

**2020**

# **SADCA MRA COUNCIL TERMS OF REFERENCE**

**SOUTHERN AFRICAN DEVELOPMENT  
COMMUNITY COOPERATION IN  
ACCREDITATION**

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## 1. PURPOSE

- 1.1 This document describes the functions, composition and responsibilities of the Mutual Recognition Arrangement (MRA) Council.
- 1.2 The objective of the MRA Council is to decide on and manage membership in SADCA's MRA.

## 2. FUNCTIONS OF THE MRA COUNCIL

The functions of the MRA Council are to:

- 2.1 Make decisions on the acceptance of applications to the SADCA MRA;
- 2.2 Make decisions on the need for a pre-evaluation visit;
- 2.3 Make decisions regarding the status of Membership to the SADCA MRA, including the granting, maintenance, reductions from or extensions to the MRA;
- 2.4 Make decisions regarding the suspension or withdrawal of Members from the MRA;
- 2.5 Oversee the implementation of SADCA, ILAC and IAF resolutions relevant to the SADCA MRA Signatories; and
- 2.6 Review changes forwarded by signatories that affect the SADCA MRA and to decide on actions to be taken.

## 3. COMPOSITION OF THE MRA COUNCIL

- 3.1 The MRA Council shall be composed of:
  - i) A Chair who is elected by the General Assembly in accordance with the SADCA Bylaws for a term of four (4) years and may be re-elected once;
  - ii) A Vice-Chair who is elected by the General Assembly in accordance with the SADCA Bylaws for a term of four (4) years and may be re-elected once;
  - iii) A Secretary who may be the SADCA Secretariat;
  - iv) The Chair of the MRA Committee;
  - v) One representative and their alternate, of each Arrangement member, who are familiar with the peer evaluation process; and
  - vi) The Council Chair may select one representative each of the Ordinary and Stakeholder membership Categories.
- 3.2 The MRA Committee Chair attends meetings of the MRA Council to update the Council on the progress of the MRA Committee and propose recommendations for MRA Council's decision. The MRA Committee Chair participates in the discussions of the Council but does not have the right to vote.
- 3.3 Representative of the Ordinary and Stakeholder membership categories will participate as non-voting members.

- 3.4 Other members that are not signatories to the SADCA MRA may participate in the meetings of the MRA Council as observers and may request permission from the MRA Council to receive the minutes of the MRA Council meeting that they would have observed
- 3.5 Representatives of the Arrangement Members have a voice and a vote. A single vote is considered for each signatory and not for each country.
- 3.6 Decisions made by the MRA Council shall be made by consensus. If consensus is not achieved, decisions shall be made by an affirmative vote by a simple majority of the voting MRA Council Members.
- 3.7 Decisions may be made in meetings, or by postal ballot (electronic, etc.).
- 3.8 Invitations to other organisations to participate as observers can be made by the Chair of the MRA Council.
- 3.9 Observers that attend MRA Council meetings may request permission from the MRA Council to receive the minutes of the MRA Council meeting that they would have observed.

#### **4. COMPETENCY REQUIREMENTS OF THE MRA COUNCIL**

- 4.1 In order to effectively carried out the responsibilities of the MRA Council, the Council Chair, Vice-chair and the Council members shall have a good knowledge and understanding of:
  - i) the operation of the SADCA Mutual Recognition Arrangement;
  - ii) ISO/IEC 17011:2017 in a peer evaluation context;
  - iii) the IAF/ILAC A-series documents and other relevant requirements;
  - iv) all SADCA procedures and processes applicable to the MRA;
  - v) Accreditation scheme requirements (i.e. ISO/IEC 17025, ISO 15189, ISO/IEC 17020, ISO/IEC 17021...etc.) and relevant guidance and application documents;
  - vi) Conformity assessment scheme requirements (i.e. ISO 9001, ISO 14001, ISO/TS 22003, ISO 22000, other FSMS standards, HACCP principles including PRP's, etc.), other processes, procedures and methods used by the CAB;
  - vii) processes and requirements for review of evaluation reports and decision-making; and
  - viii) risk-based evaluation principles.
- 4.2 As evidence of competency, each member of the MRA Council shall provide to the MRA Council Secretary:
  - i) a current CV, an update of which is required every 5 years;
  - ii) evidence of successful training in ISO/IEC 17011:2017,
  - iii) SADCA's decision-making process and any other training relevant to the SADCA MRA; and
  - iv) evidence of familiarity with the Peer Evaluation process.

