

**NOTIFICATION PROCEDURES FOR CERTIFICATION  
BODIES OPERATING AGAINST THE VIETNAM FOREST  
CERTIFICATION SCHEME**



VFCS GD 1007:2019

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## **I. Introduction**

Sustainable forest management has been implemented in Vietnam since the 1990s and the second phase (from 2006 to 2020) of the Vietnam Forestry Development Strategy has been approved by the Vietnamese Government.

In 2018, the Prime Minister approved the Project on Sustainable Forest Management and Forest Certification through the Decision No. 1288/QĐ-TTg dated October 1, 2018, in which the Vietnam Forest Certification Scheme (VFCS) was established and operated under the Vietnam Administration of Forestry - Ministry of Agriculture and Rural Development.

The Vietnam Forest Certification Scheme is acted based on the principles of independent decision-making among the parties and it ensures compliance with the requirements of international forest certification systems.

The Accreditation Body is a component of the Vietnam Forest Certification Scheme. The accreditation body operates independently and ensures the objectivity and transparency in recognizing qualified certification bodies.

The Certification Body is a part of the Vietnam Forest Certification Scheme. The certification body operates independently and ensures the objectivity and transparency in the process of forest certification.

The certification body shall meet the requirements of technical competence and professional qualifications when operating against the Vietnam Forest Certification Scheme.

The notification procedures for certification bodies operating against the Vietnam Forest Certification Scheme are developed based on the requirements of document title PEFC GD 1006: 2012 “Administration of PEFC Scheme” and PEFC GD 1004: 2009 “Notification of Certification Bodies by the PEFC Council”.

## **II. Normative references**

- Pursuant to the Decision No. 190/QD-BNN-TCLN dated November 1, 2019 of the Minister of Ministry of Agriculture and Rural Development on assigning the task of sustainable forest management and forest certification;
- Pursuant to the Decision No. 191/QD-BNN-TCLN dated November 1, 2019 of the Minister of Ministry of Agriculture and Rural Development on the establishment of the Vietnam Forest Certification Office;
- Pursuant to the Decision No. 71/QD-TCLN-VP dated March 22, 2019 of the General Director of Vietnam Administration of Forestry on the functions, tasks, powers and organizational structure of the Vietnam Forest Certification Office;
- Based on the document title PEFC ST 1004: 2009, Administration of PEFC Scheme;
- Based on the document title PEFC GD 1006:2012, Notification of Certification Bodies operating Chain of Custody Certification in Countries without Authorised Bodies.
- ISO/IEC 17021-1:2015: Conformity assessment – Requirements for bodies providing audit and certification of management systems
- ISO/IEC 17011:2017 Conformity assessment –General requirements for accreditation bodies accrediting conformity assessment bodies
- IAF ML 1:2016: Guidance for the Exchange of Documentation among MLA Signatories for the Assessment of Conformity Assessment Bodies
- IAF/ILAC A5:11/2013 IAF/ILAC Multi-Lateral Mutual Recognition Arrangements (Arrangements) Application of ISO/IEC 17011:2017

