



MAURITAS

A29

Procedure for dealing with Fraudulent Behaviour and Sanctions

Mauritius Accreditation Service

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Foreword

The MAURITIUS ACCREDITATION SERVICE (MAURITAS) is a governmental body established in 1998 to provide a national, unified service for the accreditation of Conformity Assessment Bodies (CABs) such as calibration/testing laboratories, certification bodies and inspection bodies. Organizations that comply with the MAURITAS requirements are granted accreditation by MAURITAS.

About MAURITAS publications

MAURITAS publications are categorized as follows:

- R series Publications containing general policy and requirements related to MAURITAS accreditation.
- G series Publications providing guidance on MAURITAS requirements.
- A series Publications related to assessment procedures.
- P series MAURITAS quality system procedures
- F series MAURITAS Forms
- Directories Classified listing of accredited organizations.

Mauritius Accreditation Service (MAURITAS)
4th Floor, Crescent House
Corner Deschartes and Foucault Streets
Port Louis
Mauritius
Tel: +230 208 1690
Fax: +230 210 6101
Email: mauritas@govmu.org
Website: www.mauritas.org

Procedure for dealing with Fraudulent Behaviour and Sanctions

1. Purpose

1.1 This procedure describes the process that is implemented for dealing with fraudulent behaviour and sanctions. The document clarifies the situations where sanctions shall be applied to applicant or accredited Conformity Assessment Bodies (CABs) and the subsequent necessary communication which shall be taken by MAURITAS.

2 Scope and Responsibilities

2.1 This procedure is in line with the established MAURITAS procedures for suspension, withdrawal or reduction of the accreditation scope and for withdrawal of accreditation under certain circumstances as referred in clauses 7.11.1 and 7.11.2 of ISO/IEC 17011:2017. This document is applicable to all applicants and accredited CABs. It is the responsibility of all MAURITAS staff to adhere to this procedure for dealing with fraudulent behaviour and sanctions.

3. References

The following documents contain provisions which, through reference in this text, constitute provisions of the MAURITAS accreditation system. For dated references, subsequent amendments to, or revisions of, any of these publications do not apply. For undated MAURITAS references, the latest edition of the document referred to applies. MAURITAS maintains a register, of the current valid MAURITAS accreditation documents.

- 3.1 **ISO/IEC 17011** : Conformity assessment – Requirements for accreditation bodies accrediting conformity assessment bodies
- 3.2 **IAF MD 7** : IAF Mandatory Document for the Harmonization of Sanctions and Dealing with Fraudulent Behaviour
- 3.3 **IAF ML2** : General Principles on the Use of the IAF MLA Mark
- 3.4 **IAF ID15** : IAF Informative Document Dealing with Fraudulent Behaviour
- 3.5 **ILAC R7** : Rules for the use of the ILAC MRA Mark
- 3.6 **MAURITAS Regulations for Fees**
- 3.7 **MAURITAS A Series**
- 3.8 **MAURITAS R Series**

4 Definitions

4.1 Fraudulent Behaviour

Any intentional misrepresentation, concealment of information or provision of false information to a relevant interested party, resulting in the deliberate violation of accreditation or certification rules.

5 Initiation of Sanctions

5.1 The situations that lead to sanctions being applied to applicant or accredited CABs include, but are not limited to the following:

- Failure to resolve nonconformities in accordance with MAURITAS procedures.
- Negative outcome of a complaint investigation.
- Misuse/misrepresentation of an accreditation symbol (see ISO/IEC 17011:2017 clause 4.3.5 and NOTE) or combined mark (ILAC R7 and IAF ML 2).
- Non-compliance with legislations that are under the purview of MAURITAS, as applicable to the accreditation scope.
- fraudulent behaviour as described in section ‘Specific Sanctions dealing with Fraudulent Behaviour’.
- Non-payment of fees to MAURITAS.

