



**CONFORMITY ASSESSMENT BODY**  
EIDAS  
TRUST SERVICE PROVIDERS  
ISO 27001  
LA ISO 27001  
LI ISO 27001  
RM ISO 27005

# **CERTIFICATION RULES**

## **Information Security System Management**

### **ISO / IEC 27001**

**LSTI WORLDWIDE LIMITED**  
A LSTI GROUP MEMBER  
CLIFTON HOUSE  
FITZWILLIAM STREET LOWER  
DUBLIN 2 IRELAND

**LSTI SAS**  
10 AVENUE ANITA CONTI  
35400 SAINT-MALO  
FRANCE

**LSTI EAST EUROPE**  
A LSTI GROUP MEMBER  
OFFICE #, ÉT.2, ENTR. 3  
BL. 418, MLADOST-4 1715 SOFIA  
RÉPUBLIQUE DE BULGARIE

## INDEX OF CONTENTS

<b>1. Purpose of the document</b> .....	<b>5</b>
<b>2. Scope</b> .....	<b>5</b>
2.1 Scope of the certification.....	5
2.2 Certification reference standards.....	5
<b>3. Certification process</b> .....	<b>5</b>
3.1 Application .....	5
3.2 Application review.....	5
3.3 Initial audit.....	6
3.4 Audit report.....	6
3.5 Decision of certification .....	6
3.6 Documents of certification.....	7
3.7 Duration and validity of the certificate .....	7
3.8 Surveillance .....	7
3.9 Renewal (full audits) .....	8
3.10 Complementary audits.....	8
3.11 Supplementary Audits.....	9
3.12 Preparation of the audit.....	10
3.13 Treatment of non-conformity.....	11
3.14 Change within the management system.....	11
3.15 Extension of certification .....	12
3.16 Change of certification requirements .....	12
3.17 Suspension or withdrawal of certification.....	12
3.18 Appeal.....	12
3.19 Complaints and claims .....	13
<b>4. Certification committee</b> .....	<b>13</b>
4.1 Composition .....	13
4.2 Role of the Certification Committee .....	13
4.3 Role of the Chairman and Vice-Chairman.....	13
<b>5. Organisation obligations</b> .....	<b>14</b>
<b>6. Brand and trademark use</b> .....	<b>14</b>
6.1 Certificate .....	14
6.2 Brand .....	15
6.3 Monitoring use of trademark.....	15
6.4 Procedure for breach of trademark rules .....	15

<b>7. Special procedures.....</b>	<b>16</b>
7.1 Auditors .....	16
7.2 Confidentiality.....	16
7.3 Publication .....	16
7.4 Property.....	17
<b>8. Costs of certification.....</b>	<b>17</b>
<b>9. Revision - paiement .....</b>	<b>17</b>

## Follow-up of modification records

<b>Date</b>	<b>Version</b>	<b>Author</b>	<b>Records</b>
16/10/2018	V8.2	Camille Gerbert	Creation validated by Armelle Trotin (English translation of the French version)
29/01/2019	V9	Armelle Trotin	Further explanations on the closure of pending non-conformities; complementary and supplementary audits.
12/09/2019	V9.2	Juliette Cayrol	Minor modifications

## 1. PURPOSE OF THE DOCUMENT

This « Certifications rules system » describes the audit and certification rules of the management systems and in particular for information security management systems (ISO / IEC 27001) and for services management system (ISO / IEC 20 000).

### References:

*ISO/IEC 17021-1 « Conformity assessment- Requirements for bodies providing audit and certification of management systems - Part 1: Requirements »*

*ISO / IEC 27006 – « Requirements for Bodies Providing Audit and Certification of information security management systems »*

## 2. SCOPE

### 2.1 Scope of the certification

The certification scope covers the design, implementation, surveillance, review, maintenance and improvement of the management system.

The certification applies only to the compliance audit of the management system standards and not on the certification of products, procedures or services.

### 2.2 Certification reference standards

These certification rules are applicable to all the management certification systems within the scope of ISO/IEC 17021-1 (see "Or services - The certifications" on [www.lsti.fr](http://www.lsti.fr)).

## 3. CERTIFICATION PROCESS

### 3.1 Application

Any organization that want to be certified by LSTI can apply by all means of communication (letter, mail, phone conversation, etc.). LSTI collects all the information required for the certification (perimeter and scope of the certification; general characteristics of the applicant organization such as name, legal status, geographic location(s); information about its activities, resources, management systems, process outsourcing, use of consultancy agencies ...). Those informations are recorded in the draft contract which is then discussed until all ambiguity between the certification body and the applicant organization are raised and resolved.

