

2021 ASEAN MUTUAL RECOGNITION ARRANGEMENT ON TYPE APPROVAL FOR AUTOMOTIVE PRODUCTS

Adopted in Nay Pyi Taw, Myanmar on 16 January 2021

ARTICLE 1 OBJECTIVES.....	3
ARTICLE 2 DEFINITIONS	3
ARTICLE 3 GENERAL PROVISIONS	4
ARTICLE 4 SCOPE AND COVERAGE	4
ARTICLE 5 INSTITUTIONAL ARRANGEMENTS	5
ARTICLE 6 MONITORING OF TECHNICAL SERVICES.....	5
ARTICLE 7 LISTING OF TECHNICAL SERVICES	6
ARTICLE 8 VERIFICATION OF TECHNICAL COMPETENCE AND COMPLIANCE OF TECHNICAL SERVICES	6
ARTICLE 9 TECHNICAL COMPETENCE OF TECHNICAL SERVICES	7
ARTICLE 10 SUSPENSION OR WITHDRAWAL OF LISTED TECHNICAL SERVICES.....	7
ARTICLE 11 IMPLEMENTATION.....	7
ARTICLE 12 PRESERVATION OF REGULATORY AUTHORITY.....	8
ARTICLE 13 CONFIDENTIALITY	8
ARTICLE 14 ANNEXES AND APPENDICES	8
ARTICLE 15 SETTLEMENT OF DISPUTES	9
ARTICLE 16 DEPOSITARY	9
ARTICLE 17 REVIEW	9
ARTICLE 18 AMENDMENTS	9
ARTICLE 19 RESERVATIONS.....	9
ARTICLE 20 ENTRY INTO FORCE	10
ANNEX 1 LIST OF AUTOMOTIVE PRODUCTS WITHIN THE SCOPE OF THIS ARRANGEMENT..	11
ANNEX 3 DESIGNATION AND REQUIREMENTS FOR TECHNICAL SERVICE	12
APPENDIX PROCEDURE FOR THE ASSESSMENT OF TECHNICAL SERVICE.....	15

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The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Republic of the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam, Member States of the Association of Southeast Asian Nations (ASEAN) (hereinafter collectively referred to as "Member States" or singularly as "Member State");

REITERATING the commitment to create a single market and production base which is stable, prosperous, highly competitive and economically integrated with effective facilitation for trade and investment in which there is a free flow of goods, and for the deeper economic integration of the region towards the realisation of the ASEAN Economic Community envisaged in the ASEAN Charter, the Declaration on the ASEAN Economic Community Blueprint signed by the Leaders on 20 November 2007 in Singapore and the ASEAN Economic Community Blueprint 2025 adopted by the Leaders on 22 November 2015 in Kuala Lumpur, Malaysia;

MINDFUL of the goals of establishing ASEAN as a single market and production base characterised by free flow of goods, services, investment, skilled labour and freer flow of capital as the end-goal of ASEAN economic integration and turning the diversity that characterises the region into opportunities for business complementation making ASEAN a more dynamic and stronger segment of the global supply chain and the world economy;

RECALLING that the ASEAN Framework Agreement on Mutual Recognition Arrangements was signed on 16 December 1998 in Hanoi, Viet Nam to facilitate reciprocal recognition of test reports and certification of products and enhance trade in ASEAN;

RECALLING the ASEAN Framework Agreement for the Integration of Priority Sectors and the ASEAN Sectoral Integration Protocol for Automotives signed on 29 November 2004 in Vientiane, Lao PDR to integrate the automotive sector as one of the priority sectors;

RECALLING that the ASEAN Trade in Goods Agreement was signed on 26 February 2009 in Cha-am, Thailand in the determination to realise the goals of establishing ASEAN as a single market and production base characterised by free flow of goods, services, investment, skilled labour and freer flow of capital;

REAFFIRMING Member States' commitments to the World Trade Organization Agreement on Technical Barriers to Trade, which encourages Members to enter into negotiations for the conclusion of agreements for the mutual recognition of results of each other's conformity assessment procedures and ensures the elimination of unnecessary obstacles to trade, regarding technical regulations; and

DESIRING to formulate a regional commitment to deepen and broaden cooperation in automotive, in particular, the vehicle type approval to contribute to the realisation of the ASEAN Economic Community,

HAVE AGREED AS FOLLOWS:

