



Australasian Certification Authority for Reinforcing and Structural Steels Ltd (ACRS)

Management System Certification Scheme Rules

Version 1.2



DOCUMENT CONTROL

Date	Amendment	Approved by	New version number
14/08/2018	Updated the reference to ISO/IEC 17021-3:2017 from ISO/IEC TS 17021-3:2013.	Executive Director	1.2
06/09/2017	Addition of clauses 5.3.4, 8.2 (e) and 8.2.5 relating to bullying and harassment of Representatives	Board	1.1
14/06/2016	First version approved.	Board	1.0
30/05/2015	Draft revised to clarify ISO 9001 certification is offered on a site-by-site basis and conditions for the suspension or termination of ISO 9001 certification upon suspension or termination (respectively) of product certification.		Draft 2
23/05/2016	Original draft.		Draft 1



CONTENT

Document control	2
Content	3
1 Introduction	5
2 Definitions	6
3 Scheme Ownership, Administration and Implementation	10
4 Certification Requirements	12
4.1 General.....	12
4.2 Recognised Management System Requirements.....	12
4.3 Interpretation of Product Requirements	12
5 Certification Process	13
5.1 Overview of the Certification Process	13
5.2 Certification Agreement and Commitments of Applicant Firms and Certified Firms.....	13
5.3 Applications.....	13
5.3.1 New applications	13
5.3.2 Extension of Certification.....	13
5.3.3 Merger or Acquisition of a Firm	14
5.3.4 Improper conduct by a Client.....	14
5.3.5 Re-application for Certification	14
5.3.6 Secondary Locations.....	14
5.4 Nonconformities.....	15
5.5 Decision.....	15
5.6 Certificates	15
5.6.1 Ownership of Certificate.....	15
5.6.2 Transfer of Certificates	15
5.6.3 Term of validity of a Certificate.....	15
5.6.4 Register of Certified Firms	15
5.7 Use of the Mark	16
5.8 Surveillance	16
5.9 Refusal to Grant Access	16
6 Cessation of Certification	17
6.1 Notice of Voluntary, Permanent Withdrawal from the Scheme (Relinquishment)	17
6.2 Temporary Withdrawal.....	17
6.3 Suspension of Certification for Serious Nonconformity	17



6.4	Termination.....	17
6.5	Public Notification	18
7	Fees and Charges.....	19
7.1	Fees and Charges.....	19
7.2	Refund Policy.....	19
7.3	Financial Conditions.....	19
8	Appeals and Complaints.....	20
8.1	Appeals.....	20
8.2	Complaints	20
8.2.1	Complaints received by Certified Firms about Approved Materials	20
8.2.2	Complaints received by the Authority about Approved Materials	20
8.2.3	Complaints about the Authority's services or personnel	21
8.2.4	Complaints about the misrepresentation of ACRS Certification.....	21
8.2.5	Complaints of improper conduct towards a Representative	21
9	Serving notice Under the SCHEME	22
9.1	By the Authority	22
9.2	By a Firm.....	22
10	Confidentiality	23
11	Changes affecting the scheme.....	24
11.1	Changes to the Rules	24
11.2	Changes to Legislation	24



1 INTRODUCTION

These Scheme Rules provide for the establishment and operation of the management system certification activities of the Australasian Certification Authority for Reinforcing and Structural Steels Ltd (“ACRS” or the “Authority”).

These Scheme Rules are to be read in conjunction with the associated ACRS Certification Agreement. Applicant Firms and Certified Firms accept that the Authority provides management system certification services to them only under the terms and conditions of these Scheme Rules and the Certification Agreement.

This Scheme covers management system certification for the Firms that manufacture and supply of reinforcing steels, general steels and related products that fulfil the requirements of relevant Australian, New Zealand or international standards, and other specifications.

This Scheme is designed and operated in accordance with recognised standards for management system certification that include requirements for impartiality, competence management and appropriate process. These recognised standards are:

- AS/NZS ISO/IEC 17021.1:2015, *Conformity assessment - Requirements for bodies providing audit and certification of management systems - Requirements*; and
- ISO/IEC 17021-3:2017, *Conformity assessment -- Requirements for bodies providing audit and certification of management systems -- Part 3: Competence requirements for auditing and certification of quality management systems*.

