally constitutes –and is recorded in the respective General Assemblies' minutes as– a part of the individual meeting of each General Assembly.

CEN and CENELEC Members endeavour to reach consensus on identical decisions regarding the matters of common interest that are discussed during the common session of the General Assemblies. Any decision taken by the two General Assemblies during their common session is formally recorded as a decision taken by each General Assembly respectively.

The CEN or CENELEC President who is mandated to chair the Presidential Committee also chairs the common session of the General Assemblies on an annual rotational basis.

#### Organizational modalities

The Administrative Board decides on the format of the meeting, namely, whether the meeting shall be held in person, remotely or in a hybrid format. One yearly meeting shall be held in person unless exceptional circumstances do not allow it, such as *force majeure* situations.

Participation in person means that all participants are present in person at the meeting.

Remote participation means that the meeting is held by electronic means of communication in respect of the modalities described.

## CEN-CENELEC Internal Regulations - Part 1:2024

Hybrid participation means that some participants are present in person at the place where the meeting is held, while other participants participate via electronic means of communication.

The Members shall be informed of the format of the meeting in the invitation letter for the meeting.

Representatives of CENELEC Affiliates, European Institutions, EFTA, CEN, ETSI, IEC, as well as any other representatives of National Committee having a cooperation framework or partnership agreement with CENELEC, are invited as observers, with no voting rights, to attend at least one General Assembly meeting .

The President may decide to invite selected guests when their attendance and contribution are relevant for the debate and decisions of the General Assembly.

The Member who is a candidate for hosting the CENELEC General Assembly meeting, or any other technical or non-technical meetings, should give special consideration to avoiding any barriers to the participation of representatives from other Members.

When appropriate, in order to allow the concerned corporate or Technical Body to take a sound decision on this matter, the Member who is a candidate 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.

### Remote participation in the meetings

When the meetings are held remotely, the Director General shall ensure that the invitation letters include clear instructions for connection and participation in the meeting.

The same procedures shall be detailed on the webpage of the Association that is made accessible at all times to all participants having the right to attend meetings.

The minutes of the meeting shall include any technical problem or incident that might prevent or disrupt the electronic participation in the meeting and/or in voting.

The means of communication used for remote participation must allow the participants to be aware in a direct, simultaneous and continuous manner of all discussions, to ask questions, to participate in the discussion in an active way, and to exercise all voting rights.

The Association shall make available such means of communication.

The participants shall give special consideration to ensuring that the access to the Internet or other network used is of sufficient quality as to provide smooth participation in the meeting.

In case of hybrid meeting, the participants who attend the meeting remotely shall be deemed present in the place where the meeting is held, for the purpose of calculating presence, quorum and majority requirements. There must be no differentiation between the participants whatsoever and the Association shall ensure that the participants who attend remotely are provided the opportunity to participate in the meetings in the same way as the participants who are present in person. The decision on which participants are to attend remotely and which are to attend in person is given either to the participants themselves by the Administrative Board, or to the Administrative Board itself, who will communicate the decision to the President together with other organizational modalities.

### 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 Members one (1) month prior to the date of the meeting for decision matters and two weeks prior to the date of the meeting for information matters. However, the Director General may also invite the General Assembly to consider and take decisions on matters for which documents have been circulated beyond the deadlines established.

Written minutes of all meetings of the General Assembly are kept at the registered office of the Association. Copies or extracts of the minutes are made available to all Members by the Director General through appropriate electronic means in accordance with Belgian law.

### **3.2 Extraordinary meetings**

*This provision refers to Art. 11 of the CENELEC Statutes.*

In case where at least four (4) Members present a well-reasoned request, including a description of the subject to be discussed, the President shall convene an extraordinary meeting. The Director General sends an invitation letter (notice) to all Members one (1) month before the scheduled date, either by post or by electronic means of communication.

The date, place and format of the meeting are determined by the President of the Association in consultation with the Administrative Board or the General Assembly itself. In case of remote participation, the same rules as for an ordinary meeting shall be applied (see 3.1).

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

### **3.3 Decisions by correspondence**

*This provision refers to Art. 12.5 of the CENELEC Statutes.*

In between General Assembly meetings, the General Assembly may take decisions by correspondence for particular matters that need to be decided upon. The Director General launches the so called "one-month procedure", inviting Members to cast their votes within one (1) month. In case of urgent matters, the Administrative Board may decide on a shorter duration of the process.

The voting on the decision by correspondence must be held with open votes with a quorum of two thirds of the Members. To be adopted, the decision taken by correspondence must be voted by a unanimous affirmative vote of all Members. Negative votes shall mean that the decision is not approved by correspondence and will be brought for discussion in the next meeting.

The voting is compulsory for all Members and non-respect of the voting obligation constitutes a reason for expulsion of the Member in accordance with the escalation mechanism as described in Internal Regulations Part 1D.

### **3.4 Voting rules**

*This provision refers to Art. 12 of the CENELEC Statutes.*

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

There shall be a vote by secret ballot on questions related to individuals, if at least two (2) Members request it. The Decisions are taken by a simple majority of votes of all Members present or represented, except for the matters on which the Statutes require a qualified majority of votes. For the purpose of calculating the votes, no account shall be taken of abstentions.

In case of equal votes, the President, or in their absence the Chairperson, shall cast their vote.



In accordance with Art. 11.6 of the CENELEC Statutes, any Member unable to attend the meeting may decide to provide a proxy to another person attending the meeting. The proxy shall be duly signed by the Member not attending the meeting and shall be valid for that meeting only. Representation shall be considered full, including deliberation and exercise of voting rights in the name of the represented Member. One Member can only be the holder of one proxy. All proxies are duly verified by the President prior to the meeting and are noted in the minutes of the meeting.

The CENELEC General Assembly appoints three (3) assessors to monitor the voting process and the validity of the results, and to ensure that the process and formalities required are respected. For specific decisions as required by the laws of Belgium, additional requirements may apply.

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

### **4.1 Administrative Board (CA) powers and election**

*This provision refers to Art. 14 of the CENELEC Statutes.*

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 13, 14 of the CENELEC Statutes). The Administrative Board reports to the CENELEC General Assembly.

The Administrative Board comprises *ex officio* the CENELEC President, three (3) 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 Administrative Board members. The members of the Administrative Board are appointed by the General Assembly. For the purpose of nominations, the Members are divided into four groups (A, B, C and D), based upon the type of membership (Blue, Red and Yellow) and the financial contribution paid by each Member (as reflected by the financial contribution units applicable to such Member).

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 Part 1B.

The President and Vice-Presidents' 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 Administrative Board members shall participate in and contribute to the important tasks entrusted to the Administrative Board. All shall divest themselves from any national viewpoint.

In case of relevant vacancies, the General Assembly first holds one election process for the future President, then elects the Vice-Presidents and afterwards it elects other members of the Administrative Board.

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

- Three (3) months prior to the General Assembly meeting, the Director General informs the Members on the expected vacant seats for President and/or Vice-President(s) for the following year, and invites them to provide their nominations of candidate(s) by a set deadline.
- Two (2) months prior to the General Assembly meeting, the Director General informs the Members on the expected vacant seats for other Administrative Board members for the following year and invites them to provide their nominations of candidate(s) by a set deadline.
- One (1) month prior to the General Assembly meeting, the Director General informs the General Assembly on the candidate(s) for the vacant seats nominated by the Members.

## CEN-CENELEC Internal Regulations - Part 1:2024

- The Administrative Board receives the nominations for Presidency, Vice-Presidency and membership in the Administrative Board of the Association and proposes the candidates to the General Assembly.

The General Assembly elects the President, Vice-President(s) and/or ordinary Administrative Board members among the nominated candidate(s).

The members of the Administrative Board other than the President shall be elected in accordance with the following procedure:

- up to four Administrative Board members are elected from eligible candidates affiliated to one of the Group A Members, nominated by at least one Member (it being understood that the nominating Member(s) may be from a different group);
- up to four Administrative Board members are elected from eligible candidates affiliated one of the group B Members nominated by at least one Member (it being understood that the nominating Member(s) may be from a different group);
- up to three Administrative Board members are elected from eligible candidates affiliated to one of the group C Members, nominated by at least one Member (it being understood that the nominating Member(s) may be from a different group);
- up to two Administrative Board members are elected from eligible candidates affiliated to one of the group D Members, nominated by at least one Member (it being understood that the nominating Member(s) may be from a different group).

### Administrative Board meetings

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.

An Administrative Board meeting dedicated to budgetary and statutory financial matters takes place before the General Assembly convened each year to deliberate on those matters as required by Belgian legislation.

The date, format and place of Administrative Board meetings are normally determined by the President or by the Administrative Board itself and timely communicated to members of the Administrative Board by the Director General. The invitation for the meeting shall contain the date, place and the format of the meeting. In case of remote participation, the invitation letter shall contain clear and precise information on the procedures for connection to and participation in the meeting.

The meetings are usually chaired by the President of the Association and are considered held if there is a quorum which implies having at least seven (7) members of the Administrative Board with voting rights attend the meeting. In case the President cannot chair the meeting, one of the three Vice-Presidents shall act as the Chairperson.

Meetings of the Administrative Board may be held either in person or remotely by electronic means of communication. Hybrid meetings are organized if the President so decides in view of the circumstances.

The electronic means of communication that may be used for the meetings of the Administrative Board must connect all the members present and allow an effective deliberation. The electronic means of communication must meet adequate technical requirements to ensure the identification and effective participation of the participants in the meeting by transmitting continuously and simultaneously the voice and/or image of the members who are participating remotely, allowing each participant to actively participate in the deliberations, ask questions and cast their vote.

The procedure for meetings held by electronic means of communication shall be clearly and precisely outlined in the invitation letters.

Administrative Board members participating in the deliberations of the Administrative Board by electronic means are deemed present for the calculation of the quorum and majority requirements.

The President decides upon the agenda of the meeting of the Administrative Board they convene. Meetings may be recorded if the President so decides and the recordings may serve as minutes of the meeting.

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

The agenda and the main documents are circulated by the Director General to the Administrative Board one month prior to the meeting unless the duly justified urgency of the decision requires a convening on shorter notice. 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.

All Administrative Board members have the obligation to participate in the meetings on regular basis and to exercise their voting rights. The member who has not participated in any meeting of the Administrative Board within a calendar year, shall be deemed as failing to fulfil their duties and obligations.

The obligation to vote must be equally exercised in meetings held in person, remotely or when requested for the decisions taken by correspondence. If the member does not exercise his voting rights in a recurrent manner, for three consecutive meetings without a justified reason, this is considered as failure to fulfil the obligation to vote as member of the Administrative Board.

Any failure to attend to their duties as member of the Administrative Board may be the reason for their expulsion as member and termination of their duties as Administrative Board member. The Director General shall bring the non-fulfilment of the duties and obligations to the attention of the Administrative Board by sending an official letter. The Administrative Board may decide to recommend to the General Assembly to expel the Administrative Board member who does not attend to their duties, which includes failure to exercise their voting rights on a recurrent basis and failure to participate in meetings on a recurrent basis, and to organize elections for the vacant post.

### **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 (NCs), 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. CENELEC functions**

### **5.1 President**

*This provision refers to Art. 15 of the CENELEC Statutes.*

The President provides effective leadership to the CENELEC membership. They are an industry leader or CEO/Managing Director/Executive Director or a similar Senior Executive.

