

Pursuant to Article 14 of the Law on Accreditation (“Official Gazette of Republic of Macedonia”, No. 120/2009), the Council of the Institute for Accreditation of the Republic of Macedonia, on the Session held on 29<sup>th</sup> January 2010 adopted the following

**S T A T U T E**  
**OF THE INSTITUTE FOR ACCREDITATION OF THE**  
**REPUBLIC OF MACEDONIA**

**1. General provisions**

**Article 1**

This Statute shall stipulate the name, location, and organization of the Institute for Accreditation of the Republic of Macedonia (hereinafter: the Institute), the manner of execution of works and tasks, the bodies of the Institute, the method of establishment of technical working bodies of the Institute of Article 22 of the Law on Accreditation and the competencies and responsibilities thereof, the management, the governance, the control, the rights and responsibilities of service beneficiaries, the international cooperation and other issues for delivery of works and tasks of the Institute.

**Article 2**

The Institute shall act as a public institution of public interest.  
The Institute shall have the status of a legal entity.  
The Institute within its powers shall act independently in legal trade, in accordance with Law, and shall act on its own behalf and account.

**2. Status provisions**

**Article 3**

The name of the public institution shall be: Institute for Accreditation of the Republic of Macedonia.  
The abbreviated name of the Institute shall be IARM.  
The English name of the Institute shall be “Institute for Accreditation of the Republic of Macedonia”.  
The headquarters of the Institute shall be located at Vasil Glavinov bb, block X, mezzanine.

**Article 4**

The Institute shall have its own logo.  
The accredited conformity assessment bodies shall be allocated an accreditation mark by the Institute.  
The form, content and manner of use of the logo as well as of the accreditation mark shall be regulated in a separate act by the Council (hereinafter: Council).

**Article 5**

The stamp of the Institute is round in shape and 35mm in diameter. The mid section of the stamp holds the Coat of Arms of the Republic of Macedonia bordered with the caption: “Institute for Accreditation of the Republic of Macedonia- Skopje”.

The stamp of receipt is rectangular in shape sized 65X40 mm holding the following inscription “Institute for Accreditation of the Republic of Macedonia- Skopje“, under which the following data record is imprinted: date of reception, organizational unit, addendum and value.

### **3. Working principles of the Institute**

#### **Article 6**

The Institute, in the course of provision of services to its beneficiaries, in addition to the principles stipulated in Article 7 of the Law on Accreditation, shall maintain the following principles as well:

- Public and transparent work
- Voluntary character of accreditation
- Lack of competitiveness
- Confidentiality
- Independence in operation
- Impartiality in the accreditation procedures
- Lack of provision of consultancy for beneficiaries of services
- Harmonization of accreditation procedure with the accreditation procedures on international and European level and
- Building confidence in service beneficiaries

### **4. Works and tasks of the Institute**

#### **Article 7**

The Institute shall perform works and tasks stipulated in Article 6 of the Law on Accreditation.

In addition to works stipulated in paragraph 1 of this Article, the Institute shall perform the following works and tasks:

- development of an annual Working Program;
- development of a Report on the delivered Program;
- securing information related to its work
- publication of a list of accredited bodies and regular update of the list
- issuance of professional publications;
- organization of training in the area of accreditation;
- promotion of accreditation;
- works and other tasks stipulated by Law.

#### **Article 8**

The works and tasks are carried out by the personnel in accordance with the Act on organization and work of the Institute and the Systematization Act of works and tasks of the Institute.

#### **Article 9**

The funds for the operation of the Institute shall be secure in accordance with Article 8 of the Law on Accreditation.

## **5. Bodies of the Institute**

### **Article 10**

Bodies of the Institute are as follows:

- the Council;
- the Director, and
- The Material and Financial Supervision Board.

#### **a) Council**

The Council shall be the body responsible for the management of the work of the Institute.

The Council shall consist of 11 members appointed by the Government of the Republic of Macedonia following the proposal of the:

- Government of the Republic of Macedonia represented with four members;
- the Universities – one representative;
- Economic chambers- two representatives;
- Conformity assessment bodies – two representatives;
- Consumers organization – one representative and
- the Institute- one representative from the Institute's staff.

The mandates of the chairperson and the members of the Council are four years with a possibility of reelection.

### **Article 11**

The procedure for appointment of a new chairperson and members of the Council shall start the latest of three months prior to the expiration of the mandate of the Council stipulated in Article 10 paragraph 2 of this Statute.

