

ANNEX III

MINIMUM CRITERIA TO BE MET BY MEMBER STATES FOR THE APPROVAL OF INSPECTION BODIES(referred to in Article 9(2))

1. The approved inspection body, its director and the staff responsible for carrying out the verification tests shall not be the designer, manufacturer, supplier or installer of vessels which they inspect, nor the authorised representative of any of those parties. They shall not become directly involved in the design, construction, marketing or maintenance of the vessels, nor represent the parties engaged in those activities. This does not preclude the possibility of exchanges of technical information between the manufacturer and the approved inspection body.
2. The approved inspection body and its staff must carry out the verification tests with the highest degree of professional integrity and technical competence and must be free from all pressures and inducements, particularly financial, which might influence their judgment or the results of the inspection, especially from persons or groups of persons with an interest in the result of verifications.
3. The approved inspection body must have at its disposal the necessary staff and the necessary facilities to enable it to perform properly the administrative and technical tasks connected with verification; it must also have access to the equipment required for special verification.
4. The staff responsible for inspection must have:
 - (a) sound technical and professional training;
 - (b) satisfactory knowledge of the requirements of the tests they carry out and adequate experience of such tests;
 - (c) the ability to draw up the certificates, records and reports required to authenticate the performance of the tests.
5. The impartiality of inspection staff must be guaranteed. Their remuneration must not depend on the number of tests carried out or on the results of such tests.
6. The approved inspection body must take out liability insurance unless its liability is assumed by the State in accordance with national law, or the Member State itself is directly responsible for the tests.
7. The staff of the approved inspection body is bound to observe professional secrecy with regard to all information gained in carrying out its tasks (except vis-à-vis the competent administrative authorities of the State in which its activities are carried out) under this Directive or any provision of national law giving effect to it.