LSTI also asks the organization to report if information about the management system cannot be made available to the audit team because of their sensitive or confidential nature. If applicable, LSTI determines whether the audit can be performed in the absence of this information. If LSTI concludes that it is not possible to conduct an effective audit without reviewing the identified confidential information, LSTI will inform the applicant organization that the certification audit cannot take place until the appropriate access is granted.

### 3.2 Application review

The application is reviewed. LSTI verifies its completeness and consistency, with the overall definition of the management system and its interfaces. Following this review, additional information can be requested. This review may result to a request or suggestion to change the initial demand (non-coherent perimeter for example).

In the event that the conclusion of the application review leads that LSTI is unable to provide the certification as requested (requiring a particular skill or conflicts of interest cannot be resolved), the applicant is informed in writing of the inability to meet its demand.

The signing of the contract by both parties apply to LSTI decision to carry out the audit.

The certification includes an initial audit in two stages, and two surveillances audits each following year.

### 3.3 Initial audit

The audit is conducted in two stages (stage 1 and stage 2) on the site of the Organisation:

#### Stage 1:

- Documentary examination of the management system used,
- Assessment of readiness of the Organisation for stage 2 (understanding of standard, identifying by the Organisation of the key elements required for the establishment of a management system)
- Obtain the information concerning the audit scope (the site (s) concerned, specific conditions related to the activity of the Organization, equipment used, legal and regulatory requirements applicable, etc.
- Determine whether internal audits and management reviews have been planned and completed,
- Preparation of the audit stage 2 (resources, dates, etc.).

Stage 1 is the subject of a report that is submitted to the Organisation and incorporated into the final audit report.

#### Stage 2:

- Audit of the effective implementation of the management system as required the specified standard.

Based on the results of the audit stage 1, the audit stage 2 is planned taking into account the time needed by the organization to correct any non-conformities found. If stage 1 reveals differences too important in regards with the certification requirements, LSTI may suspend the process of certification until the closure of the non-conformities is confirmed. The suspension of stage 2 cannot last more than six months. Beyond six months, the stage 1 must be done again. Audits are conducted in accordance the general requirements of ISO / IEC 19011 "Guidelines for systems auditing management".

### 3.4 Audit report

At the end of each audit, the lead auditor shall provide the Organisation with the records of observations on non-conformity of the system assessed (deviations sheet). These deviations are presented orally and discussed at the closing meeting so that each party can make comments. All discrepancies revealed in relation to corrective actions must be accepted by the organization.

The audit report, with additional elements given to the deviation sheet, is transmitted to LSTI. In any case the report is amended by LSTI.

If LSTI considers, in view of other relevant information, that the official report must be subject to one or more changes, they are then joined in a separated letter to this report, justifying the changes.

### 3.5 Decision of certification

Depending on the audit report and deviations, the following decisions can be taken:

- Granting certification without reservation if the report does not show major non-conformities
- Granting certification subject to **supplementary audit** if:
  - lack of maturity of the management system without a it puts of evidence of major non-conformities and / or
  - many minor non-conformities and / or

- lack of confidence in the information provided by the Organisation,

The supplementary audit aims to verify the correct implementation of the corrective actions. Implementation deadline of the supplementary audit is set-up by LSTI.

- Refusal of certification if the report reveals major non-conformitie(s).

In this **last** case, the Organisation has two options:

- Before the certification decision: realisation of a **complementary audit** within 45 days following the closing meeting. This audit objective is to verify the correct implementation of the corrective actions that has been validated by the Lead auditor, regarding the major non-conformities discovered during the audit.
- After the certification decision: realisation of a **supplementary audit** within 6 months following the decision that states the certification withdraw. This audit objective is to verify the correct implementation of the corrective actions that has been validated by the Lead auditor, regarding the major non-conformities discovered during the audit. But also, to perform the investigations that couldn't has been performed in the case of an incomplete audit. After the 6 months deadline, the stage 2 has to be carried out again in its entirety.

Decisions to grant (initial or renewal), suspension or withdrawal of certification are made by the Chairman of LSTI. For some decision of certification, the Chairman of LSTI can ask for the advice of the Certification Committee.

