

 GOVERNMENT OF DUBAI	Organization/Unit: إدارة مختبر دبي المركزي Dubai Central Laboratory Department	الوحدة التنظيمية:	 بلدية دبي DUBAI MUNICIPALITY
	Document Title: Suspension, Withdrawal and Termination of Certification	عنوان الوثيقة:	
	Doc Ref. DM-DCLD-IMS-RD-07	رقم الوثيقة :	

Associated Documents :

Applicable Standards

- ISO 17025,
- ISO 9001,
- OHSAS 18001,
- ISO 14001
- ISO 17065,
- ISO 17020,
- UAE.S 2055-2,
- DMS 032
- The Fourth Generation of the Government Excellence System
- The Integrated Management System Manual
- Local Order 11:2003 “ on Public Health and Safety in the Emirate of Dubai’
- Local Order 61:1991 “on Environmental protection systems in the Emirate of Dubai’

Note: For undated standards, refer to Appendix V of IMS Manual

Work Instructions : None

Forms/ Records : None

Amendments Sheet

Issue Date	Rev. No.	Summary of Amendments
	00	Draft Doc
08/05/2011	01	Issue for Use
17/08/2011	02	Insertion of the word “voluntary” for withdrawal of license. Amended clauses: [6.1], [6.2], [9.1], [9.2], [12].
11/04/2012	03	Amended Clause [6.1] additional grounds for suspension& Inclusion of ISO/IEC 17020
17/05/2012	04	Amended clause 9.2 (d)
23/03/2015	05	Amended clause [6.1]; Aligned with ISO/IEC 17065; Avoided the use of the terms “license” and “licensee”
27/05/2018	06	Amended the format as per DM unified template

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1. INTRODUCTION

1.1 This document details the steps taken by DCLD Certification Body in the suspension, withdrawal and termination (voluntary withdrawal) of the DCLD Certificate of Conformity to ensure effective control of any matters related to a DCLD product certification scheme.

2. SCOPE

2.1 This document applies to all DCLD Certification Clients, and covers rules and procedures for suspension, withdrawal and termination of certification.

3. REFERENCE DOCUMENTS

- 3.1 DM-DCLD-RD-DP21-2001(IC): General rules for the DM Third-party product certification system through factory assessment
- 3.2 DM-DCLD-RD-DP21-21nn (IC): Specific rules
- 3.3 DM-DCLD-IMS-DP-22: Technical Approval of Non-Standard Products
- 3.4 DM-DCLD-IMS-RD-08: Appeals, disputes, and complaints procedure
- 3.5 DM-DCLD-IMS-RD-11: Terms of reference for various certification committees

4. DEFINITIONS

Under the context of this document, the following definitions shall apply:

- 4.1 DCLD Certification Body: refers to Products Conformity Assessment Section at Dubai Central Laboratory Department (DCLD) as applicable.
- 4.2 Certificate of Conformity (also referred to as Certification): A certificate issued by a DCLD Certification Body under either the certification scheme or the technical approval scheme as applicable.
- 4.3 Certification Committee: Refers to the Certification Technical Committee of DCLD
- 4.4 Suspension: This is a temporary invalidation or withholding of the certification by the DCLD Certification Body for all or part of the scope due to reasons mentioned below.
- 4.5 Withdrawal (previously called Cancellation): This is a permanent invalidation or revocation of the certification by the DCLD Certification Body due to reasons mentioned below. It is also a step which usually

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follows *suspension*, when effective corrective actions against the cause have not been evidenced.

- 4.6 Termination (also called Voluntary Withdrawal): This is a permanent or temporary withdrawal of the certification under the terms and conditions as requested by the client and mutually agreed by both parties for whatever reason.

5. RESPONSIBILITIES

- 5.1 DCLD Certification Body
 5.2 Head of DCLD Certification Body
 5.3 Certification Technical Committee

6. GROUNDS FOR SUSPENSION, WITHDRAWAL, AND TERMINATION

- 6.1 A certificate of conformity may be suspended if any non-compliance (with the certification requirements) is noted of such nature that immediate withdrawal is not necessary, such as (but not limited to):

- Serious non-compliance resulting in total breakdown of the quality management system.
- Non-compliance of the product (with the certification requirements) caused by temporary disturbance in the production process.
- The non-compliance is not corrected within the agreed period,
- Improper use of the mark that is not solved by remedial measures by the client,
- Deliberately providing false or misleading information to the certification body or customers.
- Failure of the client to comply with any other requirements of the product certification scheme at any given time.
- Non payment of due fees, including independent testing fees (whenever applicable) within the agreed period.
- Non compliance with Dubai Municipality and UAE laws and regulations related to the product being certified, as determined by the DCLD Certification Body.

