



Guidance Document

The Accreditation and Verification Regulation - Certification

AVR Key guidance note No. II.11, updated 27 November 2017

This document is part of a series of documents and templates provided by the Commission services for supporting the implementation of Commission Regulation (EU) No 600/2012 of 21 June 2012 on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers pursuant to Directive 2003/87/EC of the European Parliament and of the Council.

The guidance represents the views of the Commission services at the time of publication. It is not legally binding.

This guidance document takes into account the discussions within meetings of the informal Technical Working Group on the Accreditation and Verification Regulation under the WGIII of the Climate Change Committee (CCC), as well as written comments received from stakeholders and experts from Member States.

This guidance document was unanimously endorsed by the representatives of the Member States at the meeting of the Climate Change Committee on 17 October 2012.

All guidance documents and templates can be downloaded from the documentation section of the Commission's website at the following address:
http://ec.europa.eu/clima/policies/ets/monitoring/index_en.htm.

Background

This key guidance note is part of a suite of guidance documents developed by the Commission to explain the requirements of the EU ETS Regulation on Accreditation and Verification (AVR).¹ The suite of guidance documents consists of:

- an explanatory guidance on the articles of the AVR (EGD I), including a user manual providing an overview of the guidance documents and their interrelation with the relevant legislation;
- key guidance notes (KGN II) on specific verification and accreditation issues;
- a specific guidance (GD III) on the verification of aircraft operator's reports;
- templates for the verification report and information exchange requirements;
- exemplars consisting of filled-in templates, checklists or specific examples in the explanatory guidance or key guidance notes;
- frequently asked questions.

This key guidance note explains the requirements on certification in the AVR. The note represents the views of the Commission services at the time of publication. It is not legally binding.

1. Objective of this guidance note on certification

Article 54(2) of the AVR allows Member States (MS) to introduce a certification system for natural persons that want to operate as a verifier in the EU ETS scheme. In principle certified verifiers have to comply with the same AVR requirements as accredited verifiers. Certification encompasses a formal attestation that the natural person licensed by a National Certification Authority (NCA) is competent and meets the requirements of the AVR. Certification is only permissible for natural persons. Verifiers that are legal persons or legal entities are required to obtain accreditation by a National Accreditation Body (NAB).

The objective of this note is to clarify the requirements in the AVR concerning certified verifiers and the certification of natural persons by an NCA. Furthermore, the aim is to support confidence in the mutual recognition of verifiers across the MS, whether they are accredited by an NAB or certified by an NCA. It also outlines what actions a MS has to undertake regularly to review the functioning of an NCA and what actions are needed to show that the NCA meets a level of credibility equivalent to NABs that have successfully undergone a peer evaluation.

2. What is certification?

MS may decide to allow certification of natural persons planning to operate as verifiers in the EU ETS. It is the prerogative of MS whether or not to set up such a certification system in their country. If a MS decides to do so, the AVR imposes certain requirements concerning certified verifiers and the certification of verifiers. One of the most prominent requirements in the AVR concerning certification is outlined in the table below.

**Art. 54(2)
AVR**

| Requirement from AVR | Article in AVR |
|--------------------------|--|
| Only natural persons are | Article 3(3) of the AVR <i>'verifier' means a legal person or another legal entity carrying out</i> |

¹ Commission Regulation (EU) No 600/2012 of 21 June 2012 on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers pursuant to Directive 2003/87/EC of the European Parliament and of the Council, OJ EU, L 181/1.

| | |
|--|---|
| allowed to be certified by a National Certification Authority (NCA) according to the AVR | <i>verification activities pursuant to this Regulation and accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008 and this Regulation or a natural person otherwise authorised, without prejudice to Article 5(2) of that Regulation, at the time a verification report is issued;</i> |
| | Article 54(2) of the AVR <i>Where a Member State decides to allow for the certification of verifiers that are natural persons, pursuant to this Regulation, the tasks related to the certification of those verifiers shall be entrusted to a national authority other than the national accreditation body appointed pursuant to Article 4(1) of Regulation (EC) No 765/2008.</i> |

The above means that certification of legal persons and legal entities is not possible: they must obtain accreditation by the NABs. A legal person or legal entity is any individual or organisation created under national law of its place of establishment or under European community law which has legal personality and which may, acting under its own name, exercise legal rights and be subject to obligations.²

**Art. 43 and
45(1)
AVR**

Any enterprise that is owned and conducted by a single individual (a so-called one-person business) should therefore be regarded as a legal person. If an individual has gained legal personality under national law or community law, and wants to act as verifier, he will have to become accredited: he cannot waive his legal personality to apply for certification.

