Standard Summary Project Fiche

Project PL9905.01

Sub-programme: Internal Market

PROJECT TITLE:
Certification and Standards

LOCATION:
The project will be implemented in Poland as a national level initiative, with key project beneficiaries and co-ordinating departments grouped in Warsaw, but also in Kraków, Gdansk, Wroclaw and individual locations throughout the country (territorial offices).

OBJECTIVES:

Wider objective:
The wider objective of the project, in line with the priority identified in the Accession Partnership, is to increase Poland’s ability to adopt the certification and standardisation system in conformity with EU requirements. This will help to address the short and medium-term priorities identified in the Accession Partnership in the areas of the adjustment of legislative measures in line with the European Conformity Assessment Agreement, and of developing the capabilities and capacities of institutions dealing with certification and standardisation within the developing conformity assessment system. The harmonisation with EU regulations will allow Poland to eliminate significant trade barriers and meet EU single market requirements.

Immediate objectives:
The immediate objectives remain in strict alignment with the National Programme for the Adoption of the Acquis, which identifies priorities in the area of establishing a coherent certification system addressing legislative and operational issues related to EU requirements. The NPAA priorities include foremost legislative actions in such areas as the technical equipment sector, New Approach Directives, Machinery Directive and electrical equipment; and institution strengthening (training, re-equipment) of institutions and organisations responsible for the certification and conformity assessment system. This includes testing and conformity assessment facilities, and the responsible public administration bodies. The project also remains congruent with the main issues raised in the European Commission’s opinion from 1997 on the necessity to prepare the implementation schedule of the New Approach Directives and set up the legal basis for adoption of the National Conformity Assessment System.

The immediate objectives of the project include - at the strategic level:

- overviewing the current state of needs in the areas of legislation, infrastructure and business (industry) and developing an implementation strategy to address those needs;

and at the operational level:

- preparing elements of the technical infrastructure system for selected directives in the area of the National Conformity Assessment System;
developing and strengthening the competence, capabilities and capacities of institutions responsible for conformity assessment, supervision of product safety in the technical, electro-technical, metrological and telecommunication equipment industries;
• shortening and improving products testing procedures and attaining conformity with EU regulations;
• modernisation of equipment and improvement of the technical capabilities of selected testing laboratories in order to meet EU requirements and changing market needs.

The immediate objectives at the operational level will be reached through the selective implementation of projects identified in the Certification and Standardisation Project Action Plan, whose preliminary version is available and whose final version will be subject to project verification at the strategic level.

PROJECT DESCRIPTION:

Background:

According to the Europe Agreement (Art. 74 Provisions and norms in the area of industry and agriculture as well as the assessment of their conformity) Poland has undertaken the responsibility of developing the system of conformity assessment so that it will conform with EU requirements. At present the system, as it operates in Poland, is not fully compatible with these requirements. Preparatory work is currently being carried out in this area in order to establish the legal basis and the appropriate infrastructure (which includes foremost certification bodies and testing laboratories). The programme requires heavy involvement from the public administration responsible for this area and from the institutions dealing with certification and standardisation; it also requires a major multi-faceted legislative effort.

In this respect the major efforts are concentrated around the issue of realising the short-term priority related to the development of the internal market and identified in the Accession Partnership - of adapting Polish legal requirements within the scope of certification and standardisation to meet those of the European Union. This work is particularly concentrated on the establishment of the legal basis and procedures, so that they would conform with EU requirements, and on the implementation of New Approach Directives.

In accordance with the time schedule of adopting EU legislation standards into Polish law, which was accepted by the Inter-Ministerial Task Group for Technical Harmonisation, the directives (87/404/EEC, 97/23/EEC, 95/16/EC, 90/396/EEC, 92/42/EEC, 98/37/EC, 92/59/EEC, 85/374/EEC, 98/34/EC, 90/384/EEC, 73/23/EEC, 89/336/EEC, 91/236/EEC should be accepted into Polish law in 1999 and 2000 i.e. during the course of realisation of this project. During the course of review of laws within the negotiating group on the Free Movement of Goods, Poland also accepted the obligation that the New Approach Directives will be implemented into domestic legislation before the end of the year 2002 (Directive 73/23/EEC before the end of the year 2000). These directives, and especially Directive 98/37/EC and 73/23/EEC are especially relevant for the effective functioning of the conformity assessment system. They are characterised by a wide range

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1 Called by Order No.52 of the President of the Council of Ministers of 14 August 1998. The Task Group is composed of representatives of the government administration, the Chancellary of the Prime Minister, UOKiK, GUM, PKN, PCBC, UDT, Main Mining Office. The tasks of the Task Force are the implementation of EU law regarding the safety of products, co-ordination of negotiations regarding ECAA, monitoring of PHARE assistance.
of applications in almost all sectors of industry. Their universal character permits, as well, the application of the requirements of these laws to end users of a given product.

The institutions responsible for implementing the conformity assessment system are currently conducting preparatory work for implementing the New Approach Directives, mainly within the scope of certification, system of quality control, low voltage and safety of technical equipment. The contents and subject matter of the above listed laws corresponds to the current needs of Polish industry especially in meeting the demands of competition on the EU single market.

**Justification:**

The project has been prepared to address issues which have been identified with respect to legislative initiatives, and with respect to the development of institutions responsible for standardisation and certification, as they prepare to cope with the changes which will impact on them at the completion of the currently conducted legislative work. This will allow for the acceleration of activities preparing Poland not only as far as legislation is concerned, but it will also help to shorten the period of practical preparation of the infrastructure of the new conformity assessment system.

The wide-ranging effort aimed at structuring the new systems (regulatory and institutional) is extremely difficult, due to the urgent need to operationally meet the new standards and quality set and introduced through changing legislation and regulations. New operational and institutional standards must be met from day one by increased capabilities and capacities in the institutions involved, if the requirements of changed regulations are to become embedded in practice.

