



Business Quality Assurance International



BQAI REGULATIONS

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3rd October 2011
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INTRODUCTION

This manual defines the Regulations’ requirements for applicant and registered Suppliers specifying definitions, terms and conditions including appeals.

These Regulations form an integral part of BQAI’s Accreditation and Certification processes and are continuously reviewed which take account of both company and Supplier needs.

This manual forms part of the BQAI Quality Management System as indicated in the document tree below. Documents BQA-01 to BQA-05 shown in the tree are subject to controlled distribution. The manuals are the property of BQAI and must be returned on request.

BQAI Document Tree

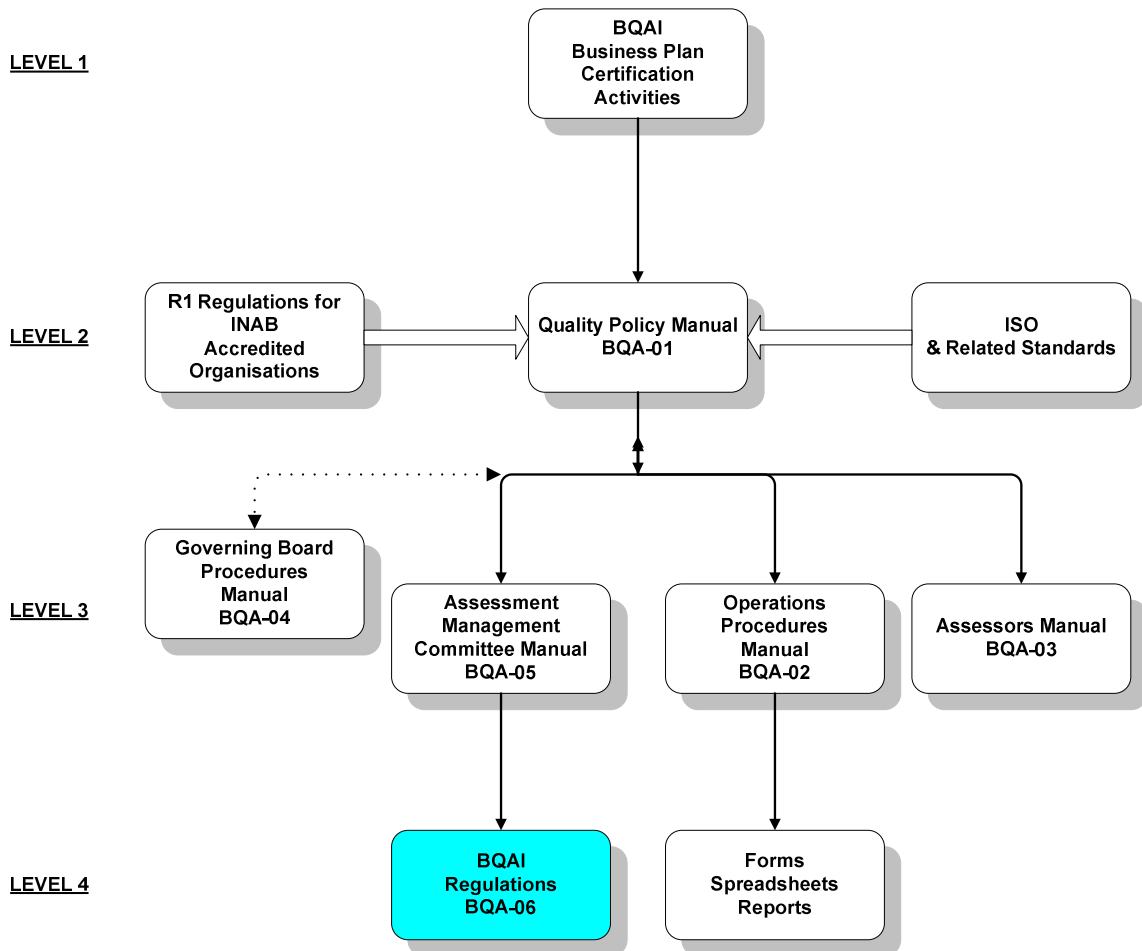


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REGULATIONS

1. These regulations relate to the Business Quality Assurance International (BQAI) process for the registration of companies of assessed capability in the provision of product manufacturing, engineering, construction, agriculture or other specified services defined by their business scope, hereinafter referred to as the process.

2. For the purpose of these regulations the following definitions apply:

Appeals Panel – means a panel set-up by the Governing Board of Business Quality Assurance International Limited. The panel appointed in respect of each appeal shall consist of a Chairperson and at least two members, none of whom shall have any direct commercial interest in the subject of the appeal.

