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|  | GUIDELINE | Document No: | AKR-Pr02-Rh-001-Rv01 |
| | Guideline on Suspension, Withdrawal and Reduction of the Scope of Halal Accreditation | Date of Issue: | 24.09.2019 |
| | | Revision Date/No: | 02.06.2020/Rv01 |
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1. OBJECTIVE AND SCOPE

The objective of this Guideline is to define principles and procedures for suspending, withdrawing, and reducing the scope of, halal accreditation of Halal Accreditation Agency (HAK) accredited Halal Conformity Assessment Body, at its request or by HAK.

2. TERMS, DESCRIPTIONS AND DEFINITIONS

Assessment: Determination of whether the activities, systems and personnel of a HCAB comply with nationally and internationally accepted technical criteria, standards and related legislation

Complaint: The application that expresses dissatisfaction to be answered of real persons or legal entities regarding the procedures, policies, temporary or permanent personnel related to the accreditation activities of HAK, the activities performed by an accredited institution within the scope of the accreditation or any activities of HAK

Corrective Action: An activity related to the measures taken to resolve the causes to prevent the re-occurrence of existing nonconformity, defect or other unwanted situations

HAK Halal Accreditation Mark: The mark/symbol whose form and terms of use is defined by HAK and used by HCABs to indicate the halal accreditation status

Halal Accreditation Contract: Contract in which the conditions that HCAB declares to comply during the accreditation process and after accredited

Halal Accreditation Cycle: The cycle at the conclusion of which halal accreditation expires unless a decision on renewal is provided

Halal Conformity Assessment Body (HCAB): Body that performs halal conformity assessment activities according to the national and internationally accepted technical criteria

HCAB's Authorised Person: Personnel that has been authorized by HCAB to convey any information/document to be sent to HAK and provides the communication between HAK and HCAB

Objective Evidence: Confirmable records, statements to prove facts and other related information


Project Coordinator: The technical staff working in HAK and assigned by HADB, who is responsible for any technical and administrative contact, coordination and secretariat procedures with the body accredited or applied for halal accreditation at every stage of the halal accreditation activities

Reducing Scope: Cancellation of part of the scope of halal accreditation

Report Evaluation Committee: Committee consisting of a total of 3 people all of whom not involved in the assessment processes

Scope of Halal Accreditation: Specific conformity assessment activities for which halal accreditation has been granted

Surveillance: A series of assessment activities including monitoring of the accredited HCAB to see if it continues to meet the accreditation requirements

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Suspending Halal Accreditation: Putting temporary restrictions in place for all or part of the scope of halal accreditation

Third Party: A firm certified by the HCAB

Withdrawing Accreditation: Cancellation of the halal accreditation for the full scope

3. SUSPENSION OF HALAL ACCREDITATION

3.1. Suspension of Halal Accreditation at HCAB's Request

“Suspension/Scope Reduction/Withdrawal Application Form” signed by the HCAB’s Authorized Person is conveyed to HAK.

Request for suspension is reviewed by the Project Coordinator in two (2) working days and submitted to the Department of Halal Accreditation (HADB) for approval. Approved form and the file containing related documents are submitted to the Secretary General. The Secretary General submits the file to HAK Board of Directors (BoD) with the recommendation.

Decision on suspension of halal accreditation is handled in at the first subsequent BoD meeting following the application for suspension. Duration of the suspension is also stated in the decision of the HAK BoD. The date of the final decision of the HAK BoD is the effective date of suspension decision.

In the first working day following date of notification of suspension to the HCAB, Project Coordinator makes the necessary revisions on the halal accreditation certificate, whose scope is partially or fully suspended.

Revised halal accreditation certificate is published on HAK website with the following explanations:

- In case halal accreditation is suspended for the full scope; “Suspended”
- In case halal accreditation is suspended partially; with emendations to remark suspended scopes
- In case halal accreditation is suspended at HCAB’s request; “At its own request”

3.1.1. Obligations of HCAB

HCAB’s obligation to fulfil the requirements of the decision starts with the confirmation of the notification of decision. When no confirmation is received, the obligation period starts three (3) working days after the notification is mailed to HCAB’s registered mail address.


