

QM 20.0 Related Bodies Analysis

1. Purpose

This procedure describes how GAC identifies, analyses and documents the relationships with related bodies and how it determines any potential conflict of interest.

2. Scope

This procedure is applicable to all current or future entities and organisations that have or may have a potential risk about conflict of interest, impartiality and objectivity on the accreditation decision.

3. Responsibilities

The Technical and Quality Manager with the Stakeholders Advisory Committee are responsible of the implementation of the procedure.

4. Procedure

Herein, this is an overview how GAC ensures, with the contribution of interested parties (Stakeholders Advisory Committee), the implementation of an effective process for the identification, analysis and documentation of the relationships with possible related bodies.

In fact, Periodic meetings with Stakeholders Advisory Committee are the opportunity where GAC discusses its relationship with the related bodies. Any potential conflict of interest, any threat to impartiality and confidentiality can be addressed during these meetings by concertation with all parties and members including the related bodies themselves (such as GSO and Gulf MET).

The risk-analysis arising from GAC relationship with related bodies focuses mainly on the following axes:

- Top management of GAC and its related bodies,
- Any common Personnel, particularly for key position and the ones involved in the decision-making processes,
- Establishment of common committees between GAC and its related bodies,
- Influence on the outcome of an assessment for accreditation,
- Differences and similarities in names, logos and symbols.

When a serious risk is identified, the chair of the Stakeholders Advisory Committee appoints an Ad-hoc team (GAC must be involved) who has the responsibility to analyse that risk and propose appropriate actions, within a limited timeframe.

5. GAC's creation context

The Cooperation Council for the Arab States of the Gulf Accreditation Center (GCC Accreditation Center) was established pursuant to The Agreement between the 7 GCC standardization Organization member countries approved by the GSO Board of Directors on the 8th of May 2013.

The Agreement is between the governments of the following countries: United Arab Emirates, Kingdom of Bahrain, Kingdom of Saudi Arabia, Sultanate of Oman, State of Qatar, State of Kuwait and the Republic of Yemen.

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The legal status of the Center is prescribed in Article 3 of the Agreement. The Article states:

GAC has its own legal independent entity within the goals and responsibilities outlined in this Agreement. It is applicable to the privileges and immunities the Center is empowered within the member states the Immunities and Privileges Agreement of the states of the Cooperation Council signed on 11th February 1984, (9/6/1404 Hejri calendar). The Center is entitled to make a specific agreement to its headquarter covering, among other things, the immunities and privileges assigned to the Center and to those working at it, to representatives of the member states taking part in its meetings and also the experts assisting the Center, and other matters stated in the agreements of the headquarter.

The Center is a registered legal entity in its own right, and is owned by the Cooperation Council.

GAC's role is to serve the GAC member countries national and public interest by ensuring that member countries' facilities comply with relevant international and Gulf standards and so are competent to provide consistently reliable testing, calibration, measurement, certificates and inspection data to government, industry and the wider community. As part of Gulf's standards and conformance infrastructure, GAC facilitates international trade by reducing barriers such as technical barriers to trade.

GAC represents Gulf in:

- The International Laboratory Accreditation Cooperation (ILAC).
- The International Accreditation Forum (IAF)
- The Asia Pacific Laboratory Accreditation Cooperation (APLAC).
- The Arab Accreditation Cooperation (ARAC)
- The Pacific Accreditation Cooperation (PAC)

The above roles are recognized by the GCC member countries and the Republic of Yemen, Under the GAC agreement.

Standards and conformance infrastructure in the Gulf region.

GAC is one of the bodies that form Gulf's standards and conformance infrastructure, which provides an important mechanism for improving the business efficiency and competitiveness of Gulf industry in international and national markets. The others are the GSO (GCC Standardization Organization) <http://www.gso.org.sa>, the GULFMET (GCC Metrology Organization) <http://www.Gulfmet.org>, and GCC Council Secretary www.gcc-sg.org/.

GAC responsibilities

The responsibilities of the Center are prescribed in Article 5 of the GAC Agreement.

