

申请及获证组织的权利和义务

Rights and Obligations of the Applicant and the certificated Organization

一、 申请管理体系认证和获证组织的权利

Application for management system certification and the rights of the certificated organization

- 1、 申请认证组织有权询问认证机构的资格、能力和有关认证的背景和索取有关材料

The organization applying for certification has the right to inquire about the certification body's qualifications, competence, and background on certification and to request relevant materials

- 2、 申请认证组织有权对 CMD 派出的审核组、审核计划提出意见。

The applicant has the right to put forward opinions on the audit team and audit plan sent by CMD.

- 3、 申请认证组织有权对由于 CMD 因造成失密事件追究法律责任。

The applicant has the right to investigate the legal responsibility for the confidential incident caused by CMD.

- 4、 申请认证组织有权对审核员工作能力和服务态度提出意见。

The applicant has the right to comment on the auditor's working ability and service attitude.

- 5、 经评定批准获证的组织可获得 CMD 管理体系认证证书，并在 CMD 注册公告。

The organization approved by the assessment can obtain the CMD management system certification certificate and register in CMD for announcement.

- 6、 获证组织有权在认证证书有效期内，按规定在广告、宣传资料中介绍所获认证证书。

The certificated organization shall have the right to introduce the

certification in advertising and publicity materials during the validity period of the certification.

二、 申请管理体系认证和获证组织的义务

Application for management system certification and obligations of the certificated organization.

- 1、 认证组织管理体系和认证的产品应持续地满足认证要求。申请认证组织需按照 CMD 的要求提供材料并如实填写组织基本情况。

The management system of the certificated organization and the certificated products shall continuously meet the certification requirements. The organization applying for certification shall provide materials according to the requirements of CMD and fill in the basic information of the organization truthfully.

- 2、 申请、获证组织接受 CMD 安排的现场审核，包括接受中国合格评定国家认可委员会对 CMD 认可的非例行检查或所安排的现场见证评审。非例行检查是 CNAS 对认证机构实施监控采取的手段；见证评审是 CNAS 通过直接对获证组织管理体系运行及受审核过程进行现场验证，评价认证机构认证审核活动的符合性、有效性。

The applicant and the certificated organization shall accept the on-site audit arranged by CMD, including the non-routine inspection or on-site witness review arranged by the China National Accreditation Service for Conformity Assessment. Non routine inspection is a means taken by CNAS to monitor certification bodies. Witness review is to evaluate the conformity and effectiveness of certification audit activities of certification bodies by CNAS through direct on-site verification of management system operation and audited process of certificated organization.

- 3、 认证组织如果不能在初次认证第二阶段审核或再认证审核结束后 6 个月内对开具的不符合实施纠正和纠正措施并验证有效，在推荐认证前认证组织应再接受一次第二阶段的审核。

If the certificated organization is unable to implement corrective and

corrective actions for the issued nonconformity and verify its effectiveness within 6 months after the completion of the initial certification stage II audit or recertification audit, the certificated organization shall undergo a second stage II audit before recommending certification.

- 4、在认证过程中某信息对评价管理体系符合性是必需的，认证客户组织不能以保密为理由拒绝 CMD 进行抽样和验证。

During the certification process, if certain information is necessary to evaluate the conformity of the management system, the certificated organization cannot refuse CMD to sample and verify on the grounds of confidentiality.

- 5、获证组织在持证期间如管理体系发生重大变更，应按照 CMD 公开文件《信息通报规则》的规定向 CMD 通告相关的信息。

In case of major changes to the management system during the period of holding the certificate, the certificated organization shall notify CMD of relevant information in accordance with the provisions of *CMD Rule of Information Notification*.

- 6、获证组织在持证期间如管理体系发生投诉、监管机构介入的严重事件和违法情况、重大变更或暂停等，CMD为调查投诉、对客户的变更做出回应或对被暂停的情况进行追踪，获证组织需要接受提前较短时间通知的审核。提前较短时间通知的审核是指提前较短时间通知获证组织或不通知获证组织对其进行审核（如，突击审核）。

If the certificated organization has complaints about the management system, serious events and violations involving regulatory agencies, major changes, or suspensions, etc. during the period of holding the certificate, CMD needs to accept the audit notified in a short time in advance to investigate complaints, respond to customer changes, or track the suspensions. The audit notified in a short time in advance means that the certificated organization is notified in a short time in advance or not notified

to audit it (such as surprise audit).

- 7、按照合同规定，配合国家认证认可监督管理委员会、省市及地方认证监管部门、中国合格评定国家认可委员会等政府监管部门对认证活动的监督检查，对有关事项的询问和调查如实提供相关材料 and 信息。

In accordance with the provisions of the contract, cooperate with the National Certification and Accreditation Administration, provincial, municipal, and local certification regulatory authorities, China National Accreditation Service for Conformity Assessment and other government regulatory authorities to supervise and inspect certification activities, and truthfully provide relevant materials and information for the inquiry and investigation of relevant matters.

- 8、获证组织应按照 CMD 公开文件《证书标志使用和管理规定》使用认证证书。

The certificated organization shall use the certificate in accordance with the CMD public document *Provision on the Use and Administration of Certificates and Marks*.

- 9、获证组织应按认证合同规定及时交纳认证审核和监督审核等各项费用。

The certificated organization shall pay the certification audit fee, supervision audit fee and other fees in a timely manner according to the provisions of the certification contract.

