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**Rules for the establishment and operation of national
technical committees**

*Правила создания и деятельности национальных технических
комитетов*

*Requirements for the establishment and operation of the technical
committees*



INSTITUTE OF STANDARDIZATION OF MOLDOVA (ISM)
Republic of Moldova, mun. Chisinau, E. Coca Street, 28
Tel.: 022 905 303,
www.standard.md

Preamble

These national standardization rules are the revision of the national standardization rules SR 8:2022, which they fully replace.

The revision of SR 8:2022 aimed to update the provisions in the context of new changes in legislation, to connect to European and international methodological provisions, including provisions *SM CEN/CLC Guide 22:2022 Guide to the organizational structure and processes required to assess the membership criteria of CEN and CENELEC* and its application practices.

These national standardization rules set out requirements for the participation of Moldovan stakeholders in the work of the ISM technical committees, in order to develop the original Moldovan standards and to participate in the development of the European/international standards, in accordance with the internal regulations of the European standardization organizations CEN and CENELEC, the international standardization organizations ISO and IEC directives.

In very specific cases, different from those described in the rules, the principle of similarity will apply.

These national standardization rules are drawn up in accordance with the Law of the Republic of Moldova no. 20 of March 04, 2016, on national standardization.

Compared to the previous edition, point 4.6 has been modified and the provisions regarding interstate standardization have been excluded.

1 Scope

These national standardization rules lay down the way in which the national technical standardization committees (hereinafter technical committees) are set up, organized and operated, the requirements for the organization of secretarial work, the duties of the chairman, secretary and members of the technical committee, and the way in which the work of the technical committees is recorded and monitored by the national standardization body.

2 References

SM SR EN 45020:2012 Standardization and related activities. General Vocabulary

ISO-IEC Directives — Part 1: Procedures for the technical work, 2022

3 Terminology

To correctly interpret these national standardization rules, the terms according to SM SR EN 45020 shall apply, with the following additions:

interested party

authority, economic operator or other entity applying or intending to apply a standard

technical committee

CT (English abbreviation - TC "technical committee"), working structure that performs standardization work on specific domains without legal personality, established within a recognized national standardization body or European/international standardization organization, in which stakeholders appoint their representatives

NOTE - The "Mirror" National Technical Committee is the technical committee, set up in mirror at the corresponding European and international technical standardization committees, which ensures the coordination of its work with the work of the European and international technical committees, for the purpose of formulating and transmitting the national opinion.

consensus

general agreement of most stakeholders characterized by the absence of sustained opposition to a certain key aspect of the standardization topic, taking into account the views of each stakeholder and the approximation of possible divergent positions

NOTE - Consensus does not always mean unanimity.

delegate

representative designated by the national standardization body on a proposal from a national technical committee to participate in the work of a technical committee of a European or international standardization organization to support national opinion

workgroup wizard

a person with an appropriate specialization, designated by a national technical committee, to contribute to the development of draft standards or standardization deliverables, to be developed within a working group (or similar structure) of a European Technical Standardization Committee CEN, CENELEC, ETSI or ISO, IEC international technical standardization committee

working group: GL – WG "working group"

expert group established within a technical committee responsible for developing/reviewing draft standards or standardization deliverables for use in a particular area of work

member of the technical committee

interested party to participate in the work of one representative each in the relevant technical committee(s)

CT standardization program

the detailed list of all standardization topics proposed to be developed within the scope of work of a technical committee

national standardization program (NSP)

annual work program of the national standardization body, containing the list of subjects covered by standardization work

European EN standard

standard developed and adopted by the European standardization organizations CEN, CENELEC or ETSI, which must be adopted and published in the form of an identical national standard with the annulment of conflicting national standards
(CEN/CENELEC Internal Regulations – Part 2:2015, definition 2.5)

NOTE – European standards shall be identified by the EN logo, the number of the standard and the year of its publication, e.g. EN 14908-3:2014, EN 50438:2013, EN ISO 80000-1:2013.

international standard

standard developed and adopted by international standardization organizations (ISO or IEC)
(CEN/CENELEC Internal Regulations – Part 3:2015, definitions 3.1.2 and 3.1.3)

NOTE – International standards shall be identified by the logo ISO, IEC or ISO/IEC (as appropriate), the number of the standard and the year of its publication, e.g. ISO 1:2002, IEC 60865-1:2011, ISO/IEC 17021-1:2015.

conflicting national standard

national standard having the same scope as a European standard (or HD harmonization document published by CENELEC) containing requirements that are inconsistent with the requirements of a European (or HD) standard
(CEN/CENELEC Internal Regulations – Part 2:2015, definition 2.13)

standardization

specific work carried out by a recognized body to develop, approve, review, amend, adopt and annul standards and other standardization deliverables for common and repeated use

formal vote

step in the standard-setting process where the final text of a draft standard is submitted to the members of the technical committee for endorsement by vote and/or submission of editorial comments

national opinion

opinion formed by consensus within the national technical committee on a draft standard, including international or european, or on another topic discussed within the international or european technical committee

standstill

an obligation accepted by the national members of CEN/CENELEC/ETSI not to take any action, either during the development of a European standard or after its approval, which could prejudice European technical harmonization and not to publish any new or revised original national standard which is not fully aligned with the European standard

4 General

Standardization work at national level, including follow-up and coordination with European and international standardization work, shall be carried out within the national technical committees set up by the ISM in the fields of activity.

Subcommittees or working groups may be set up within national technical committees, broken down by sub-area, depending on the complexity of the field of activity and the degree of national interest.

