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## 1. OBJECTIVE AND SCOPE

The objective of this guideline is to determine the basic framework of the procedures to be applied after the critical changes within the organization of Halal Conformity Assessment Body (HCAB) accredited by the Halal Accreditation Agency (HAK).

In this guideline, both the procedures to be carried out by the HAK and the liabilities of the HCABs for the frequently-observed types of critical changes are covered, whilst the method of making the official notification regarding the change is described in the “Notification Form for Critical Changes”.

## 2. TERMS, DESCRIPTIONS AND DEFINITIONS

**Department of Halal Accreditation (DoHA):** Department that performs the processing and finalization of the halal accreditation applications of organizations performing halal conformity assessment activities, and monitoring and assessing accredited organizations


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

**Project Coordinator:** The technical staff working in HAK and assigned by DoHA, 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.

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

**Third Party:** Producer, service provider or a real person certified (or to be certified) by the HCAB.

**Witness Assessment:** Observation of conformity assessment activities carried out by the HCAB for the scope of accreditation acquired or demanded on the premises of the third party.

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**CRITICAL CHANGES AND ACTIONS TO BE TAKEN <sup>(3)</sup>**

Change	Documents to be Prepared	Transactions Regarding Halal Accreditation Status
<p style="text-align: center;"><input type="checkbox"/> <b>A</b></p> <p>In cases where the accredited HCAB ceases to exist as a result of the change in the structure of the legal entity to which the HCAB is affiliated, and the new legal entity accepts <b>all kinds of responsibilities and commitments vis-à-vis HAK.</b></p>	<ul style="list-style-type: none"> <li>• Contract/official document that changes the structure of the legal entity (transfer agreement, sales contract etc.)</li> <li>• Trade Registry record of the change</li> <li>• 2 copies of “Halal Accreditation Agreement (AKR-PvT-001)” signed by the authorized person of the new legal entity</li> <li>• Records showing that the financial liabilities to HAK have been paid in full as of the date of the change</li> <li>• A comprehensive "Change Impact Analysis" showing that the post-change risks associated with impartiality have been addressed by the new legal entity</li> <li>• Licenses/permits compulsory for some certain activities carried out by the HCAB (for example, ISO 17025 Accreditation Certificate for laboratories)</li> <li>• Up-to-date copies of other mandatory documents that form the basis for halal accreditation (e.g. professional liability insurance)</li> <li>• A signed statement that the new legal entity accepts all responsibilities and commitments in connection with the activities of the old HCAB and those towards third parties and the HAK</li> <li>• Legal documents showing the signature authority of the person(s) authorized to represent and bind the new legal entity</li> </ul>	<ul style="list-style-type: none"> <li>• Halal accreditation is assumed to continue with the same halal accreditation number. In this case, halal accreditation certificate shall be re-issued for the new legal entity.<sup>(1, 2)</sup></li> <li>• Until the halal accreditation status of the new legal entity is announced on the official website of HAK, HCAB and the new legal entity cannot issue a report/certificate with halal accreditation marks.</li> <li>• Documents and records specified in the side column shall be submitted to the HAK within a maximum of 15 days. Otherwise, the halal accreditation application process shall be operated for the new legal entity from the beginning.</li> </ul>

