

- (d) Category D
 - (i) Technical Service(s) which supervises or performs tests or inspections in the framework of the surveillance of conformity of production; and
 - (ii) ISO/IEC 17020 - Conformity assessment – Requirements for the operation of various types of bodies performing the inspection.
- 4. Technical Service(s) shall demonstrate appropriate skills, specific technical knowledge and proven experience in the specific fields covered by the UN Regulations listed in Annex 1 (List of Automotive Products within the Scope of this Arrangement) (hereinafter referred to as “Regulations”). In addition, Technical Service(s) shall be accredited in accordance with the provisions of Article 9 of this Arrangement which are relevant for the activities it carries out.
- 5. A Regulatory Authority may act as a Technical Service for one or more of the activities referred to in paragraph 3. Where a Regulatory Authority, acting as a Technical Service, has been appointed by its national law the provisions of this Annex or equivalent rules to the provisions in subparagraphs (a), (b), (c) and (d) and the Appendix on Procedure for the Assessment of Technical Service (hereinafter referred to as “Appendix”) shall be complied with. The equivalent rules shall guarantee the same level of performance and independence.
- 6. A manufacturer or a representative acting on his behalf may be designated as a Technical Service for Category A activities, with regard only to those Regulations which make express provision for such a designation. A Designating Body/Regulatory Authority should take appropriate measures to make sure that the results are reliable, such as the witnessing of tests.
- 7. A Designating Body/Regulatory Authority shall, as much as possible, give priority to using and designating Technical Service(s), located in ASEAN territories. In cases where the required Technical Services are not readily available in ASEAN territories and the use of the relevant services from outside ASEAN territories becomes necessary, a Designating Body/Regulatory Authority may consider using Technical Service(s), located outside ASEAN territories, that fall into one of the following:

- (a) Technical Service(s) that is accredited in accordance with the provisions of Article 9 of this Arrangement which is relevant to the activities it carries out; or
 - (b) Technical Service(s) that are registered under the 1958 Agreement which is relevant to the activities it carries out.
8. Technical Service(s), located outside ASEAN territories, which seeks acceptance under paragraph 7, shall make a formal application to a Designating Body/Regulatory Authority. Detail documentation for the application is shown in paragraph 8 of the Appendix shall provisionally apply for the purpose of the acceptance. Acceptance of non-ASEAN Technical Service(s) under this paragraph shall serve the specific use and therefore is provisional; for this purpose, the accepted non-ASEAN Technical Service(s) shall be treated equally as ASEAN designated Technical Service(s).
9. The AAC shall take into account accreditation certificates or designation certificates with the adequate scope of the proposed Technical Service(s) as proof of technical competence. The accepted Technical Service(s) by the AAC shall be listed.
10. The acceptance for Technical Service(s) located outside ASEAN, shall be regularly monitored by the Designating Body/Regulatory Authority of the respective Member State. In case of non-conformities, the Designating Body/Regulatory Authority of the respective Member State may suspend or withdraw the acceptance according to Article 10 of this Arrangement.

B. Assessment of the Skills of the Technical Service(s)

11. The skills referred to in paragraph 4 shall be demonstrated by a certificate of accreditation issued by an accreditation body.
12. The assessment, on which the accreditation certificate referred to in paragraph 8, shall be conducted in accordance with the provisions of the Appendix. The accreditation certificate shall be reviewed after a maximum period of three years.
13. The accreditation certificate shall be communicated to the AAC and the Designating Body/Regulatory Authority upon request.

14. The Regulatory Authority which acts as a Technical Service shall demonstrate compliance through documentary evidence. This includes an assessment which shall be conducted by Assessors independent of the activity being assessed. Such Assessors may be from within the same organisation provided that they are independent from the personnel undertaking the assessed activity.
15. A manufacturer or a representative acting on his behalf, designated as a Technical Service, shall comply with the relevant provisions of Clause B.

C. Procedures for Notification

16. Member States shall notify the AAC, through the ASEAN Secretariat, the name, address, including the electronic address and category of activities concerning each designated Technical Service. They shall also notify any subsequent modifications thereof.
17. The notification shall state for which Regulations the Technical Service(s) have been designated.
18. Technical Service(s) may conduct the activities described in Clause A, for the purposes of type-approval only if it has been notified to the AAC.
19. The same Technical Service(s) may be designated and notified by several Designating Bodies/Regulatory Authorities, irrespective of the category of activities which it conducts.
20. Where in the application of a Regulation, a specific organisation or a competent body, the activity of which is not included in those covered in Clause A, needs to be designated in the application of that regulatory act, the notification shall be done in accordance with the provisions of Clause C.