4.1 Establishment of technical committees

4.1.1 Technical Standardization Committees are working entities of ISM, without legal personality, voluntarily established in various sectors of the national economy. They are created at the proposal, in support of, and for the benefit of stakeholders, with the aim of conducting standardization work at the national, regional, and international levels.

4.1.2 The following shall be considered when approving the establishment of a national technical committee:

- national interest, which may be assessed by consulting, as far as possible, all public and private stakeholders, by means of the announcement on the ISM website;
- the existence of corresponding technical committees at European and international level;
- proposals on the composition of the national technical committee;
- the proposed standardization topics.

It is recommended that in the field of activity of a national technical committee the links with other technical committees be mentioned.

4.1.3 The structure of the national technical committees should, as a rule, be aligned with that of the technical committees of the European standardization organizations (CEN/CENELEC/ETSI) and, as far as possible, with that of the technical committees of the international standardization organizations (ISO/IEC), so that each international or European technical committee in which the Republic of Moldova participates has a mirroring national technical committee.

A technical committee may be attached to one or more European and/or international technical committees.

4.1.4 A technical committee may be set up at the initiative of the stakeholders of the national economy, when it wants to participate in international or regional standardization processes, or when it establishes the opportunity to develop Moldovan standards in an area that does not belong to any existing national technical committee.

The national standardization body shall assist and broker initiatives and discussions on the establishment of technical committees.

4.1.5 The Technical Committee may be set up for a limited period (Technical Project Committee) to resolve a specific problem or to develop a concrete standard.

4.1.6 The entity that initiates the establishment of a technical committee must submit a substantiation note to ISM, properly arguing the need for establishment.

4.1.7 ISM will review the proposal and, if accepted, will publish a notice on its official website regarding the initiation of the procedure for establishing a Technical Committee, along with an invitation for interested parties to participate.

The duration of the public notice and of the deadline for expressing an interest to participate shall not be less than 30 days.

4.1.8 Information on the establishment (or termination of service) of a technical committee shall be published in the 'Standardization Bulletin'.

4.1.9 Depending on the scope of the work and by decision of the members of the technical committee, it is permissible to set up subcommittees within that technical committee, which, within the limits of their competence, carry out part of the work on certain standardization subjects in one of the branches assigned to the technical committee.

4.1.10 The establishment and termination of the work of the Technical Sub-Committee shall be carried out by the relevant Technical Committee, after coordination with the ISM.

The organization and functioning of the subcommittees shall be similar to that of the technical committees.

4.1.11 Participation in the work of the Technical Committee shall not involve the payment of certain payments by members.

4.1.12 ISM shall accumulate the proposals from stakeholders, considering the provisions of Chapter 4.3.

4.1.13 ISM accumulates the following:

- a) the background note on the need to set up the technical committee;
- b) proposals for the composition of the technical committee, from interested parties by way of delegation of its representatives to the technical committee;
- c) a copy of the public notices of the start of the establishment of the technical committee in the area concerned and, if any, of the invitations to participate;
- d) description of standardization topics and scope of work of the technical committee;

e) information on the existence of European and international technical committees corresponding to the technical committee (mirror technical committees);

f) the business plan of the technical committee for one year, which should include at least one of the following:

- elaboration of Moldovan standards;
- examination of the draft European and international standards prepared by the mirror technical committees;
- periodic review of Moldovan standards in force (amendment, revision), including harmonization of standards with European and international standards;
- proposals to replace conflicting national standards with European and international standards;
- translations of standards.

4.1.14 ISM shall designate a person as the Secretary of the established Technical Committee.

4.1.15 The ISM shall convene a meeting to set up the Technical Committee, to which all parties having expressed an interest in participating shall be invited.

4.1.16 The founding meeting is headed by a representative of ISM. At the meeting, the role, duties, responsibilities of a technical committee and its members shall be announced.

ISM shall disseminate a set of appropriate information material to all participants.

At the meeting all delegates fill in and sign their personal applications for accession to the CT, a model established by ISM.

4.1.17 The Chairman of the Technical Committee shall be elected at the constituent meeting in accordance with 4.5.

4.1.18 The Committee shall be set up in accordance with the ISM Decision. The decision setting up the Agency shall also indicate the corresponding international and/or European technical committee, if any.

4.1.19 The registration of technical committees shall be made by the national standardization body, by assigning a registration number, in the Register of national technical standardization committees.

If a technical committee ceases to operate, its registration number shall not be assigned to another technical committee.

4.1.20 A Technical Committee shall be identified by an designator, which shall include the symbol "ISM/CT", the registration number and its name.

The technical committee's shortened designator shall include the symbol "ISM/CT" and the registration number.

EXAMPLES

1 ISM/CT 32 "Solid biofuels";

2 ISM/CT 32.

4.2 Tasks of the technical committees

4.2.1 In their work, the technical committees must ensure that national opinions are formed, considering all views expressed for consensus and ensure, through their investigations, that standards are based on a set of relevant opinions.

4.2.2 The main tasks of the national technical committees are:

- a) formulating new standardization topics for the development of Moldovan standards;
- b) establishing its annual standardization program, which is part of the national standardization program;
- c) ensuring the maintenance of the original Moldovan standards in force;
- d) developing or participating in the elaboration of the Moldovan version of the European/international standards adopted at national level;
- e) participating in the European and international standardization activity by:
 - examining and commenting on draft European and international standards and forming national opinion in the voting process;
 - the appointment of the Moldovan delegates to participate in the meetings of the corresponding European

technical committees CEN, CENELEC and ETSI, as well as the international ISO and IEC;
 – confirmation of Moldovan experts in the working groups of European and international technical committees of interest, to participate in the elaboration of draft standards and European or international standardization documents.