The ACRS Management System Scheme was created and is endorsed by the members of the Authority. These members include:

- a) specifiers, engineers and designers;
- b) regulators and inspectors;
- c) purchasers and users;
- d) steel producers;
- e) steel processors;
- f) steel importers;
- g) construction industry associations; and
- h) professional, academic and research bodies.

A full list of the current members is available on the Authority’s website (www.steelcertification.com).

The Authority began operation in 2001, and issued its first product certification certificates in 2003. Its first management system certification certificates were issued in 2016.



2 DEFINITIONS

In these Rules, the definitions in AS/NZS ISO/IEC 17021.1:2015, *Conformity assessment - Requirements for bodies providing audit and certification of management systems - Requirements* and the following apply:

- (a) “ACRS Management System” – the internal processes, policies, procedures and associated evaluation and audit plans, forms and templates, used by the Authority in its role as a certification scheme owner, and in its role as a certification body, which reflects the requirements of relevant international standards and guides for certification;
- (b) “Applicant Firm” – a Firm that has submitted an application;
- (c) “Approved Materials” – Assessable Materials which have been assessed by the Authority and for which a Certificate has been issued;
- (d) “Assessable Location” – any facility of the Firm that manufactures, Transforms, or supplies Assessable Materials;
- (e) “Assessable Materials” – all materials manufactured by the Firm, Transformed by the Firm, or otherwise supplied within the Firm or to a 3rd-party by the Firm, or manufactured, Transformed or supplied by any other entity of the Firm, that are eligible for Certification under the Scheme. For the avoidance of doubt, Assessable Materials may not be Approved Materials (e.g. those input materials not subject to Certification, or those materials that fail to meet the Product Requirements). For the sake of clarity, Assessable Materials also include any materials manufactured to any standard or specification whatsoever that are subsequently delivered to the end user as meeting the Product Requirements of this Scheme;
- (f) “Audit and Assessment Committee” – a committee of the Authority that reviews evaluations and makes certification decisions (with any conditions attached thereto) on behalf of the Authority;
- (g) “Audit” – activities undertaken by the Authority to confirm the Firm’s compliance with the Scheme;
- (h) “Authority” – the Australasian Certification Authority for Reinforcing and Structural Steels Ltd, ACN 096 692 545 (or, “ACRS”);
- (i) “Board” – The Board established as the governing body of the Authority under the constitution and which may, under the constitution, delegate certain of its powers to an Executive Committee and other Subsidiary Committees. The Board comprises the Executive Director, nominated Members to the Board and invited individuals, as required;
- (j) “Certificate Number” – a unique number which is indicated on each Certificate;
- (k) “Certificate” – the statement of conformity issued by the Authority which attests that the Firm:



- i. conforms to the Scheme Rules and the relevant Management System Requirements; and
 - ii. is subject to Audit by the Authority.
- (l) “Certification Agreement” – the binding agreement between the Applicant or Certified Firm and ACRS for the provision of ACRS certification services;
- (m) “Certification Requirement” – A requirement that may include Product or Management System Requirements, which the Client must demonstrate fulfilment of in order to be issued a Certificate;
- (n) “Certification” – the procedures by which the Authority undertakes auditing to determine whether the Firm’s management system fulfil the requirements of the ACRS Management System Scheme, and in which the Authority attests this conformity in the form of a Certificate;
- (o) “Certification Material” – all material created for the purposes of evaluation, audit or certification activities, or is provided to ACRS as part of this Certification Agreement, and includes, without limitation:
- iii. all notes, data, correspondence, documentation, presentations, emails;
 - iv. rules, procedures, evaluation and audit tools, plans and checklists;
 - v. test results and reports;
 - vi. all certification documents and marks of conformity.
- (p) “Certified Firm” – a Firm whose materials, processes and quality management systems have been certified by the Authority as meeting the Certification Requirements of the Scheme and to whom a Certificate is issued;
- (q) “Certified Location” – a facility of the Certified Firm holding a Certificate;
- (r) “Client” – an Applicant or a Certified Firm responsible to the Authority for demonstrating that the Certification Requirements, including Product Requirements and Management System Requirements, are fulfilled;
- (s) “Communication Media” – all the Certified Firm’s external communications media, including but not limited to advertisements, displays, posters, TV advertisements, promotional videos, websites, emails, social media statements, brochures; outdoor advertisements (such as billboards and signs); stationery (such as sales and contractual documents, letterheads, business cards, invoices, compliment slips, delivery slips);
- (t) “Declaration” – a form signed by each Applicant Firm, or a form submitted quarterly by each Certified Firm;
- (u) “Depot Location” – an Assessable Location for which a Primary Location is responsible that stocks and supplies Assessable Materials, but does not manufacture or process Assessable Materials;