### 3.6 Documents of certification

The granting of the certification results in the issuance of a certificate which defines the scope of the certification and the submission of an audit program that specifies the different planning of surveillance and renewal audits.

### 3.7 Duration and validity of the certificate

The certificate is valid for three years from the last audit day of the stage 2. It is subject to regular surveillance audits.

### 3.8 Surveillance

Surveillance audits are conducted the first and second year following a decision certification (initial and renewal) on the initiative of LSTI (up to 12 months after last day of stage 2 of the initial audit or renewal) in order to verify that the management system still meets the requirements certified. However, the frequency of surveillance can be reduced to 3 or 6 months, by decision of LSTI, according to the results of audits.

These audits include at least:

- The compliance with the requirements of certification standards,
- The implementation of corrective actions to deal with minor non-conformities and improvements following audit comments
- The compliance with the requirements stipulated in the present rules,
- The use of the brand,
- The complaints against the supplier,
- Internal audits and management review,
- The effectiveness of the management system in relation to the objectives of the Organization,
- The achievement of planned actions for continuous improvement of the system,
- The continue operational control of the system,

- Any changes to the system.

Surveillance can also include:

- Surveys LSTI addressed to the Organization,
- Verification of the statements of the Organisation related to its certification: hardware promotional website etc.
- Organisation answers to requests made by LSTI to provide documents and records,
- Any other means of surveillance to follow-up with the performance of the Organization.

Based on the results of these audits, certification can be maintained without reserve, maintained subject to an additional audit, suspended or withdrawn (see "Treatment of non-conformity"). Surveillance shall be the subject of a report but shall not result in the submission of a new certificate.

### **3.9 Renewal (full audit)**

Before the expiry of the certificate, a renewal audit or full audit can be carried out on the initiative of LSTI, in order to verify that the management system remain compliant with the requirements in regards with the certification scope.

The renewal audit is an audit on site (stage 2) to verify the compliance, the effectiveness and the consistency of the management system of the organization under the specifications applicable and the perimeter certified. The renewal audits cover the same aspects as surveillance audits (see "Surveillance") and also include a review of surveillance previous reports audit. If the management system of the body or anything else that could have an impact on this system has changed, LSTI reserves the right to carry out a complete audit (stage 1 and stage 2).

As a result of this audit, the initial certification may be renewed, suspended or withdrawn (see "Treatment of non-conformity"). For any major non-conformity, LSTI must verify the implementation of the action plans before the expiry of the certification. If the verification of the implementation of the corrections or corrective actions cannot be carried out before the expiry date of the certification, then the renewal will not be granted, and the validity of the certification will not be prolonged.

LSTI should re-issue a new certificate within 6months after the expiring date of the certification, provided that all the major non-conformity has be closed or that an audit stage 2 has been carried out. The effective date of the new certificate will be the decision date but the expiry date will be based on the previous certification cycle.

If the renewal maintains the certification, a new certificate is issued.

### **3.10 Complementary audits**

A complementary audit is an audit suggested by LSTI before the certification decision and when the audit results would lead to a negative certification decision.

The object of a complementary audit is to verify the closure of major non-conformities. The Organisation shall confirm to LSTI that it agrees to pursue with a complementary audit. The complementary audit shall be carried out within 45days after the audit action plan has been validated by the lead auditor for the major non-conformities. If the review of the proof of closure could be carried out off-site, then the Organisation shall provide LSTI with the proof of closure 30 days following the audit closing meeting.

The complementary audit avoids being granted with a negative decision and to organize a supplementary audit within 6 months after the negative decision.



### 3.11 Supplementary Audits

A supplementary audit is suggested by LSTI when the certification decision has been already made.

a) Positive decision with reserves

The objective of a supplementary audit is to verify that the Organisation has made the necessary arrangements to close the pending non-conformities without waiting for the next surveillance/renewal audit. The deadline to realize this audit is decided by LSTI. Afterwards the certification could be withdrawn if the audit hasn't been carried out.

A supplementary audit should be organized in the following cases:

- Lack of maturity of the certified system without revealing major non-conformities; and/or
- A lot of minor non-conformities; and/or
- Lack of trust in the system or certified service.

b) Negative decision

The objective is to verify that the Organisation made the necessary arrangements to close the major pending non-conformities.