HCAB, shall not:

- issue any report or document related to suspended halal accreditation scope,
- use HAK Halal Accreditation Mark on its documents or
- refer to HAK accreditation

If a report or document referring HAK Halal Accreditation Mark is issued between the date of decision on suspension and date of notification, HCAB shall cancel the documents as those are not covered in halal accreditation scope.

Prepared By: *Department of Halal Accreditation*

Approved by: *HAK Board of Directors*

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HCAB shall inform third parties to which it provides services within the scope of halal accreditation about the decision on suspension.

In the halal accreditation cycle, HCAB can request suspension for the same scope for only once. When requested more than once for the same scope, reduction of the scope procedure shall directly apply. If the HCAB is accredited for single scope, then withdrawal procedure shall directly apply.

3.1.2. Requirements for Lifting Suspension of Halal Accreditation

Maximum duration for suspending halal accreditation is six (6) months. If the HCAB requests for lifting suspension, it shall complete all necessary corrective actions within six (6) months and submits Nonconformity and Corrective Action Proposal Form to HAK. Within this period, if the HCAB does not perform any action, its accreditation shall be reduced for relevant scopes or withdrawn.

HCAB's Nonconformity and Corrective Action Proposal Form is conveyed to HAK Assessment Team by Project Coordinator. The Assessment Team evaluates the results of corrective actions and conducts an assessment to HCAB, if necessary. The scope of the assessment in this phase is limited with the reasons of suspension.

Suspension can be lifted upon decision of HAK BoD, providing that the assessment team concludes that the corrective actions are sufficient and appropriate, or the reason of the suspension is fully resolved at the follow-up assessment (if performed).

Otherwise, the scope of the HCAB's halal accreditation shall be reduced or withdrawn.

If the evaluations and follow-up assessments can not be performed in six (6) months' time due to HCAB-originated reasons, the relevant scope of the HCAB's halal accreditation shall be reduced or withdrawn.


3.2. Suspension of Halal Accreditation by HAK

Based upon objective evidence-gathered via surveillance activities, complaint and other means, halal accreditation can be suspended fully or partially in case HAK identifies that the HCAB;

- Violates the terms of Halal Accreditation Agreement (*e.g., performing regular audits to client firms, fulfilling financial obligations, fulfilling obligations related to conformity assessment, notifying changes in shareholders or management structure etc.*)
- *Fails to meet the competence criteria of the standards*
- *Fails to meet the impartiality criteria of the standards*
- *Fails to demonstrate minimum-required-implementations for the accredited scopes in halal accreditation cycle*
- *Fails to implement corrective actions for the non-conformities identified at surveillance assessments in due time and to submit the records of these actions*
- *Fails to organize assessments for monitoring halal conformity assessment activities in the scope of halal accreditation by HAK in the premises of its client firms*
- Fails to meet the new requirements regarding to halal accreditation within the given time

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- Has potential risks arising from changes in personnel, settlement, equipment and management to affect its activities in the scope of halal accreditation
- Rejects the planned surveillance activities without “Force Majeure” or emergency
- Causes to terminate assessment due to reasons originated from its own or its personnel during the surveillance
- Misuses of Halal Accreditation Certificate or HAK Halal Accreditation Mark
- Fails to notify HAK of the changes in third clause of Article 6 of “Legislation on Accreditation of Halal Conformity Assessment Bodies”, in the time limits defined in Halal Accreditation Contract
- Provides activities like granting halal accreditation or competence in the scope of national and international standards that HAK uses as a basis for halal accreditation activities

Gathered objective evidence are formed as a file by the Project Coordinator and then submitted to the Report Evaluation Committee following the approval of HADB. The Report Evaluation Committee conveys the file to HAK BoD with the recommendation for the final decision. When the Committee decides that there is no issue to require suspension, the file is closed.