4.2.3 National technical committees should ensure that Moldovan standards are relevant for the intended uses. The standards must reflect the technical expertise provided by the participants in the standardization process and the consensus on their interests. The standards do not include elements that may have the effect of excluding or limiting competition in certain sectors, or preventing or limiting market access.

4.2.4 National technical committees should pay particular attention to the quality of Moldovan standards. The standards must be drafted accurately and the technical content must be formulated as comprehensible as possible, without ambiguity, so as to avoid misinterpretations of certain requirements.

4.3 Name and scope of work of the technical committee

4.3.1 The Technical Committee shall be established according to the type of products, services, technologies or fields of activity.

4.3.2 The name and scope of work of the Technical Committee must clearly define and delimit the competences of each Technical Committee.

4.3.3 The name of the technical committee shall be harmonized with the names of the corresponding international or European technical committees.

4.3.4 The definition of the field of activity must be as concise as possible, without allowing erroneous interpretations of the proposed object, and is usually preceded by the words "Standardization in the field of...".

4.3.5 If certain subjects do not fall within the competence of the Technical Committee, they must be listed after the scope of work has been defined, preceded by the words "except for...".

4.3.6 The scope of work of the technical committees should not cover standardization topics in more than two branches of industry.

4.3.7 A change of the name and/or scope of a technical committee may be initiated by the technical committee and/or the ISM if such a change is necessary.

4.3.8 The change of the name and/or scope of a technical committee shall be approved by the ISM judgment and published in the "Standardization Bulletin".

4.4 Composition of the Technical Committee

4.4.1 The composition of the national technical committees should, as far as possible, ensure the widest possible representation of stakeholders, bringing together representatives from industry, academia, research, market regulatory and supervisory authorities, conformity assessment bodies, the accreditation structure, representatives of central and/or local public administrations, professional associations, organizations representing consumer interests, trade unions, environmental organizations and other stakeholders.

4.4.2. Member of the Technical Committee shall be the legal person in its capacity as an interested party in standardization work.

The party interested in becoming a member of a national technical committee must appoint only one representative, hereinafter referred to as the appointed representative, whose identification data (surname and given name, telephone, e-mail address) must be transmitted to the ISM.

For technical committees with complex areas of work or with several working groups, the appointed representative may be accompanied by a maximum of 2 advisors from the same interested party. In such a case, the official opinion shall be expressed by the appointed representative.

4.4.3 The number of members of a committee should be linked to the degree of national interest in each area.

The number of members of a technical committee should result from a compromise between the need to ensure a broad representation of the parties that provides important support for draft standards and the need to limit this number so that work can be carried out efficiently. In this respect, it is recommended that the number of

members of a technical committee should not normally exceed 21.

4.4.4 If there are situations where a member of a national technical committee does not respond systematically to requests from the secretary (e.g. documents to be analyzed to formulate a national point of view, etc.) or does not participate systematically in meetings, the secretary of the technical committee shall take the necessary steps to determine the presence or to obtain the appointment of another representative from the member organization.

4.4.5 The appointed representative must possess and be able to demonstrate the following powers:

- have experience of working in the field covered by the technical committee;
- be familiar with the principles and rules of standardization and the provisions of relevant legislation;
- have experience in the development or use of standards;
- be able to examine a draft standard and, where appropriate, submit objections or proposals for improvement.

4.4.6 The delegation of a representative to the Technical Committee is carried out by sending a request to the ISM address with the Application for accession to the Technical Committee and the Copyright Assignment Declaration in accordance with *Annexes A and B*.

4.4.7 After the establishment of the Technical Committee, access for accession to the Technical Committee is free and open, so that other entities (stakeholders) may join its work. For this purpose, the interested party shall submit a request to the Secretariat of the Technical Committee, substantiating the interest in participation.

4.4.8 The addition or modification of the composition of the Technical Committee shall be approved by the ISM judgment.

4.4.9 The members of the Technical Committee shall obtain the right to an opinion and to a vote from the moment the ISM decision is issued on the approval of the composition of the Technical Committee and/or its amendment.

4.4.10 The member of a technical committee shall:

- to participate, on a permanent and active basis, in the meetings and proceedings of the Technical Committee;
- to examine the draft standards submitted for an opinion and to deliver its opinion within the time limit requested;
- present and support the position of the entity represented in the technical committee, after consultation with its experts;
- inform the entity it represents of the work of the technical committee;
- identify and inform the Technical Committee of changes that it considers necessary to keep a standard up to date.

4.4.11 The member of a technical committee shall be entitled to:

- submit proposals for new topics for standardization or modification/revision of existing Moldovan standards;
- request all information related to the work of the Technical Committee;
- receive draft standards for examination, the examination of which shall be carried out by the Technical Committee;
- propose the candidacy of the chairperson or the secretary of the technical committee.

4.4.12 The member of a technical committee, whose designated representative is unable to attend a particular meeting, may delegate a person from the entity to represent him, with the information of the secretary of the technical committee.

4.4.13 If the member of a technical committee fails to comply with his obligations under 4.4.10, is systematically and unreasonably absent from its meetings (3 consecutive meetings or more than 4 meetings during the year) or ignores the secretary's addresses by e-mail (4 and more), the secretary of the technical committee must inform the entity he represents in writing of the failure by his representative and, possibly, the request for replacement of the person.

