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# MAURITAS

# R1

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Regulations to be met by certification bodies, inspection bodies and calibration and testing laboratories

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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.

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# Regulations to be met by certification bodies, inspection bodies and calibration and testing laboratories

## 1. Purpose

- 1.1. This document gives an overview of the conditions that an accredited or applicant CAB shall fulfil.
- 1.2. Accreditation will be granted to all CABs which are able to document that they comply with the accreditation requirements. The accreditation does not replace any other necessary approval. It is the CABs own responsibility to make sure that all other necessary permissions are obtained.
- 1.3. Further information regarding the accreditation scheme may be obtained from MAURITAS.

## 2. Scope and Responsibilities

- 2.1. It is the responsibility of applicant and accredited testing and calibration laboratories, inspection bodies and certification bodies to implement the requirements of this document. MAURITAS assessors shall make use of this document for assessing testing and calibration laboratories, inspection bodies and certification bodies based on the clauses set in this document.

## 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 17020, General criteria for the operation of various types of bodies performing inspection.**
- 3.2. **ISO/IEC 17025, General requirements for the competence of testing and calibration laboratories.**
- 3.3. **ISO 15189, Medical Laboratories – Particular requirements for quality and competence.**
- 3.4. **ISO/IEC 17021-1, Conformity assessment – Requirements for bodies providing audit and certification of management systems – Part 1: Requirements.**
- 3.5. **MAURITAS P2, Procedure for dealing with appeals and complaints**

## 4. Definitions

- 4.1. The term "**certification**" is deemed to cover product conformity certification, certification of management systems and certification of personnel.
- 4.2. The term "**inspection**" is deemed to cover examination of a product design, product, service, process or plant, and determination of their conformity with specific requirements or, on the basis of professional judgement, general requirements.
- 4.3. The term "**laboratory**" is deemed to cover both calibration and testing laboratories.
- 4.4. The terms "**applicant bodies**" and "**accredited bodies**" are deemed to cover certification bodies, inspection bodies and laboratories.

## 5. General

**5.1.** These regulations apply to the accreditation of certification bodies against ISO/IEC 17065 for product conformity certification, against ISO/IEC 17021-1 for management systems certification and against ISO/IEC 17024 for personnel certification and any other relevant criteria of competence as specified by MAURITAS.

**5.2.** These regulations apply to the accreditation of laboratories against ISO/IEC 17025, ISO 15189 and any other relevant criteria of competence specified by MAURITAS.

**5.3.** These regulations apply to the accreditation of inspection bodies against the standard ISO/IEC 17020 and any other relevant criteria of competence as specified by MAURITAS.

**5.4.** The granting, maintenance, extension and renewal of accreditation shall be afforded only to a body which

- a) is legally identifiable,
- b) demonstrates compliance with these Regulations and the relevant standards and the guidelines thereto,
- c) pays such fees as are due to MAURITAS, and
- d) gives such undertakings as MAURITAS may require.

**5.5.** All applicant bodies for accreditation shall undergo initial assessment as required by MAURITAS to enable MAURITAS assessors/experts to determine the competence of the certification body, inspection body or laboratory and its compliance with the criteria for which accreditation is sought.

In the event that accreditation is awarded, an Accreditation Certificate and an Accreditation Schedule defining the scope of accreditation shall be issued to the accredited body.

**5.6.** MAURITAS shall indicate how continuing compliance with these Regulations and the relevant criteria shall be monitored.

**5.7.** The frequency with which the Accredited Body is normally subject to assessment and reassessment shall be prescribed by MAURITAS. As a general guide, assessment visits will normally take place at intervals of 12 months, and re-assessment every 4 years. Over and above this, MAURITAS reserves the right to carry out additional or unscheduled visits at intervals other than those prescribed. MAURITAS reserves the right to witness audits/inspections made by applicant or accredited certification bodies/inspection bodies.

**5.8.** MAURITAS shall specify the procedures by which application for accreditation should be made, the conditions for granting, maintaining, extending and renewal of accreditation, and the conditions under which accreditation may be refused, suspended, reduced, withdrawn or reinstated.