ARTICLE 1 OBJECTIVES

The objectives of this ASEAN Mutual Recognition Arrangement on Type Approval for Automotive Products (hereinafter referred to as the "Arrangement") are:

- (a) to enhance cooperation amongst Member States in ensuring the safety, quality and environmental protection of ASEAN automotive products;
- (b) to create a single market and reduce technical barriers to trade in the automotive sector through the harmonisation of technical requirement regarding safety, quality and environmental protection of ASEAN automotive products;
- (c) to facilitate the negotiation for mutual arrangement between ASEAN and other countries for recognition of conformity assessment results; and
- (d) to increase the utilisation and strengthen the capability of testing facility amongst Member States.

ARTICLE 2 DEFINITIONS

1. General terms concerning conformity assessment used in this Arrangement shall have the meaning given in the definitions contained in the *United Nations Economic Commission for Europe Agreement Concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these Prescriptions* (hereinafter referred to as the "1958 Agreement"), formerly known as the *Agreement Concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts*, done at Geneva on 20 March 1958, with the exception of the following terms which shall contain definitions provided herein:

- (a) **conformity assessment** means systematic examination to determine the extent to which a product, process or service fulfills specified requirements;
- (b) **Designating Body** means a single body appointed by each Member State with the responsibility to designate and monitor technical services to perform relevant conformity assessment activities as specified under this Arrangement and it also serves as the main contact point for this Arrangement;
- (c) **Technical Service(s)** means a body or bodies that performs the inspection, testing and issuance of results for the automotive products; and
- (d) **Regulatory Authority** means an entity that exercises a legal right to control the import, use or sale of automotive products within a Member State's jurisdiction and take enforcement action such as, approval of wheeled vehicles, equipment and parts, for issuing and, if appropriate, withdrawing approval certificates, to ensure that products marketed within its jurisdiction to comply with legal requirements. In some Member States, Regulatory Authority acts as a Designating Body and may be referred to as the "Competent Authority".

2. In addition, the following terms and definitions shall apply to this Arrangement:

- (a) **ASEAN Automotive Committee** (AAC) refers to the body, which shall be established to monitor the effective function of this Arrangement;
- (b) **ASEAN Automotive Products** means automotive products manufactured by a manufacturer incorporated and operating within the territories of ASEAN that carries out manufacturing activities and responsible for the safety, quality and environment protection of the product concerned;
- (c) **automotive products** means components and/or systems of vehicles;
- (d) **Listed Technical Services** means Technical Services which are listed pursuant to Article 7; and
- (e) **type approval** means conformity of automotive product within the scope of this Arrangement.

ARTICLE 3 GENERAL PROVISIONS

1. This Arrangement sets out the arrangement under which Member States shall accept or recognise the conformity assessment results, which have been issued in accordance with the provisions of this Arrangement by the Listed Technical Services.
2. Member States shall ensure that no retesting is required for ASEAN Automotive Products that are already UN Regulations compliant according to the requirements of this Arrangement, even if it is incorporated in a vehicle.
3. Member States shall ensure that the Designating Bodies/Regulatory Authorities specified have the authority and competence in their respective territories to carry out obligations required of them under this Arrangement.
4. Member States shall ensure that the Technical Services listed under this Arrangement fulfill the conditions of eligibility to assess conformity and shall observe the procedures in relation to the requirements set out in Article 6.

ARTICLE 4 SCOPE AND COVERAGE

1. The scope of this Arrangement shall be for the purpose of facilitating mutual recognition of conformity assessment results of new automotive products, as listed in Annex 1 (List of Automotive Products within the Scope of this Arrangement).
2. This Arrangement applies when inspection, testing and issuance of results are used as the basis for regulatory action in respect of automotive products.
3. This Arrangement does not apply to all used automotive products which may be referred to by other terms such as refurbished, reconditioned or remanufactured automotive products.

