SNAS SLOVENSKÁ NÁRODNÁ AKREDITAČNÁ SLUŽBA

METHODICAL GUIDELINE FOR ACCREDITATION

RESPONSIBILITIES OF SNAS AND CONFORMITY ASSESSMENT BODIES

MSA–06

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1 INTRODUCTION

This methodical guideline for accreditation stipulates rights, obligations and responsibilities of the Slovak National Accreditation Service and conformity assessment bodies. MSA applies mandatory international documents.

2 ABBREVIATION USED

AO	Accredited Body
AK	Acceptation Commission
CO	Certification Body
DPH	Value Added Tax
E	Expert
EA	European co-operation for Accreditation
EA MLA	EA Multilateral Agreement
EA BLA	EA Bilateral Agreement
EMAS	EU Eco-Management and Audit Scheme
EMS	Environment Management System
EO	Environmental verifier
ES	European Community
FALB	Forum of Accreditation and Licensing Bodies
HK	Evaluation Commission
IAF	International Accreditation Forum
ILAC	International Laboratory Accreditation Co-operation
MLA/MRA	Multilateral Agreements on Mutual Recognition
MSA	Methodical Guideline for Accreditation
OECD	Organisation for Economic Co-operation and Development
PT	Proficiency Testing
GLP	Good Laboratory Practise
TL	Form
Act	Act No. 505/2009 coll. On Accreditation of conformity assessment bodies subsequently amended

3 RELATED DOCUMENTS

External related documents - Annex 1

National program for compliance with GLP principles in Slovakia

SNAS Policies (see www.snas.sk)

MSA-02: Logo and marks of SNAS

MSA-04: Procedure for the Accreditation

MSA-07: EA requirements for the accreditation of flexible scopes

4 RIGHTS OF SNAS

SNAS **is entitled**:

1. to require from an applicant for accreditation service/applicant for verification of the compliance with good laboratory practice or from an accredited body (hereinafter only as "applicant") concurrence needed to verify whether the accreditation criteria are being met, allowing timely and due access to its premises, providing all relevant supporting documents and information that are necessary for confirmation of the competence of the conformity assessment body,
2. to set up a date for surveillance or assessment following an agreement with the conformity assessment body,
3. to stop the accreditation-granting proceedings or suspend the accreditation or withdraw accreditation if the AO fails to allow conducting the assessment,
4. to suspend the accreditation under Article 7, Paragraph 6 of Act No. 505/2009 Coll. as amended (hereinafter only as "Act"),
5. to withdraw the accreditation under Article 7, Paragraph 7 of the Act,
6. to reduce the field or the scope of accreditation of the conformity assessment body by items/areas where the accredited body exhibits permanent deficiencies in fulfilling the accreditation requirements and in its competence,
7. to require correct use of the accreditation mark, references to accreditation and references to accreditation by a signatory to MLA/MRA in accordance with international regulations of EA, ILAC, IAF, license agreements and with methodical guidelines MSA-02,
8. to end the License Agreement for the use of the combined MLA/MRA mark of accredited body if the license holder fails to meet the terms of this agreement.

5 OBLIGATIONS OF SNAS

Obligations of SNAS result from regulations in Annex 1.

SNAS is **obliged**:

1. to fulfil the responsibilities of signatories to agreements on mutual recognition MLA/MRA and agreements for the use of the combined ILAC MRA and IAF MLA marks, including immediate reporting of any significant change, which could affect competence, impartiality, legal status and operational ability of SNAS and the providing an impact analysis to the EA Secretariat;
2. to notify, in writing and not later than three months in advance, other EA MLA signatories of any voluntary withdrawal or reduction of its scope of recognition;
3. to declare, when requested, conformity assessment results (e.g. reports or certificates) issued by CABs accredited by accreditation bodies that are signatories for the relevant scope to the EA MLA and/or ILAC MRA and/or IAF MLA as reliable as those issued by CABs accredited by SNAS;
4. to make its services accessible to all applicants whose accreditation requirements fall under the activities and limitations defined in the SNAS policies and SNAS rules,

5. to perform accreditation of technical activities in accordance with the general criteria stipulated in the relevant ISO/IEC international standards and directives and the European standards and in accordance with other requirements published in relevant mandatory application documents of EA, ILAC, IAF, FALB and OECD,
6. to promote and check correct use of accreditation marks and references to accreditation status by the accredited conformity assessment bodies and take appropriate action where their incorrect use or misuse has been identified,
7. to provide services in the area of accreditation and attestation in a non-discriminatory and impartial way,
8. to ensure that all staff members who are involved in the accreditation process act in an unbiased way and are free from improper commercial, financial or other pressure jeopardizing their impartiality,
9. to ensure that every decision in accreditation-related matters is made by a team of impartial competent experts,
10. not to offer or perform services jeopardizing its impartiality such as consultancy or conformity assessment services that are provided by accredited conformity assessment bodies,
11. to maintain silence and confidentiality over all information that it receives from the conformity assessment body or information that it obtained while carrying out the ordered accreditation services, with exception of instances specified in a special regulation,
12. to appoint professionally competent members of assessment team,
13. to keep records of conformity assessment bodies to prove effective fulfillment of requirements for accreditation and competence,
14. to execute extraordinary assessment if changes in the conformity assessment body require so, or if this was suggested by the Complaint Investigation Commission/Appeal Commission (see chapter 9),
15. to suspend, reduce, or to withdraw accreditation if a failure to comply with the accreditation requirements has been proved,
16. to record, keep and securely deposit the documentation related to an accreditation issue of the concerned conformity assessment body in line with the effective legislation,
17. to return to the conformity assessment body all redundant documents that are its property after the accreditation process has been completed,
18. to return back to the conformity assessment bodies any outdated documents discarded from the file related to the respective accreditation case once a five years period has elapsed since they became out of date (meaning one accreditation cycle),
19. if the accredited body does not apply for re-accreditation assessment with SNAS within the specified deadline period before the accreditation validity expires, SNAS is obliged to return back to respective body all documents that are its property within the five-year period after the expiration of the accreditation certificate validity (meaning one accreditation cycle),