The President is nominated by a CENELEC Member. Candidates coming from the Blue-type and Red-type Members are automatically eligible for the vacant post of President. The Yellow-type Members can nominate a candidate for the President's post after having been Yellow-type Member for at least five years before the President-Elect is set to effectively become President.

In addition to the eligibility criteria mentioned in the CENELEC Statutes, the following criteria must be taken into account for the nomination of a candidate President:

## CEN-CENELEC Internal Regulations - Part 1:2024

- a) Experience:
  - senior leader from industry;
  - extensive European and international experience, exposure and contacts;
  - strong high-level governance experience, e.g. Board Chairperson or equivalent;
  - good international experience.
- b) Personal distinctive factors:
  - having a clear vision for the association, and promoting consensus;
  - university education;
  - effective communicator;
  - ideally, multilingual, fluent in English.
- c) Resources:
  - financially supported by the CENELEC Member in their country of affiliation.

The CENELEC President, *inter alia*:

- provides effective high-level representation of the overall strategic issues relevant to the Association to the corporate Bodies as well as leadership to the CENELEC Administrative Board members;
- presides over the General Assembly and other meetings attended by all Members;
- chairs the CENELEC Administrative Board meetings, sets the meeting schedule and agenda, together with the Director General. They are responsible for the effective functioning of the Administrative Board;
- chairs the Presidential Committee on a rotational basis;
- 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 CENELEC corporate 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 entrusting the President-Elect to represent CENELEC by delegation or instead of the President;
- provides and facilitates effective communication between CENELEC, CENELEC Members and stakeholders;
- represents the Association with external organizations and promotes the interests of CENELEC;
- coordinates closely with the Director General and provides advice as necessary on CENELEC operations;
- oversees CENELEC governance and ensures that CENELEC activity conforms to the Statutes and objectives of the Association;
- liaises closely with the Director General and pursues in all their acts the interest of CENELEC.

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

## 5.2 Vice-Presidents

*This provision refers to Art. 16 of the CENELEC Statutes.*

CENELEC Vice-Presidents are industry leaders, or CEOs/Managing Directors/Executive Directors or similar Senior Executives.

They are nominated by a CENELEC Member, and supported by the CENELEC Member of their affiliation, and elected by the General Assembly.

In addition to the eligibility criteria mentioned in the CENELEC Statutes, the following criteria must be taken into account for the nomination:

- a) Experience:
  - working knowledge of CENELEC, including relevant experience in technical management, policy or finance;
  - good international experience.
- b) Personal distinctive factors:
  - university education;
  - effective communicator;
  - has a clear vision for the association, charismatic yet promotes consensus;
  - ideally, multilingual, fluent in English.
- c) Resources
  - financially supported by the CENELEC member in their country of affiliation.

### 5.2.1 Vice-President Finance

The Vice-President Finance, *inter alia*:

- provides leadership of the Administrative Board Working Group on Finance (WG FINPOL) dealing with CENELEC finance as well as effective representation of finance issues to the relevant corporate bodies;
- ensures support to the implementation of the CENELEC Strategy taking into account financial aspects and coordinates periodic input and review of financial aspects of the Strategy;
- 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 CENELEC performance in areas where it has monitoring responsibility;
- ensures that the Consultative Committee dealing with finance coordinates periodic input and review of the Strategy;
- ensures effective communication on financial issues between CCMC and CENELEC Members and key stakeholders of CENELEC;
- chairs or participates in special Working Groups or Task Forces as created by the General Assembly or directed by the Administrative Board;
- collaborates and works cooperatively with other bodies and, in particular, with CENELEC on those financial issues affecting the efficiency and functioning of CCMC;
- actively supports and participates in the work of the Presidential Committee and other CENELEC relevant corporate bodies including the coordination of WG FINPOL work with that of these bodies;
- works cooperatively with the other bodies for the greater good of CENELEC and pursues in all their acts the interest of CENELEC;
- liaises closely with the Director General and the senior management team.

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

### 5.2.2 Vice-President Technical

The Vice-President Technical, *inter alia*:

- ensures the leadership and chairing of the Technical Board (BT) and effective representation of technical issues to the other relevant corporate bodies;
- ensures support to the implementation of the CENELEC Strategy taking into account technical aspects and coordinates periodic input and review of technical aspects of the Strategy;

## CEN-CENELEC Internal Regulations - Part 1:2024

- leads the development of planning of the BT's work, of the CENELEC Strategy, and reports to the Administrative Board and General Assembly on the implementation of the plan;
- chairs meetings of BT:
  - ensures the work of the BT is carried out efficiently;
  - promotes constructive debate and effective decision-making;
  - ensures access to information for the BT to monitor CENELEC's performance in areas where the BT has a monitoring responsibility;
- reports on progress and outcome of the technical work;
- ensures effective communication on technical issues between CCMC and CENELEC Members and key stakeholders;
- chairs or participates in special Presidential Committee, Administrative Board and General Assembly Task Forces as directed by these corporate bodies;
- actively supports and participates in the work of the Presidential Committee, including the coordination of BT work with that of the other main CENELEC corporate bodies;
- works cooperatively with the other Officers for the greater good of CENELEC;
- collaborates and works cooperatively in particular in technical issues with CEN and ETSI;
- liaises closely with the Director General and the senior management team.

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

### 5.2.3 Vice-President Policy

The Vice-President Policy, *inter alia*:

- provides leadership of the Administrative Board Working Group on Policy (WG POL) dealing with CENELEC policy matters, including international relations, as well as effective representation of strategic and policy issues to the relevant corporate bodies;
- chairs the meetings of the Administrative Board Working Group Policy and:
  - ensures that its work is carried out efficiently;
  - promotes constructive debate and effective decision-making;
  - ensures access to information for the Working Group to monitor CENELEC performance in areas where it has a monitoring responsibility;
- ensures support to the implementation of the CENELEC Strategy taking into account the policy aspects and coordinates periodic input and review of policy aspects of the Strategy;
- ensures that the Working Group on Policy coordinates periodic input and review of the CENELEC Strategy;
- ensures effective communication on policy and international relations issues between CCMC and CENELEC members and key stakeholders of CENELEC;
- chairs or participates in special Working Groups or Task Forces as created by the General Assembly or directed by the Administrative Board;
- actively supports and participates in the work of the Presidential Committee and other CENELEC relevant corporate bodies and functions;
- works cooperatively with the other corporate bodies and functions for the greater good of CENELEC and pursues in all their acts the interest of CENELEC;
- liaises closely with the Director General and the senior management team.

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

## **6. Appeal Policy**

### **1.1 Scope and general dispositions**

A Member may appeal against a decision of a Corporate Body when such decision is considered not to be in accordance with the CENELEC Statutes or the Internal Regulations.

Organizations having a cooperation framework (in accordance with CEN-CENELEC Guide 12) or being Partners (in accordance with CEN-CENELEC Guide 25) with CENELEC may appeal against a decision considered not to be in accordance with the CENELEC Statutes or the Internal Regulations and related to the work carried out by the CENELEC Technical Bodies to which that organization has contributed.

Appeals can be lodged within the first three months following the distribution or the upload of the decision on the platform accessible to all persons concerned.

Each party shall bear its own costs as well as the expenses for the evidence and relevant documentation provided by it.

For an appeal related to the technical/standardization work, while that appeal is being considered, any work in progress should be continued unless the Member or organization lodging the appeal provide evidence it presents a serious risk to the health, safety, environment or security of persons or to competition rules.

The Member or organization lodging the appeal shall have the burden of proof to present the reasons for the appeal and provide evidence and relevant documentation evidencing the facts claimed, namely:

- Documents evidencing the process/decisions that is object of the appeal;
- The decision/resolution that is subject of the appeal, including the date of its circulation;
- Document attesting the date of availability of the results of the vote by correspondence;
- Document attesting the date of availability of the decision taken at the meeting;
- Document attesting that the deadline for taking a required action has been met; etc.

A decision taken in settlement of an appeal is final.

A detailed description of appeal procedure is provided in Annex 5.

### **1.2 Decisions taken by CENELEC Corporate Bodies**

Decisions taken by a CENELEC Technical Body shall be appealed to the CENELEC Technical Board.

Decisions taken by the CENELEC Technical Board (BT) shall be appealed to the CENELEC General Assembly.

Decisions taken by the CENELEC Administrative Board shall be appealed to the General Assembly.

Decisions of the General Assembly are final.

### **1.3 Decisions taken by joint Corporate Bodies with CEN**

Decisions taken by a joint CEN-CENELEC Technical Body shall be appealed to the CEN and CENELEC Technical Boards. In those cases where the CEN and CENELEC Technical Boards take different decisions, the appeal shall be submitted to the Presidential Committee as described in the IR Part 1C.

Decisions taken by the Presidential Committee shall be appealed to a Board of Appeal established by the CEN and CENELEC General Assemblies (see Internal Regulations Part 1C for detailed provisions).

## **7. 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 representatives among 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.

## **8. Cooperation with other organizations**

### **8.1 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”.

### **8.2 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 13 “IEC/CENELEC Cooperation Agreement on common planning of new work and parallel voting” also known as the Frankfurt 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 4 of these Internal Regulations Part 1B.



## Annex 1 - CENELEC Administrative Board composition

### Methodology for establishing the Administrative Board composition

For the purpose of the establishment of the Administrative Board composition, Members are divided into four groups (A, B, C and D) according to their financial contribution to the association calculated on the basis of the percentage (%) of annual membership fees paid by each Member calculated on the total amount of annual fees paid by all Members, as well as their type of membership (Blue, Red, Yellow).

The methodology of calculation is summarized in the following tables:

As per annual membership fee calculation table in CEN-CENELEC Guide 21

NC	Membership Type (Blue, Red or Yellow)	Financial unit with factor	Ranking #	Group
	(1)	(2)		
NC name #1			...	either A
NC name #2			...	or B
NC name #3			...	or C
NC name #4			...	or D
.....				

**Group A:** Blue-type Members with a number of financial contribution units of at least 18.

**Group B:** Members with a number of financial contribution units of at least 5 and which are not already part of group A.

**Group C:** Members with a number of financial contribution units of at least 2 but less than 5.

**Group D:** Members with a number of financial contribution units of less than 2.

The size of each of the above groups is different, but (except as provided in the last paragraph of Article 14.2 of the CENELEC Statutes) fixed. In the event the number of financial contribution units applicable to a Member or the type of membership should change so as for such Member to shift from one group to a neighbouring group and to have neither the smallest nor the largest number of financial contribution units within that latter group, the weighting factor unit limits of the relevant groups shall be simultaneously modified by the General Assembly so as for one Member of the latter group to be shifted to the former group if such Member fulfils the two criteria of the new group to which it is to be allocated, to ensure that the size of each group remains identical.

In case of admission of a new Member, the General Assembly will simultaneously decide on such Member's allocation to a group of Members for the purpose of Article 14.1 of the CENELEC Statutes.

In case of admission of a new Member or resignation or expulsion of a Member, the General Assembly will also carry out the corresponding modification of the size of the relevant group.

**Criteria for Group Allocation:**

Ranking based on financial unit with factor (2) and Membership type (1)	
at least 18	Blue-Member Type only
at least 5 but less than 18	Blue, Red or Yellow Type Member
at least 2 but less than 5	Blue, Red or Yellow Type Member
less than 2	Blue, Red or Yellow Type Member



	Max nbr of seats per group
Group A	4
Group B	4
Group C	3
Group D	2
Total	13

**CENELEC Members grouping\***

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

*In line with the CENELEC/AG Decision (AG65/08) these Terms of Reference (“Annex 2 – Advisory Committee Financial Affairs (CENELEC/FIN)”) supersede and replace the previous iteration of the Terms of Reference (“Annex 2 – CENELEC Working Group on Finance (WG FINPOL)”), dated on December 2022.*

## **Annex 2 – Advisory Committee Financial Affairs (CENELEC/FIN)**

### **Terms of Reference**

#### **1. Role**

The role of the Advisory Committee Financial Affairs (CENELEC/FIN) is to advise the CENELEC Administrative Board (CENELEC/CA) on all financial matters.