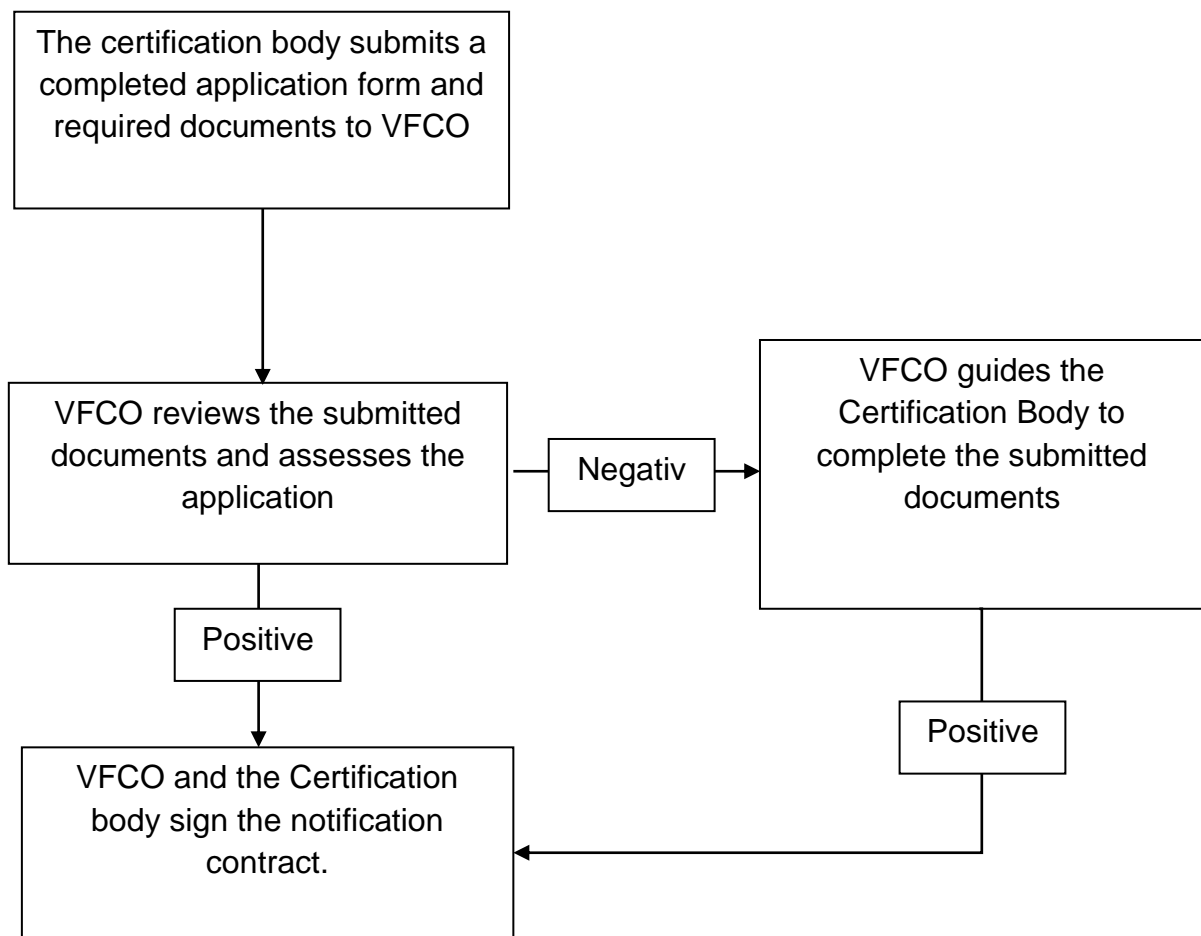
### III. Scope

This document applies to Certification bodies; Accreditation bodies and agencies, units, individuals, and stakeholders involved in certification activities of sustainable forest management against the Vietnam Forest Certification Scheme.

This document specifies the procedures of recognition and notification of a Certification Body to operate in the Vietnam Forest Certification Scheme.

The Vietnam Forest Certification Office will notify Certification Body through a notified contract.

### IV. Certification bodies notification issuance procedures



**The chart of notification procedures**

#### 4.1. Composition of an application package

- Having a license to operate in accordance with the laws of Vietnam;
- The Certificate of Accreditation recognized by the Bureau of Accreditation-Ministry of Science and Technology of Vietnam or an international accreditation body which is a member of the International Accreditation Forum (IAF) for Accreditation;

- Application form for VFCS notification as shown in the Appendix I of this document;

#### **4.2. Forms of submitting application**

a) In case of submitting directly application at VFCS, the Certification body shall show the original certificates, license to check the validity with the copies that have not been notarized.

b) In case of sending application by post, the certification body shall submit notarized copies of certificates and documents.

c) Application processing form is shown in Appendix II of this document.

#### **4.3. Notification order**

a) In case this dossier is incomplete according to regulations of VFCS, VFCS will notify in writing to the certification body in order to request the amendment and/or missing supplementation;

b) In case that dossier is completeness, VFCS will sign a notified contract with the qualified certification body. Form of notification contract is specified in Appendix III of this document.

### **IV. Procedures of surveillance**

1. VFCS will make a plan to monitor the operation of the certification body at least twice/the validity of the notified contract.

2. Bases on the results of monitoring, VFCS will consider maintaining, warning, suspending or terminating the validity of notified contract with the certification body.

3. VFCS establishes a M&E team consisting of 3-5 members, in which at least 01 member with a certificate of ISO 17065 and/or ISO 17021 and 01 expert working on sustainable forest management and/or chain of custody.