4.4.14 If the technical committee member continues to violate the provisions of these standardization rules (4.4.10) and the entity that delegated him has not taken any action regarding his substitution, the secretary of the technical committee shall be entitled to propose that that entity be excluded from the composition of the

technical committee.

4.4.15 In the event of the release of the representative of the member of the Technical Committee from the position held within the entity, the tasks shall be exercised by the newly delegated person from that entity.

4.4.16 The national standardization body, based on a proposal from the technical committee in accordance with 4.4.14, shall make the changes to the composition of the technical committee.

4.5 Chairman of the Technical Committee

4.5.1 The Chairperson shall be elected at the constituent meeting of the Technical Committee. The election of the President shall be by a simple majority of the Members present. The elected president is confirmed by ISM.

4.5.2 The Chairperson shall be elected for a period of three years and may be re-confirmed for further consecutive periods.

4.5.3 The role of the chairperson of a technical committee is to coordinate its work.

To that end, the Chairperson should have the following powers:

- driving skills;
- organizational and communication skills;
- knowledge of the principles and methodology of standardization;
- advanced knowledge of English;
- use of computer and electronic applications, communication and working with documents.

4.5.4 The duties of the chairman of a technical committee shall determine his role and conduct and shall be broadly:

- coordinate the work of the Technical Committee, in collaboration with the ISM Secretary/Representative, in order to ensure that the work is carried out within the set schedule and time limits;
- work with the secretary/representative of the ISM to ensure compliance with the principles and methodology of standardization in the work of the Technical Committee;
- lead the meetings of the Committee with an impartial and open position, ensuring a constructive atmosphere, avoiding prolonged discussions on minor issues (e.g. drafting of the text);
- seek consensus by taking balanced decisions at meetings, considering the proposals of the members of the Technical Committee, so as to advance the work. The chairman of the Technical Committee must ensure that all observations, including divergent ones, are taken into account, even if supported by a minority of members;
- ensure the transparency of the decision-making process by clearly formulating the decisions taken, which must be recorded in the minutes;
- follow the decisions taken by the Technical Committee;
- monitor the development of draft national, European and international standards and, where appropriate, propose to review documents at meetings and work with the secretary of the Technical Committee/representative of the ISM to formulate the national point of view for these projects and based on solutions that meet the consensus.

4.5.5. The Chairperson shall remain impartial throughout the work of the Technical Committee that he/she coordinates and shall not promote opinions or decisions that would favor the appointing entity.

4.5.6 The entity, whose representative is elected as chairperson of the Technical Committee, may designate another person to represent it in the Technical Committee.

4.5.7 The Chairman of the Technical Committee may request the support and/or involvement of the ISM in solving problems arising in the work of the Technical Committee.

4.5.8 In the event of a reasoned absence of the Chairperson, the meeting of the Technical Committee shall be headed by a representative of the ISM, who shall perform his or her duties.

4.5.9 If the Chairperson fails to perform the duties set out in 4.5.4 or admits procedural violations established by the provisions of the national standardization rules, he may be dismissed, with the vote of a simple majority of the members of the Technical Committee.

4.5.10 In the case set out in 4.5.9, the Technical Committee is to select a new application at the same time and approve the new chairperson's application by a simple majority of the members of the Technical Committee.

4.5.11 The decision of the Technical Committee to replace the chairperson shall be approved by the ISM by the decision amending the composition of the Technical Committee.

4.6 Secretariat of the Technical Committee

4.6.1 The secretariat of a technical committee for standardization is usually provided by the ISM.

4.6.2 The secretariat of the technical committee may be provided by the interested party that initiated the creation of the technical committee or by another entity that has the technical and organizational capacity to carry out the secretariat work in good conditions.

4.6.3 In the situation mentioned in 4.6.2, the secretary is elected at the meeting of the technical committee. The election of the secretary is made by vote, with a simple majority of the members present. The elected secretary is confirmed by the ISM.

4.6.4 The Secretary is elected for a period of three years and may be reconfirmed for other consecutive periods.

4.6.5 When the Secretariat of the Technical Committee is held by an entity other than ISM, that entity must enter into an "Agreement to Hold the Secretariat of the Technical Committee for Standardization" with ISM, based on the established model and containing all relevant provisions of these Standardization Rules.

4.6.6 The ISM may decide to take over the secretariat of the technical committee of another entity if the entity in which it operates can no longer ensure the conditions necessary for the proper conduct of work.

4.6.7 As secretary of a technical committee, as a rule, a person from ISM is nominated, who also acts as representative of the national standardization body, but another person may be nominated who:

- have knowledge and experience of standardization in matters concerning the Technical Committee;
- have higher education, preferably specialized studies appropriate to the field of activity of the technical committee;
- it has a spirit of initiative and good organizer.

4.6.8 The Secretary shall have the following powers:

- organizational and communication skills;
- knowledge of the principles and methodology of standardization;
- advanced knowledge of English (for committees to be linked to the work of European or international committees);
- use of computer and electronic communication and document-editing applications.

4.6.9 The duties of the Secretary of a Technical Committee shall determine its role and conduct and shall be broadly:

- participate in the establishment of the standardization program of the technical committee and the related deadlines and work with the chairman to ensure their compliance;
- convene and prepare meetings of the Technical Committee;
- monitor the draft standards, standardization deliverables, and other informational documents from European and international technical committees, as well as related correspondence, to ensure deadlines for submitting comments and voting are met. Summarize the comments received from the members of the national technical committee and submit the national position for voting or vote in the prescribed manner;
- prepare and circulate the working documents to the members of the technical committee in the established electronic format;
- prepare a summary of the comments received from the members of the technical committee on the draft original moldovan standards;
- prepare draft Moldovan standards for the public investigation phase and final draft Moldovan standards for the approval by ISM;
- record the decisions taken at the hearing in the minutes drawn up;
- follow up on the provisions of the minutes of the meetings of the technical committee;
- ensure that the work of the technical committee is carried out in accordance with the provisions of the

national standardization rules.

