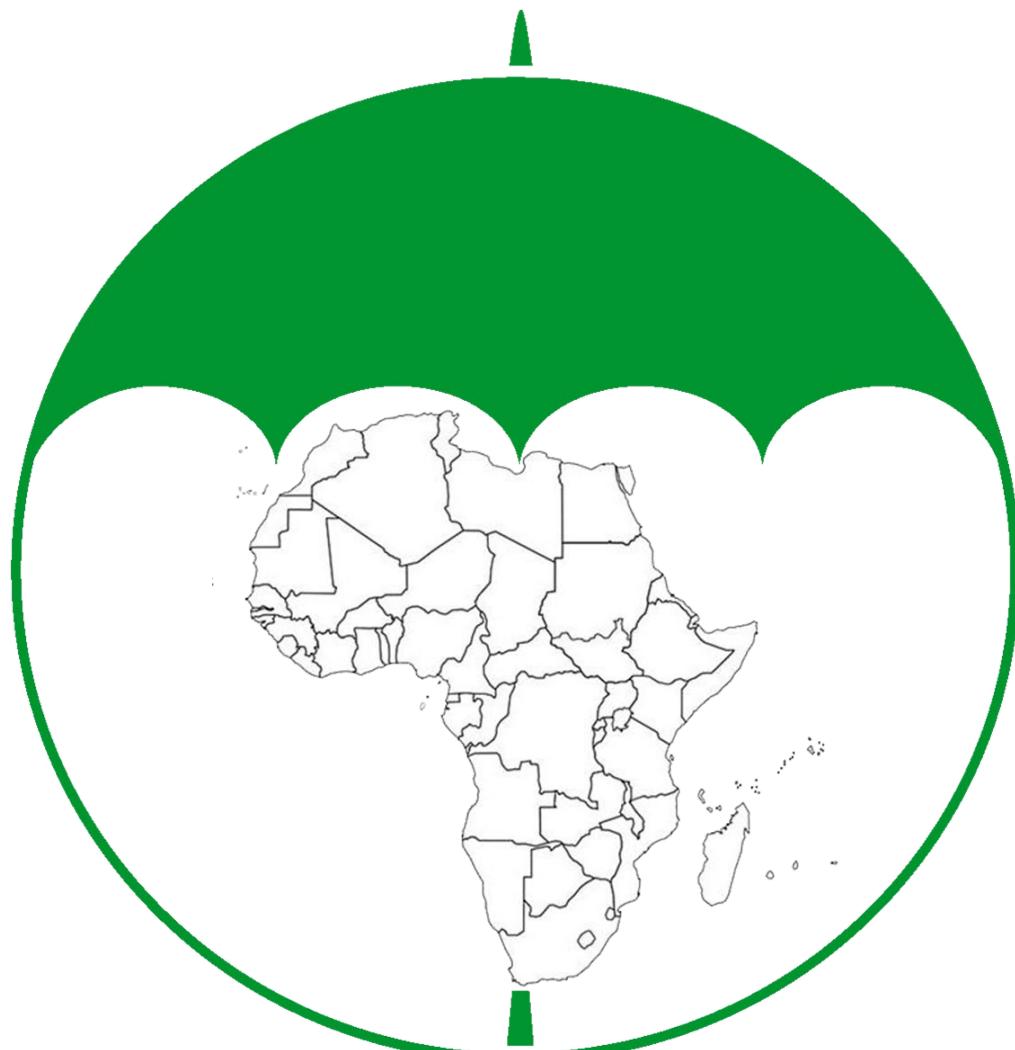


Constitution, Rules and Guide for ARSO-CERT



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Introduction

The African Regional Organisation for Standardization (ARSO) is an African Intergovernmental organization made of Member States of the United Nations Economic Commission for Africa (UNECA) and the African Union (AU). One of the mandates given to ARSO in the Lagos Plan of Action for the Economic Development of Africa (LPA) is the operation of a regional certification system with a view to certification and promoting the quality of African Products.

In compliance with the above mandate, ARSO has instituted this regional certification system known as the ARSO Certification System (ARSO-CERT) for products for its member states. Eventually, ARSO-CERT should embrace all the African countries. Operation of the ARSO Certification System (ARSO-CERT) shall be in accordance with the Constitution of ARSO-CERT.

The Constitution provides the legal framework and spells out the objectives, functions, membership and privileges of the ARSO Certification system. It also provides for issuance of rules, guides and directives for the development and operation ARSO-CERT.

The Rules of ARSO-CERT contain details about the qualifications for membership of ARSO-CERT and procedures for granting the ARSO Certification Mark

The Guide has been issued in order to render the national certification system of national members of ARSO-CERT compatible with one another so as to facilitate the operation of the ARSO Certification System (ARSO-CERT) in the African region.

The provisions given herein are based on the certification system No.5 of ISO/IEC 17067 and practice and ISO/IEC Guide 28, General rules for a model third-party certification system for products.

Table of contents

Introduction	ii
Constitution of the ARSO Certification System (ARSO-CERT)	1
ARTICLE 1 Establishment and Title	1
ARTICLE 2 Objectives and Functions	1
ARTICLE 3 Membership.....	2
ARTICLE 4 Structure	2
ARTICLE 5 Duties and Obligations of Members	3
ARTICLE 6 Privileges of Members	4
ARTICLE 7 ARSO Certification Mark	4
ARTICLE 8 Pre-membership Assessment.....	5
ARTICLE 9 Register	5
ARTICLE 10 Guides and Directives	5
ARTICLE 11 Finance	5
ARTICLE 12 Settlement of disputes.....	5
ARTICLE 13 Withdrawal	5
ARTICLE 14 Suspension and Prohibition	6
ARTICLE 15 Liability	6
ARTICLE 16 Copyright.....	6
ARTICLE 17 Authentic Texts.....	6
ARTICLE 18 Amendment of the Constitution.....	6
ARTICLE 19 Entry into Force.....	6
Annex A The ARSO Certification Mark.....	7
Rules of the ARSO Certification System (ARSO-CERT)	8
Annex B Fees for the use of ARSO Certification Mark.....	15
Guide on the National Certification System of National Members of the ARSO-CERT	16
Annex C Example of checklist for basic content of specific rules.....	26
Annex D Example of application for licence to use mark of conformity.....	27
Annex E Example of questionnaire for initial factory assessment.....	28
Annex F Checklist for initial inspection report	31
Annex G Checklist for sampling report	33
Annex H Checklist for of laboratory test report	34
Annex I Example of Licence.....	35
Annex J Checklist for surveillance inspection report	36
Annex K ARS 603, Quality management and quality systems elements — Guidelines (ISO 9004)	38
Bibliograpgy	39

Constitution of the ARSO Certification System (ARSO-CERT)

ARTICLE 1 **Establishment and Title**

- 1.1** There is hereby established an African Certification System to be known as the African Organization for Standardization (ARSO) Certification System (hereinafter referred to as the "Certification System") which shall operate in accordance with this Constitution.
- 1.2** The abbreviated name of the Certification System shall be "ARSO-CERT".

