

The Slovenian Accreditation Board has,
Based on Article 9 of the Decision on the Establishment of Public Institute Slovenian Accreditation (RS Official Gazette, Nos. 36/00, 23/01, 121/04, 22/08, 19/16 and 51/16);
At its 62nd session of 14 May 2021,
Adopted the following internal regulation laying down the

RULES OF PROCEDURE OF THE SLOVENIAN ACCREDITATION BOARD

1 THE BOARD'S POWERS AND CONSTITUTION

Article 1

These Rules of Procedure govern the way of work and decision making as well as the way of exercising the rights and duties of the members of the Board of the public institute Slovenian Accreditation (hereinafter called "the Board").

The Board shall be the managing authority of the public institute.

The Board shall deal with the matters under its respective competencies.

The Board shall discuss and adopt:

- the Statute, in agreement with the Founder,
- internal regulations governing the requirements for accreditation and other assessment and certification of competence,
- internal regulations governing the rules of accreditation procedure and other assessment and certification of competence,
- internal regulations governing internal organisation and job classification, in agreement with the Founder,
- other internal regulations, when not provided by the Statute that they should be approved by the Director,
- the development programme,
- the annual work programme, in agreement with the Founder,
- the report of annual work programme implementation,
- the financial plan and closing balance, with consent of the Founder,
- the rates of the services, with consent of the Founder,
- the criteria for the remuneration of the Board and Accreditation Committee members, with consent of the Founder,
- the decisions regarding appeals, and
- the criteria for remuneration of members of the Appeal Commission who are not SA employees, for their work in the Commission.

The Board shall: nominate and release the Director of Slovenian Accreditation with consent of the Founder; appoint the members of the Accreditation Committee proposed by the Director; and perform other assignments in compliance with the law and the Statute.

The Board shall also designate the Appeal Commission which shall address appeals and present its decisions on the merits of the appeals to the Board.

Article 2

The constituent meeting of the Board shall be convened by SA Director 30 days after the expiration date of the term of office of the old members at the latest, after more than half of new Board members have been appointed.

The term of office of all the newly appointed Board members shall begin on the date of the constituent meeting.

The constituent meeting shall be chaired by the elder of the two representatives of workers in the Board until the Board's Chairman has been elected.

The Board's Chairman and the Deputy Chairman shall be elected by secret ballot by the Board members.

Normally, the Board's Chairman is a Board's member who is the Founder's representative.

2 THE RIGHTS AND DUTIES OF THE BOARD'S CHAIRMAN AND MEMBERS

Article 3

The rights and duties of the Board's members are provided by law, by the Decision on the Establishment of SA, by the Statute, and hereby.

A Board member has the right and duty to attend the Board's meetings, to move matters to be included in the proposal of agenda, to discuss the proposed agenda, to decide on matters on the agenda, and to perform other tasks in compliance with the provisions of the law, the Statute and other internal regulations of SA.

The Board members have the right to ask questions, give initiatives and proposals to the Board and the Director regarding their work, the work of SA relating to the implementation of the adopted assignments and policy in SA's field of operation, as well as any other issues in the Board's competence, which shall be included in the proposal of agenda.

A Board member has the duty to protect the confidentiality of data. The Board's Chairman shall decide as to which material should be considered confidential, in compliance with the Statute and other internal regulation of SA, and the relevant material also has to be classified as secret or confidential.

Article 4

The powers of the Board's Chairman shall be to:

- convene and chair the Board meetings,
- move the agenda,
- draw up motions of the Board's resolutions and positions,
- sign the minutes of the Board meetings, the Board's resolutions and other acts of the Board,
- supervise the implementation of the Board's resolutions,
- perform other assignments in compliance with the Statute and these Rules.

3 CONVENING MEETINGS, DRAWING UP THE AGENDA AND PREPARING THE MATERIAL

Article 5

The Board shall work and make decisions at meetings.

The Board shall perform its work at regular, extraordinary and correspondence meetings.