Appellant – means any person or Supplier making an appeal

Applicant – means a body corporate or body incorporate or an individual who acts on behalf of a body corporate or body incorporate who has applied for but has not yet been granted a Certificate of Registration.

BQAI – means Business Quality Assurance International Limited.

Certificate of Registration – means a certificate issued and authorized by the Chief Executive Officer of BQAI (or other designated director) and the Governing Board Chairperson, recognizing that the quality system operated by the company or organization has been assessed by BQAI in accordance with these regulations.

CEO – means the Chief Executive Officer of BQAI (or other designated BQAI director)

Governing Board - means the independent impartiality committee of BQAI

Management System – means the organization structure, responsibilities, activities, resources appertaining to a firm, which together provide organized procedures and methods of implementation to ensure the capability of the firm to meet requirements established in accordance with identified parts of a particular standard, specification or otherwise specified requirement.

Registered Symbol – means the symbol depicted in Appendix 1 attached.

Scheme Manager – means the BQAI manager with responsibility for routine certification decision making

Supplier – means an individual, body corporate or body incorporate which has been granted a Certificate of Registration and provides a product and/or service.

Supplier's Representative – as used in ISO or relevant Standards means for the subject of assessment and surveillance within this process, the BQAI Assessor.

Suspension – means certification is temporarily suspended for an agreed period up to a maximum of 6 months.

Withdrawal - means certification and registration are terminated.

3. The Governing Board has the authority to review and challenge certification decisions made by the Scheme Manager and are the final signatory on all certificates issued.
4. The Scheme Manager is the authority by which Certificates of Registration may be granted and acts through the CEO and under the guidance of the Governing Board. The decision on certification shall be based on an evaluation of audit findings and conclusions and any other relevant information (eg. Public information).
5. An applicant Supplier which satisfies the CEO that it is capable of compliance with the system, providing in advance all requested supporting documentation/information and, that it carries on a bone fide business and, gives to the CEO such undertakings that may be required, subject to the conditions of these regulations, shall be entitled to a Certificate of Registration, which shall nevertheless remain the property of BQAI. A separate Certificate will be issued in respect of each registration for which an application is made. Initial certificates are valid from the date of issue until one day prior to the 3 yearly reassessment date. Thereafter, they are renewable on a three yearly cyclic basis subject to the terms of these Regulations. If a Supplier does not intend to renew its registration at the end of the three yearly period of registration, it must notify the CEO in writing of its intention not to do so by ninety clear calendar days prior to the date of renewal. The right to use the Certificate of Registration is not transferable without the permission, in writing, of the CEO.
6. A Supplier shall:
 1. at all times comply with these Regulations including those specified in Form 30 (Assessment Findings Classifications Table) and, when making reference to its certification status in communication media such as the internet, web site, brochures, advertising or other documents;
 2. not make or permit any misleading statement regarding its certification or use or permit the use of a certification document or part thereof in a misleading manner;
 3. use the Registered Symbol as shown in Appendix 1, where entitlement to use it or compliance with the system is only from the address stated on the Certificate and only in respect of the scope of goods or services provided which are the subject of the Registration;
 4. discontinue any use of the Registered Symbol which is unacceptable to the CEO and any form of statement of reference to the authority of the Supplier to be registered under the System which in the opinion of the CEO might be misleading;
 5. amend all advertising matter including web site, to accurately reflect the scope of certification granted including reduction of scope;
 6. maintain and document a management system in accordance with ISO management system requirements and make available to BQAI copies of all or part of the documented system should the CEO require it for assessment and/or reference purposes;
 7. not vary the management system or processes under which any Certificate is issued during the period of the registration unless it shall have given BQAI notice in writing of its intention to do so and shall have received written confirmation from the CEO that such variations do not render the certificate invalid;
 8. inform BQAI in writing if any of the following changes occur:
 - a) the legal, commercial, organizational status or ownership,
 - b) organization and management (e.g. key managerial, decision-making or technical staff),
 - c) contact address and number of sites,
 - d) scope of operations under the certified management system, and
 9. not allow reference to its management system certification to be used in such a way as to imply that registration certifies a product (including service) or process, and not permit its marks to be applied to laboratory test, calibration or inspection report;
 10. not use its certification in such a manner that would bring BQAI and/or certification system into disrepute and lose public trust;

