

internal / external

**Certification Regulations
in the field of Management Systems**



Certification Regulations of TÜO

Applicable for the certification of management systems such as
ISO 9001, ISO 14001, OHSAS 18001, ISO 22000 and others

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Preliminary remarks

1. Area of application

The regulations listed here are the procedure principles and conditions which form the basis of the certifications of the TÜO. They are valid, in addition to the general business terms and conditions of the TÜO, for the certification of management systems according to accredited certification procedures. These are certification procedures which are subject to generally valid, international accreditation standards, and, if necessary include corresponding implementation directives, and/or special specifications of the respective accreditation body. The international accreditation standards which form the basis of these certification regulations are in detail:

- the international accreditation standards ISO / IEC 17021 (formerly EN 45012 in connection with ISO/IEC guide 62) and ISO 19011,
- certification standard specific accreditation standards: e.g., ISO 22003 for the food industry, as well as
- Certification standards such as ISO 9001, ISO 14001, OHSAS 18001

If the procedure principles specified here and with it the demands for the certification change the TÜO informs the certified customers about the changes in due time before upcoming certification or surveillance audits in written form.

2. Definitions

The terms used here from the field of the management correspond to the general rules of conformity assessment. The term “assessment” includes all activities which are necessary to record objectively a certain state (e.g., review of the documentation, preparation and realisation of audits). An organisation which assigns the certification body of the TÜO with the realisation of services according to the following description is consecutively called customer. The abbreviation QM stands for Quality Management, the abbreviation EM for Environmental Management, FSM for Food Safety Management, OHS for Occupational Health & Safety, HACCP for Hazard analysis and critical control points.

3. Arrangement and use of these certification regulations

The certification regulations of the TÜO for management systems are divided into two parts. Part A (informative part) specifies the workflow of the certification, the annual surveillance and the re-certification procedures. Part B (legally obliging part) contains the special terms of business of the TÜO for the certification of management systems which form the basis for the realisation of all certification assignments in the area of management systems together with the general terms of business.

Every customer of the TÜO is provided with these certification regulations together with the offer for the certification of his management system. If the procedure principles and demands for the certification described in the certification regulations change, the customers of the TÜO are informed about it. This occurs in due time before the next upcoming audit in the written appointment confirmation. With this the customers are informed about the changed certification regulations which can be found on the internet site of the TÜO in the most actual version.

Part A Description of the certification procedure

1. Procedure principles

Every enterprise resp. every organisation has the possibility to have its management system be assessed by the certification body of the TÜO with the intention of the certification of its management system. A certificate is issued if the effectiveness of the implemented management system can be proved according to the requirements of the selected normative standard(s). Besides, the demands of the respective normative standard(s) are also determined by the respective branch and the enterprise size. The duration and efforts for the certification depend on the condition of the management system of the customer (e.g., completeness of the documentation) and on the size of the enterprise. The certification body of the TÜO is orienting itself according to customer needs without reducing any kind of normative requirements or objectivity of the assessment. In general the requirements and parameters of the EA (European co-operation for Accreditation) apply.

Management systems must not enclose the whole company structure of the customer; the extent of application can be limited to single areas or locations within the organisation structure of the customer. The contents of the assessment and with it also the validity of the certificate refer exclusively to the selected area of application. Nevertheless, the typical work characteristics of the organisational structure of the customer must find enough consideration.

2. Procedure Workflow

2.1. Application for certification

The certification activity in an enterprise requires the previous assignment of the TÜO on the basis of an offer. To be able to provide this, it is necessary that the enterprise submits all documents and data necessary for certification.

In particular the following information must arise from the documents submitted to the TÜO:

- the desired area of application of the certificate,
- the norms or other requirements according to which a certification is requested (e.g., ISO 9001),
- the general information of the applying customer, like name and address of the location, (if necessary) other locations, number of employees, name of contact persons, in particular management representatives etc.,
- information regarding the existing management system and its actual condition (e.g., actual management system manual).

For this purpose the TÜO provides a data collection sheet („doc 10-28-e basic data sheet“) to its customers which contains all essential information. Based on this information an obliging offer is sent to the enterprise requesting certification of its management system. When receiving the offer countersigned by the customer the assignment of the TÜO becomes valid.

2.2 Naming of the auditor / of the auditors

After receiving a customer assignment the certification board of the TÜO appoints a lead auditor or an audit team to realise the certification audit. Moreover if necessary the TÜO can also consult its commissioned professional experts. The TÜO makes sure in any case that the auditors and professional experts involved in the audit show all necessary technical and

personal competence together to fulfil its certification duties according to the norm requirements and to the satisfaction of the customer.