#### **2. Responsibilities**

The CENELEC/FIN makes recommendations to the CENELEC/CA in relation to:

- the preparation of the CENELEC budget and the monitoring of the CENELEC actuals, including its CCMC component,
- the CENELEC statutory accounts,
- financial relations between CENELEC and CEN, NSBs, the European Commission and EFTA,
- other financial matters or projects as decided by the CENELEC/CA or at its own initiative.

#### **3. Reporting line**

The CENELEC/FIN reports to the CENELEC/CA.

#### **4. Working method**

The CENELEC/FIN meets *in situ* or online at least three times a year (in quarter 1 on the financial results of the previous year, in quarter 2 on the budget frame for the following year, and in quarter 4 on the detailed budget for the following year).

When necessary, additional meetings can take place upon the Chair’s specific invitation.

In accordance with the CEN-CENELEC Guide 35, the meetings of the CENELEC/FIN are held by default in the form of a common session with the CEN/FIN.

The CENELEC/FIN may decide to hold a separate meeting if needed to discuss specific financial matters affecting the association only.

The CENELEC/FIN makes recommendations based on consensus.

#### **5. Composition**

The members of the CENELEC/FIN are:

- the CENELEC Vice-President Finance (Chair)
- one representative of the CENELEC/CA
- four representatives nominated by NCs

The permanent attendees are:

- the CEN-CENELEC Director General
- the CEN-CENELEC Head of Finance (CCMC secretariat)
- the Vice-President Finance of CEN

The CENELEC Vice-President Finance may invite on an ad hoc basis other individuals or experts to contribute to the discussions on specific subjects, when needed.

## 6. Appointments and qualification criteria

The composition of the CENELEC/FIN is approved by the CENELEC/CA sitting in a common session with the CEN/CA.

The members of the CENELEC/FIN are appointed as follows:

- CENELEC Vice-President Finance (Chair):  
The Vice-President Finance is appointed by the CENELEC/AG according to article 16 of the CENELEC Statutes and in line with the provisions of clause 5 of the Internal Regulations Part 1B.
- CENELEC/CA representative:  
The CENELEC/CA representative is appointed by the CENELEC/CA following a call for nomination.
- Representatives from NCs:  
The representatives are nominated by NCs following a call for nomination and appointed by the CENELEC/CA sitting in a common session with the CEN/CA.

The nominated candidates shall meet the following qualification criteria:

- ✓ Holding a management position in their own organization with a relevant level of decision-making and influence,
- ✓ Possessing adequate financial knowledge to support the decision-making process of the association on financial matters,
- ✓ Committed to active involvement and participation to *in situ* and online meetings.

If the list of nominated candidates exceeds 4, the CENELEC Vice-President Finance shall select the candidates based on the qualification criteria, taking Membership diversity into account, and provide a recommendation to the CENELEC/CA for approval.

## 7. Role and responsibilities of the CENELEC/FIN members

The CENELEC/FIN members commit to allocate the appropriate time and efforts to the accomplishment of their mission. In their contribution to the development and adoption of the CENELEC/FIN recommendations, they serve in a personal capacity and support the association for the benefit of European interests.

Failure to attend two consecutive meetings of the CENELEC/FIN without appropriate justification shall lead to the dismissal of the CENELEC/FIN membership.

In case of a vacancy, be this due to retirement, resignation, removal, declared incapacity or death, a nomination process is launched as per clause 6 of the present Terms of Reference.

The appointed candidate will complete the term of his/her predecessor.

## 8. Terms of office

The terms of office of the members of the CENELEC/FIN are defined as follows:

- CENELEC Vice-President Finance (Chair):  
The Chair is appointed for a term of office corresponding to the length of his/her term as Vice-President Finance.
- CENELEC/CA representative:  
The CENELEC/CA representative is appointed for a term of office corresponding to the length of his/her term as member of the CENELEC/CA.
- Representatives from NCs:  
The representatives from NCs are appointed for a term of office of three years, renewable once.

## **9. Resources**

The CENELEC/FIN members cover all their expenses.

Resources in support of the CENELEC/FIN include the time and direct costs incurred by the members, CCMC in its secretariat role and the use of IT tools.

## Annex 3 - CENELEC Working Group on Policy (WG POL)

### Terms of Reference

#### 1. 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 of those decisions.

#### 2. 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 and Affiliates 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 the CA.

#### 3. Working method

The CLC WG POL meets physically or online and at least twice a year. When necessary, additional meetings can take place upon the Chairperson'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 may be structured in two sessions: one closed with participation restricted to Members (NCs) only, and one open with participation of relevant external guests (Partner Organizations and European Counsellors), thus offering an open platform to gather stakeholders' needs and feedback and to ensure the market relevance of CENELEC policy activities.

In accordance with CEN-CENELEC Guide 35, the WG POL usually meet in the form of common meetings with the CEN CACC POL, to discuss specific common policy matters and make joint recommendations upon request made by the Presidential Committee by one or the other Administrative Board, by the two Administrative Boards during their common session, or upon their own initiative. The CENELEC WG POL may decide to organize a separate meeting if this is needed to discuss sector specific policy matters affecting only CENELEC.

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 the CLC WG POL.

#### 4. Composition

Chairperson:	CENELEC Vice-President Policy
Members:	All interested Members' representatives (as per 4.2 of IR Part 1B)
Secretariat:	CCMC
Permanent attendees:	CEN-CENELEC Director General
Observers:	Partner Organizations (cfr. CEN-CENELEC Guide 25)

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

## **5. Appointment**

### Vice-President Policy

The Vice-President Policy is proposed by the CENELEC National Electrotechnical Committees and appointed by the CENELEC/AG according to Article 21 of the CENELEC Statutes.

### 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 dedicate 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.

## **6. Term**

### Vice-President Policy (Chairperson)

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

### CLC WG POL Members

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

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



## Annex 4 - IEC-CENELEC Management Coordination Group (MCG)

### Terms of Reference

#### 1. 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.

#### 2. Objectives

The MCG is:

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

#### 3. 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

#### 4. Working methods

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

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

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

## **Annex 5 - Appeal Procedure**

### **1. Appeal against a CENELEC Technical Body decision**

The Member, partner or organization having a cooperation framework with CENELEC shall submit the appeal including the relevant evidence and documentation to the BT Chairperson and the CEN-CENELEC Director General, who shall inform the BT members of the lodge of the appeal within one month.

The Technical Board shall decide on the Appeal, within three months from the date of the receipt of the Appeal.

The Decision of the Technical Board is final.

### **2. Appeal against a CEN-CENELEC Technical Body decision**

The Member or organization having a cooperation framework with CENELEC shall submit the appeal including the relevant evidence and full documentation to the CEN and CENELEC technical Boards Chairpersons and to the CEN-CENELEC Director General, who shall inform the CEN BT members and CENELEC Permanent delegates of the lodge of the Appeal within one month.

The CEN and CENELEC Technical Boards shall decide on the Appeal, within three months from the date of the receipt of the Appeal.

If both Technical Boards reach the same decision, the Decisions of the Technical Boards are final.

If the decisions of the CEN and CENELEC Technical Boards differ, the appeal shall be submitted to the Presidential Committee.

The Decision of the Presidential Committee is final on appeals against decisions taken by joint CEN and CENELEC Technical Bodies when the CEN and CENELEC Technical Boards decisions on the first level appeal differ.

### **3. Appeal against a CENELEC Technical Board and Administrative Board decision**

The Member shall submit the appeal including the relevant evidence and full documentation to the CENELEC Chairperson of the General Assembly and to the CEN-CENELEC Director General, who shall inform the CENELEC General assembly of the lodge of the appeal within one month.

The General Assembly shall decide on the Appeal at the occasion of the first incoming meeting.

The Decision of the General Assembly is final.

### **4. Appeal against a decision of the Presidential Committee**

The Member shall submit the appeal including the relevant evidence and full documentation to the CEN-CENELEC Director General, who will inform the General Assembly of the Appeal within one (1) month from the reception of the appeal.

The General Assemblies of CEN and CENELEC will establish a Board of Appeal (see Internal Regulations Part 1C).

The decision of the Board of Appeal is final.

## 1C: CEN-CENELEC common organizational regulations

### 1. Presidential Committee and its advisory bodies

#### 1.1 Presidential Committee

*This provision refers to Art. 17, 18, 19 of the CEN Statutes and Art. 20, 21 and 22 of CENELEC Statutes.*

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.

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

- Issues related to membership and Organizations with CEN and/or CENELEC cooperation framework issues (potential new Members, Affiliates, Companion Standardization Bodies). 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;
- Conduct of the selection process for the common CEN-CENELEC Director General and propose a candidate for appointment by the CEN and CENELEC Administrative Boards;
- Decision on the scope, field of activity and the work programme of a Joint Technical Committee when the CEN and CENELEC Technical Boards cannot reach agreement.
- Common Communications & Visibility Policy;
- Identification of common elements in search of further synergies/optimization of resources;
- CEN-CENELEC service contract agreement;
- Decisions on Appeals, when competent, in accordance with the Statutes and Internal regulations
- Determining of the yearly objectives, yearly bonus and other conditions of employment of the Director General, in accordance with the Statutes
- Appointment of the Chairperson of the Membership Relations & Monitoring Committee (MRMC) (see ToR in Annex 1 of the IR 1D);
- The mandate of the REmuneration and NOmination COmmittee (RENOCO) (see ToR in Annex 1 of the IR Part 1C).

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

The Presidential Committee decides on appeals when CEN and CENELEC BTs' decisions to solve the appeal on a joint Technical Body are different.

Likewise, an appeal shall be presented to the Presidential Committee if the appeal challenges a decision taken by the CEN and/or CENELEC Technical Board(s) on a CEN-CENELEC common matter in the event that the decisions of the CEN and CENELEC Technical Boards differ.

Decisions taken by Presidential Committee may be appealed to the Board of Appeal.

## 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 (CCMC)

*This provision refers to Art. 24 of the CEN Statutes and Art. 25 of the CENELEC Statutes.*

The CEN-CENELEC Management Centre is a joint technical exploitation unit established by CEN and CENELEC, headed by the Director General and comprising such staff as CEN and CENELEC may require performing 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.

The Director General, or their 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 Board of Appeal.

And participate in an advisory capacity to:

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

## 3. The Director General

*This provision refers to Art. 22 and 24 of the CEN Statutes and Art. 23 and 25 of the CENELEC Statutes.*

The Director General is responsible for the implementation of decisions of Corporate Bodies. The Director General or their staff representative is entitled to attend any meeting, which the fulfilment of their 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.

The Director General is appointed by the Administrative Boards of CEN and CENELEC, upon the recommendation of the Presidential Committee, whose decisions are acknowledged by the respective General Assemblies of each organization.