The Board meetings shall be convened by the Board's Chairman, and in the latter's absence, by the Deputy Chairman, within the powers of the Board's Chairman laid down in these Rules.

The Director shall attend the Board meetings without the right to vote.

The Board's Chairman may, as appropriate, invite other persons to the meeting, if their presence in addressing individual items of the agenda could contribute to a better and more effective work of the Board.

When the Board considers an appeal at a regular or extraordinary meeting, also the Chairman of the Appeal Commission — or his deputy, when he chaired the Appeal Commission's panel meeting – shall be invited to the Board meeting. The Appeal Commission's Chairman or his deputy shall not have the right to vote; however, they can provide clarifications at the meeting regarding the appeal hearing procedure and the proposal of decision adopted by the Appeal Commission's panel.

Attendance of the Board members at the meetings shall be obligatory. Normally, they shall inform the SA Secretariat of and justify their absence at least 3 days ahead of the meeting. The SA Secretariat shall keep records of unauthorised absence.

Article 6

An invitation to the Board meeting shall include:

- successive number of the meeting,
- date, hour and venue of the meeting,
- motion of agenda, and

- indication of the attached material.

Both the invitation and the material shall be sent by mail.

Article 7

The agenda shall be moved by the Board's Chairman upon proposal of the SA Director or a member of the Board.

The Director's report of the implementation of the resolutions taken at the previous meeting shall be an obligatory item on the agenda of each Board meeting.

The Board shall decide on adoption of the agenda at the beginning of the session

Article 8

The Board's Chairman shall convene the Board's meetings when necessary, upon the Board's resolution, or upon requisition of other proposers, but at least twice a year.

The convening of a Board meeting may be requisitioned by any Board member, by the Director, by the Chairman of the Accreditation Committee or by the Chairman of the Appeal Commission. The Board's Chairman shall decide whether or not to convene the meeting within 8 days of the receipt of a written requisition.

The Board's Chairman shall be bound to convene a meeting upon the requisition of four Board members or three Board members plus the Director, or upon the requisition of the Chairman of the Appeal Commission, within 14 days of the receipt of such requisition at the latest. Should the Chairman not convene the meeting, it may be convened by the person entitled, who has requisitioned the convening of the meeting.

Article 9

Each item of the agenda, except when a piece of information is concerned, shall be accompanied by attached material, by the name of the person who proposed it, and by the wording of a proposed resolution. In exceptional cases, and subject to consent by the Board's Chairman, the proposer may submit the material at the very meeting of the Board.

4 THE BOARD MEETINGS

Article 10

Regular meetings shall be held at least twice a year, or also more often.

Regular meetings shall be convened in writing in the form of invitation at least 8 days in advance, and the material shall be forwarded at least 5 days ahead of the meeting. Invitations for individual meetings shall be served to all the Board members and to the Director; in the case under Article 5, paragraph 6

hereof, the invitation shall also be served to the Chairman of the Appeal Commission or his deputy, when he chaired the panel meeting of the Appeal Commission, in which case the latter need not be sent any material other than that relating to decision making on the appeal.

Extraordinary meeting of the Board shall be convened in order to consider urgent issues, when there are no conditions for convening a regular meeting, or in cases where the Board's Chairman does not act in compliance with the provision of Article 8, paragraph 3 hereof. In such a case, an extraordinary meeting of the Board shall be convened by the parties requesting it, who may also appoint a Board member to chair the extraordinary meeting.

Invitation for an extraordinary meeting of the Board shall be served, together with the material, at least 3 days ahead of the meeting. In exceptional cases only, the Board's Chairman may decide to call an extraordinary meeting orally, by a shorter notice and without prior service of the materials.

The Board's Chairman may decide, in compliance with the provisions of the Statute, to carry out a **correspondence meeting** of the Board on a particular issue.

A correspondence meeting is normally carried out when a decision needs to be made regarding an appeal which is linked to a deadline, except when the Chairman of the Appeal Commission, or his deputy who chaired the Appeal Commission's panel meeting, proposes the convening of a regular or extraordinary Board meeting.