The auditors commissioned to audit realisation by the TÜO are obliged to confidentiality and to strict neutrality. To ensure neutrality, only auditors are commissioned who have not performed any activities with or for the concerning enterprise within the last three years before the assessment procedure and have also committed not to carry out any activities within two years after the assessment with or for the enterprise.

The TÜO makes the names of the auditors and, if desired, background information about every member of the audit team available. The enterprise which is to be certified is authorized to reject an auditor at the latest within four weeks after denomination. If the objection is reasonable, the TÜO puts together a new audit team.

2.3 Management manual

Four to six weeks before the prospective audit date the customer submits his management manual to the certification body or – if arranged with the certification body – to the nominated leading auditor. The manual and the accompanying documentation of the management system are reviewed in the first step of the audit (see 2.5) for correspondence with the normative standard(s) of the planned certification.

2.4 Audit planning

First a written audit date proposal for the realisation of the audit, usually together with the proposal of the planned auditor(s), is sent to the customer. If audit date and name of the auditor/of the auditors are agreed with the customer, at least 2 weeks before the audit an audit time and audit itinerary plan, together with suitable check list(s) for the preparation on the forthcoming audit, are sent to the customer.

2.5 Certification audit

The certification audit has to be carried out in two stages according to the norm DIN EN ISO/IEC 17021. The audit stage 1 is carried out at least partially, but not mandatory to the full extent, on site in the enterprise. It serves to attain an overview about the management system and the condition of the implementation. With this information stage 2 of the audit can be conducted to review the implementation and effectiveness of the management system in detail on site. The temporal main focus of the whole audit usually is with stage 2.

2.5.1 Audit stage 1

In stage 1 the following review is carried out:

1. documentation of the available management system (document check): Manual, process descriptions, procedure instructions and working instructions etc.
2. correspondence of the documentation with the demands of the applied norm
3. the correspondence of area of application with the operational activities as well as justification of utilized exclusions of certain elements of the applied normative standard(s)
4. product and location specific conditions
5. the proof of the realisation of internal audits in the enterprise
6. the proof of providing a management review

In particular cases it is fixed in arrangement with the commissioning enterprise by the certification authority of the TÜO, if necessary with participation of the intended audit leader, whether the assessment of points 1 and 2 should be carried out on site or not. However, the

other components (points from 3 to 6) of the audit stage 1 are always carried out and assessed by the auditor / audit team on site.

If the auditor / the audit team conclude that the management system found in the enterprise fulfils the requirements of the respective normative standard(s) for certification, the audit stage 2 is initiated.

2.5.2 Audit Stage 2

The audit stage 2 is always carried out on site. The contents are depending on the requirements of the applied normative standard(s) for certification. With management systems in particular the following points are components of the audit stage 2:

- and competence of the staff
- high- responsibility and competence of the management
- supply of resources
- responsibilities class aims or environmental aims and enterprise politics
- supervision of the efficiency of the management system by internal audits and management review
- performance data and measuring data
- control of the customer-related processes
- fulfilment of legal demands and product-related standards / norms

The audits stage 1 and stage 2 can basically be conducted immediately after each other. If the audit stage 1, however, should prove that the enterprise has not yet achieved conditions to a certification yet, the audit stage 2 cannot be carried out immediately subsequently. The lead auditor decides on site on continuing or suspending the audit and informs the customer immediately of his decision. In case of suspension the customer must provide first ability for certification, before the audit stage 2 is continued. Additional expenses have to be borne by the customer himself. Also, the additional costs arising to the TÜO including travel expenses, travel and down times are to be borne by the customer.

Audit stage 1 and stage 2 may be no longer apart than 6 months. If more than 6 months have passed between audit stage 1 and stage 2, stage 1 must be repeated. Additional expenses have to be borne by the customer himself. Also, the additional expenses arising to the TÜO including travel expenses, travel and down times are to be borne by the customer.

2.5.3 Audit log, audit result

During the audit (stage 1 and 2) all reviewed elements of the system as well as eventually found objections are noted by the lead auditor (or by the audit team) denominated by the certification body of the TÜO. Therefore appropriate standard check lists for the respective certification standards are used.

In case it is detected during the audit that the customer does not fulfil the requirements of the normative standard(s) applied for the assessment, the lead auditor is obliged to inform the customer. Also, the further proceeding must be determined. The following possibilities exist:

- I cancellation of the whole certification procedure
- II interruption of the audit and its continuation
 - a) on an agreed audit date as a post-audit or
 - b) in the form of a written report to the leading auditor after previous definition of the correction measures necessary by the customer

After the end of the audit the customer receives a verbal summary on site by the lead auditor in which the customer is informed of the ascertained audit result and the customer has the opportunity of a statement. Afterwards the lead auditor informs the certification body of his evaluation of the customer's management system as well as of possible deficiencies, suggested corrective actions and deadlines to their removal in a written report (audit report). Based on this report the management of the certification body decides on granting or not granting of the certificate. At the latest 14 days after realisation of the audit the customer receives the audit report containing the decision whether the certificate can be given and the corrective measures, if necessary, suggested by the auditor. Their fulfilment is a main condition on the granting of the certificate. With ascertained conformance with the demands of the applied normative standard(s) the customer receives his certificate (see 2.6) from the TÜO.

