

Certification procedure for granting, for maintaining, for extending or reducing the scope of, for suspending, for withdrawing and for refusing certification

1.0 Certification Processes

Apart from the audit scheduling and planning and the auditing activities, the TLAC certification operations cover the application review, granting, refusing, maintaining of certification, expanding or reducing the scope of certification, renewing, suspending, withdrawing or restoring of certification as described below.

Note: 1. All of these processes/ activities shall be operated on-discriminatory.

2. TLAC shall not use its procedures to impede or inhibit any kind of application, but make its services accessible to all applicants provided that their activities fall within the scope of certification. Access to the certification process is not conditional no matter the size of the organization or membership of any association or group, nor certification be conditional upon the number of certifications already issued.

- 1.1 Upon receiving a verbal or written request from (potential) client, TLAC shall offer an application form to the client and to request him to give the required information.
- 1.2 After receiving the returned application form, TLAC shall carry out an application review and determine if the application is accepted or not.
- 1.3 A quotation with the “TLAC Terms and Conditions of Services” shall then be passed to the applicant (client). A two-stage initial certification audit will be scheduled if the quotation is confirmed and signed by the client as a binding contract, where it is presented the client has agreed the TLAC Terms and Conditions of Services.
- 1.4 Upon completion of a two-stage initial certification audit and only when the implementation of concerned rectifications/ corrections and corrective actions for the identified nonconformities and areas for improvement (AFI)/ observations are seen satisfactorily taken by the client, the audit team shall give a “Recommendation to grant certification” together with any suggested remarks to the Audit Report Reviewer.

- 1.5 On the other hand, TLAC shall inform the client if a follow-up audit or additional product testing (for product scheme), or documented evidence is needed to verify the effectiveness of correction and corrective actions. If there is a major nonconformity raised in initial certification audit and TLAC finds that the client is unable to plan and implement the required corrections and corrective actions to such major nonconformity within 6 months after the last day of the Stage 2 audit, TLAC shall arrange another Stage 2 audit to the client.
- 1.6 After the required audit has been conducted by the audit team, the Audit Report Reviewer (ARR) shall be responsible for reviewing the audit report and all related audit evidence, including any deviation of audit processes, and providing a result of the review (recommendation) to the Certification Decision Maker (CDM) for the audit.
- 1.7 CDM shall gather and study all concerned audit evidence; the information on the certification processes from application review to getting review result by the ARR; the management system / product conformity criteria; the audit test results (for product scheme) and factors regarding impartiality and confidentiality of the processes; the applicable requirements by accreditation body and scheme owner; and finally make a certification decision.
- 1.8 If CDM decides to grant a certification to the client, a certificate shall be issued for an initial period of 3-year. Surveillance audits shall be scheduled by TLAC Audit Scheduler at planned interval as required by the management system standard / product scheme / TLAC's requirement. The certification shall be valid until 3-year time after the date of certification decision, subject to the fulfillment of the "TLAC Terms and Conditions of Services" by the client and satisfactory results of audits (including audit testing – for product scheme) demonstrated in the surveillance audits within the 3-year certification cycle and the recertification audit.

Note: To maintain the certification, the required surveillance audit interval shall be in accordance with the requirements of the management system standard / product scheme / TLAC's requirement. If the recertification activities are successfully completed before the date of validity of the existing certification, the date of validity printed on the new certificate can be making reference to the date of validity of the existing certificate.

1.9 Similar to the initial certification, CDM shall make decision on recertification based on the recertification audit results or management system certification, and recertification audit results, audit testing results of product certification, the review results of the system over the period of certification, etc., as well as the complaints or other adverse information received from users of certification or other relevant interested parties.

1.10 If TLAC does not complete all the required activities for recertification, e.g. obtaining the audit test results (for product scheme) or getting satisfactory information for the implementation of corrections and corrective actions of a major nonconformity, before the expiry date of the existing certification, the recertification shall not be recommended and the validity of the certification shall not be extended. Therefore, TLAC Lead auditor shall clearly explain the flow of issuance of certificate to the client in every closing meeting of recertification audits.

2.0 Refusing of Certification

TLAC shall decide to refuse certification/ certification application/ audits to client in the following situation:

- (a) If it is known that the activities or products applied for certification are beyond TLAC's capacity and capability, TLAC shall consider refusing to accept its application.
- (b) A threat (risk) to TLAC's impartiality, reputation, company image,
- (c) certification activities as well as its business is seen if TLAC carried out certification activity to the client;
- (d) There are illegal issues involved before or during application or certification;
- (e) The management system / product applied for certification is known lacking of proper activities / product conformity to criteria well recognized in the industry or not in-line with its application;
- (f) It is observed seen that the performance or readiness of the client's management system, the production processes and/or equipment, etc. is not appropriate for seeking for certification in accordance with the management system standard / product scheme.
- (g) The client fail to handle the non-conformity of audits and the product cannot meet the acceptance criteria of audit testing (for product scheme).

3.0 Termination, reduction, suspension or withdrawal of certification

3.1 When a nonconformity with certification requirements is substantiated, either as a result of surveillance or otherwise, TLAC shall consider and decide upon the below action, as approved by the GM:

- (a) continuation of certification under conditions specified by the certification body (e.g. increased surveillance);
- (b) reduction in the scope of certification;
- (c) suspension of the certification- waiting for the remedial action by the client; and
- (d) withdrawal of the certification.
- (e) falsification / misrepresentation of any statements made by the client which may bring TLAC / HKAS into disrepute.