4.6.10 The secretary must maintain his impartiality throughout the entire activity of the technical committee within which he works and must not promote opinions or decisions that would favor the entity that appointed him.

4.6.11 The Secretary and the members of the Technical Committee shall use standard forms prepared and made available by the ISM to submit comments, proposals or summarize comments.

4.6.12 The secretary of the technical committee, including in situations where he is the representative of an interested party, does not participate in debates on technical topics related to the object subject to standardization, but only in aspects of standardization principles and rules, ensuring the impartiality of the process.

4.7 Representative of the national standardization body

4.7.1 Where the secretariat of a technical committee is provided by another entity, ISM shall supervise and ensure the proper functioning of the technical committees through its representative.

4.7.2 Representative of the national standardization body:

- ensure that the work of the Technical Committees is properly carried out by overseeing the work of the Technical Committees;
- monitor the technical committee's compliance with the legislation and principles, standards rules, methodology and standards established by the standards rules;
- ensure that comments and proposals on draft standards are submitted to the Technical Committee;
- transmit the vote and comments to the documents prepared in the corresponding European and international technical committees agreed in the national technical committee;
- identify new stakeholders in the work of the technical committee at national level, where appropriate.

5 Work of the technical committees

5.1 The work of a technical committee is carried out according to a business plan, approved by the chairman of the technical committee, usually at the end of the year.

The business plan includes:

- draft European or international standards of the mirror technical committees drawn from the work programs of those technical committees;
- drafting proposals for the original Moldovan standards, where there are no corresponding European or international standards;
- proposals for periodic reviews of standards, to be completed within 5 years of approval;
- proposals for the translation of European or international standards.

5.2 The Technical Committee may examine other subjects or submit other proposals not contained in the business plan but relate to standardization in the field of the Technical Committee and shall be considered important.

5.3 Technical Committees must work in accordance with the legislation of the Republic of Moldova, with these standardization rules and other national standardization rules.

5.4 National technical committees set up in mirror with European or international technical committees shall additionally carry out the following work:

- evaluate the proposals for themes developed in the corresponding technical committees;
- submit its comments on the draft standards during their development, forming a national opinion;
- propose the acceptance or rejection of the broadcast standard for voting;
- participate in meetings of the corresponding technical committee.

5.5 The Technical Committees shall follow and consider all the work of the corresponding ISO/IEC and CEN/CENELEC technical committees, to which they have been confirmed as members (full members), as well as the work on related topics carried out by other Technical Committees.

5.6 The Technical Committees shall work in the form of meetings or by correspondence.

5.7 The meeting of the Technical Committee shall be deliberative if:

- the materials were sent for examination at least 5 days before the date of the meeting;
- invitations to convene the meeting were sent at least 3 days before the meeting.

In the event of failure to comply with at least one of the above conditions, the hearing shall be postponed.

5.8 At each meeting of the Technical Committee, the members shall sign for the assignment of the copyright on the ideas presented at the meeting and the observance of the copyright on the draft standards, to which they have access.

5.9 For technical committees whose secretariat is not owned by ISM, the presence of the representative of the national standardization structure at the meetings of the technical committee, at which it is decided to approve the business plan, to elect the president or the secretary, to approve the draft standards (in the PS stage), is mandatory.

5.10 Meetings of the technical committees shall, as a rule, be held at the premises of the entity, which holds the secretariat of the committee.

5.11 Decisions are adopted by consensus.

5.12 Each proposal from a Member State is to be considered and consensus must be reached on:

- acceptance of the proposal;
- reasoned rejection of the proposal.

General agreement must be reached on the proposals, characterized by the absence of persistent opposition to a key issue on the part of a representative of a major party.

Discussions must be held to bring the divergent positions closer together, and consensus does not necessarily imply unanimity.

In the case of decisions taken by correspondence (e-mail or voting platforms), the consensus shall be deemed to have been supported by at least 2/3 of the members of the Technical Committee and no more than 1/4 against the proposal.

Proposals that contravene legislation, standardization rules or national policy documents shall be rejected by the Secretary of the Technical Committee or the representative of the ISM.

5.13 If a consensus on certain issues cannot be reached in the work of the Technical Committee, the remaining parties to the dispute may refer the matter to the ISM to examine the dispute.

5.14 The ISM will examine the divergence within 20 calendar days from receipt of the address, possibly at a meeting, involving the members and the chairman of the Technical Committee.

5.15 The final decision lies with the ISM, which will express the final decision in written form (démarche, clarification notice or judgment).

5.16 The results of the meetings of the technical committees shall be recorded in minutes, which shall be signed by the chairman and secretary of the technical committee.

The attendance of the members of the technical committee at the meeting shall be recorded in the attendance register, which shall be kept together with the minutes.

5.17 The Secretary of the Technical Committee or the ISM representative may make audio or video recording of the meeting to ensure transparency and traceability. Meeting records files are stored at ISM and may be available to any member upon request.

5.18 The Technical Committee shall submit to the ISM:

- business plan, no later than 30 January of the following year of management;
- the annual report on its activities, no later than 30 January of the following year.

