



Solar KEYMARK Network

Internal Regulations

Approved by the SKN on 2018-03-07

www.solarkeymark.org

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1. Abbreviations

CB	Certification Body
CEN	European Committee for standardization
CENELEC	European Committee for Electrotechnical Standardization
CCB	CEN Certification Board
CMC	CEN Management Centre
ISO	International Organization for Standardization
IEC	International Electrotechnical Commission
KMO	KEYMARK Management Organization
SCF	Solar Certification Fund
SHE	Solar Heat Europe
SKN	Solar KEYMARK Network

2. Introduction to the Solar KEYMARK

The Solar KEYMARK (SK) is a certification scheme based on the general CEN KEYMARK rules laid down in the *CEN/CENELEC Internal Regulations: Part 4 Certification (IR4)*. According to these regulations, the *Solar KEYMARK Scheme Rules* are published as specific “KEYMARK Scheme Rules” (see Clause 5 of IR4) and the Solar KEYMARK Network is established as “KEYMARK Scheme Group” (see Clause 6 of IR4).

The Solar KEYMARK Network (SKN) is a working group bringing together the interested and involved stakeholders and acts as an experience exchange circle of institutions active in Solar KEYMARK testing and certification. The SKN is responsible for developing and managing the Solar KEYMARK scheme and is operating according to the Solar KEYMARK Internal Regulations (this document).

The *Solar KEYMARK Scheme Rules* are defining the specific requirements and working rules related to the CEN KEYMARK certification of solar thermal products. The *Solar KEYMARK Scheme Rules* are managed by the SKN. Changes to the *Solar KEYMARK Scheme Rules* and the Annexes to the SKN Scheme Rules must be approved by the SKN and by the CCB represented by KMO.

2.1 Governing documents

The governing documents for the Solar KEYMARK scheme are:

- CEN/CENELEC Internal Regulations: Part 4 Certification, CEN/CENELEC
- Specific Solar KEYMARK Scheme Rules (including its annexes)
- Solar KEYMARK Internal Regulations (this document)

These documents are updated from time to time but are always published in their valid version under www.solarkeymark.org/governingdocuments

2.2 The Solar KEYMARK Secretariat

The SK Secretariat is held by the European Solar Thermal Industry Federation (former ESTIF),

Solar Heat Europe/ESTIF (SHE)
Place du Champ de Mars 2
1050 BRUSSELS
BELGIUM
Internet: www.solarheateurope.eu
E-mail: info@solarheateurope.eu

The main duties of the SK Secretariat are:

- First contact point for any questions related with Solar KEYMARK
- Promoting the use of Solar KEYMARK to national authorities
- Promoting the use of Solar KEYMARK to industry
- Participating in the Solar KEYMARK Network meetings
- Organizing and administrating the votings of the SKN
- Participating in CEN/TC 312 and CEN/TC 312 WG meetings
- Communicating with CEN CMC and CCB and KMO
- Communicating with the EU Commission
- Administrate SCF Projects (administration, contracting, financial)
- Hosting and maintenance of the www.solarkeymark.org website including:
 - Listing license holders
 - Listing accredited test labs
 - Listing empowered certification bodies
 - Updating SKN Documents
 - Issuing news with respect of recognition and acceptance of the Solar KEYMARK
- Issuing newsletters to subscribers
- Manage database of the certified products
- Edit Solar Keymark Webpage content

Furthermore, the SKS acts as the treasury of the Solar KEYMARK Network and the Solar Certification Fund SCF.

The SKS can subcontract some of the work (e.g. maintenance of database).

It is possible to assign the tasks of the SKS to different persons.

2.3 Solar KEYMARK Network Manager (SKN Manager)

The main duty of the SKN Manager is to manage the SKN and the SCF.

SKN

- Planning and organizing the SKN meetings
- Participating in the Solar KEYMARK Network meetings
- Preparing the agenda for the SKN meetings
- Administration of all SKN documents
- Editing SKN scheme rules and SKN working rules
- Getting approval for the Scheme rules from KMO
- Organize votings between SKN meetings
- First stage complaint processing
- First contact point for questions from manufacturers and others
- Reporting to CEN/TC 312 and ISO/TC 180

- Support to chair
- Preparation meetings with SHE
- Calculate the annual SKN fees

SCF

- Overall management of the SCF activities as described in the last version of the Solar Certification Fund Working Rules (document SCF_N0001Rx)
- Manage the SCF Steering group,
- Prepare the Organization and Management of SCF calls, including the evaluation process
- Editing SCF working rules

The SKN Manager can subcontract some of the work (e.g. maintenance of database).