2.6. Certificate granting

The management of the certification body of the TÜO decides on the granting of the certificate and bears the responsibility for this. If necessary a specialized expert will be engaged. Concerning the certificate granting exclusively the leader of the certification body of the TÜO and his deputy are authorized to represent. If the leader of the certification authority has carried out the audit himself, the decision on the certificate granting is made by his deputy.

Provided that the management system of the customer which is to be certified corresponds without limitation to the demands of the normative standard(s) applied depending on the actual offer, the customer is entitled to receive the issued certificate from the certification body of the TÜO. This should be sent to the customer at the latest 5 weeks after audit end.

The certificate of the certification body of the TÜO attains its validity as soon as it has been positively decided on the certificate granting, that is with the concluding approval of the application for granting of the certificate by the leader of the certification body or his deputy.

After issuing of the certificate the original certificate is sent to the customer. Provided that the customer wishes more copies of the certificate, he can request this for reimbursement of costs at the certification body of the TÜO.

As a general rule the certificate has a validity of three-years under the condition of annual supervision audits (see 2.7).

2.7 Supervision audit

The proof of maintenance and further effectiveness of the customer's management system is necessary for maintaining the validity of a certificate. For this purpose the management system is checked by the certification body of the TÜO at least once per year (supervision audit). In particular the following points are checked:

- Realisation of internal audits and management review
- Correction of non-conformities of the last audit
- Complaint management
- Effectiveness of the management system and achieving of set quality targets
- Progress in the constant improvement of the management system
- Persistent enterprise controlling conforming to the national/international law
- Occurred changes and corresponding reviews
- Correct use of certificate declarations and symbols

Furthermore the regulations from A.2.2 to the A.2.4 as well as A.2.5.3 (Audit journaling, audit report) are accordingly valid. The validity of a certificate can be maintained only with a successful supervision audit.

2.8 Re-certification

Prior to the expiration of the certificate validity a repetition assessment (re-certification) is conducted in the year after the second supervision audit. The goal of the re-certification audit is the renewal of the expiring certificate. For this purpose the continuous conformity and effectiveness of the management system should be assessed and confirmed as a whole as well as its perpetual significance and applicability for the certificate's area of application. Hence, the re-certification audit is more extensive in comparison to the supervision audits. It encloses an examination of the statements of previous audits. Also the Re-certification audit is planned by means of an audit plan (see 2.4).

In general the re-certification audit is carried out in the form of an on site-audit with the customer and at least the following points need to be examined closer:

- the maintenance of the effectiveness of the management system in its whole extent regarding internal or external changes,
- the applicability in the certificate's area of application,
- the compliance to the obligation for continuous improvement of the management system (increase of efficiency in the enterprise, including the process flow and appointed personnel),
- the achievement of the defined enterprise targets (target fulfilment) and the actual implementation of the enterprise politics formulated in the management manual.

If there are significant changes in the management system of the customer (e.g., enhancement of the existing management system with the demands of an other management system normative standard) or in connection with the approach of the management system (e.g., changes in the legislation), activities can require an „audit stage 1“ prior to re-certification audits. Then in particular an examination of the modified documentation of the management system (investigation of the normative standard conformance) of the customer is carried out.

The regulations under 2.2 to 2.4 as well as 2.5.3 are also valid for re-certification accordingly. Divergences (non-conformities) ascertained and documented in the audit report must be corrected up to the expiry date of the certificate.

If conformance to the assessed normative standards is proven, the re-certification results in a renewed certificate; for this the regulations under 2.6 are valid accordingly.

2.9 Audits on special occasion

Regardless of the annually planned supervisory measures (annual supervision audits and re-certification) extraordinary supervision audits (audits on special occasion) can be required if changes have a significant influence on the scope activity or the workflows of the supplier, e.g.

- essential changes in the management system of the customer,
- owner's change,
- essential changes in the organisational structure,
- an enlargement of the area of application of the certificate desired by the customers,
- if the TÜO receives complaints on its client by a third party customer,
- a preceding suspension of the certificate (see part B, chap. 5.2).

2.10 Multi site certifications

With enterprise groups, co operations of several enterprises or at an enterprise with several locations or several establishments a diminished certification procedure can be applied instead of the regular certification of every single location, to which the enterprise group is submitted as a whole for annual investigation (multi-site certification). The reduction of the expenditure consists in the fact that only a representative number of locations is assessed.

