



# CEN-CENELEC GUIDE 29

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**CEN/CENELEC Workshop  
Agreements**

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## Contents

	Page
Foreword .....	4
Introduction.....	5
1 Scope .....	6
2 Terms and definitions .....	6
3 Principles and main elements of the CWA concept.....	6
4 Initiation and development .....	6
4.1 CWA proposal .....	6
4.2 Workshop announcement .....	7
4.3 Launching the Workshop .....	7
4.4 Responsibilities of the Chair and the Secretariat .....	8
4.5 Co-existence of Workshops and technical bodies in the same domain.....	8
4.6 Commenting phase .....	8
4.7 Approval and availability .....	9
4.8 CWA lay-out .....	9
4.9 Lifetime and review .....	9
5 Workshop business model.....	10
6 Copyright, exploitation rights and other IPR.....	10
7 Limitation of liability.....	10
Annex A (normative) Template for the self-assessment .....	11
Annex B (informative) Standard text for cover page and foreword of a CWA .....	12
Bibliography .....	13

## **Foreword**

CEN-CENELEC Guide 29: 2014 has been prepared by a subgroup of the CEN-CENELEC ETSI WG Rules and Processes, under the supervision of the CEN and CENELEC Technical Boards and Administrative Boards.

## Introduction

The core purpose of CEN and CENELEC is to develop European Standards (EN) and other publications, including Technical Specifications (TS), Technical Reports (TR) and Workshop Agreements (CWA). The European Standardization System has made a significant contribution to the creation of a common European market, embedded in a global economy, and in disseminating the knowledge incorporated in these publications through its network of CEN and CENELEC (national) Members<sup>1</sup>.

In innovative markets there is often a request for a best-practice document to be developed as a stepping stone to further standardization deliverables, to facilitate interoperability and compatibility and facilitate further incremental innovations in the market. However, if an innovative technology has not yet achieved a sufficient degree of stability, a European Standard may not be the best way of meeting this need, because of the nature of the standardization process and the requirement that all CEN/CENELEC (national) members adopt the resulting standard.

A CWA is a document agreed by the participants of a Workshop, which is designed to meet an immediate need and form the basis for future standardization activity. The stakeholder involvement limits itself to those directly interested in the subject. The direct participation of interested parties and the rapid development opportunities offered by a CWA are considered to be particularly attractive for European research projects (FP7, Horizon 2020) which have to deliver within the duration of their project lifetime. Although a CWA is developed outside the normal CEN/CENELEC technical body structure, it is important to ensure the coherence of all the different CEN/CENELEC deliverables in order to protect the credibility of European standardization. Therefore a CWA shall not conflict with a European Standard.

In 1997, CEN approved the CWA concept specifically for use in the ICT sector, as a more open and inclusive alternative to the Consortium process. In 1999, CEN extended the use of the CWA process to non-ICT sectors and in 2001 it was also approved by CENELEC.

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<sup>1</sup> The lists of CEN/CENELEC (national) Members are provided on the web sites of [CEN](#) and [CENELEC](#).

## **1 Scope**

This CEN-CENELEC Guide details the characteristics and the development processes of the 'CEN/CENELEC Workshop Agreement'.

## **2 Terms and definitions**

### **2.1**

#### **CEN/CENELEC Workshop**

working platform open to the participation of any interested parties for elaboration of CEN/CENELEC Workshop Agreements

### **2.2**

#### **CEN/CENELEC Workshop Agreement (CWA)**

CEN/CENELEC agreement, developed by a Workshop, which reflects the agreement of identified individuals and organizations responsible for its contents. It is a document made available by CEN/CENELEC in at least one of the official languages

## **3 Principles and main elements of the CWA concept**

CEN/CENELEC Workshops are designed to meet a market need where an innovative technology has not reached a sufficient degree of stability for the development of a European Standard to be practicable.

Workshops operate entirely separate from CEN/CENELEC technical bodies responsible for the development of European Standards, but this does not mean there cannot be an interface between them (see 4.5). Workshops have short-term tasks which are defined in their project plans. If the project plan envisages the need for long-term activity, it might be more appropriate to refer the task to a CEN/CENELEC technical body and this possibility should be explored before embarking on the task.