If a certified natural person is hired by a verification body, he acts under the responsibility of that verification body which has to be accredited pursuant to the AVR. The verification body cannot operate under or use the certification of that natural person to meet the requirements of the AVR.

As in the case of an accredited legal person, the certified natural person receives a formal attestation that he is competent, that he meets the requirements of the AVR, and that he can issue a verification report for the scope of activities for which he has been granted certification.

3. Requirements of the AVR applicable to certified natural persons

As the term verifier includes certified natural persons, the requirements in Chapter II and III of the AVR apply equally to certified natural persons operating as verifiers. This means that the certified verifier has to undertake the same verification activities in the verification process as the accredited verifier, including the independent review of the internal verification documentation and the verification report. Being a single person, the certified verifier is required to call in and contract an appropriately qualified and competent third party³ to perform that independent review. The AVR prevents the natural person from doing both the verification and the independent review.

**Art. 3(3)
AVR**

**Art. 25(2)
AVR**

In addition, certified verifiers have to meet the same AVR requirements on competence, independence, impartiality, documentation and procedures. Where the AVR requires the verifier to apply the requirements of the harmonised standard, EN ISO 14065, these stipulations also apply to certified natural persons. This means that the certified verifier has

² The national law of the Member State in which the legal person or legal entity has its registered office or permanent business establishment provides information on what constitutes a legal person or legal entity.

³ The third party has to meet the competence requirements of an independent reviewer laid down in Article 38 of the AVR.

to set up similar procedures and quality management systems as is required of the accredited verifier. However certain requirements of EN ISO 14065 need a more specific interpretation for natural persons. For instance, the provisions in EN ISO 14065 that specifically relate to legal entities or to the delegation of responsibilities to other personnel in the verification body, are not applicable to certified verifiers. The table in Annex A clarifies the applicable AVR and EN ISO 14065 requirements and how these should be interpreted for natural persons that are certified to operate as EU ETS verifiers.

4. Which authority is certifying natural persons?

Certification of natural persons has to be carried out by a national authority other than the NAB. The NCA must have distinguishable responsibilities, be competent, independent and impartial. As with the NABs, NCAs should not compete with each other and MS should appoint a single NCA as their NCA. This is in line with Article 6(1) of Accreditation Regulation 2008/765, which forbids competition between different NABs in order to safeguard objectivity and impartiality. The application of these provisions to NCAs derives from Article 54(3) of the AVR which requires MS to ensure that the NCA meets the requirements of the AVR. The requirements that are imposed on the NAB, must in principle therefore also apply to the NCA.⁴

**Art. 54(2)
AVR**

**Art. 54(3)
AVR**

5. What requirements are applicable to the certification of natural persons?

National authorities certifying natural persons have to meet the requirements of the AVR which means that Chapter IV of the AVR is largely applicable to the certification of verifiers. Like accredited verifiers, certified verifiers have to be certified for the scope of activities for which the natural person verifier will be carrying out the verification. By the time the verification report is issued, the natural person verifier must have obtained this certification.

**Art. 54(3)
AVR**

When certifying natural persons and monitoring their performance and competence, the NCA has to assess whether the natural person undertaking the verification activities has the competence to carry out the verification, whether he is performing the verification in accordance with the AVR and whether he meets the requirements of Chapter III of the AVR.

**Art. 44
AVR**

The certification process itself starts with a request for certification and is followed by the NCA's assessment of the verifier and its decision on the certification. Once the certificate has been issued, the NCA must monitor the verifier and his activities through surveillance and re-certification. Equally important is the possibility of NCAs being able to impose administrative measures if, following certification and surveillance, the verifier does not meet the requirements of the Regulation. Annex B clarifies which requirements of Chapter IV of the AVR apply to the certification of natural persons and how these requirements should be interpreted.

