Standards Council of Canada
Conseil canadien des normes

Summary of the Standards Council of Canada's 2nd Information Session on the Conformity Assessment Protocol of the Canada-EU Comprehensive Economic and Trade Agreement (CETA)

January 31, 2018

Executive Summary

In March of 2017, the Standards Council of Canada (SCC) held its first information session on the Conformity Assessment (CA) Protocol of the Canada-European Union (EU) Comprehensive Economic and Trade Agreement (CETA). The session presented an overview of the Protocol to key stakeholders, including Conformity Assessment Bodies (CABs) and regulators, in order to gather comments, feedback and concerns that would help identify important considerations for its implementation.

On October 17, 2017, a second information session was held in Ottawa, Ontario with over 75 attendees participating either in-person or virtually. This report summarizes SCC's October information session and the discussions that ensued.

The session covered several key topics including a review of the EU's conformity assessment and regulatory systems, a review of the CA protocol and CETA, and updates on SCC's ongoing work with the European co-operation for Accreditation (EA). Overall, the session had two main goals:

1) To provide CABs and regulators with a better understanding of CETA and the CA Protocol and its potential impact on the Canadian standardization network; and
2) To consult with key stakeholders and seek input on the CA Protocol implementation process.

During the session, SCC reviewed its role in facilitating the implementation of the CA protocol and continued communicating key messages to stakeholders, including:

- Global Affairs Canada (GAC) and the European Commission (EC) are responsible for implementing CETA and asked SCC and EA to operationalize the CA Protocol. SCC and EA are working closely together to do so.

- The CA Protocol does not restrict Canadian and EU regulators from setting their own requirements; it simply provides a mechanism for mutual recognition of the certification/testing to those different requirements.

- The CA Protocol only applies to the certification of products by accredited third-party CABs. As such, certification of products through suppliers' declaration of conformance falls outside the scope of the CA Protocol.

- Mutual recognition of accreditation will occur once SCC and EA deem both parties to be ready. Product categories will be selected and implemented on a schedule mutually agreed on by both SCC and EA. CABs and regulators will be consulted on the implementation schedule.

- SCC and EA are continuing their work on the HAZLOC/ATEX pilot project. The next planned activity is to perform scope extension assessments, so that CABs will be accredited to certify to the other party's requirements for HAZLOC/ATEX.

- SCC and EA are continuing their work to define the framework for the mutual recognition of accreditation to be applied to future product categories.

Background

CETA is expected to boost Canada's trade with the world's second-largest market, the EU. This progressive free trade agreement covers virtually all sectors and aspects of the Canada-EU trade relationship in order to eliminate or reduce barriers.

In addition to tariff-based trade barriers, CETA also addresses non-tariff barriers, including technical barriers to trade (TBT). The TBT provisions of the agreement include measures to facilitate and simplify the conformity assessment process for exporters of products between the Canadian and EU markets. The Protocol on the mutual acceptance of the results of conformity assessment, referred to as the Conformity Assessment (CA) Protocol, lays out a process for the mutual acceptance of test results and product certifications by Canadian and EU-recognized CABs. For specific product categories covered by the CA Protocol, Canada and the EU have agreed to work to mutually recognize the accreditation of CABs of the other party to test/certify to their respective requirements. This will be achieved through a bilateral cooperation agreement between SCC and EA, an association of national accreditation bodies in Europe.

Through SCC's agreement with EA, Canadian CABs will be eligible to be recognized by the EU if they are accredited by SCC. Similarly, EU CABs will also be eligible to be recognized in Canada if they are accredited by an accreditation body that is a member of EA.

Summary of the Session

The information session consisted of four presentations. After each presentation, stakeholders were invited to provide feedback, express comments and ask questions during a Question & Answer period. The Q & A periods are summarized in Annex A. The agenda of the session is presented in Annex B. A list of acronyms used throughout the report is presented in Annex C.

Ms. Cynthia Milito, Acting Vice-President, Accreditation Services, SCC, provided opening remarks, which included a brief overview of the progress of the implementation of the CA Protocol since the last information session. She presented background on SCC's role in facilitating the implementation of the CA protocol, stressing that the CA Protocol was made possible by the fact that both Canada and the EU have strong accreditation systems based on a number of common principles. She invited attendees to contribute to the discussion as the feedback will help SCC and EA in planning the route forward in implementing the Protocol.