ARTICLE 2 **Objectives and Functions**

- 2.1** The objectives of ARSO-CERT shall be to:
 - (a) Provide for an African Certification System for goods and services produced in accordance with African Standards (ARS) issued by ARSO;
 - (b) Improve the quality of goods and services in Africa;
 - (c) Facilitate trade amongst African countries and with the outside world;
 - (d) Provide a forum for collaboration in certification activities in the African region with a view to affording mutual benefits to the participating members of ARSO-CERT.
- 2.2** To achieve the objectives enumerated in Article 2.1 above, the Certification System shall, through its members and organs, seek to:
 - (a) Establish principles, rules, guides and directives for the operation of ARSO-CERT;
 - (b) Contribute to the implementation of African Standards (ARS) issued by ARSO;
 - (c) Ensure application of uniform working methods and procedures in certification, and techniques used in certification;
 - (d) Assist in establishing and strengthening national capabilities for certification in African countries by providing training and technical advisory services including promotional and other support services.
 - (e) Compile and disseminate information on products certified under ARSOCERT and under the national certification systems of participating members of ARSO-CERT;

- (f) Endeavour to satisfy the technical needs of the African Sub-regional Economic Communities for certification;
- (g) Facilitate co-operation between ARSO and other regional and multinational bodies operating certification systems;
- (h) Endeavour to satisfy the needs of member States not yet operating certification systems through members of ARSO-CERT.

ARTICLE 3 Membership

3.1 National Member

- 3.1.1** A national member of ARSO-CERT shall be an ARSO member State whose national facilities for certification and certification activities have been assessed and approved in accordance with the Rules of ARSO-CERT and who has agreed to abide by this Constitution.
- 3.1.2** The representative of a national member in ARSO-CERT shall be the National Standards Body of that country.
- 3.1.3** There shall be only one national member of ARSO-CERT for a given member State.

3.2 Associate Member

- 3.2.1** An African Sub-regional Economic Community that has developed formal relationship with ARSO may become an associate member of ARSO-CERT.
- 3.2.2** The associate members shall expressively state their willingness to abide by this Constitution.

ARTICLE 4 Structure

4.1 Policy Organ

- 4.1.1** The ARSO Council shall constitute the supreme organ of ARSO-CERT.
- 4.1.2** The ARSO Council shall determine the general policy and review the progress of ARSO-CERT.
- 4.1.3** The ARSO Council shall establish the Rules for the operation of ARSO-CERT.

4.2 Certification Committee

- 4.2.1** The ARSO Council shall establish an ARSO-CERT Certification Committee to advise the Council, through the Secretary-General of ARSO on policy and technical matters concerning the operations and development of ARSO-CERT.
- 4.2.2** The abbreviated name of the ARSO-CERT Certification Committee shall be "ARSOCERTCO".
- 4.2.3** Membership of ARSO-CERTCO shall consist of national members of ARSO-CERT.

- 4.2.4** The Chairman of ARSO-CERTCO shall be appointed by the ARSO Council for a period of three years upon recommendation by the Secretary-General of ARSO.

4.3 Secretariat

The Secretary-General of ARSO shall provide secretarial services for ARSO-CERT and ARSO-CERTCO.

ARTICLE 5

Duties and Obligations of Members

5.1 National Member

- 5.1.1** A national member of ARSO-CERT shall, in accordance with this Constitution, cooperate in every way so as to achieve the objectives and carry out the functions of ARSO-CERT set out in Article 2 above.
- 5.1.2** A national member of ARSO-CERT shall adopt common procedures and rules developed under this Constitution for its certification services.
- 5.1.3** A national member of ARSO-CERT shall, on behalf of ARSO carry out, the actual certification work on products which fall under ARSO-CERT, in accordance with the Rules of ARSO-CERT.
- 5.1.4** A national member of ARSO-CERT shall assist ARSO in the registration and protection of the ARSO Certification mark in its territory.
- 5.1.5** A national member of ARSO-CERT shall provide the Secretary-General of ARSO with information and data on its operations of ARSO-CERT activities and that of its national certification system on continuous and expeditious basis.

5.2 Associate Member

5.2.1 An associate member of ARSO-CERT shall collaborate with ARSO in the operation of ARSO-CERT and provide support and assistance for the successful conduct of ARSO-CERT activities.

5.2.2 An associate member of ARSO-CERT shall provide the Secretary-General of ARSO with information and data relevant for ARSO-CERT operations.

ARTICLE 6 **Privileges of Members**

6.1 National Member

6.1.1 A national member of ARSO-CERT shall participate fully, in accordance with this Constitution and the Rules of ARSO-CERT, in the operations and activities of ARSO-CERT.

6.1.2 A national member of ARSO-CERT shall be the sole representative and agent of ARSO in matters relating to the conduct of ARSO-CERT activities and operations within its territory.

6.1.3 A national member of ARSO-CERT shall benefit from training and technical assistance programs of ARSO-CERT.

6.1.4 A national member of ARSO-CERT shall be eligible to seek assistance from ARSO within the framework of ARSO-CERT on specific matters relating to strengthening of its national certification system.

6.1.5 A national member of ARSO-CERT shall receive all guides and other technical documentations of ARSO-CERT published by ARSO free of charge.

6.2 Associate Member

6.2.1 An associate member of ARSO-CERT may refer to ARSO any enquiry or problem on certification for action within the framework of ARSO-CERT.

6.2.2 An associate member of ARSO-CERT shall receive invitations to ARSO-CERT meetings, seminars and workshops.

6.2.3 An associate member of ARSO-CERT shall receive free of charge all ARSO-CERT publications.

ARTICLE 7 **ARSO Certification Mark**

7.1 The ARSO Certification Mark shall be as specified in the Annex.

7.2 The ARSO Certification Mark shall be registered in all African countries and other countries as necessary.

7.3 The proprietary right of the mark shall belong to ARSO.

7.4 The ARSO Certification Mark shall only be used by national members of ARSOCERT in a manner to be specified by ARSO and in accordance with the Rules of ARSO-CERT.

- 7.5** The ARSO Certification Mark shall be administered only in combination with the Certification Marks of national members of ARSO-CERT for application in a manner to be specified by ARSO.

ARTICLE 8 Pre-membership Assessment

- 8.1** The national certification systems of member States wishing to join ARSO-CERT shall be assessed by the Secretary-General of ARSO.
- 8.2** The assessment shall be carried out in accordance with the Rules of ARSO-CERT.