### Delegation of powers

The Director General may decide to delegate the power of management and the power of representation relating to specific (day-to-day) business. Day-to-day business is to be understood as performing any acts and decisions which do not exceed the needs of the day-to-day life of the association, and those decisions which, either because of their limited importance, or because of their urgency, do not justify the intervention of the Administrative Board or the Presidential Committee

Such delegation of powers may be revoked at any time, and without a particular or justified reason. The Director General remains liable for the proper execution of their responsibilities; consequently, the mandated person shall have the obligation to report and to provide all necessary information when requested, so that the

Director General may monitor the proper execution of the delegated powers.

In the event of incapacity of the Director General to perform the management of their responsibilities that are essential to the day-to-day business, and in cases of force majeure, the Director General may delegate relevant powers to a specific member of the senior management team.

In particular, the Director General may decide to delegate the powers such as:

- approval of expenses and signature of contracts as documented in the CCMC Quality Management system;
- relevant powers related to the organization of governance meetings of the Associations and relevant powers of representation to the Director responsible for Governance;
- any relevant powers relating to day-to-day management that they deem appropriate, to a person of choice, as deemed appropriate (such as the management of human resources, budget, etc.);
- the deeds of current and daily management, such as the receipts and letters of indemnity towards third parties, the administration of transport, communication and banking systems, contracts and any other state administration matter, to the person of choice, as deemed appropriate.

The Director General shall ensure that the delegated powers are properly understood and accepted by the mandated person, if possible, in written form.

After having delegated specific powers, the Director General does not deprive themselves therefrom.

#### **4. Appeal policy**

A Member may appeal against a decision of a joint CEN-CENELEC Corporate Body or Technical Body when such decision is considered not to be in accordance with the CEN or CENELEC Statutes or the Internal Regulations.

Organizations having a cooperation framework (CEN-CENELEC Guide 12) or being Partners (CEN-CENELEC Guide 25) with CEN and/or CENELEC may appeal against a decision considered not to be in accordance with the CEN or CENELEC Statutes or the Internal Regulations and related to the work carried out by the CEN or CENELEC Technical Bodies to which that organization has contributed.

Appeals can be lodged within the first three months following the distribution/upload of the decision.

Each party shall bear its own costs as well as the expenses for the evidence and relevant documentation provided by it.

For an appeal related to the technical/standardization work, while that appeal is being considered, any work in progress should be continued unless the member or organization lodging the appeal provides evidence it presents a serious risk to the health, safety, environment or security of persons or to competition rules.

The Member or organization lodging the appeal shall have the burden of proof to present the reasons for the appeal and provide evidence and relevant documentation evidencing the facts claimed, namely:

- Documents evidencing the process/decisions that is object of the appeal;
- The decision/resolution that is subject of the appeal, including the date of its circulation;
- Document attesting the date of availability of the results of the vote by correspondence;
- Document attesting the date of availability of the decision taken at the meeting;
- Document attesting that the deadline for taking a required action has been met; etc.

A decision taken in settlement of an appeal is final.

#### **4.1 Appeal against a CEN-CENELEC joint Technical Body decision**

A Member, partner or organization having a cooperation framework shall submit the appeal including the relevant evidence and documentation to the Chairpersons of the CEN and CENELEC Technical Boards and the CEN-CENELEC Director General, who shall inform the BT members and Permanent Delegates of the lodge of the appeal within one month as well as the Presidential Committee.

The CEN and CENELEC Technical Boards shall decide on the Appeal, within three months from the date of the receipt of the Appeal.

If both Technical Boards reach the same decision, the Decisions of the Technical Boards are final.

If the decisions of the CEN and CENELEC Technical Boards differ, the appeal shall be submitted to the Presidential Committee.

The Decision of the Presidential committee is final.

#### **4.2 Board of Appeal**

When the appeal refers to a decision of the Presidential Committee, the General Assemblies of CEN and CENELEC shall on a case-by-case basis establish and mandate a Board of Appeal to solve it.

The Board of Appeal is composed of six members, half of which are elected by the CEN General Assembly and half of which are elected by the CENELEC General Assembly. The members of the Board of Appeal shall agree and appoint the Chairperson of the Board of Appeal, at the latest at the first meeting. The Chairperson shall also have the voting rights.

The General Assemblies shall ensure a balanced representation in the Board of Appeal of all interests involved.

The Chairperson shall be appointed by the members of the Board of Appeal, amongst themselves.

The Chairperson shall convene the meetings.

Decisions of the Board of Appeal shall be taken by a qualified two-thirds majority of votes.

The decision of the Board of Appeal is final for CEN and CENELEC.

The Board of Appeal decides on the validity of the appealed decision. The Board of Appeal may therefore declare that the decision of the Presidential Committee is:

- a) void (not in accordance with the Statutes/IRs), in which case it shall refer the matter back to the Corporate Body who took the decision; or
- b) valid, in which case the contested decision is deemed to be in accordance with the Statutes and IRs and remains valid.

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

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

With 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 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.

## **5.2 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 3 “CEN and CENELEC Cooperation Agreement” as well as in the CEN-CENELEC-ETSI Basic Cooperation Agreement. It is also included in Annex to the IR Part 2.

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

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

### **6.1 Affiliates**

Affiliation with CEN and CENELEC is available to a National Standards Body or National Committee, which is a member (corresponding or associate) 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 Affiliate Status are given in the CEN-CENELEC Guide 12 “The concept of Affiliation with CEN and CENELEC”.

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

The status of an organization having a cooperation framework with CEN and/or CENELEC (referred to as a Companion Standardization Body (CSB)) with CEN and CENELEC is available to a National Standards Body or National Committee (NC), which is a member (corresponding or associate) 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 a CEN and/or CENELEC Member or a 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”.

### **6.3 Relations with other standards bodies**

A Cooperation Agreement is offered to any National Standards Body or National Committee not desiring to become Affiliate or CSB but with the intention of develop 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.

A Memorandum of Understanding is a tool established to start official cooperation relations with a recognized Regional Standardization Body.

## **Annex 1 – Informative**

### **REmuneration and NOmination COmmittee (RENOCO)**

#### **Terms of Reference (ToR)**

#### **1. Role and definition (including scope of the group)**

According to CEN Statutes Article 17 and the CENELEC Statutes Article 20, the PC is a CEN and CENELEC joint corporate body created by the CEN and CENELEC General Assemblies, to manage and administer the Associations' business with respect to non-sector specific matters of common interest to both Associations, including matters subject to common administration and/or common policy, as provided in the Internal Regulations (Part 1C) and in particular certain decisions regarding the Director General ("DG") and, as the case may be, Deputy DG.

The Presidential Committee by decision 05/2020 established the REmuneration and NOmination COmmittee (RENOCO) in charge of giving advice to the PC prior to any PC decision regarding CEN-CENELEC Management Centre (CCMC) top management selection, conditions of employment and remuneration.

The PC can also (within the powers of the PC) explicitly mandate the RENOCO to take certain decisions itself.

The DG has the broadest powers on lower management issues that are covered by the authority given by the Articles 22 (CEN) and 23 (CENELEC) of the Statutes and the Internal Regulations Part 1C "CEN-CENELEC common organizational regulations", Chapter 3.

#### **2. Responsibilities (including expected deliverables and deadlines)**

The RENOCO has the following responsibilities:

- establish the yearly objectives, yearly bonus and other conditions of employment of the Director General and, as the case may be the Deputy DG;
- provide input to the DG regarding the performance, succession and talent retention plan of the members of the Director General Committee (DGC), acting as a consultative body or when specifically requested by the DG;
- any specific responsibility delegated by the PC (within the PC powers).

#### **3. Reporting line**

The RENOCO reports to the Presidential Committee (PC).

The RENOCO makes recommendations (or takes decisions, in case of specific mandates) based on consensus. If no consensus is reached, the RENOCO provides the PC with the terms of the discussion, so as for the PC to take the decision based on this knowledge.

#### **4. Working method**

The RENOCO meets online, physically, or hybrid set up upon the Chair's discretion. It should have at least 2 meetings per year, normally in Q1 and in Q4.

#### **5. Composition**

Members with voting rights:

The President of CEN

The President of CENELEC

1 CEN Vice-president appointed by the PC

1 CENELEC Vice-president appointed by the PC



Members without voting rights:

- 1 Board member appointed by the CEN/CA
- 1 Board member appointed by the CENELEC/CA
- The CEN President Elect, when relevant
- The CENELEC president Elect, when relevant

The Director General is invited to the meetings of the RENOCO, but not for any item of the agenda regarding themselves.

Chair: The PC Chair

Secretariat: a member of the CCMC senior management team

Appointed members will serve all the meetings of the Committee with no possibility to be replaced by an alternate.

## **6. Appointment and qualification criteria**

The members of RENOCO, serve in a personal capacity, with full respect of the confidentiality requirements requested by the nature of the allocated responsibilities.

The Presidents and Presidents-Elect are automatically appointed as members of RENOCO during their full term of office.

Vice-Presidents and Board members will be elected after a call for nominations within the PC and the CEN and CENELEC Boards respectively. The re-election as Officers will automatically extend their appointments in the RENOCO.

Every year the secretariat will identify potential vacancies connected to the end of the term of office of the members and the DG will proceed with the call for candidates to ensure a full composition every year. In case members are appointed after the initiation of their Officers' term they will continue being members until the end of their terms.

The PC will agree the final composition aiming at the appropriate level of competences and experience and considering gender and geographical diversity based on the following criteria:

- be Executive Officers with broad strategic and oversight level of information and knowledge of CEN and/or CENELEC business activities;
- understand the wider strategic process of performance management and how it contributes to business strategy and value; as well as individual motivation and career development;
- have knowledge and experience on the application of corporate and labour legal matters, in particular in relation to the CEN Statutes and CENELEC Statutes and CEN and CENELEC Internal Regulations;
- be familiar with the CEN and CENELEC Governance.

## **7. Role and responsibilities of the appointed members**

The members of the RENOCO commit to:

- invest adequate time to the above-described responsibilities in view to actively participate in discussions and to contribute to the achievements of their tasks;
- full adhesion to the confidentiality and GDPR requirements;
- serve the group during their full term as Officers with no possibility to delegate or be replaced by an alternate.

## **8. Timeframe and resources**

The RENOCO is established for a period of 3 years. After this period the PC will confirm or revise its ToRs in line with the simplification of governance guidance.

Resources in support of the RENOCO may include an external advisor on the matter under consideration, time spent by the Chair, appointed members, IT tools available, and the CCMC secretariat role.

## 1D: CEN and CENELEC Membership Requirements

### Scope

*This provision refers to Art. 8 of the CEN Statutes and Art. 8 of the CENELEC Statutes)*

As part of the CEN and CENELEC commitment to maintain, improve and continuously strengthen the effectiveness of the European standardization system in order to achieve excellence, CEN and CENELEC agreed in 2012 to establish a set of criteria for membership to be fulfilled by all Members. The Membership criteria have been revised in 2017 and in 2021 considering strategic developments within CEN and CENELEC and are included under the present Internal Regulations Part 1D.

The CEN-CENELEC Guide 22 “Guide on the organizational structure and processes for the assessment of the membership criteria of CEN and CENELEC” describes the organizational structure and processes for the management and assessment of the implementation of the membership criteria.

All Members undergo regular assessments of compliance with the CEN and CENELEC Membership Requirements. Certain Members (depending on the type of their Membership) also undergo additional and specific assessments of compliance with specific obligations.

The CEN and CENELEC membership criteria are 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 (hereinafter referred to as EU Regulation 1025/2012). Clause 5 hereunder provides a table summarizing the relevant link between CEN and CENELEC membership criteria, the WTO/TBT Agreement and EU Regulation 1025/2012.