CETA Post-Implementation

Mr. Matthew Smith, Director of Technical Barriers and Regulations Division, GAC, spoke about CETA and the work that is underway now that the agreement has gone into provisional implementation. He noted

that CETA is the most ambitious and progressive trade agreement ever negotiated by Canada or the EU. The Agreement is comprehensive and aims to address or eliminate barriers in virtually all sectors and aspects of Canada-EU bilateral trade while also fostering sustainable and inclusive economic growth by promoting labour rights and stronger environmental protections.

As of September 21, 2017, the EU and Canada removed duties on 98 percent of their tariff lines. Provisions in the TBT Chapter help ensure that unnecessary or discriminatory regulatory requirements do not diminish the value of this new market access for Canadians. Where differences in regulations or standards arise, the provisions in the TBT Chapter seek to promote the convergence of our respective practices where possible, while protecting each Party's right to regulate in its own best interest.

As the CA Protocol in CETA is the first of its kind, there is still a lot of work that needs to be performed. In this context, GAC has been very pleased with the strong collaborative relationship that SCC and its European counterpart, EA, have developed.

The European Union's Conformity Assessment and Regulatory System

Ms. Katja Modric-Skrabalo and Mr. Paul De Lusignan from the EC provided an informative overview of the legislative framework in the EU. The presentation touched on the "Old Approach" and the "New Approach" to technical regulations. The Old Approach Directives contain a high degree of technical detail, which made them lengthy to finalize and adopt. The length of the process meant that in the absence of EU harmonised legislation, EU member states requirements applied, which were sometimes differing and thus represented barriers to trade. Moreover, the lengthy adoption process meant that they could not be easily adapted to technical progress or, by the time of an adoption, they were not fit for purpose anymore. The New Approach Directives are limited to essential health and safety requirements and tend to cover broad product sectors; the specific technical details are covered by technical standards developed by the European Standardisation Organizations (ESOs).

It was also explained how the New Legislative Framework improved the EU Single Market for goods and strengthened the conditions for placing products on the EU market. Regulation 765/2008 sets out the requirements for accreditation and market surveillance and applies to all product sectors, including services (in the mandatory and voluntary sphere). Decision 768/2008 defines a common framework for the marketing of products, hence requirements in relation to conformity assessment activities and the role of national accreditation bodies and CABs, as well as obligations of the economic operators in the supply chain (manufacturer, importer, distributor etc.).

Review of the Implementation of the Conformity Assessment Protocol of CETA

Mr. Stephen Head, Manager of Strategic Policy and Sector Engagement, SCC, provided an overview of the CA Protocol. The Protocol establishes a mechanism that will allow Canadian companies in selected product categories to have their products tested and certified for the EU market in Canada, and EU companies to have their products tested and certified for the Canadian market in the EU. An important

element of CETA is that provinces and territories are subject to the agreement. Therefore, it is important that provincial and territorial jurisdictions are aware of the opportunities and responsibilities found within the CA Protocol. This is especially important because a number of the product categories found within Annex 1 of the Protocol fall under provincial and territorial jurisdiction.

Product categories will be selected and implemented on a schedule mutually agreed on by both SCC and EA and when both bodies are confident that the other side is competent to offer the new scope of accreditation. Recognition is not automatic. Stakeholders will continue to be engaged throughout the process of developing the framework for the mutual recognition of accreditation.

Outcomes of the ATEX/HAZLOC Pilot

Ms. Cristina Draghici, Sector Specialist in Strategy and Stakeholder Engagement Branch, SCC, delivered a presentation outlining work that has been undertaken in the first product category selected: equipment and machines for use in potentially explosive atmospheres (HAZLOC/ATEX). The HAZLOC/ATEX product category was selected as a pilot project and may be the first area of mutual recognition of conformity assessment to be implemented. The objectives of the pilot were to understand the current systems for HAZLOC in Canada and ATEX in the EU, and then use this example to design and implement a framework for recognizing CABs in Canada and the EU that will be accredited to certify to Canadian and EU requirements.

