



## CLASSIFICATION

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Copies of this document, in English and Spanish, are available at the IAAC Secretariat and in the IAAC website.

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## **IAAC BYLAWS**

### **PREAMBLE**

The Inter American Accreditation Cooperation, IAAC, is an association of accreditation bodies that accredit conformity assessment bodies whose objective is to facilitate commercial exchange among nations or bloc of nations in the Americas through a system of conformity assessment bodies. Other interested parties may also be IAAC members.

IAAC was created on November 22, 1996, in Montevideo, Uruguay, with the participation of forty-five delegates representing seventeen countries. In this meeting, ten full members and six associate members signed a Memorandum of Understanding (MoU), and the organizations expressed their commitment to work toward a Multilateral Recognition Arrangement (MLA). The text of the MOU has been updated since that time.

The Bylaws define the formal structure and rules of procedure to be followed so that the objectives of IAAC are fulfilled. They may be interpreted at any time in such a manner as to give precedence to the text of the MoU.

### **CHAPTER 1 MISSION**

**Article 1.1** The IAAC mission is:

- a) To facilitate commercial exchange among the nations or bloc of nations of the Americas through a system of conformity assessment bodies;
- b) To develop and maintain Multilateral Recognition Arrangements (MLAs) among IAAC members;
- c) To maintain status as a Regional Cooperation recognized by the



International Accreditation Forum (IAF) and the International Laboratory Accreditation Cooperation (ILAC), or by the international accreditation organization(s) that may replace them;

- d) To promote acceptance of accreditations granted by its accreditation member bodies, based on equivalence of operation of their accreditation system and their respective programs, within the international accreditation framework, and in cooperation with other regional groups of accreditation bodies, as well as to promote international acceptance of certificates and results issued by duly accredited conformity assessment organizations;
- e) To promote the transfer of knowledge and technical information, sharing of information, visits by regional experts, and similar activities to assist new, developing and established accreditation programs.

## **CHAPTER 2 GOALS, DURATION AND HEADQUARTERS**

**Article 2.1** The IAAC goals are:

- a) To develop, maintain, improve and expand the scopes of the IAAC Multilateral Recognition Arrangements;
- b) To maintain international recognition as a Regional Cooperation by IAF and ILAC;
- c) To increase the acceptance of certificates and reports issued by accredited conformity assessment bodies through Multilateral Recognition Arrangements;
- d) To facilitate collaboration, cooperation and mutual assistance among members by means of training activities, meetings of experts and sharing of information and experiences;
- e) To assist the current and potential IAAC members, on matters related to accreditation of conformity assessment bodies;



- f) To harmonize the criteria for the operation of member accreditation bodies, based on relevant ISO/IEC international standards and guides and IAF and ILAC documents;
- g) To facilitate the exchange of information between and among accreditation body members of IAAC and members of IAF and ILAC;
- h) To promote cooperation in training of peer evaluators and personnel of accreditation bodies;
- i) To facilitate the adoption and implementation of standards, guidelines and application of documents developed by relevant international bodies,;
- j) To encourage and support the development of accreditation bodies in the countries of the Americas;
- k) To work with other relevant regional bodies in the Americas such as Pan American Standards Commission (COPANT), the Inter American Metrology System (SIM), and the regional accreditation cooperation bodies as well as with other relevant organizations; and
- l) To seek financial and institutional support from regional and international organizations to support IAAC and its members in the areas of accreditation and conformity assessment.

**Article 2.2** IAAC has duration of 99 years, from the date that it was incorporated in 2001.

**Article 2.3** IAAC is legally established in Mexico, as a Civil Association. It is located in Mexico City, without prejudice that agencies, branches, delegations, offices or representations be established elsewhere in Mexico or abroad, and without prejudice of stating conventional domiciles in the contracts and agreements it may engage in.

## **CHAPTER 3 STRUCTURE**



**Article 3.1** The organizational structure of IAAC includes a General Assembly, an Executive Committee, a Secretariat and other committees as needed. The organizational structure of IAAC, including committees, is described in the IAAC Quality Manual, document AD 003.