A MS that has decided to set up a certification system, must provide documentary evidence to the Commission and to other MS in accordance with Article 5(2) of Accreditation Regulation 765/2008. This concerns the evidence necessary for checking the competence of conformity assessment bodies: e.g. verifiers. The NANDO system could be used for

**Art. 54(2)
AVR**

⁴ Article 54(3) in combination with Article 5 of the AVR states that the requirements of AR regulation 765/2008 apply to EU ETS where no specific provisions concerning the composition of the NAB or activities and requirements linked to accreditation have been laid down in the AVR. This is for example true for the requirement to have a single NAB and to avoid competition between NABs. Please see section 1 of the key guidance note on the relation between AVR and EN ISO /IEC 17011 (KGN II.9) for further information.

complying with the requirement in Article 54(2) of the AVR to provide that documentary evidence. NANDO is a notification system between the MS and the Commission that was specifically set up to accommodate the notification requirements under the Accreditation Regulation 765/2008, including the requirement to provide documentary evidence under Article 5(2) of AR 765/2008. The notification details in the NANDO system cover information on the competence and monitoring of verifiers to ensure on-going compliance with the competence requirements. Evidence can for example consist of supervision reports related to the inspection and supervision of the verifier concerned and applicable legislation. All MS and the Commission will be in the position to react to the documentary evidence provided and to make their objections or ask for additional information within a specified time.

6. What requirements are applicable to national authorities certifying natural persons?

National authorities certifying natural persons have to meet the requirements of the AVR, Art. 54(3) AVR implying for instance that the requirements on information exchange in Chapter VI are equally applicable to NCA. This means that:

- a MS that has decided to set up a certification system, has to establish an effective exchange of information and effective cooperation between the NCA and the CA in its country; Art. 69 AVR
- certified verifiers have to notify the details mentioned in Article 76 of the AVR to their NCA; Art. 76 AVR
- an NCA has to submit a work programme to the CA of the MS in which the verifier that has been certified by that NCA, is verifying; Art. 70(1) AVR
- the CA of the MS in which the verifier certified by an NCA is operating must provide that NCA with relevant information, including any relevant national legislation or guidelines; Art. 70(2) AVR
- an NCA has to submit a management report to the CA of the MS in which a verifier has been certified and the CA of the MS in which that verifier is verifying; Art. 70(3) AVR
- an NCA has to provide information on the administrative measures imposed on a certified verifier to the CA mentioned in Article 71 of the AVR; Art. 71 AVR
- the CA of the MS in which the verifier is carrying out verification, must annually provide information mentioned in Article 72 of the AVR to the NCA that has certified that verifier; Art. 72 AVR
- an NCA has to set up a database as required by Article 75 of the AVR.

It should be noted that an NCA cannot ask the NAB of another MS where the verifier certified by that NCA is carrying out verification activities, to perform surveillance on its behalf. The Accreditation Regulation 765/2008 and procedural rules within the European cooperation for Accreditation prevent the NAB from doing any certification related activities. Article 73 of the AVR is therefore not applicable. In those situations the NCA would accompany the verifier to the operator's installation abroad and assess his or her performance during the verification on site.

As Article 54(3) of the AVR requires the NCA to comply with the requirements in the AVR, the requirements in Chapter V of the AVR should equally apply to NCAs. This means that:

- the NCA must be organised in a manner that guarantees its full independence from verifiers it assesses and its impartiality in carrying out its certification activities. The requirements of Article 56 of the AVR apply equally; Art. 56 AVR

- the NCA must have an assessment team that is sufficiently competent to assess the competence and performance of the natural person to be certified; Art. 57
AVR
- the competence requirements for assessors and lead assessors have to be met by the persons within the NCA that assess the natural persons verifiers. This also applies to the competence requirements of internal reviewers and the persons making the decision on the certification of a verifier. These competence requirements are EU ETS specific and must ensure that the NCA is sufficiently competent to assess the natural persons; Art. 58
AVR
- if the NCA is calling in technical experts, these have to be competent and undertake their tasks under the direction and full responsibility of the lead assessor of the assessment team; Art. 59
AVR
- the NCA should implement the procedures mentioned in EN ISO/IEC 17011, in particular the procedures on appeal, administrative measures and surveillance; Art. 60
AVR
- the requirements on complaints and how to address these should be equally applicable to the NCA. This is especially true for the requirements on complaints and the information exchange on non-compliance of the verifier as required in Article 72(2) of the AVR; Art. 61
AVR
- the requirements on records and documentation should be equally applicable to the NCA; Art. 62
AVR
- the requirements on access to information and confidentiality should be equally applicable to the NCA. Art. 63
AVR

For some of these requirements explicit reference is made to EN ISO/IEC 17011 implying that these provisions apply equally to the NCA, e.g. the procedures in EN ISO/IEC 17011 and the requirement that verifiers shall provide the NCA with access to their premises and relevant documentation.

