
	UGANDA NATIONAL BUREAU OF STANDARDS CERTIFICATION SCHEME	Document No: CERT/OP/13
	Document Title: PROCEDURE FOR SUSPENSION, WITHDRAWAL, REDUCTION OR TERMINATION OF CERTIFICATION	Issue No: 01 Revision No: 03 Effective Date: 2/08/2021

REFERENCE DOCUMENTS	
Document Number	Document Title
Act No.1 of June 1983 as amended 2013	Uganda National Bureau of Standards Act (Cap 327)
ISO/IEC 17021-1	Conformity Assessment - Requirements for bodies providing audit and certification of management systems
ISO/IEC 17065	Conformity Assessment - Requirements for bodies certifying products, processes and services
Statutory Instruments Supplement No. 25 of September 1995	The Uganda National Bureau of Standards Certification Regulations
Statutory Instruments Supplement of 2018	The Uganda National Bureau of Standards (Use of Distinctive Mark) Regulations, 2018
CERT/QM/01	UNBS Certification Quality Manual


Approved by:  Deputy Executive Director/Standards	Approval Date: 2nd August 2021
Reviewed by: Manager Certification Department	
Prepared by: Head Audit Planning and Accreditation Management	

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1. Scope

This procedure applies to both product and management systems certification clients of UNBS.

2. Purpose

This procedure describes the sanctions when there is a non-compliance or violation of the terms and conditions for certification, including suspension, withdrawal, scope reduction and/or termination of certification in order to safeguard the integrity of the certification issued by UNBS.

3. Definitions

Where the applicable definitions have not been considered in the different sections, the definitions in the quality manual shall apply.

4. Responsibility

The Manager Certification Department shall take responsibility for implementing and maintaining this procedure. Other responsibilities have been highlighted under the different clauses.


5. Suspension of Certification

5.1 Suspension means that the certification is temporarily invalid. Suspension may result from:

5.2 Voluntary suspension, where the organisation applies to the Executive Director indicating the effective date to be placed under suspension, with valid reasons such as:

- a) Change of physical location of facility(ies) where production and service provision is undertaken or where the management system(s) was being implemented;
- b) Restructuring within the organisation that may affect their ability to effectively deliver on the certified mandate, e.g. loss of key staff;
- c) Realisation of a breakdown of the management system;
- d) If it is discovered during an evaluation that the organisation no longer complies with certification requirements;
- e) When production and service provision is to be halted for a limited period of time.

5.3 UNBS may at their discretion suspend an organisation's certification by means of written notification if satisfied that the client:

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- a) Cannot consistently produce products and services that conform to standard requirements
- b) Cannot provide reasonable assurance that its infrastructure can and shall continue to produce safe and quality products and services;
- c) Fails to comply with the certification requirements and the terms and conditions spelt out in the certification contract;
- d) provide evidence that non-conformances were adequately addressed and corrective action implemented within prescribed timeframes;
- e) fails to meet the financial obligations like payment of applicable certification fees within the specified time frame;
- f) conceals any changes which may potentially affect the compliance with certification requirements,
- g) fails to address any complaint against the products or services of the client brought to the attention of UNBS;
- h) denies reasonable access to auditors during surveillance and recertification audits without reasonable justification
- i) Misuses certificate or the mark (e.g. misleading publications or advertisement) and appropriate corrective actions not taken in a timely manner;
- j) If the client's certified management system has persistently failed to meet certification requirements;
- k) If the surveillance shows nonconformity with the requirements of such a nature that immediate withdrawal is not necessary;
- l) If corrective actions have not been effectively implemented within the agreed time period;
- m) If there has been any other contravention of the certification scheme requirements.
- n) If the certified client does not allow surveillance or recertification audits to be conducted at the required frequencies, as planned;

6. Withdrawal or Cancellation of Certification

6.1 Withdrawal means the cancellation of the permit or registration.

6.2 The permit shall be withdrawn or cancelled by UNBS on the basis of the following:

- a) If the permit holder does not wish to maintain the permit and voluntarily requests, e.g. If they go out of business;
- b) Failure to resolve the issues that have resulted in the suspension in the established time (in any case not exceeding six months);
- c) If the surveillance shows that the nonconformity is of a serious nature;
- d) If the permit holder fails to settle their financial obligations to UNBS;
- e) If there is any contravention of the certification contract/agreement;

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- f) If the client uses the certification in such a manner as to undermine the reputation of UNBS certification
- g) Continued use of the certificate for promotion following suspension,
- h) If the normative standard or rules are changed and the permit holder either will not or cannot ensure conformity with the new requirements;

6.3 Product Permit Expiry

If the product permit validity period expires, the permit is automatically withdrawn.