A multi site certification is only applicable if the group as a whole shows the following characteristics:

- The group has an identifiable central function (central location, central office) which plans, co-ordinates or leads certain activities, as well as a network of locations (branches, offices) in which these activities are performed;
- all locations and the central office are connected by contract or juridical means
- the central office and all locations are working under a collective management system which is provided and maintained by the central office, which possesses the authority to commit changes regarding the arrangement, contents and design of the management system.

Therefore the multi site procedure is not only applicable on enterprises with several branches or locations, but, if according contractual conditions exist, for example, also on organisations who work with franchise systems, or producing enterprises with a network of sales offices if the sales network should be certified as such.

The other demands for the activities to be certified and the central management system are the following:

- In all locations the processes of the group must be of the same kind and be carried out with similar methods and procedures;
- though not all locations need to carry out the same number of processes, however, the locations in which most processes or processes critical to the company are performed must be audited entirely;
- the management system of the group is administered by means of a centrally controlled plan of the headquarters and is subject to central management assessment;
- all locations including the headquarters are subject to a central internal audit programme of the group and are internally audited according to this programme.

In any case, the multi site certification of a group of enterprises is also subject to the 3-year rhythm, consisting of the two-stage first certification and two surveillance audits in the second and third year which is followed by a re-certification in the fourth year. With all audits besides the headquarters (it must be audited every year) a representative number of locations is checked alternately based on an agreed random check procedure. A reduction of the expenditure is achieved by the means that not every, but only selected locations are checked annually.

Multi site certifications are conducted according to an agreed pattern, which follows the IAF MD 1:2007 Mandatory Document for the Certification of Multiple Sites Based on Sampling. In doing so, the following principles are kept:

1. The certification authority of the TÜO carries out a contract check first prior to the first certification. With this the extent of the activities which are covered by the management system intended to be certified should be identified. On this occasion,

- the central function (central office) of the group is identified,
- the activities of the locations are checked whether processes of the same kind are pursued essentially according to the same procedures.

All locations in which the activities to be certified are carried out must keep to these conditions, before the certification procedure is continued with the random check-like examination.

2. The locations intended to be audited are selected after the following procedure:

a) Choice of the locations:

At least 25% of the random checks (locations) are selected randomly. The remaining locations are chosen selectively according to certain criteria (see below). The choice of the locations has not to be done at the beginning of the audit process, but can be also carried out after the end of auditing the headquarters. The headquarters are informed about the choice early enough so that enough time is provided to the group for the preparation of the audit.

A selective, not accidental choice of a location can be met after the following aspects:

- results of internal audits or the result of a management review
- complaints as well as after carried out corrective or preventive measures
- significant differences in the location size
- divergences in working organisation and working method
- increased complexity of the management system and the processes carried out in the location
- occurred changes compared with the last audit (in case of subsequent audits)
- according to the level of maturity of the management system and the knowledge about the enterprise group
- special environment-related questions (in case of environmental management systems)
- differences in culture, language and legal regulations
- according to geographical distribution of the locations.

b) Number of the locations (random checks):

The number of locations which must be audited depends on the risk which is connected with activities, and the number of the employees in every location.

With medium or low risk and a number of less than 50 employees in every location the minimal number of the locations to be audited is equal to¹

- the square root of the number of the locations all together (on first audit and also re-certification)
- the square root of the number of the locations all together, multiplied with a factor of 0.6 (on first and second supervision audit)

Alternatively the number of the locations to be audited can be reduced on re-certification to a factor of 0.8 multiplied with the square root of the number of the locations¹. Condition is that the management system has proven to be effective for a period of 3 years.

The headquarters are not included in the number of locations ascertained in this manner, because these are checked with every annual audit.

The number of the locations to be audited increases

- if more than 50 employees are occupied in a location
- in case of increased complexity or increased risk degree of the activity and the management system
- in case of divergences in the working methods (e.g., shift work)
- in case of divergences in the activities undertaken
- in case of important environmental aspects (e.g., environmental impacts – only with environmental management systems –)
- in case of complaints or other correction or preventive measures necessary or executed
- if multinational aspects are present
- as a consequence of internal audit and management review results.

3. Audit realisation

The realisation of the multi site certification is conducted on the basis of an audit plan. In this itinerary the audit times are indicated for the headquarters and for every single selected location. From the audit plan it is evident how much time is planned for each selected location. The overall audit time (headquarters plus locations) has always to be chosen in a way that it

¹ In each case rounded to the number next size

is never lower than the time estimated if all activities with all employees would be carried out in once location

4. Audit result and certificate granting

Condition for granting or maintaining the certificate is that the requirements of the intended norm are fulfilled in every location. When it turns out that one of the audited locations does not fulfil the norm standards, the granting or maintenance of the certificate must be refused to the management system of the whole group, until the divergences are repaired. If one location or the headquarters permanently do not fulfil the necessary criteria for the maintenance of an existing certification, the certificate of the group must be withdrawn in full extent.

