



30 September 2024

Mr. Pavel Nosek
First Deputy Director
Czech Accreditation Institute (CAI)
Czech Republic

Subject: Interpretation of Cl. 1.5 of document IAF MD28:2023 as requested by CAI
[CAI letter/email dated 30.07.2024]

Dear Mr. Pavel Nosek,

With reference to the subject letter/mail received by the IAF DMC, Czech Accreditation Institute (CAI) informs that it is appointed as the single accreditation body of the Czech Republic, according to Regulation (EC) No. 765/2008, and has some questions regarding application of the IAF mandatory document IAF MD 28:2023, concerning the legal basis of certification bodies' (CBs) obligation to participate in the IAF CertSearch Database. In order to apply IAF MD 28:2023 correctly, CAI has requested the IAF DMC for clarification, specifically on Cl. 1.5 of IAF MD 28:2023.

The IAF DMC response to the clarification as sought by CAI is as following:

1/ Are the CB's obligations set out in IAF MD 28:2023 considered to be "accreditation requirements" within the meaning of Cl. 7.1 of ISO/IEC 17011:2017?

The requirement in Cl. 7.1, ISO/IEC 17011:2017 on "Accreditation Requirement" states "*The general requirements for accreditation of conformity assessment bodies shall be those set out in the relevant International Standards and/or other normative documents for the operation of conformity assessment bodies.*"

The IAF ML 4:2023, Cl. 4.3.1 states that "*Each participating Accreditation Body shall:*

- i) maintain conformance with ISO/IEC 17011 and related IAF and IAF/ILAC mandatory documents and, as applicable to the individual Accreditation Body's scope of the MLA, those standards and/or other normative documents endorsed by the IAF, as per the IAF MLA Status document which details the scope of the IAF MLA; and*
- ii) ensure that all accredited bodies conform with, as applicable to the CAB's scope of accreditation, those documents that have been endorsed by the IAF, as per the IAF MLA Status document which details the scope of the IAF MLA, and related IAF and IAF/ILAC documents."*

CAI being a member of IAF and a signatory to the IAF MLA is required to comply with the requirements of IAF, including the applicable Mandatory Documents (MDs), and is also required to ensure that its accredited CABs also comply with the requirements of IAF.

Further, Regulation (EC) No.765/2008 requires National Accreditation Bodies in the EU to be members of The European Cooperation for Accreditation (the EA) and EA members as per document



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EA-2/02 “EA Procedure for the evaluation of a National Accreditation Body” under Cl. 2.1.1 requires “A NAB shall comply with the provisions of ISO/IEC 17011 requirements, Regulation (EC) No 765/2008 and mandatory documents in EA, IAF and ILAC where applicable.”

IAF MD 28 is a mandatory document of the IAF and therefore a requirement for the EA members to comply with Regulation (EC) No. 765/2008. CAI thus being an EA member and an IAF MLA Signatory need to ensure conformance to all IAF MDs as applicable for its accreditation schemes.

It is clarified that the CB’s obligations set out in IAF MD 28:2023 are to be considered as “accreditation requirements” within the meaning of Cl. 7.1 of ISO/IEC 17011:2017 and for maintaining the IAF MLA status.

3/ Is the CB’s participation in the IAF Database and demonstration of conformity with the IAF MD 28:2023, according to its Cl. 1.5, the only possible way for the CB to fulfil the requirements of ISO/IEC 17021-1 clause 8.1.2 (b) and (c)?

ISO/IEC 17011:2017, Cl. 8.1.2 which states “*The certification body shall provide upon request information about:*

- a) *geographical areas in which it operates;*
- b) *the status of a given certification;*
- c) *the name, related normative document, scope and geographical location (city and country) for a specific certified client.”*

is a relevant clause applicable only when a CB receives a request for information for the above, while the CB data upload obligations as per IAF MD 28 is a mandatory requirement and has to be complied by all the accredited Management Systems certification bodies of the IAF MLA signatories.

It is clarified that the CB’s participation in the IAF Database and demonstration of conformity with the IAF MD 28:2023 is mandatory, and according to its Cl. 1.5 of IAF MD 28, will demonstrate that the CB fulfils the requirements of ISO/IEC 17021-1 clause 8.1.2 (b) and (c).

3/ Does the IAF expect a non-conformity to be granted if the CB refuses to participate in the IAF Database, although the CB has implemented and managed fulfilment of ISO/IEC 17021-1 cl. 8.1.2 (b) and (c) in a different way (without using the IAF Database)? In this regard, it is worth noting that the currently accredited CBs do fulfil the requirements of ISO/IEC 17021-1 in full extent, without the mandatory participation in the IAF Database, and have procedures in place to do so.

IAF MD 28, Cl. 7.2 states that “*Where a CB is not participating in the IAF Database, is not acting in conformance with this MD and has not provided an AB with an acceptable justification for exclusion, the AB will raise a nonconformity in accordance with clause 7.6.8 in ISO/IEC 17011 and, if necessary, initiate sanctions according to their policies.*”



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Further, IAF MD 28, Cl. 7.5 states “When a CB does not conform to this MD the AB will raise a nonconformity in accordance with clause 7.6.8 in ISO/IEC 17011 and, if necessary, the AB will initiate sanctions according to their policies.”

As clarified above the requirements in IAF MD 28:2023 are mandatory and compliance to it is required to be demonstrated by IAF MLA ABs for management systems and their accredited CBs for management systems. The CAI shall deal with its procedures to raise a non-conformity if its accredited CB does not comply with requirements of IAF MD 28.

4/ Does IAF expect CB’s accreditation to be denied / suspended / withdrawn if the NC in the context described above is not resolved by participating in the IAF database? On what grounds?

Response same as in 3 above.

Hope you shall find the above clarification to your satisfaction. Thank you for your understanding and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rajesh Maheshwari', is written over a light blue horizontal line.

(Rajesh Maheshwari)
Chair, IAF DMC