The suspension shall be lifted upon satisfactory implementation of the corrective action(s) as agreed with, and verified by the DCLD Certification Body.

- 6.2 The certification may be withdrawn under the following conditions:

- The basis for suspension is not rectified within the agreed period.
- The client uses the mark on products which are not covered by the certification.

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- The client flagrantly violates the provisions of the terms and conditions of the certification scheme.
- The client did not renew their expired certification. *NOTE: A grace period of 45 days after the expiry date is given to the client to enable them to settle all obligations for the renewal of the certification including the renewal fees.*
- The client's production facility transferred to a new location and the DCLD Certification Body was not formally informed.

6.3 The DCLD Certification Body and the client may mutually agree to terminate (voluntarily withdraw) the certification under the following conditions:

- The client wish to terminate the certification either permanently or for a specified period not exceeding 1 year.
- The certification requirements are changed and the client will not (or cannot) ensure compliance with the new requirements.
- The product is no longer produced or if the client goes out of business.

7.0 PROCEDURE

7.1 SUSPENSION OF DCLD CERTIFICATE OF CONFORMITY

7.1.1 Any client found to have violated the terms and conditions of the product certification scheme based on the grounds as stipulated above (Clause 6.1) shall be subjected to this suspension procedure.

7.1.2 The DCLD Certification Body shall collect all the information and objective evidence that will justify the possible suspension of the certification. Any related issue that is technical in nature, DCLD Certification Body shall bring the matter to the DCLD Certification Technical Committee for consultation and appropriate recommendations. Decisions on the suspension of the DCLD Certificate of Conformity shall be the responsibility of the Head of the DCLD Certification Body.

7.1.3 If the grounds for suspension have been established and validated, the DCLD Certification Body shall act accordingly and shall send a letter to the company informing that their certification has been suspended. Accordingly, their suspension will be published and indicated in the DCLD List of Certified Products and the concerned parties will be notified, if applicable (as in the case of mandatory products).

7.1.4 The suspension period shall be a maximum of three (3) months, after which another special surveillance audit shall be scheduled to assess the situation.

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7.1.5 If compliance with the requirements could be determined during the conduct of special surveillance audit, suspension may be lifted by the certification body based on the report presented by the designated DCLD Auditor who conducted the audit, or, upon recommendation of the DCLD Certification Committee (if applicable).

7.1.6 However, if the DCLD Auditor conducting the special surveillance audit determined that the client is unable to clear the previously documented non-conformity, he could recommend for the possible withdrawal of the certification.

7.2 WITHDRAWAL OF THE CERTIFICATE OF CONFORMITY

Withdrawal of a certificate is a serious step, and will be initiated only when it becomes apparent that normal corrective action proceedings, including suspension, will be unsuccessful in bringing about full compliance with the Product Certification Scheme.

In handling such case the following procedure shall be followed:

7.2.1 Any client found to have violated the terms and conditions of the product certification scheme based on the grounds stipulated above (Clause 6.2) shall be recommended for withdrawal of certification.

7.2.2 The DCLD Certification Body shall collect all the information and objective evidence that will justify the possible withdrawal of the certification. Any related issue that is technical in nature, DCLD Certification Body shall bring the matter to the DCLD Certification Committee for consultation and appropriate recommendations. Decisions on the withdrawal of the DCLD Certificate of Conformity shall be the responsibility of the Head of DCLD Certification Body.

7.2.3 Certification Body and/or DCLD Certification Committee shall review the entire situation regarding the client's certification and Head of DCLD Certification Body shall decide to take either one of the following courses of action:

7.2.3.1 Allow for further extension of the Suspension for a maximum of three (3) months followed by another special surveillance audit.

7.2.3.2 Enforced the withdrawal of the certification

7.2.4 If withdrawal has been decided, DCLD Certification Body shall formally inform the company in any appropriate manner of the withdrawal of their certification.