**5.9.** MAURITAS may suspend or withdraw accreditation, reduce the scope of an accreditation, impose a moratorium on extensions to scope (in the case of certification bodies) or require re-assessment, if

- a) there is any change in any aspect of the Accredited CAB's status or operation that affects the Accredited CAB's compliance with these Regulations and the relevant criteria or affects the Accredited CAB's capability or scope of activity, or
- b) the Accredited CAB fails to comply with the requirements of these Regulations and/or any conditions attached to the Accreditation Certificate and/or any relevant criteria specified by MAURITAS.

**5.10.** MAURITAS may, at its discretion, withdraw accreditation

- a) if, the Accredited CAB being owned by an individual, such individual is declared bankrupt or enters into a composition with his creditors, or
- b) if the Accredited CAB, being a Company, enters into liquidation, whether compulsory or voluntary (but not including liquidation for the purposes of reconstruction), or has a Receiver of its business appointed, or
- c) if the management of the Accredited CAB fails in any respect to comply with the law of the land, or
- d) where, in the reasonable view of MAURITAS, the Accredited CAB has made unreasonable or irresponsible use of subcontracting, or
- e) where the Accredited CAB fails to meet any condition of the accreditation, or
- f) where there is evidence of fraudulent behaviour, or if the CAB intentionally provides false information or conceals information.

**5.11.** All information gained by MAURITAS during the accreditation process will be treated as confidential between the Accredited CAB and MAURITAS. Such information will be handled within MAURITAS on a strict 'need to know' basis and will not, subject to the law of the land, be divulged without the express written instructions of the Accredited CAB's management.

**5.12.** MAURITAS operates under the terms of The Mauritius Accreditation Service Act no 23 of 1998 and Finance (Miscellaneous Provisions) Act No.10 of 2017 Section 32. It has a Vote Item of the Line Budget of the Ministry of Industrial Development and its various budgetary provisions are detailed in the Line Budget which is adopted by the National Assembly every year.

**5.13.** The financial resources of MAURITAS are derived from the:

- Government budgetary provisions as approved by the Line Budget;
- Funding received from development partners

and as such MAURITAS operates under certain limitations including financial and human resource.

**5.14.** MAURITAS offers accreditation schemes that lead to the recognition of the technical competence of calibration/testing laboratories, certification bodies (Environmental Management System, Quality Management System, Hazard Analysis and Critical Control Point System, Food Safety Management System and Information Security Management System certification schemes) and inspection bodies.

**5.15.** MAURITAS, being a department under the Ministry of Industrial Development, has established its relationship with related conformity assessment bodies which operate as:

- departments under the same Ministry;
- parastatals governed by a Board appointed by the same Ministry;
- departments/parastatals under other Ministries.

MAURITAS ensures that the activities of its related bodies do not compromise the confidentiality, objectivity and impartiality of its accreditations.

## **6. Prescription of relevant accreditation criteria**

**6.1.** MAURITAS shall specify the relevant accreditation criteria against which an applicant body shall be assessed.

6.2. The criteria set out in the relevant standard will normally be taken as the basis for assessing the competence of the CAB, but additional or alternative criteria may be prescribed at the discretion of MAURITAS.

## **7. Conditions to be met by certification bodies, inspection bodies and calibration and testing laboratories**

### **7.1. The Accredited CAB shall**

- a) at all times comply with these Regulations, with the relevant criteria, and with the conditions prescribed by MAURITAS for use of any MAURITAS symbol or reference to MAURITAS accreditation,
- b) claim that it is accredited only in respect of those activities which are defined in the Accreditation Schedule and which are carried out in accordance with these Regulations and the relevant criteria prescribed by MAURITAS,
- c) pay promptly all fees due to MAURITAS, in accordance with the current schedule of fees,
- d) not use its accreditation in such a manner as to bring MAURITAS into disrepute, and shall not make any statement relevant to its accreditation that MAURITAS may reasonably consider to be misleading,
- e) upon suspension or withdrawal of its accreditation (however determined) forthwith discontinue its use of accreditation and all advertising matter which contains any reference thereto,
- f) upon withdrawal of its accreditation by MAURITAS return the certificate of accreditation,
- g) make it clear in all contracts with its clients that its accreditation or any of its reports or certificates in no way constitute or imply product, process, service, management system or person (where relevant) approval by MAURITAS,
- h) ensure that no calibration certificates, test certificates, test reports, inspection reports or inspection certificates, bearing MAURITAS symbol or making reference to MAURITAS accreditation, shall be used by a client, or be authorised for use by a client, for promotional or publicity purposes, if MAURITAS considers such use to be misleading;
- i) ensure that no calibration certificates, test certificates or test reports, bearing MAURITAS symbol or making reference to MAURITAS accreditation, issued by a laboratory or certificates issued by a certification body or certificates and reports issued by an inspection body shall be reproduced except in full, without the written approval of both MAURITAS and the Accredited CAB, and
- j) endeavour to ensure that any properly authenticated complaints from third parties are promptly investigated and resolved in accordance with the Accredited CAB's documented policies and procedures for handling complaints.