As a rule the certification authority of the TÜO issues a certificate which is valid for the headquarters and all accompanying locations to the group. All locations are listed in the appendix to the certificate in detail. Also additional certificates are issued on demand to the group for single locations. Condition is that the location certificates refer to the same area of application or a part of it as the accompanying main certificate. The location certificates refer in an unequivocal manner to the main certificate of the group.

Part B Terms of business for certifications

1. Preliminary remark

With granting of the order the certification authority of the TÜO commits itself towards the customer to audit his management system according to the procedure description of the certification authority of the TÜO (see part A of this certification order) and to issue the desired certificate, if the management system has stated to comply with the management system standard to be certified.

The following commercial terms are valid for certification procedure of management systems.

2. Conditions on granting, maintenance, renewal, extension, restriction, suspension and withdrawal of a certification

With the certificate the certification authority of the TÜO certifies the compliance of the examined management system with the international norm chosen by the customers (such as ISO 9001, ISO 14.001, ISO 22000 and other norms). This certificate is valid only for the enterprise areas or locations in which the introduction of the management system was proved. However, the certificate of the certification authority of the TÜO about installation and use of a management system does not certify the quality or other norm-compliant properties of single products or services.

In the following the conditions on granting, maintenance, renewal, extension, restriction, suspension and withdrawal are fixed. All decisions cited are taken by the head of the certification authority who bears full responsibility for this. The decisions taken are immediately communicated to the customer (or certificate owner, resp.).

2.1 Granting

The condition on the granting of a certificate is that the customer owns a functioning management system, proved by an audit to be compliant to the chosen norm and to be able to fulfil the essential conditions for a stable delivery of norm compliant products and services.

2.2 Maintenance of the certification

The certification status is maintained, if in the annual supervision audits the fulfilment of the respective norm (ISO 9001, ISO 14.001, ISO 22000 and others) has been proved.

2.3 Renewal

A certificate is renewed when the customer has proved the norm conformance, in particular the continuity and the continuous improvement of his management system in the re-certification audit. In this case a new certificate with a new validity date is issued.

2.4 Extension of the area of application

An extension of the certification according to the chosen standards is given when additional locations or new activity areas of the enterprise are added. If one of these conditions applies, a new audit is due.

2.5 Restriction of the area of application

A restriction of the certification area occurs when locations of the enterprise or certain activity areas of the enterprise should be terminated or not be certified any more by request of the enterprise.

A restriction also occurs if the certified customer fails permanently or seriously to fulfil the certification standards for certain parts of the existing area of application of the certification.

In this case those areas of application which do not fulfil the demands TÜO will exclude from the certification.

In both cases a modified certificate is issued to the enterprise with maintained times of validity.

2.6 Suspension

The certification board of the TÜO can declare the suspension of the certification status if the certified management system of a customer does not fulfil the certification standards permanently or with serious lacks only. This is, e.g., the case if in the supervision audit non-conformities have been stated which are not repaired within in the time period communicated to the client. A suspension is also declared if the certificated customer is not willing to undergo a due supervision or re-certification audit or if the maximum of time and audit frequency given by the standard to be applied for the supervision / re certification is exceeded. The certification board of the TÜO also suspends an issued certificate, if the certified customer has asked voluntarily for a suspension or if rearrangements in the certificated enterprise put the management system out of force. Then the new granting of the certificate occurs after an extraordinary audit, provided that the reasons leading to the suspension are not given any more.

During the suspension of the certificate the customer may not claim towards third parties in any way to own a valid certificate or may not furthermore advertise to his certification.

In any case, the suspension of the certification status is a measure limited to a maximum of three months within which the customer can repair norm divergences. If the causes which have led to a suspension of the certification have not been repaired within an adequate time span communicated to the customer in the audit report, at the latest within 3 months, the certification board draws back the certificate finally (withdrawal, see 2.7). If the divergences not repaired concern only one certain certified area, the certification board can also decide to remove the concerning area of application from the certificate instead of withdrawing the whole certificate (restriction of the certificate, see 2.5).

2.7 Withdrawal

TÜO can decide to withdraw the certificate, if, for example, serious divergences from the standard ascertained in the audit are not removed within the time limit set in the audit report, or if the enterprise declares not to be willing to remove ascertained divergences. A certificate can also be withdrawn if the enterprise does not obey the rules for using the TÜO certificate according to the arrangements of the certification order (e.g., abuse of the certificate) and also by 2-times request does not prevent this offence.