The first phase of the project consisted of mutual observation assessments. SCC observed the Comité français d'accréditation (COFRAC), the national accreditation body for France, perform an assessment to ISO/IEC 17065, which included ATEX. EA then observed SCC performing an assessment to ISO/IEC 17065, which included HAZLOC. There were many similarities in how the assessments were conducted, as both COFRAC and SCC are signatories to the International Accreditation Forum (IAF) Multilateral Recognition Agreement (MLA) for accreditation of certification bodies certifying products. There were a few notable differences observed during the assessments, such as the additional accreditation requirements arising from specific national and EU market requirements and the expression of accreditation scopes. These observations have led to the initiation of the second phase of the pilot project, intended to focus on defining mechanisms for ensuring the competence of accreditation body's assessors to evaluate to the other Party's requirements and expressing the scopes of accreditation.

Next Steps for Implementing the CA Protocol

Ms. Draghici explained that SCC will continue to work with EA to implement the second phase of the HAZLOC/ATEX pilot. This phase consists of two assessments: one by SCC of a CAB in Canada applying to extend its accreditation to ATEX and one by an EU national accreditation body of a CAB in the EU applying to extend its accreditation to HAZLOC. The assessment team will include a technical assessor/expert from the other party, responsible for assessing its specific requirements. The lessons learned during these assessments will inform the designing/defining of the framework for the mutual recognition of accreditation.

It should be noted that two elements still need to be determined: designing/defining the framework for the mutual recognition of accreditation bodies and defining the criteria to be used for selecting product categories for further implementation. The model that will be used to extend the scope of recognition at the accreditation level will be reviewed and appropriately defined by SCC and EA.

The second phase of HAZLOC/ATEX will start by end of January, 2017 with a call for applications for scope extension. The intent is to perform the first assessments in the period of January-March 2018; however, the planning of the assessments will largely depend on the availability of both CABs and assessment teams. The plan is to select the next product category by March 31, 2018 and begin implementation soon afterwards, by applying the designed framework.

Update on Ongoing Outreach

Mr. Head presented on SCC's continued engagement and outreach on the CA Protocol. Outreach to stakeholders has focused on engaging regulators and CABs through multiple venues. SCC and EA have collaborated tremendously over the last several months to build confidence in each other's accreditation systems. SCC continues to participate in Regulatory Authority Advisory Body (RAABs) meetings to inform regulators on the CA protocol, and provides ongoing updates to stakeholder groups such as the Provincial-Territorial Advisory Committee (PTAC) and the National Public Safety Advisory Committee (NPSAC). The success of this project hinges on regulators' and CABs' input, therefore SCC will continue to use a number of consultative forums to provide updates and ensure the right input is received at the appropriate time.

Closing Remarks

Ms. Milito provided closing remarks and thanked participants for taking the time to attend the session. SCC will utilize the knowledge and expertise of RAABs and CABs when designing the mutual recognition framework, and will continue to work with stakeholders to ensure that there is confidence in both parties for testing and certifying to one another's requirements.

Annex A

Summary of Q&A Discussions

Presentation: The European Union's Conformity Assessment and Regulatory Systems

In Canada there is mandatory third-party certification for specific electrical products. For some of these products, in the EU, CE marking applied by the manufacturer is required, but third-party certification is not necessarily mandated. With the implementation of the CA Protocol, does it mean that Canada has to accept the CE marking? Since there are differences in the mandatory requirements (CE marking in EU versus certification in Canada), is there a way of marrying these differences?

- The regulatory requirements of each party stay the same, meaning that a product that needs certification in Canada will have to be certified, regardless of the product bearing the CE marking.
- The CA Protocol does not ask for regulatory harmonization, it only provides a framework for the mutual recognition of conformity assessment results. Therefore, Canada will continue to impose its own requirements for certification when certification is mandated by regulation. The Protocol will allow such products to be certified in the EU by a CB accredited by an EU NAB instead of the product needing to be certified in Canada by a CB accredited by SCC, as is currently the case. Therefore, the products may get to the Canadian market easier and with fewer costs.

CE marking means that products in question have been assessed and found to be in compliance. Is this a correct statement? Secondly, which body in the EU verified that this is implemented by the CAB?

- CE marking is an indication or declaration by the manufacturer that the product complies with EU requirements for CE marking. Accreditation is one mechanism to maintain confidence in the competence of CABs. The notification process is controlled by the competent authority of the EU Member State notifying the CAB; this is the second mechanism for maintaining confidence through the review process performed by the competent authority before notification.

What mark will be put on the product and how will that be communicated to provincial/territorial bodies?

The marks required will be dictated by the regulator in the respective market. Each side sets the regulatory and market requirements necessary for a product to be placed on the market.