It is important to ensure coherence of all the CEN/CENELEC deliverables in order to protect the credibility of European standardization, so a CWA shall not conflict with a European Standard.

CWAs are not designed to support European legislative requirements, such as the New Approach Directives, or to address issues with significant health and safety implications (see Clause 7).

An established CWA can be proposed for transformation into a European Standard on the condition that it has all the characteristics of a European Standard and that the standards development process is correctly followed. Similarly, the members of a CEN/CENELEC technical body might propose the creation of a Workshop to address a market need the technical body cannot meet through the development (or revision) of a European Standard or Technical Specification.

## **4 Initiation and development**

### **4.1 CWA proposal**

The proposal of a new CWA leads to the creation of a new Workshop. However, the development of a new CWA might also be proposed within an existing Workshop.

In any case, the proposer of a CWA shall prepare a draft project plan, a self-assessment (see template in Annex A) and an analysis of the degree of interest in the subject in different European countries and amongst different stakeholders. The proposal shall be prepared with the assistance of a CEN/CENELEC (national) Member or the CEN-CENELEC Management Centre (CCMC).

Special conditions as given in Annex A can apply.

The proposal shall then be submitted to CCMC. If the self-assessment according to Annex A reveals the need for a CEN/CENELEC BT decision, CCMC shall submit the proposal to the CEN/CENELEC BT(s) and launch the BT decision process.

## 4.2 Workshop announcement

If no CEN/CENELEC BT decision is required or no concerns are raised by any CEN/CENELEC BT member during the BT decision process, the Workshop is set up and the kick-off meeting date shall be announced on the CEN/CENELEC web site(s). CCMC shall post the draft project plan for a commenting period of 30 days, to allow for an expression of interest in participating in the Workshop and shall inform the CEN/CENELEC BT(s) of these actions.

If during the BT decision process concerns are raised about the self-assessment, CCMC shall consult the relevant CEN/CENELEC BT member, the proposed Secretariat and the Workshop proposers within 2 weeks, in order to resolve the problem. If no solution is found, the issue shall be referred to the CEN/CENELEC BT(s) for decision.

NOTE CEN-CENELEC standstill (as defined in Clause 5 of the CEN/CENELEC Internal Regulations - Part 2) does not apply to the CWA or a CWA project.

## 4.3 Launching the Workshop

**4.3.1** The Workshop Secretariat shall be allocated to a particular CEN/CENELEC (national) Member if:

- it is the first point of contact with the client; or
- the proposal clearly comes from within its country; or
- it holds the Secretariat of a TC within whose domain the proposal falls.

In cases where the CEN/CENELEC (national) Member declines to take on the Secretariat, or where CCMC is itself the first point of contact with the client, CCMC shall launch a call for an expression of interest among CEN/CENELEC BT members.

For proposals where there is only a single candidate, the Secretariat shall be allocated to that CEN/CENELEC (national) Member on condition that it has signed the Service Contract with CEN/CENELEC. If there are two or more suitable candidates, and if both or all have signed the Service Contract with CEN/CENELEC, CCMC shall discuss their credentials with the Workshop proposers and allocate the Secretariat accordingly. CCMC shall ensure that this does not cause undue delay.

**4.3.2** The project plan shall set out the process by which new participants can join the Workshop up to and including the end of the drafting phase.

All the elements of the adopted project plan shall be respected by all Workshop participants.

**4.3.3** CWAs shall be developed in English, unless other development languages are specified in the project plan.

**4.3.4** The kick-off meeting shall take place at least 30 days after the publication of the project plan on the CEN/CENELEC web site(s). Any comments received during this period shall be considered with the Secretariat and the Workshop proposers.

The kick-off meeting shall be held in the country of the CEN/CENELEC (national) Member holding the Secretariat, unless otherwise agreed.

**4.3.5** At the kick-off meeting the Workshop Chair is appointed and the project plan is approved by agreement of the participants.