The other reasons which entitle the TÜO to withdraw the certificate are

- the exercise of business activities which contain criminal elements,
- coarse violation of the contract duties against the TÜO which were not removed after a simple reminder,
- the bankruptcy of the customer or other forms of termination of its business activity and organisation activity,
- due payments with the TÜO which were also not paid after the last reminder, or
- Omitting of the information obligations of the customer towards the TÜO which are needed to maintain the certificate (e.g., notifications about changes of the structure of the management system).

After withdrawal of the certificate the customer may not claim towards third parties in any way to be owner of a valid certificate or may not advertise to his certification.

3. Use and period of validity of certificate and certification sign

3.1. Certificate use

3.1.1 Use by the customer:

The customer is entitled to use the certificate for business purposes, e.g., in offers, in the advertisement, in arrangements about the simplification or the discontinuation of input check. The certification sign linked with the certificate remains a property of the TÜO. This permits the use of the sign to certificated customers. TÜO supervises the ownership of the certification signs and takes measures to treat faulty references on the certification status or delusive use of the certification documents, certification sign or audit reports. These measures are, e.g., the request to the customer on the correction and the suspension or withdrawal of the certification. If necessary juridical measures are taken against the offence.

The use of the certification sign by the customer occurs exclusively according to in the appendix of this certification order to agreed principles. In particular it is not allowed to use the certification sign in connection with products.

The use of the certificate is also checked in the supervision audits.

3.1.2 Use by the TÜO certification board, public list

On condition of approval of the customer according to data protection regulations the certification board of the TÜO is entitled to add the customer's company name to a publicly accessible list after certificate granting; this list is permanently to be updated and can be purchased by TÜO on demand.

3.1.3 Use by the TÜO certification board, internal registration

The certification board of the TÜO stores all data necessary for the granting and the decision on the maintenance of the certificate for internal use and stores personal data exclusively for own purposes.

3.2. Period of validity of the certificate

The certificate of the certification board of the TÜO has a validity of 3 years, provided that the annual due supervision audits were carried out according to A.2.7. In special and reasonable cases the period of validity can be shortened to one year. In these cases a new certificate with a validity of one year is issued again, provided that the customer has again fulfilled the demands of the management system to be certified in a supervision or re-certification audit before the validity term.

The validity ends regardless of this term if within the scope of a supervision audit the proof of the maintenance of the management system cannot be produced finally or if the certificate is withdrawn from the customer on account of the following regulations.

4. Validity end of the certificate

The validity of the certificate ends by notice of the customer or by its withdrawal by the certification board of the TÜO.

4.1 Cancellation by the customer

The validity of the certificate ends with coming into effect of the cancellation by the customer (cf. under B. 7.2.3.).

4.2. Withdrawal of the certificate by the certification board of the TÜO

The TÜO is entitled to withdraw the certificate under the condition of the reasons cited in B. 2.7.

4.3 Return of the certificate

With validity end of the certificate the customer is obliged to return the certificate to the certification board of the TÜO. The customer's company name is then removed from the list of certified customers according to B.3.1.2. The certification sign issued with the certificate may not be used any more.

4.4 Use by the certification board of the TÜO, public list

The head of the certification board makes sure that information about issued and withdrawn certifications of TÜO's customers is publicly accessible. On demand the TÜO gives the desired further information.

5. Costs of the certification

The customer is charged with the costs of the certification services purchased by the certification board of the TÜO before certificate handing over according to the contractual arrangement settled with him (or according to the offer which the customer has signed as a manifestation of his agreement). In general the guidelines and parameters of the EA (European co-operation for Accreditation) apply.

6. Duties of the contracting partners

6.1. Duties of the certification board of the TÜO

6.1.1 Assurance of the procedure work flow and the certificate validity

The certification board of the TÜO is obliged to take care of a proper procedure work flow. The realisation of the certification procedure occurs according to the procedure description according to part A of this certification order.

If the demands for certification are changed, TÜO announces this in written form on time before upcoming audits. The TÜO checks whether the new demands are fulfilled and documents this in the audit report.

The certification board of the TÜO guarantees by issuing of its certificate its validity according to part B.3.2 of this certification order.

6.1.2 Securing and recognition of the quality of the TÜO certifications

The certification board of the TÜO improves constantly its own high-class management system and secures the accreditation conditions.

Furthermore the certification board of the TÜO commits to archiving the records about the conducted certification procedures for a duration of 5 years.

6.1.3 Confidentiality

The certification board of the TÜO commits to treat all information about its clients confidentially. All existing information may be used only for the assessment of the circumstances within the scope of the agreed certification procedure.

