

ANNEX 8

MINIMUM CRITERIA TO BE MET WHEN
DESIGNATING INSPECTION BODIES TO BE NOTIFIED

1. The body, its director and the staff responsible for carrying out the evaluation and verification operations shall not be the designer, manufacturer, supplier or installer of devices which they control, nor the authorized representative of any of those parties. They may not become directly involved in the design, construction, marketing or maintenance of the devices, nor represent the parties engaged in these activities. This does not preclude the possibility of exchanges of technical information between the manufacturer and the body.
2. The body and its staff must carry out the evaluation and verification operations with the highest degree of professional integrity and technical competence and must be free from all pressures and inducements, particularly financial, which might influence their judgement or the results of the inspection, especially from persons or groups of persons with an interest in the results of verifications.
3. The body must be able to carry out all the tasks in one of Annexes 2 to 5 assigned to such a body and for which it has been notified, whether those tasks are carried out by the body itself or under its responsibility. In particular, it must have at its disposal the necessary staff and possess the necessary facilities to enable it to perform properly the technical and administrative tasks connected with evaluation and verification; it must also have access to the equipment necessary for the verifications required.
4. The staff responsible for control operations must have:
 - sound vocational training covering all the evaluation and verification operations for which the body has been designated,
 - satisfactory knowledge of the requirements of the controls they carry out and adequate experience of such operations,
 - the ability required to draw up the certificates, records and reports to demonstrate that the controls have been carried out.
5. The impartiality of inspection staff must be guaranteed. Their remuneration must not depend on the number of controls carried out, nor on the results of such controls.
6. The body must take out liability insurance unless liability is assumed by the State in accordance with national law, or the Member State itself is directly responsible for controls.
7. The staff of the body are bound to observe professional secrecy with regard to all information gained in carrying out their tasks (except *vis-à-vis* the competent administrative authorities of the State in which their activities are carried out) under this Directive or any provision of national law giving effect to it.