- (v) "Firm" – any organisation or Group engaged in the manufacture, Transformation, stocking or distribution (or any combination thereof) of Assessable Materials;
- (w) "Group" – any subsidiary holding, associated company or subsidiary undertaking of all such holding companies that manufactures, Transforms or supplies materials for the production of Approved Materials. For this purpose "subsidiary", "holding company" and "subsidiary undertaking" shall have the meaning set out in the Corporations Law of New South Wales and as amended from time to time; "associated company" shall mean body corporate in which the relevant party has a direct or indirect 20% beneficial interest in the share capital of that body corporate;
- (x) "Intellectual Property" - all intellectual property rights and rights to data, including but not limited to:
 - i. patents, copyright, registered designs, trademarks, know how, trade secrets and any right to have confidential information kept confidential; and
 - ii. any application or right to apply for registration of any of the rights referred to in paragraph (i.).
- (y) "Management System Requirement" – requirement specified in Standards or in other normative documents or specifications adopted by the Authority that relates to a Management System;
- (z) "Mark" – the Authority mark (including, but not limited to, the Authority logo, name and initials, any other mark of recognition (e.g. an accreditation body mark));
- (aa) "Member" – member organisation of the Authority;
- (bb) "Nonconformity" – any material, process, practice, test result or record not meeting a specific requirement of the appropriate Certification Requirement and/or the Scheme;
- (cc) "Non-Producer" – A Firm not currently manufacturing Assessable Materials and therefore unable to demonstrate conformity with Certification Requirements, and therefore unable to acquire the Use of the Certification Mark;
- (dd) "Primary Location" – An Assessable Location responsible for one or more Secondary Locations;
- (ee) "Producer" – A Firm currently manufacturing or Transforming Assessable Materials for supply to Certification Requirements;
- (ff) "Product Requirement" – requirement that relates to a product specified in Standards or in other normative documents or specifications adopted by the Authority;
- (gg) "Representative" – a person or entity that carries out specific tasks and activities for the Authority and whom the Authority may appoint or remove as it may deem necessary, and any observers agreed to by the Authority;
- (hh) "Rules" – the rules under which this Scheme is operated and as amended by the Authority from time to time;



- (ii) "Scheme" – the scheme for the management system certification of Applicant or Certified Firms in accordance with these Rules and associated documents;
- (jj) "Secondary Location" – An Assessable Location for which a Primary Location is responsible;
- (kk) "Standard" – a formal Australian, New Zealand, International or other Standard that may be adopted as a Certification Requirement by the Board from time to time. For the purposes of the Scheme, all parts of a Standard are referenced, unless specifically noted otherwise in the documentation of the Authority;
- (ll) "Technical Approval" – A class of Product Certificate issued by the Authority which provides information on the technical evaluation of the performance of a manufacturer's product or kit that is not otherwise eligible for a Producer Certificate;
- (mm) "Transform" – (also Transformation, Transforming) the alteration of Approved Materials to a modified form for supply to the Product Requirements. For the sake of clarity, the term "Transform" includes (but is not limited to) materials processing, fabrication, or any other alteration of Approved Materials from the originally approved form;
- (nn) "Use" – the lawful, authorised, restricted, non-exclusive, limited and revocable right to use the Certification Mark.
- (oo) "Year" – 1 July of one calendar year to 30 June of the following calendar year.