ARTICLE 9 Register

- 9.1** The Secretary-General of ARSO shall maintain a register of national and associate members of ARSO-CERT and a comprehensive listing of Certification Licenses issued and products certified under ARSO-CERT.
- 9.2** The information contained in the register shall be made public.

ARTICLE 10 Guides and Directives

The Secretary-General of ARSO shall, upon recommendation by ARSO-CERTCO, issue guides, additional directives and instructions for the development and operation of ARSO-CERT in accordance with the provisions of this Constitution and the Rules of ARSO-CERT.

ARTICLE 11 Finance

- 11.1** The secretarial services of ARSO-CERT shall be financed through the budget of ARSO.
- 11.2** ARSO shall charge fees for the use of the ARSO Certification Mark and for services rendered by ARSO within the framework of ARSO-CERT. The scale of these fees shall, upon recommendation of ARSO-CERTCO, be approved by ARSO Council.
- 11.3** An associate member of ARSO-CERT shall pay an annual subscription fee to be determined by ARSO Council.

ARTICLE 12 Settlement of disputes

- 12.1** Matters of dispute arising in the operations of ARSO-CERT between the Secretary General of ARSO and any member of ARSO-CERT shall be referred for arbitration to ARSO-CERTCO.
- 12.2** Any matter that could not be arbitrated and resolved by ARSO-CERTCO shall be referred to ARSO Council for final decision.

ARTICLE 13 Withdrawal

- 13.1** Any ARSO-CERT member may withdraw from membership by giving three Months' notice to the Secretary-General of ARSO who shall thereupon inform all other ARSOCERT members.
- 13.2** The conduct of ARSO-CERT operations and use of the ARSO-CERT Mark by any member who has withdrawn from ARSO-CERT shall, automatically cease not later than at the expiry of the three months' notice.

ARTICLE 14 Suspension and Prohibition

- 14.1** The ARSO Council shall, upon recommendation by the Secretary-General of ARSO, suspend a national member of ARSO-CERT which fails to meet the requirements of this Constitution and the Rules of ARSO-CERT.
- 14.2** Any ARSO member State which is suspended or excluded from membership of ARSO, shall automatically be suspended as a national member of ARSO-CERT.
- 14.3** The Secretary-General of ARSO shall prohibit the use of the ARSO-CERT Mark by a License who has been found to contravene the operations of ARSO-CERT.

ARTICLE 15 Liability

ARSO shall not be held liable for any failure, injury or damage caused by products certified under ARSO-CERT.

ARTICLE 16 Copyright

The copyright of ARSO-CERT publications and documentation shall belong to ARSO.

ARTICLE 17 Authentic Texts

The English and French texts of this Constitution shall be equally authoritative.

ARTICLE 18 Amendment of the Constitution

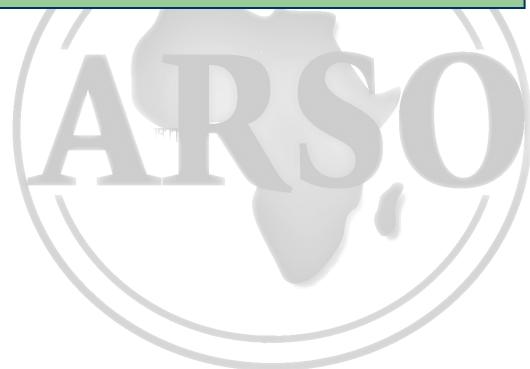
This Constitution may be amended by the ARSO Council upon proposals made by the Secretary-General of ARSO.

ARTICLE 19 Entry into Force

This Constitution enters into force upon approval by the ARSO Council.

Annex A

The ARSO Certification Mark



Rules of the ARSO Certification System (ARSO-CERT)

1 ORIGIN AND APPLICATION

- 1.1** These Rules are issued in accordance with Article 4.1.3 of the Constitution of the African Regional Organization for Standardization (ARSO) Certification System (ARSO-CERT).
- 1.2** These Rules shall be used for the assessment of the national certification systems of member States of ARSO for membership of the ARSO Certification System (ARSO-CERT) and granting of the ARSO Certification Mark.

2. INTERPRETATION

- 2.1** **ARSO Certification Mark:** ARSO Mark as defined in the Constitution of ARSOCERT to be applied or issued under the Rules of the ARSO Certification System (ARSO-CERT).
- 2.2** **ARSO Certification System (ARSO-CERT):** Regional certification system operated by ARSO.
- 2.3** **Calibration:** Set of operations which establish, under specific conditions, the relationship between values indicated by a measuring instrument, measuring system, or values represented by a material measure and the corresponding known value of a measurand.
- 2.4** **Measurand:** Quantity subjected to measurement. This may be the quantity to be measured or the measured quantity.
- 2.5** **National Certification Mark:** Mark belonging to and authorized for use at the national level by a national member of ARSO-CERT.
- 2.6** **National Certification System:** Certification system operated at the national level by a national member of ARSO-CERT.
- 2.7** **National Member:** Member State of ARSO which has been admitted as a member of ARSO-CERT in accordance with the Constitution of ARSO-CERT.
- 2.8** **Quality Assurance:** Those planned and systematic actions necessary to provide adequate confidence that a product or service will satisfy given requirements for quality.
- 2.9** **Quality System:** Organizational structure, responsibilities, procedures, processes and resources for implementing quality management.

3. ASSESSMENT

3.3.1 Panel of Assessors

- 3.1.1** The assessment of the national certification systems of member states of ARSO shall be carried out by a panel of Assessors appointed by the Secretary-General of ARSO. Each assessor shall:

- a) be familiar with the relevant assessment procedures and requirements;
- b) have a thorough knowledge of the assessment documents;
- c) be technically conversant with one or more aspects of certification (standardization, quality control, inspection, etc.);
- d) be able to communicate effectively, both in writing and orally;
- e) be free of any commercial or other interests that might cause the Assessor to act in other than an impartial or non-discriminatory manner.

3.1.2 The names of the Assessors shall be transmitted to a member State seeking membership of ARSO-CERT at least eight weeks In advance.

3.2 Date of Assessment

3.2.1 The date of assessment shall be transmitted to a member State seeking membership at least weeks advance.

3.3 Assessment criteria

3.3.1.1 Organization and Structure

The National Standards (NSB) shall have:

- (a) a Council or Board;
- (b) a permanent staff under a fulltime Chief Executive.

3.3.1.2 The NSB shall have and make available on request:

- (a) documentation identifying its legal status;
- (b) an organization chart showing clearly the responsibility and reporting structure of the organization;
- (c) description of the means by which the organization obtains financial support;
- (d) documentation on instructions pertaining to the duties and responsibilities of its staff;
- (e) documentation of its certification system including rules and procedures for obtaining its certification mark, corrective actions, appeals, etc.;
- (f) records to show how each certification procedure was applied including sampling, testing and reporting.

