DIRECTORATE FOR STANDARDS, METROLOGY AND QUALITY
VIETNAM CERTIFICATION CENTRE - QUACERT

No: 398/15/QĐ-QUACERT

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Hanoi, 31 January 2015

DECISION
On Promulgation of Terms and Conditions for Certification
DIRECTOR
VIETNAM CERTIFICATION CENTRE - QUACERT

- Pursuant to Decision No 1003/QĐ-BKHCNMT dated June 1, 1999 of the Minister of the Ministry of Science, Technology and Environment (now renamed Ministry of Science and Technology) on establishment of the Vietnam Certification Centre - QUACERT;

- Pursuant to Decision No 68/QĐ-TĐC dated January 19, 2015 of the Director General of the Directorate for Standards, Metrology and Quality on defining the organisational regulations and operations of the Vietnam Certification Centre - QUACERT;

- Pursuant to requirements of ISO/IEC 17021-1, ISO/TS 22003, ISO/IEC 27006, ISO/IEC 17065, ISO 50003 and other applicable standards for bodies providing assessment and certification activities of management systems, products, processes and services,

DECIDES

Article 1. To promulgate "Terms and Conditions for Certification" together with this Decision;

Article 2. QUACERT, certification bodies and certified organizations by QUACERT for management systems shall comply with this Decision;

Article 3. This Decision takes effect from the signing date and replaces all the previous related decisions.

DIRECTOR

(signed and sealed)

CC. to:
- *Organizations applying for certification;*
- *All QUACERT Depts;*
- *QUACERT website;*
- *Retained in QUACERT*

TERMS AND CONDITIONS FOR MANAGEMENT SYSTEM CERTIFICATION

(Promulgated together with Decision 398/15/QD-QC, dated 31/01/2015 of the Director of Vietnam Certification Centre-QUACERT)

I. GENERAL PROVISIONS

1. Vietnam Certification Centre - QUACERT is a certification body established by Ministry of Sciences, Technology and Environment (now renamed Ministry of Science and Technology) to conduct management system certification, product certification conforming to national, foreign, and international standards as well as technical regulations. Certification procedures, policies and activities of QUACERT shall comply with international requirements, criteria as and rules to ensure the integrity and uniformity in quality of QUACERT certification services. Such policies and procedures shall not be used to impede or inhibit access by applicants.

2. Understanding the importance of impartiality in conducting certification, QUACERT commits to control conflicts of interest and ensures the objectivity of the certification. All organizations which have legal status, regardless of sector, size and financial conditions may apply for certification. However, QUACERT shall not certify in the following cases:

a) Having relationship which affects the objectivity of QUACERT;

b) Other certification body requests QUACERT to provide certification services for its certification activities; or

c) The applicant has been using consulting activities or internal audit of consultant in which the relationship between this consultant and QUACERT affects the objectivity of QUACERT. The minimum duration of two years from the end of the consulting activities is considered not to affect this objectivity.

3. In addition, in order to ensure the objectivity of the certification services, QUACERT guarantees that:

a) QUACERT or any other part of QUACERT shall not be allowed to offer or provide consulting activities of management system, consulting services related to product design, including the development of applicable standard for product, consulting activities for product manufacturing process to be certified.

b) QUACERT or any other part of QUACERT shall not be allowed to offer or provide internal audit activities for applicant.

c) QUACERT shall not subcontract consultants to conduct auditing activities.

d) During QUACERT operation, QUACERT shall not be allowed to introduce or implied that QUACERT has relations with the activities of an organization that provides consulting services. QUACERT shall take appropriate actions to adjust the statements or implicitness of any consultant that the certification services would be simpler, easier, faster or less expensive if the applicant uses the certification services of QUACERT.

e) QUACERT shall not claim or imply that the certification services would be simpler, easier, faster or less expensive if the applicant chooses a specific consultant.

f) The individuals who have provided management system or product consulting services, including playing the role as a manager for a specific organization shall not be used to conduct an assessment or perform other certification activities for such organization within two years since their tasks end.

g) QUACERT requires all employees, internal or external, to declare any situation that may lead to conflicts of interest between them or QUACERT with the applicant. QUACERT shall use this information as an input to indentify threats that affects the objectivity which may be caused by activities of individuals or organization where those individuals work. QUACERT shall not be allowed to use those individuals unless they can prove that there are no conflicts of interest.

h) All the employees of QUACERT, internal or external, or members of technical committee who can affect certification activities shall act objectively and not let the commercial, financial pressure or other pressure affect this objectivity; and

i) QUACERT shall take appropriate action in response to any thread that affects the objectivity arising from the activities of individuals, organizations or other entities.