The correspondence meeting shall be carried out by sending to the Board members a brief written explanation of individual issue or item on the agenda, together with a proposal of resolution. The Board members shall provide their decisions in writing or by e-mail. The proposal of resolution shall not be changed. The wording of the adopted resolution shall be the same as that of the proposed resolution, otherwise the resolution shall not be adopted.

5 CONDUCTING THE BOARD MEETINGS

Article 11

The Board meetings shall be conducted by the Board's Chairman, and in the latter's absence, by the Deputy Chairman who, in this case, shall have the powers of the Board's Chairman.

The rules for conducting meetings shall apply to any chair person.

Article 12

Prior to the beginning of each meeting the Board's Chairman shall determine quorum.

Article 13

When a quorum is present, the Board's Chairman will put the motion of the agenda to the vote. Any Board member or the Director may move amendments to the agenda.

Article 14

All Board members as well as the invited participants are entitled to participate in discussions under single items of the agenda.

As a rule, discussion under an item shall have no time limitations. The Board's Chairman shall have the power to limit to a reasonable time the discussions of individual speakers.

The speaker may only discuss an issue which is on the agenda and which is under debate to which the Board's Chairman has invited him.

Article 15

After the written material has been explained and the discussion concluded, the Chairman shall propose a motion of resolution/s and put it/them to the vote.

Article 16

The Board's Chairman may interrupt a meeting when he/she considers that the decisions need an adequate weighing, and shall at the same time specify the date when the meeting should be re-called.

Article 17

The Board's Chairman shall keep order at a meeting. For the proceedings to run smoothly, he/she may exceptionally, on a temporary basis, interrupt the meeting or make an early conclusion.

No one is allowed to speak at the meeting unless the Board's Chairman gives them the floor.

The Board's Chairman may take the following measures for violating the order at a Board meeting:

- give warning,
- stop the speaker,
- remove the abuser from the meeting or a part thereof.

A warning can be given to a Board member or other participant who speaks without being given the floor, who interrupts the speaker or who violates in some other way the order at the meeting.

A speaker can be stopped when by speaking he/she violates the order and the provisions of these Rules, and has already been warned at the same meeting to the effect that he/she should respect the order and the provisions of these Rules.

A Board member or some other participant can be removed from the meeting or a part thereof when – despite warning or stopping him/her – they continue to violate the order at the meeting by obstructing the Board's work.

If the Chairman is unable to keep order at the meeting by taking regular measures, he shall suspend the meeting.

6 THE BOARD'S DECISION-MAKING

Article 18

The Board shall formulate its decisions as resolutions.

Article 19

The decisions of the Board shall be valid when more than half of its members are present at the meeting, and the decisions are adopted by a majority of the members present. At a correspondence meeting, a resolution shall be adopted when more than half of the Board members have cast their votes, and the majority of them voted for the resolution.

The Board shall adopt its Statute by a two-thirds majority of the members present.

Article 20

As a rule, the decisions shall be adopted by open vote of the Board members.

The Board members shall vote by secret ballot: when electing the Chairman and Deputy Chairman; when voting about confidence or lack of confidence in their work; and when voting about other issues as laid down in SA's Statute. Upon the proposal of a member of the Board, the Board may decide on secret ballot in other cases as well.

Article 21

When several resolutions are moved addressing the same issue, the Board shall vote separately for each motion. The Board's Chairman shall define the voting order.

When none of the motions have obtained the sufficient majority of votes, the voting shall be repeated for the two motions having obtained the most votes at first cast. When even after the repeated voting, none of the motions have obtained the necessary majority of votes, the Board shall be deemed not to have made any decision on the issue, and no resolution shall be adopted. In such a case, the Board shall define the procedure for further activities to prepare a solution for the unresolved issue.

Article 22

The Board may decide to carry out a roll-call vote on a resolution.

A separate opinion of a Board member must upon his/her request be entered into the minutes. Each Board member shall be entitled to explain the reasons for his/her decision at voting.

