

## **Statement regarding the accreditation of certification providers**

Article 42 of the General Data Protection Regulation ("GDPR") requires that supervisory authorities (amongst others) encourage the establishment of data protection certification mechanisms. Within the UK these certifications will be issued by UKAS accredited certification bodies in relation to ICO-approved certification scheme criteria.

Under Article 43(1) GDPR and section 17 of the Data Protection Act 2018 ("DPA") certification bodies (or providers) must have appropriate expertise in data protection and must also be accredited by one or both of the following:

- a) the Information Commissioner; or
- b) the national accreditation body named in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council in accordance with EN-ISO/IEC 17065/2012.

In the UK, the UK Accreditation Service ("UKAS") is appointed as the national accreditation body by EU Regulation (EC) 765/2008 and the Accreditation Regulations 2009 (SI No 3155/2009).

UKAS is a non-profit-distributing private company, limited by guarantee and is independent of Government. It operates under a Memorandum of Understanding with the Government, through the Secretary of State for Department for Business, Energy & Industrial Strategy and is recognised by Government to assess, against internationally agreed standards, organisations that provide certification, testing, inspection and calibration services.

In order for UKAS to accredit an organisation as a certification body under s17(3) DPA 2018 the Commissioner must have published a statement that the body may carry out such accreditation, and not published a notice withdrawing that statement.

The Commissioner is, therefore, pleased to announce that UKAS may carry out accreditation of GDPR certification bodies in line with the above.

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