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# HKCAS Supplementary Criteria No. 4

## Accreditation Regulations Specific for HKCAS – Certification Body

### 1 INTRODUCTION

- 1.1 This document provides specific regulations for accreditation of certification bodies under the Hong Kong Certification Body Accreditation Scheme (HKCAS). All accredited certification bodies shall conform to all the regulations stated in this document at all times. For an applicant certification body, accreditation will only be granted after it has demonstrated to the satisfaction of HKAS Executive its competence and commitment to conforming to all the regulations stated in this document.

*Notes:*

*It is the responsibility of a certification body to carry out its work in accordance with the applicable regulatory requirements of Hong Kong, or of the country where the certification activity is carried out. It should be emphasised that assessment of the certification body's compliance with the relevant regulatory requirements is outside the scope of HKAS accreditation schemes.*

- 1.2 This document shall be used in conjunction with HKAS 002 – Regulations for HKAS Accreditation.
- 1.3 This document may be amended from time to time and the up-to-date version is uploaded to the HKAS website at the address of [www.hkas.gov.hk](http://www.hkas.gov.hk).

### 2 CERTIFICATION BODY ACCREDITATION PROCEDURES

- 2.1 An assessment team may, at its discretion, carry out an on-site witnessing on a certification body while it is performing certification audits for which it is accredited or seeking accreditation. The certification body shall seek consent from and shall explain to its clients concerning the presence of the assessment team in such certification audits. The certification body shall further assure its clients that the presence of the assessment team during the certification audits will not affect the outcome of the audits. In establishing the strategies for witnessing the audits carried out by the certification bodies, HKAS Executive shall follow the rules specified by APAC and IAF as it sees fit.
- 2.2 HKAS Executive would conduct a reassessment on the accredited activities of a certification body every three years after the accreditation

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has been granted. The reassessment schedule may be varied at the discretion of HKAS Executive.

- 2.3 HKAS Executive would also conduct a surveillance visit to an accredited certification body routinely every six months for management system certification and twelve months for product certification. HKAS Executive has discretion to vary the period for reassessment and surveillance visit as it sees fit.
- 2.4 Upon granting of the accreditation to a certification body for a type of certification activity, HKAS Executive shall issue to it a certificate of HKCAS accreditation for such certification activity.

### **3 OBLIGATIONS OF ACCREDITED OR APPLICANT CERTIFICATION BODIES**

#### **3.1 HKCAS Accreditation Criteria**

Accredited certification bodies shall at all times comply with the following accreditation criteria:

HKAS 002 - Regulations for HKAS Accreditation,

Relevant HKAS Supplementary Criteria,

Relevant HKCAS Supplementary Criteria,

Note: Additional accreditation criteria may be required for specific types of certification activity. A certification body shall also comply at all times with the criteria as stipulated in the relevant HKCAS Supplementary Criteria.

Relevant IAF requirements as specified in IAF documents including Mandatory Documents and Resolutions, and

Relevant APAC requirements as specified in APAC documents including Technical Documents

For management system certification bodies:

ISO/IEC 17021-1:2015 - Conformity assessment - Requirements for bodies providing audit and certification of management systems - Part 1: Requirements

In addition to ISO/IEC 17021-1:2015, for environmental management system certification bodies:

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ISO/IEC 17021-2:2016 – Conformity assessment – Requirements for bodies providing audit and certification of management systems – Part 2: Competence requirements for auditing and certification of environmental management systems and/or

In addition to ISO/IEC 17021-1:2015, for quality management system certification bodies:

ISO/IEC 17021-3:2017 – Conformity assessment - Requirements for bodies providing audit and certification of management systems - Part 3: Competence requirements for auditing and certification of quality management systems

In addition to ISO/IEC 17021-1:2015, for occupational health and safety management system certification bodies:

ISO/IEC TS 17021-10: 2018 – Conformity assessment - Requirements for bodies providing audit and certification of management systems - Part 10: Competence requirements for auditing and certification of occupational health and safety management systems

For product certification bodies:

ISO/IEC 17065:2012 – Conformity assessment – Requirements for bodies certifying products, processes and services

HKAS and HKCAS publications relevant to the accreditation of certification body are listed in HKCAS Application Packages (HKCAS AP001 to AP002) which are available at the website of HKAS. Except the full version of HKCAS 003:2015 and HKCAS 023: 2017 as well as standards, all other documents mentioned in the packages can be downloaded from the same website.