It is possible to assign the tasks of the SKN Manager to different persons.

2.4 Chairman of the SKN

The SKN Chairman is elected as an individual person for a period of 3 years. The SKN Chairman may be re-elected for further terms.

The main duties of the SKN Chairman are:

- Representing the SKN as its figurehead including external representation of the SKN
- Coordinating the SKN to ensure that appropriate policies and procedures are in place for the effective management of the SKN.
- Ensuring that the SKN is managed effectively and that the Management functions properly
- Ensuring that SKN meetings are held in accordance with the internal regulations
- Participating and chairing the SKN meetings including
 - Preparation of the meeting agenda together with the SKN Manager.
 - Ensuring full participation
 - Ensuring that all relevant matters are discussed
 - Ensuring that effective decisions are made and carried out.
 - Editing, checking and approving minutes
- Reviewing regularly the status of the WGs and ongoing SCF Projects to make sure that the expected results are provided to the SKN
- Editing the SKN scheme rules and SKN working rules together with the SKN Manager
- Receiving proposals and preparing appropriate decisions/resolutions
- Providing support and supervision to the SKN Manager and the secretariat.

2.5 KEYMARK Management Organization KMO

The KEYMARK Management Organization is the central contact point for all questions relating to the KEYMARK in the domain of CEN.

The KMOs main responsibilities on behalf of CEN are:

- Maintaining the general KEYMARK website and database
- Overall coordination between the various KEYMARK schemes
- Empowerment of KEYMARK CBs within KEYMARK certification
- Final approval of new Scheme Rules in accordance to the Internal Regulations Part 4 “Certification”

CEN is the owner of the KEYMARK and the Scheme Rules.

The KMO is acting on behalf of CEN and is appointed by CEN.

3. Role and functions of the SKN

The Solar KEYMARK Network (SKN) coordinates all Solar KEYMARK (SK) testing, inspection, and conformity assessment activities on the basis of the current version of the specific SK Scheme Rules for Solar Thermal Products. The SKN holds at least biannual meetings to fulfil these coordination activities.

This meetings can be performed as physical meetings or as web meetings.

The SKN takes e.g. decisions and resolutions on the:

- SKN Internal Regulations
- SK Scheme Rules
- Annexes to the SK Scheme Rules

The main activities of the SKN are:

- definition of working rules for the SKN, laid down in the SK internal regulations
- exchange of experience and harmonization of procedures
- definition of guidelines how to proceed in cases where the available standards are unclear, outdated, limited in scope, inappropriate or not detailed enough
- improve and further develop the Solar KEYMARK Scheme Rules
- act as a clearing body in case of complaints, disputes and appeals, related to the certification activities
- organize peer assessment activities
- organize round robin testing to assure quality of test results from all testing laboratories
- to approve the balance and to plan the budget for the SKN fees
- approve SCF activities
- organize regular meetings of the SKN (in general twice a year)
- organize any extraordinary meetings of the SKN

4. Participation in the SKN

The SKN is in principal open to parties interested in improving and further developing the SK Scheme Rules. Depending on the status of the participants, specific obligations and/or restrictions apply. Participants must be registered as members of the SKN. An updated member list of all members and permanent observers shall be kept by the SKN Manager and is published on the SKN webpage.

5. Members

Members of the SKN are invited to the SKN meetings and receive all relevant documents required for active participation in the SKN Members. Members can be organizations or persons. Organizations have to name their persons involved in the SKN.

5.1 Obligatory members

For the following entities the obligatory membership and participation in the SKN Meetings is mandatory.

- Solar KEYMARK empowered certification bodies (organization)
- Solar KEYMARK recognized testing laboratories and inspection bodies (organization)
- SKN Chairman
- SKN Manager
- SCF Chairman (in case SCF topics are on the agenda)
- Representative from SKN secretariat

The accreditation certificates for certification bodies and test laboratories shall be published at the SK website.

