

Rules of Procedure

of the

European Committee for Adhesive Bonding of Railway Vehicles

(ECARV)



Revision: No. 0; 2022-11-02

Abbreviations:

- ECARV – European Committee for Adhesive Bonding of Railway Vehicles
- RoP – This “Rules of Procedure”
- ABC – Adhesive Bonding Coordinator acc. EN 17460

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Preamble

The aim of the European Committee for Adhesive Bonding of Railway Vehicles (ECARV) is to initiate cooperation between the parties involved in the manufacture of adhesive bonded railway vehicles and parts on a European basis. These parties are:

- National Safety Authorities (NSA),
- Certification Bodies,
- Manufacturers and
- Railway Operators

The generally recognized code of practice for adhesive bonding of railway vehicles and parts is the standard EN 17460.

All Certification Bodies committed to cooperate with the ECARV and the rules organized by it should be actively involved having the aim of harmonizing the implementation and application of EN 17460 to achieve and improve a harmonized European Quality Level.

The Certification Bodies in Europe comply with the Code of Honour established by ECARV, which defines the quality requirements and procedures in the application and interpretation of standard EN 17460 among themselves.

If there is a conflict between national rules and the rules of ECARV solutions have to be agreed.

This includes an active work of each Certification Body by using the online register (Internet-Database) EN 17460 as a tool of quality assurance and information exchange.

In the interest of uniform working methods and professional competence of the involved parties the ECARV was founded.

These rules of procedure serve as a set of rules and as an aid to action

- how the structure and procedures of ECARV are organized
- how certification bodies and their auditors participating in ECARV are approved and monitored
- how the online register is operated.

All participants of the ECARV undertake to recognise and implement these rules. They also undertake not to participate in any alternative certification schemes, certification programmes or registers concerning EN 17460.

Part I, Organization of the ECARV

1 Members

The ECARV is composed of the members. The members are representing the relevant interested parties in the field of bonding on railway vehicles in the sense of ISO/IEC 17065. Members of the ECARV can be:

- Certification Bodies
- Manufacturers of rail vehicles
- Manufacturers of railway vehicle parts
- Service provider for adhesive bonding work at railway vehicles or parts
- Operators, keepers, repairers of rail vehicles
- Associations of the rail vehicle industry
- Standardisation bodies for rail vehicles
- National safety authorities

The authorised representative should be appointed by the member on a long-term basis in order to ensure continuity of the work in the ECARV. Each member may nominate a deputy for the representative. Both may attend all meetings of the ECARV.

The ECARV may accept new members upon application. It has to be ensured, as far as possible, a balance of the different groups is represented through the membership. The application for membership shall be addressed to the secretary. The ECARV decides on the admission of the applying member by a three-quarters majority.

The number of members shall be limited to forty.

The authorised representatives and their deputies shall be named to the ECARV, there to the secretary. Changes in the authorisation shall reported to the secretary immediately.

The list of members authorised representatives and their deputies can be viewed on request at the secretary. The contact details of the secretary shall be published in the online register.

2 Tasks, duties and authorization of the ECARV and its members

2.1 General

Within the scope of its competences, the ECARV supports the Certification Bodies in all questions arising from the ongoing conformity assessments of the companies in application of the procedural rules.

The ECARV approves Certification Bodies and their auditors and supervises them in accordance with the procedural rules issued in this RoP. The ECARV has the task of ensuring a uniform working method of the Certification Bodies.

To this end, the ECARV coordinates (convenes and conducts) an exchange of experience between the Certification Bodies.

The working group can check compliance with the obligations entered into by the Certification bodies and user companies or have them checked by expert third parties.

The ECARV keeps a collection of the decisions taken (A-Z-Guideline). The A-Z-Guideline and the certificates of conformity issued by the Certification Bodies are published in a register (online register).

The ECARV is allowed to surveillance the Certification Bodies with regard to independence and impartiality. This is only done for the Certification Body that also mandates it. A sub-committee according to clause 5.5 can be formed for this purpose. For the surveillance, all relevant information in the sense of ISO 17065 clause 5.2.2 b.) must be made available to the ECARV or the subcommittee of the ECARV by the recognised bodies. The ECARV has the right to involve the national accreditation body of the certification body in the event of deviations from the issued rules of procedure.

2.2. Obligation to neutrality and confidentiality

The members of the ECARV as well as third parties or subcommittees commissioned by it, as well as all auditors who carry out the conformity assessments on behalf of the Certification Bodies, are obliged to neutrality and independence. In particular, these persons may not derive any economic advantages from their cooperation in the ECARV but are committed to the objectives of this RoP. The principle of confidentiality applies. Contents of the meetings of the ECARV may only be published or announced in the procedures provided for in these RoP. Excluded from this obligation are the information obligations of the Certification Bodies according to clause 9.5.

