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Description of the revision	<i>NEW ISSUE</i>
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1. Purpose and effective date of this document

The purpose of this document is to supplement the RGSG on the Certification of Management Systems (RSSG) of TÜV Italia srl (hereinafter TÜV Italia) for the certification of anti-bribery management systems.

2. Field of application

These rules apply to activities relating to the certification of anti-bribery management systems under the ACCREDIA accreditation system, and also to anti-bribery management systems certified without ACCREDIA accreditation (the latter prior to being awarded accreditation);

The regulations and standards applicable to anti-bribery management systems are:

- UNI ISO 37001;

Requirements in the following standard are also used as a reference:

UNI CEI EN ISO/IEC 17021-1:2015 'Requirements for bodies providing audit and certification of management systems'

Finally, reference is made to the following documents issued by ACCREDIA and available at www.accredia.it:

RG-01: Regulation on the accreditation of Certification and Audit Bodies - General Part

RG-01-01 Regulation on the accreditation of Certification and Audit Bodies

Specific circulars concerning accreditation for the ISO 37001 certification scheme

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3. Terms and definitions

The terminology used in these regulations corresponds to the following standards:

- UNI EN ISO 9000:2015 "Quality management systems - Fundamentals and vocabulary"
- UNI CEI EN 45020:2007: "Standardization and related activities - General vocabulary"
- ISO/IEC 17000:2004 "Conformity assessment- Vocabulary and general principles"
- UNI ISO 37001:2016 'Management systems for the prevention of corruption - Requirements with guidance for use' (specifically section 3)

For the definition of:

- Deficiency (CA)
- Nonconformity (NC)
- Observation (OBS)
- Comment (COM)

see the RGSG.

4. Responsibilities

The contents of section 4 of the RGSG will apply.

5. Control of the rules

These rules are available to interested parties at www.tuvsud.com/it.

Organisations may request a copy in printed or digital format.

The contents of section 5 of the RGSG will also apply.

6. Certification procedure

6.1 General information

The contents of section 6.1 of the RGSG will apply, with the following additions:

In addition to the contents of the RGSG, in order to obtain certification by TÜV Italia, an Anti-Bribery Management System must meet the requirements of the current version of ISO 37001 and the additional requirements of accreditation bodies (e.g.: circulars).

A certified organisation or an organisation in the process of certification shall promptly inform TÜV Italia if it becomes involved in any critical situation which could compromise the guarantee of the system's certification



(e.g. news of public interest, a crisis or involvement in any legal proceedings for corruption or similar phenomena).

Similarly, the organisation shall promptly notify TÜV Italia of any event relating to corruption phenomena that may have involved one or more of its Human Resources, and the consequent actions taken to contain the effects of such an event, the analysis of the root causes, the related corrective actions.

If TÜV Italia learns, directly from the organisation or from other sources, that the organisation is implicated with profiles of responsibility in some episode of corruption or in some judicial proceedings for corrupt phenomena, it will promptly conduct specific assessments/investigations.

6.1.1 Applicability for organisations applying for certification

ISO 37001 certification can be applied for by any type of organisation of any size or nature.

Any management system which covers offences other than bribery (e.g. embezzlement or Italian Legislative Decree 231/2001) and therefore does not meet the requirements of ISO 37001 as a whole will not be eligible for management system certification under accreditation, unless for the part relating to the prevention of bribery. (in summary, the scope of the certificates issued will refer exclusively to the processes of preventing bribery)

6.1.2 Scope of the anti-bribery management system

Organisations applying for certification will not be able to exclude the application of the standard to potentially sensitive processes or activities (i.e. non-negligible risk), or to sites where such activities are carried out. (Processes at risk of bribery that cannot be excluded from the scope: administration/finance and control, commercial, procurement, institutional positions, internal auditing, licence management, tenders and authorisations, human resources management, cash administration and management, purchasing, licence or authorisation management).

The scope should include characteristic activities that generate sensitive processes and activities. (for example: Whether the organisation carries out activities as a holding company, the scope and consequently the scope of the certificate issued subsequently will only include activities and processes carried out by the holding company).

It is possible to limit the scope to specific countries.

(for example an organisation wishing to be certified for activities carried out in Italy shall apply the certification to all sensitive domestic processes, but might exclude application to foreign activities. This aspect will be specifically indicated in the certificate).

6.2 Audit procedure and audit programme

The contents of section 6.2 of the RGSG will apply.

6.3 Start of the certification procedure

The contents of section 6.3 of the RGSG will apply.

6.4 Pre-audit

The contents of section 6.4 of the RGSG will apply.

6.5 Stage 1 audit - (Initial review of documentation + initial audit)

The provisions in section 6.5 of the RGSG apply, with the clarification that the stage 1 audit is conducted on-site at the organisation's premises and the audit team leader will send the organisation an audit plan that will briefly indicate the areas, functions and activities of the organisation that will be involved.