6.4 Management System Certificate Expiry

6.4.1 When a certificate expires while UNBS has not completed the recertification audit or is unable to verify the implementation of corrections and corrective actions for any major nonconformity prior to the expiry date of the certification, then recertification shall not be recommended and the validity of the certification shall not be extended. UNBS shall notify the client and the consequences shall be explained in a letter CERT/SC/F29C signed by the Manager Certification Department.

6.4.2 Following expiration of certification, UNBS can restore certification within 6 months provided that the outstanding recertification activities are completed, otherwise at least a stage 2 shall be conducted. 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.

6.4.3 For clients who delay to initiate the process of recertification at least 3 months prior to the certificate expiry, the Manager Certification Department shall send a final re-certification reminder (Notice of Certificate Expiry, CERT/SC/F29A).

6.4.4 Upon expiry of certification without any formal communication of interest for recertification, an Expiry of Certification notification in the format CERT/SC/F29B signed by the Executive Director shall be sent to the affected organisation within 2 working days from the date of certificate expiry and consequences explained.


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7. Reduction of Scope of Certification

- 7.1 UNBS shall reduce the scope of certification to exclude the parts not meeting the requirements, when the certified client has persistently or seriously failed to meet the certification requirements for those parts of the scope of certification. The decision to reduce the scope may be made following a surveillance, recertification or special audit.
- 7.2 Any scope reduction shall be in line with the requirements of the standard(s) used for certification.
- 7.3 When a decision to reduce the scope of certification is made as a condition of reinstatement, UNBS shall make all necessary modifications to certification documents and public information in order to ensure the reduced scope of certification is clearly communicated.
- 7.4 The client may also voluntarily request to reduce scope due to changes in the organisation. Any scope reduction shall be in line with the requirements of the standard used for certification.
- 7.5 The decision to reduce the scope shall be communicated in writing. UNBS shall withdraw the certification documents for the original certification and issue new documents for the reduced scope.

8. Process for implementing the sanctions


- 8.1 A permit to use any certification mark may be suspended for such period as UNBS may determine, in any case not exceeding six months.
- 8.2 The audit team leader or Head of Division shall report any situation (*in 5.3 above*) that may necessitate the suspension or withdrawal of certification to the Manager Certification Department (MCD).
- 8.3 The MCD shall take action or report the matter to the Executive Director for action or escalate to National Standards Council (NSC) as the case may be.
- 8.4 UNBS shall serve the client with a notice of suspension or withdrawal of the permit (CERT/SC/F30A) stating the grounds therein.
- 8.5 The permit holder shall submit a written explanation and be given the opportunity to be heard within fourteen days (14) from the date the notice is received.
- 8.6 If, in the opinion of the UNBS, the explanation submitted is satisfactory, the permit may not be suspended or withdrawn.
- 8.7 Where no explanation is submitted by the permit holder, or in the opinion of the UNBS the explanation submitted is unsatisfactory, on the expiry of the notice, UNBS shall issue a letter of suspension or withdrawal in the format CERT/SC/F30B, detailing:

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- a) The effective date of the suspension/withdrawal;
 - b) The reasons for suspension/withdrawal;
 - c) The conditions during the suspension/withdrawal period
 - d) The actions needed for lifting the suspension or restore certification
- 8.8 All management systems sanctions (suspension, withdrawal, scope reduction and termination) shall be communicated by the Executive Director.
- 8.9 All voluntary withdrawals or suspensions shall be handled by the Executive Director and communicated to the National Standards Council at its next sitting.
- 8.10 Decisions involving suspension and withdrawal of product certification permits shall be taken by the National Standards Council, where the sanction is UNBS-imposed and formally communicated by the Executive Director.
- 8.11 The Executive Director may suspend production or service provision as per the powers given under the UNBS Act.
- 8.12 A record of the reasons for suspension or withdrawal and the duration of suspension shall be maintained by the Manager Certification Department.

9. Conditions while under suspension, withdrawal, scope reduction and termination

- 9.1 Under suspension, the client's certification is temporality invalid. A permit which has been suspended shall immediately be surrendered/returned by the permit holder to the Executive Director.
- 9.2 During the period of suspension the terms and conditions set out in the Certification contract/agreement remain valid.
- 9.3 The permit holder shall upon suspension, withdrawal, scope reduction or termination immediately discontinue use and withdraw of all promotional and advertising matter which contains any reference to the certification.
- 9.4 Organisations placed in suspension shall give an undertaking to adequately address the circumstances that caused the suspension within six months of the effective date of suspension.
- 9.5 The client shall remain liable for all fees whilst under suspension. The client shall be responsible for all costs associated with a suspension or withdrawal, such as any on-site or re-instatement visits, testing fees, etc.
- 9.6 The register on the UNBS website shall be amended to reflect the status.