The Article states:

In order to achieve its objectives the Accreditation Center undertakes the following responsibilities:

1. Formulating and developing the accreditation policies within the member states;
2. Planning, setting directions and developing the accreditation infrastructure for the member states in the field of accreditation, and making use of the available resources in all the member states;

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3. Making available the accreditation services- including granting accreditation - to the conformity assessments bodies and any other bodies whose work requires accreditation in the member states and other states;
4. Specifying and preparing the Accreditation Requirements relevant to the conformity Assessment bodies and any other bodies engaged in conformity assessment whose work requires accreditation and also specifying and preparing guidance documents required for that;
5. Signing the mutual recognition arrangements and other arrangements relevant to the Center's activities with regional and international bodies and organizations interested in accreditation;
6. Preparing and providing training services in specific areas of the Center's specialization and encouraging and supporting studies and research concerned with accreditation activities and conformity assessments within the constraints set by the international standards and rules;
7. Promoting awareness of the concept and importance of accreditation and its activities to those benefiting from accreditation services;
8. Through the General Direction, representing member states in the regional and international assemblies regarding accreditation matters;
9. Undertaking any other tasks concerning the activities of the Accreditation Center which are approved by the Board of Directors provided that they do not conflict with the international procedures and practices.

GAC operates its accreditation services in accordance with the International Standard ISO/IEC 17011:2004 – Conformity Assessment – General requirements for accreditation bodies accrediting conformity assessment bodies. This Standard places demands on the organisational processes of GAC to ensure there is no potential for conflicts of interest between the GAC activities and the activities undertaken by the GCC organizations. In particular the Standard states:

“The accreditation body shall not offer or provide any service that affects its impartiality, such as

- a. those conformity assessment services that conformity assessment bodies perform, or*
- b. Consultancy.*

Furthermore, the Standard goes onto state:

“The accreditation body shall ensure that the activities of its related bodies (see Note 1) do not compromise the confidentiality, objectivity and impartiality of its accreditations. A related body may, however, offer consultancy or provide those conformity assessment services the accreditation body accredits, subject to the related body having (with respect to the accreditation body)

- (a) different top management having overall authority and responsibility for each of the following;*
 - development of policies relating to the operation of the accreditation body/conformity assessment body,*
 - supervision of the implementation of the policies and procedures,*
 - supervision of the finances of the accreditation body/conformity assessment body,*
 - decisions on accreditation/conformity assessment,*
 - contractual arrangements,*
 - delegation of authority to committees or individuals, as required, to undertake defined activities on behalf of top management;*
- (b) personnel different from those involved in the decision-making processes of accreditation;*
- (c) no possibility to influence the outcome of an assessment for accreditation, and;*

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(d) Distinctly different name, logos and symbols.

The accreditation body, with the participation of interested parties, shall identify, analyse and document the relationships with related bodies to determine the potential for conflict of interest, whether they arise from within the accreditation body or from the activities of related bodies. Where conflicts are identified, appropriate action shall be taken.

Note 1: A related body is a separate legal entity that is linked by common ownership or contractual arrangements to the accreditation body."

This procedure examines the relationships between GAC and its related bodies, and gives information on related bodies' activities to show how GAC avoids any conflict of interest and that its related bodies do not offer consultancy or provide conformity assessment services.

6. Analysis of Relationships

The GCC Accreditation Center does not offer nor provide any conformity assessment services, nor any consultancy, neither the three related bodies GSO, GCC secretary nor GULFMET.

The logos of GAC, GSO, GULFMET, GCCLAB, ESMA and GCC Secretary are distinctly different, as are the symbols used in their respective activities.



هيئة الإمارات للمواصفات والمقاييس
Emirates Authority For Standardization & Metrology



➤ The GCC Standardization Organization GSO:

GSO Activities

GSO responsibilities according to its bylaws are related to:

- 1- Unifying the various standardization activities in cooperation and coordination with the standardization bodies in the Member States,
- 2- Formulating or adopting international standards and GCC technical regulations related to conformity assessment activities (all CASCO standards are automatically adopted without modification).

