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Annex C

**THE STATUTE OF THE STATE ENTERPRISE
ACCREDITATION CENTER IN THE FIELD OF PRODUCTS CONFORMITY ASSESSMENT**

I. General statements

1. Accreditation Center in the Field of Products Conformity Assessment (hereinafter Center) is a state enterprise directed by Ministry of Economy. It was founded based on the foresights of the Law nr. 186-XV dated on 24th of April 2003 regarding products conformity assessment.
2. The complete name in official language is “Accreditation Center in the Filed of Products Conformity Assessment”, shortly named CAECP.
3. The Center is located in Chisinau, 162 Stefan cel Mare bl. The location can be changed to another address.
4. The Center is formed with the aim of implementation and development of state policy in the accreditation field and products conformity assessment. The Center entrusts in technical competence, integrity and impartiality of the accredited bodies and laboratories, which are performing in the field of conformity assessment of products. The aim of the Center is to contribute to the promotion of the product’s free circulation, increase the products competitiveness, protect the consumer’s rights and interests, insure life protection, and security of the people and environment.
5. The activity of the Center is based on the Constitution of the Republic of Moldova, legislation in force, present Statute and international treaties and conventions Moldova takes part at.
6. The Center respects in its activity the basic principles of accreditation:
 - a) representation of public interest;
 - b) participation of public administration specialty bodies in the process of accreditation;
 - c) non-discriminatory access to accreditation of all applicants;
 - d) competence, impartiality and independence regarding the potential overcoming of any specific interests;
 - e) transparency, credibility and public access to the information regarding accreditation activity;
 - f) assurance of confidentiality and keeping professional and commercial secrets;
 - g) impartial examination of the complaints;
 - h) accreditation voluntary character;

II. The competences, rights and obligations of the Center

7. The Center has the following attributions:
 - a) to participate at the elaboration of the accreditation system policy and strategy development; to elaborate normative documents in the accreditation field, within the limits of its competence;

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- b) to implement the State policy and to assure the respect of the legislation in the field of accreditation conformity assessment bodies;
- c) to elaborate and present to the Accreditation Council for approval, the rules and procedures related to accordance, refuse of accordance, maintenance, extension, reduction, suspending and withdrawal of accreditation and updating them according to the evolution of international European practice in the field;
- d) to present to the Accreditation Council for approval the frame-regulation of the branch technical commissions and their nominal composition;
- e) to approve the model of the accreditation certificate with the preliminary warning of the Accreditation Council;
- f) to perform the secretarial duties of the Accreditation Council;
- g) to offer the right to use the accreditation mark;
- h) to collaborate with branch technical commissions and experts with the aim of taking decisions concerning the accreditation;
- i) to take decisions concerning accordance, refuse of accordance, maintenance, extension, restriction, and withdrawal of accreditation based on assessment results, as well as issues, withdraws, extends the validity, and confirms non-validity of accreditation certificate; issues the copies and duplicates of these;
- j) to supervise annual evaluation of conformity assessment accredited bodies regarding fulfillment of the conditions, according to which accreditation was offered.
- k) to organize inter-laboratories comparison tests;
- l) to collaborate with National Standardization Body at elaboration of projects, of fundamental standards regarding the principles and methodology in accreditation field;
- m) to publish and distribute methodological materials regarding preparation of the set of necessary documents for accreditation procedure, as well as other information regarding international practice in the accreditation field;
- n) to keep the Journal of accredited conformity assessment bodies, and publish it in "Monitorul Oficial" of the Republic of Moldova;
- o) to keep State journal of the experts in accreditation, and the Journal of technical experts;
- p) to establish and apply the criteria for selection, monitoring and distribution of accreditation and technical experts implied within the accreditation supervision, as well as the criteria of improving their activity;
- q) to collaborate with the National Metrology Body in order to assure the measurement traceability;
- r) to present the Republic of Moldova within International specialty bodies according to the authority given by the Accreditation Council;
- s) to develop international partnership in accreditation field and recognition of accreditation based on reciprocal assessment;
- t) to elaborate and presents drafts of acts regarding Moldova's adherence to international conventions and organizations, drafts of bilateral or multilateral agreements regarding accreditation field;
- u) to present proposals regarding improvement of the legislation in accreditation field.