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10. Re-instatement of certification

10.1 Reinstatement after suspension


- 10.1.1 Where a suspension has been imposed, the client shall take appropriate corrective action prior to the expiry of the period of suspension. Evidence of such corrective action taken shall be submitted to Executive Director who shall nominate a competent officer(s) to handle.
- 10.1.2 An evaluation shall be undertaken to determine whether the conditions for re-instatement of certification have been satisfactorily fulfilled. The extent of the evaluation shall be determined by UNBS depending on the reasons for suspension and the associated risk.
- 10.1.3 The client shall then be notified in writing that the suspension has been lifted and that the permit is re-instated. The permit shall also be given back to the holder.
- 10.1.4 For organisations suspended over non-payment of certification fees, the certification shall be reinstated immediately upon receipt of payment of the outstanding amount due to UNBS.
- 10.1.5 When certification is reinstated after suspension, UNBS shall make all necessary modifications to certification documents and public information to ensure all appropriate indications exist that the product or management system continues to be certified.
- 10.1.6 The register on the UNBS website shall be amended to reflect the certification status upon reinstatement.

10.2 Re-instatement of withdrawn certification

Where the organisation wishes to re-in state certification after it has been withdrawn, the organisation will re-apply for certification and a new permit shall be issued upon successful completion of the certification process. UNBS shall accordingly make the necessary modifications to certification documents and public information on the website to ensure appropriate indications exist that the product or management system continues to be certified.

10.3 Scope reduction

- 10.3.1 The process in 10.1 shall be apply.
- 10.3.2 The decision to re-instate the scope may be made following a surveillance, recertification or special audit.

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11. Denial/Refusal of Certification


Certification shall be denied when the audit client fails to take corrective actions within 6 months from the date of the audit. The file shall not progress to the review stage and a fresh audit shall be conducted. The audit client shall be informed in writing by the Manager Certification Department when such a decision is taken. Where a company has reached the review stage and certification denied, the reasons for denial shall be accordingly communicated to the client for necessary corrective actions to be undertaken to allow for a positive certification decision. Continued non-compliance shall require the client to re-apply.

12. Appeals

- 12.1 An organisation aggrieved by any decision above may appeal against a sanction as provided for under section 24 of the UNBS Act.
- 12.2 The suspension, scope reduction, withdrawal or cancellation shall take effect notwithstanding that an appeal has been made through the director to the minister by the aggrieved permit holder.
- 12.3 Appeals shall be handled as per procedure for complaints and appeals CERT/OP/06.
- 12.4 UNBS reserves the right not to reinstate certification of an organisation should the client be successfully prosecuted or obtain a court order.
- 12.5 Any person who contravenes the provisions above shall be guilty of an offence under the Certification regulations and is liable on conviction to the penalties prescribed in the UNBS Act.


13. Termination of Certification

- 13.1 Certification shall be terminated upon request of the client for example when the company winds up or liquidates or the production of certain products or provision of services is stopped.
- 13.2 The client shall be given a formal notification of acceptance on termination and accordingly informed of the following:
 - a) To immediately pay any fees due to UNBS until the date of termination;
 - b) To discontinue the use of all advertising material that contains any reference thereto.
 - c) The permit previously issued in favour of the client is invalid;
- 13.3 The register of certified clients shall be accordingly updated to reflect that status.

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14. Records

Identification Number	Record Description	Record Location	Retention Responsibility
CERT/SC/F 29A	Expiry of Certification Notice	Certification Department	HSC
CERT/SC/F 29B	Expiry of Certification - Upon Expiry	Certification Department	HSC
CERT/SC/F 29C	Expiry of Certification Notice - During Recertification	Certification Department	HSC
CERT/SC/F 30A	Sanctions - Initial Notice	Certification Department	HSC
CERT/SC/F 30B	Sanctions - Final Notice	Certification Department	HSC

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15. Revision History

Date of Revision	Section/ Paragraph	Description of Changes
October 2018	6.3	Split into 6.3 to cater for product certification and 6.4 to cater for management systems in alignment with ISO/IEC 17021-1, cl. 9.6.3.2.4 and 9.6.3.2.5.
October 2018	8.4 & 8.7	Added communication formats for sanctions CERT/SC/F30A and CERT/SC/F30B, respectively
October 2018	8.12 & 8.13	Deleted
October 2018	10.2	Edited to allow for issuance of new permit upon reinstatement of certification for having been initially withdrawn from the certification scheme.
October 2018	10.3.1	Deleted 10.2
October 2018	11	Introduced Denial/refusal of certification, hence Appeals became 12, Termination became 13 and Records became 14.
October 2018	13 (now 14)	Added new communication templates for notice of expiry and sanctions
August 2021	Title page	Added <i>"The Uganda National Bureau of Standards (Use of Distinctive Mark) Regulations, 2018"</i> .
	1	Re-arranged Section 1 and 2 to align with the flow with other documented procedures, hence 1 Scope and 2 Purpose.
	2	