The specifics of the system of certification and standardisation are such that within the framework of work connected with institution building there is a need for investing in the very core technical equipment. Investment purchases are indispensable for enhancement the system and ensuring the effectiveness of conducting in practice the system of conformity assessment. For this reason the project puts special emphasis on selected activities in the area of developing the basic technical infrastructure – procurement and modernisation of specialist equipment, in-depth practical training, on the site technical assistance in introducing new systems, procedures and equipment.

**Outputs:**

This project will have the aim of establishing important components of a complex system of certification and standardisation. This goal will be achieved through the following outputs:

- an analysis of legislative and institutional developments in the Polish system of conformity assessment, with an emphasis on issues related to the development of an implementation strategy for meeting EU requirements, will be prepared;
- an implementation strategy will be developed;
- the existing Action Plan will be benchmarked against the implementation strategy and – if the need arises – will be modified for implementation as Project 02;
- key Polish institutions will introduce practical solutions adapting their activities to meet EU standards;
- organisational structures of the units realising the project will be enhanced;
- appropriate procedures of conformity assessment within the scope of directives included in the project will be introduced;
• the qualifications of personnel will be upgraded through targeted training activities and specialised expert support;
• technical level of selected testing laboratories will be upgraded, first mobile laboratories in Poland will be introduced;
• beneficiaries of the project will be better prepared for the practical activities in the new system of conformity assessment compatible with the EU requirements;
• the process of conducting testing of conformity assessment will be enhanced within the scope contained in the project;
• quality control systems will be promoted;
• technical safety of selected product groups will be increased;
• levels of environmental damage by industry will be decreased.

Inputs:

The Institution Building part of the project will be the subject of twinning. The project activities will be grouped around the following projects and sub-projects:

- Project 01 – Implementation Strategy and Action Plan Preparation an Co-ordination
  - Sub-project 01 – Long-term Pre-Accession Advisor (IB)
  - Sub-project 02 – Short-term Sectoral Experts (IB)
- Project 02 – Action Plan Implementation
  - Sub-project 01 – Training – Investing in Human Resources (IB)
  - Sub-project 02 – Specialist Technical and Process Development Advice (IB)
  - Sub-project 03 – Equipment and Infrastructure Investments (I)

Project 01 - Implementation Strategy and Action Plan Preparation an Co-ordination.

This component of the project will be implemented through a Polish – EU Member Country twinning arrangement. Two types of activities will be implemented.

Long-term pre-accession advisor (PAA): the advisor will be responsible for the development - in co-operation with counterparts from the Ministry of Economy and other relevant ministries, agencies and institutions - of an inventory (snap-shot) of the present situation in Poland with respect to the needs and steps undertaken in the area of legislation, infrastructure and business (industry); and on the basis of this, of an implementation strategy, taking into account the proposed Action Plan and any new issues identified in the course of preparing the inventory. The document will include the recommendations concerning, among others, the following:

- A detailed time schedule for the adoption of the relevant laws and regulations, necessary for the introduction in Poland of the New Approach and its Directives, as well as for the transposition of the relevant EU legislation under the Old Approach, with proposed actions to be undertaken, if needed, by responsible ministries and agencies;
- A plan concerning the introduction of separation of accreditation and certification functions through the establishment of a new body in the field of accreditation and identification of bodies in charge of certification in individual sectors;
- A plan concerning the introduction of an effective market surveillance system enabling the control of products on the market;
- A plan of actions aimed at information and promotion of the new system among the economic operators;
- An assessment of the technical assistance requirements for the implementation of the individual
components of the strategy. This advisor will be based in the Ministry of Economy and will be responsible for much of the coordinating activities related to the twinning project. The PAA will personally be involved in reviewing the current state of activities and legislation in the area of certification and conformity assessment in Poland. This review will be finished within three months of the start of the project, and the snap-shot picture thus presented will form the basis for the development of an implementation strategy. This strategy will be then benchmarked against the proposed Action Plan developed by the Ministry of Economy in co-operation with the relevant ministries and institutions, and any necessary modifications will be introduced at this stage. The PAA and his/her counterpart in the Ministry of Economy will be responsible for drafting recommendations in this respect. This Action Plan will then undergo implementation under Project 02, after approval by the relevant European Commission and Ministry of Economy services, and the Project Monitoring Committee.

Apart from this role, the PAA will be involved on an on-going basis in providing ad hoc advisory and training support to the public administration bodies involved in this field, over-viewing legislative and institutional issues, supporting the relevant government departments in addressing practical problems stemming from the process of adjusting Polish regulations and practices to EU requirements. The PAA will receive support from the short-term Sectoral Experts and will co-operate closely with all of the Polish counter-part institutions.

It is envisaged that the PAA will remain in-country for a period of one year. Under this assignment the advisor will be required to specialise in and possess in-depth, hands-on experience in:

- legislative and institutional solutions in the area of certification, standardisation, accreditation and conformity assessment in the EU;
- administration of institutions or complex programmes, preferably of an international nature, in this area;
- developing programmes or projects introducing new solutions in certification, standardisation and inspection;
- co-operating with public administration and business.

International experience will be seen as an important advantage. It would be strongly preferred, if this expert would exhibit a very good knowledge of the Polish language or in other case should be supported by the assistant for the effective co-ordination of the project; a good working knowledge of the English language is also required. It is absolutely required that the expert possess legal expertise and prove his/her competency within the scope of implementing legislation regarding certification and standardisation. Within the framework of the twinning agreement, the Polish side will ensure that the expert has appropriate work conditions i.e. office, telephone, access to e-mail.

Short-term Sectoral Experts (PASE): these advisors will work directly with the identified 5 core institutions which it is planned will be involved in the implementation of specific components of the Action Plan – the Ministry of Communications, Central Office of Measures, Office of Technical Inspection, Electro-Technical Institute and Institute of Metal Cutting; they will be responsible for developing the specific components of the implementation strategy and for providing practical, on-going hands-on support in the effective implementation of the proposed actions.

