

# 申诉、投诉和争议处理规则

## Rules of Handling Appeals, Complaints, Disputes

### 1 适用范围

#### Scope

本程序适用于申请认证或已获得认证的組織对 CMD 的申诉、投诉和争议。也适用于向 CMD 提出的对已获得 CMD 认证的组织的投诉。

This procedure applies to appeals, complaints and disputes against CMD by organizations applying for certification or having been certified. It also applies to complaints against the organizations that have been certified by CMD.

### 2 定义

#### Definitions

#### 2.1 申诉

##### Appeals

組織对CMD 做出的, 与其期望的认证状态有关的不利决定所提出的重新考虑的书面请求。

A written request for reconsideration of the certification status made by an organization against an adverse decision of CMD relating to its desired certification status

注: 不利决定包括: 拒绝接受申请、拒绝继续进行审核、要求采取纠正措施、变更认证范围、不予认证、暂停或撤销认证资格、阻碍获得认证的任何其他措施。

Note: Adverse decisions include: refusal to accept the application, refusal to proceed with the audit, request for corrective action, change of scope of certification, denial of certification, suspension or revocation of certification, and any other action that prevents certification.

#### 2.2 投诉

##### Complaints

任何組織或个人向CMD表达的, 有别于申诉并希望得到答复的, 对CMD或已获得认证的組織的活动的的不满的书面表示。

A written expression of dissatisfaction by any organization or individual on the activities of CMD or other certified organizations, different from an appeal and also expecting a response.

## 2.3 争议

### Disputes

组织与CMD在认证过程中就认证程序和认证技术不同意见的书面表述或组织负责人在正式场合提出不同意见的当面陈述。

The written expression of differences between the organization and CMD on the certification process and certification technology or the face-to-face statement of differences raised by the person in charge of the organization on a formal occasion.

## 3 职责

### Responsibility

3.1 申诉工作由申诉处理工作组负责。申诉处理工作组由 CMD 总经理从公司管理层、技术委员会成员中授权产生，该成员不应包括来自组织或与申诉对象存在利害关系的人员。

The Appeal Handling Working Group is responsible for appeals. The appeal handling working group is appointed by the CMD General Manager from the company's management layer and members of technical committee, and the members shall not include persons from the organization or those who have an interest in the object of the appeal.

3.2 CMD 质量委员会负责受理申诉、投诉、争议，处理投诉。

CMD Quality Committee is responsible for accepting appeals, complaints, disputes and handling complaints.

3.3 各部门负责人负责处理争议。

The head of each department is responsible for handling disputes.

## 4 处理程序

### Handling Procedure

### 4.1 总则

## General rules

4.1.1 CMD 处理申诉、投诉和争议以事实为依据，以国家相关法律法规和 CMD 认证要求为准则。

CMD handles appeals, complaints and disputes on the basis of facts, guided by relevant national laws and regulations and CMD certification requirements.

4.1.2 申诉、投诉和争议处理工作人员对其所涉及到的任何与申诉、投诉和争议有关的非公开信息负有保密的责任。

Appeals, complaints handling staff shall keep involvement non-disclosure information confidential.

4.1.3 参与申诉、投诉和争议处理工作的提交、调查和决定等所有工作人员，均应保持客观、公正，不应造成针对申诉人、投诉人和争议人的任何歧视行为。

All staff involved in the submission, investigation and decision of appeals, complaints and disputes shall be objective and impartial and shall not result in any discrimination against the appellant, the complainant or the disputer.

4.1.4 与申诉、投诉和争议事件有直接利害关系的工作人员，均应回避该项申诉、投诉和争议的调查和决定工作。

Staff members who have a direct interest in the appeal, complaint or dispute shall recuse themselves from the investigation and determination of the complaint, complaint or dispute.

4.1.5 CMD 对申诉、投诉和争议处理过程各层级所做的各类决定负责。

CMD is responsible for all types of decisions made at all levels of the appeals, complaints and dispute handling process.

## 4.2 申诉

### Appeal

#### 4.2.1 申诉受理的范围

##### Appeal acceptance scope

##### ➤ 拒绝接受申请

##### Reject an application

- 拒绝继续进行审核  
Refused to proceed with the audit
- 要求采取纠正措施  
Require corrective action
- 变更认证范围  
Change certification scope
- 不予认证  
No certification
- 暂停或撤销认证资格  
Suspension or withdrawal of certification
- 阻碍获得认证的任何其他措施  
Any other measures impeding the attainment of certification.