11. give representatives of BQAI access during normal working hours to the premises where work which is the subject of the Certificate of Registration is carried out, for the purpose of examining materials, processes, finished articles, methods of test, records and systems or establishing that the procedures for the termination of registration have been carried out;
12. plan for an annual surveillance visits programme with the first surveillance visit to be carried out six months¹ from certification registration;
13. agree dates² for a reassessment visit a minimum of four weeks prior to expiry of certification taking into account multi site logistics, combined assessments, previous reports and possible stage 1 requirements;
14. allow access during assessments to Accreditation Body and BQAI observers for assessment team monitoring and training purposes;
15. allow audit reports to be released to regulators/legislators at their request;
16. nominate, for the approval of the CEO, a management representative and copies of all or part of the documented system should the CEO require it for reference purposes; one or more deputies authorized to act in the main nominee's absence who shall be responsible for all matters in connection with the requirements of the Certificate of Registration and who shall, upon each visit by the representative of BQAI sign a declaration to the effect that any changes in processes and procedures or other information relevant to the Certification have been notified to BQAI;
17. upon the termination of the Certificate of Registration, however determined, forthwith discontinue the use of the Registered Symbol and all advertising matter, which contains it, or any reference thereto. Any other documents in the possession of the Supplier, which bear reference to the Certificate, shall, if the CEO so requires, have such references erased.

Note 1: for a supplier that is transferring certification this period may be extended to within twelve months of the stage 2 assessment

Note 2: late reassessment could result in corrective action requirements that extend beyond the certification expiry resulting in certification suspension

7. A Supplier shall pay:

1. fees³ for initial (including stage 1) assessment
2. fees⁴ for assessment/certification which include pre-registration and annual surveillance;
3. fees for additional or repeat (e.g. due to non compliance with standard) assessment, surveillance, supervision, re-issue or endorsement of the Certificate of Registration and administration, which are determined by the CEO to be fair and appropriate;
4. fees for late rescheduling:
 - a. less than 6 weeks notice from planned visit = 50% of annual visit & registration costs
 - b. less than 4 weeks notice from planned visit = 75% of annual visit & registration costs
 - c. less than 2 weeks notice from planned visit = 100% of annual visit & registration costs
5. fees for breach of contract conditions:
 - a. suspension of certification/registration for a maximum of 6 months = 25% of annual visit & registration costs
 - b. withdrawal from contract within 90 calendar days of planned visit = 100% of annual visit & registration costs
 - c. withdrawal from contract with greater than 90 calendar days notice from planned visit = 50% of annual visit and registration costs
6. any additional costs incurred by BQAI due to the Supplier's non-compliance with the Regulations.

Note 3: As defined in quotation (Form 42 or 43) and confirmed by signed application for registration and contract (Form 2)

Note 4: BQAI schedule of fees available on request

8. The CEO shall:

1. send a representative or representatives to the Supplier at his discretion but in any case not less than once in any one year in which the Supplier is providing products or services for which registration is granted for the purpose of verifying that the obligations relevant to the Certificate of Registration are being carried out;
2. notify the Supplier by giving due notice of any changes in the applicable standard, which in the opinion of the Board is reasonable and sufficient to modify or adjust its processes and procedures to meet the revised requirements;
3. not disclose any information concerning the Supplier, which is of a confidential nature, other than information, which is in the public domain;
4. notify the Supplier at his discretion of client's complaints relating to the compliance of product, process or service at the appropriate time. Complaints about a certified Supplier shall be reviewed by the Governing Board and the certified Supplier shall be kept informed of progress. The extent that the subject of the complaint and its resolution could be made public shall be made by BQAI, the certified Supplier and the complainant collectively.
5. Make ongoing surveillance and enquiries as required to maintain confidence in certification / registration and Suppliers performance. This may include review of web sites, promotional material and requests for additional data as required.
6. Take into account any complaints received from Suppliers customers as part of a reassessment review.

9. If a Supplier is temporarily unable to comply with the requirements of these Regulations, the CEO may require the Supplier to discontinue use of the Registered Symbol or any claim to registrations under the System with immediate effect until he is satisfied that the conditions of Registration are regained or pending the result of an appeal under Regulation 13. Under any suspension (ref section 10), the Supplier's management system certification is temporarily invalid and therefore the Supplier must refrain from further promotion of its certification. The suspended status of a Supplier's certification shall be publicly assessable on request.**10.** If the Supplier fails to comply with these Regulations the CEO may, subject to the provisions in Regulation 13:

- refuse to grant the Certificate of Registration
- suspend the Certificate of Registration
- reduce the scope of registration
- withdraw the Certificate of Registration.







Such decisions and the grounds for them shall be communicated to the Supplier in writing.

Suspension may occur when the Suppliers certified management system has persistently or seriously failed to meet certification requirements, including requirements for the effectiveness of the management system, the certified Supplier does not allow surveillance or recertification audits to be conducted at the required frequencies, or the certified Supplier has voluntarily requested a suspension. The scope of certification may also be reduced when the Supplier has persistently or seriously failed to meet certification requirements for those parts of the scope of certification.

