

RULES & REGULATIONS OF MANAGEMENT SYSTEM CERTIFICATION

0. Definition

Moody: Moody International Certification Limited

Applicant: Organisation applying for management system certification by Moody International Certification Ltd.

Client: the Organisation has contracted with Moody International Certification Ltd. for management system certification services

Initial Enquiry Form: Document used to gather and record client specific information necessary to make an informed decision regarding the requisite competence required to conduct an effective audit.

1. Certification Scheme

In order to obtain and retain certification all applicants and clients to the scheme must adhere to the following rules of the scheme.

All information deemed necessary by Moody in order to complete the assessment should be made available by the applicant through the applicable initial enquiry form.

Moody will run the scheme in transparent and fair manner without prejudice and discrimination of any applicant due to its size, type of business, financial or political background.

Moody shall be responsible for complete process and all activities of certification, from the initial document review, audit/evaluation of the client's Management System through periodic surveillance audits and re-assessment audits/evaluations.

Moody shall inform the client of the initial audit/evaluation results and if not satisfied that all the requirements for the certification are being met, shall inform the client of those aspects in which the application is deemed non-compliant.

When the client can demonstrate that effective remedial action has been taken to meet all the requirements within a specified time limit, Moody will review the remedial action and determine the suitability of awarding certification.

All certificated clients are entitled to provide feedback and suggestions relating to the potential areas for improvement of the rules & regulations. Moody reserves the right to make minor changes and corrections to these Rules & Regulations without prior notification. Clients will be given prior notice of any changes that affect their responsibilities or liabilities.

The client shall ensure that the question of responsibility to Moody for the certified system is clearly defined, e.g. by appointing a designated person who is nominated to maintain contact with Moody to ensure that the above provisions have been observed.

The client shall permit scheme accreditation representatives or trainee Moody auditors all reasonable access for the purpose of observing Moody's auditors/evaluators performing initial audit/evaluation and/or surveillance activities.

2. Initial Audit/Evaluation for Certification

Initial audits/evaluations shall be conducted against the applicant's procedures and the requirements of internationally accepted:

- product certification schemes,
- management system standards
- Applicable legislations and Directives
- And/or sector schemes' series of documents.

3. Certification

When an initial audit/evaluation has been completed and systems deemed to be satisfactory to the standard requirements by the approved scheme management, the relevant Scheme Manager shall inform the applicant accordingly and issue a certificate of registration.

Surveillance frequency will be stipulated as either once or twice each year, but additional visits may be conducted at the discretion of the Scheme Managers of Moody.

The certificate of registration is valid for three years from date of issue or recertification, subject to the client continuing to meet the certification requirements detailed within the rules & regulations.

It may be necessary for Moody to conduct audits of certificated clients at short notice to investigate complaints, or in response to changes, or as a follow-up on suspended clients. Under such circumstance Moody shall exercise additional care in the assignment of the audit team.

The certificate will remain the property of Moody and shall always be returned on request.

All clients shall maintain a log of all customer complaints they receive which fall within the scope of registration for which a certificate has been awarded. The details responding actions against these customer complaints shall be available for Moody review in the audit.

4. Extending Certification

A client wishing to extend the scope of its certification to cover additional products, processes, services or sites shall apply to Moody in writing. A Scheme Manager shall review the nature of extension and decide on the necessary audits/evaluations to be performed.

5. Publicity by Certificate Holders

A client has the right to publish that the product, process or service and company have been certified Moody and apply certification mark to promotional materials for which the certificate applies.

In every case, the client shall take sufficient care of its publications and advertising so that no confusion arises between management system certification and specific product certification, certificated and non-certificated business scopes covering product and/or services, which may mislead the market.

The client shall not make any claim that could mislead purchasers to believe that a product, process, service, site or organisation is covered by the certification when in fact it is not.

6. Publicity by Moody

Non-confidential information relating to a client certificated management system may be placed in the public domain by Moody.

7. Confidentiality

Moody shall endeavour to ensure that its employees and contractors maintain secrecy concerning all confidential information with which they become acquainted as a result of their contacts with the client.

The client shall maintain confidentiality of all commercial terms and conditions with Moody for certification services.

Information about a particular client of individual shall not be disclosed to any third party without the written consent of the client or individual concerned.

Where Moody is required by law to release confidential information to a third party, the client or individual concerned shall, unless regulated by law, be notified in advanced of the information provided.

When confidential information is made available to other bodies, (e.g. accreditation body, agreement group or a peer assessment scheme,) confidentiality of information viewed will be assured during access by these bodies.

8. Misuse of a Certificate

Moody shall take all reasonable precautions to control the use of its certificates by the certificated clients.

Incorrect references to certifications or misleading use of certificates found in advertisements; catalogues, etc. shall be dealt with by suitable actions, which could include legal or corrective action or publicising the transgression.

Clients are invited to report to the Scheme Manager any misuse of the Moody's marks which comes to their attention. The source of all information received will be treated in confidence.