4. QUACERT auditors shall possess qualifications as required in ISO 19011:2011 – Guidelines for Auditing management systems and related international standards when conducting an assessment of respective management systems such as ISO/TS 22003:2007 for auditors of food safety management systems, ISO/IEC 27006:2011 for auditors of information security management systems…

II. PROVISIONS FOR ASSESSMENT AND CERTIFICATION ACTIVITIES

1. Condition for certification

1.1 An organization is eligible for management system certification when:

a) It has legal status required by the law; and

b) It has established and implemented effectively one system in compliance with policies and documented procedures required by the applicable standards.

1.2 An organization is eligible for product, process and service certification when:

a) It has legal status required by the law;

b) It has established and implemented effectively a quality management system or quality assurance system for registration of product certification in accordance with Annex 2 of Decision 49/QD-TDC dated 13 February 2001 by the Derectorate for Standards, Metrology and Quality (if the certification method requires manufacturing process assessment);

c) The applicable standard for registration of product certification meets the requirements of ISO/IEC 17007:2009;

d) Having access to testing services according to the requirements of the applicable standards; and

e) A test results for the representative sample of the product meet the requirements of the applied standards.

2. Certification process

Process of preparing and conducting QUACERT certification audit shall be established and implemented in complying with requirements of ISO/IEC 17021, ISO/IEC 17065, ISO/TS 22003, ISO/IEC 27006, ISO 5003, ISO 19011.

2.1 Initial contact

QUACERT shall provide necessary information for the applicant, including: certification regulations and conditions, certification process and procedures and other related information

2.2 Application for certification

After reviewing and understanding certification regulations and conditions, certification process and procedures, the applicant fills out "Application for Certification" form signed by authorized representative and sends it to QUACERT. Application for Certification form shall include at least:

a) Scope, products for certification;

b) Name and address, information of related important aspects of the process and activities of the applicant as well as the legal obligations involved;

c) General of the applicant corresponding to applied fields to be certified, including operations, human resources and technical resources, organizational structure, relationships with a larger organization, if any;

d) Information relating to the outsourcing process of the applicant that affects the ability to comply with the requirements;

e) Applicable standard for certification or other specific requirements for certification; and

f) Information relating to use the consultant for management systems and products.

Additional for product certification:

g) Information regarding the implementation of the quality management/assurrance system (if required by the certification system);

h) Other relevant documents such as trade mark registration, declaration of conformity (if any).

2.3 Reviewing Application for Certification form

2.3.1 Before conducting an assessment, QUACERT shall review Application for Certification form and supported information to ensure that:

a) Information of the applicant and its management system/product is sufficient to be able to conduct assessment activities;

b) Certification requirements are clearly defined, documented and informed to the applicant;

c) Any misunderstanding between QUACERT and the applicant is resolved;

d) QUACERT has capability to carry out certification activities;

e) Certification scopes, products and sites of the applicant, time required to fulfill the certification audit and any other factors that affect the certification activities shall be considered specific (language, safety conditions, threads to objectivity, etc…)

f) Records that prove for decisions to conduct an assessment shall be kept.

2.3.2 Based on the results of reviewing application for certification form, QUACERT shall establish the overall assessment plan for the applicant. When developing the overall assessment plan, QUACERT shall ensure that:

a) Assessment plan includes certification audit with two periods, surveillance audit in the first year and second year and re-surveillance audit in the third year before the end of certificate validity (for management systems certification);

b) Sampling plan for each audit in the certification period shall be determined (for products certification);

c) The determination of the audit plan and the contents to be adjusted right after shall depend on the size of the applicant, scope and complexity of management systems of the applicant, products and processes as well as proven effectiveness level of management systems and the results of previous audits;

d) When considering certification or audits done for the applicant, QUACERT shall gather enough information which can be able to verify to adjust and keep the records of any adjustments related to the audit.