3.3.2 National Certification system

The national certification system shall correspond to the certification system prescribed in the Guide on National Certification System of National members of ARSO-CERT.

3.3.3 Inspection Capability

3.3.3.1 The NSB shall have facilities to permit all needed activities associated with its inspection services to be carried out.

3.3.3.2 The inspection staff shall be technically qualified and shall have been trained in quality assurance and inspection techniques.

3.3.3.3 The NSB shall have procedures for carrying out quality control and inspection and documentation of such work.

3.3.3.4 In cases where the NSB's quality control and inspection work, is carried out by an outside body, the NSB shall:

- a) assess the outside body to determine its capability;
- b) make available reports of such assessment and approval to the Panel of Assessors for verification.

3.3.4 Sampling Capability

3.3.4.1 The NSB shall have facilities to permit all needed activities associated with its sampling services to be carried out.

3.3.4.2 The NSB shall have and implement:

- (a) sampling instructions for the selection and preparation of samples;
- (b) clear rules on the receipt, retention and disposal of samples;
- (c) a clear procedure for handling, marking, storing and preservation of samples to prevent damage, contamination, corrosion or the application of stresses to the samples.

3.3.4.3 The sampling staff shall be technically qualified and have the ability to apply necessary statistical techniques in sampling work.

3.3.4.4 In cases where the NSB's sampling work is carried out by an outside body, the NSB shall:

- (a) assess the outside body to determine its capability;
- (b) make available reports of such assessment and approval to the Panel of Assessors for verification.

3.3.5 Testing Capability

3.3.5.1 General

3.3.5.1.1 The NSB shall have facilities to carry out all activities associated with its testing services.

3.3.5.1.2 In cases where the NSB's testing work is carried out by an outside body, the NSB shall:

- (a) assess and accredit the outside organization according to the ARSO Rules for Assessment and Accreditation of Testing and Measurement Laboratories;
- (b) make available reports of such assessment and accreditation to the Panel of Assessors for verification.

3.3.5.2 Laboratory Organization

The testing laboratory shall be organized as specified in Article 4.3.1 of the ARSO Rules for Assessment and Accreditation of Testing and Measurement Laboratories.

3.3.5.3 Staff of the Laboratory

The requirements of the staff of the testing laboratory shall meet the provisions specified in Article 4.3.2 of the ARSO Rules for Assessment and Accreditation of Testing and Measurement Laboratories.

3.3.5.4 Laboratory Equipment

The laboratory equipment shall comply with the provisions of Article 4.3.4 of the ARSO Rules for Assessment and Accreditation of Testing and Measurement Laboratories.

3.3.5.5 Calibration of Equipment

The calibration of test equipment shall comply with the provisions of Article 4.3.5 of the ARSO Rules for Assessment and Accreditation of Testing and Measurement Laboratories.

3.3.5.6 Laboratory Practice

The laboratory practice to be followed shall comply with the provisions of Article 4.3.6 of the ARSO Rules for Assessment and Accreditation of Testing and Measurement Laboratories.

3.3.5.7 Laboratory Accommodation and Environment

The laboratory accommodation and environment shall meet the requirements of Article 4.3.7 of the ARSO Rules for Assessment and Accreditation of Testing and Measurement Laboratories.

3.4 Assessment Report

3.4.1 The Panel of Assessors shall, on the basis of the assessment criteria mentioned in Article 3.3 of these Rules, produce an assessment report on all the relevant information gathered by them during the assessment of the NSB.

3.4.2 The assessment report shall include the following minimum information:

- (a) names of the Assessors;
- (b) name and address of the NSB assessed;
- (c) scope of the assessment of the NSB in terms of products, group of products, etc.;
- (d) information on the technical qualification, experience and authority of the relevant staff;
- (e) comments on the organizational structure of the NSB;
- (f) comments on the national certification system of the NSB;
- (g) comments on the quality control, inspection, sampling and testing capabilities of the NSB;
- (h) comments on the qualification of the national certification system of the NSB;
- (i) recommendations for further action in case the national certification system of the NSB is considered inadequate.

3.4.3 A copy of the assessment report shall be made available to the assessed NSB for comments.

4 APPROVAL OF THE NSB's CERTIFICATION SYSTEM

4.1 The Secretary-General of ARSO shall on the basis of the assessment report and comments on the report received from the assessed NSB approve or disapprove the national certification system as qualifying the NSB to become a national member of ARSO-CERT.

4.2 In case of disapproval, the Secretary-General of ARSO shall inform the NSB of the reasons and provide recommendations for remedial action.

5 PERIODIC AND SUPPLEMENTARY ASSESSMENT

5.1 The Secretary-General of ARSO shall as he deems fit, carry out periodic reassessment to ascertain that national members of ARSO-CERT continuously and consistently satisfy the assessment criteria specified in Article 3.3 of these Rules.

5.2 The Secretary-General of ARSO, shall as he deems fit, carry out supplementary assessment to ascertain that national members of ARSO-CERT satisfy the assessment criteria specified in Article 3.3 of these Rules when there is a need to extend the scope of products.

6 CONFIDENTIALITY

All information provided by any assessed member State of ARSO shall be kept completely confidential by the Secretary-General of ARSO, his staff and the Assessors.

7 USE OF THE ARSO CERTIFICATION MARK

7.1 The Secretary-General of ARSO shall grant the use of the ARSO Certification Mark by a national member of ARSO-CERT in its territory.

7.2 The national member of ARSO-CERT shall, on behalf of ARSO, administer the use of the mark in its territory in accordance with its national certification system.

8 GRANTING OF THE ARSO CERTIFICATION MARK

8.1 A producer in a country of a national member of ARSO-CERT may apply to the national member for the use of the ARSO Certification Mark on a specific product.

8.2 A producer in a country not a member of ARSO-CERT may apply to a national member of ARSO-CERT for the use of the ARSO Certification Mark on a specific product.

8.3 Upon receipt of the application, the national member shall assess the capability of the quality system of the producer in accordance with its national certification system.

8.4 The product, in respect to which application for the granting of the mark is made, shall conform to the relevant national standard. This national standard shall be equivalent to the relevant African Regional Standard (ARS) issued by ARSO.

8.5 The national member of ARSO-CERT shall compile a report in respect of Articles 8.3 and 8.4 of these Rules and if found favorable, shall communicate the report, to the Secretary-General of ARSO requesting approval for the use of the ARSO Certification Mark by the producer.

