Guidelines for the designation of notified bodies within the scope of Directive 2014/90/EU and Directive 2013/53/EU

Introduction
The Act relating to Notified Bodies gives the Ministry the authority to designate notified bodies and sets terms for the designation. Pursuant to a decision dated 12 May 2015, this authority has been delegated to the Norwegian Maritime Authority (NMA).

The Regulations of 30 August 2016 No. 1042 on marine equipment implement parts of Directive 2014/90/EU into Norwegian legislation. The Regulations of 15 January 2016 No. 35 on the production and the placing on the market of recreational craft, etc. implement Directive 2013/53/EU. The regulations require economic operators to use notified bodies designated within the EEA to carry out conformity assessments before marking products and placing them on the market.

Requirements relating to notified bodies
Companies wishing to be designated as notified bodies must submit a written application to the NMA. Chapters II to VI of the Public Administration Act apply to the activities carried out as notified body, cf. section 5 of the Act relating to Notified Bodies.

The applicant is required to be accredited by Norwegian Accreditation (NA) in accordance with the accreditation scheme for notified bodies. The documentation provided by NA shall describe the products and conformity assessment procedures that are covered by the accreditation. The accreditation certificate must be attached to the application for designation.

Notified bodies which are to carry out conformity assessments in accordance with the Regulations on the production, etc., of recreational craft must comply with the requirements of section 23 of the Regulations.

Notified bodies which are to carry out conformity assessments in accordance with the Regulations on marine equipment must comply with the requirements set out in the Appendix to this Circular.

1 Act of 16 June 1994 No. 920 relating to Notified Bodies responsible for carrying out conformity assessments
2 Letter from the Ministry of Trade, Industry and Fisheries to the NMA, dated 12 May 2015
3 Act of 10 February 1967 relating to procedure in cases concerning the public administration (Public Administration Act)
Notified bodies shall cooperate with market surveillance authorities, and the NMA may require that the notified bodies provide all relevant documentation relating to the company as notified body. In accordance with section 4 of the Act relating to Notified Bodies, the NMA may issue orders to rectify and withdraw the designation.

**Designation**

Decisions on designation are considered individual decisions pursuant to the Public Administration Act chapter IV et seq. When the NMA has made decisions on designation, the NMA shall immediately notify the Ministry of Trade, Industry and Fisheries, which makes this information available in the New Approach Notified and Designated Organisations Information System of European Commission (NANDO).

**Follow-up and supervision**

Regardless of the follow-up required by the NA, the NMA may supervise that the notified bodies comply with the requirements and conditions relating to the designation.

It follows from Directive 2014/90/EU Article 18 point 2 that the notified bodies shall be monitored by the Member State at least every two years.

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Attachment: Requirements for conformity assessment bodies in accordance with Directive 2014/90/EU on marine equipment