- In the case of an initial audit, the Organisation shall carry out a supplementary audit within 6 months following the negative decision. Afterwards, an initial audit shall be carried out to obtain the certification,
- In the case of a surveillance audit, the Organisation shall carry out a supplementary audit within 6 months following the negative decision. Afterwards, the certification will be suspended.
- In the case of a renewal audit, the Organisation shall realize the supplementary audit 2 months before the end of the certificate validity. Afterwards, there will be a certification break and an initial audit will be necessary to obtain the certification.

However, LSTI, could under certain conditions, re-established a new certification after 6 months following the expired certificate, under the condition that the certified activities unresolved have been completed (proof of the corrective action correct implementation).

c) Modification of the organization

A supplementary audit could be carried out on the Organisation's request following a modification of its organization, of its structure, its means, or an extension request of its certification (new sites, acquisition/merger, change of the scope etc.). It intervenes at any time of the certification cycle or it can be combined with a surveillance or renewal audit. It does not affect the audit surveillance or renewal dates. The audit charge will depend of the context.

d) other cases

A supplementary audit can be required:

- if the Organisation does not undertake to follow LSTI deadline for the corrective actions and/or following with non-conformities notification,
- if following a complaint or any information that compromise seriously the certified Organisation operations
- in order to lift a suspension.

In addition, following a complaint against a service Organisation on its service or any other incident involving seriously the operation of the Organisation, LSTI can ask for a supplementary audit on short

notice (within maximum two weeks after notification of the complaint). The decision to conduct such an audit is made by LSTI's management based on the risk on third parties, the service Organisation or on LSTI, this event and the emergency of the situation. The need for such an audit is notified as soon as possible in writing to the TSP that has to suggest audit dates within 15 days. These audits are subject to a specific proposal that describes the audit team, the dates and the exact purpose of the audit. Given the short notice, the Organisation has no opportunity to reject the auditors. Therefore, LSTI takes particular care in the selection of auditors.

Depending on the results of the audit, certification can be confirmed, suspended or withdrawn (see "non-conformities").

### **3.12 Preparation of the audit**

This stage consists of the planning by LSTI of the audit activities, the allocation of appropriate resources in accordance with the requirements and constraints of the request for certification (appointment of auditors, management of conflicts of interest, adherence to the principles of independence and impartiality etc.), and the provision of the necessary working papers and audit guides to the allocated personnel and/or to the auditors or to the relevant organisation.

In order to identify potential conflicts of interest, the organization identifies with LSTI among sub-contractors and related entities of LSTI, entities (individuals or companies) that would have made on its behalf, directly or indirectly, consulting services or benefits internal audits, for the system concerned, less than two years ago.

Any work relating to the certification, which is undertaken in advance for certification<sup>1</sup>, may be taken into account if the relevant arrangements applicable to the auditors and other organisations are satisfactory.

The duration of the audit shall be based on the number of personnel and locations, and according with implementation guides in place. Audit planning is determined in agreement with the organization.

The multi-site certification can be sampled in accordance with guidelines application in effect. The procedure for sampling and duration of audit are fixed in the certification contract.

The organization shall be advised, at the time of planning the audit, of the names of the auditor in charge and the members of the team appointed to carry out the audit. The organization may reject one or more of the auditors, if such rejection has to be justified (for example, a conflict of interest of which the certification organisation was not aware).

Each audit (initial, surveillance or renewal) shall be the subject of a proposal which sets out the duration of the audit, the composition of the audit team, and the cost. This proposal is approved by the organization. Audit plans are developed by the lead auditor and forwarded to the Organization at least two weeks before the beginning of the audit.

---

<sup>1</sup>This work must be conducted in accordance with the requirements of ISO 17021. In addition, the Organization may request at any time an assessment of its compliance without the audit to be considered as an audit certification. This assessment "blank" can never be taken into account in a certification audit.

### 3.13 Treatment of non-conformity

Any deviation from the certification specification requirements shall constitute a non-conformity. The classification of the level of the non-conformity shall depend on the risk incurred as a result of any such deviations. The level of risk shall be measured in the light of the severity of the effects and consequences, as well as the probability of occurrence of each non-conformity.

Non-conformity is classified as:

- a major non-conformity if it consists of a non-conformity with a certification specification requirement and if it represents a direct and significant risk to the system,
- a minor non-conformity:
  - deviation or occasional omission of a requirement for certification that doesn't impact the reliability, quality and / or safety of the management system,
  - operation that can partially meet the objectives and requires improvement of the system,
  - inefficiency of the situation observed with the requirements of certification.