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- 3- Formulating regulations and guides for legal and industrial metrology,
- 4- Following up application of Gulf technical regulations, standards and conformity assessment procedures through the standardization bodies in the Member States.
- 5- Conducting research and studies for developing and unifying the concepts and methods of work at the Organization and the standardization organizations of the Member States.
- 6- Formulation and implementation of training plans covering the Organization's activities with a view to developing the know-how and skills of the standardization staff in the Member States.
- 7- Keeping the standards Information Centre for storage of standards, references and books: Gulf standards as well as the Arab, regional and international standards.
- 8- Coordinating the positions of the Member States participating in the meetings of Arab, regional and International Standardization Organizations
- 9- Providing technical advice to the Members States in the field of standardization.

So GSO doesn't offer consultancy or provide conformity assessment services, and in addition to its standardisation body role, it has also the role of regional regulator and notification authority by issuing regulations and following up their application.

As regulator GSO Board of directors are the 7 member states' ministers related to standardization who approve the regulations, and Conformity assessment bodies wishing to provide conformity certificates to products exported to member countries need to be notified by GSO to the member countries.

The notification process includes two components, a legal and administrative evaluation and a technical evaluation of the competence of the conformity assessment body. The technical fields covered by the GCC regulations approved till today are: GCC Cars regulation, GCC Toys Safety Regulation and GCC Low Voltage Equipment regulation. Other fields are under development: Cosmetics, machinery, lift equipment, textile, and construction materials.

GAC signed a cooperation agreement with GSO to conduct the technical evaluation phase of the CABs in the field of Toys and Low Voltage Equipment. GAC conducts the normal accreditation process to evaluate the technical competence of the CABs. Once the CAB is accredited, GAC sends a recommendation of notification to GSO who has its own notification committee.

As most of applicant CABs are from foreign countries, GAC cooperated with local ABs for the accreditation of these CABs

GSO support to GAC

GSO was the incubator for the creation of the GAC, in fact GSO conducted the study of the regional infrastructure with JAS-ANS that led to the recommendation of creation of the multi-economy Accreditation Body GAC and the Regional Metrology Organization GULFMET. And after the decision to create GAC, GSO contracted with NATA to establish the GAC steering committee and the internal procedures and functioning of GAC.

GSO also offered to support the launching of GAC by signing an agreement to provide the 4th floor of its building and the IT and administrative support to GAC during the first 3 years as follows:

(a) Information Technology

Provision of these services (network maintenance, internet maintenance, hardware and software provision, etc) are provided independently according to the policies and needs of each organisation. To protect the confidentiality of GAC clients and other information maintained by the two

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organisations, key documents such as electronic file directories and client databases are maintained on third party provider servers and access to each other's systems is not physically possible. In addition, GAC has its own employees of IT engineers who develop applications, databases, website and all software for accreditation activities.

(b) Financial accounts

The two organisations have separate accounts and the accounts for each organisation are maintained independently. One personnel from the GSO financial department is contracted as part-time to provide financial accounting to GAC.

(c) General Office

GAC offices are in the 4th floor of the GSO building with a strict access to GAC staff

2. The top management (Director General and the GAC board of Directors):

Due to the importance of Accreditation to trade and industry, the GCC ministerial committee for industrial and trade cooperation between member countries supervises the activities of GAC, it is named the Board of directors of GAC in the GAC Agreement. This gives the GAC an important support and acceptance of its accreditation in the member countries and outside.

The GCC ministerial committee for industrial and trade cooperation supervises also the activities of the GCC standardization organization.

Development of policies relating to the operation of GAC is carried out by the GAC management and presented for approval by the Board of directors, with input from the stakeholders Committees.

GAC Accreditation decisions are made by ad-hoc expert committees composed of GAC Assessors and their decisions are purely technical and cannot be influenced by any activities of GSO or any other organisation.

- GSO has no conformity assessment activities,
- GAC contractual relation with GSO cover only administrative support,
- All necessary measures are taken to avoid any influence on GAC decisions,
- No conflict of interest may arise from GSO Activities, as GAC and GSO accounts are independent.
- GSO is the equivalent of CEN in Europe, the Pan American Standards Commission (COPANT) in the Americas and the Pacific Area Standards Congress(PASC) in pacific area.

At present, GAC is completely separated from GSO after the decision made in the 5th meeting of the Board of Directors in May 2016. New Board of Directors and new Director General have been appointed. GAC is currently managing its finances and its human resources by its own services.