8.6 Upon receipt of the report mentioned in Article 8.5 of these Rules from the national member of ARSO-CERT, the Secretary-General of ARSO shall evaluate the report and approve the granting of the ARSO Certification Mark provided that:

- (a) the conditions prescribed in the Constitution and the Rules of ARSO-CERT have been complied with;
- (b) the producer has had the national certification mark of the national member of ARSO-CERT for a period of at least one year in respect of the product concerned.

9 AFFIXING OF THE ARSO CERTIFICATION MARK

9.1 The ARSO Certification Mark shall be affixed in respect of a product together with the national certification mark of a national member of ARSO-CERT.

9.2 The ARSO Certification Mark shall be affixed on the product without distortion of the configuration of the mark and in a proportion that may be found suitable for affixation on the product.

10 SURVEILLANCE

The Secretary-General of ARSO shall as he deems necessary, exercise surveillance on products in respect of which the use of the ARSO Certification Mark has been granted.

11 FEES

The fees to be charged for the use of the ARSO Certification Mark shall be as provided in the Annex.

12 ENTRY INTO FORCE

These Rules of the ARSO-CERT enter into force upon approval by the ARSO Council.



Annex B

Fees for the use of ARSO Certification Mark

The annual fee for the use of the ARSO Certification Mark by a producer shall be determined by the ARSO Council.



Guide on the National Certification System of National Members of the ARSO-CERT

1 ORIGIN

This Guide is issued in accordance with Article 10 of the Constitution of the African Regional Organization for Standardization (ARSO) Certification System (ARSO-CERT).

2 SCOPE

This guide prescribes the minimum requirements of a national certification system to be operated by a national member of the ARSO Certification System (ARSO-CERT).

3 TERMINOLOGY

- 3.1 Applicant (producer):** Person or body that seeks to obtain a license from a certification body.
- 3.2 Certification Body:** National member of ARSO-CERT.
- 3.3 Certification Scheme:** Certification system as related to specified products, to which the same particular standards and rules, and the same procedure, apply.
- 3.4 Initial testing:** Process by which a certification body before granting or extending a licence, determines that a product complies with the requirements of applicable standard(s).
- 3.5 Licensee:** Document, issued under the rules of a national certification system, by which the certification body grants the applicant the right to use a mark of conformity for its products.
- 3.6 Licensee:** Person or body to which a certification body has granted a license.
- 3.7 National Certification System:** Certification system operated at the national level by a national member of ARSO-CERT.
- 3.8 National Mark of Conformity:** Protected mark, applied or issued under the rules of a national certification system, indicating that adequate confidence is provided that the relevant product, is in conformity with a specific standard.
- 3.9 National Member:** Member State of ARSO which has been admitted as a member of ARSO-CERT in accordance with the Constitution of ARSO-CERT.
- 3.10 Quality Assurance:** Those planned and systematic actions necessary to provide adequate confidence that a product or service will satisfy given requirements for quality.
- 3.11 Quality System:** Organizational structure, responsibilities, procedures, processes and resources for implementing quality management.

4 TYPE OF CERTIFICATION SYSTEM

The type of certification system prescribed in this Guide is based on System No.5 of ISO/IEC 17067. It consists of initial product testing and assessment of factory quality control

System and its acceptance followed by surveillance that takes into account the audit of factory quality control and the testing of samples from the factory and the open market.

5 GENERAL RULES

General rules indicating the principles of operation, the configuration of the national mark of conformity, the responsibilities of the licence the right of appeal of the licensee and other general matters, shall be issued by the certification body. These rules shall derive their authority from the Act or Decree establishing standardization or certification activities in the country.

6 SPECIFIC RULES

For each certification scheme applicable to a product or group of products, specific rules shall be established. The checklist given in Annex A shall be utilized for this purpose.

7 APPLICATION FOR LICENCE

- 7.1** The application shall be made on a special form obtained from the certification body. An example of such a form is given in Annex B
- 7.2** The application shall be for a specific product or group of related products. It shall cover products from one factory only.
- 7.3** The application shall be returned together with a completed questionnaire which shall provide preliminary information on the producer and his capability to control the quality¹ and continuing conformance of his products to the requirements of the relevant standard(s). An example of such a questionnaire is given in Annex C.
- 7.4** The certification body on acceptance of a completed application form and receipt of a deposit, if required, shall confirm this to the applicant and provide him with any further information necessary for the processing of the application.

8 INITIAL INSPECTION

- 8.1** The certification body shall make the necessary arrangements with the applicant for the initial inspection.
- 8.2** The initial inspection shall consist of assessing the following elements of the applicant's quality system to determine its suitability in accordance with the requirements of the specific rules referred to in Clause 6:

¹ ARS 603, Quality management and quality system elements -Guidelines, provides guidance to a producer on development of a quality system (for more information see Annex J).

- (a) staffing, and in particular the terms of reference and status of the applicant's inspection department;
- (b) inspection methods and procedures in general and their documentation;
- (c) testing equipment;
- (d) quality control of incoming materials, components and services;
- (e) batch identification;
- (f) quality control of products during and after processing.
- (g) disposal of rejects;
- (h) product;
- (j) internal documentation, including test records, production records, material certificates, complaints, etc.;
- (k) availability of documented technical criteria for the product (for example company standards, specifications and drawings);
- (m) availability of a written 'Quality Policy' outlining the corporate policy of the organization for achievement of quality of its products;
- (n) availability of a 'Quality manual' detailing the quality control procedures to be followed.

8.3 The applicant shall ensure that the question of responsibility to the certification body for the quality system is clearly defined, e.g. by appointing a designated person who is independent from production management as far as the technical performance of his function is concerned and who is qualified, to maintain contact with the certification body.

8.4 Report of initial inspection

8.4.1 The report of the initial inspection shall include an assessment of the capability of the production and quality control system practiced in the applicant's factory. To ensure that the report provides all the necessary information required, careful consideration shall be given to its form and contents both in respect of the general factors applicable to all products, and the particular information required for the product under consideration. The checklist given in Annex D shall be used in preparing the report.

8.4.2 The results of the initial inspection shall be conveyed to the applicant.

8.4.3 If all requirements for licensing in respect of the inspection have not been met, the applicant shall be informed of the requirements in which his application has failed.

- 8.4.4** If the applicant can show that remedial action has been taken by him to meet all the requirements within a specified period of time, then, only the necessary parts of the initial inspection shall be repeated. Otherwise, the application shall be treated as cancelled.

9 INITIAL TESTING

9.1 Sampling

- 9.1.1** The selection of samples for tests and examination shall be based on the specific rules of the scheme.

- 9.1.2** Sampling shall be carried out by an inspector or an authorized representative of the certification body in accordance with the scheme laid down in the specific rules. Sampling reports shall be prepared using the checklist given in Annex E.