20. to return back to the applicant all documents that are its property if the accreditation process has not been finished due to the applicant's fault,

21. to provide information to the public on:
    – assessment and accreditation processes,
    – accreditation requirements,
    – price calculation for provided services,
    – the procedures for submission and handling of complaints and appeals;
    (Note 1: SNAS provides this information on its web-site),

22. to provide publicly accessible information about the status of accreditations granted by SNAS to conformity assessment bodies. The information about accredited subjects is publicized and continually updated in SNAS's web-site and it includes:
    – name and address of each accredited conformity assessment body,
    – date of granting accreditation and expiry date of its validity,
    – field of accreditation,
    – scope of accreditation,
    (Note 2: SNAS's web-site also publicizes information about decisions concerning accreditation suspension and withdrawal),

23. to provide to the conformity assessment body information about the appropriate way to maintain traceability of measurement results in the field of granted accreditation and information on conditions and possibilities for participation of accredited laboratories or inspection bodies in proficiency testing programs and in inter-laboratory comparisons. This information is provided by SNAS on its web-site,

24. to inform accredited bodies about international conventions involving SNAS and about its activities and defined limitations to its work. SNAS provides relevant information on its web-site and at seminars and trainings organized by SNAS,

25. to announce every change in its accreditation requirements (on web-site, electronically, in SNAS meetings, in SNAS publications, etc.); to check whether relevant modifications have been made by conformity assessment bodies following a decision and publicizing the changed requirements,

26. to state in the accreditation certificate which activities are covered/not covered by EA MLA, ILAC, MRA, IAF MLA,

27. to explain the reasons to the owners of the sectoral scheme, conformity assessment bodies and the market why the sectoral scheme in which SNAS is involved does not comply, if that is the case, with the requirements specified in PL-18: SNAS Policy for Conformity Assessment Schemes (EA 1/22 A-AB),

28. to perform cross border accreditation strictly in compliance with the EP and Council Regulation (EC) No. 765/2008 and the policies of EA, ILAC and IAF in the concerned area,

29. to be responsible for the content of assessment reports,

30. to fulfil its obligations resulting from Chapter VI, Articles 70, 71, 72, 73, 74 and 75 of the Commission Regulation (EU) No. 600/2012,

31. to draw up, revise and update a list of environmental verifiers and their scope of accreditation and notify, on a monthly basis, directly or via the national authorities, the

Commission (EU) the changes made to the list in compliance with the requirements of the EP and Council Regulation (EC) No. 1221/2009,

32. to draw up a supervision report if, following consultations with the competent environmental verifier, it believes that the activities of the concerned environmental verifier were not performed adequately enough to ensure the organization can meet the requirements of EP and Council Regulation (EC) No. 1221/2009, or if the concerned environmental verifier, when carrying out verification and validation, violated one or several requirements of this Regulation; to submit this report to the competent authority in the Member State where the organization is registered or applies for registration and, where appropriate, to the accreditation body that granted the accreditation.

6 RIGHTS OF CONFORMITY ASSESSMENT BODIES

A conformity assessment body is **entitled**:

1. to give its opinion of impartiality and non-biasness of the assessment team members,
2. to comment on the submitted SNAS reports and ask questions about its findings,
3. after it was granted the accreditation, to obtain the status of a SNAS-registered member and its own membership number (a legal person is assigned just a single membership number regardless of the number of already granted and currently valid accreditation certificates),
4. to use the assigned SNAS accreditation mark,
5. to make references to the granted accreditation and references to the accreditation granted by SNAS, a MLA/MRA signatory,
6. to get free of charge information about documents of SNAS and of international organizations associating the accreditation bodies,
7. to get information about the appropriate way to obtain traceability of measurement results in the field of its respective accreditation, and information on conditions and possibilities for accredited laboratories or inspection bodies to participate in proficiency testing programs and in inter-laboratory comparisons,
8. to take part in relevant activities organized by SNAS,
9. to evaluate SNAS activity through periodic surveys,
10. to file a complaint or appeal against a decision by SNAS or make another submission (see chapter 9).
11. if greenhouse gas verifiers are concerned, to submit its observations to a complaint in line with Art. 61, (b) of Commission Regulation (EU) No. 600/2012.

7 OBLIGATIONS OF CONFORMITY ASSESSMENT BODIES

A conformity assessment body is **obliged**:

1. during accreditation validity permanently fulfil accreditation requirements of relevant accreditation standards and related documents for given area of accreditation pursuant to the Annex 1 and provide evidences of fulfilment of these requirements.