6 Sanctions applied by MAURITAS

6.1 The sanctions applied by MAURITAS include, but are not limited to:

- Performing extraordinary assessments and targeted investigations (including document review and/or office or witness assessments).
- Reduction of accreditation scope (including locations covered in the scope).
- Suspension of accreditation.
- Withdrawal of accreditation.
- Terminating the process for initial accreditation or extension of accreditation.
- Public notice of scope reduction, suspension or withdrawal of accreditation.
- Legal actions.

7 Specific Sanctions dealing with Fraudulent Behaviour

7.1 Where there is evidence of fraudulent behaviour, or the CAB intentionally provides false information or conceals information or, in addition, if the CAB deliberately violates accreditation rules, as per established procedure MAURITAS shall initiate its process for withdrawal of accreditation or termination of the CAB’s application.

7.2 The approaches that MAURITAS may choose to adopt in order to achieve the outcomes are described below:

- Upon receipt of allegations of fraudulent behaviour, MAURITAS shall validate, act on, and transmit information (including the outcome of any actions it takes to manage fraudulent behaviour) to relevant interested parties (including, but not limited to relevant IAF member Accreditation Bodies (AB)). All information on allegations of fraudulent behaviour shall be recorded in respective files.
- MAURITAS shall set up an ad-hoc committee comprising the Director and Technical Staff to establish the validity of any allegations of fraudulent behaviour against an applicant or accredited CAB, and the CAB’s failure to adequately deal with allegations of fraudulent behaviour by its clients, where relevant. If the allegations of fraudulent behaviour are deemed valid; same will be investigated by a MAURITAS team appointed by the Director and appropriate actions are taken. If the allegations of fraudulent behaviour are not valid, they will be rejected.
- MAURITAS shall respond effectively to fraudulent behaviour after the investigation of the issues. The outcomes of the investigations will be discussed in meeting chaired by Director and a decision will be made. Relevant interested parties will be notified and appropriate information will be communicated to them.

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- MAURITAS shall respect and support any legitimate actions taken by another IAF Member AB to manage fraudulent behaviour.

Note: This does not necessarily require MAURITAS to impose sanctions that are identical to those made by another IAF Member AB.

Where a CAB is providing third-party conformity assessment to IAF MLA or ILAC MRA Level 1 to 4 standards used as a basis for accrediting CABs (e.g. ISO/IEC 17025, ISO/IEC 17020, ISO 15189) as per established procedure, MAURITAS shall terminate the CAB's application process or initiate its process for suspension of accreditation (as applicable). Further decisions by MAURITAS shall be based on the actions taken by the CAB.

Note: The IAF-ILAC JGA 2007 Sydney Resolution 7, has been updated to include conformity assessment activities other than certification (for example Verification and Validation).

“The IAF and ILAC Joint General Assembly, acting on the recommendation of the JCCC, resolves that when a Conformity Assessment Body (CAB), accredited by an Accreditation Body (AB), is providing certification to any standard used as a basis for accrediting CABs (e.g. ISO/IEC 17025 or ISO 15189), the AB shall initiate its process for suspension of accreditation, as this behaviour of the CAB will put the AB, against its will, in the condition of providing the same service that a CAB performs, in violation of clause 4.3.6 of ISO/IEC 17011. Further decisions shall be based on the actions taken by the CAB.

8 Communication

- 8.1** In case of suspension or withdrawal of accreditation, public notice shall be made on MAURITAS website. (see ISO/IEC 17011:2017 Clause 8.2.2).
- 8.2** In each of the situations mentioned in ‘Specific Sanctions dealing with Fraudulent Behaviour’ that lead to suspension or withdrawal of accreditation and after any appeal decision in accordance with MAURITAS’s appeals procedures, MAURITAS shall notify the IAF Secretariat of this decision and the reasons, where relevant in the following format:
- “[Name of AB] [state the action as ‘withdrew’ or ‘suspended’] accreditation of [Name of CAB] on [date] pursuant to [IAF MD 7 Clause 4.1 or Clause 4.2]”.

9 Related Forms

Appendix A: Amendment Table

SN	Section	Amendment