Interpretation

In this document unless the context requires otherwise, or it is specifically stated otherwise, the singular includes the plural and vice versa;"



3 SCHEME OWNERSHIP, ADMINISTRATION AND IMPLEMENTATION

The Authority (ACRS) owns and administers a not-for-profit, third-party management system certification scheme that covers reinforcing steels, general steels and related products that are supplied in accordance with the Certification Requirements. This is achieved with a strong emphasis on process control, product testing and materials traceability.

The policies and procedures of the Scheme are contained in these Scheme Rules and the associated Certification Agreement, and are administered through the ACRS Management System. Given the constitution and membership of the Authority, all parties significantly concerned have had input into these policies and procedures.

The policies and procedures under which the Authority and the Scheme operates are non-discriminatory, and are administered in a non-discriminatory manner. The Authority does not use its procedures to impede or inhibit market access for compliant products.

The Authority makes its management system certification services accessible to all applicants anywhere in the world that have already either applied for, or hold, an ACRS product certification (including product certification in the form of a technical approvals) pursuant to the ACRS Product Certification Scheme Rules (see ADM 002).

There are no undue financial or other conditions. Access is not conditional upon the size of the supplier or membership of any association or group, nor is certification conditional upon the number of management system certificates already issued.

The criteria against which the management system of a Client are audited are those outlined in Certification Requirements listed in Section 4.

The Authority confines its requirements, evaluations and decisions on certification to those matters specifically related to the scope of the Certificate being considered.

The Authority shall:

- (a) operate the Scheme in accordance with these Rules, the Certification Agreement and the requirements of relevant international standards and guides, which shall be applied fairly to all, irrespective of Client geographical location, or any other relevant distinction;
- (b) maintain confidential records relating to evaluation, auditing and approval of Client Firms. Such confidential records may include intellectual property of the Applicant;
- (c) notify the Client of any changes in the Authority's procedures and requirements and give the Client such time as is, in the sole opinion of the Authority, a reasonable period in which to adjust its processes and relevant procedures to meet the revised requirements;
- (d) notify the Client at its discretion of customer complaints known to the Authority relating to the compliance of such materials, processes or services to which the Certificate applies;
- (e) hear any appeals from Certified or Applicant Firms in regard to the operation of the Scheme; and



- (f) subject to requirements of applicable laws, not disclose any information of a confidential nature concerning the Client without the permission of the Client.



4 CERTIFICATION REQUIREMENTS

4.1 General

Under the ACRS Management System Certification Scheme the Certification Requirements consist of:

- (a) these Management System Certification Scheme Rules;
- (b) Recognised Management System Requirements as specified in these Scheme Rules (see below);
- (c) all instructions and communications made from time-to-time by the Authority on the administration of the Scheme and interpretation of Certification Requirements, including Product Requirements; and
- (d) the ACRS Management System that includes all policies, procedures, forms and other documents that are necessary for the administration of the Scheme.

4.2 Recognised Management System Requirements

Management System Certification Requirements recognised under this scheme include:

- (a) ISO 9001:2015, *Quality management systems – Requirements*; and
- (b) AS/NZS ISO 9001:2016, *Quality management systems - Requirements* (the identical national adoption in Australia and New Zealand of ISO 9001:2015).

4.3 Interpretation of Product Requirements

The interpretation and application of the above Certification Requirements shall be the responsibility of the Audit and Assessment Committee. In making any such interpretation the Executive Director may seek the assistance of the relevant standards or specification development bodies.



5 CERTIFICATION PROCESS

5.1 Overview of the Certification Process

The management system certification process undertaken by ACRS is as prescribed in AS/NZS ISO/IEC 17021.1:2015, *Conformity assessment - Requirements for bodies providing audit and certification of management systems - Requirements*.

5.2 Certification Agreement and Commitments of Applicant Firms and Certified Firms

Under this Scheme, at the time of submission of an application, or re-application the Client must enter into a legally enforceable agreement (the Certification Agreement) for the provision of certification services between that Firm and the Authority.

Through the Certification Agreement the Client commits itself to adhere to these Scheme Rules from the date of application and makes all necessary declarations.