These advisors will be involved in working in specific sectoral issue areas, identified by the Ministry of Economy under the terms of the project. These include:

- certification and conformity of technical devices covered by Directive 73/23/EEC
- inspection and safety control of technical devices subject to technical supervision
- non-automatic weighting instruments assessment in line with Directive 90/384/EEC
- conformity assessment procedures for telecommunications equipment

In view of this the experts will co-operate directly with the Ministry of Communications, Central
Office of Measures (and its local branches), Office of Technical Inspection, Electro-Technical Institute and Institute of Metal Cutting (as the beneficiary institutions). Their first major task will be to ensure the most effective preparation of the relevant components of the implementation strategy (in close co-operation with the PAA), helping in identifying equipment and training needs, process and quality development, institution building in view of EU requirements. This will also include:

- performance of analysis of the current technical level of the institutions within the project, review of their infrastructure and the description of the main directions of development;
- verification of the needs of Polish institutions within the project from the side of investment purchases (list of requirements, preparation of an enumeration of equipment to be purchased) and training;
- supervision over the preparation and expert assessment of documents required during the assessment of the GUM laboratories and the territory of the measures offices from the side of their preparation for audit by European Commission representatives;
- performance of analysis of the possibility of GUM adapting to the requirements of the *acquis communautaire* within the scope of their competence and the indication of the directions of development from the point of equalising the level of competence with “twin” institutions in the EU countries;
- performance of supervision over the work connected with the improvement of the activity of the Institute of Metal Cutting;
- performance of supervision over activities that have the aim of adapting Polish law to legal regulations in force in the EU within the scope of conformity assessment of telecommunications equipment.

After the approval for implementation of the Action Plan under Project 02 the experts will support the beneficiary institutions in the practical implementation of the development projects, which will include an appropriate mix of training, specialised technical assistance and procurement of equipment, within integrated institution building packages. The experts may be involved directly in some training and advisory actions, but their main task will be to facilitate the provision of quality supports funded through the project to the beneficiaries (identifying needs, drafting scopes of work, quality assurance with respect to contracted experts, monitoring of project achievements).

It is planned that the short-term experts will provide about one man-month each of support within the first phase of the project (up to the acceptance of the implementation strategy and modified Action Plan), and a further average two-three man-months split over the full project period. Under the assignment the experts will be required to possess the appropriate educational background and professional record in the appropriate sectors as defined above, and also have proven experience in:

- development and implementation of training programmes
- provision of technical consulting
- institution development
- management of testing, certifying, accrediting institutions

International experience is preferred and a good working knowledge of the English language is required.

**Project 02 - Action Plan Implementation.**

After the completion of work connected with legislative changes there should be an appropriate technical re-equipment of the institutions-beneficiaries of the programme, i.e. the purchase of specialist equipment which in practice conditions the performance of conformity assessment of products. The Ministry of Economy in consultation and co-operation with other relevant ministries and institutions has developed an Action Plan for practical on the ground activities in such a development of the identified key institutions participating in the developing system of certification.
and accreditation (this is available from the Ministry). Currently the proposed scope of activities encompasses three main instruments:

- training
- specialised technical assistance
- investments in equipment and infrastructure.

The exact scope of activities which will be implemented under this project within this Action Plan will be determined upon the finalisation of the inventory and implementation strategy by the PAA, short-term sectoral experts and their Polish counterparts; the development of the modified (if needed) Action Plan; and the acceptance of this Action Plan by the appropriate services of the European Commission and Ministry of Economy.

**Summary of Current Action Plan**

It is foreseen that these instruments will be provided in tailor-made packages, appropriate to existing identified needs, in the following beneficiary institutions:

- Ministry of Communications,
- Central Office of Measures (and its local branches),
- Office of Technical Inspection,
- Electro-Technical Institute,
- Institute of Metal Cutting.

**Action 1. Technical assistance in the area of adjustment activities in the field of certification and conformity of technical devices covered by Directive 73/23/EEC**

Beneficiary: Electrotechnical Institute

- **Task 1.** Training of personnel of the testing laboratories of the Electrotechnical Institute (IE) and the laboratories of manufacturers of electrical equipment in the area of new testing methods and uncertainties of measurements methods (chosen representatives from 8 laboratories, 450 man/days);
- **Task 2.** Assistance in the organisation of the Electrotechnical Institute as a potential notifying body within the scope of low voltage directive - enhancement of the information network, preparation of programming for the needs of the Institute as a potential notifying body, purchase and installation of equipment (terminals) and their implementation for use, training of personnel within the scope of subjects connected with the organisation and activity of the Institute as a potential notifying institution (40 man/days);
- **Task 3.** Enhancement of the accredited testing laboratories IE in Warsaw, Gdansk and in Wroclaw - development, modernisation and completion of equipment of the testing posts (5 - 8 laboratories).

**Action 2. Inspection and safety control of technical devices subject to technical supervision**

Beneficiary: Office of Technical Inspection

- **Task 4.** Training of personnel of inspection bodies in the field of the requirements and application of conformity assessment of technical equipment procedures (640 man/days);
• **Task 5.** Improvement of the infrastructure of the Office of Technical Inspection and other specialised technical inspection bodies carrying out technical devices conformity assessment procedures (including 440 man/days for training of operators of technical equipment);

• **Task 6.** Enhancement of the system for qualification and certification of the personnel engaged in the technical devices manufacturing processes procedures as well as testing laboratories and their personnel;

• **Task 7.** Enhancement of the quality assurance system for manufacturers of the technical devices in conformity with EU requirements.

**Action 3. Upgrading of the capabilities of the Central Office of Measures (GUM) metrology and measure laboratories in the area of non-automatic weighting instruments’ assessment in accordance with the requirements of the provisions of the Directive 90/384/EEC**

Beneficiary: Central Office of Measures

• **Task 8.** Implementing the requirements of the Directive 90/384/EEC into the Polish legislation;

• **Task 9.** Preparation and analysis of documentation required for the assessment of the subsidiary local branches by the EU experts;

• **Task 10.** Acquisition of specialised calibration equipment on non-automatic weighting instruments for subsidiary local branch;

• **Task 11.** Training of personnel of the offices of measures within the scope of legal metrology of the EU, procedures of conformity assessment of scales, procedures of accreditation of laboratories, supervision of production, supervision of the market (640 man/days);

• **Task 12.** Training of manufacturers of non-automatic scales within the scope of legal metrology of the EU, certification of systems of quality control procedures.