9.2 Conduct of initial testing

- 9.2.1** The initial testing shall be carried out in accordance with the applicable standard(s) and the specific rules of the scheme.

- 9.2.2** The initial testing shall be carried out in laboratories which have been accredited in accordance with the Rules of ARSO-CERT. The laboratories may be either owned or contracted to by the certification body.

9.3 Test Report

- 9.3.1** Test results shall be presented in the form of a report using the checklist given in Annex F.

- 9.3.2** Test reports shall clearly identify the item tested, the tests carried out, the results obtained, and include a statement whether the samples have passed or failed each test requirement.

- 9.3.3** Test reports shall include a summary of results, which shall contain a statement on the compliance of the samples with the standard(s).

- 9.3.4** The test report shall be conveyed to the applicant.

- 9.3.5** If all the requirements of licensing with respect to testing are not being met, the applicant shall be informed of those tests in which his application has failed.

- 9.3.6** If the applicant can show that remedial action has been taken by him to meet all the requirements within a specified period of time, then, only the necessary parts of the initial testing shall be repeated. Otherwise, the application shall be treated as cancelled.

10 APPROVAL AND LICENSING

- 10.1** The certification body shall on the basis of the initial inspection and testing reports, assess whether the applicant's quality system and products meet the requirements of the general and specific rules.

- 10.2** In case of conformity, a licence shall be issued for the use of the national mark of conformity for specified products and specified periods.
- 10.3** The licence shall refer to the specific rules. An example of a licence for the national mark is given in Annex G.
- 10.4** In case of non-conformity, the certification body shall inform the applicant of the reasons and, where appropriate, offer guidance as to how approval shall be achieved if the application is pursued or renewed.

11 EXTENDING A LICENCE

- 11.1** A licensee wishing to extend his license to allow the application of the marks of conformity to additional types of products, made in the same factory to the same standard as the products for which a license is already held, shall apply to the certification body, using the usual application form (Annex B). In such cases, samples of the additional types of product shall be tested to determine compliance with the standard(s). If the tests are successful, additional license (s) shall be granted. In these cases, the carrying out of a fresh factory inspection shall be based on the past performance of the applicant.
- 11.2** If the licensee wishes to apply the national mark of conformity to additional types of products made at the same factory, but to different standards, new applications shall be submitted. Inspection and testing shall follow there upon.

12 SURVEILLANCE

12.1 Procedure

- 12.1.1** The certification body shall exercise surveillance on the licensee's quality system and products based on the requirements of the relevant standard and the specific rules.
- 12.1.2** Surveillance shall consist of the following:

- (a) examination of the licensee's records to ensure that the required sampling and testing of the product has been carried out at the specified frequency and that corrective action has been taken in the event of any failure occurring;
- (b) examination of calibration and maintenance records of test and measurement equipment;
- (c) testing of samples collected from the factory and/or the open market for determining compliance with the standard(s) and specific rules.

12.2 Frequency of Surveillance

The minimum number of surveillance inspections to be carried out annually for a particular scheme shall be specified in the specific rules.

12.3 Surveillance Report

A surveillance report shall be prepared using the checklist given in Annex H.

12.4 Use of Agents

In case the certification body cannot carry out the surveillance inspection itself it may appoint an agent to carry out the surveillance under its authority and responsibility, exercised under agreed conditions. Any agent appointed by the certification body shall have all the facilities and qualified staff necessary for adequate surveillance in accordance with the Rules of ARSO-CERT and this Guide.

12.5 Results of Surveillance

The licensee shall be informed of the results of the surveillance inspection.

12.6 Modification of product

The licensee shall inform the certification body of any intended modification of the manufacturing process,: quality system or any other parameter which may affect the compliance of the product. The certification body shall determine whether the announced changes require a new initial inspection and/or testing or further investigations. In such cases the licensee shall not be allowed to release certified products resulting from such changes until authorization has been given by the certification body.

12.7 Record of complaints

The licensee shall keep a record of all complaints relating to the products covered by the licence and make these available to the certification body on request.

13 NATIONAL MARK OF CONFORMITY AND MARKING

13.1 National mark

13.1.1 The national mark of conformity shall be the mark as prescribed in the legislation prescribing the national certification system.

13.1.2 There shall be only one national mark of conformity belonging to a certification body.

13.2 Marking

13.2.1 The national mark of conformity shall be directly applied on each unit of production except where the physical size of the unit or the nature of the product does not permit, in which case the mark shall be affixed on the smallest package in which the unit is marketed.

13.2.2 In cases where the standard(s) specifies several grades, the 'grade' to which the product conforms shall also be indicated alongside the national mark of conformity.

13.2.3 The national mark of conformity shall be affixed in such a manner that they cannot be easily transferred from one unit of the product to another.

14 PUBLICITY BY LICENSEES

- 14.1** A licensee shall have the right to publicize that he has been authorized to apply a national mark of conformity for products to which the license applies.
- 14.2** The licensee shall take sufficient care in publications and advertising so that no confusion arises between certified and non-certified products.
- 14.3** Written permission shall be obtained from the certification body if a licensee wishes to publish parts of a test report which relates to the certification of his products.

15 CONFIDENTIALITY

The certification body shall be responsible for ensuring that secrecy is maintained by its employees and those of its agents (see 12.4) concerning all confidential information with which they become acquainted as a result of their contacts with the licensee.

16 MISUSE OF NATIONAL MARK OF CONFORMITY

- 16.1** The certification body shall institute controls on the use of its national mark of conformity by the licensees.
- 16.2** Misuse of the national mark of conformity by affixation of the mark on nonconforming or non-certified products or incorrect use of the mark in advertisements, catalogues and other publicity materials shall be dealt with by suitable corrective actions including legal measures.

17 CORRECTIVE ACTION

17.1 Warning

If surveillance indicates occasional non-compliance with the requirements of the general or specific rules which is unlikely to affect product conformity, a warning indicating the immediate corrective action to be taken shall be given.

17.2 Suspension of a licence for a product

17.2.1 The licence applicable to a specific product shall be suspended for a specified period, in the following cases:

- (a) if surveillance indicates non-compliance with the requirements of the specific rules of such a nature that a warning is not sufficient and an immediate withdrawal of the licence is not considered appropriate;
- (b) if the case of improper use of the mark, e.g. misleading publication or advertisement is not retracted or appropriate remedial measures taken by the licensee;
- (c) if there has been any other contravention to the rules of the scheme or the procedures prescribed by the certification body.

17.2.2 The licensee shall not identify as certified any product that has been produced under a suspended licence applicable to that product.

17.2.3 A licence shall also be suspended after mutual agreement between the certification body and the licensee for a limited period of non-production or for reasons agreed to by the certification body and the licensee.