5.3 Applications

5.3.1 New applications

An Applicant Firm shall make its application in writing to the Executive Director of the Authority who, for the purpose of making audits under these Rules, may from time to time delegate his/her functions to Representatives. In regard to which:

- (a) a completed Certification Agreement, signed by the Chief Executive, Managing Director, or other manager with appropriate authority;
- (b) the Authority shall invoice the Applicant Firm and the Applicant pay the invoice in full prior to any initial site assessment;
- (c) the application shall be finalised and all necessary documents supplied within 12-months of the date of receipt by the Authority of the original complete application. Should the application process take longer than 12-months, the Applicant Firm shall submit a new application with such additional application fees payable as may be determined by the Authority, unless any variation is advised to the Applicant Firm in writing by the Authority; and
- (d) during the 12-month maximum application period, the Authority may mandate such additional site visits where, at its sole discretion, it deems them necessary to validate the Applicant Firm's application & declaration and its performance to the certification Requirements contained therein. Such additional visits shall be at the Applicant Firm's cost.

5.3.2 Extension of Certification

Where a Certified Firm intends:

- (a) to open, or to acquire a new Assessable Location, or;



(b) to commence the manufacture of Assessable Materials outside its existing scope of certification,

it shall inform the Authority in writing prior to the supply of any Assessable Materials not listed on that Firm's Certificate or Certificates such that the Authority can undertake the appropriate audits and issue the appropriate Certificates.

5.3.3 Merger or Acquisition of a Firm

In case of take-over or merger, written permission from the Authority is mandatory in order to transfer the rights to Use the Certification Mark to the merged entity.

5.3.4 Improper conduct by a Client

The Authority is committed to maintaining the integrity of the Scheme to the highest standard possible. To avoid any lack of confidence by the public, or other authorities, in the integrity of the Scheme, the Authority may refuse to grant, suspend, or terminate a Certificate in circumstances where the Executive Director is reasonably satisfied that a Representative has been bullied, harassed, intimidated, or coerced by a Client into providing a favourable Evaluation, or in any other performance of the Representative's duties.

5.3.5 Re-application for Certification

5.3.5.1 After Withdrawal by the Authority

Where the Authority withdraws a Certificate, a Firm may reapply for approval after a period of three calendar months.

5.3.5.2 After Voluntary Relinquishment by the Firm

Where a Certified Firm has voluntarily relinquished its certification, a Firm may reapply for approval. Any such reapplication shall be considered to be an entirely new application, with no connection to any previous certification held by the Firm.

5.3.5.3 Outstanding accounts

Consideration of any reapplication will be contingent upon the Applicant Firm having paid in full all outstanding accounts from previous application or certification.

5.3.6 Secondary Locations

The Firm shall identify all Locations listing which are Primary, Secondary or Depot Locations. For each Secondary and Depot Location the Firm shall indicate the Primary Location to which the Location is responsible.

Any change in operation or reporting shall be communicated to the Authority in writing and the details of the Certificate amended accordingly.

The Authority retains sole discretion to determine whether a location is a Primary Location or Secondary Location, or Depot Location.



The Primary Location of each Certified Firm in each State or Territory, or any Location undertaking manufacturing Assessable Materials, shall be certified individually, unless notified otherwise by the Authority.

5.4 Nonconformities

A Nonconformity is an identified shortfall in performance that, when assessed in relation to other audit outcomes, indicates a risk of the Firm not meeting the requirements of the Scheme. A Nonconformity shall be corrected by the due date set by the Representative. Documentary evidence of rectification is required.

Any identified Nonconformity shall be reported to the Audit and Assessment Committee for its information and review.

Verification of Nonconformity closeout may, at the sole discretion of the Authority, require an addition audit and site visit.

5.5 Decision

The Board is the sole authority by which Certificates may be granted or withdrawn, and acts through the Audit and Assessment Committee, subject to such conditions that the Board may impose from time to time impose.

After review of the audit evidence by the Authority, the Authority may issue Certificates with or without conditions.

5.6 Certificates

5.6.1 Ownership of Certificate

A Certificate shall at all times remain the property of the Authority and shall be returned to the Authority immediately upon request, together with any and all copies of that Certificate made by the Firm.