#### **4.4 Responsibilities of the Chair and the Secretariat**

**4.4.1** The Workshop Chair shall be responsible for ensuring that the development of the CWA is in accordance with the agreed project plan and requirements of this Guide.

**4.4.2** The Workshop Secretariat shall bring any major problems encountered in the development of the CWA to the attention of CCMC, in order that solutions may be found. In addition, any CEN/CENELEC (national) Member may exercise the right of appeal, in accordance with the CEN/CENELEC Internal Regulations - Part 2, Clause 7. This includes the right to appeal against any breach of the provisions of this Guide.

**4.4.3** The Workshop Secretariat shall notify CCMC of any possible conflict with a current or prospective European Standard that could arise from adoption of the CWA under development.

**4.4.4** The Workshop Secretariat shall maintain a record of the participating organizations and individuals (see 4.8).

**4.4.5** In order to ensure the transparency of the Workshop process, all Workshop documents shall be uploaded onto the electronic platform Livelink or Collaboration tool.

#### **4.5 Co-existence of Workshops and technical bodies in the same domain**

Workshops can sometimes operate in the same domains as CEN/CENELEC technical bodies, especially if they are linked to research projects. In these cases, the following provisions shall apply:

- The Workshop shall report regularly to the relevant CEN/CENELEC technical body, either in person or by correspondence, highlighting the most important issues and any possible conflicts that arise.
- The CEN/CENELEC technical body may also request the Workshop Secretariat to provide any specific information it might require and has the right to send one representative to Workshop meetings as an observer, free of charge.
- On publication, the CWA shall be submitted to the relevant CEN/CENELEC technical bodies for assessment, with a view to possible transformation into a European Standard or other CEN/CENELEC deliverable.

#### **4.6 Commenting phase**

When the Workshop Chair determines that the Workshop participants have reached agreement on the draft text of the CWA, the drafting stage is complete. The Workshop Secretariat shall then conduct an internal enquiry to receive and process any further comments from the Workshop participants.

If the CWA is in the same domain as an existing CEN/CENELEC technical body, the draft CWA shall be sent to that technical body for comments at the same time as it is sent to the Workshop participants.

An open commenting phase is highly recommended for all Workshops, as a means of enhancing the transparency of the Workshop process. The intention to conduct an open commenting phase should be included in the project plan, but this does not preclude the Workshop participants agreeing to do so at a later stage.

An open commenting phase is only mandatory if the CWA deals with safety aspects.

**NOTE** In CENELEC, safety aspects are excluded from the scope of CWAs.

If it is decided to conduct an open commenting phase, CCMC shall notify the CEN/CENELEC (national) Members of the availability of the draft text on the CEN/CENELEC web site(s). They shall be responsible for making the draft available for comments at national level. The minimum duration of the open commenting phase shall be 60 days.

Comments shall be sent to the Workshop Secretariat at the conclusion of the commenting phase and be reviewed by the Workshop participants. This can result in a revision of the draft text.

#### 4.7 Approval and availability

The Workshop Chair shall decide when the Workshop participants have reached agreement on the final text of the CWA, on the basis of the comments received and any further consultation that has taken place, at which point the CWA is approved.

The Workshop Secretariat shall then submit the approved CWA to CCMC in all the language versions in which the Workshop participants have agreed it should be published. CCMC shall add the cover page and foreword (see Annex B) to the text and allocate an identifier in the format 'CWA XXX', before circulating the text to the CEN/CENELEC (national) Members for publication.

The CEN/CENELEC (national) Members shall notify CCMC on whether they will make the CWA available in their national territories and in what way.

A CWA does not have the status of a European Standard or HD (as defined in EN 45020:2006) so there is no obligation on the CEN/CENELEC (national) Members to withdraw any national standards that are in conflict with it.

#### 4.8 CWA lay-out

A CWA is not developed in accordance with the CEN/CENELEC Internal Regulations, Part 3, and does not have the status of a European Standard, so the cover page/foreword of the CWA shall include the following statements, as appropriate (see Annex B):

The CWA:

- is a technical agreement, developed and approved by an open independent Workshop structure within the framework of the CEN-CENELEC system;
- does not meet the requirements of consensus and transparency required of a European Standard (EN) developed by CEN/CENELEC and their members and shall not be represented as a European Standard or as equivalent to a European Standard;
- only reflects the agreement of the registered Workshop participants responsible for its content.