Article 23

The resolutions adopted shall be recorded in the minutes in the same contents as they were adopted at the meeting.

7 MINUTES OF MEETINGS

Article 24

Minutes shall be kept of every Board meeting, and they shall contain:

- successive number of the meeting,
- date of the meeting, starting and concluding hours, and information as to any suspension and continuation of the meeting,
- venue of the meeting,
- names and surnames of the persons present at the meeting,
- information about the person chairing the meeting,
- information about quorum,
- agenda, with indication of any changes adopted thereto,
- indication of the people presenting reports under separate items of the agenda, and of all those who took part in the discussion,
- indication of written materials serving as the basis for discussion and decision-making under a separate item of the agenda or a separate issue,
- summary of the contents of discussions,
- indication of the resolutions moved by individual Board members, and the results of voting on separate motions,
- resolutions adopted by the majority of votes, including specification of the majority, or a note to the effect that a certain resolution has not been adopted or that no decision has been made on an issue,
- statements which the Board members have explicitly requested to be entered into the minutes, and
- signatures of the minute-writer and the Board's Chairman.

Article 25

A signed copy of the minutes of the Board meeting shall be circulated to each Board member and to the Director within 10 days of the meeting at the latest. Other participants of the Board meeting shall receive printouts of those parts of the minutes which refer to their report or discussion.

Article 26

Every Board member is entitled to file, within 8 working days of the receipt of the minutes, a written objection when he/she finds the record of a discussion or a resolution not corresponding to the actual course of the meeting.

The Board shall decide as to the objection at its first subsequent meeting.

Article 27

The organisational, administrative and technical jobs required for the smooth operation of the Board shall be performed by the Secretariat of Slovenian Accreditation; the Secretariat shall keep originals of the minutes, resolutions, reports and other acts of the Board, as well as the materials for its meetings.

8 THE APPEAL COMMISSION

Article 28

The Appeal Commission is a professional and independent body of the Board which deals with appeals and conducts appeal proceedings at second instance.

The Appeal Commission shall consist of 10 members appointed by the Board, as follows:

- 5 members, who are not SA employees, or whose employment ceased at least 1 year before, who are SA registered assessors and residents of the Republic of Slovenia;
- 5 members, who are lead assessors and SA employees.

The composition of the Appeal Commission shall be such that each of the following areas of accreditation is represented by at least one member: testing, calibration, inspection, certification and verification.

Article 29

Prior to appointing or electing members of the Appeal Commission, SA shall publish on its website a call for applications for the membership in the Appeal Commission, including a candidate consent form and a form containing the candidate's professional qualifications and references. The consent shall be given within 15 days from the date of publishing the call on SA's website.

A candidate who has given his/her consent for the candidature shall send in the signed consent together with a completed form of professional qualifications and references, and an indication of his/her relation with the conformity assessment bodies accredited by SA.

The SA employees who are lead assessors are assumed to have given their consent for candidature, but they have to complete the form of professional qualifications and references.

A candidate may make a statement to the effect that he/she wishes to make a personal presentation of him/herself at the Board meeting.

After receiving the candidates' consents SA shall, in accordance with Article 28, paragraph 3 hereof, separately prepare a basic candidate list for 5 candidates who are not SA employees, or whose employment ceased at least 1 year before, who are registered SA assessors, and who have given their consent for the candidature; and another basic candidate list for 5 lead assessors who are SA employees. SA shall, in addition also prepare a reserve candidate list with at least one candidate who is not SA employee and is a registered SA assessor, and one reserve candidate who is a lead assessor and an SA employee.

The candidate list shall be formulated by the following criteria:

- non-existent relation with the conformity assessment bodies accredited by SA,

- experience in assessment or other experiences in accreditation procedures, so that candidates with more knowledge and experiences in more accreditation areas shall be given priority.

It shall be indicated on the candidate list in which areas of accreditation individual candidate has knowledge and experience. Candidates' consents shall also be attached to both candidate lists.