5.2 Industrial representatives

By preference up to two national industrial representatives can be nominated by national solar thermal associations, when possible. . In any case the nomination has to be approved by the SKN manager.

The industrial representatives are listed on the SK website together with the mentioning national solar thermal association that is being represented. Industry representative not taking part in SKN meetings for more than two meetings in a row can be deleted from the member list.

5.3 Observers and guests

Observers: Representatives from the following groups are welcome as participants without voting rights.

- Certification bodies in the process of empowerment
- Testing laboratories in the process of accreditation
- Inspection bodies in the process of accreditation
- Representative from KMO
- Representatives of CCB
- Representatives e.g. Liaison officers of CEN/TC 312
- Representatives e.g. Liaison officers of ISO/ISO 180
- Representatives e.g. Liaison officers of IEC/TC 117
- Representatives e.g. Liaison officers to above mentioned CEN, ISO and IEC TC's
- Representatives of consumer organizations
- Representatives of any other solar thermal associations

Other observers are welcome but must shall be approved by the Chairman.

Observers not taking part in SKN meetings for more than two meetings in a row are deleted from the member list.

Guests: The SKN Chairman may invite experts from industries or institutions to give relevant input on issues on the meeting agenda. Any member can propose to the SKN Chairman, to invite experts for specific items of the agenda of the meetings. Guests are one-time attendees and are not listed as members of the SKN.

6. Decisions and resolutions

The SKN takes so called "decisions" and "resolutions".

Decisions concerning changes in the following documents are called resolutions:

- SKN Internal Regulations (this document)
- SK Scheme Rules
- Annexes to the SK Scheme Rules

All other decisions of the SKN are called decisions.

Proposals for resolutions shall include a proposal on how to include / implement the resolution in the related document. Proposals for resolutions shall be sent to the SKN Manager at least 3 weeks before the meeting.

Resolutions and decisions can be taken during SKN meetings or by circular. The applicable rules are outlined in the following chapters.

7. The SKN Meetings

The SKN meets at least twice a year. In general the spring meeting is a physical meeting. The autumn meeting is a web-meeting. The SKN can organize additional meetings if necessary.

The physical SKN meetings should be combined with the meeting of CEN/TC 312.

7.1 Preparation of meetings

The meeting documents are sent out to the SKN members by electronic means only. The SKN Manager shall make the invitation to the meeting available at least 8 weeks before the meeting.

All input to the draft agenda (proposals for decisions and resolutions or any item to be added) should be sent to SKN Manager at least 3 weeks before the meeting by email. The SKN Manager shall circulate the final draft agenda 2 weeks before the meeting.

In the absence of the SKN Chairman, the SKN appoints a chair for the duration of one meeting. In the absence of the SKN Manager, the SKN appoints a manager for the duration of one meeting.

7.2 Meeting reporting

The minutes shall report all decisions and resolutions of the meeting. All resolutions are reported in the SKN meeting minutes and shall be marked using the coding:

“Resolution Rx.My -Title”, with x = number of resolution, y = number of meeting, Title = the title of the resolution.

The SKN scheme rules shall be revised according to the resolutions and be submitted to KMO for approval within a maximum of two weeks. KMO is expected to answer within a maximum of two weeks. The SKN Scheme rules are published and valid upon approval of KMO.

The draft minutes of the meeting shall be circulated not later than 4 weeks after the meeting. The minutes will be considered as approved if there are no significant comments sent to the SKN Chairman and/or SKN manager within 4 weeks after having been sent out. The final approval of the minutes will be done formally at the following SKN meeting.

A list of all decisions of the SKN is published on www.solarkeymark.org
The approved minutes of the meetings are published on www.solarkeymark.org

7.3 Obligation to participate in the SKN Meetings

To ensure a fair balance in spending time and money for SKN activities and to ensure experience exchange and training for testing, inspection and certification, the obligatory members shall participate in every SKN meeting, meaning that for every obligatory member

organization at least one person is attending the meeting. For physical meetings physical attendance of at least one person of the organization is obligatory for obligatory members. This person is voting on behalf of the organization. The attendance requirement is fulfilled if the organization has voted at least on 75 % of the votings.

Note: In this context also an abstention is considered as voting.