4. The order and activities of monitoring

a) VFCS will inform the monitoring plan to the certification body 10 working days in advance;

b) Activities of monitoring:

- To check the conformity of the quality management system, qualification and the technical competence of the certification body;

- To attend the field auditing at least 01 certified holder;

c) Minutes of monitoring and evaluation; (Form in the Appendix V)

d) To send the results of monitoring and evaluation to the certification body latest 21 working days after the completion of the monitoring;

e) In case that findings are identified by monitoring team, the certification body shall take corrective measures and report the results to the monitoring team.

## **VI. Implementation provisions**

### **6.1. Implementation responsibility**

Organizations, individuals acting in VFCS are responsible to comply with the provisions of this document.

### **6.2. Inspection and monitoring**

The Vietnam Forest Certification Office is responsible for coordinating with the Accreditation Body to assess the competence of the Certification body;

The Vietnam Forest Certification Office is responsible for dealing with complaints and disputes of relevant parties in terms of the competences and experience of certification bodies operating in the Vietnam Forest Certification Scheme.



## Appendix I: Application form for VFCS Notification

### SOCIALIST REPUBLIC OF VIET NAM

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### APPLICATION FORM FOR VFCS NOTIFICATION

#### I. Applicant's Identification Data

Organisation name				
Organisation's representative				
Address	Street, No.			
	City		Zip	
	Country			
Contact person				
Telephone			Fax	
E-mail			Http	

#### II. Information and Documents for Application Processing

Accreditation number / expiry date of validity	
Accreditation Body Name	

Documents required to process the application:

☐ Notaried copy of the CB's accreditation certificate following Vietnam Standard TCVN ISO/IEC 17021-1:2015, or International standard ISO/IEC 17021-1:2015.

☐ The CB shall submit a formal approval letter provided by VFCS, confirming the temporary approval of the CBs certification system for VFCS. Accreditation certificate shall contain the certification scope against the Vietnam Forest Certification Scheme VFCS ST 1003:2019 within 12 months from the endorsement by PEFC International.

☐

Notaried copy of the CB's accreditation certificate following Vietnam Standard TCVN ISO/IEC 17065:2012, or International standard ISO/IEC 17065:2012.



Accreditation certificate shall consist the scope explicitly covering certification against VFCS ST 1005:2019 or PEFC ST 2002:2013.

#### **IV. Self-Declaration**

I hereby confirm that:

- I have read the PEFC Council's regulations concerning PEFC certification and notification and accept them,
- The data included in this application is complete and truthful.

**Signature of applicant's representative**



## Appendix II: Application processing form

VIETNAM ADMINISTRATION OF  
FORESTRY  
**VIETNAM FOREST  
CERTIFICATION OFFICE**

**SOCIALIST REPUBLIC OF VIET NAM**

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### APPLICATION PROCESSING FORM

#### I. Application Processing

		Date	Signature
Date of application received	<input type="checkbox"/> Yes		
Fulfilment of the VFCS requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No		
VFCSO has sent contract to the applicant	<input type="checkbox"/> Yes		
CB Signed contract received	<input type="checkbox"/> Yes		
Contract signed by both parties returned	<input type="checkbox"/> Yes		

#### II. VFCS Notification Fee Payment

Years	Amount (VND)	Paid on Date	Signature

#### III. Application Appeal Process

		Paid on Date	Signature
Appeal received	<input type="checkbox"/> Yes		
Appeal processed with decision	<input type="checkbox"/> Positive <input type="checkbox"/> Negative		

#### IV. Suspension and Termination of the PEFC notification

Statutes of Decision	Date	Penalty

### **Appendix III: VFCS Notification Contract**

VIETNAM ADMINISTRATION OF  
FORESTRY  
**VIETNAM FOREST  
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#### **VFCO Notification Contract**

#### **BETWEEN VFCO AND THE CERTIFICATION BODY OPERATING THE CERTIFICATION AGAINST VFCS**

- Pursuant to the Decision No. 190/QD-BNN-TCLN dated November 1, 2019 of the Minister of Agriculture and Rural Development on assigning the task of sustainable forest management and forest certification;

- Pursuant to the Decision No. 191/QD-BNN-TCLN dated November 1, 2019 of the Minister of Ministry of Agriculture and Rural Development on the establishment of the Vietnam Forest Certification Office;