## **CHAPTER 4 MEMBERSHIP**

**Article 4.1** IAAC has three membership categories:

a) Full Members:

All third party accreditation bodies, legally established and operating in the nations or bloc of nations of the Americas, that declare in their membership application that they are committed to operate according to the requirements of ISO/IEC standards, guides and the relevant international documents of IAF and ILAC.

b) Associate Members:

- Accreditation bodies established in the nations or bloc of nations of the Americas that do not yet operate according to the requirements of ISO/IEC standards, guides and the relevant international documents of IAF and ILAC.
- Relevant organizations in the nations or bloc of nations of the Americas that do not have an established accreditation body.
- Other international, regional and national organizations that are interested in conformity assessment and are not included in the Stakeholder Member category.

c) Stakeholder Members:

- Certification bodies, inspection bodies, testing and calibration laboratories and other conformity assessment bodies that are accredited or in the process of being accredited by IAAC full members.



- Business entities.
- Other users of conformity assessment services in the region.

**Article 4.2** Full members have the following rights:

- a) To designate representatives to the General Assembly;
- b) To elect the IAAC Chair, Vice Chair and Treasurer, as well as chairs and vice chairs of committees and subcommittees;
- c) To have their representatives be elected by the General Assembly as IAAC Chair, Vice Chair and Treasurer, as well as chair and Vice Chair Vice Chair of committees and subcommittees;
- d) To participate in General Assembly meetings, where they shall have voice and vote and where they may present proposals;
- e) To designate representatives and participate in activities of committees and subcommittees with voice and vote according to their Terms of Reference;
- f) To have access to IAAC documents.



**Article 4.3** Associate members have the following rights:

- a) To designate representatives to the General Assembly;
- b) To participate in General Assembly meetings, where they shall have voice but no vote;
- c) To have their representatives be elected as chair and vice chair of a subcommittee of the IAAC Management Committee;
- d) To designate representatives and participate in the activities of the committees and subcommittees according to their Terms of Reference;
- e) To have access to IAAC general documents;
- f) To elect two representatives to participate in the Executive Committee for a term of two years with the right to be reelected for one consecutive term.

**Article 4.4** Stakeholder Members have the following rights:

- a) To designate representatives to the General Assembly;
- b) To participate in General Assembly meetings, where they shall have voice but no vote;
- c) To designate representative and participate in the activities of the committees and subcommittees according to their Terms of Reference;
- d) To have access to IAAC general documents;
- e) To elect two representatives to participate in the Executive Committee for a term of two years with the right to be reelected for one consecutive term.
- f) To establish committees that represent the interests of those accredited by IAAC members and the interests of the users of



conformity assessment services, with prior approval by the General Assembly of their Terms of Reference and Work Program.

**Article 4.5** Full Members have the following obligations:

- a) To sign the IAAC MoU;
- b) To contribute to the mission and goals of IAAC;
- c) To comply with these Bylaws and other applicable obligations;
- d) To participate actively in the technical work of IAAC with an obligation to vote on all technical and non-technical questions formally submitted for ballot;
- e) To comply with and apply the General Assembly resolutions;
- f) To complete actions geared toward signing and maintaining the IAAC MLA;
- g) To invite the representatives of national accredited conformity assessment bodies or in process of accreditation to participate in IAAC, as appropriate;
- h) To pay the fees established by the IAAC General Assembly in a timely manner.

**Article 4.6** Associate Members and Stakeholders Members have the following obligations:

- a) To sign the IAAC MoU
- b) To contribute to the mission and goals of IAAC;
- c) To comply with these Bylaws and with other applicable obligations;





- d) To pay the fees established by the IAAC General Assembly in a timely manner.

**Article 4.7** The admission of new members requires a written application, addressed to the IAAC Secretariat. Following the applicable procedure, the Executive Committee will issue a recommendation to the IAAC General Assembly, who shall decide regarding the acceptance of new members. This will be done by ballot either during the General Assembly or by email ballot, with a period of one month for return of votes.

**Article 4.8** Termination or suspension of membership in IAAC

4.8.1 Membership in IAAC may be terminated:

- a) By a member's own decision.
- b) By decision of the IAAC General Assembly, due to non-fulfillment of a member's obligations, upon approval by two thirds of the votes of full members;
- c) By decision of the IAAC General Assembly, because the member's conduct is considered contrary to the mission and goals of IAAC, upon approval by two thirds of the votes of full members.