7.2.5 Any company with withdrawn certification may re-apply for a new certification as per clause [9].

7.3 TERMINATION OF THE CERTIFICATE OF CONFORMITY

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- 7.3.1 Any client, for any reason, may opt to terminate (voluntarily withdraw), either permanently, or temporarily (as per clause 7.3.5), from the certification scheme by informing the DCLD Certification Body through a written request.
- 7.3.2 The DCLD Certification Body shall review the request and ensure that the termination is in accordance with the terms and conditions of the certification.
- 7.3.3 Head of the DCLD Certification Body shall decide on the termination request and DCLD Certification Body shall formally inform the client in any appropriate manner on the acceptance of the termination of their certification.
- 7.3.4 In all cases, reasonable effort shall be made by DCLD Certification Body to encourage the client not to voluntarily withdraw from the certification scheme. If the reason for termination is being unable to meet new requirements, the DCLD Certification Body may give a grace period to the client for aligning their operation to comply with the new requirements.
- 7.3.5 Any company with terminated (voluntarily withdrawn) certification may re-activate their certification provided the request for re-activation is within one (1) year from the termination date of the certification. Refer to clause [9].

8. ACTION UPON SUSPENSION, WITHDRAWAL OR TERMINATION

- 8.1 Upon suspension, withdrawal or termination (voluntary withdrawal) of the certification, the DCLD Certification Body shall inform the client in writing and give clear instructions on the following:
- The client shall immediately discontinue the sale of product bearing the DCL Mark; discontinue its use in all advertising or promotional materials for the product covered by that certification,
 - If required by the DCLD Certification Body, the client shall remove the mark from all products in stock or recall those already delivered to dealers or to the open market,
 - If required by DCLD Certification Body, the client shall inform its customers about the non-conformities in the products,
 - The client shall take all necessary steps to ensure that all interested parties are not misled to believe that the certification has not been suspended, withdrawn or terminated.
- 8.2 The DCLD Certification Body may publish and/or inform all concerned sectors about the suspension, withdrawal or termination (voluntary withdrawal).
- 8.3 The DCLD Certification Body shall take appropriate action in case it is found that the instructions issued to the client are not fully complied with.

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8.4 Upon termination of the suspension period, DCLD Certification Body shall inform the client and all the concerned sectors about the lifting of the suspension.

9. RE-CERTIFICATION AND RE-ACTIVATION OF CERTIFICATE OF CONFORMITY

9.1 Re-certification for withdrawn certification

- A company with withdrawn certification may apply for re-certification provided the basis for withdrawal has been rectified. The application will be treated as new, in accordance with the procedure of the product certification scheme.
- There shall be a minimum of three (3) months from the date of withdrawal before the company is allowed to re-apply.

9.2 Re-activation of terminated certification

- Re-activation of a terminated certification may be initiated by a formal request (in writing) from the company, within 1 year from the termination date.
- DCLD Certification Body shall review the request and, if found in accordance with procedures, arrange and carry out a surveillance audit and product evaluation to verify compliance with requirements.
- If the results of surveillance are satisfactory, the certification shall be re-activated.
- Issuance date of the certificate of conformity for reactivated certification shall be according to the date of closure of factory surveillance findings, if any, and upon receipt of satisfactory product evaluation results.
- Terminated certification which has not been reactivated within the one year period from its expiration date shall be permanently withdrawn and will require the client to reapply again as new application should they wish to reactivate their certification.
- DM Certification Body shall not accept more than one consecutive request for termination from any client after the expiration of their certification.

10. APPEALS

10.1 The client whose certification was suspended or withdrawn may appeal the decision by submitting a letter to the Director of DCLD within 14 days from receiving the notice of suspension or withdrawal of certification.

10.2 Appeals shall be resolved as per the IMS-RD-08 Appeals, Disputes and Complaints Procedure

11 UPDATING LIST OF CLIENTS AND CERTIFIED PRODUCTS

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11.1 DCLD Certification Body shall update and publish the list of clients and certified products.

12. FEES

12.1 In case of withdrawn and terminated certification, any certification fees paid shall be considered forfeited.

12.2 Appropriate fees shall be applied for (1) lifting of suspension; (2) re-certification and (3) re-activation of certification based on man-hours utilized for carrying out these actions.

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