The term 'Member' is used to designate a National Standardization Body (NSB) Member of CEN or a National Electrotechnical Committee (NC) Member of CENELEC as defined in Article 7 of the CEN Statutes and Article 7 of the CENELEC Statutes, commonly referred to as “Members” notwithstanding the Blue-type, Red-type, or Yellow-type, unless specified to the contrary. There can only be one Member per country. The Members must meet the following requirements:

1. Adopting at national level all European Standards and withdrawing national conflicting standards
2. Being a Member (full or correspondent) of ISO in the case of CEN Members, or a Member (full or associate) of IEC, in the case of CENELEC Members
3. Adhering to and abiding by the standardization principles of the World Trade Organization
4. Being the National Standardization Body or a National Electrotechnical Committee of a European state within the meaning of [Article 49 of the Treaty on European Union](#) with the following relations with the European Economic Area (EEA):
  - Blue-type Members: Members of the European Economic Area (EEA)
  - Red-type Members: Members of EFTA which are not Blue-type Members or in States that are identified by the EU Institutions as [Countries Candidates for accession to the EU](#)
  - Yellow-type Members: having an agreement with the EU and demonstrating regulatory convergence or compatibility with the essential regulations that support the Single Market in areas that are relevant to CEN and/or CENELEC activities

The obligations to be fulfilled by the Members at all times are detailed in Clause 1 of the Internal Regulations Part 1D.

Affiliation with CEN and/or CENELEC is available to a National Standardization Body or a National Electrotechnical Committee, listed in the official list of candidates to European Union Accession, with a view to facilitate an effective technical alignment with the countries of the EEA. It enables privileged access to the standardization work of CEN and/or CENELEC and supports the progressive integration of the applicant body in the European Standardization System. See also Internal Regulations Part 1C.6.1. The criteria that apply to Affiliates are detailed in the CEN-CENELEC Guide 12.

The obligations to be fulfilled by Affiliates are outlined in Clause 1 of the Internal Regulations Part 1D.

A National Standardization Body or a National Electrotechnical Committee, which is a 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 Member or CEN and/or CENELEC Affiliate, may have a framework agreement with CEN and/or CENELEC. Details regarding such status are provided in the CEN-CENELEC Guide 13 “The concept of a Companion Standardization Body with CEN and CENELEC”.

See also Internal Regulations Part 1C.6.2. Obligations to be fulfilled by the NSBs/NCs having a cooperation framework agreement with CEN and/or CENELEC are described in Clause 1 of the Internal Regulations Part 1D.

The obligations of Affiliates and organizations that have a cooperation framework with CEN and/or CENELEC as described must always be fulfilled.

## 1. Standardization Principles

*These provisions refer to Art. 8 of the CEN Statutes and Art. 8 of the CENELEC Statutes.*

### 1.1 Transparency

The principle of 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.

#### a. Work Programme

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

The Work Programme shall contain information on the European and national standards and standardization deliverables that the national organization 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 a basis.

#### b. New Work Items

The Members and Affiliates shall apply the notification procedure for national work, which includes a 'standstill' on all national work in the areas of agreed European work, as defined in the Internal Regulations Part 2. 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 (CENELEC Guide 8) has been established and should be adhered to.

#### c. Draft documents

##### 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.

### **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 countries of other Members, 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.

Each Member can request another 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.

Blue-type Members shall send to the European Commission a draft national standard, upon request, as stipulated in Article 4 of the European Regulation 1025/2012.

### **d. Published deliverables – Final Documents**

The Member shall ensure access to the published deliverables, such as standards, technical specifications, 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 the withdrawal of conflicting national standards (see also subclause 1.5 'Coherence').

### **e. Public enquiry procedures**

The Members and Affiliates shall have well-established procedures in place to:

- ensure access to draft standards for comment to all interested parties free of charge in a public enquiry procedure;
- allow adequate time and opportunities for all interested parties and all stakeholders to provide written comments.

### **f. 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 Members/Affiliates operate.

This also includes information on Members' or Affiliates' Technical Committees and Working Groups and their link with the corresponding European (CEN and CENELEC) and international (ISO and IEC) Technical Committees.

## 1.2 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 "Small and Medium Enterprises" (SMEs) and representatives of societal interests, in the development of standards, so as to ensure representation in a real multi-stakeholder process.

### a. Principle of open participation

The Members shall comply with the principle of open participation to any 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 Members shall also allow other Members to be involved as observers in their technical bodies' activities, and to receive draft standards and information on the standardization process, as specified in subclause 1.3.

### b. Principle of appropriate representation of the stakeholders' interests

The Members 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 in the work of the technical bodies.

The Members shall ensure adequate representation of stakeholders in their relevant governing bodies.

### c. National delegation' principle

*(These provisions refer to Art. 7.3 of the CEN Statutes and Art. 7.4 of the CENELEC Statutes).*

The Members, Affiliates and Organizations (NSBs/NCs) having a framework with CEN and CENELEC shall have the capacity:

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

The Members have the obligation to vote on all General Assembly decisions, notwithstanding the form of the decision (decisions taken in meetings or by correspondence) or means of participation in the meeting (remote participation or in person).

### d. Sustainable development

The Members shall encourage and facilitate the participation of all interested parties and stakeholders, including potentially under-represented stakeholders such as SMEs and representatives of societal interests.

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

### 1.3 Impartiality and Consensus

The Members shall ensure that their organizational structure, the processes and procedures in place, including management of appeals, guarantee an impartial and neutral platform for the standards development work. The rules on the Appeal procedures are detailed in the Internal Regulations Part 1A, 1B and 1C, as applicable.

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

#### a. Impartiality of the standardization process

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

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

#### b. Consensus

The Members 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 Members 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.

#### c. Neutrality of interests, impartiality and independence of the Member's governance

The Members shall ensure a structure that is neutral with regard to the specific interests of the private and public stakeholders participating in their relevant governing bodies. This implies that the Members' rules enable the functioning of their 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 Members.

The Members' 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;

## CEN-CENELEC Internal Regulations - Part 1:2024

- 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 Members' organizational structure, through their governing and technical bodies being formalized, and by having available financial and human resources that are stable and adequate to face the tasks incumbent upon it.

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

The Members 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 Members 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.

Members shall be able to respond to market needs, scientific and technological developments as well as societal and regulatory needs. Members shall have established appropriate processes in place, so as to facilitate contributions to the CEN and CENELEC standardization activities.

#### a. Promotion 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 (see CEN-CENELEC Guide 10 for complementary information);
- Compliance with competition law requirements for participants in standardization activities (see CEN-CENELEC Guide 31 for complementary information);
- Patent policy based on royalty-free or FRAND conditions (see CEN-CENELEC Guide 8 for complementary information).

#### b. Easy access to customers and regular update procedures

The Members shall ensure that the standards and other deliverables are maintained to a high quality through the use of adequate quality procedures that include verification and control of documents before publication. Furthermore, the Members shall ensure that all necessary processes are in place to be able to implement corrective actions in case inaccuracies in published standards are detected, especially in the case of standards translated into the national language. Members shall have in place procedures for integrating and controlling corrective actions as well as preventive actions in future similar cases.

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



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

## 1.5 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.

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

- Giving the European Standards “ENs” the status of national standards; and
- Withdrawing any conflicting national standards.

All Affiliates shall implement the European Standards by:

- Adopting the European Standards developed by Technical Bodies in which it participates as national standards in accordance with the CEN-CENELEC Internal Regulations Part 2;
- Withdrawing any national standard that is conflicting with any European Standard being adopted.

All other organizations (NSBs/NCs) having a framework with CEN and/or CENELEC are invited to endeavour to adopt European Standards and to withdraw any national conflicting standard.

### a. Internal coherence within the CEN-CENELEC system

The Members, Affiliates and all other organizations (NSBs/NCs) having a framework with CEN and/or CENELEC 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 Members, Affiliates and all other organizations (NSBs/NCs) having a framework with CEN and/or CENELEC shall take no action which could prejudice harmonization and, in particular, shall refrain from publishing a new or revised national standard which is not consistent with an existing European Standard in the same field.

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

CEN and CENELEC shall be duly notified of any derogation by the Members, in accordance with Internal Regulations Part 2. Approximation of the main sets of technical legislation to the directives in force in the EEA, or the equivalent legislation in Switzerland, is a privileged way of achieving this result.

All Members shall strive to have full implementation of all CEN and CENELEC European Standards. At the moment of their application to become a Member, the rate of implementation is set at a minimum of 80 % of the CEN and/or CENELEC standards and other deliverables.

The Members 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 subclause 1.1, b).

### **b. External coherence at the international level**

The Members shall ensure that their 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 Members shall promote cooperation and coordination with the other relevant international standardization bodies and avoid duplication or overlap of the standardization activities.

### **c. Coherence of work in line with “one topic-one standard” rule**

When a New Work Item is proposed, the Members shall ensure a systematic check to mitigate the risk of duplications or conflicts with existing standards. This obligation to ensure that there is no overlap in standardization activities reflects the principle of “one topic – one standard”.

Considering that some standardization activities may have impact at public policy level (e.g. market surveillance activities), the Members shall endeavour to seek the involvement of the relevant public bodies and officials whenever necessary. Consequently, the Members’ rules and procedures shall provide the possibility for participation of the relevant national public bodies.

### **d. Link with national legislation**

The Member shall have in place a system that allows identification of the possible role of standardization in support of legislation.

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

The Yellow-type Members will report on any new national standards aimed at supporting national legislation, those standards linked to conformity with legislation.

## **1.6 Viability and Stability**

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 Members to ensure financial viability and legal stability in the long run.

In this context, the Member, Affiliates and all other organizations (NSBs/NCs) having a cooperation framework with CEN and/or CENELEC shall also fulfil the CEN and CENELEC requirements for having in place an adequate Intellectual Property Rights (IPR) policy (in line with the relevant CEN-CENELEC Guides), as well as adequate infrastructure, as explained below.

A formal governmental recognition as National Standardization Body/Standardization Electrotechnical Committee referred to as National Committee (NC), is a fundamental requirement of this principle.

### **a. 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 Members, Affiliates and all other organizations (NSBs/NCs) having a framework with CEN and/or CENELEC shall ensure their capacity to pay the annual membership fee. The fees are calculated on a yearly basis in

accordance with the CEN-CENELEC Guide 21 and approved by the General Assembly, in accordance with Article 8 of the CEN Statutes and Article 8 of the CENELEC Statutes.

The Yellow-type Members have an obligation to pay a top-up financial contribution that is calculated yearly based on the annual EU and EFTA Operating Grants amount for CEN and CENELEC combined with a weighting factor, with the objective to support the European standardization system. This contribution is part of the membership fees.

### **b. National recognition**

The Members, Affiliates and all other organizations (NSBs/NCs) having a framework with CEN and/or CENELEC shall be recognized as the official National Standardization Body or National Electrotechnical Committee in their respective countries. National recognition may come from e.g. national law, a public administrative act, or a private arrangement concluded with the relevant national authority.

CENELEC members, Affiliates or organizations having a cooperation framework with CENELEC shall also be recognized in their countries as an organization officially competent in the area of electrotechnical standardization.

### **c. Infrastructure and resources**

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

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

### **d. Protection of CEN-CENELEC legal interest and Intellectual Property Rights (IPR)**

The stability of the system is also guaranteed by two levels of IPR protection.

#### At national level:

The National legislation on IPR shall not be conflicting with the established CEN-CENELEC policy and practices under the CEN-CENELEC:

- Guide 8 on implementation of the common policy on Patents (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.