4.8.2 Membership in IAAC may be suspended:

- a) For failure to comply with the obligation to vote (Article 4.5) on at least 2/3<sup>rd</sup> of the ballots in a calendar year.
- b) Before suspension, the member will be on probation for 3 months.
- c) Failure to meet the continuing obligation to vote during the probation period will result in 3-month suspension from IAAC membership.



- d) The obligation to vote remains during any probationary or suspension period but the vote will only count as abstention.
- e) The decisions related to probation and suspension will be made by the Executive Committee.
- f) Probations and suspensions will be made public in the IAAC website.

**Article 4.9** If the decision of the IAAC General Assembly concerning membership does not satisfy the member, it has the right to an appeal according to the corresponding appeals procedure.

## **CHAPTER 5 GENERAL ASSEMBLY**

**Article 5.1** The General Assembly is the highest authority of IAAC. It is comprised of the representatives of each full, associate and stakeholder members.

**Article 5.2** The General Assembly has authority to:

- a) Elect the Chair and Vice Chair from the full members;
- b) Elect the Treasurer from among the full members;
- c) Approve and amend these Bylaws and the MoU;
- d) Define and approve the policies and strategic plan of IAAC;
- e) Amend the structure of IAAC, and to create and dissolve committees and subcommittees;
- f) Approve the terms of reference and work plans of the committees and subcommittees;
- g) Elect the Chair and Vice Chair of the committees and subcommittees;
- h) Review and approve the reports of the IAAC Chair and committees;



- i) Approve the admission of new members with two thirds of the votes of full members;
- j) Cancel the membership of a full, associate or stakeholder member, as described in Article 4.8.1;
- k) Approve the fees, financial statements, and annual budget of IAAC.

**Article 5.3** The General Assembly:

- a) Shall meet normally once a year;
- b) Shall meet extraordinarily, in the event of exceptional circumstances, as requested by the IAAC Chair or by a request of two thirds of the votes of full members;
- c) Shall have quorum and begin its meeting when two thirds of its full members is present, whether in person or by its proxy;
- d) Shall adopt resolutions by consensus; if consensus is not achieved, the resolutions will be adopted by an affirmative vote of two thirds of full members;
- e) May take decisions and ballot documents between meetings as provided in Article 11.5 of these Bylaws.

**Article 5.4** Full members are entitled to a single vote, whether in person or by proxy.

**Article 5.5** Ballots of full members voting by proxy will not be accepted on any new issues submitted during the General Assembly meeting.

## **CHAPTER 6 IAAC CHAIR, VICE CHAIR AND TREASURER**

**Article 6.1** It is the responsibility of the Chair to:



- a) Chair the IAAC General Assembly and Executive Committee;
- b) Coordinate the implementation of all actions approved by the General Assembly;
- c) Sign agreements approved by the IAAC General Assembly;
- d) Invite persons or organizations on his/her own initiative or suggested by the General Assembly, Executive Committee, or other committee to attend and observe all or part of an IAAC General Assembly or an Executive Committee meeting;
- e) In consultation with Full and Associate Members, to decide the date and place of meetings of the General Assembly;
- f) Represent IAAC at national, regional, and international organizations of interest.

**Article 6.2** It is the responsibility of the Vice Chair to:

- a) Permanently assist the Chair in fulfilling his/her duties;
- b) Substitute for the Chair in his/her absence or impediment;
- c) Collaborate with the Chair in representing IAAC issues to other organizations.

**Article 6.3** It is the responsibility of the Treasurer to:

- a) Prepare IAAC financial status report for approval by the General Assembly;
- b) Propose to the General Assembly the budget for the following year as well as present to the General Assembly prior year(s) financial statements;
- c) Propose to the General Assembly a different membership fee structure, when deemed necessary;
- d) Manage the financial audits, as necessary;



- e) Propose actions for the best management of IAAC financial resources.

## **CHAPTER 7 EXECUTIVE COMMITTEE**

**Article 7.1** The Executive Committee is constituted and operates according to the corresponding Terms of Reference approved by the General Assembly.