Physical SKN Meetings offer the possibility for web attendance. This option is however mainly intended for additional participants of obligatory members and for additional representatives of industry. Web attendance is not replacing physical attendance in physical meetings.

For SKN physical meetings: In case of real emergencies (accident, illness, airplane delay, etc.) web attendance is basically possible also for obligatory members. Such an emergency must be explained to the SKN and must be approved by the SKN. Long travelling distances or financial reasons are not considered as emergencies.

For SKN web-meetings: The attendance of obligatory members is mandatory and exceptions are not possible.

First absence: Obligatory members missing a complete SKN meeting without approved emergency will be charged an absence fee of 2.000 €. Approved emergencies are not considered as absence. If this amount is not paid until the next SKN meeting the member has to present their case and they may lose their voting rights until a decision by the SKN.

Second absence in a row: Obligatory members missing a SKN meeting without approved emergency will be charged a no-show fee of 2.000 €. On behalf of the SKN, the SKN Manager will inform the CBs (in case of testing laboratories or inspection bodies) or KMO (in case of certification bodies) to contact all the obligatory SKN members in writing to announce the suspension of this organization from the SKN. The organization will be deleted from the official Solar KEYMARK website and from the SKN member list. The organization can't provide any service within Solar KEYMARK certification anymore. The manufacturers holding certificates from such testing laboratories or CBs are informed by the SKN Manager that they should find a new testing laboratory and/or CB as soon as possible.

Obligatory members have one "Joker absence" in 10 years, meaning that they can miss one meeting without indicating reasons and without any consequences.

7.4 Participation in SK Working groups

One of the key instruments of the SKN are the working groups (WGs) dealing with specific topics considered important by the SKN. To establish such a SKN WG a decision of the SKN is required. Participation in WGs is voluntary and unpaid work, except for the WG leader who can ask for some payment.

8. Voting and voting rights

8.1 General

The SKN will always endeavor to find broad consensus, decisions and resolutions are then taken either by voting during the SKN meetings or by circular.

8.2 Voting preconditions

Decisions and resolutions can only be taken

- for proposals, which have been circulated including supplementary documents at least 14

days before the decision is taken. For physical meetings this means that the proposal is on the final agenda. Any urgent matter not mentioned on the final draft can be brought up during a SKN meeting. The SKN then decides by decision whether such an item can be discussed and whether decisions can be taken during the ongoing meeting

Observers and guests have no voting rights. Obligatory member organization have one vote per organization. Industrial members have one voting right per representative.

In case of a formal voting all votes (positive, negative and abstentions) shall be counted. For the determination of the majority abstentions are not counted

Every vote must be given as member of one (1) of the following “peer groups” except for the SKN manager, SCF chairman and representative of SKN secretariat who have no voting rights.

- A. Certification bodies
- B. Testing laboratories and inspection bodies
- C. Industrial representatives

Nobody is allowed to vote as member of more than one peer group.

8.3 Rules for decisions and resolutions

All formal votes shall be clearly formulated to be answered with “Yes”, “No”, “Abstain” only.

All formal votes are taken using a web-tool also during physical meetings.

Voting is public: The individual votes are published as Annex to the minutes.

The operation of the voting tool is under the responsibility of the SKN secretary.

For any decision, a simple majority of all the voters plus a simple majority of the peer groups (50 % majority within peer group) is required.

Changing the SK Internal Regulations requires a positive vote of a 2/3 majority of all the voters and in all peer groups a positive vote of a 2/3 majority of the peer groups.

Proposals for changing the SK Scheme Rules require a 2/3 majority of all voters.

In all other issues of the agenda, a simple majority of the votes is necessary to make a decision.

A 2/3 majority of any peer group can claim to postpone a decision to the next SN meeting.

A 2/3 majority of the votes of a peer group can veto a decision. Abstentions are not counted.

8.4 Decisions by circular (DC)

In between the meetings decisions may be taken by circular (i.e. without discussion and by electronic means only). Such decisions by circular (DCs) are possible on every last day of a month, proposals for DCs must be circulated at least 14 days before the voting ends. A missing vote is counted as abstention.