Decision on suspension is handled in at the first subsequent HAK BoD meeting. Duration of the suspension is also stated in the decision of the BoD. The date of the final decision of the HAK BoD is the effective date of suspension decision. Duration of the suspension starts with the decision.

In the first working day following date of notification of suspension to the HCAB, Project Coordinator makes the necessary revisions on the halal accreditation certificate, whose scope is partially or fully suspended.

Revised certificate is published on HAK website with the following explanations:

- In case halal accreditation is suspended for the full scope; “Suspended”
- In case halal accreditation is suspended partially; with emendations to remark suspended scopes

HCAB’s obligation to fulfil the requirements of the decision starts with the confirmation of the notification of decision. When no confirmation is received, the obligation period starts three (3) working days after the notification is mailed to HCAB’s registered mail address.

HCAB’s obligations and requirements for lifting suspension for the following processes are same as the ones defined in the Clauses 3.1.1 and 3.1.2.

HCAB can submit an appeal to the decision on suspension pursuant to Guideline on Complaints and Appeals (AKR-Pr04-Rh-001).


4. SCOPE REDUCTION OR WITHDRAWAL OF HALAL ACCREDITATION

4.1. Scope Reduction or Withdrawal of Halal Accreditation at HCAB’s Request

“Suspension/ Reduction of the Scope/Withdrawal Application Form” signed by the HCAB’s Authorized Person is conveyed to HAK. Request for withdrawal is reviewed by the Project Coordinator in two (2)

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Approved by: *HAK Board of Directors*

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working days and submitted to the approval of Department of Halal Accreditation (HADB). Approved form and the file containing related documents are submitted to Secretary General. The Secretary General submits the file to HAK BoD with the recommendation.

Decision on reduction of the scope/withdrawal of halal accreditation is handled in at the first subsequent HAK BoD meeting following the application for suspension. Duration of the suspension is also stated in the decision of the HAK BoD. The date of the final decision of the HAK BoD is the effective date of scope reduction/withdrawal decision.

In the first working day following date of notification of withdrawal to the HCAB, Project Coordinator makes the necessary revisions about the withdrawal, on the halal accreditation certificate.

Revised certificate is published on HAK website with the following explanations:

- In case halal accreditation is cancelled for the full scope; “Withdrawn”
- In case halal accreditation is cancelled partially; “Reduced Scope”
- In case halal accreditation is withdrawn at HCAB’s request; “At its own request”

HCAB can re-apply for a new halal accreditation six (6) months after the date of decision on withdrawal if halal accreditation is withdrawn at its own request. In such a case, the HCAB makes its application like a new halal accreditation application and the process starts with the submission of application form.


HCAB, shall not issue any report or document related to withdrawn halal accreditation scope, use HAK Halal Accreditation Mark on its documents or refer to HAK accreditation either. If a report or document referring HAK Halal Accreditation Mark is issued between the date of withdrawal decision and date of notification, HCAB shall cancel the documents as those are not covered in halal accreditation scope.

HCAB must convey the records of all activities related to this process to HAK HCAB, notified of the decision on withdrawal, shall return the halal accreditation certificate to HAK without expecting a second notification.

4.2.Reduction of the Scope or Withdrawal of Halal Accreditation by HAK

Based upon objective evidence-gathered via surveillance activities, complaint and other means, halal accreditation can be reduced or withdrawn in case HAK identifies that the HCAB