Can you elaborate on how the certification marks will work for electrical products? There are already many marks required, are we talking about adding more?

- If a mark is required to enter a specific market, then the product must have that mark.

I understand the CE mark, but I'm confused as to its relevancy for products coming into Canada. My understanding is that we as regulators are not expected to accept a CE mark. We are expected to continue to accept certification when mandated by regulation, as it is the case today, aren't we?

- CE marking is relevant to EU regulators. The regulators in Canada will continue to mandate relevant Canadian requirements, including, for example, certification. Also, the present Canadian requirements for markings of products will continue to apply. In this sense, it is correct to say that Canadian regulators are not expected to accept the CE mark and will continue to enforce Canadian requirements. The conformity assessment activities needed to place a product on the Canadian market will continue to be those required by Canadian regulations.

SCC (a single accreditation body) is working with EA, which is an umbrella organization for all the national accreditation bodies in the EU. SCC is accrediting certification bodies and the numerous accreditation bodies in the EU accredit the notified bodies. This situation may lead to potential differences in interpretation and/or application of requirements. How will these inconsistencies be addressed on the European side?

- Although there are many accreditation bodies, they all apply the same requirements in a consistent manner. Moreover, the cooperation between accreditation bodies in EA contributes to increased harmonization of the application of requirements.
- The EU regulatory framework contributes to ensuring that EU Member States apply the same requirements in a consistent way, for example by mandating certification underpinned by accreditation. So far, cooperation at both regulatory and accreditation levels has been successful in ensuring consistency within the EU. With respect to Canada, SCC will take care of ensuring there are no inconsistencies in the application of requirements for accreditation. Additionally, the mutual recognition of accreditation and certification will further help with the consistent application of criteria between jurisdictions.

All requirements related to placing products on the market and to accreditation bodies and notified bodies are contained in EU Decision 768 and Regulation 765. Are all member states to abide by those requirements or the amendments?

- The Member States have the obligation to transpose the EU regulations and decisions into their national legislation; therefore, there is no difference with respect to rules related to CABs, notified bodies or accreditation bodies. The notified bodies are listed in the publically-accessible New Approach Notified and Designated Organisations (NANDO) database, where products and legislation are also included. The notification procedures in place in every EU Member State are similar and publically available.

Briefly describe the certification process in the EU, and the market surveillance once the product is certified.

- The certification process is very similar to the Canadian certification process generally applied by certification bodies though requirements may differ. Once the product meets the regulatory requirements to be placed on the market, the market surveillance authorities in each EU Member State put in place annual market surveillance plans. It is the competent authority in each Member State who defines these plans, based on a risk assessment; it is the obligation of

each Member State to ensure that there is effective market surveillance and that products found to be non-compliant are removed from the market. The competent authority has the necessary powers to verify that products meet requirements and to enforce recalls of products, when necessary.

For electrical products, various Directives apply. Does this mean that products in EMC or low-voltage have to be compliant to all applicable Directives? How often is a CAB audited by a member state?

- All relevant pieces of legislation apply, and all relevant pieces require CE marking; hence CE marking would declare compliance to all of them. CABs are audited at regular intervals depending on the specifics of each CAB. If the CAB is accredited, then accreditation would confirm the competence of the CAB, hence the need for less regulatory oversight. If the CAB is not accredited, then it is the responsibility of the EU Member State to ensure the competence of the CAB though adequate oversight. When the CAB is accredited, the frequency of assessments depends on the accreditation cycle of each accreditation body.
- There are occasions where requirements are overtaken by specific Directives. For specific cases, there is also a specific mark, as is the case for ATEX products.

Presentation: Review of the implementation of the Conformity Assessment Protocol of CETA

This is a general question for regulators. How will they deal with implementation? Will regulatory changes be needed to implement the protocol given that most of the regulations require SCC accreditation for conformity assessment bodies?

- Some changes to regulations may be needed in order to implement the CA Protocol. For example, where the regulation states that products are to be certified by a certification body accredited by SCC, the text may need to be revised to accommodate for EU National Accreditation Bodies (NABs) recognized by SCC to accredit to Canadian requirements. SCC will continue to work with regulators to help determine if regulatory changes are needed, and to assist with these updates considering the cycle for revisions/updates of regulations and/or codes.

Can you please elaborate on the regulatory cooperation forum? Who will run it in Canada, and when can we expect to learn of when we need to comply with new processes around notification?