In addition, at the start of the stage 1 audit, the organisation shall provide the audit team with the following documents:

- The mandatory documentation required by ISO 37001 / documented information. (The anti-bribery policy, the scope, procedures, controls implemented)



- Documentation describing the organisation (including the responsibilities and authorities of the individual functions making up the organisation)
- The assessment of bribery risk (important NOTE The risk analysis shall represent a substantial assessment of the risk of active/passive bribery based on an analysis of the specific context for the organisation - the analysis of the context developed for example for ISO 9001 certification is therefore not sufficient - the focus is different - Annex "A" of the Standard, in particular for provisions in § A.4.1. concerning risk assessment, shall therefore be developed taking into account the actual context in which the organisation operates). Furthermore, in relation to requirement 4.5.2 a) of the standard, these rules state that as a minimum the organisation shall review the bribery risk assessment every 12 months.
- the internal audit programme, with evidence of the progress and a summary of the results, showing any Nonconformities identified and the progress of any Corrective Actions
- The last Management Review.
- A copy of the document of registration with the Chamber of Commerce and/or a copy of the valid By-laws, for associations or cooperatives etc.
- Any due diligence on projects and business partners of the organisation
- Documented information about training on bribery prevention;
- A declaration of compliance with applicable mandatory requirements relating to the anti-bribery legislation

6.6 Stage 2 audit (for an initial audit of the management system or certification audit)

The contents of section 6.6 of the RGSG will apply.

The audit team will assess the processes/functions identified by the organisation and/or by the audit team as being at higher risk, with greater frequency, commitment and focus, providing an explanation in the audit report.

The audit team will maintain an approach of professional scepticism, i.e. an attitude characterised by doubtful analysis, constant monitoring of conditions that might indicate a potential misstatement due to error or fraud, and a critical evaluation of audit documentation.

The audit team will provide an opinion on the completeness and comprehensiveness of the bribery risk analysis and methodology adopted, as well as on the robustness of the internal audit process for bribery, which shall be based (planning, programming and execution) on the results of the risk assessment and mitigation adopted, residual risk assessments and the testing of operational controls. The audit team, starting from the definition that the organisation has adopted of bribery, which cannot be more restrictive than that provided for by law, will carry out an assessment of consistency with the context analysis presented by the organisation and will continue the audit with the collection of evidence that will lead to the final result and conclusions of the audit itself.

The audit report will include references to the evidence gathered:

- The scope and applicability of the Management System (4.3 of ISO 37001)
- Definition of bribery envisaged for the organisation, developed on the basis of the context analysis
- Specific details of activities at risk (detailing risk processes and sensitive activities);
- Mapping of individuals (internal and external) who are involved in higher-risk activities;
- Indication of business partners and how they are monitored (the type of management they adopt from an anti-bribery perspective).
- Corporate relations;
- Specific legislative references;
- Specific information on training carried out.
- The list of orders/activities assessed

6.7 First issue of certification and renewals

The contents of section 6.7 of the RGSG will apply.

Issue of the certification automatically allows the organisation to use the certificate and the mark of TÜV Italia, in accordance with the conditions in section 8 of these Rules, together with the contents of section 8 of the RGSG.



6.8 Surveillance audit

The contents of section 6.9 of the RGSG will apply.

6.9 Renewal audit

The contents of section 6.9 of the RGSG will apply.

6.10 Special audits or unscheduled audits or a reduction in the scope of certification

The contents of section 6.10 of the RGSG will apply, with the following additions:

If TÜV Italia is informed, directly by the organisation or other sources, that the organisation is implicated in and has liability for some episode of bribery or in judicial proceedings for bribery, it will promptly conduct specific assessments/investigations, which may include special or unscheduled audits; given their nature and the type of scheme, these audits may be carried out with a short notice of 1 week.

7. Register of certified organisations

The contents of section 7 of the RGSG will apply.

8. Referencing the certification. Use of the certificate and mark

The contents of section 8 of the RGSG will apply.

Note: for further certifications of the management system obtained through TÜV Italia srl, a specific mark will be sent, if available. This will also refer to the other schemes for which certification was obtained.

9. Suspension of certification

The contents of section 9 of the RGSG will apply.

10. Withdrawal/cancellation of the certification

The contents of section 10 of the RGSG will apply.

11. Management of claims and reports by client organisations and by interested parties

The contents of section 11 of the RGSG will apply.

12. Documentation, or documented information of the management system and accessibility for TÜV Italia srl audits

The contents of section 12 of the RGSG will apply.

13. Changes to the management system

The contents of section 13 of the RGSG will apply.

14. Changes to the certification system rules

The contents of section 14 of the RGSG will apply.

15. Special requirements for organisations already certified by another body

The contents of section 15 of the RGSG will apply.

16. Confidentiality

The contents of section 16 of the RGSG will apply.



17. Complaints (or Appeals)

The contents of section 17 of the RGSG will apply.

18. Complaints against TÜV Italia

The contents of section 18 of the RGSG will apply.

19. Disputes

The contents of section 19 of the RGSG will apply.

20. Financial conditions

The contents of section 20 of the RGSG will apply.