2.3.3 QUACERT shall determine the time required to plan and complete a comprehensive and effective audit for each certification program complying with the relevant procedures. Time for an audit and the basis to determine this time shall be recorded. Also, QUACERT should consider the following aspects:

a) The requirements of the respective management system standards;

b) The size and the complexity;

c) The technological framework and the legislation~~;~~

d) Any external outsource activities included in the scope of the management system;

e) Results of previous audit;

f) The number of sites and considering operation at multi sites; and

g) The time needed for testing (for on-site testing).

2.4 Preparation for Assessment

2.4.1 Based on the results of reviewing application for certification form, QUACERT shall determine capacity requirements of the personnel involved in the audit team and the personnel who conduct records review, certification proposal and decision making for certification. QUACERT shall ensure that

a) The assignment of the audit team shall include auditors, technical experts, if necessary, to have full capacity identified for certification;

b) The selection of audit team shall be made based on the results of the determination of auditors and technical experts capacity as defined in the policies and procedures of QUACERT;

c) The individuals who conduct records review, certification proposal shall be appointed to have appropriate qualifications; and

d) QUACERT shall provide, within a reasonable time, the name and, if required, a general overview of each auditor of the audit team to the applicant for consideration and approval.

QUACERT shall rearrange the audit team if the applicant has sensible reason to oppose an auditor or a specific technical expert.

e) Establish the specific rules or sampling plan for the certified products based on the applied standards. The organisation shall study the specific rules to be knowledgeble of the sampling and testing of sample requirements.

f) Testing laboratories are sellected by QUACERT based on the requirements of ISO/IEC 17025.

2.4.2 QUACERT shall ensure that all tasks assigned to the audit team are defined and communicated to the applicant. These tasks shall include:

a) Checking and confirming organizational structure, policies, processes, procedures, records and documents of the applicant relating to management system;

b) Identifying that the objects mentioned above meet requirements related to the expected scope of certification;

c) Determining that procedures and processes are developed, implemented and maintained effectively;

d) Providing reliable audit results of the applicant management systems; and

e) Informing to the applicant any inconsistency between the policies and objectives with the audit results.

f) Information relating to the testing laboratories used for the certification purposes

g) Information on the representative samples planned to be taken for the tests (if applicable)

2.4.3 QUACERT shall ensure that:

a) Audit program shall be established for each audit;

b) Audit program shall be established based on documented requirements of QUACERT, in accordance with relevant guidelines in ISO 19011;

c) The applicant shall be received information of audit program and approves the audit date.

2.5 Certification audit

2.5.1 For management systems certification

2.5.1.1 QUACERT shall conduct management system certification audit in two stages, which are stage 1 and stage 2.

2.5.1.2 QUACERT conducts the first period of management system certification audit to ensure that:

a) Assessing management system documentation of the applicant;

b) Considering sites and the specific conditions related to the applicant and determining the contents needed for the second period of management system certification audit;

c) Reviewing the status and understanding of the applicant to the requirements of relevant standards, in particular the critical point, significant aspects, processes, objectives and operation of the management system;

d) Collecting the necessary information regarding the scope of the management system, processes, sites, legal documents involved and the level of compliance (eg quality, environmental, legal aspects of the applicant's operations, risks related etc. ..);

e) Considering the allocation of resources for the second period of management system certification audit and discussing with the applicant about the detailed content for the second period of management system certification audit;

f) Orienting for planning the second period of management system certification audit through full understanding of the management system of the applicant and understanding of operational activities within the framework of the significant aspects;

g) Evaluating the planning and implementation of internal audit activities and management review, the level of management system performance and confirming the readiness of the applicant for the second period of management system certification audit.