- Global Affairs Canada (GAC) negotiated the Regulatory Cooperation Chapter and Treasury Board of Canada Secretariat (TBS) is responsible for its implementation and for international regulatory cooperation, in general. The forum on regulatory cooperation will be co-led by GAC and TBS and it will likely be chaired by a government official at deputy minister level. Within a year, it will start functioning. TBS will establish consultation processes for stakeholders to provide input.
- The aim of the forum is to work with the European Commission on new regulations, rather than looking to harmonize or align existing regulations. The Technical Barriers and Regulations Division at GAC will be happy to receive input related to areas where there is potential for regulatory alignment and opportunities for further cooperation.

How will SCC ensure competency?

- SCC is working closely with regulatory bodies and our partners in the EU to ensure that each side is competent to accredit CABs to test/certify to the other side's requirements. The protocol provides for opportunities to challenge the competency of accreditation bodies and CABs. EA and SCC will strive to maintain confidence in accreditation, and, to this effect, EA and SCC are exploring the option of adding elements to the existing peer evaluation processes. We need to consider how the peer evaluation of SCC will integrate this element, since SCC is peer evaluated by IAAC and EU NABs are peer evaluated by EA; it is not the same bodies performing the peer evaluations. At the present time, we do not think that NABs will be automatically recognized, but rather will be recognized after an evaluation process.

How long will it take for EA to be recognized by SCC?

- It depends on the product category, as there is no "blanket" recognition. SCC will aim to establish recognition as quickly as possible, but we will do it properly and by product category. We will build on the model already in existence in our other international agreements where evaluations are regularly conducted to maintain ongoing confidence.

If an organization is SCC-accredited outside of Canada, would that CAB be eligible to apply for a scope extension with SCC under the Protocol or will it need to be domiciled in Canada?

- CABs need to have a legal presence in Canada in order to be accredited by SCC and participate in mutual recognition under the Protocol. This will apply in similar way for EA, meaning that CABs need to have a legal presence in the EU in order to be accredited by one of the EU NABs and participate in mutual recognition under the Protocol. This element will be further discussed with our colleagues in EA for details on who (SCC or EU NABs) is to accredit whom.

If a regulator needs recourse with a CAB accredited by SCC, it goes to SCC. If the regulator has an issue with a European CAB, would we still go to SCC?

- Yes. SCC will continue to require CABs to demonstrate that they keep themselves up-to-date on the Canadian regulatory landscape for the product areas they operate in. EU CABs certifying/testing products for the Canadian market will be subject to the same requirement. If there are issues, we will address European CABs' issues in a similar way as we would address issues with the CABs presently accredited by SCC.

Given that the EU uses supplier's declaration for low voltage electrical products, and Canada requires third party certification, are electrical products part of the protocol?

- The short answer is yes. However, initially, SCC and EA will preferably work with products for which both sides require certification. There may be instances where the certification requirements differ. SCC and EA will seek to work on products that require a third-party certification by both parties to better implement mutual recognition in the sector.

For federal/provincial/territorial regulators across Canada, SCC is recognized as the accreditation body that accredits organizations to test and certify products for the Canadian market. Will SCC be overseeing or accrediting CABs in the EU?

- References to SCC accreditation may need to be amended to include recognized bodies where relevant. This may only be necessary for products that fall under the product categories listed in the Protocol. The intent is to have EU NABs recognized by SCC to accredit CABs in the EU for Canadian requirements.

Has a Technical Expert Group (TEG) been established that will determine the differences between Canadian and EU technical requirements?

- Yes, this group has been established for the ATEX/HAZLOC category, and future TEGs will be established, as needed, for each subsequent product category that is implemented.

Presentation: **Outcomes of the ATEX/HAZLOC pilot**

Once the Protocol is implemented on both sides for a specific product category, can we assume that a certification body can use an accreditation body in Canada or in the EU to obtain accreditation for the Canadian market? In either case, the qualification requirements should be exactly the same.

- Yes, if mutual recognition has been achieved on both sides of the Atlantic, a CAB could use SCC or an EU NAB. However, the choice will be guided by the geographical location of the CAB (and its legal presence in Canada and/or the EU) and by the rules already in existence in the EU.
- SCC and EA agree that we may have different speeds for mutual recognition. As a result, if SCC is ready to accredit CABs in Canada to EU requirements, SCC will move ahead with the scope extension request. We do not have to implement mutual recognition by both parties simultaneously. If it takes longer for EU Notified Bodies to prepare to certify in HAZLOC, it will not hold up the process for ATEX in Canada.