#### 4.2.2 申诉的提出

##### Submission of appeals

申诉人可向CMD质量委员会提出申诉，申诉应符合以下条件：

The appellant may lodge an appeal with the CMD Quality Committee, subject to the following conditions:

- 1) 申诉人应正式递交书面的申请书及相关说明（或证明）材料，并加盖公章；  
The applicant shall formally submit the written application and relevant explanatory (or justify) materials, and affix the official seal.
- 2) 申诉事项应在申诉受理范围内；  
The appeal shall be within the appeal acceptance scope.
- 3) 申诉人应是申诉事宜的直接相关方；  
The appellant shall be a direct party to the matter of the appeal.
- 4) 申诉的提出应在接到CMD认证决定或处理措施通知15个工作日内。  
The appeal shall be lodged within 15 working days after receiving notification of CMD's certification decision or action.

#### 4.2.3 申诉的受理与确认

### Acceptance and confirmation of appeals

CMD 质量委员会负责接收申诉人的申诉请求，并按照 4.2.2 条款的规定进行初步审查，并及时组织对申诉材料进行有效性审查，并经管理者代表审核，总经理批准后，将申诉的受理情况书面通知申诉人。

The CMD Quality Committee is responsible for receiving the petitioner's appeal request, conducting a preliminary review in accordance with the provisions of Article 4.2.2, organizing a timely review of the validity of the appeal materials, and notifies the petitioner in writing of the acceptance of the appeal after being reviewed by the management representative and approved by the general manager.

#### 4.2.4 申诉的调查与处理

##### Investigation and handling of appeals

- 1) 总经理根据申诉的内容，组织与申诉对象无利害关系的成员组成申诉处理工作组负责调查，提出对申诉的处理意见。

According to the content of the complaint, the general manager shall organize members who have no interest in the object of the appeal to form an appeal handling working group to investigate and put forward opinions on the handling of the appeal.

- 2) 申诉处理工作组可采取各种措施获取证据，如召集听证会议、听取双方陈述、现场调查、调取书面证据、向专家咨询以及参考以前类似申诉的结果等，做出有根据的判断。

The Appeal Handling Working Group may take various measures to obtain evidence, such as meeting review, convening a hearing meeting, listening to the statements of both parties, on-site investigation, obtaining written evidence, consulting experts, etc., to make a reasonable judgment.

- 3) 召开听证会议的，至少提前5日将会议的时间和地点通知申诉人。

If a hearing meeting is held, the appellant shall be notified of the time and place of the meeting at least 5 days in advance.

- 4) 申诉处理工作组和申诉方均有权在不迟于听证会议召开前5日提出有关的证人姓名和地址。

Both the Appeal Handling Working Group and the appellant shall be entitled to submit the names and addresses of the relevant witnesses no later than 5 days prior to the hearing.

- 5) 参与申诉调查和处理的人员应客观、公正地进行调查并提出处理意见，不应带有歧视性。

The personnel involved in the investigation and handling of appeals should conduct the investigation and give opinions objectively and impartially, and should not be discriminatory.

#### 4.2.5 处理结果反馈

##### Feedback of handling result

- 1) 自申诉文件提交到CMD的60日内，申诉处理工作组应基于调查提出处理意见，对申诉做出决定并报总经理批准。

Within 60 days of the submission of the appeal document to CMD, the Appeal Handling Working Group shall make a decision on the appeal based on the investigation and report it to the General Manager for approval.

- 2) 质量委员会负责将申诉处理工作组做出的决定结果，书面通知申诉人。

The Quality Committee is responsible for informing the appellant in writing of the outcome of the decision made by the Appeal Handling Working Group.

- 3) 申诉处理决定不应对申诉人造成歧视。

The decision of appeal handling should not discriminate against the appellant.

- 4) 申诉处理过程中发生的合理支出费用由双方根据在申诉事项中所应承担的责任负担。

Reasonable expenses incurred in the course of handling the appeal shall be borne by the parties in accordance with their respective

responsibilities in the matter of the appeal.

- 5) 如果申诉方对处理决定不满的可进一步向所在地认证监管部门或国家认监委提出投诉，也可以向相关认可机构投诉。

If the appellant is dissatisfied with the handling decision, it can further lodge a complaint with the local certification regulatory authority or the CNCA, and it can also lodge a complaint with the relevant accreditation body.

- 4.2.6 如申诉处理过程中发现不符合或改进空间，质量委员会将采取适宜的措施予以改进。

If non-conformity or any improvement room is found during the processing of the appeal, the Quality Committee will take appropriate action to improve it.