Every DC consists of three questions, two administrative lead-in questions and the proposal for a decision/resolution itself:

- 1.) Do you want to postpone this decision to the next SKN? (Y/N/A)
- 2.) Do you want to veto this decision? (Y/N/A)
- 3.) Proposal (Y/N/A)

Proposal must be submitted to SKN Chairman and SKN Manager	Proposal is distributed to SKN	Voting ends
10.01	15.01	31.01 23:59

10.02	15.02	28.02 23:59
10.03	15.03	31.03 23:59
10.04	15.04	30.04 23:59
10.05	15.05	31.05 23:59
10.06	15.06	30.06 23:59
10.07	15.07	31.07 23:59
10.08	15.08	31.08 23:59
10.09	15.09	30.09 23:59
10.10	15.10	31.10 23:59
10.11	15.11	30.11 23:59
10.12	15.12	31.12 23:59

The formulation of the proposal must be approved by the SKN Chairman and SKN Manager.

9. Ensuring consistency in certification decisions and procedures

The CBs are organized in a CB Experience exchange circle. Whenever different interpretations of the reference standards can result in different certification decisions empowered certification bodies, shall find out and agree on a common understanding so as to avoid any discrepancy. This common understanding has further to be followed by all empowered certification bodies. Decisions made by the CB Experience exchange circle shall be submitted to the SKN as proposals for decisions or resolutions.

10. Confidentiality

All official Solar KEYMARK Network documents (*Official Solar KEYMARK Network documents are the ones that have a Solar KEYMARK Document number*) are by default public. Upon request and by decision of the SKN a document can be rated confidential and is then available only to a well-defined group of persons. This group of persons has to be defined together with the request for confidentiality. In this case the document shall be marked as confidential and the group of persons allowed to have access to the document shall be mentioned on the document.

11. Solar Certification Fund (SCF)

The Solar Certification Fund (SCF) supports activities concerning the further development, implementation and promotion of activities related to testing, certification and standardization of solar thermal products. The budget and the projects of the SCF shall be approved by the SKN. The SCF is managed by the SCF Steering group which is operating according to the *Solar Certification Fund (SCF) Working Rules*. The SCF Working Rules shall be approved by the SKN.

12. Financing of the SKN

By applying for the license to use the Solar KEYMARK, the client agrees to pay the following annual fees

- CEN KEYMARK License Fee
- SKN Fee

The CEN KEYMARK License Fee is used to pay the royalties for using the Solar KEYMARK

(to be paid to owner of the mark CEN) and to finance the KMO.

The SKN Fee is used to finance the Solar KEYMARK Network administration, in particular the Solar KEYMARK Secretariat, the Solar KEYMARK Network Manager and the Chairman of the Solar KEYMARK Network. The SKN Fee are also used to feed the Solar Certification Fund SCF.

The current amounts of these fees are published in the SKN Scheme Rules Annex C. The budget for the use of the SKN fee must be approved by the SKN on an annual basis.

The SK CBs collect these fees and payments are transferred – based on invoices – to the SKN secretariat.

As a basis for the invoices to be send out by SKN secretariat, the certification bodies shall report – before end of January – to the SKN Manager the number of valid licenses at January 1st. By the end of March, each year the fees have to be paid for certificates valid as per January 1st same year.

Each year – before the end of October – the amount of the annual fee per license for the following year will be determined by the SKN. The annual fee shall be based on the updated budget of the actual year and the expected in - come and expenses of the following year. In cases no decision is made, the fee remains the same. The fees will be announced at the Solar KEYMARK website www.solarkeymark.org before the end of November.

The SKN secretariat, manager and chairman are paid from the fees before end of May.

In case a CB does not pay the invoice for the SKN fees sent by ESTIF by the end of March, the following procedure applies:

1. The SKN Manager will send a reminder to the CB with copy to the KMO on the late payment, asking for the invoice to be paid within one month.
2. In case that payment is not done by the 15th May, the SKN Manager will inform the KMO about the non-payment.
3. The KMO will then send the CB a reminder of its obligation to pay, indicating that there is a period of one month for the late payment, before starting the procedure to withdraw the Empowerment.
4. If the invoice is not paid by the 30th of July, the Empowerment shall be withdrawn by CEN. The CEN representative will inform all of the affected license holders of this action and the possibilities, in application of the Scheme Rules, to find another CB in a period of 6 months.