When the accreditation service of HKCAS is extended to other type of certification activity, HKAS Executive may publish the necessary accreditation criteria for the new service.

- 3.2 For a certification body accredited for management system or product certification, it shall not use its accreditation status in a way that may be interpreted by any person that any product, process, service, system or person certified by such certification body has been approved by HKAS or HKAS Executive. It shall further endeavour to ensure that the organisations certified by it will implement the certified system at all time.
- 3.3 The requirements and conditions for the use of accreditation symbols on products certified under an accredited product certification scheme are

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specified in the relevant HKAS and HKCAS Supplementary Criteria.

- 3.4 If an accredited certification body intends to subcontract any part of its activities for which it is accredited, the certification body shall ensure that the subcontracted certification body is competent to perform the activities. A certification body accredited for performing the activities by HKAS or an accreditation body which has concluded a multilateral recognition arrangement with HKAS is one of the means to demonstrate its competence. A list of such accreditation bodies is obtainable from HKAS Executive. The certification body shall notify the client in writing of its intention to subcontract the activities, the extent of such subcontracting and the name of the subcontractor. The certification body shall further ensure that its client agrees to such arrangement and shall keep all records of such subcontracted activities.
- 3.5 An accredited certification body shall have enforceable arrangements with each client holding a HKCAS accredited certificate which commit it to allow, on request, HKAS assessment teams to witness the certification body's audit teams performing audits, including access to its premises for doing so.
- 3.6 An accredited certification body shall provide to HKAS an up-to-date list of countries/economies in which the certification body have issued certificates under HKAS accreditation.
- 3.7 An accredited certification body shall provide information as specified from time to time by HKAS. HKAS Executive may use the collected information for determining the assessment program and other surveillance activities as it sees fit.
- 3.8 An applicant certification body shall maintain complete integrity at any points in the application and assessment process. Fraudulent behaviour is considered as 'any intentional misinterpretation, concealment of information or provision of false information to a relevant interested party, resulting in the deliberate violation of accreditation or certification rules'. If there is evidence of fraudulent behaviour, by the applicant certification body, HKAS Executive will reject the application or terminate the assessment process. Under this circumstance, the resulting application and assessment fees paid are not refundable.

An accredited certification body shall cooperate with HKAS Executive and provide HKAS Executive all requested information for any credible allegations of fraudulent behaviour against the accredited certification body itself and its certified clients. HKAS Executive may undertake certain actions in response to those allegations, including but not limited to, conducting extraordinary on-site assessments and

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referring the allegations to any relevant legal enforcement departments for further actions.

Note: The obligations of an accredited certification body related to integrity and impartiality are specified in HKAS002.

3.9 An accredited certification body shall have a legally enforceable arrangement with each certified client for conducting an investigation of any allegation of fraudulent behaviours against its certified clients relevant to their scope of accredited certification.

3.10 When an accredited certification body received or revealed any allegation of fraudulent behaviour against its certified client, for examples, via HKAS or other relevant interested parties or during the performance of certification activities such as certification audit, complaint investigation or enquiry from interested parties, the accredited certification body shall validate the allegation. If it is confirmed to be relevant to the scope of accredited certification, the accredited certification body shall start the investigation of the allegation of fraudulent behaviour as soon as possible.

3.11 If there is confirmed evidence of a fraudulent behaviour against its certified client, the accredited certification body shall initiate its suspension and/or withdrawal of certification process against the certified client within a reasonable timeframe.

3.12 If an accredited certification body fails to adequately deal with an allegation of fraudulent behaviour against its certified client within a reasonable timeframe, HKAS Executive may consider suspending and/or terminating the accreditation of the accredited certification body.

#### **4 SUSPENDED OR TERMINATED ACCREDITATION**

4.1 The authorised representative of a certification body which has its accreditation suspended or terminated (voluntarily or by HKAS Executive) shall within 14 calendar days from the effective date of such suspension or termination, inform each of its clients of activities for which the accreditation has been suspended or terminated in writing of such suspension or termination. The certification body shall inform its clients the consequence of the suspension or termination of accreditation.