- Pursuant to the Decision No. 71/QD-TCLN-VP dated March 22, 2019 of the General Director of the Vietnam Administration of Forestry on the functions, tasks, powers and organizational structure of the Vietnam Forest Certification Office;

Today, date: , at VFCO we are:

#### **Notification party (Party A):**

Vietnam Forest Certification Office (VFCO)

Address: Room 309, A9 Building, No. 2, Ngoc Ha Street

Ba Đình District, Ha Noi, Viet Nam

Tel.: +84 38438792, Fax: +84 38438793

Email: [vanphongvfco@gmail.com](mailto:vanphongvfco@gmail.com)

Representative: Mr. Cao Chi Cong

Position: Chief of VFCO

#### **Notified party (Party B):**

*Name of organization:* **The GFA Consulting Group**

Address.....

Tel.:.....Fax:.....Email:.....

Business Registration License No. : .....

Issued at: date.....place:.....

Representative:..... Position:.....

.....

Both parties have negotiated and agreed with following contents:

### **Article 1. Right and responsibility of Party A**

1. Have a right to monitor and evaluate activities done by the Certification Body (CB)

2. Have a right to suspend, terminate this notified contract, when the CB violates the regulations on requirements for the CB (VFCS GD 1006:2019);

3. Have a right to collect the administration fee and adjust the rate of administration fee when necessary;

4. Take responsibility to endorse the FM and CoC certificates issued by notified CB, and allow the using of Logo VFCS by the certificate holder in accordance with Issuance of VFCS Logo use licenses (VFCS GD 1009:2019);

5. Take responsibility to inform the notified CB of any changes, modifications related to the procedures, guidelines and requirements of VFCS, that they have an influence on this notified contract;

6. Take responsibility to provide training courses on any update and changes in relation to VFCS to CB's staff.

### **Article 2. Right and responsibility of Party B**

1. CB has the right to work with clients and certify them in compliance to the requirements of VFCS in the territory of Vietnam;

2. Have the right to collect the audit and certifying fee (FM; CoC) in accordance with the negotiation rate between VFCSO and the certification body;

3. Have the right to use VFCS Logo for promotion, advertisement and certification purpose in compliance with Logo VFCS usage rules (VFCS ST 1008:2009);

4. Be eligible to participate in training courses when the FM standard is updated by VFCSO;

5. Have a right to provide trainings on building capacity, system assessment, and technical competence to CB's auditors according to VFCS when authorized by

VFCO;

6. CB has to use the FM and/or CoC standards issued by VFCS during the field audit, certifying clients and compliance with the certification scope accredited by Bureau of Accreditation (BoA);

7. Take responsibility to report the detailed information and status of certificates issued by CB to VFCO;

8. Have responsibility to support the certified companies, forest owners to register the using of Logo VFCS;

9. Have responsibility to check and monitor the using of Logo VFCS/PEFC of the certified companies, forest owners;

10. Be responsible to pay administration fee to VFCO based on negotiation between both parties. The notification and development fees are regulated at Appendix IV of this document, if there is any change in fee rate, VFCO will inform CB in writing 6 months in advance.

### **Article 3. Contract termination**

1. Either party may terminate the contract with three-month prior notice provided in writing;

2. Based on the findings of monitoring or inspection of BoA or an accreditation body that is signatory of the Multilateral Recognition Arrangement, VFCO will make a decision to change the validity of notified contract for the certification body in various forms;

a) "Suspend" the validity of the notified contract if the certification body violated the following cases:

- Do not comply with the monitoring regime of VFCS as regulated;
- Do not take correction measures as required by the monitoring team;

During the time of suspension, the certification body is prohibited to provide any certification activities for new clients. When the CB submits the corrective report, VFCO will consider approving the continuation of the Contract.

b) The notified contract is withdrawn in the following cases:

- The certification body does not meet the prescribed conditions;
- Serious violations during certification activities.

3. No VFCO notification fee is refunded to the Notified Certification Body in case of temporary suspension or termination of the contract according to the bullet 1 and 2 of Article 3;

4. VFCS is not obliged to pay compensation for any costs or other damages which any temporary suspension or termination causes to the Notified Certification Body

#### **Article 4. Confidentiality**

1. CB shall agree to publish their detailed information and data of certificates issued by CB on the VFCS website;

2. The information that CB is providing to VFCS shall be informed to the FM and CoC certificate holders. This information (except for the revenue of certificate holders) will be published on the Website of VFCS and PEFC.

