



MCCAA

MALTA COMPETITION AND
CONSUMER AFFAIRS AUTHORITY

Standards and Metrology Institute

Certification Services

TERMS AND CONDITIONS OF SERVICE

Standards and Metrology Institute

Certification Services

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1. Introduction

The Malta Competition and Consumer Affairs Authority Act (Chapter 510 of the Laws of Malta) established the Standards and Metrology Institute (SMI) to provide standardization activities including certification services. Within this purview, the Malta Competition and Consumer Affairs Authority (MCCAA) trading as Standards and Metrology Institute Certification (SMIC) offers certification services managed in accordance with the requirements of ISO/IEC17021-1:2015 – Requirements of a conformity assessment body providing audit and certification of management systems. The key principles guiding SMIC are based on:

- a. Impartiality of certification services whereby decisions shall be based on objective evidence demonstrating conformity to established criteria and that decisions taken by SMIC are not influenced by other interests or by other parties;
- b. Competences of personnel who shall continually demonstrate their ability to apply knowledge and skills;
- c. Responsibility of certified clients¹ to conform to the certification requirements.
- d. Responsibility of SMIC to award certification or otherwise, based on sufficient objective evidence;
- e. Openness of SMIC processes by providing public access to appropriate and timely information about its audit process and certification process;
- f. Openness of SMIC processes by providing public access to appropriate and timely information about the certification status of any client certified by SMIC;
- g. Safeguarding confidentiality of any proprietary information about SMIC certified clients;
- h. Responsive to clients' complaints by investigating valid complaints in a timely and fair manner.

2. Certification Process

- 2.1. The process is initiated by the submission of an online application form found on the MCCAA website (<https://www.mccaa.org.mt/Section/Content?contentId=1248>) from the applicant. The applicant shall fill the application form appropriately and submit the relevant documentation as may be required in the application form.
- 2.2. Upon receipt of the application and related documentation, SMIC shall carry out an application review (which may need further clarifications from the applicant) to:
 - a. Ensure that the information about the applicant and the management system to be certified, is sufficient to develop an audit programme,
 - b. Ensure that any known differences in understanding between the applicant and SMIC are resolved,
 - c. Ensure that SMIC has the competence and ability to perform the certification activities including the appointment of a lead auditor,
 - d. Consider the scope of certification sought, the site(s) of the applicant client's operations, time required to complete the audits and any point influencing the certification activity.
- 2.3. Following the application review, SMIC shall either accept or decline the application. When SMIC declines the application, as a result of the review, the reasons for declining the application shall be documented and communicated to the applicant.
- 2.4. If the application is accepted, the certification officer shall issue an official quote and the Service Agreement **[SMIC-A03]**. The client shall sign off the service agreement prior to continuing with the certification process.
- 2.5. Upon receipt of the signed Service Agreement, the lead auditor shall contact the client to determine the documented

¹ Any reference to 'Client' in this document SMIC-S02 is defined as 'Company' in the Service Agreement SMIC-A03.

information required for the certification process. The client shall submit the documentation requested by the lead auditor and make available the site as required. At this stage the lead auditor may provide more information on the certification process.