Beneficiary: Institute of Metal Cutting

• **Task 13.** Design, setting up and accreditation for one of the certification bodies an mobile testing laboratory within the scope of activities and competence enabling testing of conformity with the Directives 98/37EC, 89/336/EEC and 73/23/EEC

  • design of the laboratory technical project and its validation;
  • supply of specialised equipment and accessories;
  • implementation of laboratory for utilisation;
  • training of personnel (168 man/days);
  • elaboration and implementation of documentation of the quality assurance system of the laboratory and of the inspection body;
  • accrediting of the mobile laboratory and inspection body.

**Action 5. Development of conformity assessment procedures in Poland within the scope of telecommunications equipment.**

Beneficiary: Ministry of Communications

• **Task 14.** Analysis of conformity assessment procedures of telecommunication equipment in accordance with the requirements of the Directive 91/263/EEC (including 48 man/days for
training of personnel of Ministry of Communications, State Radio-communications Agency and State Telecommunications and Posts Inspection);

- **Task 15.** Elaboration of the structure of the certifying and type approval bodies (including 42 man/days of training of personnel of Ministry of Communications, State Radio-communications Agency and State Telecommunications and Posts Inspection);

- **Task 16.** Adaptation of standards on electromagnetic compatibility and elaboration of methods of their implementation (including 42 man/days for training of personnel of Ministry of Communications, State Radio-communications Agency, and State Telecommunications and Posts Inspection).

Training scheduled within the project should be carried out at a high level of expertise, which will require employing outstanding certification experts/lecturers in the area of conformity assessment (including certification). It is required that the training be in part conducted by domestic, competent specialists who know the problems and limitations of the Polish system of conducting studies and procedures of certification.

During the purchase of equipment for the institutions participating in the project, an indispensable matter should be that the supplier ensures the conduct of an appropriate and full training of the personnel chosen for the servicing of the newly purchased equipment which should be overseen by an organisation (organisations) from the EU country participating in the twinning.

The purchased and delivered equipment to the extent it is installed and put into use will be acquired by the institutions participating in the project and who will have the duty of ensuring its appropriate maintenance, technical state and optimal use.

**INSTITUTIONAL FRAMEWORK OF THE PROJECT:**

The Ministry of Economy will play the leading role in the project. The Project Monitoring Committee will be established, chaired by the representative of the Ministry of Economy and including representatives of the Ministry of Communications, Office for European Integration, Office of Technical Inspection and Central Office of Measures. It will monitor the project implementation, ensure proper co-ordination of actions undertaken under the project with other relevant activities of institutions involved and formulate recommendations as to any modifications needed for the effective realisation of the project objectives. The Ministry of Communications, in cooperation with the Ministry of Economy, through a Sub-Project Monitoring Committee will overview the implementation of the activities concerning the adoption of conformity assessment procedures for telecommunications equipment.

The main beneficiaries of the project will be:
- Ministry of Communications and its co-operating institutions involved in the conformity assessment process;
- Electro-Technical Institute;
- Office of Technical Inspection and specialised technical inspection bodies (railway, maritime)
- Central Office of Measures (GUM), Mass Measures Laboratory and Laboratory of Commercial and Industrial Scales and the area measures offices co-operating with GUM (71 units);
- Institute of Metal Cutting.

**BUDGET: (in EUR)**
<table>
<thead>
<tr>
<th>Project</th>
<th>Implementation Strategy and Action Plan Preparation an Co-ordination</th>
<th>Total Phare funds ((=I + IB))</th>
<th>Recipient</th>
<th>International Financial Institutions (IFI)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project 01</strong></td>
<td></td>
<td>300 000</td>
<td></td>
<td></td>
<td>300 000</td>
</tr>
<tr>
<td><strong>Project 02</strong></td>
<td>Action Plan Implementation</td>
<td>300 000</td>
<td>71 000</td>
<td>371 000</td>
<td></td>
</tr>
<tr>
<td>02.01. Training of personnel</td>
<td></td>
<td>300 000</td>
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<td></td>
<td>300 000</td>
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<tr>
<td>02.02. Specialised technical assistance</td>
<td></td>
<td>900 000</td>
<td>639 000</td>
<td></td>
<td>3 539 000</td>
</tr>
<tr>
<td>02.03. Investments</td>
<td></td>
<td>2 000 000</td>
<td></td>
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<td>2 000 000</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td>2 000 000</td>
<td>710 000</td>
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<td>4 210 000</td>
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</table>

**IMPLEMENTATION ARRANGEMENTS:**

The Ministry of Economy will play the role of lead ministry in the project. The implementation of the institution building part of the project will be performed on the basis of an appropriate twinning arrangement, with actions clearly defined and divided into two phases. The EU member country partner institution(s) or organisation(s) will be required to provide appropriate expertise and backup for the project.

The remaining project actions (equipment under point 02.03 in the table above) will be contracted in line with Phare DIS procedures. The Central Financing and Contracting Unit will be responsible for handling tendering, contracting, and payments on contracts on behalf of the Ministry of Economy who itself will prepare Terms of Reference and will be in charge of project implementation and monitoring.

**IMPLEMENTATION SCHEDULE:**

<table>
<thead>
<tr>
<th>1. Technical Assistance</th>
<th>Start of Contracting</th>
<th>Start of project activity</th>
<th>Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Implementation Action Plan</td>
<td></td>
<td></td>
<td>31.08.2001</td>
</tr>
<tr>
<td>2.1. Investing in Human Resources – Training</td>
<td>01.04.2000</td>
<td>01.05.2000</td>
<td>31.08.2001</td>
</tr>
<tr>
<td>2.2. Specialised technical assistance</td>
<td>01.04.2000</td>
<td>01.05.2000</td>
<td>31.08.2001</td>
</tr>
<tr>
<td>2.3. Investments - equipment and infrastructure</td>
<td>01.04.2000</td>
<td>01.05.2000</td>
<td>31.08.2001</td>
</tr>
</tbody>
</table>

**Equal Opportunity:**
The issue of gender equality - and in justified and appropriate cases affirmative action towards minorities and groups of special concern - will be integrated into all levels of the objectives and actions under the project.