5.19 The annual report shall contain the following:

- technical committee call sign and name;
- information relating to the meetings of the technical committee held;
- summary information on the implementation of the technical committee's business plan;
- the drafts of standards and amendments drawn up and other work;

- the indicative values of the draft standards and amendments to the standards examined;
- analysis of international and European standards (in the field of the technical committee) to assess their priority to be adopted as Moldovan standards;
- participation in the work of CEN/CENELEC, ISO/IEC technical committees (if applicable).

5.20 The report shall be signed by the Chair and the Secretary of the Technical Committee.

5.21 At the same time as the annual report, the business-plan of the Committee, drawn up and approved in accordance with 5.1, signed by the chairman and secretary of the Technical Committee, shall be submitted.

5.22 The Technical Committee must also submit the report for business-annual plan, according to the models developed and provided by ISM.

6 Circulation of documents

6.1 Draft documents shall be circulated by the Secretary of the Technical Committee to all members, to the Chairperson (and to the representative of the national standardization structure, if any) and shall be intended solely for them. Members of the Technical Committee shall be bound by the confidentiality of information received in the course of their work and by the copyright in the standards.

6.2 Documents must be addressed in person and may not be made available to the public or used for purposes other than those of the technical committee concerned. The Technical Committee may decide to publish documents drawn up only with the prior consent of the ISM.

6.3 Any member of a technical committee who violates the rules in 6.1, such as disclosing data or discussions, or disseminating draft standards to third parties, may be subject to exclusion from the technical committee upon ISM's proposal.

6.4 Each document (pre-draft, draft standard, etc.) prepared within the technical committee shall be assigned a reference number in accordance with Chapter 8.

7 Data and document protection

Draft standards and/or standardization deliverables which are in the process of being drawn up shall be considered working documents of the technical committees and only for this purpose may be circulated to the members of the technical committees. For consulting the working documents, the members of the technical committees may access the databases containing documents in electronic format (files) in a controlled manner using passwords.

All working documents shall be circulated only with the application of the security features established by the ISM.

8 Document numbering

8.1 Documents, at each stage (pre-design, draft standard, etc.), produced and disseminated in the work of the technical committee, shall be given a reference number.

Documents issued by European or international technical committees shall be circulated with its reference numbers, without national numbers being assigned to them.

8.2 The first page of the document, under the reference number, shall bear the date (month and year) on which the document was drawn up.

8.3 A reference number assigned to a document shall not be assigned to any other document which is drafted differently and/or has a different content.

8.4 The reference number contains two elements separated by the letters No as follows:

- the abbreviation ISM/CT and the number of the technical committee;
- a general order number.

EXAMPLE

ISM/CT 10 No 20 is the 20th document produced and circulated by the ISM/CT Technical Committee 10.

8.5 The general serial number shall be assigned by the Secretary of the Technical Committee to all documents drawn up and circulated by that Technical Committee in the order in which they were drawn up.

9 Participation in European and international standardization

9.1 General aspects of participation in European standardization

9.1.1 European standardization work takes place in the framework of the European standardization organizations: the European Committee for Standardization (CEN), the European Committee for Electrotechnical Standardization (CENELEC) and the European Telecommunications Standards Institute (ETSI).

9.1.2 The procedures and rules for the European standardization activity are set out in the CEN/CENELEC Internal Regulations – Part 2 and the ETSI (Rules of Procedure of ETSI) Directives respectively. As part of the European standardization system, ISM must comply with these rules and procedures.

9.1.3 The basic principle of European standardization is the national delegation principle which involves expressing national opinion (not individual opinion, entity or group) in the process of developing European standards and standardization deliverables.

9.1.4 The European Technical Committees shall be composed of members, secretaries and chairs. The members of the European Technical Committees shall be the national standardization structures, through designated representatives. The European Technical Committees shall work based on an approved work program published on the official website of CEN, CENELEC and ETSI.

9.1.5 The standardization work of the European Technical Committees, including those of other technical structures, under the responsibility and coordination of CEN, CENELEC and ETSI, shall take the form of the work of the national Technical Committees by:

- follow-up of proposals for new standardization themes and the development of projects at different stages of development;
- establishing the national position on proposals for new standardization topics;
- the formulation and transmission of comments/observations to the draft European standards or European standardization deliverables under development;
- transmission of the national vote;
- adoption of European standards at national level, while canceling the conflicting Moldovan standards.

9.2 Participation of national technical committees in the work of European standardization

9.2.1 The members of the technical committees shall actively participate in the development of European standards and/or standardization deliverables in the corresponding European technical committees. Participation may be:

- by expressing its views within the national technical committee in order to establish the national position at the stage of the development of the European standards and/or standardization deliverables;
- as experts in the working groups of the European Technical Committees; or
- as national delegates at meetings of European technical committees.

NOTE – It is recommended that the national delegation to the meetings of the European Technical Committees should be composed of up to 3 members.

9.2.2 At each stage of the development of a European standard or European standardization delivering a vote through the electronic platform, the representative of the ISM shall send the vote expressing the national position established by the Technical Committee and the answer to the questions associated with the stage.

9.2.3 Where a national technical committee fails to reach consensus on the national position or to identify a

national interest in the matter, a vote with abstention shall be sent.

Justifications must always accompany a negative vote.

Consensus is considered reached when no less than 2/3 of the responding members have pronounced PRO and no more than 1/4 are AGAINST. Members who did not reply shall be deemed to have abstained implicitly and shall not be considered in the above calculation.

9.2.4 The stages of the development of European standards are:

- new theme proposal;
- preparation of the draft work;
- committee stage;
- public inquiry;
- formal vote;
- approval and publication.