The data provided in the forms which involve candidates' professional qualifications and references shall be considered as personal data and the Board members are obliged to protect them in compliance with the applicable Personal Data Protection Act.

The candidate lists with consents shall be sent to the Board members for the Board meeting at which the appointing of the members of the Appeal Commission will take place, whereas the forms containing professional qualifications and references of candidates shall be submitted to the Board members at the very meeting at the stage of treating the candidates before taking votes.

Before taking votes, the Board members shall discuss each candidate from the candidate list and also listen to his/her personal presentation, when the candidate has expressed the wish to make one.

The Board members shall take votes by encircling on the candidate list the names of the candidates they vote for. The candidate who obtains at least half of the votes cast by the Board members present will be elected into the Appeal Commission.

Should any candidate from the basic candidate list not obtain a sufficient number of votes, voting shall be carried out on candidates from the reserve candidate list following the same procedure.

When none of the candidates from the reserve list obtains sufficient number of votes, the candidate who obtained the greatest number of votes from among those not having obtained half of the votes cast by the Board members present, shall be appointed into the Appeal Commission.

Upon completing the vote, the Board's Chairman shall announce the composition of the Appeal Commission.

Article 30

After the election of the members of the Appeal Commission, the Board shall also appoint the Chairman of the Appeal Commission and his/her deputy, both selected from among the elected members of the Appeal Commission who are not SA employees.

The Board shall take care, when appointing the Chairman and the Deputy Chairman of the Appeal Commission, that those nominated are not in relation with the same conformity assessment body that is accredited by SA.

The criterion for selecting the Chairman and Deputy Chairman of the Appeal Commission shall be their widest possible knowledge of different areas of accreditation, of the accreditation procedure and of the accreditation body's assignments.

Article 31

The Appeal Commission's way of work and its procedures are laid down in detail in the document S12, Rules of Procedure of the Appeal Commission.

9 HANDLING APPEALS

Article 32

The chair of the Appeal Commission's panel who handled and conducted the appeal procedure shall send to the Board a substantiated motion for the decision on the appeal within 8 days of the conclusion of the appeal proceeding at the latest.

When a decision has to be made on the appeal, a correspondence meeting of the Board shall normally be called, except when the chairman of the Appeal Commission considers it necessary to convene a regular or extraordinary meeting of the Board, and makes a suggestion to that effect in the motion for the decision.

In a resolution concerning its decision on the appeal, the Board shall normally pursue the motion of the Appeal Commission's panel. When, however, in addressing the motion of the Appeal Commission's panel, the Board finds that not all of the relevant facts have been taken into account, the Board shall refer the case back to the Appeal Commission's panel for reconsideration.

The Board shall adopt one of the following resolutions:

- reject the appeal as unfounded,
- find the appeal partly or wholly justified.

The Board shall decide on the appeal within the period fixed in SA's Statute.

The resolution and all the documents related to handling of the appeal or a request for reconsideration shall be forwarded to the SA Director, who shall then serve the Board's decision on the appeal to the appelland body.

Article 33

A Board member who has an employment relationship or some other relation with the accredited body or a body in accreditation procedure who lodged the appeal, or its competitor, shall not take part in addressing the above-mentioned appeal, if such relation could affect the impartiality of the member in addressing that appeal. Nor shall a representative of the workers take part in addressing an appeal, if he/she was involved in the accreditation procedure to which the appeal refers.

The Board member shall, immediately upon learning of the existence of a cause for debarment, notify the Board's Chairman to that effect.

10 TRANSITORY AND FINAL PROVISIONS

Article 34

Should a particular Board procedure not be specified herein, the Board shall postpone its decision-making on an issue, specify the procedure in terms of amendment to these Rules, and then decide on the issue.

Article 35

Any changes and amendments hereto shall be adopted according to the same procedure as the basic internal regulation.

Article 36

These Rules of Procedure shall become effective on the date of adoption by the SA Board.

Done in Ljubljana, on 14 May 2021

The Board Chair
Mag. Irena Možek Grgurevič