Environment:

Environmental Impact Assessment procedure will be applied, as appropriate, with respect to the investments supported within the scope of this project, according to the Council Directive EEC/85/337 issued on 27 June 1985 with amendments introduced by the Council Directive EC/97/11. Investments that fail the EIA test, as well as those that do not meet the standards of EU environmental Acquis will not be eligible for support. Furthermore, investments that improve environmental quality will be given a high priority.

Rates of return:

Not Applicable.

Investment criteria:

Not Applicable

CONDITIONALITY AND SEQUENCING:

The commencement of Phase 1 (i.e. project 01) will take place only once the Law on Testing and Certification has been amended in accordance with the Protocol on European Conformity assessment agreement and once this amendment has come into force. This should happen in 1999. This includes the implementation of all the decisions relating to product lists and mutual recognition as set out in the PECAA. The Pre-Accession Adviser who will oversee Phase 1 of the overall project should be administratively located in the monitoring body which the Council of Ministers, according to the position paper on the free movement of goods, has decided to create to monitor the implementation of the acquis in this field. The commencement of Phase 2 (i.e. project 02) within the overall project will be conditional on the completion of Phase 1 to the satisfaction of the Polish authorities and the European Commission. Criteria for completion will be the development of the inventory, implementation strategy and verified action plan under the terms of the first phase. Commencement of Phase 2 of the project will also be conditional on the implementation of the framework legislation, the law on conformity assessment, the law on Producer liability and the law on General product safety, necessary for the adoption of the new approach. In addition, the Regulation of the Minister of Communications will need to be amended in relation to the obligation of applying Polish norms and branch norms. Drafts of specific legislation relating to the sectors concerned in Phase 2 should have been approved by the Council of Ministers. Regular reviews will be held with the Commission on regulatory issues and transposition measures in the field of directives directly linked to the sub-projects, so that Phase 2 activities advance in line with progress achieved.
# LOGFRAME PLANNING MATRIX FOR PROJECT

<table>
<thead>
<tr>
<th>Wider Objective:</th>
<th>Indicators of Achievement</th>
<th>Sources of Information</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
</table>
| ▪ Increase Poland’s ability to adopt the certification and standardisation system in conformity assessment to the European Union requirements | ▪ Implementation of rules and regulations based on the EU directives on certification-standardisation and safety of products | Progress Report on Poland’s Application for Membership of the European Union | Full adoption of the appropriate law:  
▪ Law on National Conformity Assessment System  
▪ Law on General Product Safety  
▪ Law on the Product Liability of Manufacturer |