#### **5 USE OF HKCAS ACCREDITATION SYMBOLS, CLAIMS OF ACCREDITATION STATUS AND USE OF CERTIFICATION MARKS**

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- 5.1 Every certification body accredited under HKCAS shall be awarded with a distinctive HKCAS accreditation symbol.
- 5.2 An organisation which is certified by an HKAS accredited certification body may also use the HKCAS accreditation symbol of such certification body (subject to regulations set out in this document) to demonstrate to the public that it has been certified by a competent and impartial certification body accredited by HKAS.
- 5.3 An HKAS accredited certification body shall issue accredited certificates for certification services within its scope of accreditation. Where an HKAS accredited certification body has obtained accreditation from more than one accreditation body, the certificate shall be issued with at least one accreditation.

An HKAS accredited certificate is a certificate issued by the certification body under the terms of accreditation in accordance with HKAS regulations and bearing HKCAS accreditation symbol or the following statement:

‘This certification body (Registration Number HKCAS XXX) is accredited by HKAS under HKCAS for specific certification activities as listed in the scope of accreditation. This certificate is issued under the terms of accreditation in accordance with HKAS regulations.’

- 5.4 In any case, a certification body shall provide the format of its proposed certificate with its HKCAS accreditation symbol to HKAS Executive for approval before use.
- 5.5 An HKAS accredited certification body may also use its HKCAS accreditation symbol on its stationery, documents, publications and its advertisements, subject to the regulations set out in this document, HKAS SC-01 and any other relevant requirements as specified from time to time by HKAS.
- 5.6 An accredited certification body shall only use the HKCAS accreditation symbol on any stationery, documents, publications and advertisements when those stationery, documents, publications and advertisements relate in whole or in part to the accredited certification body’s scope of accreditation. The accredited certification body is allowed to print the accreditation symbol on its pre-printed letterhead paper.
- 5.7 The form, size, colour and usage of the HKCAS accreditation symbol shall be in accordance with the HKAS SC-01.

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- 5.8 An accredited certification body shall use distinctly different certification marks for different certification services (such as Product, Quality Management System) and shall avoid confusion between the meanings of its marks.
- 5.9 Where an organisation is certified by an HKAS accredited certification body, such certified organisation may use the HKCAS accreditation symbol of the accredited certification body in conjunction with the certification mark of the certification body. Any use of the accreditation symbol is subject to the regulations set out in this document, HKAS SC-01 and any other relevant HKCAS requirements as specified from time to time by HKAS.
- 5.10 An accredited certification body shall ensure that organisations certified for management system will **NOT** use the certification mark on a product, product packaging or a test certificate, or in any way that may be interpreted by any person as suggesting product certification.
- 5.11 An accredited certification body shall ensure that the HKCAS accreditation symbol will not be used by any organisation certified by it on any stationery, documents, publications and advertisements unless those stationery, documents, publications and advertisements are related in whole or in part to the accredited certification body's scope of accreditation and to the certification scope of the organisation.
- 5.12 An accredited certification body shall ensure that any organisation certified by it will only use the HKCAS accreditation symbol together with the certification mark in such a manner as set down in HKAS SC-01 and any other relevant HKCAS Supplementary Criteria.
- 5.13 An accredited certification body shall not use the HKCAS accreditation symbol in any way that may be interpreted by any person as suggesting that HKAS Executive has certified or approved the activities of any organisation certified by it, or in any way which may have a misleading effect. It shall also take reasonable steps to ensure that any organisation certified by it will not use the HKCAS accreditation symbol in such a way.
- 5.14 If the accreditation in relation to any activity under the scope of accreditation of a certification body is suspended or terminated (voluntarily or by HKAS Executive), the certification body shall immediately cease to use and to distribute any certificate, stationery, document, publication or advertisement which bears its accreditation symbol. Such certificate, stationery, document, publication or advertisement bearing the accreditation symbol shall be used only for activities in whole or in part to the accredited certification body's valid

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scope of accreditation.

- 5.15 If the accreditation of an accredited certification body for a certification service is suspended or terminated, the certification body shall take all steps to ensure that its certified organisations will cease to use the HKCAS accreditation symbol, and only use them in activities related in whole or in part to certification services, the accreditation of which is not suspended or terminated.

## **6 FORMS**

- 6.1 Application for any HKCAS service from HKAS shall be made in appropriate forms. These forms are obtainable from HKAS Executive and have been uploaded to the HKAS website.