Non-conformities are reported in an Excel sheet disclosed at the closing meeting at the end of each audit. The Organisation has 15 days to return it to the lead auditor with its action plans to close the non-conformities. If the proposed action plans are not deemed relevant by the lead auditor or by LSTI a new deadline of 15 days is given for a new action plan.

If the Organisation does not return to the lead auditor the deviation sheet with the action plan to close non-conformities in time or does not respond to the request to modify its action plan if necessary, the certification process go on taking that into account and might lead to a negative decision.

Major non-conformities with uncontrolled status are an obstacle to the certification. The Organisation certification is then suspended, or not granted as long as the Organisation is not able to provide evidence of the correction of the non-conformity (see above § 3.5 certification decision).

Minor non-conformities have to be closed within the following audit. Any minor non-conformity not solved within the due period, shall be considered as a recurrent default, and shall thus be classified at a more serious level at the next audit.

### 3.14 Change within the management system

Any important change in the certified management system which involves change of ownership, structure, production location or management of the organization, or any other information affecting such system, must be reported to LSTI.

LSTI shall assess the impact of such change and shall decide what action to take:

- to maintain certification,
- to re-evaluate the management system (additional audit) which lead to:
  - extension or reduction of certification,
  - suspension or withdrawal of certification.

The certificate itself may be modified; the original dates of the surveillance and renewal audits shall remain unchanged.

All advertising, referring to the certification, must be amended by the Organization and controlled by LSTI in case of reduction in the scope of certification.

### 3.15 Extension of certification

An already certified Organization by LSTI may request an extension of its certification to one or several other sites or any other process that can meet the requirements of the standards specified. An additional audit is necessary. Its duration is determined by LSTI. A new certificate is issued, if any.

### 3.16 Change of certification requirements

Changes in certification requirements may occur. They may result from:

- evolution of standards, certification specifications or any other certification documentation,
- evolution of the certification systems of the certification organisation.

Depending on the origin of such evolution, changes made to the certification requirements may or may not be submitted for review by the Certification Committee.

The certification organisation shall decide the precise format and effective date of any such changes.

When any change in requirements is published by the certification organisation, each organization must implement the necessary changes within the prescribed period.

### 3.17 Suspension or withdrawal of certification

Apart from the cases of suspension and withdrawal of certification as defined in the various paragraphs of current rules of certification, certification may be suspended at the request of the organization (relocation, cessation of trade etc.).

Certification may also be withdrawn if:

- The organization does not comply with the current rules or with the contract of certification,
- The organization does not comply with the conditions imposed by the certification organisation concerning any complaints addressed to the organization.
- The organization does not allow LSTI conduct surveillance audits or renewal according to the planned audit program and / or refuses additional audits.

The duration of suspension of certification may not exceed six months. After six months, the certification is considered withdrawn.

During the period of suspension, the organization is no longer allowed to use the brand certification or to promote its certification until a new certification decision.

The decision to lift a suspension of certification, for whatever reason, is taken at the sight of additional results of an audit.

The withdrawal of the certification results in the termination of the right to use the brand and certificates, the Organization is no longer allowed to use the certification brand or to promote its certification. It should return immediately to LSTI all certificates that have been issued.

### 3.18 Appeal

A certification decision may be appealed. An appeal is addressed to LSTI in writing. Such requests may be transmitted by written means, but within the shortest possible time after identification of the grounds for appeal and maximum within 3 months following the decision.

After acknowledging receipt of the appeal, LSTI registers the application and transmits all the necessary information to the President and Vice-Chairman of the Certification Committee, who are responsible for examining the merits of appeal and issuing a decision. The decision is sent to LSTI and the Organization in the following days.

### **3.19 Complaints and claims**

Any person or organization may file a complaint against an organization certified by LSTI. In case of complaint justified, LSTI may request an additional audit in the expense of the certifying organization.

Any dissatisfaction expressed about the service provided by certification organization is treated as a claim. It is analysed to determine the causes of the problem and remedy as soon as possible. The processing of complaints and claims described in the procedure Q010-Complaints and claims, available on the website of LSTI.

## **4. CERTIFICATION COMMITTEE**

### **4.1 Composition**

The purpose of the Certification Committee is to preserve the impartiality and independence of the operation of the certification systems.

The members of the Certification Committee shall represent the interests of all persons physical and moral affected by certification. These are divided into four groups:

- Public authorities,
- Associations or organisations representing consumers and users,
- Qualified professionals,
- Suppliers.