The right of the certification board of the TÜO to the guidance of a public list of the certificate owners remains untouched, provided that the customer has explained moreover his consent. The consent is given on the base data form (see B 2.1) together with the order granting to the certification. Besides, only those formations in are made by the TÜO public which must be published on the part of the demands of the norm German Institute for Standardization EN ISO/IEC 17021. About that going out information requested by third about a certain customer or a certain person are transmitted only with written approval of the concerning customer / of the concerning person. Should the TÜO be obliged legally to disclose confidential information towards third parties, becomes in such a way – provided that this is not regulated legally differently – which informs concerning customer / the concerning person to begin with about this information.

6.2 Duties of the customer

6.2.1 Co-operation duties

6.2.1.1 Supply of a competent decisive bearer

Provided that the executive director of the customer in the certification procedure will not be personally present, he has to provide for the presence of a competent decisive bearer. This decisive bearer must be available for the preparation and realisation of the assessment.

6.2.1.2 Backup of sufficient procurement of information to the procedure conversion

The customer has to assure by suitable organizational measures a smooth audit procedure. He is obliged to give information about all decisive matters for the assessment of his management system truthfully. All internal documents, data and recordings, processes and areas of the system to be examined must be accessible during the assessment.

The responsible employees in any case must be available and be prepared for the audit. Moreover, the customer must allow the participation of observations by investigations (e.g., witness audits, auditors in education).

The necessary information must arise from the documents provided by the applicant to be certified to ascertain the following:

- the desired area of application of the certification,
- the general features of the customer, including name, address of their physical locations, significant aspects of her processes and activities as well as all decisive juridical obligations,
- general information with regard to the customer which is relevant for the demanded certification area, as for example his activities, personnel and technical resources, functions and relations in a bigger corporate, if relevant,
- information with regard to all separated processes which are used by the customer and which influence the conformance with the demands,
- the norms or other demands by which the customer aims at a certification.

6.2.1.3 Management manual

The actual management manual must be handed over including a list of the valid documents by the customer 4 to 6 weeks before the assessment to the certification authority of the TÜO (cf. A.2.3 of this certification order).

6.2.1.4 Additional co-operation duties to the maintenance of the certification

After granting of the certificate the customer is obliged to inform immediately the certification authority of the TÜO about all essential changes of his management system which could make a renewed investigation necessary. These are

- changes of the area of application of the management system,
- the introduction of other product groups or achievement groups,
- the introduction of other production lines,
- change of the structure of the management system, in particular change of organisation and management (e.g., key staff in leading position, decision staff or specialist staff),
- takeover of the whole organisation or of sub-ranges by another organisation,
- termination of the business activity,
- essential changes in the economic relations or
- change of the legal form or organisation form,
- contact addresses to locations.

6.2.1.5 Maintenance of the management system

The customer is obliged to maintain his management system continuously and to update it according to the standards related.

6.2.2 Payment Obligation

The customer commits himself to balance of the arising costs according to the cost regulation agreed by contract after invoicing of the certification board of the TÜO.

7. Further conditions for the contracting partners

7.1. Certification board of the TÜO

The certification board of the TÜO is entitled any time to the notice of the contract for important reason. Such a reason can exist, e.g., in the pretense of wrong facts by the customer during the running certification procedure.

The notice occurs in the form of a registered letter.

7.2. Customer

7.2.1 Refusal of an auditor

The customer is entitled to reject an auditor named to him at the latest within four weeks after occurred naming.

7.2.2 Cancellation

The notice for important reason is entitled any time to the customer. The cancellation terms defined in the offer/agreement remain unaffected.

7.2.3 Complaints and objections

The customer has the right to raise objection against decisions of the certification board. The treatment of objections and complaints of the customer is described in detail in chapter 9.

8. Liability of the contracting partners

8.1 General rules

The customer is liable against TÜO according to the general legal regulations.

8.2. Liability limitation for the certification board of the TÜO

The certification board of the TÜO is liable for damages from duty injuries on the occasion of this contract only, as far as it can be charged for deliberate intention or gross negligence.

9. Treatment of complaints and objections; legal venue

The uppermost aim in all conflict cases is to find concerted solutions with the customer (consensus creation). According to DIN EN ISO/IEC 17021 it must be distinguished between objections and complaints. Objections are addressed to decisions of the certification board (according to B.2 decisions for granting, maintenance, renewal, extension, restriction, suspension or withdrawal of a certificate). With complaints two cases are to be distinguished: On one hand, it can concern complaints of customers about auditors or about staff of the certification board, on the other hand of third parties about a certified customer. If a conciliation has not been achieved and a conflict emerges, the introduction of a mediations procedure (procedure for the co-operative solution of conflicts) is generally suggested to the customer). If the customer agrees, an independent mediator is asked to conduct the mediation procedure. Only if the customer does not agree to a mediation procedure or this procedure does not lead to an arrangement, legal action is taken.

With all objections and complaints the certification board of the TÜO assures that the objection or complaint leader suffers no disadvantage.