A CAB gets accredited by SCC if it wishes to certify products for manufacturers. ATEX does not require the electrical safety standards, however HAZLOC does. How are we taking into account the fundamental differences?

- The requirements do not change. If the requirements are fundamentally different, they will stay fundamentally different. What SCC will require is that the certification body has the competency to certify to the other party's requirements. Demonstration is needed that the certifying body understands the additional requirements and applies them correctly and that the accreditation body accrediting the certification body has the adequate competence to do it.

Has there been agreement between SCC and EA on which product categories to choose for implementation, or are we free to pick whatever product category we want?

- The pilot is a one-time activity. The pilot was needed to gain a deeper understanding about each other's processes. HAZLOC and ATEX were chosen for the pilot. Once we design the framework,

we will be ready to move to the implementation phase of the Protocol and the next product/product category will be chosen for implementation. However, the next products to be implemented are going to be among the ones listed in Annex I of the Protocol. SCC and EA will implement product-by-product, and the choice of the next product to be implemented will be based on pre-defined criteria and will consider input from our stakeholders.

For the first assessment for HAZLOC in the EU, perhaps we need to look at sending two experts, someone who is an expert in HAZLOC/ATEX and someone who is a safety expert.

- SCC is very clear that HAZLOC needs to be accompanied by ordinary location considerations. With the first application(s) coming in from the EU (SCC is going to be involved in evaluating the first applicant coming from an EU NAB), SCC will be able to assess how much knowledge was transferred to colleagues in the EU and any potential gaps. This is why we foresee encountering some level of difficulty when assessing the first EU applicant. In Canada, CABs have knowledge of ATEX due to their previous experience, as some of our certification bodies have worked in the field under sub-contractual agreements.

Once a CAB in Canada has gone through the pilot project, how soon can other CABs go through the process? Also, since ICS scopes are used in Canada, there could be differences between Canada and the EU in how scopes of accreditation are expressed.

- Timelines will be determined after SCC receives the first application. That is when SCC will know how quickly we can move to accept more applications. If we go onsite and find that additional work needs to be done, we will pause, realign and then open the doors to other CABs.
- SCC is not changing the scopes for CABs accredited by SCC. However, we are changing how we list the scopes for notified body purposes (ATEX, for example) because it needs to meet the requirements of the EU. SCC's scopes of accreditation will have additional text outlining what is accredited for EU purposes. In the EU, each individual accreditation body might have a different presentation of the scope; however, EU NABs will present the part of the scope for Canada according to our needs. An EU NAB will present the scope for Canada listing the product, the standard, etc. and not necessarily the ICS codes. SCC will continue to look into these details for EU NABs, as SCC will have to maintain control of what is actually accredited. This has been already discussed and agreed upon as a principle, including for ATEX/HAZLOC.

Once all is done, will EU CABs have the choice of which accreditation body they use?

- There are rules in the EU regarding the choice of NAB. If the local NAB is not recognized for the scope the CAB needs for the intended market, then the CAB is able to choose a different NAB in the EU. In the context of the Protocol, we are discussing with our colleagues in EA how this rule will apply. For example, if the local NAB is not recognized for a product category for the Canadian requirements, it will need to be determined if a CAB can come directly to SCC for accreditation to certify to Canadian requirements. This is a very valid point and we will discuss it with EA and establish a related policy.

Given that the majority of Canadian CBs already certify to ATEX, whereas EU notified bodies do not certify to HAZLOC, how can we ensure that the TEG will be able to identify all of the differences between Canada and EU?

- SCC established a mechanism for CBs to provide input on matters related to the pilot project. This is the electronic forum where all SCC-accredited CBs have been invited to participate. The last presentation addresses plans for engagement and consultations with stakeholders.
- The goal is to achieve mutual recognition; however, we allow for different speeds of recognition. SCC and EA might have different speeds in achieving recognition to accredit to the other party's requirements. This means that if one party is not ready and the other party is, the latter one may be recognized sooner than the former. For ATEX, SCC might be able to move at a faster speed. With this in mind, we are working toward recognition at the same time to avoid different treatment at different times.
- There are two levels of knowledge required: the knowledge needed by an accreditation assessor and the knowledge needed by the CB's personnel in order to certify the product. ABs need to evaluate that the CB is competent to certify to the other party's requirements. We are not changing the accreditation requirements, nor are we changing the way competence is assessed. In this second phase of the pilot project, using assessors from the other party will allow us to understand what is assessed and how by the other party, which, in turn, will allow us to design adequate training for the accreditation assessors. ABs need to learn from CBs; however we cannot replace the work in acquiring the adequate knowledge about certification requirements that the certification body needs to possess for certifying here and in the EU to the adequate requirements.
- There are many stakeholders we need to consult with and we are setting-up mechanisms to perform these consultations.