3. The certification body is responsible to provide a summary of the audit report of FM and CoC certification to VFCS for announcement on the website.

4. The information posted on the VFCS website regulated in bullet 1, 2 and 3 of this article is maintained even if this Contract expires and the two parties no longer cooperate.

#### **Article 5. Dispute resolution**

1. This contract is subject to Vietnamese laws.

2. The two parties commit to strictly and fully comply with the articles stated in the contract. In the process of implementation, if there is a need of contract modification, the two parties will discuss together to amend the contract. In case the two parties cannot resolve the disagreement, they will bring the matter to arbitration according to the current law. The decision of the court is final and must be followed by the parties. Court charges will be paid by the losing party, unless agreed by both parties.

3. Any dispute arising from this contract will be resolved by the Vietnamese court.

#### **Article 6. The Validity of Contract**

- The contract between VFCS and the CB is valid for 5 years.
- The contract enters into force when it has been signed by both parties.
- This contract is made in 02 copies with the same legal value, each party keeps 01 copy for implementation.

**Party A**

Sign, stamp

**Party B**

Sign, stamp



## Appendix IV: List and rate of fees for forest certification

VIETNAM ADMINISTRATION OF  
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**VIETNAM FOREST  
CERTIFICATION OFFICE**

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### LIST AND RATE OF FEES FOR FOREST CERTIFICATION

#### I. VFCS notification fee

Notification fee is applied for the certification body which is member of VFCS as followings:

<b>Turnover of the certified organisation (thousand VND)</b>	<b>VFCS notification fee (thousand VND)</b>
Under 3.450.000	1.150
From 3.450.000 to 17.250.000	3.450
from 17.250.000 to 34.500.000	6.900
From 34.500.000 to 345.000.000	13.800
from 345.000.000 to 1.000.000.000	23.000
above 1.000.000.000	46.000

Note: In case of multi-site certifications, which are not producer groups, the multi-site organisation's turnover is calculated as a sum of turnovers of sites covered by the multisite organisation.

#### II. Development fee

##### 1. For sustainable forest management certificate

VFCO collects the development fee from CB is 3.000 VND/ha/year.

##### 2. For Chain of Custody certificate (CoC)

VFCO collects the development fee from CB at the time of certificate issuance: **4.500.000 VNĐ/01** certificate. From the second year, VFCO collects the development fee based on annual revenue of certificate holders, rate as indicated in under table:

<b>Turnover of the certified organisation (thousand VND)</b>	<b>VFCS notification fee (thousand VND)</b>
--	---

under 3.450.000	1.150
from 3.450.000 to 17.250.000	3.450
from 17.250.000 to 34.500.000	6.900
from 34.500.000 to 345.000.000	13.800
from 345.000.000 to 1.035.000.000	23.000
above 1.035.000.000	46.000

Note:

Annual revenue indicated in the table is revenue of processing entity, who is certified, and revenue is only calculated from VFCS/PEFC claimed products.

If the certificate holders don't have any annual revenue on VFCS/PEFC claimed products, then the lowest rate applies.

In case of multi-site certifications, which are not producer groups, the multi-site organisation's turnover is calculated as a sum of turnovers of sites covered by the multisite organisation.

## **Appendix V: Minute of monitoring and evaluation**

VIETNAM ADMINISTRATION OF  
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### **MINUTE OF MONITORING AND EVALUATION**

#### **1. Name of CB**

Address:

Tel.:

Fax:

E-mail:

#### **2. Scope of monitoring**

#### **3. Name of audit team members:** (mention both surname and first name)

#### **4. Monitoring time**

#### **5. Normative reference:**

- Quality management system;
- Technical procedures of CB.

#### **6. M &E contents**

- Comply with Vietnam Standard TCVN 7457:2004 or ISO/IEC Guide 65:1996;
- Requirements to notify the CB;
- Identify CB's issues that need to correct;
- Other.

#### **7. Monitoring results**

#### **8. Conclusion and Recommendation of audit team**

**CB representative**

**Audit team leader**

(sign, name and stamp)

(sign and name)