To ensure consistency in the standardization system, these steps are similar to those at international level.

The process of adopting European standards as Moldovan standards is presented in SR 2.

The process of drafting European standardization deliverables (TS, TR) is like the process of drafting European standards. The national technical committees may participate in their drafting by following the stages typical of these documents.

9.2.5 The committee stage aims to reach consensus on the content of the draft work of the European standard.

9.2.6 At national level, the members of the Technical Committee shall examine the text of the draft work, make their comments and determine whether there are differences between the requirements of the draft and the provisions of national regulations in force and/or national conditions which should normally be made known at European level by the public investigation stage.

9.2.7 Where the Technical Committee determines that the draft European standard conflicts with a national regulation, the Secretary of the Technical Committee shall contact the relevant regulatory authority, with a view to introducing into the text of the European standard type A divergences and/or national conditions, for information on national legal obligations and/or characteristics or practices.

9.3 General aspects of participation in international standardization

9.3.1 International standardization work takes place within the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC). The procedures and rules for technical work are laid down in the ISO/IEC Directives.

9.3.2 As a member of the ISO and IEC international standardization organizations, ISM is bound by these rules and procedures.

9.3.3 Technical Committees establish participation status (participating member – P or observer – O) in ISO and IEC technical committees and/or subcommittees, whose fields of activity are of interest to the Republic of Moldova. The ISM shall notify its participation status, established in international standardization organizations.

9.3.4 Irrespective of the status of participation in an international technical committee, a P member or an O member, this does not automatically imply the same status in the subcommittees of that technical committee.

9.3.5 As a P member, the national technical committee actively participates in the work, having to vote on all documents submitted to the international technical committees or subcommittees. For ERIs, membership of the EP also implies the obligation to nominate experts in working groups and to participate in meetings of international committees and/or subcommittees.

9.3.6 As an O member, the National Technical Committee follows the work as an observer, receives the documents, can vote and send comments and can also attend meetings (through its representatives) as an observer.

9.3.7 The basic principle of international standardization is the national delegation principle, which involves expressing the national opinion of the technical committee (not the opinion of the individual, entity or group) in the process of developing international standards and standardization deliverables.

9.3.8 The International Technical Committees shall be composed of members, secretaries and chairs. The members of the international technical committees shall be the national standardization structures, through designated representatives.

9.3.9 The International Technical Committees shall work based on an approved work program. The coordinating structure of their work is the Technical Management Board at ISO and the Standardization Management Board at IEC.

9.4 Participation of national technical committees in international standardization work

9.4.1 Members of the technical committees shall actively participate in the development of international standards and/or standardization deliverables in the corresponding international technical committees and subcommittees.

9.4.2 Participation may be:

- by expressing its views in the national technical committee to establish the national position in the development of international standards and/or international standardization deliverables;
- as experts in the working groups of the international technical committees, or
- as national delegates at meetings of international technical committees.

NOTE - It is recommended that the national delegation to the meetings of international technical committees or subcommittees should be composed of up to 3 members.

9.4.3 When submitting the vote, the ISM representative shall express the national position established by the Technical Committee. Where a national technical committee does not reach a consensus on the national position or a national interest in the subject is not identified, a vote with abstention shall be sent. Justifications must always accompany a negative vote.

9.4.4 The stages in the development of international standards are similar to those at European level.

9.4.5 The committee stage aims to reach consensus on the content of the draft work of the international standard.

For international technical committees and sub-committees, to which ISM is not a member, a national position cannot be expressed at this stage.

9.5 Formal vote

9.5.1 Depending on the outcome of the public investigation, this stage may be waived.

9.5.2 The formal voting phase is the phase in which the final text of the draft European or international standard circulates among the national members of CEN/CENELEC/ISO/IEC. At this stage, the draft European/international standard is identified by FprEN [number] or FDIS [number]. The stage ends with a vote, which can only be accompanied by editorial remarks.

9.5.3 At national level, the members of the Technical Committee shall have access to the draft European or international standard at the formal voting stage for the purpose of establishing the national position. If a vote against is to be taken, the statement of this position must be accompanied by sound technical reasons.

9.5.4 At the end of the phase, the secretary of the Technical Committee or other representative of the authorized ISM shall transmit the national position by vote.

9.6 Providing secretariats for European and international technical committees

Depending on the national interest and available resources, the ISM or a member of a national technical committee may provide the secretariat of European and/or international technical committees or subcommittees, based on the decision of the ISM SC. To this end, the rules and procedures laid down by European and international standardization organizations must be followed.

10 Suspension or abolition of technical committees

10.1 A national technical committee may have one of three statutes: “active”, “suspended” or “abolished”.

10.2 The reduction of national interest and the volume of activity of a TRQ may lead to its suspension or termination.

10.3 A suspended Technical Committee may be reinstated if there is renewed interest in the Committee's field of activity, so that standardization work can be carried out properly and a standardization program established.

10.4 Where a national technical committee has been disbanded, its heritage of standards may be redistributed by the ISM to another national technical committee to ensure the maintenance of standards.

10.5 The initiative to terminate the work of a technical committee may be taken by the national standardization structure or the members of the technical committee in the following cases:

- the scope of work as well as the standardization topics have become outdated;
- the technical committee does not carry out the standardization work for which it has been established for a period of two years;
- the technical committee does not comply with national legislation and standards rules.

10.6 The passage of a technical committee from one statute to another shall be considered as from the time of the national standardization structure's decision.