### **7.2. Certification Bodies shall meet the following conditions:**

**7.2.1.** The Certification Body shall offer to all its clients a quality of service consistent with these Regulations and the standard to which it has been accredited. A certification body shall not offer to clients non-accredited certification within its accredited scope. The certification body shall also ensure that non-accredited management system certificates in the scopes for which it is accredited are not issued.

**7.2.2.** The Certification Body shall make it clear in the contract agreements with their clients that MAURITAS may request carrying out witnessing assessment at the clients' premises.

**7.2.3.** The Certification Body shall offer MAURITAS such reasonable access and cooperation as necessary, to enable MAURITAS to monitor compliance with the Regulations and the relevant criteria. This cooperation shall include

- a) permitting scrutiny by MAURITAS of certificates and other records relevant to accredited activities,
- b) permitting scrutiny by MAURITAS of the results of the Certification Body's own internal management system audits, and
- c) assisting MAURITAS in the investigation and resolution of any properly authenticated complaints made by third parties about the Certification Body's accredited activities.

**7.2.4.** Holders of accredited certificates awarded by Certification Bodies must give MAURITAS assessors and technical experts access to their premises in order to conduct assessment activity. Accredited Certification Bodies are expected to make the necessary arrangements with their clients. Refusal to accept a witness assessment by MAURITAS must be justified and accepted by both the Certification Body and MAURITAS, and could result in withdrawal of accredited certification where reasons are not accepted. If the Certification Body's client refuses MAURITAS witnessing, in order to avoid sanctions, the Certification Body shall withdraw the existing accredited certificate, or, if not yet certified, the Certification Body will not be allowed to place the accreditation logo on the future certificate, unless the refusal is duly justified and accepted by MAURITAS.

**7.2.5.** The Certification Body may use in documents, brochures or advertising media, without variation, the phrases "an accredited Certification Body listed under registration number ....." and "listed in the MAURITAS Directory of Certification Bodies under registration number ....." . The certification body shall, upon withdrawal of accreditation by MAURITAS, immediately discontinue issue of accredited certificates, take steps to ensure the prompt withdrawal of all such documents, brochures and advertising material, and take such action with existing clients as MAURITAS may determine.

**7.2.6.** Laboratories holding accredited certification to the ISO 9001 for their management system shall not issue certificates or reports for testing and calibration carrying the MAURITAS Accreditation symbol (Certification).

**7.2.7.** When requested, the Certification Body shall promptly provide to MAURITAS the complete and updated schedule of confirmed and planned audits (dates, location, audit team composition, audit type and scope, etc.), in order to allow MAURITAS to schedule or update the program for the coverage of the scope of accreditation.

**7.2.8.** In case of extraordinary event or circumstance, the Certification Body shall provide relevant information, as per IAF documents, when requested by the Accreditation Body. Consequently, the Certification Body shall request the certified clients to provide appropriate information.

### **7.3. Inspection Bodies shall meet the following conditions:**

**7.3.1.** The Inspection Body shall not allow persons or organisations external to the Inspection Body to influence the results of inspections performed by the Inspection Body.

**7.3.2.** The Inspection Body shall afford MAURITAS such reasonable accommodation and cooperation as necessary, to enable MAURITAS to monitor compliance with these Regulations and the relevant criteria of competence. This cooperation shall include

- a) affording MAURITAS access to relevant areas for the witnessing of inspections,
- b) permitting scrutiny by MAURITAS of inspection certificates and reports and other records relevant to accredited activities,
- c) permitting scrutiny by MAURITAS of the results of the Inspection Body's own internal management system audits, and
- d) assisting MAURITAS in the investigation and resolution of any properly authenticated complaint made by third parties about the Inspection Body's accredited inspection activities.

