

Registration Authorities – Guidelines for committees

1. What are RAs?

a) Background

A number of International Standards developed by ISO technical committees require, with a view to their frequent updating or implementation, a competent body which has the requisite infrastructure for ensuring the effective use of these International Standards. These bodies are designated by ISO to serve either as maintenance agencies (MAs) or registration authorities (RAs).

Maintenance Agencies are authorized to update particular elements in an International Standard and as a matter of policy the secretariats of MAs are assigned to bodies forming part of the ISO system (member bodies or organizations to which a member body delegates certain tasks in its country). The membership of MAs and their operating procedures are subject to approval by the Technical Management Board. See also annex G of Part 1 of the ISO/IEC Directives.

These guidelines concern Registration Authorities (RAs) which are not authorized to update standards but provide a registration function to facilitate implementation of an International Standard (e.g. ISBN number for books). Frequently, facilitating the implementation of an ISO standard's requirements is best suited, by its nature, to one entity, a RA. This, *de facto*, creates a monopoly situation and this is why care needs to be taken with respect to the functions carried out and the fees charged to avoid an abuse of such a situation.

These guidelines should be read in conjunction with annex H of Part 1 of the ISO/IEC Directives.

b) Important note for committees

Committees have the main responsibility for the selection and oversight of the RAs. They must maintain on-going communication and remain informed of the activities of the RA relative to its function in relation to the International Standard in question. Although Registration Authority Agreements (RAAs) are signed by the RA and by the ISO Secretary-General, the signature of a RAA by the Secretary-General binds all components in the ISO system, including ISO members and ISO committees. Therefore, it is important that the committee maintain a close connection with the RA it nominated to implement the International Standard.

c) Actions to be taken by committees

Committees with questions regarding whether or not a RA is needed for its standard or questions related to whether the role should be played by a MA or RA, should contact their TPMs at the ISO Central Secretariat for guidance applicable to their specific circumstances.

IMPORTANT – In all cases, committees should advise the ISO Central Secretariat (through their TPMs) as early as possible of their intention to use RAs in the implementation of a standard. This will allow the ISO Central Secretariat to guide committees in the assessment and selection of RAs and the signing of the RAA. The objective is to expedite the process and avoid situations where the standard development process may otherwise be delayed or stalled by the preconditions required of a RA and the RAA template.

2. Selection of organizations to fulfill RA functions

a) Background

ISO committees develop standards for which a RA needs to be identified and designated. In such cases, the selection process needs to be open and transparent, for example through a call for offers made by the committee to all stakeholders. The organization willing to assume this role shall indicate its interest in writing.

b) Actions to be taken by committees

Committees must ensure that the organization selected to be the RA for an International Standard is a legal entity. This means that the organization has been formed under the laws of a particular jurisdiction and that it is therefore subject to governance related rules. This requirement promotes a higher level of assurance regarding the accountability and credibility of the organization selected to be the RA for an ISO standard. Committees should ensure they follow the RA procedure throughout the process. That is, from evaluation and selection of the RA candidate through the signing of the RAA. It is necessary to share the RAA template with the RA candidates and to get their agreement to the template provisions before selecting a candidate.

This is to allow the clarification of any clauses considered critical by the candidates with the ISO Central Secretariat. The RAA template is available from the ISO Central Secretariat by emailing CENTRAL@iso.org

The committee members shall then approve the organization selected via a resolution (by correspondence at a meeting). Once an organization has been selected by the committee, the organization must provide a statement stipulating that it is willing to assume the responsibility and is willing to sign the RAA. All organizations assuming the role of a RA, regardless of how it was selected, must sign a RAA. The committee then submits the name and any relevant information about the organization to the TMB for formal designation.

As part of the designation process, the ISO Central Secretariat will negotiate the RAA with the organization concerned, which must be agreed and signed prior to the publication of the International Standard in question.

3. Charging of fees for RA services / Cost Recovery only

a) Background

The Directives indicate that the RAs may charge fees for the services they provide **subject to authorization by the ISO Council**. Furthermore, Council's expectation is that the level of such fees will be set on a cost-recovery basis. In some instances, the proposed fee structure is considered by Council in its decision to authorize the charging of fees and Council will be looking for validation that the basis of charging fees is strictly on a cost recovery basis as a maximum basis for charging for services under the RAA.

Unfortunately, in some instances in the past, both RAs and committees have been unaware of this requirement with the result that fees have been charged without Council's authorization. Committees need to be aware of the requirement regarding the charging of fees when discussing with potential RA candidates. The requirement is also explicitly mentioned in the RAA template.

b) Actions to be taken by committees

Committees should address the RA's intentions as regards to fees as early as possible so as to clarify the expectation that any fees charged must be on a cost recovery basis. It is recommended that committees ask to see the RA's proposed fee structure. In all cases, Council authorization is required before the RA can charge fees on a cost recovery basis.