When the Member gets informed of an existing or newly proposed conflicting rule, provision or law at the national level, it shall immediately inform 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 organizational level:

The Member's internal commercial and legal policies and practices are fully in line with the above-mentioned CEN-CENELEC Guides. The same applies to Affiliates and all other organizations (NSBs/NCs) having a framework with CEN and/or CENELEC.

The Member's policy regarding the participation of its representatives in CEN and CENELEC activities at technical and governance level, is compliant with Guide 31 on competition law for participants in CEN-CENELEC activities. The same applies to Affiliates and all other organizations (NSBs/NCs) having a framework with CEN and/or CENELEC.

## **2. Application for CEN or CENELEC membership**

### **2.1 Procedure for membership application**

The Organization that files a request to become a CEN and/or CENELEC 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 shall not slow down the progress of CEN and/or CENELEC, which are governed by market needs. In this respect, the Candidate organization shall fulfil the following additional Criteria for membership within CEN and/or CENELEC.

According to Article 7 of the CEN Statutes and Article 7 of the CENELEC Statutes, a Candidate Organization may submit an application to become a Blue-type, Red-type or Yellow-type Member, depending on the criteria it fulfils.

The Candidate Organization shall be recognized in its country as the official standardization 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 for all areas of CENELEC's own areas of competence. In order to meet the criteria for application to become any of the three types of Members, the Candidate organization must show that at least 80 % of the CEN or CENELEC standards in force are fully implemented.

Any Candidate Organization must be a member (full or correspondent) of the International Organization for Standardization (ISO) and/or member (full or associate) of the International Electrotechnical Committee (IEC), as appropriate. Any Candidate Organization must ensure that all necessary measures are in place to ensure the fulfilment of its obligation to vote, either in person or by electronic means of communication, as stipulated in Articles 8 and Article 11 of the CEN Statutes and Articles 8 and 11 of the CENELEC Statutes.

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.

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 criteria for membership, namely Article 7 of the CEN Statutes and Article 7 of the CENELEC Statutes, and the above outlined membership criteria and principles, as a result of the assessment made by independent experts under the coordination of the CEN-CENELEC Membership Relations and Monitoring Committee (MRMC).

## 2.2 Procedure to become a Blue-type Member

The Candidate organization applying for the Blue membership with CEN and/or CENELEC shall be a National Standardization Body or a National Electrotechnical Committee in a country member of the European Economic Area (EEA) as established by the EEA Agreement (signed in 1992 and entered into force in 1994), commonly referred to as EEA EFTA countries.

CEN and CENELEC shall assess if the process of approximation of the national legislation of the Candidate organization with that of the EU has reached such a point that the legislative framework for voluntary standardization is in place and fully operational.

CEN and CENELEC shall assess if there are conditions to full application of EU Regulation 1025/2012 concerning standardization activities.

## 2.3 Procedure to become a Red-type Member

The Candidate organization applying for the Red-type membership with CEN and/or CENELEC shall be a National Standardization Body or a National Electrotechnical Committee in a country that does not fulfil conditions for the Blue-type membership, however, is either:

- an EFTA country, or
- a country that has initiated a process of accession to become an EU or EFTA member.

The Candidate Organization must be in a position to prove that a formal agreement between the EU or EFTA and its respective country has been signed with a view to initiate the process of accession. Such an agreement demonstrates the fulfilment of the main pre-accession criteria, including and not limited to complying with all the EU's standards and rules. The complete list of countries that have obtained the status of a Country Candidate to the EU can be found at the website of the EU Commission: [Candidate Countries - Enlargement - Environment - European Commission \(europa.eu\)](https://ec.europa.eu/enlargement/).

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 process.

The Assessment report to enable the CEN and/or CENELEC decision(s) shall include whether the process of approximation of the national system of the Candidate organization with that of EU/EFTA has reached such a point that the legislative framework for voluntary standardization is in place and fully operational.

The Assessment report to enable the CEN and/or CENELEC decision(s) shall further assess whether the 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 potential 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 or the equivalent legislation is a privileged way of achieving this result.

CEN and CENELEC shall be duly notified of such derogation by the Members, in accordance with the Internal Regulations Part 2.

## 2.4 Procedure to become a Yellow-type Member

The Candidate organization that does not fulfil the criteria to become a Blue-type or Red-type Member, may request a Yellow-type membership, if it is a National Standardization Body or National Electrotechnical Committee of a European country able to demonstrate regulatory convergence or compatibility with the essential regulations that support the Single Market in areas that are relevant to CEN or CENELEC activities, and having an Agreement with the EU.

The Candidate organization must demonstrate that its national regulatory framework is convergent or compatible with the essential regulations that support the Single Market. In addition, the Agreement signed with the EU by the Candidate organisation's home State should contain a dispute settlement mechanism that covers technical barriers to trade. The national legal framework and/or the Agreement with the EU should include provisions addressing at least two of the following elements:

- participation of that European state's standardization bodies in the European (or regional) standardization organizations;
- national legislation stipulates presumption of conformity with legislation for the voluntary use of harmonized European Standards;
- any other element demonstrating an equivalent convergence towards European Standards and standardization processes.

The Candidate organization shall present an application that contains documentary evidence in support of the claim to have "the regulatory convergence or compatibility", as described above. These documents shall be examined as part of the assessment procedure.

The Assessment report to enable the CEN and/or CENELEC decision(s), shall:

- include an evaluation of whether the process of convergence or compatibility of the national system of the Candidate organization with that of EU/EFTA has reached such a point that the national framework including relevant legislation is in place and fully operational.
- assess whether the 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 potential 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 local market as they play in the Internal Market.

For the first assessment, the assessors shall be appointed by the CEN and CENELEC Administrative Boards upon recommendation of the Presidential Committee and the assessment costs shall be covered by the Candidate organization. The Presidential Committee may consult MRMC for the identification of the assessors

CEN and CENELEC shall consult the European Commission and the EFTA Secretariat before taking their respective decisions to grant full membership.

CEN-CENELEC Guide 22 provides further details on the process regarding the assessment of the applications for membership in CEN and CENELEC.

### 3. Compliance with membership criteria

#### 3.1 Procedure of assessment of compliance with membership criteria

##### a. Obligation for periodical assessment process

All Members are subject to regular assessment reports that serve to evaluate whether the membership criteria are still fulfilled and whether the Members meet their obligations.

The Blue Members and the Red Members have the obligation to deliver an assessment report every three years to confirm their compliance with the membership criteria with a self-assessment combined with EN ISO 9001 certification or with a peer assessment as specified in CEN-CENELEC Guide 22.

The Yellow-type Members have the obligation to submit a yearly assessment report exercise, evidencing the fulfilment of membership criteria, as specified in the CEN-CENELEC Guide 22. The first two years after becoming a Yellow-type Member shall be assessed with the peer assessment process, whereas every third year it should be an external assessment, focusing on regulatory compatibility.

In particular, the Yellow-type Members shall submit all agreements with the EU, or other evidence and documents that certify compliance with regulatory convergence or compatibility with the essential regulations that support the Single market in the areas that are relevant to CEN and/or CENELEC.

All assessment reports are submitted to the MRMC for the purpose of evaluation of compliance with the membership criteria and fulfilment of obligations of all Members.

The Presidential Committee leads the process of assessment, in full collaboration with the CEN and CENELEC General Assemblies (AGs). The Membership Relations and Monitoring Committee (MRMC) manages the process including assessment activities, reporting and follow-up actions with the Members.

##### b. The role of the Membership Relations and Monitoring Committee (MRMC)

The Membership Relations and Monitoring Committee (MRMC) is a body mandated by the Presidential Committee, reporting to the General Assembly through the Presidential Committee.

MRMC manages the CEN and CENELEC assessment system and ensures the overall quality, coherence and fairness of the self-assessment combined with EN ISO 9001 certification, of the peer assessment reporting or of the external assessment reporting.

MRMC is in charge of all assessment processes related to adoption and adherence to membership criteria of all current Members, as well as for the evaluation of the fulfilment of membership criteria by the Candidate organizations and the organizations that are legal successors of the CEN or CENELEC Members, Affiliates or all other organizations (NSBs/NCs) having a framework with CEN and/or CENELEC.

MRMC also manages the evaluation of potential breach of Member that has been notified to this body in line with the level of seriousness as described in the Guide 22 and Annex 2.

The main tasks of MRMC are further detailed in its Terms of Reference (ToR) as approved by the CEN and CENELEC General Assemblies in October 2012 (Annex 1).

### **c. Procedures for providing assessment reports**

There are three approved models of assignment processes: “Self-assessment exercise integrated with the EN ISO 9001 certification”, “Peer assessment exercise” and External Assessment.

The Blue-type and Red-type Members are free to choose their preferred model of assessment. The Yellow-type Members are assessed via the peer assessment exercise every two years and every third year they will be assessed through an external assessment. The external assessment shall include regulatory convergence or compatibility with the essential regulations that support the Single Market in areas that are relevant to CEN and CENELEC activities.

#### **▪ Self-assessment exercise combined with EN ISO 9001 certification**

A CEN-CENELEC Member that opts for this model needs to organize and conduct its self-assessment combined with EN ISO 9001 certification and to report its findings to the MRMC. The time cycle of the assessment Report is three years for the Blue-type and Red-type Members.

The Members having chosen this option shall have a quality management system (QMS) in place, which is EN ISO 9001 certified at their own cost. The Member shall have an internal assessor team in place that is able to demonstrate that all membership criteria in their scope and requirements are met, before completing the EN ISO 9001 audit. The internal assessor shall carry out annual monitoring within the exercise of EN ISO 9001 certification to ensure compliance with membership criteria.

Self-assessment, combined with the EN ISO 9001 certification report, shall be sent to MRMC for evaluation and acceptance. An eventual action plan in cases of non-compliance shall be agreed with the external auditor before it is sent to MRMC. Where relevant, MRMC provides recommendation and feedback on possible improvement, including exchange of examples of good practices.

MRMC further monitors the execution of the self-assessment combined with EN ISO 9001 certification and benchmarks the results of reports to define good practices.

In cases of non-conformities, see Clause 4 below.

#### **▪ Peer assessment exercise**

A CEN and/or CENELEC Member that opts for peer assessment is evaluated by individual peer assessors or by teams of peer assessors, depending on the size of the Member.

The peer assessors are competent persons appointed to handle the assessment exercises and to report accordingly to the MRMC. They commit to be independent in their judgment and behaviour and are appointed by the Chair of the MRMC based on the criteria outlined in CEN-CENELEC Guide 22.

MRMC is in charge of organization of the peer assessment process including the efficient management of the visits of the peer assessors.

Peer assessment consists of evaluating and studying the documents provided, as proof of compliance, by the Member and consequently visiting the location in accordance with the good audit practice. The peer assessors send the draft assessment report for comments to the Member that is being assessed. In case of non-acceptance of the report, the MRMC shall intervene to facilitate the exchange.

The final report is sent to MRMC for evaluation, which also provides its recommendations and feedback on possible remedies and improvements. MRMC also indicates good practices of other Members on specific matters.



In cases of non-conformities, see Clause 4 below.

- **External Assessment exercise**

When applying for Yellow-type membership, and every three years thereafter, the assessment consists of the evaluation and study of the documents provided as proof of compliance by the Yellow-type Member organization and consequent visit of the location in accordance with the good audit practice.

In particular, the external assessment shall include consideration all agreements with the EU, and other evidence and documents that certify compliance with regulatory convergence or compatibility with the essential regulations that support the Single market in the areas that are relevant to CEN and/or CENELEC.

