Annex

Order of the RA Minister of Economy

N 1565-A, November 06, 2015

**STATUTE**

**(NEW VERSION)**

**OF THE “NATIONAL ACCREDITATION BODY” STATE NON-COMMERCIAL ORGANIZATION**

1. **GENERAL PROVISIONS**

1. National Accreditation Body State Non-Commercial Organization (hereinafter NAB) is a non-profit non-commercial organization with a status of a legal entity.

2. The organization is guided by the Constitution of the Republic of Armenia, Civil Code of the Republic of Armenia, the RA Law on State Non-Commercial Organizations, the RA Law on Accreditation, the present statute and other legal acts.

3. The organization is established by the Republic of Armenia, particularly the Government of the Republic of Armenia (hereinafter the Founder).

4. The organization is not responsible for the obligations undertaken by its founder. The founder of the organization is not responsible for the obligations undertaken by the organization.

5. The organization has as a property assets of its own and is stands responsible for its obligations with its assets, signs contracts in its own name, obtains and implements property and private non-property rights, holds duties, appears as a plaintiff and as defendant before the court.

6. The organization may have institutions, subsidiaries and representations.

7. The organization has a separate balance, pre-calculation of revenues and expenses, as well as bank accounts.

8. The organization has a round seal holding the image of the coat of the arms of the Republic of Armenia and its own name, stamps, forms and other means of identification.

9. The name of the organization:

1) Full Armenian name: «Հավատարմագրման ազգային մարմին» պետական ոչ առևտրային կազմակերպություն;

2) Abbreviated Armenian name: ԱՐՄՆԱԲ;

3) Full Russian name: «Национальный орган по аккредитации» государственная некоммерческая организация;

4) Abbreviated Russian name: АРМНАБ;

5) Full English name: «National Accreditation Body» State Non Commercial Organization;

6) Abbreviated English name: ARMNAB;

10. The organization is located at Republic of Armenia, Yerevan, Mher Mkrtchyan 5.

**II. AIMS AND PURPOSES OF ORGANIZATION ACTIVITIES**

11. The major aim of the organization is the accreditation of conformity assessment bodies.

12. The purposes of the organization are:

1) Official verification of the capacities of conformity assessment bodies to render certain services of conformity assessment;

2) Capacity building and facilitating improvement of services rendered by conformity assessment bodies in the Republic of Armenia, increasing consumer trust in the results of the conformity assessment activities;

3) Accreditation of conformity assessment bodies by procedures in line with procedures (standards) of international accreditation systems in order to avoid technical barriers to trade;

4) Creation of conditions for international recognition of the results of activities of conformity assessment bodies accredited by the National Accreditation Body.

13. The organization is involved in the following activities:

1) organize conferences, training and qualification courses on accreditation for ARMNAB and specialists of the conformity assessment sphere;

2) Publications on accreditation;

3) Organization and delivery of printing services.

**III. MANAGEMENT BODIES OF THE ORGANIZATION, THEIR STRUCTURE AND AUTHOROTIES**

14. The management of the organization is implemented by the founder of the organization, the state body authorized by the founder, the RA Ministry of Economy (hereinafter: Authorized body). The organization is managed by the executive body, particularly the director of the organization.

15. The exclusive authorities of the founders are:

1) Establishment of the organization

2) Definition of the aims and the purposes of the organization, including the types of entrepreneurial activities it performs

3) Reorganization and liquidation of the organization

4) Resolution of other issues stipulated by the legislation of the Republic of Armenia and the present statute.

16. The authorized body carries out the general management of the organization, ensures its normal operation and is responsible for the failure or the improper implementation of the listed tasks.

17. The authorized body:

1) approves the statute of the organization and its amendments;

2) provides for appointment of the executive body of the organization and their preterm dismissal;

3) executes control of the organization activities;

4) approves the income, expenses and payroll of organization by proposal of the Director;

5) approves the list of the state property registered on the right of ownership and (or) assigned to it;

6) appoints commission on the liquidation of the organization and approves the liquidation balance;

7) suspends or withdrawn orders, directives, ordinances and instructions of the executive body that contradict the requirements of the legislation of the Republic of Armenia;

8) hears reports on the activities of the organization, reviews the results of the inspections of its activities;

9) supervises the use and the maintenance of the state property assigned to the organization;

10) gives consent for alienation or lease of the organization property in cases stipulated by the law, decision of the founder, or the present statute;

11) approves the annual reports and the balance of the organization;

12) develops the strategy in the spheres of accreditation and conformity assessment;

13) performs other functions as ascribed by the RA Law on Accreditation, decision of the founder, and the present statute.

18. The ongoing operation of the organization is ensured by the director, who is appointed and dismissed by the state authorized body.

19. The director's business trip is carried out exclusively after agreeing with the head of the Authorized Body, and vocation is provided by the order of the head of the Authorized Body, after receiving prior consent.

20. The director manages the operation of the organization by the powers ascribed to him/her by the law, decisions of the founder and the state authorized body, and the present statute; the director bears responsibility for the failure to meet or for the improper implementation of the requirements of laws, other legal acts, decisions of the founder or the state authorized body, the present statute and the signed contracts.

21. An employment contract is concluded with the director, which is signed by the head of the authorized body on behalf of the founder.

22. The director of the organization cannot take another position or perform other paid job except for research, teaching or creative work.

23. The director bears full responsibility for the damage caused to the organization or the state through his/her fault. The dismissal of the director does not serve grounds for the failure to meet the obligation for compensation of the damage.