During the first period of management system certification audit, QUACERT shall ensure that:

a) At least, a portion of the first period of management system certification audit is conducted on-site visit of the applicant to achieve the above objectives. This requirement does not apply to small organizations, low complexity and simple process. In this case, QUACERT will keep the specific evidences.

b) The findings of the first period of the management system certification audit are made in writing and notified to the applicant, including the identification of areas that can lead to nonconformity of the second period of the management system certification audit.

c) Basis for handling problems found in the first period of management system certification audit shall be considered to determine the interval between the first and the second period as well as the necessary adjustments for the second period of management system certification audit

2.5.1.3 QUACERT shall conduct the second period of management system certification audit at on-site visit of the applicant to assess the implementation and effectiveness of the management system. The second period of management system certification audit includes:

a) Reviewing information and evidence of compliance with all requirements of the applicable standards;

b) Monitoring the implementation, measurement, reporting and reviewing key results objectives and targets (consistent with the purposes of the applicable standards);

c) Considering the conformity of the management system and the results of compliance with relevant legislation;

d) Considering the operational control of processes;

e) Evaluating management review and internal audit;

f) Reviewing the management responsibility to policies;

g) Considering the relationship between technical requirements, standards, objectives and targets (consistent with the purposes of the applicable standards), the requirements of law, personnel responsibility and ability, operation, procedures, performance data, internal audit findings and conclusions.

2.5.1.4 QUACERT shall ensure that site visit audit is determined in documented requirements in accordance with guidelines in ISO 19011:2002.

2.5.2 For Product certification

2.5.2.1 Assessment of manufacturing process/ service provision process: If certification model requires the assessment of the manufacturing process / service provision process, the assessment creteria shall be the Annex 2 of Decision 49/QD-TDC dated 13 February 2001 by the Derectorate for Standards, Metrology and Quality. Audit process is in accordance with 2.5.1. Alternatively the ISO 9001 is used for assessment if it is applied by the applicant.

2.5.2.2 Typical sample testing: The typical sample testing shall be applied to all product assessments (including certification audit, surveillance audit, extension of certification audit, re-certification audit). The sellection of representative samples for testing shall follow the specific rules or sampling plan.

2.5.2.3 Assessment of test results: based on test results provides by the laboratory, QUACERT shall conduct a review to ensure that the testing is done in accordance with the test requirements specified for the sent sample and the test results meet requirements of applicable standards.

2.6 Conclusion of certification audit and audit report

2.6.1 QUACERT audit team shall analyze all concerned information and evidences collected during the stage 1 and stage 2 audit (for management system certification); evedences of quality assurance system, on-site checking results and test results (for product certification) to review the findings and consent to results.

2.6.2 QUACERT procedures shall specify that:

a) Head of audit team shall provide a report for each audit. The report is made based on the relevant guidelines in ISO 19011:2011 and other relevant standards;

b) Audit team may indicate opportunities for improvement but not be allowed to give specific solutions;

c) Audit reports is information managed by QUACERT;

d) Audit reports shall be distributed to the client.

2.6.3 For any nonconformities found in the audit process, QUACERT shall ensure that:

a) The audit team proposes the applicant to analysis causes and describe the correction and corrective actions implemented or to plan to eliminate the nonconformity found in a determined time;

b) QUACERT verifies the correction and corrective actions submitted by the applicant to consider the possibility of approval;

c) QUACERT notifies to the applicant if it is necessary to have a full or partly additional assessment or the applicant sends additional evidences in writing. These evidences will be verified in the next surveillance audits.

2.7 Approval of certification

2.7.1 The audit team shall provide all necessary information for the Technical Committee of QUACERT to verify before proposing certification. This information shall include at least the followings:

a) Audit report;

b) Comments of the nonconformities, the correction and corrective actions implemented by the applicant;

c) Verifying the provided information in the application for registration form used by QUACERT;;

d) Assessment of test results;

e) Proposing to grant or not to grant a certificate together with conditions or notes.