**Annex 1**
<table>
<thead>
<tr>
<th>Immediate objectives</th>
<th>Indicators of Achievement</th>
<th>Source of Information</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
</table>
| • Develop a detailed action plan and schedule for establishment in Poland of the conformity assessment system compatible with the EU requirements
• Prepare elements of the technical infrastructure system for selected Directives in the area of the national conformity assessment system
• Develop and strengthen the competence of institutions carrying out conformity assessment, and supervision of product safety in the technical, electrotechnical, metrological and telecommunication equipment industries
• Shorten and improve product testing procedures to achieve conformity of the procedures applied with the EU regulations within the scope of the subject matter covered by the project
• Modernise equipment and improve its technical level in chosen testing laboratories in order to meet EU requirements. | • Detailed action plan prepared and accepted by relevant bodies
• Improved technical competencies of personnel of:
  - certification/inspection bodies carrying out conformity assessment procedures
  - industrial laboratories engaged in manufacturing and control of technical products and devices (electrotechnical, non-automatic weighting instruments)
• Improved organisational structure and technical competence of bodies responsible for conduction of the conformity assessment in accordance to the EU requirements:
  - Ministry of Communications
  - Office of Technical Inspection
  - Central Office of Measures
  - Electrotechnical Institute
  - Institute of Metal Cutting | • Expert reports
• Reports of institutions involved
• Technical audits of relevant laboratories | • Adoption of the amendment on the Ministry of Communications’ Regulation on the obligation of application of Polish standards and branch standards
• Adoption of the amendment on the Law on Testing and Certification
• Strong determination of Polish industry to fulfil the EU requirements
• Government commitment to improve competitiveness of Polish industry and to increase its capacity to operate on the Single Market |
<table>
<thead>
<tr>
<th>Outputs</th>
<th>Indicators of Achievement</th>
<th>Source of Information</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The stage of Poland’s preparation to the adoption of the conformity assessment system compatible with the EU requirements analysed and essential activities to be carried out for the full adoption of the system identified;</td>
<td>• Studies prepared in time and accepted by relevant institutions</td>
<td>• EU experts reports</td>
<td>• Studies results and recommendations implemented by relevant institutions</td>
</tr>
<tr>
<td>• Increased technical excellence of personnel of institutions conducting conformity assessment;</td>
<td>• Introduction of requirements of relevant Directives to the Polish legislation</td>
<td>• Reports of beneficiary institutions</td>
<td>• Staff trained retains employment positions related to the conformity assessment process</td>
</tr>
<tr>
<td>• Better preparation of the beneficiaries of the project for the practical activities in the new system of conformity assessment compatible with the EU requirements;</td>
<td>• Possibility to conduct by Polish certification and inspections bodies safety testing of certain products comprised by the provisions of the Directives 90/384/EEC, 73/23/EEC, 89/392/EEC.</td>
<td>• Registers of accredited bodies</td>
<td>• Effective co-operation among institutions involved in the project</td>
</tr>
<tr>
<td>• Qualifications of personnel upgraded through targeted training activities and specialised expert support;</td>
<td>• Proper operation of purchased equipment:</td>
<td>• Registers of certified personnel</td>
<td>• failure to purchase equipment necessary to use in practice the increased skills of trained personnel</td>
</tr>
<tr>
<td>• Introduction of appropriate procedures of conformity assessment within the scope of directives included in the project;</td>
<td>• Testing, control and measure equipment and accessories,</td>
<td>• Project progress reports</td>
<td>• Polish producers use services of laboratories benefiting from the project</td>
</tr>
<tr>
<td>• Introduction of practical solutions by key Polish institutions in order to adapt their activities to meet EU standards</td>
<td>• Computer equipment (hardware and software)</td>
<td>• Test results of products from selected product groups</td>
<td>• Equipment in use for testing Polish products</td>
</tr>
<tr>
<td>• Enhancement of the organisational structure of institutions implementing the project;</td>
<td>• Equipment in use for testing Polish products</td>
<td>• Staff trained retains employment positions related to the conformity assessment process</td>
<td></td>
</tr>
<tr>
<td>• Enhancement of the process of conducting testing of conformity assessment within the scope of the project;</td>
<td>• Mobile laboratories in use</td>
<td>• Active participation in the project by target group representatives</td>
<td></td>
</tr>
<tr>
<td>• Quality control systems promoted</td>
<td>• Selected Polish product groups meeting the EU safety and environment protection standards</td>
<td>• failure to purchase equipment necessary to use in practice the increased skills of trained personnel</td>
<td></td>
</tr>
<tr>
<td>• Higher level of technical safety of selected product groups;</td>
<td></td>
<td>• Polish producers use services of laboratories benefiting from the project</td>
<td></td>
</tr>
<tr>
<td>• Introduction of first mobile laboratories in Poland;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Lower negative impact of industry on environment.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inputs</td>
<td>Indicators of Achievement</td>
<td>Source of Information</td>
<td>Assumptions and Risks</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>• review of the current state of activities and legislation in the</td>
<td>• implementation strategy developed and used in the course of Action Plan final drafting</td>
<td>• studies and analyses</td>
<td>• high quality of analyses undertaken</td>
</tr>
<tr>
<td>area of certification and conformity assessment in Poland</td>
<td>• successful completion of training programmes and increase in personnel knowledge</td>
<td>• expert reports</td>
<td>• high quality of training</td>
</tr>
<tr>
<td>• training of personnel of testing laboratories, inspection bodies and</td>
<td>• preparation of industrial personnel to fulfil certification requirements</td>
<td>• official publications</td>
<td>• full and timely provision of equipment</td>
</tr>
<tr>
<td>institutions engaged in the project, as recommended by the twinning</td>
<td>• equipment installed and operational</td>
<td>• reports from involved institutions and training centres on training conducted</td>
<td>• Poland’s participation in project costs</td>
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<tr>
<td>experts and set in the final version of the Action Plan</td>
<td>legal studies utilised in the legislative process</td>
<td>(project budgets, CVs of experts, lists of personnel trained, evaluation sheets)</td>
<td>• Highly qualified TA experts</td>
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<tr>
<td>• provision of equipment for institutions engaged in the project, as</td>
<td></td>
<td>• reports of beneficiary institutions on equipment purchased and installed</td>
<td></td>
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<tr>
<td>recommended by the twinning experts and set in the final version</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>of the Action Plan</td>
<td></td>
<td></td>
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<tr>
<td>• supervision over the preparation and expert assessment of</td>
<td></td>
<td></td>
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<tr>
<td>documents required during the assessment of the GUM laboratories</td>
<td></td>
<td></td>
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<tr>
<td>and the territory of the measures offices from the side of their</td>
<td></td>
<td></td>
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<tr>
<td>preparation for audit by European Commission representatives</td>
<td></td>
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<tr>
<td>• analysis of the possibility of GUM adapting to the requirements of</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>the acquis within the scope of their competence and the indication</td>
<td></td>
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<tr>
<td>of the directions of development from the point of equalising the</td>
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<tr>
<td>level of competence with “twin” institutions in the EU countries</td>
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<tr>
<td>• supervision over the work connected with the improvement of the</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>activity of the Institute of Metal Cutting</td>
<td></td>
<td></td>
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<tr>
<td>• supervision over activities aiming at adapting Polish law to legal</td>
<td></td>
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<tr>
<td>regulations in force in the EU within the scope of conformity</td>
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<td></td>
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<tr>
<td>assessment of telecommunications equipment</td>
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<td></td>
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<tr>
<td>Project 01</td>
<td>Investment (I)</td>
<td>Institution Building (IB)</td>
<td>Total PHARE funds (=I + IB)</td>
</tr>
<tr>
<td>------------</td>
<td>----------------</td>
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<td>-----------------------------</td>
</tr>
<tr>
<td>Implementation Strategy and Action Plan Preparation an Coordination</td>
<td>300 000</td>
<td>300 000</td>
<td>300 000</td>
</tr>
<tr>
<td>Project 02</td>
<td>Action Plan Implementation</td>
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<td>300 000</td>
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<tr>
<td>02.01. Training of personnel</td>
<td>900 000</td>
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<td>639 000</td>
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<tr>
<td>02.02. Specialised technical assistance</td>
<td>2 000 000</td>
<td>2 000 000</td>
<td>710 000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>2 000 000</td>
<td>1 500 000</td>
<td>3 500 000</td>
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## IMPLEMENTATION CHART: Certification and Standards