5.6.2 Transfer of Certificates

A Firm's right to Use the Certificate and Certification Mark is not transferable without the prior written permission of the Authority.

5.6.3 Term of validity of a Certificate

A Certificate is valid for three calendar years, subject to the terms of these Rules and satisfactory performance is demonstrated through surveillance.

5.6.4 Register of Certified Firms

A register of Certified Firms shall be kept by the Authority and shall be open to inspection by the public at the registered office of the Authority. The list of Firms and Certificate details shall be published from time to time, including on the Authority's website. The status of a Firms certification shall be identified in the Register.



5.7 Use of the Mark

Certified Firms may use the ACRS Management System Certification mark in accordance with these Scheme Rules, the Certification Agreement and any policies or procedures that may be issued by the Authority from time-to-time.

5.8 Surveillance

The Authority may during the entire period of validity of a Certificate make or entrust a Representative to make surveillance activities and audits as deemed necessary. The frequency of such activities shall be prescribed by the Authority from time-to-time, but normally at least annually.

As part of surveillance activities the Authority may also take samples from the market and have them independently tested for compliance with the relevant Product Requirements.

5.9 Refusal to Grant Access

Refusal by the Applicant or Certified Firm to grant a Representative access for any scheduled or unscheduled audits or surveillance activities, or to provide the Authority with the required test data in any period may, at the sole discretion of the Authority, result in immediate suspension of all Certificates of any classification then held by the Certified Firm until, or unless the Authority is again satisfied that the Certified Firm, in its entirety, is meeting its obligations under the Scheme.



6 CESSATION OF CERTIFICATION

6.1 Notice of Voluntary, Permanent Withdrawal from the Scheme (Relinquishment)

If a Certified Firm does not intend to renew its certification at the end of a term of validity, it shall inform the Executive Director in writing with a minimum of three (3) calendar months' notice of its intention not to renew Certification for the next term of certificate validity.

6.2 Temporary Withdrawal

The Certified Firm may temporarily suspend the Use of the Certification Mark within the current year of certification. It shall give the Authority written notification and make all changes regarding its Communication Media. Based on this information the Authority shall inform the Certified Firm of the terms and conditions for temporary or permanent cessation of Use of the Certification Mark.

6.3 Suspension of Certification for Serious Nonconformity

If a Firm is not in conformance with the requirements of the Scheme, or it has any of its ACRS product certifications suspended, the Authority may, at its sole discretion and subject to the provisions of these Rules, apply one or more of the following:

- (a) suspend one, several, or all of the current Certificates issued to the Firm; or
- (b) vary the scope of a certificate; and
- (c) require the Firm to discontinue the Use of the Certification Mark or any claim of compliance or association with the Scheme for any of its Assessable Materials, with immediate effect;

until the Authority is satisfied that conformance is achieved, or pending the result of an appeal by the Firm. Such decisions and the grounds for them shall be communicated to the Firm in writing.

The Authority may, at its sole discretion, insist that the Firm undergoes re-evaluation, resubmitting the information as laid down in the Declaration before renewing or granting a Certificate. Any re-evaluation shall be at the Firm's cost.

6.4 Termination

If a Firm is not in conformance with the requirements of the Scheme, or it has any of its ACRS product certifications withdrawn or terminated, the Authority may, at its sole discretion and subject to the provisions of these Rules,

- (a) terminate or refuse to grant or renew a Certificate; and



(b) require the Firm to discontinue the Use of the Certification Mark or any claim of compliance or association with the Scheme with immediate effect;

until the Authority is satisfied that compliance is achieved, or pending the result of an appeal by the Firm. Such decisions and the grounds for them shall be communicated to the Firm in writing.