The organizations/participants approving the CWA shall be listed in its foreword.

#### 4.9 Lifetime and review

A CWA is valid for 3 years, after which the former Workshop Secretariat shall consult the former Workshop participants and the relevant CEN/CENELEC technical bodies to determine whether the CWA shall be confirmed for another 3 years, revised, transformed into another deliverable, or withdrawn. The former Workshop Secretariat shall inform CCMC of the decision.

A CWA shall be withdrawn immediately on the publication of a European Standard (and HD for CENELEC) with which it is in conflict.

CCMC shall circulate the decision related to the confirmation or revision of a CWA to the CEN/CENELEC BT(s) for information.

CCMC shall launch a BT decision process for approving the confirmation or revision of the CWA, if:

- a relevant technical body is opposed to the confirmation or revision of a CWA; or

## **CEN-CENELEC Guide 29: 2014**

- the CWA defines or the revision intends to define requirements related to safety aspects or management system aspects.

NOTE In CENELEC, safety aspects are excluded from the scope of CWAs.

If no BT decision is required or no concerns are raised by any of the CEN/CENELEC BT members, the CWA is either confirmed or a revision process is initiated.

After 6 years from initial publication, the CWA shall be submitted to the CEN/CENELEC BT(s) for decision regarding its transformation into another deliverable or its withdrawal.

Transformation into another deliverable may be proposed by anyone through a CEN/CENELEC (national) Member at any time during the 6 year lifetime.

### **5 Workshop business model**

The Workshop participants, in conjunction with the Workshop Secretariat, shall be responsible for defining and agreeing any financial arrangements, including any participation fees, necessary for the completion of the project plan.

### **6 Copyright, exploitation rights and other IPR**

Registered participation in a Workshop shall be conditional upon a formal assignment of exploitation rights to CEN/CENELEC.

The copyright in a CWA shall be exclusive to CEN/CENELEC, except where there are specific cross-licensing agreements with other organizations.

For all issues concerning patent rights, the Workshop shall refer to CEN-CENELEC Guide 8: *Guidelines for Implementation of the Common IPR Policy on Patents (and other statutory intellectual property rights based on inventions)*. CEN and CENELEC shall not be responsible for identifying any or all such patent rights (see Annex B).

All CEN/CENELEC (national) Members shall announce the publication of the CWA in their national journals and catalogues.

The CEN/CENELEC (national) Member providing the Workshop Secretariat shall be primarily responsible for its publication and distribution, in accordance with its own policies. Other CEN/CENELEC (national) Members may also distribute the CWA at their own discretion and in accordance with their own policies.

All exploitation and distribution of the CWA shall be in accordance with CEN-CENELEC Guide 10: *Guidelines for the distribution and sales of CEN-CENELEC publications*.

### **7 Limitation of liability**

All CWAs shall carry a statement on limitation of liability, clarifying that the CWA is not designed to support legislative requirements or to address any issues with significant health and safety implications, and that CEN and CENELEC are not accountable for its technical content or any possible conflict with national standards or legislation (see Annex B).

## Annex A (normative) Template for the self-assessment

Title of the proposed CWA:

**1. Does the proposed CWA conflict with an EN or an HD for CENELEC?**

- NO
- YES → **WARNING:** Work on the proposed CWA shall not be initiated.

**2. Does the proposed CWA intend to define requirements related to safety aspects?**

- NO
- YES Is the proposed CWA within the scope of
- CEN? → The CWA proposal shall be submitted to CEN/BT for decision.
- CENELEC? → **WARNING:** Work on the proposed CWA shall not be initiated.

**3. Is the scope of the proposed CWA within the scope of an existing CEN/CENELEC technical body?**

- NO
- YES → The relevant CEN/CENELEC technical body shall be consulted on the CWA proposal:
- If this technical body responds positively and sees no harm in the CWA being developed, the CWA proposal may be processed.
  - If the technical body is opposed to a CWA being launched, the CWA proposal shall be submitted to the CEN/CENELEC BT(s) for decision.