**Prepared by:** *Department of Halal Accreditation*

**Approved by:** *HAK Board of Directors*



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<p><b>B</b></p> <p>In cases where the legal entity ceases to exist as a result of the change in the structure of the legal entity to which the HCAB is affiliated, and the new legal entity <b>does not accept responsibilities</b> vis-s-vis the third parties and the HAK.</p>	<ul style="list-style-type: none"> <li>• A petition providing the relevant details by the accredited HCAB within a sufficient period of time before the possible change or within a maximum of 15 days after the date on which the change occurs.</li> </ul>	<ul style="list-style-type: none"> <li>• New legal entity may apply for halal accreditation again.</li> <li>• The accreditation of the HCAB, whose legal entity ceases to exist, shall be withdrawn.</li> <li>• The new legal entity can apply for an initial halal accreditation.</li> </ul>
<p><b>C</b></p> <p>In cases the accredited HCAB itself or the legal entity to which it is affiliated sells or transfers <b>all personnel, external sources, system infrastructure, documentation, equipment etc.</b> in the relevant halal conformity assessment area to another legal entity.</p>	<ul style="list-style-type: none"> <li>• Contract/official document that changes the structure of the legal entity (transfer agreement, sales contract etc.)</li> <li>• Trade registry record of the change</li> <li>• Records showing that the financial liabilities to HAK have been paid in full as of the date of the change.</li> <li>• A comprehensive “Change Impact Analysis” showing that the post-change risks associated with impartiality have been addressed by the new legal entity</li> <li>• 2 copies of “Halal Accreditation Agreement (AKR-PvT-001)” signed by the authorized person of the new legal entity.</li> <li>• Licenses/permits compulsory for some certain activities carried out by the HCAB (for example, ISO 17025 Accreditation Certificate for laboratories)</li> <li>• Up to date copies of other mandatory documents that form the basis of halal accreditation (for example, professional liability insurance)</li> <li>• Signed statement that the new legal entity accepts all responsibilities and commitments in connection with the activities of the old HCAB and towards third parties and HAK.</li> <li>• Legal documents showing the signing authority of the person(s) authorized to represent new legal entity.</li> </ul>	<ul style="list-style-type: none"> <li>• After the transfer/sale is officially declared to HAK, the process for withdrawing the halal accreditation of the HCAB shall begin.</li> <li>• Documents and records specified in the side column shall be submitted to the HAK within a maximum of 15 days. Otherwise, the halal accreditation application process shall be operated for the new legal entity from the beginning.</li> <li>• In order to rigorously evaluate the conformity of the submitted documents and records, as well as the effects of the change, an on-site assessment shall be planned for the new legal entity.</li> <li>• This assessment shall be calculated by a minimum of two (2) man/days. An Islamic Affairs Expert may be included in the assessment team if necessary. HAK decides whether there is a need for witness assessment for the scope that HCAB is accredited. After the assessment, a report shall be prepared and submitted to the General Secretariat for HAK Board of Directors’ decision.</li> <li>• Halal accreditation certificate and marks shall be issued for the new legal entity.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Signed document guaranteeing that the old HCAB undertakes not to carry out halal conformity assessment activities for at least 1 (one) year in the relevant field.</li> </ul>	<ul style="list-style-type: none"> <li>• Even though a contract between the new legal entity &amp; the HCAB regarding the transfer/sale is signed and all assessment processes toward the new legal entity is complete, both the HCAB and the new legal entity cannot issue a report/certificate, promote or advertise with halal accreditation marks <u>until halal accreditation of the new legal entity is announced on the official website of HAK.</u></li> <li><i>In cases where the new legal entity does not accept HCAB's responsibilities vis-à-vis the third parties and the HAK or acts as to violate these responsibilities, halal accreditation procedures for both legal entities shall be closed, and the new legal entity can apply for an initial halal accreditation.</i></li> </ul>
<p style="text-align: center;"><input type="checkbox"/> <b>D</b></p> <p>-Title changes of the accredited HCAB</p> <p>-The change of legal entity type (such as the transformation from a limited company into an incorporation)</p> <p><i>(Under the scenario that the ownership, personnel, device, equipment, and the system infrastructure do not change)</i></p>	<ul style="list-style-type: none"> <li>• Changes of the trade registry entry.</li> <li>• A comprehensive "Change Impact Analysis" showing that the risks related to impartiality have been addressed.</li> <li>• 2 copies of the "Halal Accreditation Agreement (AKR-PvT-001)" signed by the authorized person of the HCAB.</li> <li>• Legal documents showing the signature authority of the person(s) authorized to represent and bind the HCAB.</li> </ul>	<ul style="list-style-type: none"> <li>• Documents and records specified in the side column shall be submitted to the HAK within a maximum of 15 days. Otherwise, the halal accreditation of the HCAB shall be suspended.</li> <li>• Halal accreditation is assumed to continue with the same halal accreditation number. In this case, halal accreditation certificate shall be re-issued for the legal entity with <i>new title</i>.<sup>(1, 2)</sup></li> <li>• Until the halal accreditation certificate for the new title is published on the official website of the HAK, the HCAB cannot issue a report/certificate, promote or advertise with halal accreditation marks.</li> </ul>
<p style="text-align: center;"><input type="checkbox"/> <b>E</b></p> <p>Change in the shareholder structure of the HCAB (such as the departure of a partner, new partners joining the</p>	<ul style="list-style-type: none"> <li>• Changes of the trade registry entry.</li> <li>• A comprehensive "Change Impact Analysis" showing that the risks related to impartiality have been addressed by the HCAB, whose cooperation structure changed.</li> </ul>	<ul style="list-style-type: none"> <li>• Documents and records specified in the side column shall be submitted to the HAK within a maximum of 15 days. Otherwise, the halal accreditation of the HCAB shall be suspended.</li> </ul>