- 2.6. The lead auditor may select a team of auditors (which may include technical experts) and communicate team information to the client who may object or otherwise the participation of any of the audit team members giving valid reasons in writing to the Head of Certification.
- 2.7. The lead auditor shall liaise with the client to carry out Stage 1 of the certification process. The objectives of Stage 1 are:
 - a. To review the client's management system documented information,
 - b. To evaluate the client's site's specific conditions,
 - c. To determine the preparedness for Stage 2,
 - d. To review the client's status and understand the requirements of the standard,
 - e. To obtain necessary information regarding the scope of the management system,
 - f. To review the allocation of resources for Stage 2 and agree on details of Stage 2 with the client,
 - g. To provide focus for planning of Stage 2,
 - h. Evaluate if the internal audits and management reviews are being planned and performed.
- 2.8. During Stage 1, the lead auditor shall conduct a desk review on the documented information submitted by the client and shall also conduct a short visit on the client's site.
- 2.9. The lead auditor shall complete Stage 1 by compiling a report giving details of any issues which may be found to deviate from the requirements of the standard and any other requirements established by the client and by SMIC. This report shall be submitted to the client. The lead auditor may decide to terminate the certification process should the information provided at application stage deviates significantly from the information reviewed during stage 1.
- 2.10. After Stage 1, the lead auditor shall liaise with the client to carry out Stage 2 of the certification process. An audit plan shall be compiled by the lead auditor that shall be submitted to the client. The purpose of Stage 2, is to evaluate the implementation, including the effectiveness, of the client's management system. Stage 2 shall include a visit on the client's site as per any provisions determined between the lead auditor and the client.
- 2.11. Stage 2 shall include the auditing of;
 - a. Information and evidence about conformity to all requirements of the applicable management system standard or other normative documents;
 - b. Performance monitoring, measuring, reporting and reviewing against key performance objectives and targets (consistent with the expectations in the applicable management system standard or other normative documents);
 - c. The client's management system ability and its performance regarding meeting of applicable statutory, regulatory and contractual requirements;
 - d. Operational control of the client's processes;
 - e. Internal auditing and management review;
 - f. Management responsibility for the client's policies.
- 2.12. The lead auditor shall complete Stage 2 by compiling a report identifying and recording audit findings² and providing recommendations and conclusions. The audit report shall be provided to the client and this shall provide an accurate, concise and clear record of the audit to enable an informed certification decision to be made by the Certification Board.

² Findings are defined in clause 3.14 of this document.

- 2.13. The client shall submit a corrective action plan in case of non-conformities. In case of major non-conformities, the client shall additionally provide verifiable objective evidence showing effective closure. Closure timeframes are determined during the audit.
- 2.14. If the Lead Auditor is not able to verify the implementation of the corrective actions of any major non-conformity within six (6) months after the last day of stage 2, the Lead Auditor may change the recommendation provided in the stage 2 report prior to submitting the client file to the certification board for final decision.
- 2.15. The lead auditor shall present the recommendations, reports, and any documented information collected during stage 1 and stage 2 to the Certification Board.
- 2.16. The Certification Board shall take a decision based on the recommendations, reports and other objective evidence collected during the course of the certification process.
- 2.17. The Certification Board may either: a. Grant or Refuse certification; b. Expand or Reduce the scope of certification; c. Suspend or Restore certification; and d. Withdraw or Renew certification. In case of refusing and suspending certification, the Certification Board may require the client to undergo a second stage 2 audit.
- 2.18. When certification is granted, the client is awarded a certificate in line with the requirements of ISO17021-1:2015, SMIC requirements and the accreditation body requirements.
- 2.19. Certification shall be maintained based on demonstration that the client continues to satisfy the requirements of the management system standard through surveillance visits which shall be conducted at least once a calendar year except in recertification years. The date of the first surveillance audit following initial certification shall not be more than twelve (12) months from the certification decision date. The frequency of surveillance visits shall be determined by the Lead auditor.
- 2.20. Surveillance activities shall be conducted within a period of three (3) years (Certification Cycle) after which a recertification audit shall follow. Surveillance activities shall include on-site auditing of the certified client's management system's fulfilment of specified requirements with respect to the standard to which the certification is granted.
- 2.21. The recertification audit shall include an on-site audit that addresses the following:
- a. the effectiveness of the management system in its entirety in the light of internal and external changes and its continued relevance and applicability to the scope of certification;
 - b. demonstrated commitment to maintain the effectiveness and improvement of the management system in order to enhance overall performance;
 - c. the effectiveness of the management system with regard to achieving the certified client's objectives and the intended results of the respective management system (s).
- 2.22. Following each type of audit, the Lead Auditor shall present an audit report to the client. The audit report shall contain the minimum requirements set in ISO17021-1:2015 in particular:
- a. Findings showing compliance or otherwise with the requirements of the management system standard;
 - b. Three year audits programme;
 - c. Confirmation or otherwise that the audit objectives have been fulfilled;
 - d. Recommendation or otherwise for granting of certification (in case of certification or recertification audits);
 - e. Confirmation or otherwise for maintaining certification (in case of surveillance audits).
- 2.23. Extension to Scope
- a. Extension to Scope: This shall mean the introduction of new and key processes/activities that are not covered by the

current certification scope, which scope has been introduced under the certified management system by the client.