### **4.2 Role of the Certification Committee**

The Certification Committee shall be consulted on the following:

- Quality and impartiality policies;
- Any certification decision for which LSTI wants an advice;
- appeal processes,
- dismissal of a member of the Certification Committee and nomination of a new member.

The certification committee approves the policies and procedures for conflict of interest and impartiality, offset commercial or other influences by the involvement Chairman and Vice-Chairman for any certification decision, performs a review on impartiality of the audit process, certification and decision making.

In case that the direction of LSTI do not follow the committee's recommendations, it can undertake independent action forwards the authorities, accreditation body or other party of certification.

### **4.3 Role of the Chairman and Vice-Chairman**

The Chairman is in charge of the leadership of the Certification Committee. He prepares the meeting agendas in consultation with the Management of LSTI and leads the discussions.

The Vice Chairman replaces the Chairman in his absence. The Chairman shall sign the statements of decision and the minutes of the Certification Committee.

The Chairman and the Vice Chairman of the Certification Committee can be consulted on all decisions concerning the grant of certification (initial or renewal), suspension or withdrawal (except withdrawal motivated by contract termination and failure to pay fees certification).

In the event of conflicts of interest of the Chairman and/or Vice Chairman, the Management of LSTI shall choose, from among the members of the Certification Committee, one or two members not subject to conflicts of interest, to provide an opinion on the subject matter.

The Chairman can participate to the management review of LSTI.

## 5. ORGANISATION OBLIGATIONS

Certification is not a substitute for the responsibility of the organization to third parties. Compliance with laws, rules and regulations concerning security remain at the responsibility of the organization.

The organization undertakes to comply with the rules of certification set out in the present document and in particular with the rules relating to the use of the certification brand.

The organization must make available, at the request of LSTI, the records of all complaints received from its own organizations as well as the corrective action taken.

In order to deal with complaints against it, the organization shall:

- put in place procedures which facilitate the obtaining of information on such complaints,
- keep a record of all complaints brought to its attention concerning compliance of the management system with the certification specification requirements,
- take appropriate action which has an influence on compliance with the management system certification requirements,
- record the actions taken.

Action taken on complaints shall be reviewed at the time of the surveillance, renewal or additional audits.

The certified organization is neither able to refer to LSTI's accreditations nor to use the accreditation brand.

## 6. BRAND AND TRADEMARK USE

The right of use of the brand is granted to those organizations whose management systems have been certified in accordance with a specification, as set out in the following rules.

The certification allows the organization to use the certificates or brands for its management systems, but requires the organization in particular:

- to make reference only to certification concerning the certified management systems and then only in the context of the certification granted;
- not to imply that the certification extends to other activities or products not covered by the scope of certification;
- not to refer to such certification in a manner which might harm the reputation of LSTI;
- not to make any declaration concerning the certification which would not be authorised by LSTI;
- to cease immediately, in the event of suspension or withdrawal of certification, the use of any marketing material which refers to such certification;
- to return all required documentation concerning certification to LSTI;
- to use every effort to ensure that no certificate or report is used wholly or partly in a manner which might be erroneous or misleading;
- to comply with the requirements of LSTI when referring to its certification in such means of communication as publicity articles, brochures or other similar documents;
- to amend any advertising medium in case of reduction in the scope of the certification.

### 6.1 Certificate

The certificate of conformity states the entirety of the characteristics of the certified management system as well as the compliance specifications.

The certificate of conformity may be reproduced in any document, on condition that it conforms in every respect to the original. It may be made available to third parties (for tenders etc.).

Anyone can check with LSTI the status of a certified organization by LSTI (suspended, revoked or reduced).

## 6.2 Brand

The certification brand « LSTI » is registered at INPI under number 04 3292072.

The brand is the exclusive property of LSTI. Its use is regulated (law n°92-597 on intellectual property). It may not be assigned, pledged as security, or subject to distraint.

Any organization having the right of use of the brand may not transfer or assign the brand utilisation license.

The brand is legally registered, applied and made available in accordance with the procedures of the certification system, for a management system which complies with the certification specifications. It is a certification brand as defined by the Intellectual Property Code.

It may be displayed either in colour or in black and white. It must be displayed in a way that clearly and unambiguously shows the purpose, outline and/or scope of the certification: the logo must be accompanied by the specification which governs the audit of compliance.