NOTE Examples of the reasons for termination and withdrawal of a Certificate include, but are not limited to:

- frequent noncompliance with any of the specified requirements, or other criteria specified in the relevant Standard or Schedule;
- nonconformities uncorrected by the due date;
- misuse of the Certification Mark, or failure to use it in accordance with these rules;
- refusal to allow the Authority to carry out inspection, or hindrance of the Authority during an inspection;
- refusal to produce documentary evidence of monitoring results;
- any circumstances which may affect the confidence of the public, or authorities in the reliability of the Scheme.
- bullying, harassment, intimidation, or coercion of a Representative by a Client in the performance of the Representative's duties, including in the Evaluation process;
- failure to pay due fees and charges

The Authority may, at its sole discretion, insist that the Firm undergoes a re-evaluation, resubmitting the information as laid down in the Declaration before renewing or granting a Certificate. Any re-evaluation shall be at the Firm's cost.

6.5 Public Notification

Any Firm voluntarily relinquishing a Certificate, or having its Certificate withdrawn, shall be listed on the Register of Certified Firms with a note stating the reason for the withdrawal (i.e. "voluntary withdrawal", "temporary suspension" or "terminated for noncompliance"). The Authority may also make public communications as it deems necessary of any change of status.



7 FEES AND CHARGES

7.1 Fees and Charges

The Firm shall pay:

- (a) application and audits fees for the initial and each subsequent evaluation for each Assessable Location and process;
- (b) a non-refundable fee of 15% of the total evaluation fees is due for all Assessable Locations and processes, at initial application and each Year thereafter. The application fee is included in the total evaluation fees charged for each production process;
- (c) any additional costs incurred by the Authority in the course of evaluation, such as travel, testing, freight of samples, etc., not otherwise included in the evaluation fee;
- (d) the fees for any additional visits, evaluations, surveillance, supervision or testing incurred by the Authority in assessing a Firm under the Scheme, or due to the Firm's noncompliance with the terms of the Scheme;
- (e) any other charges reasonably incurred by the Authority in administering the application for, or certification of any Firm under the Scheme.

7.2 Refund Policy

Should an Applicant Firm decide not to proceed to completion of its evaluation process, any unexpended evaluation fees received from the Applicant Firm shall be refunded, less the 15% application fee, plus any costs incurred by the Authority. Certified tonnage levy or minimum administration payments are not refundable.

7.3 Financial Conditions

The financial conditions for authorisation to Use the Certification Mark are included in the Certification Agreement between the Authority and the Certified Firm. It is an absolute requirement that a Firm shall have paid all monies owed to the Authority to be granted or to retain its Certificates.



8 APPEALS AND COMPLAINTS

8.1 Appeals

An Applicant or Certified Firm may appeal a certification decision of the Authority.

Any appeal by the Firm shall be in accordance with the appeals procedure (OPS 009) that shall be provided by the Authority upon request. The Appeals Panel will then investigate, and as necessary, hear the appeal and make a decision on the appeal based on the application of the Scheme Rules. The Appellant may attend the hearing of the appeal.

8.2 Complaints

There are several forms of complaints recognised under these Scheme Rules as follows:

- (a) complaints received by Certified Firms from their customers regarding the performance of materials supplied to Product Requirements certified by the Authority;
- (b) complaints made to the Authority, normally by users of materials and/or products, in relation to the performance to Product Requirements certified by the Authority;
- (c) complaints made to the Authority by its Certified Firms, or other parties, regarding the performance of the Authority or any of its officers or Representatives;
- (d) misrepresentation of ACRS certification.
- (e) complaints received by the Executive Director from a Representative regarding bullying, harassing, intimidatory, or coercive conduct by a Client or their representative in the Evaluation process, or in performing any other of the Representative's duties

A complaint shall be deemed to have been received when:

- (a) a written complaint has been submitted from the complainant;
- (b) the nature of the complaint corresponds to one of the categories listed above; and
- (c) the complainant has direct or first-hand access to the basis of the complaint.

All complaints shall be addressed as quickly as possible.

8.2.1 Complaints received by Certified Firms about Approved Materials

Certified firms shall have a complaints registration and resolution procedure, which allows for investigation of the complaint and undertaking corrective or preventative action. Records of complaint handling by the Certified Firm shall be made available for review during evaluations. The Certified Firm shall report the occurrence of such complaints in each quarterly data submission to the Authority.