24. The director of the organization is obliged not to implement the decisions, instructions, orders, and directions of the founder or the state authorized body if they contradict to the legislation of the Republic of Armenia; the director does not bear responsibility for their non-implementation is such cases.

25. In case of the absence of the director of the organization the authorities are exercised by another person as defined by the written decision of the head of the state authorized body.

26. An adult able-bodied citizen of the Republic of Armenia, with higher education can be appointed to the position of the director of the organization.

27. The position of the director cannot be occupied by a person, who:

1) is sentenced for crime if not served or lifted;

2) is prohibited from occupying managerial positions by law;

3) has headed within the last 3 years an organization that was liquidated for the reason of being recognized bankrupt and has failed to meet its obligations before its debtors ascribed by law.

28. The director of the organization

1) appears in the name of the organization without license, represents its interests in the Republic of Armenia and abroad, and signs deals;

2) manages the property of the organization including the financial resources as ascribed by the legislation of the Republic of Armenia, the decisions of the founder and the state authorized body, as well as the present statute;

3) issues a letter of authorization to represent the organization, including the right of sublicensing;

4) appoints and dismisses employees of the organization, applies incentives and disciplinary penalties for them;

5) defines the structure of the organization and the powers of the structural subdivisions;

6) validates the statutes of the institutions, subsidiaries and representations of the organization;

7) issues orders, instructions and gives compulsory instructions as ascribed by the law and the present statute and supervises their implementation;

8) opens settlement accounts in banks;

9) upon the consent of the state authorized body appoints heads of the institutions, subsidiaries, and representations of the organization, and empowers them with appropriate authorities;

10) ensures the accreditation process, regular assessment and extraordinary assessments of Conformity Assessment Bodies;

11) Signs and takes the responsibility of the accreditation certificates and their annexes of the conformity assessment bodies;

12) within the authorities given to him/her signs bilateral and multilateral agreements of cooperation and on mutual recognition of accreditations of the conformity assessment bodies;

13) ensures the establishment and maintenance of registers of Conformity Assessment Bodies accredited as prescribed by the Government of the Republic of Armenia, those for accreditation experts (assessors) and technical experts, for conformity certificates and registered conformity statements, as well as provides information from the mentioned registers;.

14) organizes conferences, training and qualification courses relating to accreditation and grant corresponding certificates;

15) grants accreditation certificates and reformulated accreditation certificates to Conformity Assessment Bodies;

16) publishes and provides information on issues related to accreditation;

17) represents the Republic of Armenia in the sphere of accreditation within the framework of regional and international co-operations and participates in the activities of regional and international accreditation organizations;

18) organizes the printing of forms for conformity certificates, the provision thereof to Conformity Assessment Bodies and the recording thereof;

19) creates advisory technical committees and defines the order of their activity;

20) publishes publicly available information defined by the requirements of the interstate standard in accordance with the international standard ISO/IEC 17011;

21) performs other functions in the sphere of accreditation in accordance with this Statute and other legal acts, as well as the rights and obligations specified in documents adopted in accordance with international treaties of the Republic of Armenia ratified as prescribed by the legislation of the Republic of Armenia, international, regional accreditation organizations.

**IV. THE ORDER OF OBTAINING, MANAGING, POSSESSING AND EXPLOITING PROPERTY OF THE ORGANIZATION**

29. The property of the organization is obtained at its establishment and further from the property given to it on the right of ownership, as well as from the property created and purchased during its operation.

30. The organization has right to possess, manage and exploit the property belonging to it on the ownership right in accord with the law, the decisions of the founder, and the present statute.

31. The founder has no rights in regard to the property belonging to the organization on the right of ownership, except for the property remaining after liquidation of the organization.

32. The organization is responsible for the maintenance of its property.

33. The property of the organization may be levied only by the court decision.

34. The founder may transfer any property to the organization for a termless or gratuitous use.

35. The founder has right to take back the property it transferred to the organization.

36. The organization has right to lease the property transferred to it by the state upon the consent of the state authorized body. The revenues derived as a result of the exploitation of the transferred property belong to the organization.

37. The inseparable improvements of the property performed during its exploitation by the organization are the property of the Republic of Armenia.

38. The right of the organization in regard to the real estate transferred to it by the founder or the property subject to compulsory state registration arises immediately upon the state registration of the right.

**V. THE ORDER OF SPENDING THE REVENUE OF THE ORGANIZATION**

39. The revenues derived as a result of entrepreneurial activities of the organization are spent for the achievement of aims defined by the present statute.

**VI. CONTROL OVER THE ACTIVITIES OF THE ORGANIZATION**

40. The activities of the organization are supervised by the founder, the state authorized body, other state administration bodies authorized by the founder, or provisioned by the law.

41. The organization is obliged to publicize its annual financial report as defined by the founder.

**VII. REORGANIZATION AND LIQUIDATION OF THE ORGANIZATION**

42. The organization may be reorganized by the decision of the founder provided by the Civil Code of the Republic of Armenia.

43. The organization may be reorganized by a court decision in cases and in order defined the law of the Republic of Armenia.

44. The liquidation of the organization means termination of its activities without the transfer of its rights and obligations to other parties.

45. The organization may be liquidated by the decision of the founder as defined by the Civil Code of the Republic of Armenia.

46. The organization may also be liquidated due to bankruptcy.

47. The organization may be liquidated by court decision only in cases and by order provided by the law.

48. In case of liquidation of the organization the property remaining after satisfying the requirements of the creditors, is transferred to the state budget of the Republic of Armenia.