#### **5. RESPONSIBILITIES**

- 5.1 The MRA Council Chair's responsibilities are to:
  - 5.1.1 Operate according to these Terms of Reference;
  - 5.1.2 Chair meetings of the MRA Council;



- 5.1.3 Inform the EXCO on the decisions of the MRA Council;
- 5.1.4 Notify the GA of its decisions;
- 5.1.5 Submit to the EXCO and the General Assembly for information the resolutions adopted by the MRA Council; and
- 5.1.6 Inform the EXCO and the General Assembly of new signatories, their scopes of recognition and other decisions related to their membership to the MRA.

5.2 The Vice-Chair's responsibilities are to:

- 5.2.1 Assist the Chair in the execution of his/her duties;
- 5.2.2 Replace the Chair in his/her absence or impediment;
- 5.2.3 Collaborating with the Chair in representing any issue related to the MRA Council activities; and
- 5.2.4 Conduct any business as assigned by the Chair.

5.3 The MRA Council Secretary's responsibilities are to:

- 5.3.1 Assist the Chair in the fulfilment of his/her duties;
- 5.3.2 Distribute a draft agenda to the delegates for their approval at least three (3) weeks before each meeting;
- 5.3.3 Distribute the evaluation reports which require MRA Council decisions as well as other MRA Council meeting papers at least two weeks before each meeting;
- 5.3.4 Draft meeting minutes and resolutions and distribute them to the MRA Council members within one (1) month of the meeting, allow for a 30-day comment period on the draft minutes;
- 5.3.5 Maintain all MRA Council records; and
- 5.3.6 Maintain and publish the list of MRA Signatories.

5.4 The MRA Council Member's responsibilities are to:

- 5.4.1 Attend the MRA Council meetings and actively participate in its discussions;
- 5.4.2 Review and participate in decisions on peer evaluation final reports, applications for recognition, recommendations for pre-evaluations and other decisions related to signatory status;
- 5.4.3 Vote in MRA Council decisions.

## 6. MEETINGS

- 6.1 The MRA Council shall meet at least once a year, or when the MRA Council Chair deems any additional meeting necessary.



- 6.2 MRA Council documents are confidential and shall be treated as such. A confidentiality and impartiality declaration (F006) is to be signed by MRA Council members, their alternates and observers once, and before they are given access to the evaluation reports and information.
- 6.3 Each MRA Council Member, alternate or observer shall sign the attendance and confidentiality register at the beginning of each meeting.
- 6.4 A quorum for the meeting is constituted when a simple majority of the MRA Council members are present.



**ANNEX 1: AMENDMENT RECORD**

<b>Section</b>	<b>Change</b>
All	Removed sections applicable to the MRA Council from A012
2.1	Clause added
2.2	Clause added
2.6	Clause added
3.1	Clause i) and ii) expanded on the requirements Clause iv) added Clause v) Added "and/or their alternate"
3.2	Clause added
3.5	"Two thirds majority" changed to "simple majority"
3.6	Deleted "facsimile, mail and"
3.8	Added "Ordinary"
4	Entire clause added
5.1.3	Deleted "and the General Assembly about the work being carried out by the MRA Council"
5.1.4	Clause added
5.2.1	"Execution" replaced "fulfilment"
5.2.3	Clause added
5.3.2	Added "to the delegates for their approval"
5.3.4	"2 months changed to "1 month", added "allow for a 30-day comment period on the draft minutes;
5.3.5	Clause added
5.4.2	Added "recommendations for pre-evaluations" Delete "Make decisions based on recommendations of the MRA Committee"
6.2	Added "impartiality declaration (F006)"