## **CHAPTER 8 SECRETARIAT**

**Article 8.1** The Secretariat is composed of at least an Executive Secretary who is appointed by the Executive Committee on the recommendation of the Chair.

**Article 8.2** It is the responsibility of the IAAC Executive Secretary to:

- a) Prepare and distribute the agenda of the General Assembly and the Executive Committee meetings one month in advance;
- b) Make available to the members the invitations and the documents to be discussed in the General Assembly and Executive Committee meetings, in a timely fashion;
- c) Organize the logistics of meetings;
- d) Assist the Chair at all times and at meetings;
- e) Prepare in a timely manner the draft of the resolutions of the General Assembly and Executive Committee meetings;
- f) Distribute the resolutions of the General Assembly and Executive Committee meetings for their approval, as needed;
- g) Keep a controlled copy of the approved resolutions of the General Assembly and Executive Committee meetings;



- h) Keep the members informed about major issues submitted to the Secretariat between General Assembly meetings;
- i) Keep the IAAC membership directory updated;
- j) Maintain a system for documents and records control;
- k) Receive and answer correspondence sent to IAAC;
- l) Maintain the information on the IAAC website updated.

## **CHAPTER 9 COMMITTEES AND SUBCOMMITTEES**

**Article 9.1** The committees and subcommittees shall be constituted by decision of the General Assembly, in accordance with Article 5.2, and will operate according to the Terms of Reference and Work Plans approved by the General Assembly.

## **CHAPTER 10 ELECTION OF OFFICERS**

**Article 10.1** Candidates to the positions of IAAC Chair, Vice Chair and Treasurer shall be notified to the IAAC Secretariat, at least three months before the election, as far as possible. Nominations may be made by full members only. Candidates shall provide an official letter of support from his/her organization.

**Article 10.2** The IAAC Chair and Vice Chair shall be elected for a two-year term and may be reelected for a second consecutive term. The Treasurer shall be elected for a two-year term and may be reelected for consecutive terms.

**Article 10.3** The Chair and Vice Chair of a committee or subcommittee shall be elected for a two year term and may be reelected for a second consecutive term.



- Article 10.4** Voting may be by acclamation or by ballot. The candidates that obtain the most votes shall be immediately considered as elected.
- Article 10.5** All officers shall assume their responsibilities at the conclusion of the General Assembly meeting at which they are elected.
- Article 10.6** When the person serving as IAAC Chair or Chair of a committee or subcommittee cannot continue to serve in that capacity, he/she shall be replaced by the Vice Chair until the next General Assembly meeting during which a new Chair shall be elected.
- Article 10.7** When the person serving as IAAC Vice Chair or Treasurer, or as Vice Chair of a committee or subcommittee cannot continue to serve in that capacity, he/she shall be replaced by a person appointed by the Executive Committee until the next General Assembly meeting during which new officers shall be elected.

## **CHAPTER 11                    GENERAL PROVISIONS**

- Article 11.1** All substantive decisions made during meetings of IAAC shall be issued as resolutions.
- Article 11.2** The resolutions issued by the Executive Committee and other committees shall be endorsed by the General Assembly, with the exception of MLA Group resolutions, which are final and not subject to further review.
- Article 11.3** The General Assembly resolutions shall be in English and Spanish. Portuguese versions may be issued, if deemed necessary.
- Article 11.4** Any issues not covered by these Bylaws will be resolved by the Executive Committee, pending ratification by the General Assembly.



**Article 11.5** If there is a need for a decision or to submit a document for approval by the IAAC members between General Assembly meetings, the Secretariat will follow the corresponding procedure for voting out of session.

**Article 11.6** Any goods donated to IAAC for its technical activities shall remain in the custody of the Secretariat.

**Article 11.7** The decisions of the General Assembly referenced in Articles 11.2, 11.4, and 11.5 shall be voted on according to Articles 5.3 and 5.4 of these Bylaws.

## **CHAPTER 12                      DISSOLUTION OF IAAC**

**Article 12.1** The General Assembly may determine the dissolution of IAAC only if it has been specifically convened for this purpose and if it is approved by an affirmative vote of two thirds of its full members.