

## 1. OBJECTIVE

These regulations laid down the conditions governing the creation, duties, conformation, structure, operation and dissolution of the ICONTEC Impartiality Committee, in compliance with the accreditation requirements to provide conformity assessment services, in order to ensure its proper operation.

## 2. SCOPE

The guidelines set out hereunder are applicable to the Conformity Assessment Services Impartiality Committee.

## 3. DESCRIPTION

### 3.1. Creation of the impartiality committee

The ICONTEC Board of Directors, aiming to ensuring trust and transparency in the provision of its services and regardless of the fact that the accreditation standards and rules suggest having a Impartiality Committee, has provided for the establishment of this body as an advisory body for Impartiality Risk Management-related issues. In this sense, it is the Board of Directors who may, in the event of a change of context, decide on the dissolution of the Impartiality Committee.

### 3.2. Duties of the impartiality committee

The following are Impartiality Committee main functions as an advisory body to safeguard and preserve Impartiality:

- 32.1. To act as an advisory body in the definition of guidelines related to Impartiality and advise when any conflict of interest arises along with mitigation measures for risks to impartiality at the organizational

and operational level.

- 322. To alert on pressures of any kind that may affect the impartial provision of Conformity Assessment services.
- 323. To warn about situations that may affect confidence in the services.
- 324. To monitor the Risk Management of conflicts of interest related to Impartiality.
- 325. To inform the relevant higher instances and stakeholders about the non-compliance of the certification body in terms of impartiality, access to the information required by the Committee or when its recommendations are disregarded without just cause.
- 326. To prepare an annual summary report of its activities, to be included in the annual report of the MDL Executive Board.
- 327. To evaluate, at least once a year, the representation of significant stakeholders within the Impartiality Committee.

These functions are described in procedure P-GO-006 MANAGEMENT OF THE ICONTEC IMPARTIALITY COMMITTEE.

### 33. **Composition, structure and operation of the impartiality committee**

#### 331. **Committee composition**

The Impartiality Committee composition includes external and independent persons, who attend *Ad honorem* and in their own representation or of some entity associated to the interests considered for the Impartiality Committee composition.

The accreditation standards for Conformity Assessment services set out key interests for the constitution of the Impartiality Committee, some of these interests are: academia, Icontec client companies in various conformity assessment services, user companies of organizations that hold any ICONTEC seal or certification and users in general, among others. In procedure P-GO-006 MANAGEMENT OF THE ICONTEC IMPARTIALITY COMMITTEE, these stakeholders are detailed

together with the competence requirements demanded to the Committee Members. Each participant may represent a maximum of two interests.

The Organizational Management area nominates the Impartiality Committee Members, after verification of the established competence requirements. The Executive Management is in charge of approvals and the engagement of the Committee Members shall be communicated to the ICONTEC Board of Directors. The Members are appointed for two (2) years being such period subject of automatic and successive renewal for an equal period if ICONTEC or the Committee member does not state otherwise.

ICONTEC, through the Organizational Management area, shall be responsible for the administration and organization of the Committee's activities. The Technical Units and crosscutting areas participate in the sessions, providing the necessary information for the development of the topics considered.

### 332. Committee Structure

The structure of the Impartiality Committee shall be as follows:

- **External members:** It refers to Committee members approved by the Executive Management representing any of the interests set out in procedure P-GO-006 MANAGEMENT OF THE ICONTEC IMPARTIALITY COMMITTEE. (e.g. Academia, Government, Client ICONTEC Management Systems, User / Consumers in general, among others.)
- **ICONTEC Representatives:** These are guests invited to the Conformity Assessment Services Impartiality Committee (e.g. ICONTEC Directors, Managers and Employees)
- **Specialists or technical experts:** Participants with knowledge in any of the Conformity Assessment services required by the Committee (e.g. ISO 22000, ISO 13485, Food Sector, RSPO, CDM, among others)
- **Guests:** Persons required to develop topics requested by the Committee or by ICONTEC representatives.

The Impartiality Committee has a Chairman who is elected at the first meeting of the year, among the attending Members, by majority vote. His/her commission lasts one (1) year and may be re-elected indefinitely.

Furthermore, there is a Secretary, a task performed by the Head of Organizational Management or by the person appointed by the Executive Management. The Secretary ensures compliance with the guidelines established for the Committee throughout the sessions.

ICONTEC representatives, specialists or technical experts and guests participate in each of the Committee's sessions, with right to speak but not to vote.

### **34. Operation of the Committee**

The Impartiality Committee meets twice (2) a year, or more frequently if circumstances so require. Extraordinary Committee meetings may be held when requested by ICONTEC, the Chairman or any of the Members.

Minutes are taken at each meeting, which are approved by the Committee and signed by both the Chairman and the Secretary of the Committee.

A quorum is required to modify the Impartiality Committee functions as established in paragraph 5 hereunder. When a decision is required to be made on which there is no consensus, it is submitted to a vote. The decision is made by majority vote, that is, half plus one.

Situations that cannot be resolved in the Committee, the Chairman may approach the Executive Management and/or the ICONTEC Board of Directors to express the pertinent concerns. If such concerns are not taken into account in those instances, the Committee may communicate with the Accreditation Body, so that the concern raised may be duly addressed.

The Impartiality Committee may create subcommittees to address specific issues. The subcommittee has the function of analyzing and preparing proposals for the Committee.

All Members of the Impartiality Committee are obliged to respect the confidentiality of the information known in the performance of their duties and to comply with the guidelines laid down in PO-GE-001 CODE OF

ETHICS.

**3.4.1. Chairman of the Committee:**

- In case of resignation or permanent absence of the Chairman, the Committee must elect a replacement for the remainder of the term.
- In case of the temporary absence of the Chairman of the Committee, an *Ad Hoc* Chairman must be appointed from among those attending the meeting for said meeting.

**3.4.2. Committee Members:**

The appointment of Committee Members may be terminated for any of the following reasons:

- Change in any of the conditions under which the appointment was made.
- Accepted resignation.
- Unjustified non-attendance at two consecutive Impartiality Committee meetings.

**3.5. Dissolution of the impartiality committee.**

The Board of Directors may dissolve the Impartiality Committee upon occurrence of any of the following instances:

- Termination of the activities for which it was created.
- Failure to comply with these Regulations or the Committee's Code of Ethics.
- Deviation of its activities, with respect to the objective of its creation.
- Occurrence of irregularities that damage the prestige and good name of ICONTEC.

#### 4. REFERENCED DOCUMENTS

P-GO-006 MANAGEMENT OF THE ICONTEC IMPARTIALITY COMMITTEE.

PO-GE-001 CODE OF ETHICS.

#### 5. REFERENCED POSITIONS

EXECUTIVE DIRECTOR BOARD OF DIRECTORS

HEAD OF ORGANIZATIONAL MANAGEMENT

PROCESS MANAGEMENT PROFESSIONAL