- 10、当认证被暂停时，应按 CMD 公开文件《证书标志使用和管理规定》立即停止涉及认证内容的广告宣传，撤销/注销时退回认证证书。

When the certification is suspended, the certified organization shall immediately stop advertising related to the certification content in accordance with the CMD public document *Provision on the Use and Administration of Certificates and Marks*, and return the certification certificate when withdrawn.

三、 申请产品认证和获证组织的权利

Application for product certification and the rights of certificated organizations

1. 申请组织有权询问认证机构的资格、能力和有关认证的背景和索取有关材料；
The applicant has the right to inquire about the qualifications, abilities and background of the certification body and request relevant materials;
2. 申请组织有权对 CMD 派出的审核组、审核计划提出意见；
The applicant has the right to make comments on the audit team and audit plan sent by CMD.
3. 申请组织有权对由于 CMD 过失造成的失密事件追究法律责任；
The applicant has the right to investigate the legal responsibility for the confidential incident caused by CMD.
4. 申请组织有权对审核员工作能力和服务态度提出意见；
The applicant has the right to comment on the auditor's working ability and service attitude.
5. 经评定批准获证的组织可获得 CNAB 认可的 CMD 管理体系认证证书、CMD 产品认证证书，并在 CMD 注册和公告；
The organization approved by the assessment can obtain the CMD product certification certificate and register in CMD for announcement.
6. 获证组织有权在认证证书有效期内，按规定在广告、宣传资料中介绍所获证书及 CMD 与认可机构标志，在获准产品认证的产品上使用 CMD 标志。
During the validity period of the certification certificate, the certificated organization has the right to introduce the certificate and the marks of CMD and accreditation body in advertisements and promotional materials in accordance with the relevant provisions, and use the CMD mark on products approved for product certification.

四、 申请产品认证和获证组织的义务

Applying for product certification and the obligations of the certified organization

1. 申请组织需提交产品认证申请书、如实填写组织基本情况并提供营业执照、相关资质证明及本申请书要求提交的资料。

The applicant shall submit the application form for product certification,

truthfully fill in the basic conditions of the organization and provide a business license, relevant qualifications and other materials required to be submitted in this application.

2. 接受 CMD 安排的现场审查，包括接受中国合格评定国家认可委员会对 CMD 认可所安排的现场见证评审。

Accept the on-site review arranged by CMD, including the on-site witness review arranged by China National Accreditation Service for Conformity Assessment for CMD certification.

3. 获证组织在持证期间每年至少接受一次认证后的产品监督检验和现场监督审查。

The certified organization shall accept post-certification product supervision and inspection and on-site surveillance and review at least once a year during the period of holding the certificate.

4. 获证组织迁址及电话号码、传真号码、法人代表、最高管理者和管理者代表变更应及时书面通知 CMD。获证组织质量手册改版后，应及时调换 CMD 存档的质量手册。

Change of address, telephone number, fax number, legal representative, top management and management representative of the certified organization shall notify CMD in writing in a timely manner. After the revision of the quality manual, it should be provided to CMD for archiving in time.

5. 在获证产品的关键零部件和关键工序变更，生产场地变迁时，获证组织应及时通报 CMD，必要时接受 CMD 的监督检验和/或现场监督审查。

When the key parts and key processes of the certificated product are changed, and the production site changes, the certificated organization shall notify CMD in a timely manner, and accept CMD's supervision and inspection and/or on-site surveillance and review when necessary.

6. 获证组织在持证期间，产品和质量体系有重大变动、发生国家和地方抽查产品不合格及有重大顾客投诉时，应立即报告 CMD。

The certificated organization shall immediately report to CMD when there are major changes in the product and quality management system, national and local unqualified products and major customer complaints during the period of holding the certificate.

7. 获证组织不得利用认证证书和认证标志误导和欺诈消费者，不得转让、买卖认证证书和认证标志。

The certificated organizations shall not use the certificate and certification mark to mislead and defraud consumers, shall not be transferred, trading certificates and certification marks.

8. 获证组织应按规定及时交纳认证、监督和产品检验等各项费用。

The certificated organization should pay the certification fee, supervision fee and product testing and other fees in a timely manner in accordance with the provisions of the certification contract.

9. 遵守产品认证的有关规则，并提供实施认证工作的必要条件。

Comply with the relevant rules for product certification and provide the necessary conditions for the implementation of the certification process.

10. 当认证被暂停或撤销/注销时，应立即停止认证标志的使用及涉及认证内容的广告宣传，按要求退回认证证书。

When a certification is suspended or withdrawn/cancelled, the use of the certification mark and the advertising involving the certification content should be stopped immediately, and the certification certificate should be returned as required.

11. 在管理体系发生重大变更或体系覆盖产品发生重大质量问题时，接受 CMD 所安排的非例行监督审核。

In the event of major changes in the management system or major quality problems of the products covered by the system, it shall accept non-routine surveillance and audit arranged by CMD.

12. 按照合同规定，配合国家认证认可监督管理委员会、省市及地方认证监管部门、中国合格评定国家认可委员会等政府监管部门对认证活动的监督检

查。

In accordance with the provisions of the contract, cooperate with the National Certification and Accreditation Administration, provincial, municipal, and local certification regulatory authorities, China National Accreditation Service for Conformity Assessment and other government regulatory authorities to supervise and inspect certification activities, and truthfully provide relevant materials and information for the inquiry and investigation of relevant matters.