➤ **The GCC Metrology Organization GULFMET:**

GULFMET, is a Regional Metrology Organization (RMO) established under the auspices of GCC Standardization Organization (GSO), bringing together National Metrology Institutes (NMIs) of the United

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Arab Emirates, Kingdom of Bahrain, Kingdom of Saudi Arabia, Sultanate of Oman, State of Qatar, State of Kuwait and the Republic of Yemen.

GULFMET was established pursuant to GSO Board of Directors' decision in its meeting No.12 (Kuwait, 2 June 2010) with the aim to enhance the metrological infrastructure and activities within the member states, and to ensure the technical capabilities of national metrology institutes and designated institutes participating in the GULFMET as an RMO.

GULFMET assumes a coordinating role for Legal Metrology in order to facilitate intra-regional and international trade, to assure consumer protection, to safeguard health and environment and to keep contacts with the OIML. Associate Membership of the GULFMET is open for other countries.

The GULFMET is Manager by the Steering Committee for Metrology (SCM) which is an advisory committee to the GULFMET, established by the GSO Technical Council decision in its meeting No.10 (Riyadh, 27 -28 Feb. 2007). It is concerned with technical issues of interest to national metrology institutes (NMIs).

It consists of the Metrology Directors nominated by the national standardization and metrology bodies in the member states. It meets regularly and raises its decisions and recommendations to the GSO Technical Council.

The GULFMET president is elected from among the Steering Committee.

The president of GULFMET shall raise all decisions and recommendations to the GSO Technical Council for approval within the authority outlined in the GSO bylaw.

- GULFMET has not conformity assessment activities,
- GAC has no relation with the GSO technical Council, neither with the Steering Committee and presidency of GULFMET, no conflict of interest may arise from GULFMET Activities, in opposite GULFMET activities go in line with GAC strategy as its role is to strengthen the cooperation between member countries in the field of metrology.
- GULFMET is the equivalent of EURAMET in Europe and Asia Pacific Metrology Program (APMP) in Asia.

➤ The GCC council Secretary:

The basic objectives of the Cooperation Council are:

- To effect coordination, integration and inter-connection between Member States in all fields in order to achieve unity between them.
- To deepen and strengthen relations, links and areas of cooperation now prevailing between their peoples in various fields
- To formulate similar regulations in various fields including the following:
 - o Economic and financial affairs
 - o Commerce, customs and communications
 - o Education and culture
- To stimulate scientific and technological progress in the fields of industry, mining, agriculture, water and animal resources; to establish scientific research; to establish joint ventures and encourage cooperation by the private sector for the good of their peoples.

The Cooperation Council has the following main organizations:

1. The Supreme Council to which shall be attached the Commission for Settlement of Disputes.
2. The Ministerial Council.
3. The Secretariat General.

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The Secretariat General shall:

- Prepare studies related to cooperation and coordination, and to integrated plans and programmes for member states' action.
 - Prepare periodic reports on the work of the Cooperation Council.
 - Follow up the implementation by the member states of the resolutions and recommendations of the Supreme Council and Ministerial Council.
 - Prepare reports and studies requested by the Supreme Council or Ministerial Council.
 - Prepare the draft of administrative and financial regulations commensurate with the growth of the Cooperation Council and its expanding responsibilities.
 - Prepare the budgets and closing accounts of the Cooperation Council.
 - Make preparations for meetings and prepare agendas and draft resolutions for the Ministerial Council.
 - Recommend to the Chairman of the Ministerial Council the convening of an extraordinary session of the Council when necessary.
 - Any other tasks entrusted to it by the Supreme Council or Ministerial Council.
- ✓ The GAC relation with the GCC council Secretary is a logistical relation for the organization of the meetings of the GAC board of directors which are organised in conjunction with the GCC committee for trade and industrial cooperation.
 - ✓ The GCC council Secretary is the equivalent of the European Commission secretariat in Europe, and the APEC Secretariat in Asia Pacific.

➤ **Emirates Authority for Standardization and Metrology ESMA:**

ESMA was established as the sole standardization body in the UAE under the Law No. 28/2001. The board of directors chaired by the Minister of State in the UAE is comprising representatives of the main parties involved in the standardization of the UAE. The board is the dominant affairs and lay down its policy and adopting all the suitable procedures to ensure efficient performance to its assignments.