- b. The client shall apply for an extension to scope through the online application on SMIC website.
- c. Upon submission of the extension to scope application, SMIC shall conduct an application review to ensure that resources are available and changes to the service agreement are updated if required.
- d. Following the extension to scope application review, SMIC may approve or otherwise to proceed to audit the activities under the extension the scope. This may also require additional audit team members and additional audit time.
- e. The Lead Auditor shall conduct the audit on the activities covered by the extension to scope in agreement with the client. The audit may be part of a surveillance activity.
- f. Following the audit on the extension to scope, the Lead Auditor shall submit the recommendation to grant or otherwise to Certification Board for final decision.

3. Terms and Conditions of Service

3.1. These terms and conditions apply to clients who sign the Service Agreement [SMIC-A03].

3.2. The client shall provide documented information as requested by the lead auditor that may include but not be limited to:

- a. Information on the scope of the management system;
- b. Information on the products and services offered;
- c. Management policies (e.g. Quality, Environmental Policy, other organisational policies);
- d. Information on strategic objectives;
- e. Information on management system's intended results;
- f. Organisation Chart and Site(s) Plan(s);
- g. Flow charts of operational processes;
- h. Information on the context/strategy of the client;
- i. Information on the risk methodology used;
- j. List of documentation of the management system (e.g. manuals, procedures);
- k. List of external documentation (e.g. permits, polices supplied by the customer);
- l. List of other applicable standards, normative documents, regulations and/or legislation;
- m. Management Reviews and Internal Audits Results;
- n. Any other information deemed necessary.

3.3. Major Changes. The client shall inform SMIC without delay, about any major changes that may affect the capability and effectiveness of the management system to continue to fulfil the requirements of the management system standard and any normative documentation (e.g. new/updated legal obligations) used for certification. These changes may relate but not limited to organisation structure, key processes, documented information, leadership of the organisation, relocation of operations, new business processes, expansion of operations, management system scope, contact person, etc.

3.4. The client shall make all the necessary arrangements for the conduction of the audits, including the provision for examining documented information, retained information and access to all processes and areas, personnel information for the purposes of initial certification, surveillance, recertification and resolution of complaints.

3.5. The client shall make provisions where applicable, to accommodate the presence of observers (e.g. accreditation assessors, trainee auditors, technical experts, competent evaluators).

3.6. The client shall respond to communications including e-mails and phone calls from SMIC in a timely manner. Failure to return the communication that could negatively affect the maintenance of the certification (e.g. establishing an audit

date, communication on the closure of non-conformities, submission of action plans etc.), the Lead Auditor may recommend suspension of certification to the Certification Board within one month from the last notified reminder.