8. The Center can accredit the following conformity assessment bodies, inclusively but not limited, in both regulated and non-regulated fields:

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- a) testing and calibration laboratories;
- b) products certification bodies;
- c) services certification bodies;
- d) quality management system certification bodies, including the systems of Hazard Analysis and control of critical points;
- e) personnel certification bodies;
- f) environmental management system certification bodies;
- g) inspection bodies in the field conformity assessment;

9. The Center has the following rights:

- a) to require documents and necessary information for the development of their activity from Ministries, departments and other central or local public administrative bodies;
- b) to require information regarding their activity in the accredited field from the accredited conformity assessment bodies;
- c) to perform assessment visits at the accredited conformity assessment bodies as many time as needed;
- d) to pursue the way the conformity assessment bodies are performing the activities they where accredited for;
- e) to evaluate the relationship of the accredited conformity assessment body with subcontracts, and to have access to documents which prove the level of independence and impartiality of the body;
- f) to check the accuracy of the accreditation mark use;
- g) to establish relations of collaboration with partners, including those from abroad, as well as concluding contracts and agreements of collaboration according to the legislation in force;
- h) to assess the entities to be checked at the requires of central administrative public bodies;
- i) to modify the conditions of accreditation, announcing publicly in advance the decisions regarding the oncoming changes;
- j) to collect the tariffs for work execution and services provided listed in subsection 7- j), k), subsection 8 and 9-h), subsection 10-c), d)

10. The Center has the following obligations:

- a) to assure the competence, independence and impartiality in decision regarding accreditation in a way that offered accreditations to be believable;
- b) to keep correct and complete records which would prove that the accreditation procedures were made correctly;
- c) to collect, publish and supply information concerning the accreditation activity, procedures and tariffs applied, conditions for accreditation and accredited bodies;
- d) to receive and impartially analyze all the applications for accreditation;
- e) to present reports regarding its activity to the Accreditation Council each semester;
- f) to fit all the obligations and relations with the accredited bodies on a contractual and mutual basis;
- g) to inform promptly in written form the conformity assessment bodies about all information and decisions that regards them, especially the changes in conditions and tariffs for accreditation;

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- h) to receive, analyze and reply in term of 10 days to any reclamation, intimation or proposal received from the accredited bodies, authorities or other organizations, regarding both their own activity or the activity of accredited bodies;
- i) to assure prompt examination of the complaints received from the implied parties in the process of accreditation;
- j) to assure personnel competence and to effectuate continuous training of the experts in accreditation;
- k) to monitor the realization of measurement traceability accredited fields;
- l) to follow at any time and to assure the conformity of internal procedures of the Center with the European and international rules in field of accreditation through a national and international standards application.

III The principles and ways of Center's activity organization

11. Center's activity as an accreditation body is coordinated by the Accreditation Council.
12. The Center is leaded by manager, appointed and dismissed by the Government of the Republic of Moldova at the proposal of the Accreditation Council. In the absence of Center's manager, his obligations are taken over by the Center's representative enforced by director.
13. The manager of the Center:
 - a) leads the entire activity of the Center and represents its relations with local and central administrative bodies, national organizations within the process of accreditation and international specialty bodies;
 - b) assures the execution and respect of the foresights of the legislation in force, as well as of the attributions which come out from the present Statute;
 - c) is responsible for the activity and efficient functionality of the Center;
 - d) approves the scheme of center's personnel recruitment, establishes their attributions and responsibilities;
 - e) approves job description for the employees and the regulations of functioning of Center's subdivisions;
 - f) employs and dismisses Center's personnel;
 - g) signs contracts and agreements on Center's behalf;
 - h) issues orders and internal arrangements, according to the legislation in force and assures their execution;
 - i) signs the certificate of accreditation or the decision concerning the refuse of accordance, withdrawal, suspending or extending of certificate's of accreditation validity, based on evaluation procedure results.
14. The Center is founded based on the Order nr. 81-A of the Department of Standardization and Metrology, dated on 03.08.1998 and transferred in the submission of the Ministry of Economy according to the Decision of the Government of the Republic of Moldova "Regarding the creation of the accreditation system in the field of products conformity assessment", nr.1646 of December 31st, 2003.
15. Financial stability of the Center is assured by:
 - state budget allocations, within the disposable funds limits, of the sums which represent the quota for participation in international organizations in accreditation field;
 - exemption from rent payment for the location the Center is placed in.

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16. The patrimony transmitted to the Center represents state property and is made of fixed funds and circular means and other values, the cost of which is indicated in the Center's autonomous balance.

17. Center's patrimony is made of:

- statutory fund valuing 12 000 lei;
- financial investments of the founder;
- the benefit obtained from work performed and services provided , as well as for other types of economic activity foreseen by the legislation in force;
- amortization shares;
- capital investments and budget endowments;
- bank and other credits;
- other legal sources foreseen by the legislation in force.

18. The Center executes its owner rights and use rights and disposes its own goods according to the legislation in force and the present Statute.

19. The risk of destruction or unexpected damaging of the property in use is undertaken by the Center and its manager, according to the legislation in force.

20. Erasing of the financial means from the Center's accounts can be made exclusively based on director's order or the decision of competent bodies.

The benefit, obtained from Center's activity is used for the development of accreditation system of the Republic of Moldova, as well, as for covering the eventual losses.

21. The Center is responsible according to the legislation in force, especially art.9, paragraph (6) and art.31, paragraph (2, subsection - a) and paragraph. (3) of the Law "Regarding conformity assessment of the products" (nr. 186-XV of 24.04.2004) for violation of rules and accreditation procedures.

22. The Center can be reorganized or liquidated according to the requirements of the legislation in force.