APPENDIX

PROCEDURE FOR THE ASSESSMENT OF TECHNICAL SERVICE

A. General

1. This Appendix establishes the conditions according to which the assessment procedure of the Technical Service(s) shall be conducted by an accreditation body, who is a signatory to the Mutual Recognition Arrangement of the International Laboratory Accreditation Cooperation (ILAC MRA) and/or International Accreditation Forum Multilateral Recognition Arrangement (IAF MLA). Any Member State, who has not established its own accreditation body, may suggest its Technical Service(s) to apply for accreditation from one of other Member States' accreditation bodies.
2. These requirements shall apply, *mutatis mutandis*, to all Technical Service(s), irrespective of their legal status (independent organisation, manufacturer or Regulatory Authority, acting as a Technical Service).

B. Principles of Assessing

3. Assessing is characterised by reliance on of the following principles:
 - (a) independence which is the basis for the impartiality and objectivity of the conclusions;
 - (b) an evidence-based approach which guarantees reliable and reproducible conclusions; and
 - (c) transparency and accountability.
4. Assessors shall show trust and integrity and shall respect confidentiality and discretion. They shall report truthfully and accurately findings and conclusions.

C. Skills Required of the Assessors

5. The assessments may only be conducted by Assessors having the technical and administrative knowledge necessary for such purposes.
6. The Assessors shall have been trained specifically for assessment activities. In addition, they shall have specific knowledge of the technical area in which the Technical Service will exercise its activities.
7. Without prejudice to the provisions of paragraphs 5 and 6, the assessment referred to in paragraph 11 shall be conducted by Assessors independent of the activities for which the assessment is conducted.

D. Application for Designation

8. A duly authorised representative of the applicant Technical Service(s) shall make a formal application to the Designating Body/Regulatory Authority that includes the following:
 - (a) general features of the Technical Service(s), including corporate entity, name, addresses, legal status and human and technical resources;
 - (b) general information concerning the Technical Service(s), such as its activities, its relationship in a larger corporate entity, if any, and addresses of all its physical location(s) to be covered by the scope of designation;
 - (c) an Arrangement to fulfill the requirements for designation and the other obligations of the Technical Service(s);
 - (d) a description of the conformity assessment services that the Technical Service(s) undertakes in the framework of the applicable Regulations and a list of the Regulations for which the Technical Service(s) seeks for designation, including limits of capability where applicable; and
 - (e) a copy of the accreditation certificate(s) of the Technical Service(s).
9. The Designating Body/Regulatory Authority shall review for adequacy the information supplied by the Technical Service(s).

E. Resource Review

10. The Accreditation Body shall review its ability to carry out the assessment of the Technical Service(s), in terms of its policy, its competence and the availability of suitable Assessors and experts.

F. Subcontracting the Assessment

11. The accreditation body may subcontract parts of the assessment to another accreditation body or ask for support from technical experts provided by other competent authorities. The subcontractors and experts have to be accepted by the applicant Technical Service(s).
12. The Designating Body/Regulatory Authority shall take into account accreditation certificates with adequate scope, in order to complete its assessment of the Technical Service(s).

G. Preparation for Assessment

13. The accreditation body shall formally appoint an assessment team. The former shall ensure that the expertise brought to each assignment is appropriate. In particular, the team as a whole:
 - (a) shall have appropriate knowledge of the specific scope for which designation is sought; and
 - (b) shall have understanding sufficient to make a reliable assessment of the competence of the Technical Service(s) to operate within its scope of designation.
14. The accreditation body shall clearly define the assignment given to the assessment team. The task of the assessment team is to review the documents collected from the applicant Technical Service(s) and to conduct the on-site assessment.
15. The accreditation body shall agree, together with the Technical Service(s) and the assigned assessment team, on the date and schedule for the assessment. However, it remains the responsibility of the accreditation body to pursue a date that is in accordance with the surveillance and reassessment plan.

16. The accreditation body shall ensure that the assessment team is provided with the appropriate criteria documents, previous assessment records and the relevant documents and records of the Technical Service(s).

H. On-site Assessment

17. The assessment team shall conduct the assessment of the Technical Service(s) at the premises of the Technical Service(s) from which one or more key activities are performed and, where relevant, shall perform witnessing at other selected locations where the Technical Service(s) operates.