ARTICLE 5

INSTITUTIONAL ARRANGEMENTS

1. The AAC shall be established to monitor the effective implementation of this Arrangement.
2. The AAC shall consist of one official representative from each Member State. The representatives may be accompanied by their delegation at meetings of the AAC.
3. The AAC, in the performance of its functions, shall take its decisions by consensus. If consensus is not reached, then the issue will be elevated to the Automotive Product Working Group (APWG)/ASEAN Consultative Committee for Standards and Quality (ACCSQ). The MC shall be responsible for, but not limited to, the following:
 - (a) developing and making available documents to the public concerning requirement verification and/or standards operation procedure in assessing the proposed technical services;
 - (b) coordinating, reviewing, monitoring and enhancing the implementation of this Arrangement;
 - (c) reviewing and updating the Annexes and Appendices to this Arrangement;
 - (d) listing, suspending, withdrawing, removing, reinstating and verifying Technical Service(s) (or conformity assessment bodies) in accordance with this Arrangement;
 - (e) providing a forum for discussion of issues that may arise concerning the implementation of this Arrangement;
 - (f) reviewing and proposing amendments to this Arrangement; and
 - (g) considering any other matters and taking appropriate technical decisions relating to the implementation of this Arrangement.
4. The MC shall establish or consult a body or bodies to seek advice on any matter of technical issues in automotive products.
5. The ACCSQ and the ASEAN Secretariat shall provide support in coordinating and monitoring the implementation of this Arrangement and shall assist the AAC in all matters relating thereto.

ARTICLE 6

MONITORING OF TECHNICAL SERVICES

1. The Designating Bodies/Regulatory Authorities shall regularly monitor their respective Technical Service(s) to ensure that the latter are capable and remain capable of properly assessing and carrying out conformity assessment activities of automotive products according to their respective designation in their respective territories, whether they conform to the applicable UN Regulations.
2. The Designating Bodies/Regulatory Authorities shall, where necessary, consult their counterparts in other Member States to ensure the maintenance of confidence in the automotive products conformity assessment schemes. This consultation may include joint participation in audits or inspections involving their respective Technical Services, where appropriate.

3. The Designating Bodies/Regulatory Authorities shall be responsible for ensuring that the Technical Services which they designate comply with Annex 2 (Designation and Requirements for Technical Service) and the quality of conformity assessment activities carried out by Technical Services correspond with the level of the requirements in the UN Regulations for which they are designated as prescribed in Annex 2 (Designation and Requirements for Technical Service).

ARTICLE 7

LISTING OF TECHNICAL SERVICES

1. A Designating Body/Regulatory Authority may identify and designate Technical Service(s) and its corresponding scopes of competence which shall be responsible for carrying out conformity assessment activities and issue conformity assessment results for the purpose of this Arrangement.
2. A Designating Body/Regulatory Authority shall submit written details of the conformity assessment body which it proposes to list as its Technical Service(s) for the purposes of this Arrangement to the AAC for its decision in accordance with the requirements of Annex 2 (Designation and Requirements for Technical Service) and the following procedures:
 - (a) Within 60 calendar days following receipt of a Designating Body/Regulatory Authority's submission, the AAC shall inform the ASEAN Secretariat of its decision to list the conformity assessment body being proposed as the Technical Service(s) of that Member State. If there is no response within the 60 calendar days, which is deemed as the contestation period, the submission of the designation of the conformity assessment body by a Member State shall be taken as approved by the MC, and that conformity assessment body shall be added to the list of accepted Technical Services under this Arrangement.
 - (b) A member of the AAC who fails to vote on the approval of a conformity assessment body proposed by a Designating Body/Regulatory Authority within the time specified in subparagraph (a) shall not be regarded as having objected to the acceptance of that body as a Technical Service of that Member State.
 - (c) Upon the reasonable request of one or more Member States for the verification of the technical competence or compliance of a proposed Technical Service, the AAC may decide that the Technical Service concerned be re-verified in accordance with the requirements of Annex 2 (Designation and Requirements for Technical Service) before deciding on the acceptance of the proposed Technical Service. Such a request for verification by a Member State shall be submitted to the AAC, through the ASEAN Secretariat, for determination of equivalence in accordance with Article 8.
3. The ASEAN Secretariat shall establish and maintain the list of accepted Technical Services under this Arrangement.

ARTICLE 8

VERIFICATION OF TECHNICAL COMPETENCE AND COMPLIANCE OF TECHNICAL SERVICES

1. Member States shall ensure that the Technical Service(s) proposed or designated by their Designating Bodies/Regulatory Authorities shall be available for verification of its technical competence and compliance with the applicable requirements by the AAC.