- 4.2.7 申诉处理过程应保留相关的证实，不限于跟踪和记录申诉，包括为解决申诉而采取的措施。

The appeal handling process shall retain relevant confirmation and shall not be limited to tracking and documenting the appeal, including the measures taken to resolve the appeal.

## 4.3 投诉

### Complaint

#### 4.3.1 投诉受理范围

##### Complaint acceptance scope

- 1) 涉及 CMD 提供的认证活动或对 CMD 相关人员的投诉；

Complaints involving certification activities provided by CMD or against CMD-related personnel.

- 2) 对 CMD 已认证或正在申请的认证组织活动及其人员投诉，且投诉的内容与认证要求和范围相关；

A complaint about the activities and personnel of an organization that is accredited or is seeking accreditation, and the content of the complaint is related to the certification requirements and scope.

3) 涉及 CMD 获证组织的客户的投诉, 且投诉内容与认证活动有关活动。

Complaints involving CMD certification customers, and its contents related to certification activities.

#### 4.3.2 投诉的提出

##### Submission of complaints

投诉应以书面形式就投诉所涉及事件向CMD提出, 投诉人须提供所投诉事件的细节情况、证明材料并签章。通常情况下CMD对匿名投诉不予受理。

The complaint shall be written to CMD regarding the incident involved in the complaint, and the complainant shall provide details of the incident, supporting materials and signature. Generally, the CMD does not accept anonymous complaints.

#### 4.3.3 投诉的受理与确认

##### Acceptance and confirmation of complaints

CMD 质量委员会负责接收投诉人的投诉请求, 并按照 4.3.1 和 4.3.2 条款的要求确认是否与其负责的认证活动有关, 并对投诉材料进行有效性确认, 并经管理者代表评审、批准后, 将投诉的受理情况书面通知投诉人。

The CMD Quality Committee is responsible for receiving the complaint request from the complainant, and in accordance with the requirements of 4.3.1 and 4.3.2, confirming whether it is related to the certification activities that is responsible for, confirming the validity of the complaint materials, and notifying the complainant of the acceptance of the complaint in writing after the review and approval of the management representative.

如果投诉的内容或者线索过于笼统, 现有信息无法开展投诉调查的, 经联系投诉人不愿意配合 CMD 质量委员会或无法提供进一步信息或线索的, 将不予受理。

If the content of the complaint or the clues are too general, the available information cannot be used to investigate the complaint, the complainant is unwilling to cooperate with the CMD quality committee after contact or is unable to provide further information or clues, it will not be accepted.

#### 4.3.4 投诉的调查与处理



## Investigation and handling of complaints

- 1) 投诉受理后，质量委员会对投诉情况进行调查核实，充分了解投诉涉及事项的全部信息，必要时进行现场调查获取证据，调查完成后形成调查报告及处理意见。

After the complaint is accepted, the Quality committee shall investigate and verify the complaint, fully understand all the information about the matters involved in the complaint, conduct on-site investigation to obtain evidence when necessary, and form an investigation report and handling opinions after the investigation is completed.

- 2) 向CMD提出的对获证组织投诉的，CMD可根据投诉信息的内容和性质，要求有关组织做出书面说明并提交相关证据，必要时CMD进行现场调查。对于需要采取纠正措施的，要求有关组织采取措施报CMD，必要时CMD可采取现场验证的方式。对于投诉事项影响到组织认证资格的，CMD应按照授予认证相应的程序根据调查结果做出与认证资格相关的决定。

Where a complaint is lodged with CMD against a certified organization, CMD may, according to the content and nature of the complaint information, request the organization concerned to make a written explanation and submit relevant evidence, and conduct on-site investigation if necessary. If corrective measures need to be taken, relevant organizations are required to take measures to report to CMD, and if necessary, CMD can adopt on-site verification,

- 3) 参与投诉调查和处理过程的人员均应与投诉事项无利害关系。一旦存在冲突，应声明并予以回避。

The personnel involved in the investigation and handling of the complaint should have no interest in the matter of the complaint. If there is a conflict, it should be declared and avoided.

- 4) 投诉调查和处理应客观、公正，不应带有歧视性。且对投诉人和投诉事项方面负有保密责任，未经投诉人同意，不得透漏给第三方。

The investigation and handling of complaints should be objective, impartial and non-discriminatory. And the complainants and complaints have a duty of confidentiality, without the consent of the complainant, shall not be disclosed to a third party.

- 5) CMD应与获证客户及投诉人共同决定是否将投诉事项公开，并在决定公开时，共同确定公开的程度。

CMD shall jointly determine with the certified client and the complainant whether to make the complaint public and, if so, to what extent.