Annex A (normative)

Mr./Mrs. _____
Director of ISM

Application for accession to the Technical Committee (TSC)

_____ as legal representative of the _____,
(name, first name of legal¹ representative) (name of entity)
request the accession of my entity as a member to the TC Technical Committee

(name of technical committee)

By signing this application for accession, the person(s) delegated by the entity², understand and undertake the following commitments:

- 1) to participate actively in the work of the TRQ, in the meetings organized, irrespective of their mode of operation (physical presence or web meetings), as well as to present, within the set deadline, opinions, proposals, objections regarding the documents submitted by the Secretary of the TRQ;
- 2) to present and support the view of the entity, established by consulting the specialists of the entity they represent;
- 3) not to admit actions or inactions which have as their object or may have as their effect the restriction, prevention or distortion of competition, as well as unfair competition;
- 4) to examine proposals for draft new European and international standards and to help establish the national position;
- 5) to participate in the elaboration of the original new Moldovan standards, as well as in their regular examination;
- 6) to participate in the finalization (at the draft stage) of the Romanian version of the standards adopted as Moldovan standards;
- 7) not carry out activities that qualify for the purposes of the legislation in force as bribery;
- 8) to comply with the ISM Code of Conduct (on the part concerning members of technical committees).

By delegating to participate in the work of the TRQ, the person(s) delegated by the entity shall have the following rights:

- 1) have access to all working documents;
2. participate in the meetings of the European and international TRQs, as an expert in the working group and/or as a member of the national delegation;
3. take note of the decisions of the technical committee.

The entity I represent, as well as the delegated person(s), are aware of the provisions of art. 16 of the Law no. 20 of 04.03.2016 on national³ standardization.

The delegated person(s) undertakes to transfer exclusively, irrevocably and free of charge the right to exploit the copyright on any intellectual contributions of the latter, contained in the text of the Moldovan standards on behalf of the National Standardization Structure by signing declarations to this effect.

The delegated person(s) commits to inform the national standardization structure immediately (at the new theme stage or any stage of the development of the standard) of any known patent or of any application for registration of a patent (submitted to the registrant), either by itself or by another entity, which could be incorporated into the text of the draft standard.

The entity I represent, as well as the person / persons delegated, is obliged to respect the copyright on the standards, as well as on the draft standards of Moldovan, European, international and other states.

_____ 20 _____

Name, First Name

(signature of legal representative of entity)

¹ Director, administrator, president of the entity or other person entitled to sign (by proxy, order).

² The person(s) shall be delegated to participate in the TRQ by submitting a written confirmation by the entity that is a member of the TRQ, signed by its legal representative;

³ Article 16 Public availability and dissemination of standards

(1) Moldovan, European, international and other countries' standards, including their projects, are considered scientific works within the meaning of Law No. 139 of 2 July 2010 on copyright and related rights and are protected by copyright.

(2) Copyright in Moldovan standards belongs to the national standardization body.

(3) Enforcement and exploitation in the territory of the Republic of Moldova of copyright on European, international and other standards shall be carried out by the national standardization body in accordance with the rules established by the respective standardization organizations.

Annex B
(normative)

Mr./Mrs. , _____
Director of ISM

Copyright assignment declaration

I, _____, delegated by the _____ entity,
(name, first name of delegate) (name of the delegating entity)
member of the Technical Committee CT _____, for participation in the work
of this TC, declare that they are aware of the provisions of Article 16 of Law No 20 of 04.03.2016 on national⁴ standardization, as well as
the rules of national standardization.

To ensure compliance with the provisions of Law No 20 of 04.03.2016 on national standardization, Law No 139 of 02.07.2010 on copyright
and related rights, Law No 50 of 07.03.2008 on the protection of inventions, the provisions of the Berne Convention for the protection of
literary and artistic works and the Convention on the Grant of European Patents, adopted in Munich on 5 October 1973, by signing this
declaration:

- 1) transfer on an exclusive basis, irrevocable and free of charge, on behalf of the National Standardization Structure, the right to exploit the
copyright on any intellectual contributions of mine, resulting from my participation in the activity of the TRQ, which were included in the text
of the Moldovan standards;
- 2) I agree that the National Standardization structure shall use in its publications all or part of the intellectual contributions of me resulting
from my participation in the work of the TRQ, without invoking/presenting my name in the publications, regardless of the language of the
rendering and the type, support of the publications;
- 3) i undertake to inform the national standardization structure of the copyright holder, if known, if the contributions submitted by me as a
result of my participation in the activity of the TRQ do not belong to me.
- 4) i undertake to inform the national standardization structure immediately (at the new theme stage or any stage of the development of the
standard) of any known patent or any application for registration of a patent (submitted to the registrant), either by itself or by another entity,
which could be incorporated into the text of the draft standard;
- 5) I commit myself to respect the copyright on the standards, as well as on the draft standards of Moldovan, European, international and
other states;
- 6) i undertake not to admit actions or inactions which have as their object or may have the effect of restricting, preventing or distorting
competition and unfair competition.

_____ 20 ____

(signature of the delegate)

Name, First Name

⁴ Article 16 Public availability and dissemination of standards
(1) Moldovan, European, international and other countries' standards, including their projects, are considered scientific works within the meaning of
Law No. 139 of 2 July 2010 on copyright and related rights and are protected by copyright.
(2) Copyright in Moldovan standards belongs to the national standardization body.
(3) Enforcement and exploitation in the territory of the Republic of Moldova of copyright on European, international and other standards shall be carried
out by the national standardization body in accordance with the rules established by the respective standardization organizations.