17.2.4 The suspension of a licence shall be communicated to the licensee by a registered letter or equivalent means.

17.2.5 The licensee shall be informed of the conditions under which the licence has been suspended and the actions needed to be taken by the licensee for the removal of the suspension.

17.2.6 At the end of the suspension period the certification body shall investigate if the indicated conditions for reinstating the licence are fulfilled.

17.2.7 On fulfillment of these conditions the suspension shall be removed by notifying the licensee that the licence has been reinstated.

17.2.8 If the conditions are not fulfilled at the end of the specified period the licence shall be withdrawn.

17.3 Withdrawal of licence

17.3.1 A licence shall be withdrawn in the following cases:

- (a) if surveillance indicates that product conformity is seriously affected or is likely to be seriously affected for a prolonged period of time;
- (b) if in adequate measures are taken by the licensee in the case of suspension;
- (c) if for any reason the product is found to be hazardous;
- (d) if the standard and/or the specific rules are changed and the licensee cannot ensure compliance with the new requirements (see clause 18);
- (e) if the licensee fails to comply with the due settlement of his financial obligation;
- (f) if the product is no longer made or the licensee goes out of business;
- (g) if there has been any other contravention to the rules of the scheme or the procedures prescribed by the certification body that warrants a withdrawal of the licence.

17.3.2 The withdrawal of a licence shall be officially conveyed to the licensee by registered letter or equivalent means.

17.3.3 Prior to withdrawal of a licence the certification body shall decide upon the consequences in relation to products certified under the licence. The licensee shall be required to remove the national mark of conformity from all products in stock and if practicable from products already sold.

17.3.4 Withdrawal of a licence may be published by the certification body.

17.4 Appeal

In the event of a decision to withdraw a licence, the licensee shall be given the right to appeal in accordance with the appeal procedure of the certification body.

18 IMPLEMENTATION OF MODIFICATION OF A STANDARD

18.1 An adequate grace period taking into consideration the nature of the modification of the standard, and other factors affecting both the producer and the user (e.g. time for retooling, health and safety requirements) shall be allowed for a licensee to comply with a revised edition of a standard on which a licence has been issued.

18.2 The licensee shall be informed well in advance of the intention to revise the standard and the nature of the revision.

18.3 The date from which a revised edition of a standard will be effective shall be published by the certification body and all licensees listed under the scheme in question shall be notified in time by the certification body.

19 LIABILITY

The responsibility of product liability shall be vested with the licensee in accordance with the relevant national legislation.

20 DISPUTES

In cases of disputes the appeal procedure of the certification body shall apply.

21 RENEWAL OF LICENCE

A licence for the use of the national mark of conformity in respect of a specific product or a group of related products shall be subject to annual renewal.

22 FEES

The fees for the operation of a certification scheme shall be decided by the certification body.

23 ENTRY INTO FORCE

This Guide enters into force upon approval by the ARSO Council

Approved by the ARSO Council this 21st day of November, 1990.



Annex C

Example of checklist for basic content of specific rules

In establishing specific rules for a scheme, the following checklist may be utilized to indicate items which shall be considered among others.

- (a) Full identification of the products and related national standard(s) to which the scheme applies.
- (b) Requirements for initial testing and other inspection activities such as:
 - (i) selection of items to be inspected and tested
 - (ii) sampling procedure
 - (iii) initial product testing and test methods
 - (iv) evaluation of the test results
 - (v) initial inspection of the factory
 - (vi) evaluation of the inspection result
 - (vii) evaluation of the factory's quality system
 - (viii) evaluation of competence of staff of the factory
 - (ix) evaluation of measuring and testing equipment used by the manufacturer including calibration
 - (x) marking of product (related to national mark of conformity)
 - (xi) checklist for possible instructions (e.g. for mounting or use).
- (c) Requirements for surveillance procedure such as
 - (i) check product testing and inspections of the factory
 - (ii) evaluation of the results of the checks
 - (iii) frequency (minimum) of check testing and check inspection;
- (d) Fee and cost structure of the scheme.

Annex D

Example of application for licence to use mark of conformity

To be sent to (certification body)

Address:.....

.....
We hereby apply for a licence to use the national mark of conformity for the following type of product(s)

We are fully aware of the conditions set out in the Standards Act and in the General Rules for the certification system. We also understand that specific rules shall be prescribed for this product. We herewith declare that we will settle the costs related to this application.

.....
Name of applicant company

.....
Address of registered office

.....
Phone and telex numbers

.....
Factory registration licence

.....
Trade mark

.....
No. of relevant standard

.....
Edition

.....
Title of standard

.....
Description of product, types, grades, sizes, etc.

.....
Estimated quantity of products to be manufactured per year

.....
Person to be contacted

.....
Signature

.....
Date

Annex E

Example of questionnaire for initial factory assessment

This document shall be prepared by the certification body and completed by the applicant company and shall be returned together with the application form.

The document shall be used by the certification body's inspection staff during preliminary visits to the factory or factories involved for the initial inspection

Supplements may be included where it is necessary to expand any statement.

A separate document shall be completed for each factory involved.

The statements shall relate to the facilities available as of the date of completion of the form.

This information given in this document shall be treated in the strictest confidence.

E.1 Factory organization

E.1.1 Procedures/paperwork

Please give the following information on basic system

- Do you produce against orders or for stock?
- Do you issue a Works Order or equivalent?

If so does this identify a batch as a separate entity?

- Do products and/or containers carry Works Order identification in manufacture?
- If not how does system allow for products to be isolated in case of doubtful quality?
- Please give any other relevant information on basic system.

E.1.2 Quality control/inspection staff

- Please give the following information on factory QC staff organization:
- Head of Quality Assurance, qualifications, training, etc.
- Reporting to?
- Is there a separate QC/Inspection Dept.?

- If so indicate if staff are aware of the tests in the relevant standard(s)
- Are store men/production operators responsible for inspection and test on: -In-coming materials? -In process operations? -Final product?
- If so are they monitored by QC staff?
- Are Quality Audit checks carried out and by whom?
- Please give any other information on QC staff organization.

E.2 MATERIALS OR COMPONENTS

E.2.1 Purchase specifications/materials quality assurance

- Please detail main materials purchased, specification used and major suppliers involved. Please also give quality assurance methods adopted on receipt of materials, or components, indicating action taken on rejects. What storage facilities exist for incoming materials and finished products?

E.3 MANUFACTURE

E.3.1 System

- Please detail various steps in manufacture -a production schedule and/or supplement in chart form showing stages may be advantageous.

E.3.2 Maintenance system-plant and equipment

- What maintenance system is in operation?