If upon expiry of the mandate of the permanent members- of the Council of Article 10 paragraph 2 of this Statute a new procedure for appointment of the new composition of the Council is not instigated, the current constitution shall continue to perform tasks until the nomination of the new membership, the latest of 6 months.

### **Article 12**

The chairperson and the members of the Council can be released prior to the expiry of the period for which they have been appointed in cases stipulated in Article 12 of the Law on Accreditation.

The proposal for recall of the Council members shall be adopted by the Council carrying the majority of votes and shall be endorsed by the Government of the Republic of Macedonia.

The procedure for the nomination of a new chairperson and new members of the Council replacing the dismissed constitution shall be the same as the one used in the election of new members of the Council and shall start immediately upon recall of some of the members of the Council.

### **Article 13**

The Council shall perform works and tasks stipulated in Article 14 of the Law on Accreditation.

The general acts adopted by the Council, in accordance with Article 14 paragraph 1 indent 1 of the Law on Accreditation stipulating the general requirements of accreditation or assessment of competence according to set regulation should be in line with the requirements of the laws and regulations as well as with the requirements of the European and Macedonian standards for accreditation and with the documents of the European and international accreditation organizations.

In addition to the items in paragraph 1 of this Article, the Council shall carry out the following works and tasks:

- propose a long-term Program for Development of the Institute adopted by the Government of Republic of Macedonia;
- prepare and adopt the Working program of the Council;
- consider and give views on the Annual Working Program of the Institute;
- consider and give views on the Report for the enforcement of the Annual Working Program of the Institute;
- adopt decisions upon appeals following proposals by the Appeals Committee;
- through the Accreditation Board shall monitor the work of the Director as to the granting, suspension or withdrawal of accreditation;
- in cases of conflict of interest between the Director and the accreditation applicant, following a proposal by the Accreditation Board shall adopt decisions on granting, suspension or withdrawal of accreditation;
- adopt decisions as to the amount and method of payment of fees to the members of the Council;
- adopt an act as to the amount and method of payment of fees to the assessors and experts in the assessment team;
- interpretation of the Statute; and
- perform other affairs in accordance with the Law and this Statute.

#### **Article 14**

The Council shall form the following working bodies:

- Accreditation Board and
- Appeals Committee

#### **Article 15**

The Accreditation Board is composed of at least three members selected from the Council constituency.

The members should be independent, competent to perform their works and tasks and fulfill the requirements of data confidentiality.

The works and tasks of the Accreditation Board are to be defined in a separate act of the Council.

#### **Article 16**

The Appeals Committee is composed of at least three members selected from the Council constituency.

The members of the Appeals Committee should be independent from the accreditation process for which an appeal has been submitted, should be impartial and competent in their job.

The works and tasks of the Appeals Committee are to be determined with a separate act of the Council.

### **Article 17**

The method of work of the Council, the rights and obligations of the chairperson and the members of the Council are to be regulated in Rules of Procedure of the Council.

### **Article 18**

The Council, if necessary, shall form commissions and working groups.

## **b) Director**

### **Article 19**

The Institute shall be governed by a Director.

The Director is appointed and dismissed by the Council.

The nominee for Director should be a person fulfilling the requirements of Article 15 paragraph 3 of the Law on Accreditation.

### **Article 20**

The procedure for appointment of the Director is to be carried out by the Council according to Article 16 and 17 of the Law on Accreditation.

### **Article 21**

The Director can be released prior to expiry of the mandate in cases stipulated in Article 20 of the Law on Accreditation.

### **Article 22**

The Council can without a public announcement appoint an acting director from the personnel in the Institute in accordance with Article 18 of the Law on Accreditation.

### **Article 23**

The Director shall perform tasks stipulated in Article 19 from the Law on Accreditation.

In addition to items of paragraph 1 of this Article, the Director shall perform the following works and tasks:

- Adoption of acts for the method of work of the Institute in line with the Macedonian, European and international standards as well as the with documents of the European and international accreditation organizations which regulated the operation of the Institute in greater detail;
- Prepare an Annual Working Program of the Institute;
- Prepare Report on the delivered Annual Working Program of the Institute;
- Prepare financial plan and final financial report;
- Adopt decisions for granting, refusal, suspension and withdrawal of the accreditation as well as of other decisions in line with the accreditation procedure and other assessment procedures for competency of the conformity assessment bodies according to a set of regulations;
- Consider complaints filed against the method of work of the Institute and adopt follow up decisions;

- Adopt decisions (decisions for forming assessment team etc);
- Sign contracts with the accreditation applicants regulating the rights and responsibilities of the applicants of accreditation as well as of the Institute;
- Sign contracts with the assessors and experts regulating the rights and responsibilities of the assessors and experts and the Institute;
- When necessary form commissions, committees and working groups for carrying out particular tasks;
- Apply discipline actions and rewarding measures for the employees pursuant to law and other regulations; and
- Perform other works and tasks regulated by law, Statute and other acts of the Institute.