2. to specify the field and activities for accreditation to which it has applied,
3. to submit the application for re-accreditation not later than six months before expiration of its accreditation and to provide complete documentation needed to start the re-accreditation process,
4. if notified of modified accreditation requirements, to start meeting them by the SNAS-specified deadline,
5. to provide the requested assistance and cooperation needed by SNAS to check whether the accreditation requirements are being met at all sites where conformity assessment services are provided, together with all personal and on all equipment.
6. to enable the requested or additional assessment, the planned regular or ad hoc surveillance (e.g. on grounds of a complaint or an appeal) by SNAS staff as well as monitoring/auditing of the activities of the SNAS employees, and to supply them all information, documents and records and cooperation they need to perform the above-specified activities,
7. to adhere to the principles of impartiality and independence, to enable access to documents that are related to adhering to these principles,
8. to arrange witness assessment of the provided services in line with SNAS's requirements and to give the assessors access to the client's organization's premises where the activities covered by the witness assessment will be performed. If conformity assessment activities are performed on-site at the client, assessment group must be allowed to assess performance of these activities,
9. to make payments for the provided services on time and in the agreed amounts,
10. to apply its accreditation only in the field and the scope for which it was granted,
11. to refrain from applying its accreditation in a way that could bring SNAS into disrepute,
12. to act fully in line with the SNAS's requirements for accreditation status application when referring to accreditation on the Internet and documents and to refer to accreditation only for the activities and scopes laid down in the accreditation certificate (see MS-02),
13. to consistently meet the conditions of the Licence Agreement for use of the combined ILAC MRA and/or IAF MLA marks of accredited body,
14. to use the SNAS accreditation mark on calibration certificates, protocols on tests and on compliance certificates within the field and scope of the granted accreditation only while the accreditation is valid, in compliance with MSA-02,
15. if the accreditation has been suspended or withdrawn, to immediately stop using the SNAS accreditation mark, combined ILAC MRA and/or IAF MLA (if they were assigned) of the accredited body and documents containing information about accreditation granting and reference to accreditation status,
16. to make no statements about its accreditation that might be considered as misleading or unauthorized,
17. to assume responsibility for making sure that no protocol or certificate or any part thereof be used in a misleading way,
18. to not use its accreditation in a way that would suggest that SNAS approves products, processes, systems or staff members of the accredited organization,

19. to notify, without delay, the accreditation body about any changes related to the granted accreditation (see MSA-04),
20. to take corrective action and remove any identified nonconformities within the deadline defined in the relevant regulations,
21. to submit a report on removal of nonconformities, including evidence (see MSA-04),
22. to clearly indicate activities covered or not covered by the accreditation in its certificates or protocols,
23. if calibration, testing and medical laboratories are concerned, to submit every year to SNAS an updated overview of the results of participation in PT in the past calendar year by 31st January of the current year with the TL 71 form (published at www.snas.sk),
24. if inspection bodies are concerned, where possible and appropriate, to submit every year to SNAS an updated overview of participation in PT in the past calendar year by the 31st January of the current year with the TL 71 form (published at www.snas.sk),
25. if certification bodies certifying persons, products and management systems are concerned, to submit to SNAS:

    - an annual updated list of valid and suspended certificates with respective scheduled dates for audits/tests/conformity assessments for the current year and a description of all its critical localities, not later than by 31st January of the current year in the following forms: TL 73/S (for COs certifying management systems), TL 73/P (for COs certifying products), TL 73/O (for COs certifying persons) published at www.snas.sk),
    - an update of the list of valid and suspended certificates with their respective scheduled dates for audits/tests/conformity assessments for the current year and a description of all its critical localities, and do so if a change has occurred, not later than one month before the scheduled assessment, or if needed, or any time upon request by SNAS with the following forms: TL 73 S (for COs certifying management systems), TL 73/P (for COs certifying products), and TL 73/O (for COs certifying persons) published at www.snas.sk),

    (Note 3:
    A critical locality is considered to be the site of the certification body, in the territory of the Slovak Republic or abroad (see IAF/ILAC A5) where the key activities are performed including:

    1. For certification bodies certifying products:
    - policy formulation and approval,
    - process and/or procedure development and approval,
    - initial assessment of proficiency and approval of specialized personnel and subcontractors,
    - control of the process for monitoring the proficiency of personnel and subcontractors and its outcomes,
    - a contract review including technical review of applications and specifying the technical requirements for certification activities in new fields or fields where certification activities occur sporadically,
    - the decision on certification including technical review of evaluation tasks.

    2. For certification bodies certifying management systems:
    - policy formulation,

- *process and/or procedure development,*
- *initial approval of auditing personnel or control of their training,*
- *on-going monitoring of auditing personnel;*
- *application review,*
- *assignment of auditing personnel*
- *surveillance control or re-certification audit control,*
- *review of the final report or of the certification decision or approval.*

3. For certification bodies certifying persons:
- *policy formulation and approval,*
- *development and approval of processes and procedures needed for the operation of the systems for certification of persons including requirements for selection and appointment of examiners,*
- *review of applications and of contractual arrangements associated with assessment and certification of persons,*
- *development, evaluation and maintenance of the examination(s) and re-certification,*
- *decision on certification of persons, including signing or authorization of certificates,*
- *development and approval of policies, processes and procedures for handling complaints and appeals received from applicants, candidates, certified persons and their employers and third parties that challenge the certification process and criteria,*
- *final decision on appeals and complaints.*

If processes, methods and procedures are developed and formulated at the site but reviewed and approved at the CO head-office, then that site is not considered as a critical site, but the CO must ensure adequate surveillance over the activities at such site and keep relevant records about it.
The sites falling under reviews/audits are considered as other selected sites and are assessed in accordance with the requirement 7.7.2 of the ISO/IEC 17011:2004 Standard.)

