

REGULATION
No. 1030 of 13 November 2017
on the certification of equal pay systems
of companies and institutions according to the ÍST 85 Standard.

Article 1

Scope.

This regulation applies to the certification of equal pay systems of companies and institutions according to the Standard ÍST 85 *Equal pay management systems – Requirements and guidance*.

Article 2

Aim.

The aim of this regulation is that the equal pay management systems of companies and institutions should be certified in accordance with the requirements of the Standard ÍST 85, and with international requirements applying to certification and certification bodies enumerated in the standard ÍST EN ISO 17021-1:2015 *Conformity assessment - Requirements for bodies providing audit and certification of management systems - Part 1: Requirements*.

Article 3

Definitions.

In this regulation, the following terms are used as defined below:

a. *Certification*: A written statement from the certifying body which is provided with a certification certificate, following the certifying body's audit of a company's or institution's equal pay system, in which it is stated that the equal pay system and its implementation meet the requirements of the ÍST 85 standard.(*cf.* item *c* of Article 1 of that standard).

b. *Certification body*: A party that undertakes certification and has received accreditation (*cf.* Articles 4 and 5).

c. *Auditor*: An individual qualified to carry out an audit.

d. *Accreditation*: Confirmation that a certification body meets the requirements of the ÍST EN ISO 17021-1:2015 standard and the requirements of this regulation in order to carry out certification of the equal pay management systems of companies and institutions according to the Equal Pay Standard ÍST 85.

Article 4

Accreditation of certification bodies.

Certification bodies shall acquire accreditation from the Accreditation Division of the Icelandic Patent Office (*Einkaleyfastofa*) or a comparable entity in the European Economic Area.

Article 5

Certification under the standard ÍST 85.

Certification bodies which carry out certification under this regulation shall have acquired accreditation under Article 4. In demonstration of this, certification bodies shall be able to produce an accreditation certificate confirming that they meet the requirements of the ÍST EN ISO 17021-1:2015 standard and are considered competent to certify the equal pay systems of companies and institutions according to the Standard ÍST 85, and the requirements of this regulation.

Without prejudice to the first paragraph of this Article, certification bodies that have acquired accreditation according to the requirements of the ÍST EN ISO 17021-1:2015 standard may carry out audits and certify the equal pay systems of companies and institutions in accordance with the Standard ÍST 85, until 31 December 2019. The Ministry of Welfare shall confer with certification bodies, as necessary, on certification including the conduct of audits and the introduction of working procedures until 31 December 2019.

Certification bodies which have provided companies or institutions with advice on the introduction of the Standard ÍST 85 may not carry out auditing or adopt a position on the certification of the companies or institutions in question during the ensuing two years. The same shall apply to those who have worked for the certification bodies that provided the companies or institutions in question with advice according to the first sentence of this paragraph.

Article 6

Courses on equal pay certification.

The Ministry of Welfare shall ensure that courses are held for auditors in the field of gender equality and labour market issues that are of significance for certification in accordance with the requirements of the Standard ÍST 85.

Courses shall be held every three years, and more frequently if the need arises. Amongst other things, courses shall cover the requirements made regarding equal pay management systems in accordance with the Standard ÍST 85, including job classification and evaluation, wage analysis and special criteria for certification bodies set by the Minister on audit and certification of the Standard ÍST 85. The courses shall also cover labour legislations, the Gender Equality Act and collective agreements. Courses shall end with an examination and the issue of certificates. Auditors shall pass the examination with not less than first class marks.

Article 7

Audits, certification, use of the equal pay symbol and monitoring.

Certification bodies shall direct and carry out audits of equal pay management systems of companies or institutions. When a certification body has completed examination establishing that the equal pay management system of a company or institution meets the requirements of the Standard ÍST 85, the certification body shall take a decision on certification and issue a certificate in confirmation thereof.

The certification body shall send the Centre for Gender Equality a copy of the certificate, together with a report on the outcome of the audit.

The company or institution shall ensure that its certification is renewed every three years.

The Centre for Gender Equality shall confer the equal pay symbol on the company or institution on the basis of the certificate issued by the certification body under the first paragraph of this Article, and it shall be valid for the same period as the certificate. Use of the equal pay symbol shall be subject to rules set by the Minister, which are published in the protocol to this regulation.

The certification body shall furthermore inform the Centre for Gender Equality if the audit does not result in certification and state the reasons for this by submitting a report on the outcome of the audit. The Centre for Gender Equality may grant the organisations of the social partners access to certification bodies' reports in cases where audits of the equal pay systems of companies or institutions have not resulted in certification.

The Centre for Gender Equality shall maintain a register of companies and institutions that have acquired certification and publish it in an accessible manner on its website. Amongst other things, the information published in the register shall include the name of the company or institution, its ID number, its address and the period for which certification is to remain valid. Furthermore, the Centre for Gender