#### 4.3.5 处理决定的反馈

##### Feedback of Handling Decision

- 1) CMD在收到投诉后的60日内，完成调查并提出处理意见，报经总经理审查批准后，形成最终决定。

CMD shall, within 60 days after receiving the complaint, complete the investigation and put forward the handling suggestions, which shall be submitted to the General manager for examination and approval before a final decision is made.

- 2) 负责审查和批准投诉处理决定的人员应与投诉事项无利害关系。否则应声明并予以回避，由质量委员会指定其他人员负责。

The person responsible for reviewing and approving the complaint handling decision should have no interest in the matter of the complaint. Otherwise, it should be declared and avoided, and other personnel designated by the quality Committee shall be responsible.

- 3) 质量委员会负责将投诉处理决定以书面形式反馈给投诉方及有关方面。

The Quality Committee is responsible for reporting the complaint handling decision in writing to the complaining party and relevant parties.

- 4) 投诉处理决定不应对投诉人造成歧视。

The complaint handling decision should not discriminate against the

complainant.

- 5) 投诉处理结果产生了与其预期认证状态有关的不利决定时，申请认证或获证组织有权在接到投诉处理决定或认证决定后的10个工作日内提出申诉。或者进一步向所在地认证监管部门或国家认监委提出投诉，也可以向相关认可机构投诉。

When the complaint processing results in an adverse decision relating to its intended certification status, the organization applying for certification or certified organization has the right to lodge a complaint within 10 working days of receiving the complaint handling decision or certification decision. Or further to the local certification regulatory authority or the CNCA to lodge a complaint, you can also complain to the relevant accreditation bodies.

- 4.3.6 通过投诉调查发现相关认证活动或管理存在不符合或改进空间，质量委员会将采取适宜的措施予以改进。

The Quality Committee will take appropriate measures to improve the non-compliance or any improvement room found in the relevant certification activities or management through the complaint investigation.

- 4.3.7 投诉处理过程应保留相关的证实，不限于跟踪和记录申诉，包括为解决申诉而采取的措施。

The complaint handling process shall retain relevant confirmation and shall not be limited to tracking and documenting the complaint, including the measures taken to resolve the complaint.

#### 4.4 争议

##### Disputes

##### 4.4.1 争议的提出

##### Submission of Disputes

- 1) 在认证审核过程中提出的争议，一般由审核组长与受审核方依据认证准则、认证相关程序协商处理。对经协商仍不能取得一致意见的，审核组长可代表审核组做出相关结论，但须将争议的情况在10 日内报告CMD质量委员会。受审核方也可以在10 日内直接向CMD质量委员会提出争议事

项。

Disputes raised in the certification audit process are generally handled by the audit team leader and the auditee in accordance with the certification standards and certification procedures. If no consensus can be reached through consultation, the audit team leader may make relevant conclusions on behalf of the audit team, but the dispute must be reported to the CMD Quality Committee within 10 days. The auditee may also raise the issue directly with the CMD Quality Committee within 10 days

- 2) 在其他场合发生的争议，相关方应在争议所涉及事件发生后10日内以书面形式或组织负责人在正式场合当面向CMD提出。

Disputes arising on other occasions shall be raised in writing by the parties concerned within 10 days of the occurrence of the events involved in the dispute or presents it to CMD in person in a formal setting by the head of the organization.

#### 4.4.2 争议的处理

##### Dispute handling

- 1) CMD质量委员会接到争议后转交相关部门负责人。

After receiving the dispute, the Quality Committee shall forward it to the person in charge of the relevant department.

- 2) CMD相关部门负责人指定有关人员研究提交的争议。必要时，其它部门参与研究讨论，责任部门将争议处理结果报质量负责人评审批准，质量委员会将争议处理结果通知争议提出人。争议提出人对处理结果不满意的，可以通过申诉、投诉程序向CMD提出申诉或投诉。

The head of the relevant department of CMD designates relevant personnel to study the submitted dispute. If necessary, other departments shall participate in the research and discussion, and the responsible department shall report the result of dispute handling to the quality person for review and approval. The quality committee

shall notify the claimant of the result of dispute handling. If the claimant is not satisfied with the outcome of the settlement, he or she may lodge a complaint or complaint with the CMD through the complaint or complaint procedure.

## 5 沟通方式

### **Contact information**

受理部门: CMD 质量委员会

Acceptance department: CMD Quality Committee

联系电话: (010) 64237550

Contact number: (010) 64237550