**Date of drafting:** 18.02.1999  
**Planning period:** 09.1999 - 08.2001  

<table>
<thead>
<tr>
<th>Subprojects</th>
<th>Implementation chart</th>
<th>Budget allocation</th>
<th>Cost Estimate</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>PLANNED</td>
<td></td>
<td>Phare</td>
</tr>
<tr>
<td>1. Implementation Strategy and Action Plan Preparation an Co-ordination</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>1.1.Long-term Pre-Accession Advisor</td>
<td>D/C</td>
<td>I</td>
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<tr>
<td>1.2.Short-term Sectoral Experts</td>
<td>D/C</td>
<td>I</td>
<td>I</td>
</tr>
<tr>
<td>2. Implementation of Action Plan</td>
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<td></td>
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</tr>
<tr>
<td>2.1.Investing in Human Resources – Training</td>
<td>D/C</td>
<td>I</td>
<td>I</td>
</tr>
<tr>
<td>2.2.Specialised Technical Assistance</td>
<td>D/C</td>
<td>I</td>
<td>I</td>
</tr>
<tr>
<td>2.3.Investments – equipment and infrastructure</td>
<td>D/C</td>
<td>I</td>
<td>I</td>
</tr>
<tr>
<td><strong>Total programme</strong></td>
<td></td>
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</table>

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**Annex 4**
## Contracting schedule: Certification and Standards

<table>
<thead>
<tr>
<th>Subprojects</th>
<th>Expected Cumulative contracting (MEUR)</th>
<th>Budget allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q 4 99</td>
<td>Q1 2000</td>
<td>Cost Estimate</td>
</tr>
<tr>
<td></td>
<td>Q2 2000</td>
<td>Phare</td>
</tr>
<tr>
<td></td>
<td>Q3 2000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Q4 2000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Q1 2001</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Q2 2001</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Q3 2001</td>
<td></td>
</tr>
</tbody>
</table>

**Total Programme**: 3.5 MEUR

## DISBURSEMENT SCHEDULE

<table>
<thead>
<tr>
<th>Subprojects</th>
<th>Expected Disbursements (by semester)</th>
<th>Budget allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q 4 99</td>
<td>Q1 2000</td>
<td>Cost Estimate</td>
</tr>
<tr>
<td></td>
<td>Q2 2000</td>
<td>Phare</td>
</tr>
<tr>
<td></td>
<td>Q3 2000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Q4 2000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Q1 2001</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Q2 2001</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Q3 2001</td>
<td></td>
</tr>
</tbody>
</table>

**Total programme**: 3.5 MEUR
Annex 5

Reference to other projects implemented under the Phare programme or financed from other sources

**Phare PL 9405-01-04** - The present Phare’99 project will be a follow up of the programme PL 9405-01-04.A/420: Legal and economic support for the Ministry of Economy, sub-project no 7 and 8: Technical support in the harmonisation of the selected Directives and the New Approach Directives. The core effect of the sub-projects is *inter alia* a draft of the Council of Ministers Regulation on the safety of persons, domestic animals and property when using electrical equipment intended to be used in the specified ranges of voltage. According to the draft of the Regulation, which is being prepared, it will be possible to enact this Regulation immediately after the adoption by the Polish Parliament and signing by the President of the Republic of Poland of the Law on the National Conformity Assessment System and Amendment to Certain Laws. This Regulation will introduce to the Polish legal system the requirements of the Council Directive 73/23/EEC of 19 February 1973 on harmonisation of legal regulations of the Member States related to electrical equipment intended to be used in the specified ranges of voltage.

In addition, within the project PL 9405.01.04.A/420 draft amendments to Polish regulations and supplementary regulations have been developed, harmonised with the EU legislation, concerning the Directives 89/392/EEC, 91/368/EEC, 93/44/EEC, 93/86/EEC (including amongst others certification and supervision procedures over the obeisance of rules).

**Phare FIESTA** - The Office of Technical Inspection (UDT) is a direct beneficiary of the Fiesta Phare programme in the area of supplies of specialised measurement, testing and control equipment for the Central Technical Inspection Laboratory. The objective of the project was to increase the technical and material competence, quality and reliability of carrying out tests and inspection of technical devices, and preparing for the implementation of new harmonised conformity assessment standards and procedures for technical equipment.

**Phare PL 93.03.02** In 1992-1993 The Polish Committee for Standardisation, Measures and Quality (the present Central Office of Measures) was granted the PHARE funds for the project “Foreign Trade Infrastructure Development in Poland” - Project 090 060 020.004

Within the project the following has been accomplished for Polish measurement offices:

- 71 legalisation scales ML 3.2
- 47 legalisation scales WL 25.2
- 40 legalisation scales WL 25.4

In total 158 scales have been acquired. Legalisation scales serve to control standard weights and ordinary and more precise trade weights.

The above mentioned scales and weights purchased from the GUM own funds (WL 5.2 - 78 scales, WL 5.4 - 105 scales and WL 25.4 27 scales, total 238 scales) allowed for introduction since 1995 of admissible limiting errors for standard weights of the III and IV order (F2 and M1 according OIML) and more precise trade weights (M1 according to OIML) and ordinary trade weights (M2 according to OIML) according to recommendation OIML R 111 (1994).

Implementation of this programme contributed to a large extent to preparation of the measure services in Poland for new tasks resulting also from the Directive 90/284/EEC.
The supply of equipment (standards, measuring posts) purchased under the programme PL 93.03.02 for the GUM laboratories and test offices started in mid 1997 and finished in the 1st quarter of 1999. The standards and measuring posts supplied under the programme have already been installed in most cases, put into operation and are now in use. This equipment is used for calibration of standards to provide for traceability in comparisons (including key comparisons) organised by EUROMET and BIPM, in testing of measurement instruments for type approval. Owing to this equipment, the precision and scope of measurements by GUM is closer to the level of similar work carried out in metrological institutions in the EU Member States.

**Phare’97** - The UDT as one of the institutions responsible for the implementation of the National Certification System will be involved in the activities referred to in the project within the Phare '97 Programme - Phare 9707/1.4: Sector Specific Support for Public Administration and other Bodies, 1.4.4. Standardisation and Certification, module 01: Certification relating to the technical devices manufacturing processes - qualification and certification of non-destructive testing personnel, module 02: Transposition into the Polish law of regulations concerning the issues of metrology of measurements and control of mass/volume, conditions of product pre-packaging process and marking, net weight tolerance and mass/volume of packaged products. Establishment of a domestic system for the control of pre-packed products.