2. Written justification shall be submitted to the ASEAN Secretariat for any request for verification of technical competence and compliance of the Technical Service(s), which shall be promptly forwarded to the AAC for decision.
3. Where the AAC decides that the verification of technical competence and compliance is required, it shall be carried out in a timely manner based on the procedures and criteria set forth in Article 9.
4. The results of a verification exercise shall be discussed by the AAC as soon as possible in resolving any disagreement amongst the Member States.

ARTICLE 9

TECHNICAL COMPETENCE OF TECHNICAL SERVICES

Member States shall ensure that the competence criteria for the Technical Services for conformity assessment activities related to type approval and conformity of production are in compliance with the 1958 Agreement or accredited in accordance with the following requirements:

- (a) ISO/IEC 17025 – General requirements for the competence of testing and calibration laboratories; and/or
- (b) ISO/IEC 17021 – Conformity assessment – Requirements for bodies providing audit and certification of managements systems; and/or
- (c) ISO/IEC 17020 – Conformity assessment – Requirements for the operation of various types of bodies performing inspection.

ARTICLE 10

SUSPENSION OR WITHDRAWAL OF LISTED TECHNICAL SERVICES

1. A Member State, through its Designating Body/Regulatory Authority, may suspend or withdraw its Technical Service(s) from the list of accepted Technical Services by notifying the MC, through the ASEAN Secretariat, with relevant written justifications. All other Member States have a right not to accept the conformity assessment results of the suspended or withdrawn Technical Service(s). The effective date of suspension or withdrawal shall be six months from receipt of the notification.
2. Upon the MC receiving a complaint by a Designating Body/Regulatory Authority with relevant written justifications regarding the technical competence of a Listed Technical Services, the AAC shall review the complaint and shall decide on the course of action to be taken against the Listed Technical Services, including suspension or withdrawal or termination of the Technical Service(s).
3. The AAC shall consider an application by a Member State, through its Designating Body/Regulatory Authority, to reinstate Technical Service(s) whose participation has been suspended or withdrawn or terminated.

ARTICLE 11

IMPLEMENTATION

1. Member States shall undertake appropriate measures to implement this Arrangement.

2. Member States shall strengthen and enhance existing cooperation efforts in confidence building and develop cooperation in areas that are not covered by existing cooperation arrangements, through inter alia:
 - (a) harmonisation of national standards and technical regulations with the technical requirements of UN Regulations relevant to this Arrangement;
 - (b) establishing or improving of infrastructure in calibration, testing, inspection, certification and accreditation to meet this Arrangement;
 - (c) research and development; and
 - (d) exchange of information and training.
3. Member States shall ensure that the national laws, which they adopt in the field governed by this Arrangement, are communicated to the other Member States with a copy to the ASEAN Secretariat, who shall promptly notify the AAC.
4. Member States shall ensure that post market surveillance is in place and shall have full authority to enforce the law on automotive products found non-compliant with any provision of this Arrangement.

ARTICLE 12

PRESERVATION OF REGULATORY AUTHORITY

1. Nothing in this Arrangement shall prevent the Regulatory Authority in a Member State from taking all appropriate and immediate measures within its territory whenever it ascertains that the automotive products may represent a hazard to human health, safety, environment and property or otherwise fail to satisfy the requirements of this Arrangement.
2. This Arrangement does not preclude Member States from adopting and accepting other applicable technical, environment and safety requirements for their own automotive products market

ARTICLE 13

CONFIDENTIALITY

1. Member States shall undertake to observe the confidentiality and secrecy of documents, information and other data received from or supplied to the other Member State during the period of implementation of this Arrangement or any other arrangement made pursuant to this Arrangement.
2. Notwithstanding the termination of this Arrangement, this Article shall continue to be binding amongst the Member States.

ARTICLE 14

ANNEXES AND APPENDICES

The Annexes and Appendices to this Arrangement constitute an integral part of this Arrangement.

ARTICLE 15 SETTLEMENT OF DISPUTES

1. Member States shall, at all times, endeavour to agree on the interpretation and application of this Arrangement and shall attempt to settle any difference or dispute concerning the interpretation or implementation through communication, dialogue, consultation and cooperation to arrive at a mutually satisfactory resolution.
2. The *ASEAN Protocol on Enhanced Dispute Settlement Mechanism*, signed on 29 November 2004 in Vientiane, Lao PDR, or its successor, shall apply to disputes concerning the interpretation or implementation of any of the provisions under this Arrangement.