#### **7.4. Calibration and Testing Laboratories shall meet the following conditions:**

**7.4.1.** The Laboratory shall not allow persons or organisations external to the Laboratory to influence the results of calibrations or tests performed by the Laboratory.

**7.4.2.** The Laboratory shall afford MAURITAS such reasonable accommodation and cooperation as necessary, to enable MAURITAS to monitor compliance with these Regulations and the relevant criteria of competence. This cooperation shall include

- a) affording MAURITAS access to relevant areas of the Laboratory, for the witnessing of calibrations or tests,
- b) undertaking any reasonable check calibrations or tests to enable MAURITAS to verify the calibration or testing capability of the Laboratory,
- c) preparation, packaging and dispatch of calibration items, test pieces, samples or other items needed by MAURITAS for verification purposes,
- d) permitting scrutiny by MAURITAS of calibration certificates, test reports, test certificates and other records relevant to accredited activities,
- e) permitting scrutiny by MAURITAS of the results of the Laboratory's own internal management system audits, measurement audits or proficiency tests, and
- f) assisting MAURITAS in the investigation and resolution of any properly authenticated complaints made by third parties about the Laboratory's accredited calibration or testing activities.

## **8. Significance of Accreditation**

**8.1.** Accreditation should not be regarded as in any way diminishing the normal contractual responsibilities between the Accredited CAB and its client. While accreditation will normally be a sound indicator of the integrity and competence of a Certification Body, Inspection Body or Laboratory and of the quality of service offered, it cannot be taken to constitute a guarantee by MAURITAS that the Accredited CAB always maintains a particular level of performance.

**8.2.** Accreditation does not, of itself, qualify a Laboratory to approve any particular product (although accreditation may be a relevant factor enabling authorities dealing with approval and certification to decide whether to use a given laboratory in connection with their own activities, or whether to delegate approval or certification authority to a particular laboratory).

**8.3.** Certification Bodies and their certified clients must not claim product certification when only certification to ISO 9001 is held.

**8.4.** Financial arrangements between an Accredited CAB and its clients are in no way the responsibility of, and are not subject to the control of MAURITAS.

## **9. Notification of Change**

**9.1.** The Accredited Body shall inform MAURITAS within a period of 1 week of changes bearing on the Accredited CAB's compliance with these Regulations and the relevant standard, or otherwise affecting the Accredited CAB's capability or scope of accreditation.

**9.2.** The Accredited CAB shall inform MAURITAS within a period of 1 week in writing of any change in its

- a) legal, commercial or organisational status,
- b) organisation and management, eg key managerial or technical staff,
- c) policies or procedures,
- d) premises,
- e) equipment, facilities, working environment or other resources,
- f) technical signatories, and
- g) compliance with MAURITAS requirements.

**9.3.** The Accredited CAB will be given due notice of any intended changes relating to these Regulations, the relevant criteria of competence, and any other requirements prescribed by MAURITAS and will also be given such time, as in the opinion of MAURITAS is reasonable, to carry out the necessary adjustments to its procedures.

**9.4.** The Accredited CAB upon giving one month's notice in writing to MAURITAS may withdraw accreditation.

**9.5.** Any notice or other communication required to be given or sent under these Regulations by MAURITAS shall be deemed to be duly given or sent if sent by recorded delivery post to the address of the Accredited CAB last known to MAURITAS and shall be deemed to be given at the time when the same would have been delivered in the ordinary course of post.

## **10. Appeal**

**10.1.** Appeals will be considered in accordance with the provisions of the Mauritius Accreditation Service Act 1998 Section 12 and **MAURITAS P2**.

**10.2.** Appeals against a decision relating to the granting, maintaining, extending, reducing, suspending or terminating of accreditation will be considered by an Appeals Panel appointed by the Minister.

## **11. Complaints**

**11.1.** Any complaint about MAURITAS or its operation should be addressed to the Director of MAURITAS in writing.

**11.2.** Complaints will be handled by MAURITAS according to its procedure **MAURITAS P2**.

**11.3.** Where the complaint is directed towards the actions of MAURITAS, the investigators should be selected as being as remote as possible from the basis of the complaint. Where the complaint is directed towards the actions of an accredited organisation, the investigator should be the member of MAURITAS Staff with the closest involvement with that accreditation.

## Appendix A: Amendment Table

SN	Section	Amendment