**Phare-Fiesta II “Tide-over Resources”** - The realisation of Phare '99 project will also constitute a follow up of the tasks started so far and in regard to the amendment to the Measures Law, as well as to the training and translation of technical documents financed from the Phare-Fiesta II Tide-over Resources programmes.

**Programme Phare-PRAQ.III** – The employees of institutions involved in the project took part in a number of specialised training courses, conducted within the framework of various activities implemented by the programme PRAQ.III. Participation in the PRAQ.III Programme allowed for, amongst others, to carry out an inter-comparison and calibration of standards at the GUM (action QI 11) training in the framework of action QI 10, and the employees of the GUM taking part in European conferences and seminars (action QI 03), organised by European metrological organisations. These activities made it possible to acquaint with the-state-of-the-art achievements and developments in metrological institutions of the EU Member States.

So far PRAQ.III has not included specialised training for those implementing the Directive 90/384/EEC on non-automatic scales.

All institutions have been carrying out the assignments regarding the Certification and Standardisation System financing the tasks from their own budgets and from bilateral co-operation programmes with the EU Member States.

In addition, special funds have been assigned from the central administration organs budget for European integration. In the organisational structure of central administration institutions and organs special units have been established to deal with the issues of integration with the EU, including harmonisation of the certification and standardisation system to the UE standards.
Annex 6

Reference to feasibility and other studies

Initial assessment carried out so far indicates that the project will be implemented on time.

For any of the project’s tasks no initial feasibility studies were carried out. Taking into account the project specificity and relatively small financial value of individual tasks, it is foreseen that experts assistance under twinning will allow to prepare reliable assessment on the possibilities to adjust institutions covered by the project to European conformity assessment system’s requirements.

The participation of experts in the twinning will allow to define precisely investment needs of chosen institutions taking part in the project (GUM, IOS, EI) and the detailed plan of their institutional strengthening.

Annex 7

List of laws and drafts of laws connected with the project

1. European Council laws and European standards connected with the project

- Council Directive 98/334/EC of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards regulations,
- EN-45001:1989 - General requirements for the operation of testing laboratories,
- EN-45004:1995 - General criteria for the operation of various types of bodies performing inspection,
- EN 45011:1989 - General criteria for certification bodies operating product certification
EN 45013:1989 - General criteria for certification bodies operating certification of personnel

2. Polish laws and draft of laws connected with the project:

- Order of the Director of the Polish Centre for Testing and Certification dated 20 May 1994 on the specification of products coming under the obligation of applying for safety mark certification and such marking (Monitor Polski of 1994 No. 39, item 335) with further amendments (last one in Monitor Polski of 16 April 1997 No. 22, item 216 )
- Law of 19 November 1987 on Technical Inspection - Dz.U. NO. 36 dated 28 November 1987 item 202) with further amendments,
- Regulation of the Council of Ministers of 31 December 1988 on technical inspection.(Official Journal 16 January 1989 No. 1, item 3) with further amendments,
- Regulation of the Minister of Industry of 29 December 1998 on application of selected provisions of the Law on Technical Inspection (Dz.U. of 31 December 1988 No. 44, item 351).
- Order of the Minister of Industry of 22 December 1988 on the principles and procedure of durable marking of technical equipment approved for free movement (Monitor Polski 30 December 1988 No. 36 item 332).
- Regulation of the Minister of Transport and Maritime Economy of 5 July 1990 on the detailed responsibilities of specialised railway technical inspection bodies (Monitor Polski of 24 July 1990 No 28, item 221).
- Regulation of the Minister of National Defence dated 17 February 1992 on technical inspection over technical equipment with special features, exploitation or purpose subject to military technical inspection (Official Journal of 9 March 1992 No. 20, item 81)
- Law on Standardisation of 3 April 1993 (Official Journal of 28 June 1993 No. 55, item 251
- Law on Geology and Mining of 4 February 1994 (Dz.U. of 1 March 1994 No. 27, item 96).
- Regulation of the Minister of Transport and Maritime Economy on safety of sea ships navigation and safety of life at sea. (Dz.U. of 28 October 1997, No. 132, item 879)

Annex 8
Reference to strategic documents

The project has been prepared taking into account:

- **COUNCIL DECISION** (EC) No 98/529/EC of 27 November 1997 approving the agreement between the EC and the Republic of Poland (RP) regarding the European Agreement on Conformity Assessment 98/529/EC (OJ 237 of 25 August 1998, p. 8 to 23)
- **COUNCIL REGULATION** (EC) No 622/98 of 16 March 1998 on the assistance to applicant States in the framework of the pre-accession strategy, and in particular on the establishment of Accession Partnerships (OJ 85 of 20 March 1998, p. 1 and 2)
- **POLAND: ACCESSION PARTNERSHIP (AP)**
- **POLAND: NATIONAL PROGRAMME FOR THE ADOPTION OF THE ACQUIS (NPAA);**
- ‘‘WHITE PAPER’’ ON PREPARATION OF THE ASSOCIATED COUNTRIES OF CENTRAL AND EASTERN EUROPE FOR INTEGRATION INTO THE EUROPEAN UNION INTERNAL MARKET
- **COUNCIL OF MINISTERS RESOLUTION 133/95 of 14 November 1995**

and taking into account follow up of the work, based on:

- **INDUSTRIAL POLICY PROGRAMME** for the years 1995-1997, prepared by the Ministry of Industry and Trade, and accepted by the Council of Ministers on 16 May 1995
- **DIRECTIONS OF THE ELECTROTECHNICS DEVELOPMENT** worked out by Section IV - Technical Sciences at the Polish Academy of Sciences
- **RESTRUCTURING PROGRAMME OF THE ELECTROTECHNICAL SECTOR** elaborated by the Electrotechnical Institute within its statutory activity and financed by the Committee on Scientific Research (KBN)
- **ELECTROTECHNICAL INSTITUTE’S PERSPECTIVE PROGRAMME**

**Note:** Additional annexes are available from the Ministry of Economy that provide information on the institutions involved in the project (annex 10), legislative work in progress and planned in the areas relevant for the project (annex 11), and a draft action plan (annex 12).