3 Membership

3.1 Rights and duties of the members and the representatives

The members shall attend the meetings of the ECARV and actively participate within the scope of participation. Active participation is not limited to voting but should in particular include discussions and preparatory actions. If the authorised representatives of the members repeatedly fail to participate in the topics to be dealt with by the ECARV in its meetings, this may lead to exclusion from the ECARV. Exclusion for this reason is only possible if three quarters of the members present vote in favour of exclusion in a secret ballot.

The members are obliged to maintain confidentiality. Passing on the contents of meetings to third parties requires the consent of all members of the Working Group participating in the respective meeting. The ECARV can demand a corresponding declaration of confidentiality from the members.

3.2 End of the membership

Membership ends

- a. with notice of resignation,
- b. if a member fails to attend the ECARV meeting more than three times in a row without being excused (only valid reasons are considered as excuses),
- c. in case of repeated violation of these Rules of Procedure or against the implementation of the certification system or against the work and the idea of the ECARV or in case of gross misconduct towards other members of the ECARV, in particular insults relevant under criminal law. In the case of violations of important provisions of these Rules of Procedure, a single violation shall be sufficient. Clause 2.3 in particular shall be regarded as an important provision
- d. with realisation of clause 2.2

In cases b) and c), the member shall be heard beforehand at his or her request in the ECARV meeting in which the exclusion is to be decided.

The declaration of resignation according to a) must be notified in writing to the chairperson.

3.3 Costs

The members of the ECARV work on a voluntary basis. Costs incurred by the members due to their participation in the ECARV can neither be invoiced nor reimbursed. The exception is the activity as a commission according to clause 9.3.

4 Chair and secretary

4.1 Election

The chairman of the ECARV shall be elected by the members in a meeting for a period of three years. Any authorised representative or his deputy of a member of the ECARV is eligible for election. A two-thirds majority of the number of all members present is required. If the required majority is not achieved in the first ballot, a simple majority of the members shall suffice in the next ballot. For a second ballot, only the two candidates who received the most votes in the first ballot shall be put forward for election. If the required majority is still not achieved after this ballot, a relative majority of the members shall suffice in a third ballot. Clause 5.7 (quorum) shall be observed. Elections for the office of Chairman shall be by secret ballot. The members shall elect a Vice-Chairperson for the same term of office. The election of the Vice-Chairperson shall follow the same voting procedure as that of the Chairperson. Re-election of the Chairperson and Vice-Chairperson shall be permitted, but the terms of office shall be limited to two consecutive terms. After the expiry of a term of office without office, all authorised representatives shall again have the unrestricted right to stand for election. Nominations for election shall be sent to the Secretary at least one week before the meeting for election. A block election in such a way that Chairperson and Vice-Chairperson can only be elected together is not permitted. Rather, when electing offices, each office shall be voted on individually.

4.2 Tasks of the chairman

It is the task of the chairman and the vice-chairman to chair the meetings of the ECARV and to bring about clear decisions. The members, in particular the Certification Bodies, shall be involved in the preparation and conduct of the meetings of the ECARV. The type and extent of involvement shall be determined by the secretary. The chairperson shall have the powers and rights to ensure the proper conduct of the meetings.

The chairperson's duties and rights include in particular:

- Formal opening of the meeting,
- Determination of the persons present; verification of the right to participate
- Establishment that the meeting has been duly convened
- Establishment of the quorum
- Announcement of the agenda
- Calling and explanation of items on the agenda
- Allocation of the floor and acceptance of motions
- Measures of order such as call to order, removal from the floor, expulsion from the meeting,
- Chairing the deliberations and voting,
- ascertaining and announcing the results of votes,
- checking the minutes,
- interruption and closure of the meeting

The chairperson may call in assistants to fulfil his or her duties.

4.3 Secretary of the ECARV

The chairman and his deputy appoint an authorised representative as the secretary of the ECARV. This is done against the background that there must be a special relationship of trust between the chair and the secretary. The ECARV has a veto right and confirms the secretary by simple majority.

The tasks and rights of the secretary include in particular:

- Representation of the ECARV externally
- Invitation to the meetings
- Keeping the minutes of the meetings
- Appointment of sub-committees
- Approval of revisions of the A-Z-Guideline
- Information flow to the register
- Keeping the current list of members including authorised representatives and deputies

These tasks may be delegated.

5 Meetings of the ECARV

5.1 Date and place of the meetings

The dates for the meetings of the ECARV are set in the current calendar year for the following calendar year by the secretary and the chairman. Meeting venues should be fixed with sufficient lead time. Written invitations shall be sent to the members with the draft agenda at least two weeks before the date of the meeting.

5.2 Agenda

The items on the agenda shall be determined by the Chairman together with the secretary.

If these RoP are to be amended, the agenda shall indicate which provision(s) are to be amended. The Rules of Procedure can only be amended by a resolution of the ECARV.