ARTICLE 16 DEPOSITARY

This Arrangement shall be deposited with the Secretary-General of ASEAN who shall provide a certified copy thereof to each Member State.

ARTICLE 17 REVIEW

1. This Arrangement may be reviewed by the Member States, as deemed necessary, after its entry into force for the purpose of fulfilling the objectives of this Arrangement.
2. A review, with a view to discuss and consider the expansion of the scope of this Arrangement to include "products traded in ASEAN", shall commence on the fourth year following the entry into force of this Arrangement. Following the review, recommendations shall be submitted to the ASEAN Economic Ministers by the fifth year following the entry into force of this Arrangement. Successive reviews on the scope of this Arrangement shall be conducted every fourth year and recommendations shall be submitted every fifth year, respectively, thereafter.

ARTICLE 18 AMENDMENTS

1. The provisions of this Arrangement shall only be amended by mutual written agreement of all the Member States.
2. Notwithstanding paragraph 1, the Annexes and Appendices of this Arrangement may be reviewed and amended by the AAC. Such amendment shall be administratively annexed to this Arrangement by the Depositary and shall form an integral part of this Arrangement.
3. Any amendment shall not prejudice the rights and obligations arising from or based on this Arrangement prior and up to the date of such amendment.

ARTICLE 19 RESERVATIONS

Member States shall make no reservations with respect to any of the provisions of this Arrangement.

ARTICLE 20 ENTRY INTO FORCE

1. This Arrangement shall enter into force, after Member States have notified or deposited their instrument of ratifications with the Depositary upon the completion of their internal procedures, or one year after the signing of this Arrangement, whichever is earlier.
2. The Secretary-General of ASEAN shall promptly notify Member States of the notifications or deposit of each instrument of ratification referred to in paragraph 1.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this ASEAN Mutual Recognition Arrangement on Type Approval for Automotive Products.

DONE at Nay Pyi Taw, Myanmar, this Sixteenth Day of January in the Year Two Thousand and Twenty-One in a single copy in the English Language.

ANNEX 1

LIST OF AUTOMOTIVE PRODUCTS WITHIN THE SCOPE OF THIS ARRANGEMENT

The list of automotive products for M₁, N₁ and L categories that fall within the scope of this Arrangement are as follows:

NO.	AUTOMOTIVE PRODUCT	UN REGULATION
1	Braking System	R3
2	Braking System	R13H
3	Safety-belt anchorage	R14
4	Safety-belt and Restraint System	R16
5	Seats	R17
6	Head Restraints	R25
7	Audible Warning Device	R28
8	Pneumatic Tyre	R30
9	Speedometer	R39
10	Exhaust Emission	R40
11	Noise	R41
12	Safety Glazing Materials and their Installation	R43
13	Devices for Indirect Vision	R46
14	Exhaust Emission	R49
15	Sound Emission	R51
16	Pneumatic Tyre	R54
17	Pneumatic Tyre	R75
18	Steering Equipment	R79
19	Exhaust Emission	R83

ANNEX 3

DESIGNATION AND REQUIREMENTS FOR TECHNICAL SERVICE

A. DESIGNATION OF TECHNICAL SERVICE

1. The Designating Body/Regulatory Authority shall designate Technical Service(s) in accordance with the provisions of this Annex.
2. The Technical Service(s) shall carry out itself, or supervise, the tests required for approval or inspections specified in the respective regulations, except where alternative procedures are specifically permitted.
3. The Technical Service(s) shall fall into one or more of the four categories of activities, depending on its field of competence:
 - (a) Category A
 - i. Technical Service(s) which carries out in its facilities the tests referred to in the Regulations; and
 - ii. 1S0/IEC 17025 – General requirements for the competence of testing and calibration laboratories.
 - (b) Category B
 - i. Technical Service(s) which supervises the tests referred to in the Regulations, performed in the manufacturer's facilities or the facilities of a third party; and
 - ii. 1S0/IEC 17020 – Conformity assessment – Requirements for the operation of various types of bodies performing the inspection.
 - (c) Category C
 - i. Technical Service(s) which assesses and monitors on a regular basis the manufacturer's procedures for controlling the conformity of production; and
 - ii. 1S0/IEC 17021 – Conformity assessment – Requirements for bodies providing audit and certification of management systems;
 - (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.