7. Meeting a level of credibility equivalent to an NAB

The NCA must meet a level of credibility equivalent to an NAB that has successfully undergone a peer evaluation. An effective and independent peer review process organised for NABs by the European cooperation for Accreditation ensures a high level of credibility since the competence of the NAB is assessed, whether the NAB has carried out accreditation in accordance with the AVR; and whether the NAB meets all the AVR requirements. The peer evaluation team organised by the EA not only checks the documentary evidence and procedures in place but also assesses the actual performance of NAB in the field. Art. 64(5)
AVR

An equivalent level of credibility for the NCA can only be achieved if evidence has been provided to the Commission and all other MS, that the NCA concerned is competent and actually carries out the certification activities in line with the AVR and meets the requirements in the AVR.⁵ Art. 64(2)
AVR

The following approach could be an option to ensure such an equivalent level of credibility:

- The MS that has decided to set up a certification system, has to provide the Commission and the other MS documentary evidence demonstrating that the NCA is competent, impartial and independent; and meets the requirements of the AVR (e.g. having procedures as required by the AVR, retaining documents in line with the AVR, addressing complaints in line with the AVR, having one sole NCA with distinguishable responsibilities);

⁵ The AVR requirements that are equally applicable to the NCA as described in section 5 and 6 of this note.

- To assess the actual performance of the NCA in the field and to assess whether it actually carries out certification in line with the AVR, the next step could be a peer evaluation system organised by the Commission or under the Compliance Forum. Such a peer evaluation system is not uncommon in certification systems. For example, under the EMAS regulation peer evaluations are organised by a Forum of Accreditation and Licensing bodies (FABL);
- In that case the EU ETS specific peer evaluation system for an NCA could consist of experts from national authorities, CAs and the Commission. EA could be invited to make their expertise in peer reviews available in the formation of peer evaluation teams and through allowing EA experts to participate in the peer evaluation or be added as observer to peer evaluation teams;
- When setting up such a peer evaluation system, guidance and peer evaluation criteria for NABs could provide input into setting up an effective EU ETS specific peer evaluation system for NCAs and developing specific peer evaluation certification criteria to assess an NCA;
- During such a peer evaluation, the peer evaluation team should assess whether the NCA is carrying out the certification activities in line with the AVR and whether the NCA is meeting the requirements in the AVR;
- The outcome of the peer evaluation should be provided to the Commission and all MS. If the peer evaluation was successful, the peer evaluation report would provide the evidence that could demonstrate an equivalent level of credibility to the NAB that has successfully undergone the peer evaluation.

MS must periodically review the functioning of the NCA with a view to ensure that it continues to meet an equivalent level of credibility. Regular updates of evidence on the competence, impartiality, independence and compliance with the AVR requirements must be shared with the Commission. This would imply that the competence and actual performance of the NCA has to be monitored in order to assess whether it still meets an equivalent level of credibility. Regular peer evaluations on the NCA could be set up in line with the approach described above.

**Art. 64(5)
AVR**

If the outcome of peer evaluation shows that the NCA does not meet the requirements of the AVR, the MS concerned must take appropriate corrective action, taking the findings of the peer evaluation report into account. Furthermore, to ensure that all parties are informed of whether the NCA meets an equivalent level of credibility, the outcome of the peer evaluation report should be shared with the Commission and the MS. In cases where the NCA cannot prove that it (still) meets a level of credibility equivalent to NABs that have successfully undergone a peer evaluation, the NCA should not be allowed to carry out (re-) certification until the MS of that NCA shows evidence to the Commission and the other MS that the NCA has improved its procedures and capability/competence, and is complying with the AVR requirements.

This is also true if the MS where the NCA is established, identifies itself that its NCA is not complying with requirements of the AVR. In such cases this MS shall take appropriate corrective action and inform all MS and the Commission. The NCA should not be allowed to carry out (re-)certification until the MS of that NCA shows evidence to the Commission and the other MS that the NCA is complying with the AVR requirements.

