

## National Accreditation Scheme

### Supervision of EMAS verifiers accredited or licensed in other Member States

**NAR-24**

**Edition 2**

Version 1

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## List of amendments

### Edition 2

*Edition 1 of the document was published only in English language. The current edition has been fully re-edited, therefore, the list of amendments cannot be interpreted:*

Chapter No.	Description of the change

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## 1. Purpose of the Regulation

The purpose of the current rule of procedure is to create a framework for the supervision of the activities in Hungary of EMAS verifiers accredited or licensed by the accreditation organisation of other European Union Member States, and to comply with the requirements laid down in Article 23, Point C. and Article 24 of Regulation No. 1221/2009/EC (hereinafter: EMAS Regulation).

## 2. Personal and material scope

The **personal scope** of the present rule of procedure covers those EMAS verifier organisations and natural persons accredited, licensed in other EU Member States, which pursue verification activities in Hungary.

The **material scope** of the rule of procedure covers the control of the audits performed in Hungary by verifiers accredited in other Member States.

## 3. Definitions

The concepts applied in this rule of procedure are identical with those described in Article 2 of Regulation 1221/2009/EC (hereinafter: EMAS Regulation).

## 4. Description of the regulation

### 4.1. Conditions applicable to verifications in Hungary by EMAS verifiers accredited, licensed in other Member States

Rules applicable to the supervision of EMAS verifiers are contained in Articles 23-25 of the EMAS Regulation. According to the rule of law, only organisations, natural persons having accreditation or licence may perform EMAS verification.

Requirements on the verifier are summarised in Articles 18-22 of the EMAS Regulation.

In line with the EMAS Regulation, each EMAS verification audit should be notified to the body accrediting or licensing the verifier and to the accreditation body according to the site of verification four weeks before the verification audit the latest.

Every organisation or natural person accredited and/or licensed in another EU Member State and performing verification shall notify its activities performed in Hungary to the National Accreditation Authority. Notification Form NAD-105EMAS, being Annex No. 1 to the present rule of procedure is to be used for such reporting: ('Notification of the activity of EMAS verifier accredited in another EU Member State').

### 4.2. Process of supervising verifiers by NAH

#### 4.2.1. Evaluation of the notification

Notification received from EMAS verifier on performing an audit shall be evaluated in Form NAD-214 by the desk officer appointed by NAH.

During the evaluation, further information is requested:

- from the body accrediting or licensing the verifiers in respect of whether the verification audit has been reported to them as well, and whether its content is identical with the notification to NAH;
- from the accredited verification body concerning the authorisation, competence of the identified verifier person.

As a result of the evaluation, a proposal is made to the responsible general department head of NAH concerning the method of supervision which may be one of the following:

- NAH attends the verification audit through an appointed special expert;
- NAH accreditation desk officer attends the verification audit;
- NAH does not attend the audit, performs supervision activity through the evaluation of the documents requested in an order.

Based on the proposals, the responsible general department head of NAH passes the decision on the method of supervision and informs the verifier **in an order** of this decision.

Furthermore, the order of NAH also includes the administrative service fee of the supervision which is established in accordance with Table 10.2 of Annex No. 1 of Decree No. 45/2015. (XII. 30.) NGM.

NAH in its order requests the submission of the following documents from the verifier:

Before the audit:

- The audit plan;
- The document certifying to the payment of the administrative service fee;
- The draft environmental statement.

After the audit:

- The audit report which in the given case also contains the non-conformities found;
- The final, verified environmental report.

#### 4.2.2. Supervision of verification audit

The person appointed by NAH performs the evaluation required in the order of appointment by the general department head, and shall

- In case of evaluation A and B, prepare a report by using Form NAD-185EMAS Witnessed audit report;
- In case of evaluation C, prepares a report in Form NAD-109EMAS Vertical assessment EMAS Environmental statement;

#### 4.2.3. Evaluation of and closing supervision

Upon completion of the supervision process, the accreditation desk officer collects the information available with the content appropriate for Form NAD-119EMAS and prepares a written report on Form NAD-113EMAS Evaluation Report.

The NAH director general reviews the report with a view to identifying and making the appropriate measures with attention to the following aspects:

- a) During the audit
  - has the technical, linguistic (in the given case) and legal competency of the verifier,
  - impartiality and independence of the verifier been guaranteed?
- b) Does the assessment team or accreditation desk officer of NAH agree with the decisions passed by the verifier?
- c) Were issues or concerns raised during the supervision?

Following the review, the director general decides on how the next verification in Hungary by the verifier will be supervised by NAH.

If NAH is not convinced that the verifier performed its activity in compliance with the requirements of the EMAS Regulation, it shall notify the body that has accredited or licensed the verifier as well as the National Waste Management and Product Charge Department of the Environment and Nature General Department of Pest County Government Office, which is the competent body in Hungary.

## 5. Related rules of procedure and rules of law

- Regulation (EC) No. 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No. 761/2001 and Commission Decisions No. 2001/681/EC and 2006/193/EC. Entry into effect: 22 December 2009
- Act CXXIV of 2015 on National Accreditation
- Government Decree No. 424/2015 (XII.23.) on the National Accreditation Authority and the accreditation procedure
- Decree No. 45/2015. (XII. 30.) NGM on the administrative service charges payable for the procedures of the National Accreditation Authority
- 2013/131/EU COMMISSION DECISION establishing the user's guide setting out the steps needed to participate in EMAS, under Regulation (EC) No. 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS). Entry into effect: 4 March 2013
- EMAS Government Decree No. 308/2010. (XII. 23.) on the registration of organisations participating in the eco management and audit scheme (EMAS)

## 6. Annexes

NAD-105EMAS Notification Form ('Notification of the activity in Hungary of EMAS verifier accredited in another EU Member State')

## 7. Forms

NAD-105EMAS Notification Form ('Notification of the activity in Hungary of EMAS verifier accredited in another EU Member State')

NAD-214\_02 Notification Evaluation Form

NAD-185EMAS Witnessed audit report

NAD-109EMAS Vertical assessment EMAS Environmental statement

NAD-119EMAS List of documents EMAS

NAD-113EMAS Evaluation Report Form