The draft amendment to the RoP must be attached to the invitation to the meeting. If members are to be excluded, they must be named in the agenda; the core of the accusations made must also be stated.

5.3 Frequency of the meetings

The meetings of the ECARV shall be held as required, but at least twice a year, if possible once every six months. In addition, meetings may be convened if the interests of the ECARV so require. Meetings shall be convened if at least ten members so request. This request shall be made in writing, stating the purpose and the reasons. The chairman has no right to objectively examine the necessity of the request.

5.4 Addressed questions

Questions from the Certification Bodies, members or third parties brought to the attention of the ECARV shall be dealt with at the next meeting of the ECARV at the latest and, as far as possible, decided upon. Questions must be submitted in writing to the secretary at least two weeks before the next meeting. The ECARV decides on the admission of questions arising at short notice.

5.5 Subcommittees

If necessary, the ECARV can form sub-committees from its own representatives of the members and neutral third parties with expertise in their respective fields, which are dissolved again after the assigned tasks have been fulfilled. Third parties working in sub-committees are not entitled to membership. They shall be comprehensively bound to confidentiality and secrecy by the Chairman.

Appointed representatives of members are personally nominated to the subcommittee and are not automatically represented by their deputies. All persons working in the subcommittees have to be appointed by the ECARV.

A sub-committee has to appoint a spokesperson. The sub-committee can describe rules for their work, these must be approved by ECARV.

5.6 Representation of the members

A member may send an alternate to the meeting in place of the representative. As a rule, the deputy has already been appointed. The names of the representatives' deputy who have not been appointed shall be made known to the Chairman by the member before the meeting of the ECARV.

In the absence of such notification, the person shall not be entitled to participate in the meeting.

5.7 Quorum

The ECARV has a quorum for decisions if at least 10 members are present.

5.8 Voting

Each member shall have one vote. If a representative and his deputy are present, they shall have only one vote. If there are several members from different companies but from one holding company (like affiliated group, corporate group), these members together only have one vote.

Decisions are implemented by simple majority unless otherwise described in the RoP. Only members present at the meeting shall constitute a decision.

5.9 Guests

The secretary shall admit guests to individual meetings upon request, as well as to individual items on the agenda, in each case at its own discretion. Guests have no voting rights. Guests shall be comprehensively obliged by the Chairman to maintain confidentiality and secrecy with regard to the contents of the meeting. Applications for guest participation must be submitted to the secretary at least one week before the meeting.

5.10 Reporting of the meeting

Minutes shall be taken of the meetings of the ECARV. The minutes shall be kept as a record of the results. The minutes shall contain the date, time, place of the meeting, number and names of the members and guests present as well as the agenda and shall indicate the items of the resolutions in the order in which they were dealt with, the wording of the resolutions and the results of the voting. The minutes of the meetings of the ECARV shall only be sent to the members (only the authorised representatives) within two weeks after the respective meeting. Disclosure to third parties is only permitted with the consent of the ECARV. Objections to minutes of results are to be brought to the attention of the secretary before the next meeting. Guests and other participants may not object to the minutes. The minutes of the meeting shall be approved at the next meeting of the ECARV. It shall be deemed approved if a simple majority of the number of members present approve the minutes. Only those members who took part in the recorded meeting are entitled to vote.

6 A-Z-Guideline

An "A-Z-Guideline" of the resolutions adopted and to be published shall be created and made available to the members and all certified companies in its current state. All participants of the ECARV must abide by the rules of the A-Z-Guideline. Certification Bodies must ensure that the companies they certify also apply these rules in addition to the standard.

The inclusion of new resolutions in the A-Z-Guideline and the adaption of the A-Z-Guideline can be delegated by the secretary to other members.

The A-Z-Guideline is freely accessible to the public, e.g. via the online register.

7 Dissolution of the ECARV

The dissolution of the ECARV shall be decided unanimously by all members. This can be done verbally during a meeting or in writing.

8 Amending this RoP

Amendments to the Rules of Procedure require a three-quarters majority of the number of ECARV members present.

Should any provision of these Rules of Procedure be invalid, this shall not affect the validity of the remaining provisions. The members undertake to replace an invalid provision with a valid provision that comes as close as possible to the invalid provision. The same applies to unintentional gaps in the Rules of Procedure.

Part II, Certification Bodies

9 Certification Bodies

9.1 Approval of Certification Bodies

The ECARV appoints the certification bodies and their auditors. For this purpose, further criteria for the approval of Certification Bodies and their auditors may be issued in addition to these RoP. For this task, an Expert Commission shall be formed in accordance with Clause 9.3. The expert commission shall report to the ECARV and make clear recommendations accordingly. The ECARV decides on the approval of Certification Bodies and the auditors. Appointment as an auditor is granted by the chairman or deputy chairman of the ECARV. The ECARV issues a letter of appointment to the Certification Body or the auditor.