8. Mutual recognition of certified verifiers

If a MS has set up a certification system and the NCA of that MS has granted certification to a natural person who wants to work as a verifier, other MS have to accept the certificate of this verifier and respect the right of that verifier to undertake verification in their MS for the scope of his certification. These other MS are not allowed to impose additional conditions and requirements on that certified verifier compared to their own accredited verifiers.

**Art. 66(3)
AVR**

Annex A AVR and EN ISO 14065 requirements

This table explains how the requirements in chapter II, III and Annex II of the AVR and the specific requirements in EN ISO 14065 have to be interpreted for certified natural persons.

| Type of requirement | Art. AVR | EN ISO 14065 | Guidance | Specific remarks |
|---|----------|--------------|--|--|
| General obligations verifier (reasonable assurance, scope of verification and principles of verification) | 6-7 | | Section 3.1 Explanatory Guidance | The same requirements apply equally to natural persons |
| Verification process | 8-28, 31 | | Section 3.2 Explanatory Guidance | The same requirements apply equally to natural persons. For the independent review the natural person has to call in an appropriately qualified and competent third party since Article 25(2) of the AVR prevents the natural person from doing both the verification and the independent review |
| Activities after verification process | 29-30 | | Section 3.3 Explanatory Guidance | The same requirements apply equally to natural persons. |
| Verification of small installations or small emitters | 31-33 | | Chapter 4 Explanatory Guidance | The same requirements apply equally to natural persons. |
| Sectoral scope of certification | 34 | | Section 6.1 Explanatory Guidance | Certified verifiers are only allowed to issue a verification report if they have been granted certification for the relevant scope of activities. Annex I of the AVR is equally applicable to the verifications carried out by certified natural persons. |
| Continued competence process | 35 | | Section 5.1 Explanatory Guidance and key guidance note on competence | <p>Certified natural persons have to establish, document, implement and maintain a similar competence process as legal entities and legal persons (Article 35(1) of the AVR). They also have to carry out the same steps in that process thereby not only monitoring and continuously evaluating their own competence but also ensuring that their contracted parties are sufficiently competent in performing the tasks for which they have been contracted. This means that:</p> <ul style="list-style-type: none"> Natural persons have to carry out the activities in 35(2) of the AVR concerning the competence of themselves and the persons they are contracting when carrying out |

| Type of requirement | Art. AVR | EN ISO 14065 | Guidance | Specific remarks |
|---------------------|----------|--------------|---|--|
| | | | | <p>the verification (e.g. technical experts and independent reviewers);</p> <ul style="list-style-type: none"> • The general and specific competence criteria for the competence of the natural person should cover the whole range of competence requirements of EU ETS auditors and EU ETS lead auditors for the scope of activities for which the natural person has certification (Article 35(2) of the AVR); • Natural persons have to monitor their own performance by calling in a competent evaluator and have to continuously assess whether they are still meeting the general and specific competence (Article 35(3) and (6) of the AVR). This could include training and examinations; • The competent evaluator has to be sufficiently competent to assess the competence of the natural person as the lead EU ETS auditor and EU ETS auditor (Article 35(6) of the AVR). The natural person is responsible for organising and calling in such a competent evaluator. This could be a contracted person provided the evaluator is competent to make the assessment. The contracted person could be the same party that is hired for the independent review; • If the natural person fails to meet the competence criteria he has to organise additional training for himself or supervised work experience under the responsibility of a third party until he shows that he meets the competence criteria (Article 35(7) of the AVR). Supervised work experience cannot be provided by the same person that was hired to do the independent review since an independent reviewer may not be involved in the verification that was subject under his review; • Article 35(4) and (5) of the AVR apply equally to natural persons. |
| Verification team | 36(6) | | Section 2 Key guidance note on competence (KGN II.7) | <p>In the case of a certified verifier, the verification team can consist of only the natural person provided he or she:</p> <ul style="list-style-type: none"> • meets all the competence requirements for EU ETS auditor and lead auditor; • has a clear understanding of his/her individual role in the verification process and of the requirements of the entire verification process; • is able to communicate actively in the language needed to perform his/her specific tasks; • has the technical and legal competence and understanding, and is able to communicate in the language required, for the verification in the Member State |