9.1 Objections

Objections against decisions of the certification board must be submitted in written form to the head of the certification board. The customer receives a written confirmation about the receipt of his objection. The head of the certification board charges at least one member of the steering system advisory board with the treatment of the objection and with the decision on granting or refusal in order to guarantee neutrality and impartiality with the decision-making process. The entrusted members of the steering and advisory board examine and evaluate the objection and inform the head of the certification board of their decision about granting or refusal of the complaint.

The head of the certification board makes sure that the objection leader is informed about the further steps of the objection procedure and about the decision about the objection in written form. All objections, the resulting decisions as well as all measures of solution and correction measures are laid down in the documentation system of the certification board. The head of the certification board is responsible for information of the customer and for the documentation of the measures taken.

9.2 Complaints

If complaints of a customer or complaints of third parties about a customer certified by the TÜO are submitted to the certification board either in written or in verbal form, the head of the certification board is charged with their treatment with the aim to provide a solution suitable for both sides.

If the received complaint concerns a certified customer, the certification board informs the customer about the complaint and gives him the opportunity to a statement. The investigation and treatment of complaints upon a customer encloses necessarily also the effectiveness of the certificated management system.

All complaint is treated confidentially on the part of the TÜO. In particular cases it can be agreed between customers, complainants, certification board and steering and advisory board by agreement whether and, if necessary, in which extent the complaint and its solution measures are made publicly available.

The head of the certification board assures that complaints are documented in writing and all necessary information is (checked) verified, in order to validate (confirm) the complaint. Subsequently the complaint is evaluated, and a decision is taken on how to proceed (exclusion, other pursuit and clarification, initiation of correction measures). The management of the certification board makes sure that assessment and judgement of a complaint occur including all decision findings exclusively through employee of the certification authority which are not included in the circumstances. A neutral and impartial decision is guaranteed with it. The observance of this regulation is supervised by the steering and advisory board of the TÜO.

The management of the certification board makes sure that the complainant is informed about the proceeding of the procedure and is informed on it the decision on his complaint in writing. All complaint, the as a result occurred decisions as well as in this connection necessary correction measures is stored in the documentation system of the certification authority. The decision is communicated of the customer in writing. The management of the certification authority supervises and pursues the treatment of the accepted discomfort up to the decision. The supervision encloses the implementation of eventually taken correction measures.

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9.3 Legal venue

For the case that it comes with disputes also after a carried out mediation procedure to no arrangement legal action is taken. In this case the registered seat of the TÜO is agreed, currently Böblingen (Germany).

Appendix: Use of the certification sign by the certificate owner

1. Right of use

Every owner of a TÜO certificate is entitled to use the certification sign contained in it (TÜO logo) provided that the rules described as follows are respected. The right to use covers only concerning products which are derived from certificated areas (cf. part B 2). By the use of the TÜO logo the customer is obliged to omit from any form of the sign use which speak to the objectives recognizable from this certification order of the certification authority of the TÜO against.

The right of use expires if the certificate is not valid any more.

2. Rules for the use of the certification sign

The certificate owner may use the TÜO logo only in the form illustrated on the certificate document. Changes in the logo are allowed only in the form of steady changes of the whole logo.

All uses of the certificate, from statements from the certificate, from symbols from the certificate or from it to derived symbols and signs which allow the end that a product fulfils certain quality demands are not allowed.

The TÜO logo may be used only together with the certificate registration number, the statement „certified xxx management system“ and the information of the standard or the statement model.

The TÜO logo may not be used for statements which exceed the area of application of the certificate.

Attaching the logo on products (in addition also belong lab test reports, calibration sheets or inspection reports) and on packaging of products is not allowed.

The TÜO obliges its customer with regard to the sign use, that customer

- a. respects the demands of the TÜO with reference to his certification status in communication media (e.g., internet, advertising materials, etc.),
- b. provides no delusive information with regard to his certification or permits,
- c. does not use certification documents or parts of it in delusive manner or permits such uses,
- d. with suspension or withdrawal of his certification obeys the orders of the TÜO concerning termination of the use of all advertising material finished which contain of reference to the certification status,
- e. changes all advertising material if the area of application of the certification was reduced,
- f. enabling no reference to his management system – certification admits which could indicate tacitly that the certification refers to a product (incl. service) or to a process,
- g. indicates not tacitly that the certification is valid for activities which exceed the area of application of the certification and
- h. does not use certification in a way which brings the TÜO and / or the whole certification system in disrepute and loses public trust.

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3. Specifications for the graphic design of the TÜO logo

The certificate owner may design the necessary information and the TÜO logo according to the rules cited under No. 2 graphically. Nevertheless, in any case, the following information must be clearly recognizable:

- the certificate registration number
- the standard or the statement model
- the statement that it is dealt with a certified management system.

The TÜO logo may not be changed graphically.

END