8.2.2 Complaints received by the Authority about Approved Materials

In the first instance the Authority will endeavour to identify and provide the complaint to the relevant Certified Firm for resolution.



Where the complainant is dissatisfied with the response, or if the Authority is concerned about the Certified Firms adherence to the Scheme Rules or Certification Requirements, the Executive Director may investigate the complaint further, including requesting any further information from the Certified Firm, undertaking any further evaluation activities or initiating verification testing at the expense of the Certified Firm.

8.2.3 Complaints about the Authority's services or personnel

Complaints received by the Authority in relation to its certification services and personnel shall be investigated by the Executive Director in accordance with the ACRS Management System.

8.2.4 Complaints about the misrepresentation of ACRS Certification

Complaints received by the Authority in relation to misrepresentation of ACRS Certification shall be investigated by the Executive Director in accordance with the Management System.

8.2.5 Complaints of improper conduct towards a Representative

Complaints received by the Executive Director of alleged bullying, harassing, intimidatory, or coercive conduct towards a Representative by or on behalf of a Client will be investigated by the Executive Director or their designate.

The Executive Director may require further information from the Client, which may include interviewing the Client's personnel about the conduct complained of.

If the Executive Director finds that the conduct complained of occurred, the Authority may refuse an application, or suspend or terminate a Certificate.

A Client the subject of such a complaint must assure the Executive Director, to the Executive Director's reasonable satisfaction, that it will prevent any further improper conduct before the Authority will continue with its Evaluation process, or reinstate a Certificate.



9 SERVING NOTICE UNDER THE SCHEME

9.1 By the Authority

Any notice issued to the Firm by the Authority shall be in writing and signed by or on behalf of the Authority and may be served by:

- (a) email to the address on file of the Firm's nominated representative; and /or
- (b) leaving it or sending it by prepaid recorded delivery or registered post at or to its address for the time being (registered office where applicable). 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 clause.
- (c) The parties' addresses, email addresses and facsimile numbers are as specified in Schedule A of the Certification Agreement, or as otherwise notified in writing to the Authority.

General statements regarding the Scheme for public information are deemed to be served when uploaded to the Authority's website at www.steelcertification.com.

9.2 By a Firm

Any notice issued by the Firm to the Authority shall be in writing, and may be serviced by:

- (a) sending it by prepaid recorded delivery, or registered post at or to its address for the time being (registered office where applicable), or by email to the Executive Director. 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 clause.

A notice given in accordance with this clause is taken to be received by the Authority:

- (a) if hand-delivered, upon delivery at the Authority's registered address;
- (b) if sent by pre-paid post, upon delivery at the Authority's registered address;
- (c) if sent by facsimile, when the Authority confirms successful receipt of the total number of pages of the notice; or
- (d) if sent by email, when
 - i. the Authority's email system confirms receipt of the email, and;
 - ii. that the email and all attached files are readable by the Authority.

The date of receipt of the communication is the Business Day of receipt if received prior to 2:30pm or if later, at 9:30am on the following Business Day.

In this clause, Business Day means a day on which the Authority is open for general business.



10 CONFIDENTIALITY

Unless otherwise agreed in writing by the Authority, the Client shall keep confidential all documents received from the Authority, with the exception of this document and any Certificates.



11 CHANGES AFFECTING THE SCHEME

11.1 Changes to the Rules

The Authority reserves the right to modify these Rules at any time. The Authority shall communicate changes via the ACRS website (www.steelcertification.com) and the Client shall be obligated to apply those changes.

No such alterations shall affect the right of any Client to Use Certification Mark or claim compliance with the Scheme unless the Client shall have been given notice in writing of such alteration by the Authority, who shall notify the Client of the date by which the Client shall comply with the altered Rules. This period shall not normally be less than six-months from the date of notification of the alterations, or at the commencement date of the Client's next issued Certificate/s, whichever is the soonest.

11.2 Changes to Legislation

The Authority shall comply with all relevant, applicable national and international laws, Rules and Product Requirements in force concerning the right to Use the Certification Mark or the conditions for obtaining said right. The Authority shall communicate all changes via the ACRS website and the Certified Firm shall be obligated to immediately apply all modifications resulting from said changes.