| Type of requirement | Art. AVR | EN ISO 14065 | Guidance | Specific remarks |
|--|----------|--|--|--|
| | | | | <p>where he/she is carrying out the verification (art 36(5) AVR).</p> <p>The natural person can call in a technical expert on a specific subject matter to support him or her in carrying out the verification activities.</p> |
| Competence requirements | 37-39 | | Section 3-7 Key guidance note on competence (KGN II.7) | <p>The same competence requirements apply to natural persons. As a single person verifier comprises the whole verification team, this natural person has to comply with all the competence requirements related to EU ETS lead auditor and EU ETS auditor.</p> <p>Independent reviewers and technical experts that are hired by the certified verifier have to meet the requirements in Article 38 and 39 of the AVR</p> |
| Procedures for verification activities and quality management system | 40 | Section 8.7, 9, 10 12 | Section 5.3 Explanatory Guidance and key guidance note on EN ISO 14065 (KGN II.8) | A certified natural person has to establish and implement procedures and a quality management system similar to a legal person. EN ISO 14065 contains specific requirements on how to set up these procedures and what activities the verifier has to carry out when establishing and implementing these procedures and management systems. Please see under <i>reference to EN ISO 14065</i> . |
| Records and communications | 41 | Section 5.4, 7.1, 7.2 and 7.3, 7.4 and 7.5 | Section 5.3 Explanatory Guidance and key guidance note on EN ISO 14065 (KGN II.8) | A certified natural person has to keep records, make information regularly available and safeguard the confidentiality of information in a similar way as a legal person or a legal entity. The requirements in Article 41 of the AVR and specific requirements in the relevant sections in EN ISO 14065 apply equally to natural persons. |
| Impartiality and independence | 42 | | Section 5.2 Explanatory Guidance and key guidance note on EN | <p>The same requirements on impartiality and independence apply to natural persons. Some specific comments can be made on the interpretation of 42(5) and (6) of the AVR related to natural persons:</p> <ul style="list-style-type: none"> Contracting other parties to carry out an independent review does not constitute outsourcing of the independence review. Outsourcing means that contract arrangements has been made with another external organisation to deliver |

| Type of requirement | Art. AVR | EN ISO 14065 | Guidance | Specific remarks |
|--|----------|-----------------------------|--|--|
| | | | ISO 14065 (KGN II.8) | <p>verification services on behalf of the verifier. The organisation, to which the activity is outsourced, will perform the activity externally and have ownership and responsibility over that specific activity. Once the activity has been delivered, the verifier takes back the responsibility since he is responsible for the verification and the delivery of the opinion and report to the operator. Contracting persons means hiring persons to carry out certain verification activities internally for the verifier under the direction and full responsibility of the verifier itself;</p> <ul style="list-style-type: none"> • A verifier has to establish, document, implement and maintain a process to ensure continuous impartiality and independence of the verifier from other organisations mentioned in Article 42(4), and contracted persons. This equally applies to certified verifiers. The process includes a mechanism to safeguard the impartiality and independence of the verifier. For natural persons such a mechanism could be requesting the contracted person that is hired to perform the independent review to check the impartiality and independence of the verifier in accordance with EN ISO 14065 requirements. It could also be an impartiality committee reviewing the impartiality and independence of the natural person. • The natural person verifier must ensure that the contracted personnel, technical experts and independent reviewers he uses are impartial and meet the requirements of the AVR and EN ISO 14065. • The NCA will assess the impartiality of the verifier and whether he or she meets the requirements of the AVR. Please see for further explanation of the requirements section 5.2 of the Explanatory Guidance. |
| Reference to EN ISO 14065 | Annex II | | Key guidance note on the application of EN ISO 14065 in relation to AVR (KGN II.8) | The following notes can be made on the interpretation of some specific requirements in EN ISO 14065: |
| <ul style="list-style-type: none"> • Requirement to describe legal status | | Section 5.1 | | Not applicable to natural certified persons |
| <ul style="list-style-type: none"> • Requirement to be a legal entity or a defined part of a legal entity | | Section 5.2 first sentence | | Not applicable to natural certified persons |
| <ul style="list-style-type: none"> • Requirement to have legally enforceable | | Section 5.2 2 nd | | Equally applicable to natural persons |