4. Oversight/accountability of RAs

a) Background

Committees are responsible for the oversight of the activities of the RAs which have been appointed on the committee's nomination. The RAA requires that RAs provide annual reports on their activities both to the committees and to the Central Secretariat and committees are responsible for ensuring that this is enforced.

b) Actions to be taken by committees

Committees should request RAs to provide activity reports at their meetings at least once per year. Committees should also follow-up to ensure that RAs provide an annual report of their activities to the committee secretariats and to the ISO Central Secretariat pursuant to the obligation of the RA stipulated in the RAA. It is the responsibility of the committee secretariats to ensure that such annual reports are given appropriate consideration by committees.

5. Dispute resolution

a) Background

Although instances of disputes between RAs and users of their services are rare, committees need to be aware that if such a dispute arises, they may well be requested to participate in any dispute resolution process. At present it seems that some consider that they would have no role to play and that disputes would need to be resolved between ISO and the RA as the "contracting parties". The signature of a RAA by the Secretary-General binds all components in the ISO system, including ISO members and its committees.

b) Actions to be taken by committees

Committees must play a key role in disputes arising from the role played by the RA. The committee must maintain sufficient on-going contact with the RA to be aware of any disputes. The RA should be provided with the first opportunity to resolve the dispute and the committee's involvement is only required when the RA is not able to resolve a complaint to the satisfaction of the complainant(s). It will be for the committee to decide who within the committee structure should be designated to address complaints (i.e. committee secretariats, member or chair) that the RA is not able to resolve. The TPM should be contacted for guidance where the committee is having difficulty with the resolution of a complaint and, in some cases, it may become necessary for the ISO Central Secretariat to become involved.

6. Drafting standards with RAs

a) Background

Because the role played by RAs varies vastly from one standard to another, it would not be possible to provide a template for standards with RAs. However, the following are important elements for committees to take into account when drafting standards with RAs:

b) Actions to be taken by committees

i. The key functions of the RA that are, in principle, the services that RAs provide to users of the standard, must be listed in the standard. The listed services will include all services needed to enable the user of the standard to implement the standard. The service might therefore, for example, not only include the allocation of identification numbers according to certain rules but also the running of a database that lists all those numbers and/or the provision of access to that database to the public or industry that would need to identify certain objects or services with help

of those numbers, etc.

ii. Committees should not participate or get involved in RA functions.

iii. The name of the RA should not be included in the standard. Instead, the ISO Online URL: http://www.iso.org/iso/home/standards_development/list_of_iso_technical_committees/maintenance_agencies.htm should be cited. Through this URL, users can find out the name and contact information of the RA for a given standard. Where available, ISO online includes the link to the RA's website which contains more information on the registration function. Including all information about the RA on ISO Online rather than in the standard will prevent the standard from becoming out of date in the event of a change in the RA. It is acknowledged that older standards, particularly those drafted prior to the widespread use of the Internet, have been drafted with the name of the RA. However, it is intended that this practice not be applied to future standards or revisions of existing standards.

iv. Avoid references to the selection or confirmation process for the RA in the standard. It is acceptable to state that the RA was selected by the committee to carry out the responsibilities of the RA. However, those who are not familiar with ISO governance and processes might mistakenly interpret a statement that the RA was designated by the TMB or Council as a type of guarantee or endorsement regarding the quality of the registration services provided by the RA.

v. The reference to any third parties (e.g. national or regional sub-entities or "Registration Agencies") to which the RA may delegate or assign part or all of its responsibilities must not be included in the standard. An integral part of the role played by the RA is to manage and oversee the entirety of the registration structure for a particular standard. The RAA specifically states that a RA must obtain permission before it can use other third parties to fulfill its obligations. Where this permission is granted, the RA maintains responsibility for ensuring that the third party/parties comply with the RA's obligations.

vi. It may be difficult to judge what should go into the standard and what should be left to the RAA. In this respect, guidance is available in article 6.3.3 of the ISO/IEC Directives, Part 2, which state that contractual requirements and legal or statutory requirements shall not be included in International Standards. The standard should only contain those aspects that are directly tied to the functions of the RA in its capacity as the RA for the standard. Because the distinction between contractual elements and the function-related elements to be included in the standard are sometimes difficult to make, committees should contact TPMs in case of doubt. TPMs should also be contacted where committees feel that additions to the RAA are necessary to address any parts of the RA's role which are unique to the standard in question.