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<p>management or change of ownership)</p>	<ul style="list-style-type: none"> <li>• Legal documents showing the signature authority of the person(s) authorized to represent and bind the HCAB, whose cooperation structure changed.</li> <li>• For the HCAB whose partnership structure changed, 2 copies of the "Halal Accreditation Agreement (AKR-PvT-001)" signed by the authorized person.</li> </ul>	<ul style="list-style-type: none"> <li>• Halal accreditation continues with the same accreditation number. <sup>(1, 2)</sup></li> </ul>
<p><input type="checkbox"/> <b>F</b> Main address (headquarter) and/or location changes for the branches/subsidiaries/representatives of the HCAB within the scope of halal accreditation</p>	<ul style="list-style-type: none"> <li>• Changes of the trade registry entry.</li> <li>• A comprehensive "Change Impact Analysis" showing that the risks related to impartiality have been addressed by the HCAB.</li> </ul> <p><b><u>WHEN REQUESTED:</u></b></p> <ul style="list-style-type: none"> <li>• Licenses/permits compulsory for some certain activities carried out by the HCAB or its branches/subsidiaries/representatives (for example, ISO 17025 Accreditation Certificate for laboratories)</li> <li>• Up-to-date copies of other mandatory documents that form the basis for halal accreditation (e.g. professional liability insurance)</li> </ul>	<ul style="list-style-type: none"> <li>• Documents and records specified in the side column shall be submitted to the HAK within a maximum of 15 days. Otherwise, the halal accreditation of the HCAB shall be suspended.</li> <li>• As a result of the evaluations carried out by the DoHA, it may be decided to either preserve or suspend (partially or completely) halal accreditation within relevant scopes.</li> <li>• In order to lift the suspension upon the scopes (if there is any), an assessment planning shall be made after the HCAB declares that it is ready for an on-site assessment for itself or for the branches/affiliates/representatives that have undergone changes. The procedures to be carried out in this context are defined in the "Guideline on Suspension, Withdrawal and Reduction of the Scope of Halal Accreditation (AKR-Pr02-Rh-001)".</li> <li>• Even if a suspension decision is not made, an on-site assessment may be planned for the HCAB or for its branches/subsidiaries/representatives to evaluate the effects of the change.</li> <li>• This assessment shall be by a minimum of one (1) man/day. An Islamic Affairs Expert may be included in the assessment team where necessary. HAK decides whether there is a need for witness assessment for the</li> </ul>

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		<p>scope that HCAB or its branches/subsidiaries/representatives is accredited. After the assessment, a report shall be prepared and submitted to the General Secretariat for HAK Board of Directors' decision.</p> <ul style="list-style-type: none"> <li>• The halal accreditation certificate shall be revised for the new situation.</li> </ul>
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NOTES: (1) In cases where personnel, technical infrastructure, location, equipment, merger and acquisition, changes in management occur as to affect the accredited activities of the HCAB and these changes are evaluated by HAK as "critical risks that affect competence", full or partial suspension can be implemented for the relevant scopes. (See related articles of "Halal Accreditation Agreement" [AKR-PvT-001])

(2) Depending on the nature of the change and the risks they pose, the HAK may schedule on-site assessments, where deemed necessary. These assessments may include different assessment methods (office and/or witness assessment, remote assessment, document review etc.). In such cases, it is not binding for HAK to combine the assessments with surveillance activities.

(3) The most common changes are defined in this Guideline. As such, all changes that directly affect the competence of the activities within the scope of halal accreditation, [such as shareholding structure, management structure, key personnel, technological infrastructure, *in addition to the ones specifically defined*] shall be notified through official means within a maximum of 15 days, pursuant to the provisions of the fourth article of "Halal Accreditation Agreement (AKR-PvT- 001)". Depending on the nature of the reported change and the risks they pose, on-site assessments may be scheduled, where deemed necessary.

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