| Type of requirement | Art. AVR | EN ISO 14065 | Guidance | Specific remarks |
|--|----------|--------------------------------------|--|--|
| agreement with client (operator or aircraft operator) | | sentence | | |
| <ul style="list-style-type: none"> Requirement to retain authority and responsibility for verification activities | | Section 5.2 3 rd sentence | | Equally applicable to natural persons |
| <ul style="list-style-type: none"> Requirements to identify top management having overall authority and responsibility | | Section 5.3 | | The certified natural person is always his own “top management” with overall authority and responsibility. Unlike legal entities, natural persons are not required to identify delegation of authorities to committees or other individuals. He/she only has to identify and document his/her own responsibilities and tasks that he/she has assigned to contracted personnel that he/she has called in to carry out specific activities (e.g. independent reviewer) |
| <ul style="list-style-type: none"> Requirements on impartial organization of the verifier | | Section 5.4.1 | Key guidance note on the application of EN ISO 14065 in relation to AVR (KGN II.8) | Equally applicable to natural persons |
| <ul style="list-style-type: none"> Requirements on liability and financing | | Section 5.5 | | Equally applicable to natural persons |
| <ul style="list-style-type: none"> Requirements on contracting persons in the verification process | | Section 6.4 | | Equally applicable to natural persons |
| <ul style="list-style-type: none"> Requirements on outsourcing | | Section 6.6 | | Equally applicable to natural persons |
| <ul style="list-style-type: none"> Requirement on implement a process to issue a revised verification report where an error has been identified after the verifier has submitted the verification report to the | | Section 8.7 | | Equally applicable to natural persons |

| Type of requirement | Art. AVR | EN ISO 14065 | Guidance | Specific remarks |
|--|----------|--------------|--|---|
| operator or aircraft operator | | | | |
| <ul style="list-style-type: none"> Requirements on appeals | | Section 9 | | Equally applicable to natural persons. The certified natural person has to meet section 9(d) of EN ISO 14065 which requires the person engaged in the appeals handling processes to be different from those who carried out the verification. Natural persons have to contract another qualified and competent person or party to handle appeals. |
| <ul style="list-style-type: none"> Requirement on complaints | | Section 10 | | Equally applicable to natural persons. The certified natural person has to meet section 10(d) EN ISO 14065 which requires the person engaged in the complaint handling processes to be different from the person who carried out the verification. Natural persons have to contract another qualified and competent person or party to handle complaints. |
| <ul style="list-style-type: none"> Requirement to conduct verification of a previously verified emission report in response to complaints or facts discovered after verification report | | Section 11 | Key guidance note on the application of EN ISO 14065 in relation to AVR (KGN II.8) | Equally applicable to natural persons. |

Annex B Requirements on certification process

This table explains how the requirements in chapter IV of the AVR should be interpreted for the certification of natural person verifiers.

| Type of requirement | Art AVR | Interpretation of the requirement for the certification of natural person verifiers |
|----------------------------|---------|---|
| Objectives | 44 | During the certification process but also when monitoring the verifier, the NCA has to assess whether the verifier: <ul style="list-style-type: none"> • has the competence to carry out the verification; • performs the verification in accordance with the AVR; and • meets the requirements in Chapter III of the AVR. |
| Request for certification | 45 | The certification process starts with a request for certification to show evidence of the verifier's competence relevant to the scope of his/her requested certification. In order for the national authority to assess whether the verifier has the competence and meets the requirements, this request has to contain similar elements and documentation as a request for accreditation, i.e.: <ul style="list-style-type: none"> • general features of the verifier, including name, addresses and human and technical resources; • general information concerning the verifier, including his or her activities; • a clearly defined, requested scope of certification; and, • a written commitment to fulfil the requirements for certification, the requirements of the AVR and the requirements in section 8.1 EN ISO/IEC 17011.⁶ <p>In addition the request should include the information mentioned in Article 45(2) of the AVR</p> |
| Preparation for assessment | 46 | Article 46(1) is equally applicable to certification. When preparing the assessment the national authority should take into account: <ul style="list-style-type: none"> • the complexity of the scope of activities for which the verifier seeks certification; • the complexity of the quality management system; • the procedures and processes mentioned in Article 40(1); and, • the geographical areas in which the applicant is carrying out or planning to carrying out verification |