2.7.2 Technical committee shall be formed from the independent members with the individuals who conduct the audit. Technical committee shall confirm before proposing the Director to make certification decision and inform in writing to the applicant the following contents:

a) The information provided by the audit team in accordance with the certification requirements and the scope of certification;

b) Technical Committee has reviewed, approved and verified the effectiveness of the correction and corrective action for all the nonconformities;

c) The nonconformity to one or more requirements of the management system standards, or situations arised may affect the achievement of the expected objectives of the management system.

2.7.3 QUACERT shall ensure that certification decision is issued based on the review of audit findings and conclusions as well as other related information.

2.7.4 Certificate grant for the applicant will be maximum effective of 03 years from date of signing if the applicant complies completely with the requirements of the Certification regulations and conditions. For product certification in batches, certificates are valid for batches of products, goods sampled for testing.

2.8 Surveillance activity and certification maintenance

2.8.1 For the applicant, QUACERT shall conduct surveillance activities so that the areas and representative functional departments, products within the certification scope are monitored periodically, including taking into account the changes of the applicant as well as its management system. The surveillance activities should include:

a) On-site assessment to determine the conformity level of management system and/or products of the applicant against the requirements of the standards specified in the granted certificate;

b) Providing QUACERT requirements related to certification;

c) Reviewing the applicant statement related activities (eg information in promotional materials, web pages ...);

d) Requesting the applicant to provide documents or records (hard copy or soft copy);

e) The other methods to control the operation of the applicant.

2.8.2 Surveillance audit shall be conducted at least once a year at on-site. The first surveillance audit shall be performed at intervals of not more than 12 month from the last day of the second period of certification process.

For surveillance audit, it is not necessary to assess the entire management system/all types of products but shall be planned in conjunction with other monitoring activities so that QUACERT can confirm that the certified management system keeps meeting fully the requirements between the reassessment. However, surveillance audit agenda shall include at least:

a) Internal audit and management review;

b) Reviewing the corrective actions of the nonconformities of previous surveillance audits;

c) Dealing with complaints;

d) Effectiveness of management systems in achieving objectives;

e) The process of implementation of planned activities aimed at continual improvement;

f) Operational control;

g) Considering the change, and

h) Using certification marks and other information relating to granted certificates;

i) Taking sample for testing (for product certification).

2.8.3 QUACERT shall maintain the validity of the granted certificates based on evidences that the applicant continues to meet the requirements of the management system and/or product standards..

QUACERT procedures shall ensure that:

a) Qualified personnel appointed to monitor the surveillance activities;

b) The independent and qualified Technical Committee shall be assigned to review the reports of the auditors to determine that the certification activities are implemented effectively;

c) The certification is maintained based on the clear conclusions of the head of audit team and the subsequent independent review;

d) At any nonconformities or circumstances that may lead to the suspension or withdrawal of certification, head of the audit team shall immediately report to QUACERT on proposals followed by competent and independent personnel out of the audit team to determine the ability to maintain certification .

2.9 Recertification

2.9.1 Recertification activities shall be planned and conducted to assess if the applicant continues to comply with the requirements of the related management system standards. QUACERT procedures shall ensure:

a) Reviewing the results of implementation of the management system/quality assurance system during the certification period;

b) Considering the prior surveillance reports;

c) Conducting the first period of recertification if there are significant changes arised to the management system, organization or context in which the management system is being operated (eg, changes in legal basis).

d) Including on-site assessment focused on the following aspects:

   i) the effectiveness of the management system when there are internal or external changes and the conformity of the system with the scope of certification;

ii) the commitment expressed to maintain the effectiveness and improve the management system in order to improve the overall efficiency;

iii) the operation of the management system certified to help achieve the objectives and policies of the applicant.

2.9.2 In the process of recertification, if there is nonconformity or lack of conformity, QUACERT shall determine the interval for correction and corrective action prior to the expiration of the certificate.

2.9.3 QUACERT shall grant certificate based on the results of the recertification as well as the results of overall review of certification system through all the certification period and the complaints received from the objects using certification results.

2.10 Extending certification

The certified organization wishes to expand the scope of certificate shall be submitted extending registration form to QUACERT. Upon receipt of registration, QUACERT shall consider and determine the necessary assessment activities to decide whether to expand or not the certified scope. Extending certification can combine with periodic surveillance audit.