26. if EMAS environmental verifiers are concerned, to submit to SNAS:

    - an annual updated list of effective validated and suspended environmental statements, their respective scheduled dates of verifications for the current year and a description of all its critical sites, not later than by 31st January of the current year (TL 73/E is published at www.snas.sk),

    - updated list of effective validated and suspended environmental statements, their respective scheduled dates of verifications for the current year, a description of all its critical sites and to do so, if a change has occurred, not later than one month before the scheduled assessment, or when needed, or any time upon request from SNAS (TL 73/E is published at www.snas.sk),

27. if greenhouse gas verifiers are concerned, to submit to SNAS information in line with Chapter VI, Art. 76, Section 1 of the Commission Regulation (EU) No. 600/2012 (Form published at http://www.snas.sk/index.php?l=en&p=6&ps=115 (English version) or http://www.snas.sk/index.php?l=sk&p=6&ps=115 (Slovak version). If the information has changed, the verifier shall notify SNAS of the changes always on the last day of the month,

28. to fulfill other requirements specified by the accreditation body (announced electronically via info@snas.gov.sk , on SNAS's web-site and published in the relevant SNAS policies and MSA),

29. to provide assistance by investigation and resolution of any complaints concerning CAB forwarded to CAB by SNAS
30. to inform concerned CAB clients about suspension, reduction or termination of CABs accreditation and related consequences without any delay.

8 MISUSE OF THE ACCREDITATION STATUS

In accordance with PL-16 SNAS is obliged to inspect correct use of accreditation marks and references to accreditation status by the accredited conformity assessment bodies and in case of finding their incorrect use (intended or unintended) or misuse to take appropriate measures.

8.1 IDENTIFICATION OF MISUSE OF ACCREDITATION STATUS

SNAS regularly checks fulfillment of MSA-02 requirements and of License Agreement for use of the combined ILAC MRA and/or IAF MLA mark of accredited body in the frame of surveillances and re-accreditations. Subject of checking or assessment are all kinds of test reports, certificates, reports, calibration sheets, drafts of agreements and other papers, promotional materials and complaints of clients. Papers in which used are accreditation marks and/or reference to accreditation status shall comply with scope of granted accreditation (see MSA-02, chap. 7).

SNAS can find out cases of incorrect use or misuse of accreditation status also by other means, like:

- on the basis of complaints from clients of accredited bodies addressed to SNAS,
- on the basis of notice sent to SNAS by other body,
- by state administration bodies, bodies granting authorization,
- by technical press, internet and mass media,
- during various conferences, meetings, negotiations where employees of accredited bodies have presentations and distribute their promotional materials, etc.

8.2 INVESTIGATION AND SANCTIONS

SNAS is obliged to investigate all cases of found incorrect use or misuse of accreditation status, as well as, all delivered reports/notices from third parties. In case of notice from the third party SNAS examine credibility and justice of such notice.

According to severity and scale of misuse of accreditation status and considering fact whether this was an intention (for example in order to gain certain advantageous position) or an accident, misunderstanding or incorrect interpretation of accreditation requirements provisions, SNAS takes adequate measures, or sanctions.

After an indication of incorrect application or misuse of accreditation status SNAS:

- sends written notice to accredited body about findings, asks for speedy correction and sending proofs which it subsequently examines, or
- takes away the right to use the combined ILAC MRA or IAF MLA mark of accredited body, or
- suspends accreditation and investigation shall be performed within the extraordinary surveillance, if there are justified reasons,

- in case of repeated breaching of principles for correct use of accreditation mark and/or references to accreditation or not realization of corrective measures by a body for which it was asked by SNAS, the SNAS can withdraw accreditation of the relevant body,
- shall inform about findings the Slovak Office of Standardization, Metrology and Testing which is entitled to fine the body that illegally acted as accreditation body or accredited body in accordance with Article 25 or 26 of the Act 505/2009 Coll.,
- shall take legal actions in case of serious intended and flagrant damage of the national accreditation body.

9 COMPLAINTS, APPEALS AND OTHER SUBMISSIONS

Principles:

1. The SNAS director is responsible for handling complaints and appeals.
2. Besides complaints and appeals, a conformity assessment body has the right to file other submissions to SNAS (such as objection to the composition of the assessment team, against the assessment result if it has essential objections against the findings, has a proposal for improvement, request for information, etc.).
3. SNAS shall treat every complaint/appeal/other submission objectively, impartially and independently and under the commitment to maintain silence about confidential information.
4. The submission of a notice under the act on antisocial activity reporting must not become an incentive or reason for drawing consequences that would harm the person who submitted the notice.
5. If, under Article 61 of the Commission Regulation (EU) No. 600/2012 (hereinafter only as "regulation") SNAS has received a complaint over a verifier of greenhouse gas emissions (hereinafter only as "verifier"), SNAS shall proceed in handling the complaint in line with the binding regulations. The concerned verifier has the opportunity to submit its comments on the complaint. With regard to complaints against SNAS-accredited verifiers, SNAS has a reporting obligation to the Ministry of Environment of SR and the competent body of the state in which the verifier conducts verifications.

9.1 COMPLAINTS

9.1.1 General

With regard to the legal status of SNAS it is necessary to define the concept of **a complaint** in relation to several documents.

Under the ISO/IEC 17011 standard

A complaint under the ISO/IEC 17011 provision 7.12 shall represent an expression of disagreement of a person or organization other than an appeal, lodged to the accreditation body and related to the activity of the accreditation body or an accredited body for conformity assessment with expectation of a reply.

Under Regulation No. 600/2012

A complaint under Regulation No. 600/2012, Article 61, is a complaint concerning the verifier from the competent authority, operator or aircraft operator, or other interested parties.

Under § 3 of the Complaint Act**:**
A complaint is a submission made by a natural person or a legal person (hereinafter only as "a complainant"), to

a) claim its rights or legally protected interests that it deems to have been violated through action or absence of action by SNAS,
b) to point out specific shortcomings, especially pointing out a violation of legal regulations, the elimination of which is under the scope of SNAS's powers.