**4. Does the proposed CWA intend to define requirements related to management system aspects?**

- NO
- YES → The CWA proposal shall be submitted to the CEN/CENELEC BT(s) for decision.

**5. Does the proposed CWA intend to define requirements related to conformity assessment aspects?**

- NO
- YES → CEN/CENELEC Internal Regulations - Part 3, 6.7 applies.

If all these questions are answered NO, the CWA proposal may be processed.

If not, special conditions apply as given above.

## **Annex B** (informative) **Standard text for cover page and foreword of a CWA**

### **Cover page**

CWA XXX is a technical agreement, developed and approved by an open, independent Workshop structure within the framework of the CEN-CENELEC system.

CWA XXX reflects the agreement only of the registered participants responsible for its content, and was developed in accordance with the CEN-CENELEC rules and practices for the development and approval of CEN/CENELEC Workshop Agreements.

CWA XXX does not have the status of a European Standard (EN) developed by [CEN and/or CENELEC] and [its or their] [national] Members. It does not represent the wider level of consensus and transparency required for a European Standard (EN) and is not intended to support legislative requirements or to address issues with significant health and safety implications. For these reasons, [CEN and/or CENELEC] are not accountable for the technical content of CWA XXX or for any possible conflicts with national standards or legislation.

The Workshop participants who drafted and approved CWA XXX are indicated in the Foreword.

The copyright in CWA XXX is owned exclusively by [CEN and/or CENELEC]. Copies of CWA XXX are available from the [national standards bodies and/or national electrotechnical committees] of the following countries: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Former Yugoslav Republic of Macedonia, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and the United Kingdom.

### **Foreword**

CWA XXX was developed in accordance with CEN-CENELEC Guide 29 “CEN/CENELEC Workshop Agreements – The way to rapid agreement” and with the relevant provisions of CEN/CENELEC Internal Regulations - Part 2. It was agreed on YYYY-MM-DD in a Workshop by representatives of interested parties, approved and supported by [CEN and/or CENELEC] following a public call for participation made on YYYY-MM-DD. It does not necessarily reflect the views of all stakeholders that might have an interest in its subject matter.

The final text of CWA XXX was submitted to [CEN and/or CENELEC] for publication on YYYY-MM-DD. It was developed and approved by:

- name organization/individual
- name organization/individual
- ....

It is possible that some elements of CWA XXX may be subject to patent rights. The CEN-CENELEC policy on patent rights is set out in CEN-CENELEC Guide 8 “Guidelines for Implementation of the Common IPR Policy on Patents (and other statutory intellectual property rights based on inventions)”. [CEN and/or CENELEC] shall not be held responsible for identifying any or all such patent rights.

The Workshop participants have made every effort to ensure the reliability and accuracy of the technical and non-technical content of CWA XXX, but this does not guarantee, either explicitly or implicitly, its correctness. Users of CWA XXX should be aware that neither the Workshop participants, nor [CEN and/or CENELEC] can be held liable for damages or losses of any kind whatsoever which may arise from its application. Users of CWA XXX do so on their own responsibility and at their own risk.

## Bibliography

- [1] CEN/CENELEC Internal Regulations - Part 2, *Common rules for standardization work*
- [2] CEN/CENELEC Internal Regulations - Part 3, *Rules for the structure and drafting of CEN-CENELEC Publications*
- [3] CEN-CENELEC Guide 8, *CEN-CENELEC Guidelines for Implementation of the Common IPR Policy on Patents (and other statutory intellectual property rights based on inventions)*
- [4] CEN-CENELEC Guide 10, *Guidelines for the distribution and sales of CEN-CENELEC publications*
- [5] CEN-CENELEC Guide 23, *Consortium bridge — Adoption of third-party specifications as European Standardization Publications*
- [6] Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European Standardisation and amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council
- [7] 2011/C 349/04, Commission Decision of 28 November 2011 setting up the European multi-stakeholder platform on ICT standardisation