⁶ The requirements in section 8.1 EN ISO/IEC 17011 include for example the requirement of the verifier to afford accommodation and cooperation as is necessary to enable the NCA to assess compliance with the AVR; to provide access to necessary documents and information; to provide insight into the level of impartiality and independence; to arrange for witnessing of the verification when requested by the NCA; to claim certification only with respect to the scope of its certification; to not use its certification in such a manner as to bring the NCA into disrepute; to pay fees as determined by the NCA if applicable.

| Type of requirement | Art AVR | Interpretation of the requirement for the certification of natural person verifiers |
|---|---------|---|
| | | <p>Some requirements from EN ISO/IEC 17011 could be relevant for national authorities certifying natural persons. Requirements that should equally apply to certification are for example:</p> <ul style="list-style-type: none"> • the requirement of the verifier to provide the national authority access to relevant documents and records; • the requirements on how to use certification symbols and certification status; and, • the requirements to address non-conformities, to address complaints and to take preventive action. |
| Assessment | 47 | <p>The requirements in Article 47 of the AVR should be applicable to certification. The assessment must entail:</p> <ul style="list-style-type: none"> • an assessment of relevant documentation submitted with the request of certification. This is one of the methods to assess the competence and independence of a verifier; • a visit to the premises of the verifier to review a representative sample of the internal verification documentation and to assess the implementation of the applicant's quality management system and the procedures or processes; • a witness of the natural persons covering a representative part of the requested scope for certification. <p>During the witness audit the NCA will also assess hired in technical experts, independent reviewer, contracted natural person to deal with appeals and complaints.</p> <p>If the national authority has identified non-compliance with the AVR, the NCA shall report these non-conformities to the applicant and request him to respond to these. The applicant has to take corrective action to address any non-conformities reported and indicate in his/her response what actions are taken or are planned to be taken within a time set by the national authority to resolve any identified non-conformities.</p> <p>The NCA shall review these responses and where it considers the response to be insufficient or ineffective, the NCA shall request further information or action from the applicant.</p> <p>The NCA may also request evidence of the effective implementation of actions taken or carry out a follow-up assessment to assess the effective implementation of corrective actions.</p> <p>Both the findings of the assessment and the non-conformities have to be outlined in an assessment report which needs to be submitted to the verifier.</p> |
| Decision on certification and certificate | 48 | <p>In principle the elements in EN ISO/IEC 17011 concerning the decision on an assessment should be applicable to certification. The assessment report should contain sufficient information to enable the NCA to take a decision on the certification of a verifier.</p> <p>The certificate of the verifier certified by the NCA should contain at least the following information:</p> <ul style="list-style-type: none"> • the identity and certification symbol and logo of the national certification authority; |

| Type of requirement | Art AVR | Interpretation of the requirement for the certification of natural person verifiers |
|--------------------------|---------|---|
| | | <ul style="list-style-type: none"> • the unique identity of the accredited verifier; • all premises from which one or more key activities are performed by the verifier and which are covered by the certification; • the unique certification number of the certified verifier; • the effective date of granting of certification and, the expiry date; • a brief indication of, or reference to, the scope of the verifier’s certification; • a statement of conformity with the AVR and a reference to the standards or other normative documents, including issue or revision used for assessment of the verifier. <p>Just like the accreditation certificate the certification certificate must have a clear validity period. In order for a harmonised validity period throughout Europe for certification, the same validity period as for accreditation certificate applies: i.e. the validity must not exceed 5 years after the date on which the NCA has issued that certificate.</p> |
| Surveillance | 49 | Surveillance to continuously monitor the competence and performance of a verifier is equally important in a certification system as in an accreditation system. The national authority should carry out an annual surveillance of each verifier to which it has issued a certification certificate. The requirements in Article 49 of the AVR are equally applicable to certification. |
| Reassessment | 50 | The requirements on reassessment in Article 50 of the AVR are equally applicable to certification. Before the expiry of the certificate the NCA shall carry out a reassessment of the verifier to determine whether the validity of that certificate may be extended. |
| Extraordinary assessment | 51 | The NCA has the same possibility to conduct an extraordinary assessment of the verifier at any time to ensure that the verifier still meets the requirements of the AVR. The requirements in Article 51 of the AVR apply equally to certification. |
| Extension of scope | 52 | If the certified verifier wants to operate in another scope of activities listed in Annex I of the AVR, he must submit an application for an extension of scope of the granted certification. The requirements in Article 52 of the AVR equally apply. |
| Administrative measures | 53 | Equally applicable to certification. |