- 1- Registers fake records or issues non-conforming reports/documents in accredited halal conformity assessment field,
- 2- Intentionally informs HAK with fake/false evidence
- 3- Declares or acts to discredit HAK within the accredited scopes
- 4- Has an owner, shareholder or executive who is involved in disgraceful offences like embezzlement, corruption, bribery, theft, fraud, all kind of counterfeit, breach of trust, fraudulent bankrupt or convicted of smuggling, laundering proceeds of crime, mischief in tenders and mischief in performance of act and/or offences against constitutional order and its functioning
- 5- Uses HAK Halal Accreditation Mark in scopes and fields which are not accredited by HAK or deliberately violates the principles defined in “Use and Traceability Guideline for the official HAK Logo and HAK Halal Accreditation Mark” (AKR-Rh-005)

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- 6- Involves in acts and transactions that undermine trust in halal accreditation and conformity assessment by assigning people as executive, decision-maker, auditor, assessor, examiner, document provider, attester who takes action in first five (5) clauses within three (3) years
- 7- Fails to resolve the reasons of suspension within scheduled time or its corrective actions are evaluated as insufficient in pre-specified evaluations
- 8- Implements activities under the conditions that would undermine trust in halal accreditation due to security issues, natural disasters etc. in accredited sectors/countries/regions
- 9- Fails to provide halal certification (de facto)¹

Gathered objective evidence are formed as a file by the Project Coordinitor and submitted to the Report Evaluation Committee following the approval of HADB. The Report Evaluation Committee conveys the file to HAK BoD with the recommendation for the final decision. When the Committee decides that there is no issue to require scope reduction/withdrawal, the file is closed.

Decision on scope reduction or withdrawal of halal accreditation is handled in at the first subsequent HAK BoD meeting. The date of the final decision of the HAK BoD is the effective date of scope reduction/withdrawal decision.

Decision on withdrawal is notified to HCAB by the Project Coordinator and the revised certificate is published as “Withdrawn” on HAK website in the first working day following date of notification of withdrawal.

Revised certificate is published with the explanation “Withdrawn” when the accreditation is cancelled for the full scope and with the explanation “Reduced” when the accreditation is cancelled for certain scopes.

HCAB’s obligation to fulfil the requirements of the decision starts with the confirmation of the notification of decision on scope reduction/withdrawal. When no confirmation is received, the obligation period starts three (3) working days after the notification of the decision is to HCAB’s registered mail address.


HCAB, notified of the decision on withdrawal, shall return the halal accreditation certificate to HAK without expecting a second notification.

HCAB takes the necessary measures to protect the interests of third parties that it previously provided halal conformity certificates and submits the records of the activities implemented in this context to HAK, if required.

As such, HCAB shall develop and implement procedures to transfer accredited halal certificates to another accredited HCAB, as outlined in HAK’s rules and procedures on this matter.

HCAB whose accreditation is reduced or withdrawn, shall finalize the transfer to ensure the validity of the halal certificates issued in withdrawn/reduced scopes through another accredited HCAB before the end of certificates’ validity date. In any case, this period shall not exceed six (6) months.

¹ Considering the HCAB’s situation and reasons of failiure, HAK makes an evaluation and decides to initiate withdrawal process.

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HAK and third parties shall be informed when the halal certificates are transferred.

HCABs whose accreditation is withdrawn due to nine (9) clauses noted above (and/or HCABs established by the executives and/or people associated with the ones whose accreditation is withdrawn) can not re-apply for halal accreditation for the following periods:

In case of withdrawal due to Clauses 1-6; three (3) years,

In case of withdrawal due to Clause 7; six (6) months,

In case of withdrawal due to Clauses 8-9; until the confirmation of nonconformities are fully resolved

HCAB can submit a complaint to the decision on withdrawal pursuant to Guideline on Complaints and Appeals (AKR-Pr04-Rh-001).


5. COMMON PROVISIONS

When its halal accreditation is suspended, reduced, or withdrawn; the HCAB shall not issue any report or document related to halal accreditation, use HAK Halal Accreditation Mark on its documents or make reference to HAK accreditation either.

If a report or document referring HAK Halal Accreditation Mark is issued between the date of decision on suspension, scope reduction or withdrawal and date of notification, HCAB shall cancel the documents as those are not covered in halal accreditation scope. HCAB shall submit the records of all activities implemented in this context to HAK.