2.11 Unscheduled assessment

QUACERT procedures shall ensure to take into account the possibility of conducting unscheduled assessment to certified organization to be able:

a) To investigate the complaints; or

b) To respond to the changes; or

c) To consider for suspended organizations.

If unscheduled assessment is determined necessarily by QUACERT, QUACERT shall ensure that:

a) Describing and clarifying conditions to conduct the special audit to certified organization; and

b) Being more carefully in the appointment of audit team.

3. Changes to certification requirements

3.1 When there are changes to certification standards, regulations or procedures, QUACERT shall notify organization of these changes and specify an appropriate period for organization to adjust its processes, procedures in compliance with changed requirements.

3.2 QUACERT shall verify that each verified organization complies with the new requirements. If certified organization is still unable to meet the changed requirements when the end of specified time for switching, QUACERT shall perform one of the following actions:

a) Suspending certification;

b) Withdrawing certification;

c) Refusing to renew certification; and

d) Reducing certification scope.

3.3 QUACERT shall notify the decision and the reason to the applicant in writing.

4. Suspension, withdrawal or reduction of certification

4.1 QUACERT shall suspend certification in cases:

a) The management system/quality assurance sytem of the certified organization does not meet the certification requirements including requirements of management systems effectiveness in a severe level or in a consecutive period;

b) Certified products do not meet requirements of the applicable standards;

c) The certified organization does not guarantee that all the surveillance audits or periodic re-assessments are not conducted according to required frequency; or

d) The certified organization requests suspension of certification voluntarily.

4.2 QUACERT shall notify the certified organization the suspension and request corrective actions within a certain period of time. The suspension shall be declared publicly.

4.3 After a period of certification suspension, QUACERT shall review all relevant evidences to:

a) Restore certification; or

b) Withdraw certification if the organization does not resolve the issues led to the suspension of certification within a specified time or perform the actions as specified in Section 4.4.

4.4 QUACERT shall reduce the scope of certification for those activities which do not meet the requirements when such activities belonging to this certification scope violate continuously or seriously to the requirements for certification.

4.5 QUACERT shall withdraw certification and all agreements on using of Certificate and Certification Mark in following cases:

a) As specified in Section 4.3;

b) The organisation has stopped the production of the certified product for 12 months and above;

c) Organization goes bankcrupt; or

d) As required by organization.

4.6 When asked, QUACERT shall inform accurately the certification status of the organization when its certification is suspended, withdrawal or reduced certification scope.

5. Responsibilities of the organization

5.1 The applicant shall submit the application for certification form confirmed by the authorized representative and commit to comply with all requirements specified in the certification regulations and condition.

5.2 The applicant shall prepare all things necessary for assessment activities, including provision of documents for certification and permit to access all processes, areas, records, personnel who assists for the purpose of initial certification, surveillance, recertification and resolution of complaints. When possible, the applicant shall create the necessary conditions for observers (e.g. trainees or auditors of Accreditation Body), technical experts, interpreters, translators involved in the audit team.

5.3 The certified organizations are responsible solely for the effectiveness of the certified system/product and regularly maintain the effectiveness of the system/fulfilement of the product in accordance with the requirements of applicable standards.

5.4 The certified organizations shall notify QUACERT immediately issues that can affect the ability of the management system/product in compliance with the requirements of applicable standards for certification. These issues include changes related to:

a) Legal status, trade, structure or ownership;

b) Organizational structure and Management Board;

c) Addresses and operational sites;

d) Scope of activities belonging to the certified management system, or

e) Major changes in management systems, processes and products.

5.5 The certified organizations shall:

a) Keep all their opinions, complaints related to certified systems/products and be ready to provide QUACERT upon requested;

b) Analysis reasons and implement appropriate measures to handle complaints and deficiencies that affect compliance with the certification requirements to recovery conformity and to prevent recurrence;

c) Keep records of repairing methods and corrective actions implemented and the achieved results, and

d) Report to the organizations and individuals involved, if there is any regulation of law.