- 3.7. SMI Certification shall not offer any form of management system consultancy (including the provision of internal audits) to its clients.
- 3.8. SMIC Lead auditors may require additional visits:
- a. To verify effective closure of major non-conformities;
 - b. To verify compliance to the requirements of SMI Certification;
 - c. To investigate complaints;
 - d. In response to change;
 - e. As a follow up on suspended clients.
- 3.9. SMIC shall compile audit reports which are solely based on objective evidence found during audits. The reports describe only a time sample of the client's activities related to certification.
- 3.10. The findings (e.g. positive, major non-conformities, minor non-conformities, opportunities for improvement, observations) raised by the Lead Auditor shall be supported by objective evidence. (Ref to section 3.14 for the definition of such findings).
- 3.11. In case of a major non-conformity, SMIC auditors may decide to terminate the audit and shall immediately inform the client. In case the SMIC auditors in liaison with the client, decide to proceed with the audit, all major non-conformities must be cleared through the implementation of effective corrective actions before a certification decision can be made. The client shall submit objective evidence to demonstrate effective closure within a timeframe agreed with the Lead auditor. The lead auditor may require a special additional audit to verify effective closure of the major non-conformities.
- 3.12. In case of a minor non-conformity, SMIC auditors shall request the client to submit a corrective action plan providing details on the corrective actions to be taken. The client shall submit the action plan within a timeframe agreed with the Lead auditor. Acceptable corrective action plans must be agreed with the Lead Auditor before a certification decision can be made.
- 3.13. A considerable number of inter-related minor non-conformities may also lead to a major non-conformity.
- 3.14. Type of Findings:
- 3.14.1 Positive Findings:*
- These findings show that objective evidence has been found that demonstrate compliance with established requirements.
- 3.14.2 Major Non-Conformity:*
- A major non-conformity is a non-fulfilment of a requirement that affects the capability of the management system to achieve the intended results. Nonconformities could be classified as major in the following circumstances: (a) if there is a significant doubt that effective process control is in place, or that products or services will meet specified requirements; (b) a number of minor nonconformities associated with the same requirement or issue could demonstrate a systemic failure and thus constitute a major nonconformity.
- 3.14.3 Minor Non-Conformity:*
- A minor non-conformity is a non-fulfilment of a requirement that does not affect the capability of the management system to achieve the intended results.
- 3.14.4 Observations:*
- Negative situations that are visible to the auditors but cannot be related to a requirement in the standard or a client's

documentation or activities observed by the auditor during an audit that could, if reported, enhance an organization's operating efficiency.

3.14.5 Opportunity for Improvement (OFI):

An OFI is simply an "opportunity" to improve the management system. It is not necessarily a finding that will lead to a future non-conformity if not addressed. OFI's in some cases come from an auditor's experience in the industry. Each auditor offers ideas that might enhance the management system. It is optional whether the client decides to follow through with the OFI.

4. Payment Terms and Conditions

4.1. Quotations

SMIC retains the right to make changes at any point in time during the certification cycle to the quotation should the information provided by the client at application stage and during stage 1 audit differs from the information given at quotation stage.

4.2. Administration Fees

If the service agreement is signed and the client opts out of the certification process prior to the Stage 2 audit, the client shall pay an administration fee of €150.

4.3. Certification Fees

The certification fee is based on a number of criteria such as the number of employees, the type of management system, the complexity of the client's processes, the number of sites covered by the management system and risks associated with the client's activities and products and services provided. The certification fee is invoiced on an annual basis and applies to all types of audits; certification audits, surveillance audits and recertification audits. It does not apply to special audits where a separate quotation is issued.

4.4. Invoicing:

- a. Invoices are drawn up in Euros and are due and payable in full.
- b. Invoices terms of payment are thirty (30) days from the date of invoice.
- c. Where an audit requires a significant up-front expenditure by SMI Certification, payment may be requested before any work is undertaken (For example; travel, subsistence or other costs that have been expended will be recovered from the client at cost price).
- d. Invoices are issued on an annual basis and cover 1 year in advance.
- e. Value Added Tax is chargeable on all invoices according to Maltese laws in force at the time.

4.5. Fees Revisions

All fees may be reviewed annually and are subject to amendment at any time giving prior notice to the client.

4.6. Cancellation Policy

SMIC reserves the right to charge a one-time cancellation fee of twenty five per cent (25%) of the annual certification fee in the following cases:

- a. The client opts to withdraw certification 10 days before a planned and confirmed audit date;
- b. The client opts to cancel the audits more than 2 consecutive times without valid reason. Such reasons shall be given in writing by the client and shall be accepted or otherwise by the Lead Auditor and Certification Board. Valid reasons may be related but are not limited to major work accidents, extra ordinary events that pose risks to Health and Safety, etc.

An invoice for the cancellation charge will be sent to the client and SMIC reserves the right to withhold any grant, maintenance or renewal of certification until it is settled.