E.4 QUALITY CONTROL AND TESTING

E.4.1 System

- Please detail Quality Control system, including sampling system followed, with particular reference to the tests in the relevant standard. A QC schedule or supplement cross-referenced to chart required in E.3.1 is advantageous
- Please attach a copy of the 'Quality manual' or instructions on Quality Control issued to staff.

E.4.2 Test equipment/instruments, gauges and tools

- Please detail test equipment used. Is any of the production or test equipment calibrated? Specify and furnish brief details, giving date of last calibration.

E.5 RECORDS AND DOCUMENTATIONS

E.5.1 Compliance to Specification

- Please indicate level of defectives found in past six months. If tests in accordance with the relevant standard(s) have already been carried out attach copies of test reports if available
- Please indicate the level of claims/complaints made under warranty and/or otherwise and give also as a percentage of total output
- Have independent tests been made on products against the standard? By whom? Please attach copies if available.

E.6 AFFIXATION OF NATIONAL MARK OF CONFORMITY

Please attach an illustration if available and indicate method, e.g. special label, embossing, etc., which will be used to affix the mark of conformity. Please indicate at which stage of manufacture the mark of conformity will be affixed.



Annex F

Checklist for initial inspection report

- a) Name and address of certification body;
- b) Name and address of applicant company;
- c) Name and address of factory;
- d) Name of commodity/product;
- e) Title and number of relevant standards (specifications);
- f) Date of inspection;
- g) Inspection conducted by;
- h) General:
 - Overall factory conditions and general layout (this should be related to the type of commodity being produced)
 - Storage facilities and condition of incoming materials
 - Condition and arrangement of machinery and plant
 - Storage and condition of end product
 - Remarks or recommendations
 - Flow chart. (A schematic flow chart from incoming material storage to end product storage showing inspection/control points and characteristics checked at each point may be called for);
- j) Testing facilities:
 - What facilities exist on the premises? Specify
 - What facilities exist at other premises? Specify
 - What calibration facilities exist? Specify
 - Are test and measurement equipment calibrated? If so state the last date of calibration

- Remarks/recommendations — for example facilities are adequate/inadequate, etc.
- k) What quality control measures are exercised in relation to
- Incoming materials?
 - Processing/production?
 - End product?
 - Remarks/recommendations?
- m) What records are kept in relation to quality control measures for
- incoming materials and testing thereof?
 - •Production and testing thereof?
 - End product and testing thereof?
- (Do these records give a complete history of the end 'Product from identification of the incoming materials used through production control to end product sampling and testing?);
- n) How is the product labelled and marked? (not certification mark);
- p) Do such labels comply with the requirement of the standard (specification)?
- q) Remarks by inspection officer
- Is factory recommended for certification of the product applied for?
 - If factory is not recommended, list out the reasons
 - Recommendations in relation to further action;
- r) Signature.

Annex G

Checklist for sampling report

- a) Name and address of the certification body;
- b) Date of sampling;
- c) Sample of;
- d) Drawn/purchased/submitted by (how was the sample obtained);
- e) Place of sampling
 - (i) Factory pre-inspection or post inspection; or
 - (ii) Open market – stockiest or retail
- f) Address where samples were taken;
- g) Condition of batch/production lot;
- h) Size of batch/production lot;
- j) Number of samples drawn;
- k) Sampling procedure;
- m) Condition of sample(s);
- n) Identification marks on samples (batch No etc.);
- p) Signature of sampler;
- q) Signature of supplier (where applicable);
- r) Remarks.

Annex H

Checklist for laboratory test report

- a) Name and address of (Certification body, test house, etc.);
- b) Report no.;
- c) Date;
- d) Description and name of sample(s) (with or without diagram/photo, as required);
- e) Sample drawn by/submitted by;
- f) Identification marks on samples;
- g) Title and number of standard (specification) against which samples are tested;
- h) Results;

Parameter	Requirement	Result obtained ²	Test Method ³	Conformity to requirement

- j) The sample complies/does; not comply in respect of
- k) Remarks;
- m) Signature of officer conducting tests.

² The actual result is to be reported here, not words such as "passed", "complies", "failed", etc. A statement on the accuracy (uncertainty) of the result may also be given.

³ Indicate the clause number or other reference number given in the specification.

Annex I

Example of Licence

Licence to use the mark of conformity

By virtue of the Standards Act.....

and with reference to application

to use the national mark of conformity

licence No

is granted to

Address

for the item(s) below, subject to the conditions specified in the attached schedule* and the general rules for certification.

Number, edition and title of standard:

.....

Method of marking.....

Date

Director of NSB

Chairman of NSB council

* attach specific rules as. Schedule.

Annex J

Checklist for surveillance inspection report

This form is to be used for inspection of the factory after a licence has been issued.

NOTE (It will be noticed that it is very similar to Annex D and a combined form could be used for Annex D and H). The correlation between what has been agreed on as a result of Annex D and what is checked in Annex H is important.

- a) Name and address of certification body;
- b) Name and of licensee;
- c) Name and address of factory;
- d) Name of commodity/product;
- e) Licence No.;
- f) Date of inspection;
- g) Inspection conducted by;
- h) General:
 - Overall factory conditions and general layout
 - Storage facilities of in-coming materials
 - Condition and arrangement of machinery and plant
 - Storage facilities for end product
 - Remarks (for example shortcomings) or recommendations;
- J) Testing facilities:
 - Are these still adequate? On the premises or at other premises
 - Remarks
- k) Calibration of test equipment Have the required calibration tests been conducted and recorded?
- m) Production quality control measures. Are these still adequate in relation to:
 - In-coming materials?
 - Production/processing?
 - End product?
 - Remarks?

- n) Records. Are adequate records being maintained in relation to testing and control of;
 - Raw materials?
 - Production (or adjustment of plant and equipment)?
 - End product?
- p) Sampling. Is the sampling schedule for testing which is specified in the scheme being adhered to?
- q) Affixation of national mark of conformity. Is the mark of conformity being correctly affixed?
- r) Quality control and laboratory staff. Has there been any change in the quality control and laboratory staff?
- s) General remarks;
- t) Signature of officer.



Annex K

ARS 603, Quality management and quality systems elements — Guidelines (ISO 9004)

This standard is useful to the producer, service companies or for general management. It brings together and describes quality system elements that have to be considered in manufacturing, service organization or management. Hence, it is recommended for use by producers in Member States in developing and operating their quality systems. It should be noted that ARS 603 is not intended for use in certification (registration) of a company's quality system.



Bibliography

ISO/ITC, Certification — Principles and practice, 1980

ISO Development manual 2 — Operation of a certification system, 1982

ISO/IEC Guide 28, General rules for a model third-party certification system for products, 1982

ARS 603, Quality management and quality system elements — Guidelines (ISO 9004).

