

REPUBLIC OF ALBANIA

THE PARLIAMENT

LAW

No. 9024 Dated 06/03/2003

**ON ACCREDITATION OF TESTING, CALIBRATION LABORATORIES,
CERTIFICATION AND INSPECTION BODIES IN REPUBLIC OF ALBANIA**

Based on Articles 78 and 83, point 1 of the Constitution, with the proposal of Council of Ministers,

THE PARLIAMENT OF REPUBLIC OF ALBANIA

HAS DECIDED

Chapter I

General Provisions

Article 1 This law lays down the rules for the creation and functioning of accreditation system, specifies the fields in which accreditation shall be performed and the role of accreditation in conformity assessment procedure and in compliance with standards and technical regulations.

Article 2

Definition

For the purpose of this Law, the following terms have these meanings:

1. **“Accreditation”** means the procedure by which an authoritative body gives formal recognition that a conformity assessment body in accordance to the standards and technical regulations, is competent to carry out specific tasks such as testing, calibration, certification, and

inspection.

2. **“Authorization”** means the granting of right to carry out the conformity assessment in accordance with standards and technical regulations of products, processes and services in regulated sphere to public or private, foreign or Albanian organizations that carry out their activity in Republic of Albania, by respective ministries and central institutions of relevant fields.
3. **“Accreditation certificate”** means the document on the basis of which is demonstrated the competence for carrying out specific tasks in the field of conformity assessment in accordance with standards and technical regulations.
4. **“Certification”** means the action of an independent third party, which verifies that the product, process or service in question fulfills all the specified requirements of relevant standards, technical regulations or other normative acts in force.
5. **“Inspection”** means the activity for the examination of product design process and service in conformity with specific requirements, on the basis of professional judgment or general requirements.
6. **“Calibration”** shall mean the set of operations which establish, under specified conditions, the relationship between values indicated by a measuring instrument or measuring system, or values represented by a material measure, and the corresponding known values of a measurand.
7. **“Conformity assessment bodies”** means public or private organization, proposed by the ministry or other central relevant institutions, approved by the Council of Ministers.
8. **“Regulated sphere”** means sphere that is subject to compulsory conformity assessment in accordance with standards and technical regulations of products, processes and services as safety of life, health and environmental protection.
9. **“Testing”** means technical operation that consists of the determination of one or more characteristics or performance of a given product, material, equipment, organism, physical phenomenon process or service provided according to a specified procedure.
10. **“Conformity assessment”** means the activity, which has the aim to determine directly or indirectly and to verify that, the requirements of one technical specification or standards are fulfilled.

Chapter II

Organization

Article 3

Accreditation Directorate in Republic of Albania

To carry out the functioning of accreditation is established Accreditation

Directorate in Republic of Albania that is called Accreditation Directorate. Its organization and functioning are determined in the Decree Council of Ministers.

Article 4

Dependence and management

1. Accreditation Directorate is a budget institution depended upon the Minister of Economy.
2. The General Director conducts the activity of this directorate. The status of General Director and the employees of Accreditation Directorate is defined by the Law Nr. 8549 dated 11.11.1999 "On Status of civil employees"

Article 5

The rights and duties

National Accreditation Directorate has the following tasks:

- a) Accreditation of testing laboratories

- b) Accreditation of calibration laboratories
- c) Accreditation of certification bodies
- ç) Accreditation of inspection bodies
- d) Surveillance of accredited bodies
- dh) Suspension and withdrawal of accreditation.
- e) Representing the Republic of Albania at International Organizations in the accreditation area.

E) Cooperation with national accreditation bodies in other countries in order to achieve membership in regional or international mutual recognition agreements or to achieve bilateral agreements

f) Offering advice to State Administration in matters concerning accreditation and other assessment of technical competence for carrying out conformity assessment procedures.

g) Maintaining, updating and giving information on the status of accreditation of the accredited bodies.

gj) Cooperation with General Directorate of Standardization, National Directorate of Calibration and Metrology, relevant ministries and other interested associations on accreditation issues.

Chapter III

Accreditation Principles

Article 6

Legal bases

The accreditation procedure in Republic of Albania is based on legislation in force, on international standards adopted by Republic of Albania and on other documents issued by international accreditation organization.

Article 7

Accreditation Principles

Accreditation is based on impartiality, transparency and professional competence. The Accreditation Directorate is dependent from any conformity assessment body in accordance with standards and technical regulations and shall not engage itself in these activities.

Article 8

Assessment of technical competence

The Accreditation Directorate assesses the technical competence of conformity assessment bodies in accordance with the standards and technical

regulations that should take into account for granting of authorization by the competent authorities. They assess their legal status and the economic capability/feasibility.

Article 9

Accreditation by international bodies

The interested conformity assessment body may be accredited even by foreign

accreditation bodies which are signatory members of the regional or international mutual recognition agreement to which the Accreditation Directorate is a signatory member or with which the Accreditation Directorate has a bilateral agreement.

Article 10

Accreditation fees and their approval

The fees for all the services that Accreditation Directorate performs, shall be proposed by this directorate and shall be approved by the Minister of Finance. These fees are the same for the domestic subjects and foreign ones that carry out the activity in Republic of Albania.

Article 11

The expenditure of accreditation

1. The accreditation is based upon of interested parties request.
2. Interested parties that have made the request for accreditation, shall cover all the expenditure concerning the accreditation and surveillance, according to standards and relevant procedures, according to the fees that are approved by the Finance Ministry.
3. All the incomes from these services flow into State Budget.

Chapter IV

Infringements

Article 12

The use of accreditation logo by bodies which are not accredited, or the validity of accreditation has finished are penalized as administrative contraventions with a fine of 5.000 (5 thousand) leks up to 50.000 (fifty thousand) leks by the authorized employees of Accreditation Directorate.

Article 13

The administrative complaint

1. The complaint against the decision of administrative penalizations shall be

lodged to General Director, within 15 days. The General Director is bound to give the response within 1 month from the day of depositing the complaint.

2. When the response is not satisfactory the complainant has the right to lodge the complaint to the court within 30 days.

Chapter V

Transitory and Last Provisions

Article 14

1. The Accreditation Sector in General Directorate of Standardization shall perform the accreditation activities until the Accreditation Directorate will start to operate.

2. The initiated accreditation procedures before the approval of the legal acts by the Council of Ministers shall be conducted in accordance with the legal and regulatory acts in force up that date.

Article 15

In the Law No.3"164 dated 11.03.1999 " On Standardization" shall be made these changes:

a)Article 1, phrase " Accreditation of testing laboratories, certification bodies of products, quality systems, personnel and inspection bodies" is repealed;

b)Article 2 is repealed;

c)Article 7, the phrase "To manage, organize and monitor the work on accreditation" is repealed;

ç) In the article 9:

i)in point 2 the phrase “Following of accreditation procedure” is repealed;

ii)in point 5 is repealed;

iii)in point 8 the phrase “Reaching agreements with counterpart bodies for reciprocal recognition of test reports of accredited laboratories” is repealed.

Article 16

Council of Ministers is charged to enact related decrees in accordance with articles 3 and 14 of this law.

Article 17

This law comes into force 15 days following its publication in the “Official Journal”.

Chair of Parliament

Servet Pellumbi

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