11. It may be necessary for BQAI to conduct assessments of certified Suppliers at short notice to investigate complaints, or in response to changes, or as a follow up on suspended Suppliers. In such cases BQAI shall inform the Suppliers in writing of the need for a short notice assessment with explanatory details included. The Supplier will not have the right to reject the assigned assessment team. The supplier shall pay all costs incurred for short notice assessments except where the results indicate no regulation or requirement has been breached.

- 12.** The CEO may, at his discretion, and subject to the provisions of Regulation 13, refuse to grant or renew (and may withdraw) a Certificate of Registration if the Supplier becomes subject to the bankruptcy laws or makes any arrangements or composition with its creditors or enters into liquidation, whether compulsory or voluntary (but not including liquidation for the purpose of reconstruction) or has a Receiver of its business appointed or is convicted of an offence tending to discredit the firm's reputation and good faith as a trader. Such decisions and the grounds for them shall be communicated to the Supplier in writing.
- 13.** In the event of a Supplier wishing to appeal against any decision of an Assessor or Scheme Manager under these regulations, it shall within 14 clear days after having been officially informed of such a decision, give notice in writing to the BQAI CEO. The CEO shall carry out an investigation keeping the Supplier informed of progress and make a decision within 30 days whenever possible. If the Supplier is not happy with the CEO's decision they can escalate the appeal to the BQAI Governing Board. Under these circumstances the Supplier shall write to Chairperson of the Governing Board of BQAI, the address of whom may be obtained from the BQAI office, of its desire to appeal against the CEO's decision. The Chairperson shall convene a meeting of the Appeals Panel, which shall be held within 30 clear days of receipt of such notice of the time and place of such a meeting. The decision of the CEO shall stand pending the meeting of the Appeals Panel. At such meetings, both the appellant and CEO shall be entitled to be heard in confidence. The decision of the Appeals Panel as declared by its Chairperson shall be final and any associated correction or corrective action shall be carried out by BQAI or the appellant. The appellant shall be kept informed of the receipt, progress, final outcome and end of all appeals. Submission, investigation and decision on appeals shall not result in any discriminatory action being taken against the appellant. Any costs incurred due to an appeal to the Governing Board shall be shared equally by the appellant and BQAI, these shall be determined by the governing Board and notified to the appellant and BQAI prior to expenditure.
- 14.** These regulations may from time to time be altered by the Board. No such alterations shall affect the right of any Supplier to use the Registered Symbol or claim to be registered under the System unless or until it shall have been given notice in writing of such alterations by the CEO who shall notify the Supplier of the date by which it must comply with the altered Regulations, which shall not be less than six months from the date of notification of the alteration.
- 15.** A register of Certified Suppliers shall be maintained by BQAI and is available for public viewing at offices of Business Quality Assurance International Limited. This register details all certificates granted and includes suspensions and withdrawals were applicable.
- 16.** Any notice under these Regulations shall be in writing and signed by or on behalf of the party giving the notice which may be served by sending it by prepaid recorded delivery or registered post or by hand delivery to BQAI Offices. Any notice so served by post shall, unless the contrary is proved, be deemed to have been served forty-eight hours from the time of posting and in proving such service it shall be sufficient to prove that the notice was properly addressed and was posted in accordance with this Regulation.
- 17.** Upon suspension or termination of the scheme all Certificates of Registration are to be returned by the Supplier to BQAI upon receipt of written request by the CEO.
- 18.** If a Supplier wishes to complain or comment about any aspect of the service it shall do so in writing and direct it to the CEO and/or the Governing Board Chairperson, who will ensure the complaint or comment and related details are recorded and processed, including the issuing of an appropriate response to the satisfaction of both parties.

APPENDIX 1

REGISTERED SYMBOLS	
ISO 9001:2008	ISO 13485:2003
	
Registration Number 123...	Registration Number 123...
ISO 14001:2004	OHSAS 18001:2007
	
Registration Number 123...	Registration Number 123...
ISO 22000:2005	ISO 27001:2007
	
Registration Number 123...	

Conditions of Use

- The BQAI Registered Symbol can only be used in the form shown in the above illustrations or as advised in writing by the CEO.
- Suppliers are free to use the symbol on any promotional materials, web site, point of sale materials, stationary, vehicle sides and displays.
- If any Supplier fails to comply with the conditions of use, then the CEO may:
 - Revoke the Certificate of Registration,
 - Refuse to renew the Certificate of Registration.

Such decisions and the grounds for them shall be communicated to the Supplier in writing.