A submission is not a complaint when

a) it has the nature of an inquiry, expression, opinion, request, notice or proposal and it does not clearly indicate the right or legally protected interest the person is claiming,
b) it indicates specific shortcomings in SNAS's activities the elimination or handling of which is regulated in a different legal regulation[1)],
c) it is a complaint under a special regulation[2)],
d) is directed against a decision by SNAS issued in proceedings under a different legal regulation[3)],
e) it points out shortcomings in activities of a different public administration authority.

9.1.2 Handling a complaint

The procedure SNAS uses for handling complaints shall be in conformity with ISO/IEC 17011 and Act No. 9/2010 Coll. as amended.

Complaints are lodged in writing, orally or electronically:

- in writing to the address: Slovenská národná akreditačná služba, Karloveská 63, P. O. Box 74, 840 00 Bratislava 4,
- electronically to the address: snas@snas.gov.sk,
- by telephone on workdays from 8.30 to 15.00 at +421 948 349 517,
- in person on workdays from 8.30 to 15.00 in the SNAS head-office.

If SNAS is not competent to handle the delivered complaint, it passes this complaint without delay to the authority competent to handle it.

A complaint must include:

a) name and surname, address of permanent or temporary stay of the complainant if she/he is a natural person,
b) name and registered office, name and surname of the person authorized to act on behalf of

[1)] Such as Act No. 99/1963 Coll. Code of Civil Procedure as amended, Act No. 301/2005 Coll. Penal Code as amended.

[2)] Such as § 59 sec. 1 (h) and § 65 of Act No. 400/2009 Coll. on Civil Service and on amendment and completion of certain acts, § 49 of Act of the Slovak National Council No. 511/1992 Coll. on Tax and Charges Administration and on amendments to the System of Territorial Financial Authorities as amended, § 48 sec. 1(e) of Act No. 73/1998 Coll. on Civil Service of members of the Police Corps, the Slovak Intelligence Service, Prison and Judiciary Guard Corps of the Slovak Republic and the Railway Police as amended, § 218a to 218c of Act of the National Council of the Slovak Republic No. 233/1995 Coll. on Court Distrainers and Distrain (Distrain Code) and on amendment and completion of other acts as amended.

[3)] Act No. 505/2009 Coll. on Accreditation of Conformity Assessment Bodies and on amendment and completion of certain acts as amended, Act No. 67/2010 Coll. on Introducing Chemical Substances and Chemical Mixture to the Market (the Chemical Act) as amended, Act No. 137/2010 Coll. on Air as amended.

the legal person, if the complainant is a legal person,

c) identification of who the complaint is about, what shortcomings have been identified, what the complainant claims (hereinafter only as "the matter of the complaint") and a signature.

If an electronically lodged complaint has not been signed and the complainant fails to certify it with his/her own signature within **5 workdays** following its submission, the complaint will be put on the shelf.

If the complaint fails to meet the above-specified requirements (e.g. it was lodged electronically without a signature or it is anonymous) but it provides grave information related to meeting of the accreditation requirements, SNAS, upon decision by the director, may continue examining it to permit confirming whether it was justified and to take follow-up corrective action or to ascertain that it was not justified.

A submission that was marked as a complaint that actually is not a complaint shall be returned to the person who lodged it by the secretariat without delay, within **30 workdays** following the date of its delivery at the latest, with the reason specified. SNAS does not return a submission like this if it is competent to handle it under a different legal regulation.

The director shall appoint an ad hoc Complaint Investigation Commission (see 9.3).

The deadline period for handling a complaint within SNAS is **60 workdays**. In justified instances the director may extend the deadline period before it has elapsed by 30 additional workdays. The complainant must be informed without delay about an extension of time and the reasons for the extension.

The final decision concerning the complaint matter shall be adopted by the director on the basis of the recommendation from the Complaint Investigation Commission.

The complaint shall be deemed handled when a written announcement of the result of its examination has been sent to the complainant.

9.2 APPEALS

9.2.1 General

An appeal according to ISO/IEC 17011, article 7.13 is the request of a conformity assessment body for new consideration of negative decision by the accreditation body in the matter of the requested accreditation status.

An appeal is an ordinary corrective action that is lodged against a first instance decision that has not become effective.

9.2.2 Handling appeals

The procedure SNAS uses for handling appeals shall be in conformity with ISO/IEC 17011 and Act No. 505/2009 Coll. as amended.

An appeal against a decision issued by SNAS in matter of accreditation has to be lodged in writing to the address of SNAS within **15 days** following the day of delivery of the decision.

Appealing against internationally recognized accreditation criteria, stipulated in effective international standards and mandatory application documents of EA, ILAC, IAF in matter of accreditation, is not possible.

The lodged appeal must clearly indicate who is lodging the appeal and against what decision and what it suggests to be done.

The director shall appoint members of an Appeal Commission to consider the appeal in accordance with the conditions under § 8 (2) of Act No. 505/2009 Coll. as amended (see 9.3).

The final decision concerning the matter of the appeal against a decision issued by SNAS shall be adopted by the director on the basis of a recommendation from the Appeal Commission.

SNAS shall inform the appellant about the status of examination of his/her/its appeal within **30 days** following the delivery of the appeal to SNAS.

The appeal-related proceedings shall be ended through issuing a Decision and announcing the final result of the appeal to the appellant.

9.3 MANAGING COMPLAINTS AND APPEALS

Complaints/appeals are considered by a Complaint Investigation Commission/Appeal Commission (hereinafter referred to as "Commission").