4.7. Additional Visits (Special Audits)

In case of additional visits, SMIC reserves the right to charge a one-time additional visit fee of twenty-five per cent (25%) of the annual certification fee.

4.8. Extension to Scope

In case of an extension to scope, SMIC reserves the right to revise the annual certification fee and a revised quote shall be issued and confirmed by the client.

4.9. Local Travelling Expenses

SMI Certification will not bill for travel times for journeys within the Maltese islands.

4.10. Additional audit team members

Where the client's field of activity falls beyond the competence of SMIC auditors, or other circumstances require SMIC to use external auditors and or technical experts, SMIC shall inform the client about additional charges that will be incurred. The additional charges may include auditors/experts' fees, travel costs and subsistence allowances.

5. Use of Certificates and Logos Terms and Conditions

5.1. SMIC Logos





SM EN ISO/IEC 27001:2013

ISMS Certification Logo



SM EN ISO 45001:2018

OHSAS Certification Logo

- 5.2. The certificate shall be the property of Malta Competition and Consumer Affairs Authority trading as SMI Certification (SMIC).
- 5.3. The certificate shall be retained for the duration of the three (3) year certification cycle.
- 5.4. Any changes to the details contained in the certificate must be notified to SMI Certification at the earliest possible so that the necessary action can be taken. Any request for change to the scope provided in the certificate shall be notified in writing to the Head of Certification at MCCA in liaison with the Lead Auditor.
- 5.5. If certification is cancelled by either party, the client shall return the certificate to SMI Certification.
- 5.6. The certificate is an official document which entitles the client to use of the relevant MCCA Certification Logo.
- 5.7. MCCA Certification logos are not applicable to regulatory audit recommendations.
- 5.8. An electronic copy of these logos shall be provided to the client upon issuing of the certificate.
- 5.9. The logos displayed in Clause 5.1 are a registered trademark of the Malta Competition and Consumer Affairs Authority trading as SMI Certification and their use shall be subject to the following terms and conditions:
 - a. Logos shall be used together with reference to the relevant management system standard and with the certificate number.
 - b. The management system standard reference and the certificate number shall be set beneath the logo and the size of the text chosen must be legible and clear.
 - c. Certified clients will be provided with an electronic version of the logo. The colour scheme of the logo shall be kept within the colour references specified in the electronic provision of the logo or can be issued as in single colour mode.
 - d. The logo may be used on correspondence and in any media relating to the scope of certification.
 - e. The logo shall never be used in a misleading way such as on products or their packaging, on laboratory test reports/certificates and on calibration or inspection reports/certificates.
 - f. It is not permitted to use the SMIC Certification logo in association with any activity outside the scope of certification.
 - g. The logo cannot be transferred or used by other clients outside the certification scope and location.
 - h. The certificate and the logo do not guarantee regulatory compliance.
 - i. The Accreditation Body logo provided in accredited certificates is not permitted to be used.
- 5.10. SMI Certification requires certified clients:
 - a. To conform to the requirements of SMI Certification body when referring to its certification status in communication media such as the internet, brochures, advertising, or other documents.

- b. Do not make or permit any misleading statement regarding its certification.
- c. Do not use or permit the use of the certificate or any part thereof in a misleading manner.
- d. Upon suspension or withdrawal of its certification, discontinues its use of all advertising matter that contains a reference to certification, as directed by the SMI Certification body.
- e. Amend all advertising matter when the scope of certification has been updated.
- f. Do not allow reference to its management system certification to be used in such a way as to imply that the SMI Certification body certifies products, services or processes.
- g. Do not imply that the certification applies to activities that are outside the scope of certification.
- h. Do not use its certification in such a manner that would bring the SMI Certification body and/or certification system into disrepute and lose public trust. In such cases, SMI Certification reserves the right to take legal actions against such clients and/or other third parties so as to safeguard SMI Certification interests and public trust.

