

Declaration of the General Manager of TÜV NORD Vietnam

TÜV NORD VIETNAM

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TÜV®

Date 01 tháng 03 năm 2024

Declaration of the General Manager of TÜV NORD Vietnam

I, Le Sy Trung, in my authority as General Manager of TÜV NORD Vietnam, hereby declare that this subsidiary acknowledges and fully complies with any of the below mentioned requirements:

General Statements

It is known to the subsidiary that TÜV NORD CERT has issued a publicly accessible statement on the website (www.tuev-nord.de)(certification) that it understands the importance of impartiality in carrying out its management system certification activities ("Declaration of the Executive Management of TÜV NORD CERT").

It is known to the subsidiary that TÜV NORD CERT creates an analysis of impartiality (analysis of possible conflicts of interest, analysis of relationships with related bodies) which is available on the Intranet of TÜV NORD CERT and which can be presented to accreditation bodies for their assessments in Germany.

It is known to the subsidiary that all certification personnel or committees that could influence the certification activities must act impartially and must not allow commercial, financial or other pressures to compromise impartiality.

Statements with respect to ISO/IEC 17021-1

It is known to the subsidiary that it may not undertake any auditing or certification with clients if there is an unacceptable threat to impartiality (see note to ISO/IEC 17021-1, section 5.2.2). This is expressed in the quality policy of TÜV NORD CERT and is laid down in the QM manual.

The subsidiary shall not certify any other certification body.

The subsidiary shall not offer or provide management system consultancy.

The subsidiary (neither auditors nor personnel at the subsidiary) shall not offer internal audits to its certified clients. If such an offer has been made, it must be at least 2years before.

The subsidiary shall not certify a management system on which a client has received management system consultancy or internal audits, where the relationship between the consultancy organization and the certification body poses an unacceptable threat to the impartiality of the certification body. If such consultancy has been carried out, it must be at least 2 years before.

The subsidiary shall not outsource audits to a management system consultancy organisation. This does not apply to individuals contracted as auditors.

The subsidiary shall not offer its services in such a way that the client has the impression that he would gain advantages if a specified consultancy organisation were used.

The subsidiary knows that it has to react to threats to its impartiality caused by third parties, e.g. by informing the certification body in Germany immediately.

The subsidiary must require its personnel to reveal any situation known to them that may present them or the certification body with a conflict of interests.

Statements with respect to ISO/IEC 17020

Inspection activities shall be undertaken impartially.

The inspection body shall be responsible for the impartiality of its inspection activities and shall not allow commercial, financial or other pressures to compromise impartiality.

The inspection body shall have top management commitment to impartiality.

Except for information that the client makes publicly available, or when agreed between the inspection body and the client (e.g. for the purpose of responding to complaints), all other information is considered proprietary information and shall be regarded as confidential.

When the inspection body is required by law or authorized by contractual commitments to release confidential information, the client or individual concerned shall, unless prohibited by law, be notified of the information provided.

Information about the client obtained from sources other than the client (e.g. complainant, regulators) shall be treated as confidential.

The inspection body shall be independent of the parties involved.

The inspection body and its personnel, including TN CERT subsidiaries, shall not engage in any activities that may conflict with their independence of judgment and integrity in relation to their inspection activities. In particular, they shall not be engaged in the design, manufacture, supply, installation, purchase, ownership, use or maintenance of the items inspected.

NOTE 1 This does not preclude exchanging technical information between the client and the inspection body (e.g. explanation of findings, or clarifying requirements or training).

NOTE 2 This does not preclude the purchase, ownership or use of inspected items that are necessary for the operations of the inspection body, or the purchase, ownership or use of the items for personal purposes by the personnel. All inspectors (internal and external) has to sign our impartiality/confidentiality agreement."

An inspection body shall not be a part of a legal entity that is engaged in design, manufacture, supply, installation, purchase, ownership, use or maintenance of the items inspected.

NOTE 1 This does not preclude exchanging technical information between the client and any other part of the same legal entity of which the inspection body is a part (e.g. explanation of findings, or clarifying requirements or training).

NOTE 2 This does not preclude the purchase, ownership, maintenance or use of inspected items that are necessary for the operations of another part of the same legal entity, or for personal purposes by the personnel."

The inspection body shall not be linked to a separate legal entity engaged in the design, manufacture, supply, installation, purchase, ownership, use or maintenance of the items inspected by the following:

- 1) Common ownership, except where the owners have no ability to influence the outcome of an inspection;
EXAMPLE 1 A cooperative type of structure where there are large numbers of stakeholders, but they (individually or as a group) have no ability to influence the outcome of an inspection.
EXAMPLE 2 A holding company consisting of several separate legal entities (sister companies) under a common mother company, where neither the sister companies nor the mother company can influence the outcome of an inspection.
- 2) Common ownership appointees on the boards or equivalent of the organizations, except where these have functions that have no influence on the outcome of an inspection;
EXAMPLE A bank financing a company insists on an appointee to the board who will overview how the company is managed but will not be involved in any decision-making.
- 3) Directly reporting to the same higher level of management, except where this cannot influence the outcome of an inspection;
NOTE Reporting to the same higher level of management is permitted on matters other than design, manufacture, supply, installation, purchase, ownership, use or maintenance of the items inspected.
- 4) Contractual commitments, or other means that may have an ability to influence the outcome of an inspection."

Statements with respect to ISO/IEC 17029 and ISO 14065

Verification and/or validation activities shall be undertaken impartially.

The Verification/Validation body shall be responsible for the impartiality of its verification/validation activities and shall not allow commercial, financial or other pressures to compromise impartiality.

The verification/validation body shall have top management commitment to impartiality.

The subsidiary (neither verifiers/validators nor personnel at the subsidiary) shall not offer internal trainings or consulting of GHG reporting to its verified/validated clients. If such an offer has been made, it must be at least 2 years before.

The subsidiary shall not verify/validate a GHG statement on which a client has received reporting preparation consultancy or internal audits, where the relationship between the consultancy organization and the verification/validation body poses an unacceptable threat to the impartiality. If such consultancy has been carried out, it must be at least 2 years before.

The subsidiary shall not offer its services in such a way that the client has the impression that he would gain advantages if a specified consultancy organization were used.

The subsidiary knows that it has to react to threats to its impartiality caused by third parties, e.g. by informing the certification body in Germany immediately.

The subsidiary must require its personnel to reveal any situation known to them that may present them or the certification body with a conflict of interests.

Additional statements related to independence and impartiality

There is a legally enforceable agreement between TN CERT and the subsidiary.

The subsidiary conforms to the applicable requirements including legal status, impartiality, competence requirements, process requirements and with the CB's management system, to the extent that the subsidiary is involved in the delivery of conformity assessment services.

The subsidiary operates within and according to the TN CERT QMS.

There have been no situations that might put the credibility of accredited certification into question.

There has been no negative publicity: i.e. issues raised by media organizations regarding a particular product, organization or entity, with relation to specific technical areas; problems identified through social networking sites; specific negative feedback from NGOs regarding the performance of accredited certification.

There have been no interventions from regulators and negative feedback from regulators to the subsidiary about evidenced risks to impartiality.

There have been no concerns that regulatory requirements, especially in regulation-

sensitive management systems such as FSMS, EMS or OHSMS, are not adequately audited, particularly if there is a direct impact on people's health or safety.

The signature of the General Manager or Deputy General Manager confirms full compliance with the above statement.



Vietnam, 01-03-2024 - Le Sy Trung