Can we market ourselves as being an EU notified body?

- Yes, once successfully designated/notified by the Canada to the EU. The scope of accreditation will be expanded to include accreditation to certify to EU requirements. There will be a list of designated CABs for specific scopes/directives. The notification process put in place will be similar to the notification process presently in place in the EU for notified bodies.

Annex B – Information Session Agenda

Standards Council of Canada
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2ND INFORMATION SESSION ON THE CONFORMITY ASSESSMENT PROTOCOL IN CETA

Tuesday, October 17, 2017
Renaissance Room, Chateau Laurier, 1 Rideau Street, Ottawa, ON

To join the meeting from your computer, tablet or smartphone: WebEx
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Time	Subject	Presenter
9:00 to 9:30 AM	**Registration and Networking**	
9:30 AM	Welcome	Cynthia Milito, Acting Vice-President, Accreditation Services
9:40 AM	CETA Post-Implementation	Matthew Smith, Director, Technical Barriers and Regulations Division, Global Affairs Canada
10:00 AM	Introduction to the Workshop • Agenda and Approach • Introductions	Frank Van Gool, Intersol Facilitator Sue Perron, Intersol Facilitator
10:00 AM	The European Union's Conformity Assessment and Regulatory Systems	Paul De Lusignan, Policy Officer, European Commission Katja Modric Skrabalo, Policy Officer, European Commission
10:30 AM	Question and Answer Period	
11:00 AM	Review of the CA Protocol in CETA	Stephen Head, Manager, Strategic Policy and Sector Engagement, Standards Council of Canada
11:30 AM	Round-Table Discussion and Question and Answer	
12:00 to 1:00 PM	**Networking Lunch**	
1:00 PM	Outcomes of the ATEX/HAZLOC Pilot Project	Cristina Draghici, Sector Specialist, Strategy & Stakeholder Engagement, Standards Council of Canada
1:30 PM	Round-Table Discussion and Question and Answer	

Canada

Annex B – Information Session Agenda

2ND INFORMATION SESSION ON THE CONFORMITY ASSESSMENT PROTOCOL IN CETA

2:00 PM	Next Steps for Implementing the Conformity Assessment Protocol in CETA through the SCC-EA Partnership	Cristina Draghici, Sector Specialist, Strategy & Stakeholder Engagement, Standards Council of Canada
2:15 PM	Round-Table Discussion and Question and Answer	
2:45 PM	**Break**	
3:00 PM	Update on Ongoing Outreach	Stephen Head, Manager, Strategic Policy and Sector Engagement, Standards Council of Canada
3:15 PM	Question and Answer Period	
3:45 PM	Closing Comments	Cynthia Milito, Acting Vice-President, Accreditation Services
4:00 PM	**Meeting Close**	

Annex C – List of Acronyms

CAB – Conformity Assessment Body

CA Protocol – Conformity Assessment Protocol of the Canada-EU Comprehensive Economic and Trade Agreement

CB – Certification Body

CETA – Canada-EU Comprehensive Economic and Trade Agreement

COFRAC – Comité français d'accréditation

EA – European co-operation for Accreditation

EC – European Commission

ESO – European Standardisation Organizations

EU – European Union

GAC – Global Affairs Canada

IAF – International Accreditation Forum

ISED – Innovation, Science and Economic Development Canada

MLA – Multilateral Recognition Agreement

NAB – National Accreditation Body

NANDO – New Approach Notified and Designated Organisations

NPSAC – National Public Safety Advisory Committee

PTAC – Provincial-Territorial Advisory Committee

RAABs – Regulatory Authority Advisory Body

SCC – Standards Council of Canada

SDOAC – Standards Development Organization Advisory Committee

TBS – Treasury Board of Canada Secretariat

TBT – Technical Barriers to Trade

TEG – Technical Expert Group