Approved Certification Bodies and auditors undertake to continue to fulfil these criteria and to have them regularly checked, also vis-à-vis the ECARV, the expert commission, by a third body or a member of the ECARV. There are two obligatory inspections in the validity period of a maximum of 5 years.

9.2 Criteria

The following minimum requirements must be checked for the approval of Certification Bodies or auditors.

9.2.1 Certification Bodies

The Certification Bodies shall be accredited according to EN ISO/IEC 17065 for certification according to standard EN 17460. The Certification Body shall demonstrate its competences in application-related bonding technology in railway vehicle construction.

The Certification Body shall appoint a head and at least one deputy. The tasks, duties and deputy regulations must be described. The head and deputy head must provide evidence of their authority to issue instructions to all auditors of this Certification Body. The management personnel shall ensure that the appointed auditors undergo continuous training and participate in the exchange of experience. The certification body shall have at least 2 approved auditors. The auditors need to be contracted with the certification body.

9.2.2 Auditors

The certification body uses personnel with a diploma as EWF - European Adhesive Engineer - EAE according to Guideline EWF 662 (or alternatively participation and positive examination of the EAE course) as auditors, who have at least five years of professional experience in this or a similar industry (e.g. as a bonding supervisor, through appropriate project work or expert activities in the field of rail vehicle, commercial vehicle or ship construction) and comprehensive expertise in the subject area "Bonding of rail vehicles during new production and repair".

The auditors must have sufficient in-depth knowledge of the EN 17460 series of standards and the other relevant regulations.

The auditors must have basic experience in auditing companies.

The auditor must be able to prove at least five audits as a coauditor (at least one with an A1 company, one with an A2 company).

An auditor is not allowed to be appointed as an ABC according to EN 17460.

9.2.3 Number of audits

At least five participations as an auditor per calendar year should be proven. If these are not achieved, the further procedure is discussed and decided in the ECARV.

9.3. Expert Commission for the appointment of Certification Bodies and auditors

The admission criteria for the approval of Certification Bodies and auditors are checked by a nominated Expert Commission of the ECARV.

For this purpose, the ECARVs commissions a sub-committee in accordance with clauses 4.3 and 5.5 to conduct approval interviews, which is staffed with professionally competent members who are independent of the Certification Bodies.

This Expert Commission shall be appointed by secret ballot for a period of four years.

The costs for the activities of the expert commission shall be borne by the Certification Bodies.

9.4 Commitment

The Certification Bodies involved in the ECARV undertake in writing to apply the criteria and requirements of the ECARV, like this RoP, and the A-Z-Guideline in their field of activity. In addition, they undertake that the user companies to be monitored by them must also comply with these criteria and requirements.

9.5 Information to the auditors

The heads of the Certification Bodies shall inform the auditors about the results of the meetings of the ECARV.

9.6 Appeals committee

At the request of a Certification Body, the ECARV shall set up an Appeals Committee in accordance with EN ISO/IEC 17065.

In this case, the complaints or objections are addressed to the management of the ECARV. With the participation of the Certification Body concerned, the secretary of the ECARV appoints at least 3 members of the ECARV to decide on the matter.

The principles of confidentiality and neutrality are observed.

9.7 Exchange of experience

The exchange of experience of the Certification Bodies must take place at least once a year. Participation is obligatory for the certification bodies with at least two representatives and reserved for these persons.

The Certification Bodies are obliged to demonstrably instruct all auditors on the contents.

The heads of the Certification Bodies decide on guests.

The heads of the Certification Bodies shall draw up minutes of the meeting. The minutes shall be made available to the Certification Bodies and the chairman of the ECARV. At the next meeting of the ECARV, the heads of the Certification Bodies report orally. The heads of the Certification Bodies are obliged to make the list of participants available to the secretariat.

Part III, Online Register

10 Online-Register

10.1 Publishing of the certificates and the Certification Bodies

All certificates for bonding according to EN 17460, which the Certification Bodies issue to companies, are published in an online register and are freely accessible.

The addresses and contact persons of the Certification Bodies are listed in the online register.

10.2 Costs

The costs incurred for setting up and maintaining the certificates in the online register must be borne by the Certification Bodies which are members of this ECARV.

10.3 Commitment to use the register

The operator of the online register must undertake vis-à-vis the ECARV,

- to publish only those certificates in the register which are issued by Certification Bodies which are members of the ECARV
- not to keep any further registers for conformity assessments for adhesive bonding in railway vehicle construction
- to publish the A-Z-Guideline in the current revision
- to publish the list of the Certification Bodies including contact persons
- to publish the contact of the ECARV
- to oblige the persons entrusted with the maintenance of the online register and the implementation of the certificates to maintain secrecy
- to take into account the principles of data protection and to implement them in the online register.