The Assessors shall be appointed by the CEN and CENELEC Administrative Boards upon recommendation of the Presidential Committee and the assessment costs shall be covered by the Candidate organization. The Presidential Committee shall consult MRMC for the identification of the assessors. The assessors shall have the necessary competence to carry out the assessment, meeting the requirements of peer and legal assessors as contained in CEN-CENELEC Guide 22.

### 3.2 Change of legal status

A National Standardization Body Member of CEN or National Committee 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 CEN-CENELEC Membership Criteria is a requirement that all CEN and/or CENELEC Members, present and future, shall have to respect at all times. Affiliates or any other organization (NSBs/NCs) having a cooperation framework with CEN and CENELEC are also bound by the rules of succession.

Any new national organization that claims membership in CEN and CENELEC as the legitimate successor of an existing Member, Affiliate or any other organization (NSBs/NCs) having a cooperation framework with CEN and CENELEC, shall ensure the fulfilment of all membership criteria that is required, including the formal recognition as the sole recognized official national standardization body/national committee in the country.

Furthermore, the changes of legal status may be accompanied by organizational restructuring in terms of staff, operations and structure. These changes shall not have an impact on the ability of the “new” Member, “new” Affiliate or organizations (NSBs/NCs) having a cooperation framework with CEN and CENELEC to cope with the pace of the work and potentially slow down the progress of CEN and CENELEC, which is governed by market needs.

#### a. Status of the legal successor

A new organization that has a legal status different from an existing CEN and/or CENELEC Member claiming to be entitled to succession of that Member in CEN and/or CENELEC, shall be able to demonstrate the legal succession claim by submitting relevant documents if requested. It shall be recognized and registered in its country as the official standardization body competent for all areas of CEN's and/or CENELEC's own areas of competence. The same applies to Affiliates or organizations (NSBs/NCs) having a cooperation framework with CEN and CENELEC.

The statutory rules of the organization successor of an existing Member, Affiliate or organizations (NSBs/NCs) having a cooperation framework with CEN and CENELEC 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.

#### b. Processing the assessment of the status of the new legal entity successor

The CEN and CENELEC acceptance of an organization as the successor of an existing Member, Affiliate or organization having a cooperation framework with 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, Affiliate or organizations (NSBs/NCs) having a cooperation framework with CEN and CENELEC to abide to CEN and CENELEC Statutory criteria for membership (Article 7 of the CEN Statutes and Article 7 of the CENELEC Statutes) 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.

MRMC may decide to request a peer assessment at any moment to confirm the compliance with membership criteria.

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

## 4. Loss of Membership Status

*These provisions refer to Art. 9 of the CEN Statutes and Art. 9 of the CENELEC Statutes*

### 4.1 Reasons for loss of membership status

In accordance with Article 9 of the CEN Statutes and Article 9 of the CENELEC Statutes, membership may be lost either by voluntary resignation or by expulsion.

#### a. Resignation

Any Member may decide to resign from CEN and/or CENELEC. A resignation is notified in writing to the registered seat of the organization and it takes effect upon expiration of the current year if the resignation is notified during the first half-year, and until expiration of the following year if the resignation is notified during the second half of the year.

#### b. Expulsion

Reasons for expulsion, as outlined in the Statutes of CEN and CENELEC, are the following:

- Member loses its qualification as a separate legal entity;
- Member fails to pay full amount of its membership fees, within six weeks following a formal notice of the Director General;
- Member no longer fulfils the membership criteria as set out in Article 9 of the CEN Statutes and Article 9 of the CENELEC Statutes;
- a serious breach of membership obligations was committed;
- Member does not participate on a recurring basis in General Assembly meetings either in person, by electronic means of communication or by providing a proxy.

In case the Member loses its qualification as a separate legal entity, it must inform CEN and/or CENELEC by formal notice to the MRMC, with no delay. The escalation procedure is then initiated, as stipulated in clause 4.2.a below.

In case the Member fails to pay the full amount of membership fees despite the formal notice of the Administrative Board sent by the Director General, the formal procedure of expulsion shall be initiated within 6 weeks following the date of the formal notice. The President of the organization concerned shall call for a General Assembly meeting as stipulated in subclause 4.2.c.

When a Member does not fulfil its membership obligations or commits a serious breach, such non-conformity shall be evaluated by the MRMC in accordance with the guidelines detailing the degrees of non-conformity as set in Annex 2 and Guide 22, and the relevant procedure shall be implemented in accordance with subclause 4.2.a.

Members have an obligation to participate regularly and to vote in General Assembly ordinary or extraordinary meetings. Members are free to provide a proxy to ensure proper representation in case of incapacity to participate in a meeting. If the Member does not participate in three consecutive meetings and does not fulfil its obligation to vote more than three times in a calendar year, either in person or by providing a proxy, the President of CEN or CENELEC shall inform the MRMC of the breach, and the latter shall initiate the procedure

according to subclause 4.2.a.

## **4.2 Escalation procedure**

*(These provisions refer to article 9.1.2 of the CEN and CENELEC statutes)*

With the aim to, on the one hand build trust and accountability of the CEN-CENELEC system and, on the other hand achieve the goal of excellence embedded in the provisions of the membership criteria, CEN and CENELEC strive to ensure that the Members obligations are met at all times. Any non-compliance or non-conformity or breach is weighed in an escalation mechanism, as explained below and detailed in Annex 3.

### **a. Procedure before the Membership Relations and Monitoring Committee (MRMC)**

The body that is in charge of evaluation of the breach and establishes the level of seriousness of the non-conformity is the Membership Relations and Monitoring Committee (MRMC).

In case of a detected serious non-conformity or breach of the membership criteria or obligations, the Member shall work with a designated peer assessor or external assessor to remedy the breach. In case there is a divergency in their positions, the MRMC shall be informed by the peer assessor or the external assessor of the non-conformity, and the Member is free to provide their comments.

In cases where a peer assessor is not involved, such as the situation of non-participation on a recurrent basis in General Assembly meetings, the MRMC shall invite the Member to provide justified reasons.

The MRMC will invite the Member to remedy the non-conformity within a certain deadline. In the absence of proof of such a remedy within the agreed deadline and if, further to an exchange of written reasons addressing the failure to comply, the non-conformity is still present, the MRMC Chair will inform the Presidential Committee of the situation. In addition, all the Members are informed by CCMC of the potential problem with a Member.

### **b. Procedure before the Presidential Committee**

The Presidential Committee, once informed of the non-conformity or non-participation/vote at General Assembly meetings on a recurrent basis, decides to further investigate with support of the Peer assessor or external assessor with a view to provide support for remediation, including legal support.

If, at this stage, the Assessment report provided to MRMC is positive, the MRMC shall inform the Presidential Committee and CCMC shall inform all other Members of the settlement.

In the event that the Assessment report is still negative, the MRMC informs the Presidential Committee and the President of the Association calls for a General Assembly meeting.

### **c. Procedure before the General Assembly**

The General Assembly shall invite the Member to provide proof of immediate and effective remedy actions. The General Assembly may decide to reduce some of the rights of the Member in breach, with immediate effect, if deemed necessary.

In the absence of effective demonstrated remedy within three months counting from the date of invitation for remedy actions, the Administrative Board recommends to the General Assembly to expel the Member in breach.

Upon the President's invitation for a meeting, the General Assembly takes a Decision with a secret vote of a two-third majority of Members present or represented. Such Decision implies loss of membership with

immediate effect. The Decision for expulsion is final and is communicated to the European Commission in accordance with the Regulation 1025/2012 and to the EFTA secretariat for information.

Detailed steps of the procedures of the escalation and expulsion are outlined in the CEN-CENELEC Guide 22.

## 5. 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 Principle of 'appropriate representation' of the stakeholders' interests in the Technical Bodies	Yes	No
2.3 Principle of adequate representation of the stakeholders' interests in the Governing Bodies	No	No
2.4 One delegation representing the national position ('national delegation' principle)	No	No
2.5 Sustainable development	Yes	Art. 6
<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

Requirement	WTO/TBT Criterion	Reg. 1025/2012
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

## Annex 1

# Membership Relations and Monitoring Committee Terms of Reference

### Membership Relations and Monitoring Committee (MRMC) Terms of Reference

#### 1. Role and definition

The Membership Relations and Monitoring Committee (MRMC) is a Committee created by decisions of the CEN General Assembly (CEN AG *Resolution 32/2012*) and CENELEC General Assembly (AG52/32).

The Role of the MRMC is:

- a. To manage the CEN-CENELEC assessment model and to ensure the overall quality, coherence and fairness of the (self-combined with EN ISO 9001, peer or external) assessment reporting; to ensure a smooth and effective management of coherent internal or peer assessor's approach through appropriate processes, preparation and maintenance of the necessary documents and templates, as well as selection and training of qualified assessors.
- b. To seek continuous improvement on the definitions of the criteria for membership based on the experience acquired.
- c. To ensure the effective follow-up of the outcomes of the reports on the assessments made and to coordinate and disseminate good practices to the CEN-CENELEC Members with a view to facilitating, through appropriate mechanism, the exchange of information among the Members.
- d. To coordinate the assessment process of those organizations applying for membership in CEN and CENELEC.

MRMC is in charge of all assessment processes related to adoption and adherence to membership criteria of all current Members, as well as for the evaluation of the fulfilment of membership criteria by the Candidate organizations and the organizations that are legal successors of the CEN or CENELEC Members, Affiliates or all other organizations (NSBs/NCs) having a framework with CEN and/or CENELEC.

MRMC also manages the evaluation of potential breach of Member that has been notified to this body in line with the level of seriousness as described in Annex 2.

#### 2. Reporting

MRMC is a body mandated by the Presidential Committee and reporting to the General Assemblies through the Presidential Committee.

#### 3. Responsibilities and Tasks

The MRMC's responsibilities are fulfilled with the following main tasks:

- Overall coherence and fairness of the assessment model  
MRMC:
  - Approves the yearly plans of assessment exercises in agreement with the Members concerned and

## CEN-CENELEC Internal Regulations - Part 1:2024

according to the Statutes and Internal Regulations;

- Decides on the complaints about the assessors' work and/or misbehaviour in case of peer assessment, including the evaluation of potential breach notified;
- Handles the information resulting from the assessments, including information in the reports that may be fully confidential (i.e. not to be disclosed outside the MRMC) or partially confidential (i.e. not to be disclosed to external stakeholders outside the membership).
- Effective management through appropriate processes, documents, and qualified assessors  
MRMC:
  - Receives from the Members the self-assessment combined with EN ISO 9001 reports and accepts them following the Chair's review and proposal for recommendations;
  - Receives from the assessors the peer assessment reports and accepts them following the Chair's review and proposal for recommendations;
  - Reviews on a regular basis the relevant guiding documents, such as the Assessment Guidelines, the template of the Assessors' reports, the list of relevant documents to be taken into account, etc., and proposes improvements to the CEN and CENELEC Governing Bodies;
  - Selects, and appoints the peer assessors following a call for nomination;
  - Advises the Presidential Committee on the external assessors.
- Continuous improvement on the definitions of the criteria for membership  
MRMC:
  - Organizes, whenever necessary, regular reviews of the Criteria for membership and proposes to the CEN and CENELEC Governing Bodies improvements in the relevant guiding documents.
- Follow-up of the reports and feedback on dissemination of good practices  
*For each Member: MRMC,*
  - Provides feedback based on the assessment report to each Member;
  - Discusses and approves the Chair's overall conclusions on the assessment made and their proposals for recommendations to each Member concerned;
  - Advises about the identified good practices and invites the Member to exchange information with other relevant Members;
  - Communicates the overall MRMC conclusions on the assessment made to the Member assessed, including recommendations and advice about exchange of good practices. In case of peer assessment, the recommendations may also include specific comments from the assessors.  
*For the Presidential Committee:*
  - MRMC Chair reports on the process and findings to the Presidential Committee as appropriate;
  - MRMC reports about identified good practices that may be considered and shared - and possibly adopted - by all CEN and CENELEC Members.