5.11. Persons and bodies authorized to use certificate and Logo

The authorization to use the certification Logo will be granted by SMI Certification without discrimination to any person or body whom SMI Certification certifies as conforming to the applicable standard, for as long as the services meet the required standard and as long as the client complies with the terms and conditions governing the use of the Logo in question, and fulfils requirements in this document.

5.12. Supervision on the use of the Certificate and Logo

SMI Certification shall check the use of the certificate and logo during audits.

5.13. Complaints by a client's interested parties

5.13.1 SMI Certification shall notify a certified client of any complaint received related to the client.

5.13.2 SMI Certification shall examine the complaint and any relevant action during the next surveillance visit or during any additional visit that may be required.

5.13.3 SMI Certification has established a publicly available document SMIC-P06 Appeals and Complaints Procedure to handle such complaints.

5.13.4 SMI Certification requires certified clients to maintain a complaints' register or a customer feedback register detailing their clients' complaints and resulting actions. This will be periodically examined by the auditors during audits.

6. Certification Decisions

6.1. SMIC may take the following certification decisions:

- a. Granting or refusing.
- b. Expanding or reducing the scope of certification.
- c. Suspending or restoring.
- d. Withdrawing or renewing.

6.2. Granting or refusing of certification

The granting of certification will be offered only to a client who provided objective evidence that demonstrates effective compliance of the management system with the standard requirements, applicable normative requirements and requirements in this document. SMIC Certification reserves the right to refuse certification in case such objective evidence could not be retrieved from the client.

6.3. Expanding or reducing the scope of certification

An expansion of the scope of certification shall be granted only on new activities that have been audited and for which the client provided objective evidence that such activities were integrated within the scope of the certified management system. The SMIC may reduce the scope of certification either when certain activities within the certified scope are no longer carried out by the client or when the activities within the certified scope pose a risk to the whole management system certification.

6.4. Suspending and Restoring of certification

6.4.1 Suspension of certification

SMIC reserves the right to suspend certification on the following but not limited conditions:

- a. the client's certified management system has persistently or seriously failed to meet certification requirements, including requirements for the effectiveness of the management system;
- b. the certified client does not allow surveillance or recertification audits to be conducted at the required frequencies;
- c. the certified client has voluntarily requested a suspension.

6.4.2 Restoring of certification

SMIC shall restore the suspended certification if the issue that has resulted in the suspension has been resolved. Failure to resolve the issues that have resulted in the suspension in a time established by the certification body shall result in withdrawal or reduction of the scope of certification.

- a. Under suspension, the client's management system certification is temporarily invalid.
- b. The voluntary suspension, suspension of a client's entire scope of certification will be published in the SMI Certification online list of certified clients.
- c. If the lead auditor responsible for the certified client recommends suspension, such recommendation for suspension shall be presented to the Head of certification/Certification Board.
- d. The certification board of SMIC have the authority to suspend certification.
- e. In the case of suspension SMI Certification shall inform the client in writing to confirm suspension of certification. The communication shall include details of the actions required by the client to address suspension and the procedure to restore certification.
- f. The suspension period shall not exceed three (3) months. Provided that, in exceptional circumstances and upon reasonable grounds being shown, the SMI may extend this period to six (6) months.
- g. Following suspension, failure to clear non-conformities within the agreed time frame may result in withdrawal of certification or reduction of the scope.
- h. SMIC shall make the status of a suspended client publicly available.

6.5. Withdrawing or renewing of certification

6.5.1 SMI Certification reserves the right to withdraw certification on the following but not limited conditions:

- a. Failure to effectively address major non-conformities within agreed timeframes;
- b. If the company is declared bankrupt and/or enters into an arrangement with its creditors;
- c. If a client, being a company, enters into liquidation, whether compulsory or voluntary (but not including liquidation for the purposes of reconstruction or amalgamation while solvent), or has a receiver of its business appointed;
- d. If the management of a client fails in any respect to comply with the laws of Malta;
- e. If a client fails to comply with any provision of SMI Certification requirements that may be changed from time to time;
- f. If a client has, in the reasonable view of SMI Certification, brought certification into disrepute either as a result of its

certified or non-certified activities;