HCAB must inform third parties to which it provides services in the scope of halal accreditation of suspension/scope reduction/withdrawal via registered mail, notification, or e-notification. HCAB shall submit the records of the activities implemented in this context to HAK, if required.

For suspension, scope reduction and withdrawal; HCAB shall take necessary measures to protect the interests of third parties that it previously provided halal conformity certificates and submits the records of the activities implemented in this context to HAK, if required.

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Document History

| Page # | Revision # | Revision |
|--------|------------|---|
| 01-02 | 01 | Terms, Descriptions and Definitions are revised. |
| 03-04 | 01 | <p>Helal akreditasyonu askıya alma halini gerektirecek durumlar, Helal Akreditasyonun Askıya Alınması, Kapsamının Daraltılması ve Geri Çekilmesine İlişkin Usul ve Esaslara Dair Tebliğ ile uyumlu hale getirilmiştir.</p> <p>Cases to require suspending halal accreditation are conformed to “Comminique on Suspension, Withdrawal and Reduction of the Scope of Halal Accreditation”</p> |
| 06-07 | 01 | <p>Helal akreditasyonu geri çekme veya kapsam daraltımına tabi tutma halini gerektirecek durumlar, Helal Akreditasyonun Askıya Alınması, Kapsamının Daraltılması ve Geri Çekilmesine İlişkin Usul ve Esaslara Dair Tebliğ ile uyumlu hale getirilmiştir.</p> <p>Cases to require withdrawing or reducing the scope of halal accreditation are conformed to “Comminique on Suspension, Withdrawal and Reduction of the Scope of Halal Accreditation”</p> |
| 07 | 01 | <p>Helal akreditasyon kapsamı daraltılan ya da geri çekilen bir HUDK’nın daraltılan ya da geri çekilen kapsamlarda düzenlemiş olduğu helal uygunluk belgelerinin başka bir akredite HUDK üzerinden devamının sağlanması için yapacağı aktarma işlemleri tanımlanmıştır.</p> <p>For the HCAB whose halal accreditation is withdrawn/reduced:</p> <p>The transfer process to ensure the validity of the halal certificates issued in withdrawn/reduced scopes through another accredited HCAB is defined.</p> |
| 08 | 01 | <p>Helal akreditasyon kapsamı daraltılan ya da geri çekilen bir HUDK’nın daraltılan ya da geri çekilen kapsamlarda düzenlemiş olduğu helal uygunluk belgelerini doğrudan iptal etmesine yönelik kural yürürlükten kaldırılmıştır.</p> <p>For the HCAB whose halal accreditation is withdrawn/reduced:</p> <p>The rule for direct cancellation of the issued halal certificates in withdrawn/reduced scopes is removed.</p> |
| 10 | 01 | Suspension/Scope Reduction/Withdrawal Application Form is revised. |

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HALAL ACCREDITATION AGENCY
SUSPENSION/SCOPE REDUCTION/WITHDRAWAL APPLICATION FORM

No (To be filled by HAK personnel):

Application for:
 Suspension Withdrawal Scope Reduction

Requested by:
 Halal Accreditation Agency HCAB

Organization Information:
 Name of HCAB:
 Commercial/Legal Status:
 Head Office:
 Contact Address:
 Telephone:
Halal Accreditation Decision:
 Issue Date:
 File/Decision Number assigned by HAK:

REASON FOR SUSPENSION/SCOPE REDUCTION/WITHDRAWAL:

SCOPE OF SUSPENSION/SCOPE REDUCTION/WITHDRAWAL *:
**Based on the scope in halal accreditation certificate granted by HAK/ Referring to the scopes of halal conformity assessment laid out in OIC/SMIC 2 standard*

HAK Personnel:
 Name-Surname: Title:
 Registration Date: Signature:

Prepared By: Department of Halal Accreditation **Approved by:** HAK Board of Directors