Certifié NF ISO 27001:2005  
Organization - Certificat LSTI/SMSI/09

The brand size must be adapted to the document or medium on which it is displayed without causing any difficulty in identifying the characteristics of the certification.

Only those organizations in possession of a certification license are authorised to display the certification brand. They must advise the certification organisation before publication of all documentation (labels, marketing material, technical documents, letterhead...) displaying the brand so that the certification organisation may check compliance with the brand utilisation rules.

Only LSTI and other organisations authorised by it, are permitted to use the brand as a communicative brand (without any certification characteristics).

## 6.3 Monitoring use of trademark

Compliance with the rights of ownership, utilisation and reference to licenses, certificates and brands shall be checked on the occasion of each surveillance, additional and renewal audit.

## 6.4 Procedure for breach of trademark rules

Any non-compliance by the organization with the present rules (incorrect usage, intentional or unintentional non-compliance, refusal to implement changes...), may result in the following actions:

- a request to implement corrective measures,
- suspension or withdrawal of certification without prejudice to eventual legal proceedings (articles L716-9 and 11 of the Intellectual Property Code),
- publication of the infringement,



- legal action.

The resulting decisions, which shall be advised to the organization by registered letter, shall set out in particular the actions to be taken to ensure that the brand is not displayed in respect of management systems which do not comply with certification requirements.

In the context of certification regulation, copies of any such decisions may be sent to the regulatory bodies concerned, or to other organisations if applicable.

The requirements set out in the current rules relating to suspension or withdrawal of certification shall apply.

Any changes to the requirements of the certification initially granted, taking into account these decisions, shall be dealt with in accordance with the current certification rules. If applicable, a new brand shall be requested in order to distinguish the revised management system from the former version which was not in compliance and which was the subject of a decision concerning brand utilisation.

In the event that the brand is used without a license or not in compliance with the license, legal proceedings may result in a court decision to determine the corrective action to be taken.

Refusal on the part of the organization to take or to implement corrective action shall result in:

- withdrawal of certification,
- communication of information to the regulatory bodies and/or other organisations concerned, in the context of certification regulation,
- consultation with lawyers as to the possible action to take (writ of action, press communications, legal proceedings).

## **7. SPECIAL PROCEDURES**

### **7.1 Auditors**

The grant, maintenance, extension, suspension or withdrawal of certification shall remain the sole responsibility of the certification organisation whatever the nature of work performed by auditors.

The document « Approval of auditor » - Q006 sets out the rules and the terms of approval (selection and verification) and appointment of auditors.

### **7.2 Confidentiality**

Security is a principal concern of LSTI. Security procedures are defined in the security manual. They include in particular the recruitment, induction and training of personnel, as well as the protection of information provided on a confidential basis to the certification organisation.

All persons involved in the process of certification (employees, auditors, approved organisations, members of the Certification Committee...) shall be bound by secrecy concerning information exchanged or transmitted in the context of their certification activities. These persons shall undertake not to divulge any information of which they may be aware in the context of certification activity for the duration of such activity and for the five years following cessation of such activity.

However, LSTI reserves the right to communicate to interested parties by the certification concerned (customers of the organization, members of the certification, plaintiff), all information non-confidential on the grounds for suspension or withdrawal. In this case, the organization is informed in advance of information to be published.

### **7.3 Publication**

Information obtained in the context of certification activity concerning any system or any organization, shall not, in any case be divulged to third parties.



In the event that any decree, regulation or any other regulatory document calls for publication of information to third parties, the commercial contract shall stipulate that the organization shall undertake to communicate such information.

LSTI maintains a registry of certified organizations indicating the status of certification and publishes on its website, especially when it is suspended or withdrawn. Are published in this register:

- The name of the organization,
- Trade name, if any,
- The address of the head office and sites within the scope of certification,
- The certificate number and its status (valid, suspended or withdrawn)
- The statement of applicability.

Express unless otherwise requested of the organization, this information may be communicated to organizations that promote certification (ISMS Users Group for example).

#### **7.4 Property**

The audit reports and certificates of conformity are the property of LSTI.

### **8. COSTS OF CERTIFICATION**

Certification fees are based on the scope of the certification. They are specified in a quotation included in the contract.

### **9. REVISION - PAIEMENT**

Invoices are due upon receipt. Failure to pay after two reminders remained unsuccessful, causes the withdrawal of certification. Rates are reviewed annually based on the inflation rate.