A Commission member shall not be:

- a SNAS employee against whose action the submission is directed;
- an employee who engaged in activities which are the subject of the submission;
- an employee whose impartiality may be questioned because of his/her relation to the merits, parties involved in the proceedings or their representatives.

If the gravity of the complaint calls for an extraordinary assessment and the Commission recommends it the conformity assessment body is notified about it in advance.

Another complaint and another repeated complaint is a complaint from the same person on the same issue if it does not include any new facts. SNAS is competent for handling a repeated submission and the Director appoints a new composition of the Complaint Investigation Commission. In handling the complaint the handling of the previous complaint is checked and a report is produced thereof. Another repeated complaint is suspended.
If the previous complaint had been handled correctly, SNAS informs the complainant about it and includes a justification and instruction that another repeated complaint will be suspended. If SNAS determines that the previous complaint had not been handled correctly, it considers and handles the subsequent complaint. A complaint from another complainant on a matter already handled on its merits is not considered. The result of the handling of the complaint is announced to the complainant.

9.4 OTHER SUBMISSIONS

9.4.1 General

Besides complaints and appeals, conformity assessment bodies have the right to submit other notices with SNAS.

An other submission (notice) is every submission other than a complaint/appeal that expects concurrence/solution/verification from SNAS, such as

1. an objection from the conformity assessment body against the proposed composition of the assessment team,

2. an objection from the conformity assessment body against findings made in the assessment,
3. a submission responding to the activities by SNAS or a SNAS employee or the activities of an accredited conformity assessment body which is not a complaint,
4. proposals for improvement, notices,
5. requests for provision of information, assistance, examination and the like,
6. a notice under the act on reporting antisocial behavior, meaning reporting under the act on reporting antisocial activities, meaning a notice under § 2 sec. 1 (b) of the act on reporting antisocial activities including an anonymous notice or an anonymous submission by a natural person of other antisocial activities as grave antisocial activity that the person learned about in relation with her/his job, occupation, position or office.

9.4.2 Handling other submissions

- Lodging, registering and examining notices is done in accordance with Act No. 9/2010 Coll. as amended or under Act No. 307/2014 Coll. on Certain Measures Related to Antisocial Activity Reporting and on amendment and completion of certain acts (hereinafter only as “antisocial activity reporting act”).
- If the person who lodged a notice requests her/his identity to be kept secret, every SNAS employee involved in verifying the issue and informing in writing about the result of the notice verification, who knows the identity of the person who made the notice, is obliged to keep it confidential and proceed in line with §8 of Act No. 9/2010 Coll. as amended.
- An accreditation applicant/accredited body can lodge a written objection against the proposed structure of the assessment team with SNAS. SNAS is obliged to accept a justified objection such as conflict of interest and submit a new composition of the assessment team to the accreditation applicant/accredited body.
- If the accreditation applicant/accredited body is not satisfied with the assessment result and has major reservation over the findings that she/he/it refuses to accept, she/he/it has the right to file a written objection with SNAS. The SNAS director is authorized to decide about the next procedure.
- SNAS is obliged to accept justified objections and SNAS is obliged to respond to a delivered notice to the person who submitted it.
- Notices under the act on reporting antisocial activities can be filed with SNAS in writing by telephone or electronically at the address korupcia@snas.gov.sk. A notice must be verified by a competent person within **90 days** following its receipt. The deadline period can be extended by 30 days and the person who submitted a non-anonymous notice must be informed about it. The competent person, when studying the content of the notice, is obliged to enforce confidentiality over the identity of the person who made the notice and personal data protection under Act No. 18/2018 Coll. as amended. The person who filed the non-anonymous notice shall be informed about the result of verification of the notice within ten days following the verification of the notice. If the notice verification has indicated perpetration of a criminal act, the responsible person is obliged to report the fact to bodies responsible for criminal proceedings.

10 ANNEXES

Annex 1: External related documents - Tables 1 - 10

ANNEX 1

Tab. 1

BASIC AND RELATED DOCUMENTS FOR THE ACCREDITATION PROCESS

International documents and laws	Title of document
ISO/IEC 17011	Conformity assessment. Requirements for accreditation bodies accrediting conformity assessment bodies
IAF/ILAC A3	IAF/ILAC MLA/MRA – Narrative Framework for Reporting on the Performance of an AB - A Tool for the Evaluation Process
IAF/ILAC A5	IAF/ILAC MLA/MRA – Application of ISO/IEC 17011:2004
ILAC-P4	ILAC Mutual Recognition Arrangement (Arrangement): Policy Statement
ILAC-P5	ILAC Mutual Recognition Arrangement (Arrangement)
ILAC-P8	ILAC Mutual Recognition Arrangement (Arrangement): Supplementary Requirements and Guidelines for the Use of Accreditation Symbols and for Claims of Accreditation Status by Accredited Laboratories
IAF PL 1	Code of Conduct for Members of the IAF
IAF PL 6	Memorandum of Understanding
ILAC-G3	Guidelines for Training Courses for Assessors used by ABs
ILAC-G21	Cross Frontier Accreditation — Principles for Cooperation
ILAC-R7	Rules for the Use of the ILAC MRA Mark
IAF ML 1	Guidance for the Exchange of Documentation among MLA Signatories for the Assessment of Conformity Assessment Bodies
IAF ML 2	General Principles on Use of the IAF MLA Mark
IAF ML 3	Guidance for responding to Inquiries on Multilateral Recognition Arrangement (MLA) Signatory Equivalence and on the acceptance of certification documents
IAF ML 4	Policies and Procedures for a MLA on the Level of Single Accreditation Bodies and on the Level of Regional Accreditation Groups
IAF MD 7	Harmonization of Sanctions
IAF MD 12	Accreditation Assessment of Conformity Assessment Bodies with Activities in Multiple Countries
IAF MD 20	Generic Competence for AB Assessors: Application to ISO/IEC 17011