- g. If a client fails to pay the agreed certification fee after a reasonable number of reminder notices have been issued.
- 6.5.2 In the above situations, the lead auditor shall recommend withdrawal to the SMI Certification Board. Only the SMI Certification Board may authorize withdrawal of certification.
- 6.5.3 SMI Certification may, at its discretion, withdraw certification, reduce the scope of certification or require re-audit, in the light of changes in structure, personnel, staff responsibility, equipment and premises (where relevant) or scope of activity of a client.
- 6.5.4 In case of suspension or withdrawal of certification, the SMI Director General shall send a letter to the client confirming the suspension or withdrawal of certification. The communication shall detail the actions required by the client arising from its suspension/withdrawal and it shall also provide information on the procedure for restoring certification in the case of suspension. In the case of withdrawal, a new application is required.
- 6.5.5 The certificate must be returned by the client to MCAA following withdrawal of certification.
- 6.5.6 In the event of withdrawal of certification, the client must remove the logo and all references to certification.
- 6.5.7 The client shall allow SMI Certification auditors to check that all references to certification have been removed.
- 6.5.8 A client may choose to withdraw certification or reduce part of its scope of certification at any time. The client shall inform SMIC about this decision in writing giving two (2) months' notice.

6.6 Expiration of certification, restoring and renewal

- 6.6.1 If SMIC has not completed the recertification audit or SMIC is unable to verify the implementation of corrections and corrective actions for any major non-conformity prior to the expiry date of the certification, then the certification shall not be recommended, and the validity of the certification shall not be extended.
- 6.6.2 Following expiration of certification, SMIC can restore certification within 6 months provided that the outstanding recertification activities are completed, otherwise a least a stage 2 audit shall be conducted following a reapplication for service. The effective date on the certificate shall be on or after the recertification decision and the expiry date shall be based on prior certification cycle.

7. Complaints and Appeals

SMIC established a complaint and appeals system that may be used by a client against any decisions referred to in section 6.

7.1. Definitions

- a. Complaints relate to the quality of service offered to clients and can arise from clients, end users or the general public.
- b. Appeals are disagreements with the recommendations of the staff or external auditors to the Certification Board of SMI Certification or concerning the interpretation of SMI Certification Regulations or in connection with the operation of the SMI Certification schemes.

7.2. SMI Certification established a publicly available (on MCAA website) documented procedure SMIC-P06 Appeals and Complaints to handle such complaints and appeals.

7.3. A client may lodge a complaint in writing to the quality manager using email certification.mccaa@mccaa.org.mt

7.4. A client may lodge an appeal in writing to the SMIC Director General using email certification.mccaa@mccaa.org.mt

7.5. Conditions for Acceptance of a Complaint or an Appeal

- 7.5.1 Procedure SMIC-P06 shall only be executed when a written submission is made to SMI Certification clearly indicating that a Complaint or Appeal is being made by a client. Such a documented submission shall include the name and address of the complainant/appellant.

7.5.2 Procedure SMIC-P06 shall not be followed for complaints/appeals received without documented authentication, such as verbal complaints/appeals where the complainant/ appellant declines to confirm in writing, anonymous written communications, sources apparently not involved with the complaint and hearsay.

8. Revision to the Terms and Conditions

8.1. MCCA reserves the right to revise these terms and conditions as necessary.

8.2. All certified clients have six (6) months to comply with any revisions to these terms and conditions from date of notification.

8.3. In case where a client has any reservations regarding such revisions, the client shall notify SMIC in writing within two (2) months from date of notification.

8.4. In the absence of any acknowledgement within this two (2) month period, the client shall be deemed to have accepted the revised terms and conditions.

9. Online publication of certified clients

9.1. SMI Certification maintains and publishes a list of certified clients on the MCCA website.

9.2. The client shall agree to publish the following information on the list:

- a. Organisation Name
- b. Certificate Reference
- c. Certificate Initial Registration Date
- d. Certification Status (Certified/Suspended)

END