5.6 The certified organizations shall be responsibility for using the Certificate and the Certification Mark in accordance with the relevant regulations. Certificate and Certification Mark are used in the following conditions:

a) The Certification Mark is only to be used on letterheads, media, promotional materials regarding products and services defined clearly in the scope of certification;

b) Product certification mark can be printed or attached on the certified product or packaging. Instruction for printing the certification mark is described in details in the Annex 1 of Decision 49/QD-TDC and other instruction given by QUACERT;

c) Do not use the System Certification Mark directly on the product or product packaging that consumers can see or in any other manner that might mislead that products are certified.

d) Do not use the System Certification Mark on the slip of test results, calibration or inspection reports due to these documents are considered as products in this field;

e) The certified organizations shall stop using the Certificate and the Certification Mark when QUACERT states in writing that such using way may mislead on the object and scope of certification. As such, the certified organizations shall stop all clarifications implied to the right to use the certificate and certification Mark; and

f) QUACERT has ownership of the Certificate and the Certification Mark. The Certificate and Certification Mark are non-transferable.

In addition to the above requirements, the certified organization shall be responsible for:

a) Ensuring compliance with the requirements of QUACERT when referring to the certification status in the media such as the internet, brochures or advertising, or other documents;

b) Not causing or not permitting any misunderstanding regarding the certification;

c) Not to be used or not permitting the use of the Certificate or a part of the Certificate in the way that could cause misunderstanding;

d) When suspended or withdrawal certification, shall stop all declarations or advertising referred to the certification results as required by QUACERT;

e) Shall modify appropriately all the declared when the certification scope is reduced;

f) Not allowing to quote the management system certification in a manner implied that QUACERT certifies for products, services or particular process;

g) Not to be implied that the certification applying to activities is outside the scope of certification; and

h) Not using the Certificate in a manner that can cause adverse effects or discredit to QUACERT.

6. Rights of the certified organization:

The certified organization shall have rights as follows:

a) To advertise on media ;

b) To use the Certificate Mark; and

c) To use certification results for technical, bidding documents and other activities in accordance with Act on Product Quality; and

d) To be updated in "The list of certified organizations" of QUACERT.

7. Legal liabilities of QUACERT

7.1 QUACERT shall commit to secure all information recorded during certification activities at all levels in the organization, including technical committees, external organizations or individuals authorized by QUACERT to perform certification activities.
To implement this policy, QUACERT shall ensure that:

a) QUACERT will inform in advance to organization on the information intended to declare publicly by QUACERT;

b) Except for the information declared publicly by the organization, all other information including information recognized from other sources about the organization (e.g. from the complainant, the competent authority) will be handled secretly by QUACERT;

c) Information about a particular organization or individual may only be disclosed to third party upon written consent of the individual or organization concerned. When required to provide information to a third party at the request of law, QUACERT shall inform in advance to the organization information to be provided unless prohibited by the law;

d) All of QUACERT employees, including members of the technical committee, contractors, individuals of the external organization or individuals authorized by QUACERT to perform the job shall be responsible for securing information acquired in the implementation process of certification activities;

e) Providing equipment and appropriate means to ensure handling safe information need to be confidential; and

f) When the confidential information need to be provided to other organizations (e.g. Accreditation Body), QUACERT will notify the organization of this action.

7.2 Procedures for handling complaints shall be made according to the principle of confidentiality when these procedures are related to the complainant and complaints issues.

7.3 QUACERT is a public scientific organization, an independent legal entity therefore QUACERT shall have legal responsibility required by the law.

8. Fees

The applicant shall pay all assessment, certification, surveillance fees and other fees as agreed. Fees are calculated and agreed after considering the certification scope, organizational size, assessment site, the complexity of the system and other relevant information.

9. Complaints and appeals

The applicants or certified organizations can appeal against QUACERT decisions; interested parties can complain about QUACERT's activites, decisions or QUACERT's customers. QUACERT shall handle officially these complaints or appeals according to Procedure for handling appeals and Procedure for handling complaints./.