9. Suspension of Certification

The certificate applicable to a specific business scope covering product, process, service, site or organisation may be suspended for a limited period (in most cases the suspension would not exceed 6 months) in, but not limited to the following cases: -

- If the regular surveillance or recertification audit shows non-compliance with the requirements which is of such a nature that does not require immediate withdrawal.
- If a case of improper use of the certificate, e.g. misleading prints or advertising is not solved by suitable retractions or other appropriate remedial measures by the client.
- The client has voluntarily requested a suspension
- If there has been any other contravention of the certification rules and regulations.
- If corrective action requests (CAR's) have not been implemented within specified time scales.
- if the surveillance or re-audit is delayed by more than 2 months beyond the due date

The client shall not identify as a Moody certificated organisation covering the product, process or service that has been offered in the course of suspension.

The Scheme Manager of Moody will confirm an official suspension of the certificate to the client. At the same time the Scheme Manager shall indicate under which conditions the suspension will be removed.

At the end of the suspension period, an investigation will be carried out to determine whether the indicated conditions for reinstating the certificate have been fulfilled.

On fulfilment of these conditions the suspension could be lifted by notifying the client that the certification has been reinstated. If the conditions are not fulfilled, the certificate shall be withdrawn.

All costs incurred by Moody, in the suspending and reinstating of certificates will be charged to the client.

10. Withdrawal / Cancellation of Certificate

Failure to resolve the issues that have resulted in the suspension of certification in a time specified by Moody shall result in withdrawal or reduction of the scope of certification. A certificate may be withdrawn or the scope of certification reduced in the following cases: -

- If the audit shows that the non-compliance is of a serious nature.
- if the surveillance or re-audit is delayed by more than 4 months beyond the due date
- If the client fails to settle the due payment of its financial obligation.
- If the client fails to take adequate measures in case of suspension.
- If any actions are taken by the client which would bring the Moody's scheme into disrepute.

In the above cases Moody has the right to withdraw the certificate by informing the client. The client shall have the right to appeal.

Certificates will be cancelled in the following cases: -

- If the client does not wish to continue certification to the scheme.
- if the product, process or service is no longer offered
- If the client ceases trading for whatever reason.

11. Corrective Actions

When Moody receives a report of certificate misuse the report shall be investigated. If misuse is substantiated, the cost of the investigation shall be paid by the certificate holder.

Moody will determine the scope of misuse and the type of corrective action to be undertaken.

12. Complaints Handling Process

Should the client have cause to complain regarding the conduct of Moody's staff, the complaint should be made in writing and addressed to the relevant Scheme Manager of Moody.

Should the complaint be made against the Scheme Manager, the letter of complaint should be addressed to Moody responsible board director.

Complaints received by Moody from any stakeholder regarding the activities of a certificated client shall be referred to that client at an appropriate time. The complaint shall be investigated in accordance with the Moody complaints handling process procedure.

The alleged complaint is logged and evaluated to establish its validity, with any requisite corrective and preventive action instigated where necessary. This process shall be subject to requirements of confidentiality. Moody shall determine, together with the client and complainant, whether and, if so to what extent, the subject of the complaint and its resolution shall be made public.

13. Appeals Procedure

The client has the right to appeal against any notification given regarding the suspension, reduction in scope or withdrawal of certification by Moody.

Notification of an client's intention to appeal must be made in writing, and must be received by the relevant Scheme Manager of Moody within fourteen days of receipt of notification of failure to comply with the certification requirements.

Moody shall make the suspended status of the certification publicly accessible.

The client has the right to object to involvement of particular members of the Moody's management in the appeals procedure if evidence can be provided that their impartiality is compromised. The appellants also have the right to present their case in person at their own expense.

The decision of the Supervisory Board shall be final and binding on both the client and Moody. Once the Supervisory Board has made a decision regarding an appeal, no counter claim by either party in dispute can be made to amend or change this decision. Decisions on appeals will be made within 4 months of receipt of the appeal.

In instances where the appeal has been successful and the award made or reinstated, reimbursement of costs of appeals will only be made at the discretion of the top management.

Submission investigation and decisions on appeals shall not result in any discriminatory actions against the appellant

14. Fees

Moody shall be entitled to charge fees at a level to be determined from time to time having regard to its operating costs relating to the services, administration and long term development of the services.

Commercial arrangements are detailed in service contracts or other agreements between Moody and the clients.

15. Notice of Changes

All clients are required to inform Moody without delay of matters that may affect the capability of the management system to continue to fulfil the requirements of the standard used for certification. The matters include changes relating to:

- The legal, commercial, organisational or ownership, including key managerial, decision-making or technical staff.
- Contact address and sites
- Size and Scope of business under the certified management system
- Major changes to the management system and processes

Moody's auditors must also be notified of all changes made to the management system since the previous visit.

Moody shall give its certificated clients due notice of any changes to its requirements for certification.

16. Disputes

Any disputes subject to legal proceedings will be settled in accordance with English Law.