#### **Article 24**

In cases when the Director is away on business or on sick leave, he can authorize another person from the permanent staff to represent him/her except for issues of exclusive competence of the Director stipulated in the Accreditation Law.

#### **Article 25**

The Director shall form a Personnel Evaluation Committee.

The task of the Personnel Evaluation Committee is to consider new applications for registration of assessors and experts, to make a selection of assessors and experts as well as to assess the work of the assessors and experts.

The members of the Personnel Evaluation Committee of paragraph 1 of this Article and the works and tasks of the Personnel Evaluation Committee shall be defined in a separate act by the Director.

#### **Article 26**

The Director shall form technical and sector committees to obtain professional opinions and views on particular issues in the area of accreditation and assessment of competency of conformity assessment bodies.

The members of the technical and sector committees of paragraph 1 of this Article and the works and tasks of the technical and sector committees shall be regulated in separate acts by the Director.

#### **Article 27**

The Institute shall develop a list of assessors and experts in certain areas and shall update it regularly.

### **c) Material and Financial Supervision Board**

#### **Article 28**

The control of the material and financial affairs of the Institute shall be conducted by the Material and Financial Supervision Board (hereinafter: Supervision Board).

The Supervision Board shall be composed of chairperson and two members.

The mandates of the chairperson and the members of the Supervision Board are four years. The Supervision Board shall file a report on the work of the Institute to the Government of Republic of Macedonia.

The manner of work, the rights and responsibilities of the members of the Supervision Board shall be regulated according to Rules of Procedure adopted by the Supervision Board.

## **6. International cooperation**

### **Article 29**

The international cooperation pursuant to Article 33 from the Law on Accreditation shall be completed by the Institute via participation in the European and international accreditation organizations, participation in the work of the bodies thereof, participation in conferences and round tables, signing mutual recognition agreements and bilateral cooperation agreements.

## **7. Confidentiality**

### **Article 30**

All information received by the Institute from the applicant for accreditation or competence assessment during the accreditation procedure and other procedures for competency assessment of the conformity assessment bodies according to a defined regulation shall be treated as confidential except general data about the accredited bodies and the scope of the granted accreditation. Confidential data shall not be disclosed to third parties without any written consent by the applicant except when the disclosure of information is required by law.

The employees in the Institute and members participating in the bodies and authorities of the Institute shall sign a confidentiality statement.

## **8. Publicity in the work**

### **Article 31**

All information related to the manner of work of the Institute shall be made public and transparent except in cases of confidential information and data.

The Institute shall keep and publish a list of accredited bodies.

The Institute shall inform the public of its work via:

1. the web site;
2. written materials;
3. participation in conferences and round tables and
4. other ways of information and reporting.

## **9. Participation of the employees in the activities of the Trade Union**

### **Article 32**

The employees in the Institute shall exercise all workers rights pursuant to law and collective agreement.

### **Article 33**

The Institute shall agree to the work of the representatives of the Trade Union anticipating requirements for them for delivery of the trade union activities pursuant to law and the collective agreement.

## **10. Right to strike**

### **Article 34**

The employees shall have the right to strike in accordance with the strike provisions under the Law on Institutions.

## **11. Procedure for amendments to the Statute**

### **Article 35**

Amendments to the Statute shall be carried out following the same procedure as the one for the adoption thereof.

## **12. Final provisions**

### **Article 36**

On the day of entry into force of this Statute, the Statute of the Institute for Accreditation of the Republic of Macedonia adopted by a Decision of Consent by the Minister of Economy No.02- 7093/1 dated 21.11.2003 shall cease to apply.

### **Article 37**

This Statute shall enter into force the following day of its announcement on a bulleting board and on the web site of the Institute following a received approval by the Government of the Republic of Macedonia.

Date:

29.01.2010

Chairman of the Council

Prof. Mikolaj Kuzinovski, Phd