3.2 Suspension of certification

3.2.1 TLAC may suspend a certification when a certified client voluntarily requests for suspension of certification or

- (a) commits a breach of the “TLAC Terms and Conditions of Services” and refuse to rectify within one month;
- (b) becomes bankrupt, subject to the bankruptcy laws or makes any arrangements or composition with its creditors, or enters into liquidation, whether compulsory or voluntary (but not including liquidation for the purpose of reconstruction);
- (c) is found to be incompetent in carrying out of any certified activities or to be incapable of complying with any of the relevant certification criteria;
- (d) is involved in any impropriety, corrupt practice other activities which is prejudicial to HKAS's / TLAC's fame;
- (e) fails to complete the payment of invoices issued by TLAC;
- (f) TLAC receives an unsatisfactory audit results and “negative” recommendation from the audit team;
- (g) for the certified client of Occupational Health and Safety Management System (OHSMS) Certification does not inform TLAC immediately of the occurrence of a serious incident or

breach of regulation necessitating the involvement of the competent regulatory authority, and/or

- (h) for Occupational Health and Safety Management System (OHSMS) Certification, if information on a serious accident, or a serious breach of regulation necessitating the involvement of the competent regulatory authority showing that the OHSMS has seriously failed to meet OH&S certification requirements, has been provided by client or directly gathered by the audit team during an audit, TLAC may impose a suspension or withdrawal of the certification.

3.2.2 The maximum period allowed for certification suspension is 6-month from the effective date of the suspension or 6-month from the expiry date of certificate, depending on which is earlier. Certification can be restored within 6 months from the effective date of suspension.

3.2.3 TLAC may require the client to discontinue the use of certification mark or any claim to certification under the Scheme with immediate effect until it is satisfied that the conditions of certification are again complied. However, the suspension shall not exceed more than 6-month. Failure to resolve the issues that are resulted in the suspension shall result in the withdrawal of certification or reduction of scope.

3.3 Withdrawal of certification

3.3.1 TLAC may withdraw a certificate when a certified organization voluntarily requests for withdrawal of certification or fails to abide any of the.

3.3.2 A certified organization may voluntarily withdraw its certification for its activities by providing TLAC written notice. The effective date of certification withdrawal shall be in accordance with the date of the written notice.

3.3.3 After the withdrawal, if the organization needs to re-apply for the certification from TLAC again and an audit of audit time not less than that of Stage 2 audit shall be conducted.

Note: 1. If a certification is terminated (by request of the client), suspended or withdrawn, TLAC shall take actions specified by the certification scheme and shall make all necessary modifications to formal certification documents, public information, authorizations for use of marks, etc., in order to ensure it provides no indication that the product continues to be certified.

2. If a scope of certification is reduced, TLAC shall take actions specified by the certification scheme and shall make modifications to formal certificate, web site information, etc., in order to ensure the reduced scope of certification is clearly communicated to the client and clearly specified in public information.
3. If certification is suspended, the Manger (Certification Services) shall formulate and communicate the following to the client:
 - actions needed to end suspension and restore certification for the activities in accordance with the management system standard / product in accordance with the product scheme;
4. If certification is reinstated after suspension, TLAC shall make all necessary modifications to the formal certificate, public information, etc., in order to ensure all appropriate indications exist that the product continues to be certified.
5. If a decision to reduce the scope of certification is made as a condition of reinstatement, the certification body shall make all necessary modifications to the formal certificate and public information, etc., in order to ensure the reduced scope of certification is clearly communicated to the client and clearly specified in public information.
6. TLAC shall also take the following actions for the suspended/ withdrawn certification:
 - (a) sending a letter to the client as a reminder to stop using the certification status and mark;
 - (b) arranging to obtain the original copy of the certificate;
 - (c) checking the information shown on website of the client after 15 calendar days from the issuance date of the letter mentioned in above item (a), aiming to ensure the organization no longer claim a valid certification status to other interested parties.
7. TLAC shall request the client who has its certification suspended or withdrawn (no matter voluntarily or commanded by TLAC) within 14- day from the effective date of such suspension or withdrawal, to inform all its customers of the case and immediately implement the actions below:

- (a) stop using the Logo (or certification mark and accreditation symbol) in any manner whatsoever and shall cease using any other material that may imply that the product is still certified;
- (b) stop carrying out business or operating in a manner which may imply that the activities / product is still certified under the management system standard / product scheme;
- (c) send back the original copy of the certificate to TLAC or destroy it and discontinue the use of all advertisement where the certification is involved;
- (d) notify all customers of the termination of certification where the certification is a condition of contract with a customer immediately.

3.4 Restoring of Certification

3.4.1 Following expiring of certification, TLAC can allow to restore the certification within 6 months provided that the outstanding recertification activities are completed and by the same time the relevant product scheme requirements are not violated. Otherwise, at least a Stage 2 audit shall be conducted. Effective date of the certificate shall be on or after the recertification decision making while its expiry date is based on prior certification cycle.

3.4.2 If following the resolution of the issue that was resulted in the suspension of certification, TLAC can restore the suspended certification within 6 months from the effective date of suspension, provided that the relevant product scheme requirements are not violated. However, prolonged failure to resolve the issues causing the suspension shall result in withdrawal of certification.

3.4.3 If the certification is to be restored after suspension of certification, TLAC shall examine all necessary certification documents, public information, authorizations for use of marks, etc., in order to obtain appropriate evidences which support that the product's certification can be restored.

3.5 Extending or reducing the certification scope

If the certified client intends to expand or reduce the certification scope (e.g. For management system certification: to cover other services, activities or when the client has persistently or seriously failed to meet the certification requirement of those parts of the scope of certification; For product scheme: change in product model or production plant), or when the certified client requires to relocate the

certification site(s), submission of a new application is needed. When TLAC receives the application, TLAC management shall make a review of the application for extension or reduction of the certification scope and decide whether or not an additional audit is required. The additional audit may be conducted in the coming planned surveillance audit or, as a special situation independent from planned audits, decided by the General Manager.

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