*For the CEN and CENELEC communities:*

MRMC,

- Provides a “Membership Report” once a year to the CEN and CENELEC Administrative Boards/General Assemblies, which is first validated by the Presidential Committee, outlining:
  - the main results of the assessments conducted in the year;
  - the good practices that have been identified throughout the latest assessment reports for consideration by all Members, so as to raise awareness of possible actions to improve the system;
  - the yearly trends in terms of best compliance of the criteria (e.g. good practices indicated in the previous years and the rate of their implementation by those Members who have been assessed in the year).
- May also propose, in its “Membership Report”, actions for improvement of the system to the relevant Governing Bodies.

*For other stakeholders:*

MRMC,

- In view of the promotion and visibility of the CEN-CENELEC standardization system, if requested by the Presidential Committee, makes publicly available a general overview of the main results of the Assessments Reports in a general reporting document, while ensuring that only non-confidential information is disclosed.
- Assessment of those organizations applying for membership in CEN and CENELEC  
MRMC:
  - Oversees the selection of the assessors who will be in charge to assess the fulfilment of all Criteria as defined in the Internal Regulations Part 1D ‘CEN and CENELEC Membership Requirements’ to become a Blue-type or Red-type Member of CEN and CENELEC, and advises the Presidential Committee on the assessors for the Yellow-type Members.
  - Validates the assessment report prior to its submission to the CEN and CENELEC relevant Governing Bodies.

#### 4. Working methods

The MRMC has physical or hybrid meetings upon the chair’s discretion and at least once a year, in a physical meeting.

The Committee decides by consensus. The Chair, the CEN and the CENELEC appointed members take decisions. However, when a decision concerns the national organization from which the nominated Member comes from, the Member abstains from attending the MRMC meeting.

The Director General attends the Committee meetings as observer with an advisory role.

#### 5. Composition

The composition of the Committee is the following:

- the Chair appointed by the Presidential Committee
- two members nominated by CEN – appointed by the CEN General Assembly

## CEN-CENELEC Internal Regulations - Part 1:2024

- two members nominated by CENELEC – appointed by the CENELEC General Assembly
- The Director General – who attends the Committee meetings as observer with an advisory role
- Secretariat: CCMC

The Chair may also invite any expert that they consider relevant for the discussions in the Committee, while ensuring the confidentiality of the information whenever needed.

### 6. Appointment and Qualification criteria

#### Chair

The Chair of the MRMC:

- is appointed for a 4-year term by the Presidential Committee after a call for nominations to the CEN and CENELEC Members to serve in a personal capacity.

The eligible candidate must be affiliated to either:

- i. A Blue-type Member or a Red-type Member,
- ii. a Yellow-type Member having been Yellow-type Member for at least five years prior to the commencement of their term as Chair of the MRMC;

- receives financial compensation for the days devoted to their tasks, as fixed by the CEN and CENELEC Governing Bodies.

The Chair:

- is an impartial person,
- is trusted by the whole CEN and CENELEC community,
- has insight about European standardization,
- has leadership skills and management background at senior level,
- has experience in quality management system exercises,
- has declared their willingness to commit the time and effort necessary to ensure successful results.

The Chair, in addition to the tasks described in Section 3, ensures:

- the finalization, coherence and overall quality of each assessment report;
- the continuous updating of the assessment model by elaborating proposals for improvement to the MRMC;
- appropriate communication with the individual Members on those issues related to the assessment report;
- the yearly Business Plan of the assessments.

### Other members of MRMC

Two members of MRMC are appointed by the CEN General Assembly and two by the CENELEC General Assembly, after a call for nominations to the CEN and CENELEC Members. They are appointed for a 3-year term and re-eligible for an additional term of 3 years. They divest themselves from any representation of specific interests of the organization that nominated them and serve on a personal capacity.

The MRMC members nominated by CEN and CENELEC must:

- have insight about European standardization;
- have experience in quality management system exercises;
- have leadership skills and management background at senior level;
- have the trust of the respective whole CEN and CENELEC community.
- declare their willingness to commit time and efforts necessary to ensure successful results.

## 7. Role and responsibilities of the appointed members

The members of the MRMC commit to:

- invest adequate time to the above described responsibilities with a view to actively participate in discussions and to contribute to the achievements of their tasks; and
- serve the group during the full term with no possibility to delegate or be replaced by an alternate.

## 8. Timeframe and Resources

The Chair of the MRMC is appointed for a 4-year term. The Chair receives financial compensation for the days devoted to their tasks, as fixed by the CEN and CENELEC Governing Bodies.

The other members are appointed for a 3-year term and re-eligible for an additional term of 3 years.

## 9. Administrative tasks and support from CCMC

MRMC administrative tasks are supported by CCMC.

CCMC is also the first contact point for any request from the CEN and CENELEC Members related to the assessment practices and processes.

A member of staff at CCMC ensures the administration of the Committee's work (meetings and flow of information) and assists the Chairperson in specific identified tasks related to the preparation and follow-up of Committee meetings.

CCMC supports the preparation of the MRMC through regular reporting to the Presidential Committee and to other relevant Governing Bodies of CEN and CENELEC.

The Manager Legal will handle, amongst other things, the coordination of all contractual/legal aspects.

## Annex 2

### Conformity and non-conformities with members obligations

GRADE	DEFINITION
<b>Full conformity</b>	The Member meets all obligations in full. Flawless in terms of attention to specifics and showing original insight.
<b>Conformity with comments</b>	The Member meets all obligations but lacks specific evidence. Attention to specific requirements with room for improvement is needed. The evaluated Member is encouraged to respond to comments and an Action Plan for further development to near flawless is needed.
<b>Conformity with concern</b>	The Member meets all obligations at present, but attention to specific requirements is needed as the Member’s practice may develop into a non-conformity. The evaluated Member is expected to respond to a Concern by providing the MRMC with an appropriate Action Plan and time schedule for implementation. The response shall include an analysis of the root cause and extent and include a corrective action plan.
<b>Low Non-Conformity</b>	The Member does not meet a membership requirement under one or more criteria. An immediate corrective action is needed, and evidence of its implementation is provided to the MRMC. The assessed Member is expected to respond to a Low Non-Conformity by taking immediate corrective action. The response shall include, within an appropriate Action Plan, an analysis of root cause and extent and explanation of corrective and preventative actions and objective evidence of implementation.
<b>Medium or Serious Non-Conformity</b>	The Member does not meet a membership requirement under one or more criteria. However, the MRMC can decide that several low rated non-conformities may amount to a “Medium” or “Serious” non-conformity as it may indicate a systemic problem.

### Annex 3

## Escalation procedure in case of non-conformities

In case of non-conformities, the indicative process will be as follows:

Event	Indicative timeframe		Impact/consequence
	time: T0	cumulated time: T0	
Peer assessment: in case of diverging positions between the Member and the peer assessors on the non-conformities in the assessment report			The Member may send its separate written comments or clarifications to the MRMC for consideration when assessing the related report
MRMC receives a report including one or more non-conformity with the criteria for membership and the Member has already indicated in the report how it intends to address the non-compliance.	0	4 weeks MRMC Chair report + MRMC meeting	Following MRMC Chair report, the MRMC assess the possible “low”, “average” or “serious” impact of the non-conformity with the criteria for membership and the proposed remedy and timeframe. The MRMC approves the remedy actions and timeframe.
<b><u>Comment</u></b> At the agreed deadline, the Member has not taken the remedy action	deadline	1 week	Member to explain the reason of the delay and to indicate a new deadline.
CCMC to inform the MRMC at the next meeting	1 week	MRMC meeting	MRMC possible formal <i>reminder</i>
<b><u>Concern</u></b> At the agreed deadline, the Member has not taken the remedy action	deadline	1 week	Member to explain the reason of the delay and to indicate a new deadline.
CCMC Review with the Member and CCMC to inform the MRMC	2 weeks	3 weeks	MRMC possible formal <i>warning</i>
<b><u>Non-Conformity</u></b> At the agreed deadline, the Member has not taken the remedy action	deadline	1 week	Member to explain the reason of the delay and to indicate a new deadline.
MRMC Chair to have preliminary discussion with the Member (with support CCMC) and inform the MRMC	+ 2 weeks	3 weeks	Chair to decide whether to call for an ad hoc meeting + possible formal <i>warning</i>
MRMC to send written questions to the member.	+ 1 weeks	4 weeks	-
Answers from the Member	+ 2 weeks		-
MRMC consider the answers and, if not satisfactory, refers the situation to PC. CCMC informs the national Members accordingly.	+ 2 weeks	8 weeks	All national Members are aware of a potential problem with one Member of CEN and/or CENELEC.

Event	Indicative timeframe		Impact/consequence
	time: T0	cumulated time: T0	
PC considers the situation and decides sending a peer assessor to the Member to investigate on site and any other support action (including further legal advice) to be handled by MRMC and CCMC	+ 4 weeks	12 weeks	-
Visit of the assessor on site and preparation of an assessment report	+ 4 weeks	16 weeks	-
MRMC review of the assessors report	+ 2 weeks	18 weeks	
<u>The report is positive:</u> MRMC inform the PC CCMC inform all Members	+ 1 week	21 weeks	All national Members are informed of the positive outcome of the process
<u>The report is negative:</u> MRMC inform the PC The President calls for the General Assembly meeting to decide on further actions including a possible site visit	+ 1 week	21 weeks	-
Upon consideration of the report of the assessor, the General Assembly(ies) require urgent remedy actions and reduce the rights of the Member	4 weeks	23 weeks	Ad hoc suspension of certain membership rights and obligations i.e. the Member no longer enjoys full rights, for instance its nominated CA Member would be suspended, if applicable, and AG or BT voting rights are suspended...) Experts nominated by the NSB/NCs in working groups are suspended. TC secretariats held by NSB/NC are considered by the BT(s) for reassignment.
In the absence of effective and demonstrated remedy actions (within 3 months), the CA recommend the AG to exclude the member	+ 12 weeks	35 weeks	-
By resolution of the AG(s), the Member is excluded (qualified majority vote according to the relevant statutory provisions)	+ 4 weeks	39 weeks	Loss of the status of national Member with CEN and/or CENELEC. National votes are rejected. National delegations in TCs are no longer accepted. Experts nominated by the NSB/NCs in working groups are excluded. TC secretariats held by NSB/NC are offered by the BT(s) for reassignment.

Event	Indicative timeframe		Impact/consequence
	time: T0	cumulated time: T0	
CEN and/or CENELEC communicate the situation to the European Commission under Art. 24–1 e) of Regulation 1025/2012	0		-
The situation is referred to in the agenda of the Committee of Standards under Art. 23 of Regulation 1025/2012	+ 3 months	1 year	-
Possible notification of another body by the Member State under Art. 27 of Regulation 1025/2012	-	-	Possible loss of the status of national Member of the NSB/NC with its Member state and with the European Union.
Consideration by CEN and CENELEC of the candidature of a replacement body as the new national member	-	-	-