Regulation of EP and Council 765/2008	Setting out the requirements for accreditation and market surveillance
Decision of EP and Council 768/2008	On a common framework for the marketing of products
EA-1/06	EA multilateral agreement - Criteria for signing - Policy and procedures for development
EA-1/17 S1	Supplement 1 to EA-1/17 Criteria for Membership
EA-1/17 S5	EA supplement 5 to EA-1/17, EA rules of procedure - levying of membership fees
EA-1/19	Rules for use of EA logo and Graphic Specification
EA-1/20 S1	Supplement 1 to EA-1/20, Terms and Conditions for Financial Compensation from the Operating Grant to an EA Member Accreditation Body
EA-1/21	EA Internal procedure for liaison activities
EA-1/22	EA Procedure and Criteria for the Evaluation of Conformity Assessment Schemes by EA Accreditation Body Members
EA-2/02	EA Procedure for the evaluation of a National Accreditation Body
EA-2/13	EA Cross Border Accreditation Policy and Procedure for Cross Border Cooperation between EA Members.
EA-2/13 S1	Interpretation of Terminology in Clause 5.1 of EA-2.13
EA-2/15	EA Requirements for the Accreditation of Flexible Scopes
EA-2/17	EA Guidance on the horizontal requirements for the accreditation of conformity assessment bodies for notification purposes
EA-3/01	EA conditions for the use of accreditation symbols, text reference to accreditation and MLA signatory status
Act No. 9/2012 coll.	On compliance
Act No. 67/2010 coll.	Chemical law
Act No. 71/1967 coll.	Administrative procedure
Act No. 18/2018 coll.	On protection of personal informations
Act No. 211/2000 coll.	On Freedom of Information
Act No. 505/2009 coll.	On Accreditation of conformity assessment bodies

Tab. 2
BASIC AND RELATED DOCUMENTS FOR TESTING AND CALIBRATION

International documents and laws	Title of document
ISO/IEC 17025	General requirements for the competence of testing and calibration laboratories
ISO 15189	Medical laboratories – Particular requirements for quality and competence
CEN/TS 15675	Air quality - Measurement of stationary source emissions - Application of EN ISO/IEC 17025 to periodic measurements
ILAC-P9	ILAC Policy for Participation in Proficiency Testing Activities
ILAC-P10	ILAC Policy on Traceability of Measurement Results
ILAC P14	ILAC Policy for Uncertainty in Calibration
ILAC-G18	Guideline for the Formulation of Scopes of Accreditation for Laboratories
EA-2/15	EA Requirements for the Accreditation of Flexible Scopes
EA-4/02	Expressions of the Uncertainty of Measurements in Calibration
EA-4/17	EA Position Paper on the description of scopes of accreditation of medical laboratories

Tab. 3
BASIC AND RELATED DOCUMENTS FOR PROVIDERS OF PT

International documents and laws	Title of document
ISO/IEC 17043	Requirements for the competence of providers of proficiency testing schemes
ILAC-P13	Application of ISO/IEC 17011 for the Accreditation of Proficiency Testing Providers

Tab. 4
BASIC AND RELATED DOCUMENTS FOR INSPECTION

International documents and laws	Title of document
ISO/IEC 17020	General criteria for the operation of various types of bodies performing inspection
ILAC-P9	ILAC Policy for Participation in Proficiency Testing Activities
ILAC-P10	ILAC Policy on Traceability of Measurement Results
ILAC-P15	Application of ISO/IEC 17020:2012 for the Accreditation of Inspection Bodies

Tab. 5
BASIC AND RELATED DOCUMENTS FOR CERTIFICATION OF MANAGEMENT SYSTEMS

International documents and laws	Title of document
ISO/IEC 17021-1	Conformity assessment - Requirements for bodies providing audit and certification of management systems - Part 1: Requirements
ISO/IEC 17021-2	Conformity assessment - Requirements for bodies providing audit and certification of management systems - Part 2: Competence requirements for auditing and certification of environmental management systems
ISO/IEC 17021-3	Conformity assessment - Requirements for bodies providing audit and certification of management systems - Part 3: Competence requirements for auditing and certification of quality management systems
ISO 50003	Energy management systems. Requirements for bodies providing audit and certification of energy management systems
ISO/IEC 27006	Information technology - Security techniques - Requirements for bodies providing audit and certification of information security management systems
ISO/TS 22003	Food safety management systems. Requirements for bodies providing audit and certification of food safety management systems
ISO/IEC TS 17021-9	Conformity assessment - Requirements for bodies providing audit and certification of management systems - Part 9: - Competence requirements for auditing and certification of anti-bribery management systems
ISO/IEC TS 17021-10	Conformity assessment - Requirements for bodies providing audit and certification of management systems - Part 10: Competence requirements for auditing and certification of occupational health and safety management systems
IAF MD 1	Certification of Multiple Sites Based on Sampling
IAF MD 2	Transfer of Accredited Certification of Management Systems
IAF MD 3	Advanced Surveillance and Recertification Procedures (ASRP)