I. Analysis of Findings and Assessment Report

18. The assessment team shall analyse all relevant information and evidence gathered during the document and record review and the on-site assessment. This analysis shall be sufficient to allow the team to determine the extent of competence and conformity of the Technical Service(s) with the requirements for designation.
19. The accreditation body's reporting procedures shall ensure that the following requirements are fulfilled:
 - (a) a meeting shall take place between the assessment team and the Technical Service(s) prior to leaving the site. At this meeting, the assessment team shall provide a written and/or oral report on its findings obtained from the analysis. An opportunity shall be provided for the Technical Service(s) to ask questions about the findings, including non-conformities, if any, and their basis;
 - (b) a written report on the outcome of the assessment shall be promptly brought to the attention of the Technical Service(s). This assessment report shall contain comments on competence and conformity, and shall identify non-conformities, if any, to be resolved in order to conform to all of the requirements for designation; and
 - (c) the Technical Service(s) shall be invited to respond to the assessment report and to describe the specific actions taken or planned to be taken, within a defined time, to resolve any identified non-conformities.

20. The accreditation body shall ensure that the responses of the Technical Service(s) to resolve non-conformities are reviewed to see if the actions appear to be sufficient and effective. If the Technical Service(s) responses are found not to be sufficient, further information shall be requested. Additionally, evidence of effective implementation of actions taken may be requested, or a follow-up assessment may be carried out to verify effective implementation of corrective actions.
21. The assessment report shall include, at a minimum:
 - (a) unique identification of the Technical Service(s);
 - (b) date(s) of the on-site assessment;
 - (c) name(s) of the Assessor(s) and/or experts involved in the assessment;
 - (d) unique identification of all premises assessed;
 - (e) proposed scope of accreditation that was assessed;
 - (f) a statement on the adequacy of the internal organisation and procedures adopted by the Technical Service(s) to give confidence in its competence, as determined through its fulfillment of the requirements for accreditation;
 - (g) information on the resolution of all non-conformities; and
 - (h) a recommendation of whether the applicant should be accredited or confirmed as Technical Service(s) and, if so, the scope of accreditation.

J. Granting/Confirming a designation

22. The Designating Body/Regulatory Authority shall, without undue delay, decide on whether to grant, confirm or extend designation based on the accreditation certificate(s) and any other relevant information.
23. The Designating Body/Regulatory Authority shall provide a certificate of designation to the Technical Service(s). This certificate shall identify the following:

- (a) the identity and logo of the Designating Body/Regulatory Authority;
- (b) the unique identity of the designated Technical Service(s);
- (c) the effective date of granting of designation and the expiry date thereof;
- (d) a brief indication of, or a reference to, the scope of designation (applicable Regulations or part of them); and
- (e) a statement of conformity and a reference to the present document.

K. Reassessment and Surveillance

- 24. Reassessment is similar to an initial assessment except that experience gained during previous assessments shall be taken into account. Surveillance on-site assessments are less extensive than reassessments.
- 25. The accreditation body shall design its plan for reassessment and surveillance of each accredited Technical Service, so that representative samples of the scope of accreditation are assessed regularly.
- 26. The interval between on-site assessments, whether reassessment or surveillance, depends on the proven stability that the Technical Service(s) has reached.
- 27. When, during surveillance or reassessments, non-conformities are identified, the accreditation body shall define strict time limits for corrective actions to be implemented as agreed by the assessor and assessee.
- 28. When the corrective or improvement actions have not been taken within the agreed timeframe, or are not deemed to be sufficient, the accreditation body shall adopt appropriate measures such as conducting a further assessment, suspending/withdrawing the accreditation for one or more of the activities for which the Technical Service(s) has been accredited.

29. When the accreditation body decides to suspend or withdraw the accreditation of Technical Service(s), it shall officially inform the latter by registered mail. In any case, the accreditation body shall adopt all the necessary measures to ensure the continuity of the activities already undertaken by the Technical Service(s) and shall inform the decision to the Designating body/Regulatory Authority.

L. Records on Designated Technical Service

30. The Designating Body/Regulatory Authority shall maintain records on Technical Service(s) to demonstrate that requirements for designation, including competence, have been effectively fulfilled.
31. The Designating Body/Regulatory Authority shall keep the records on Technical Service(s) secure to ensure confidentiality.
32. Records on Technical Service(s) shall include at least:
 - (a) relevant correspondence;
 - (b) assessment accreditation certificates; and
 - (c) copies of designation certificates.