ESMA tasks include:

- Formulating and issuance of national standards of UAE as well as adopting international standards and mandatory standards issued by binding resolutions of the Council Ministers.
- Working on consumer protection, environment and national market and strengthening the national economy.
- Preparation of standard specifications for reviewing by the specialized technical committees.
- A national system of measurement and calibration.
- Follow up, monitor and advice on the application of standards adopted to commercial and industrial sectors around the constraints of conformity and quality.
- Granting the Emirates Quality Mark for national products and issuing certificates of conformity of commodities to standards.
- Accredited various types of CABs including testing & Calibration labs, medical labs, inspection bodies, product certification bodies and certification bodies for QMS, EMS and FSMS.
- Issuance of the publications and distribution and selling of UAE standards and other informational activities.
- Represent the country in regional and international conferences and organizations.

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ESMA do not have contractual arrangement with GAC and is not owned by a common ownership (GAC is an organisation covered by an Agreement between GCC countries and ESMA is an Emirati public institution operating under the Ministry of Environment). Actually, the existing “cooperation agreement” between ESMA and GAC is just outlining how GAC is conducting assessments on behalf of ESMA.

Furthermore, there is no legal effect of that agreement and no common financial incomes deriving from this activity; even the management of the resources is totally independent: That’s why GAC does not consider it as related body.

➤ The GCC Laboratories Association (GCCLAB)

The GCC Laboratories Association (GCCLAB) is an opened membership network for all laboratories established in GSO member states, and operates under the umbrella of the GSO (GCC standardization Organization). This network represents the technical and commercial requirements for those laboratories on the national, regional and international levels. The GCCLAB provides the opportunity for exchanging views on subjects of mutual interest, and enables building a technical and scientific communication network representing the professional and commercial interests for its members. The GCCLAB will promote the laboratories internationally maximizing their role in inter-regional and international trade.

It further aims to work on the creation of a unit specialized in organizing proficiency testing for members, making it easier and more efficient for them to obtain international accreditations as per ISO 17025 international standard, or expand their scope of accreditation, and build a database for members to contribute and help in developing and upgrading laboratories through the exchange of technical and administrative experiences.

Since May 4th, 2016, the GCCLAB has been officially registered in the Dubai Associations Centre which is an organization under the umbrella of Dubai Chamber of Commerce and Industry. Hence, the GCCLAB becomes bound to respect the provisions and regulations of the Dubai Center for Economic and professional bodies, laws and legislation in force in the United Arab Emirates.

Objectives of GCCLAB:

- Representing the professional and commercial interest of laboratories at national, regional and international levels.
- Working upon exchanging of views on subjects of mutual interest at national, regional and international levels; e.g.: laboratories management, quality assurance in laboratories, laboratories accreditation, proficiency testing, national and international technical standards and technical barriers to trade.
- Promoting the laboratories nationally, regionally and internationally and maximizing its role in inter trade and international trade.
- Establishing a national, regional and international scientific and technical communication network to deal with the professional and commercial interests for the members.
- Enhance the collaboration between members
- Help emerging laboratories in Member States to raise their capabilities and achieve accreditation by providing courses and consulting services with expertise from Member States

GCCLAB is managed through:

- ✓ General Assembly,
- ✓ Board of Directors,
- ✓ Secretary.

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GAC is not involved in none of them.

GCCLAB is a professional association for laboratories. The only link with GAC is the fact that some members of GCCLAB may get accredited by GAC as per the normal process of accreditation.

GAC may cooperate with GCCLAB by providing generic technical advice and training for lab community in GCC countries.

This study leads to consider GCCLAB as non-related body to GAC and no conflict of interest and no risk on impartiality are existing for the current situation.

7. Conclusion

Consideration of the documented analysis of the relationship between GAC and its related bodies shows that there is no potential conflicts of interest that would compromise the confidentiality, objectivity and impartiality of its accreditations. The GAC related bodies are components of the regional GCC Council infrastructure each one with its own activity and independent objectives but at the same time working in the service of the strategic objectives of the GCC countries cooperation agreements. This conclusion is approved by the Stakeholders Advisory Committee.