IAF MD 4	Use of Computer Assisted Auditing Techniques ("CAAT") for Accredited Certification of Management Systems
IAF MD 5	Duration of QMS and EMS Audits
IAF MD 8	Application of ISO/IEC 17011:2004 in the Field of Medical Device Quality Management Systems (ISO 13485)
IAF MD 9	Application of ISO/IEC 17021 in Medical Devices QMS (ISO 13485)
IAF MD 10	Assessment of Certification Body Management of Competence in Accordance with ISO/IEC 17021:2011
IAF MD 11	IAF Mandatory Document for the Application of ISO/IEC 17021 for Audits of Integrated Management Systems (IMS)
IAF MD 13	Knowledge Requirements for Accreditation Body Personnel for Information Security Management Systems (ISO/IEC 27001)
IAF MD 15	IAF Mandatory Document for the Collection of Data to Provide Indicators of Management System Certification Bodies' Performance
IAF MD 16	Application of ISO/IEC 17011 for the Accreditation of Food Safety Management Systems (FSMS) Certification Bodies
IAF MD 17	Witnessing Activities for the Accreditation of Management Systems Certification Bodies
IAF MD 21	Requirements for the Migration to ISO 45001: 2018 from OHSAS 18001:2007
IAF MD 22	Application of ISO/IEC 17021-1 for the Certification of Occupational Health and Safety Management Systems (OH&SMS)
IAF MD 23	Control of Entities Operating on Behalf of Accredited Management Systems Certification Bodies
EA-6/02	EA Guidelines on the Use of EN 45011 and ISO/IEC 17021 for Certification to EN ISO 3834
EA-7/04	Legal Compliance as a part of accredited ISO 14001 certification

Tab. 6

BASIC AND RELATED DOCUMENTS FOR CERTIFICATION OF PRODUCTS

International documents and laws	Title of document
ISO/IEC 17065	Conformity assessment – Requirements for bodies certifying products, processes and services
EA-3/12	EA Policy for Accreditation of Organic Production Certification
EA-6/02	EA Guidelines on the Use of EN 45011 and ISO/IEC 17021 for Certification to EN ISO 3834
EA-6/04	EA Guidelines on the Accreditation of Certification of Primary Sector Products by Means of Sampling of Sites

Tab. 7

BASIC AND RELATED DOCUMENTS FOR CERTIFICATION OF PERSONS

International documents and laws	Title of document
ISO/IEC 17024	Conformity assessment - General requirements for bodies operating certification of persons

Tab. 8

BASIC AND RELATED DOCUMENTS FOR ACCREDITATION OF ENVIRONMENTAL VERIFICATORS

International documents and laws	Title of document
ISO/IEC 17021-1	Conformity assessment - Requirements for bodies providing audit and certification of management systems - Part 1: Requirements
Regulation of EP and Council No. 1221/2009 Act No. 351/2012 coll	on the voluntary participation by organizations in a Community eco-management and audit scheme (EMAS)
Act No. 351/2012 Coll.	on Environmental Verification and Registration of Organizations within the Scheme of the European Community for Environmental Management and Audit and on change and amendment of some acts

Tab. 9

BASIC AND RELATED DOCUMENTS FOR ACCREDITATION OF GREENHOUSE VERIFICATORS

International documents and laws	Title of document
EN ISO 14065	Greenhouse gases. Requirements for greenhouse gas validation and verification bodies for use in accreditation or other forms of recognition
IAF MD 6	Application of ISO 14065:2013
IAF MD 14	Application of ISO/IEC 17011 in Greenhouse Gas Validation and Verification (ISO 14065:2013)
Commission Regulation (EU) No. 600/2012	on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers pursuant do Directive 2003/87/EC
Commission Regulation (EU) No. 601/2012	on the monitoring and reporting of greenhouse gas emissions pursuant do Directive 2003/87/EC
Commission Guidance to Commission Regulation (EU) No 600/2012 (Guidance No 1, KGN II.1 – II.11, GD III, Verification report template, template No 1 – 4 for	

information exchange)*	
Commission Guidance to Commission Regulation (EU) No 601/2012 (Guidance No 1 – 6, template No 1 - 6)*	
EA-6/03	EA Document for Recognition of Verifiers under the EU ETS Directive
Act No. 414/2012 coll.	on emission allowance trading and on change and amendment of some acts

Tab. 10

BASIC AND RELATED DOCUMENTS FOR ACCREDITATION IN REGULATED AREA

Title of European directive/regulation
Personal protective equipment
Active implantable medical devices
Hot water boilers
Explosives for civil uses
Medical devices
Equipment and protective systems intended for use in potentially explosive atmospheres
Lifts
Pressure equipment
In vitro diagnostic medical devices
Radio and telecommunication terminal equipment
Cableway installations designated to carry persons
Noise emission in the environment by equipment for use outdoors
Measuring Instruments Directive
Electromagnetic compatibility

*http://ec.europa.eu/clima/policies/ets/monitoring/documentation_en.htm

Machinery
Low voltage directive
Pyrotechnic articles
Interoperability of the rail system within the Community (Recast)
Non-automatic weighing instruments
Safety of toys
Simple pressure vessels
Appliances burning gaseous fuels
Transportable pressure equipment
Construction products

Act	Title
Act No. 56/2018 coll.	On conformity assessment of product and making available on the market of assigned product
Act No. 142/2000 coll.	On Metrology
Act No. 106/2018 coll.	On operation of vehicles in road traffic
Act No. 124/2006 coll.	On Occupational Safety and Health Protection and on change and amendment of some acts
Act No. 355/2007 Coll.	On safe, support and development of public health
Act No. 189/2009 coll.	On organic production
Act No. 137/2010 Coll.	On Air
Act No. 362/2011 coll.	On Drugs and Medical Devices

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