

5 Structural Requirements

5.1 Mechanism for safeguarding impartiality

5.1.1 CABs shall establish a committee as the mechanism for safeguarding impartiality.

5.1.2 The committee shall:

- a. Include both internal and external personnel to the CAB.

Guidance 5.1.2.a

Guidance on the composition of the committee is provided in ISO 17065 which states that there should be a balance of interests represented 'such that no one interest predominates' and that CABs shall identify and invite 'significantly interested parties' to be a part of this. ISO 17065 also goes on to provide guidance on who the types of organisation these interested parties might include (see ISO 17065 5.2.4 Note 1).

- b. Conduct a thorough and detailed review of the impartiality of the assessment, audit, certification and decision-making processes of the CAB at least annually.

Guidance 5.1.2.b

The requirement for the annual review by the impartiality committee was taken from ISO 17021 6.2.1 on the recommendation of the MSC Technical Advisory Board, as ISO 17065 does not stipulate a timeframe for the review to take place.

5.1.3 The committee's review, their communication to the CAB's top management and the CAB's top management reasoning behind any subsequent decision relating to the committee's activities, shall be documented and available for review by the accreditation body.

5.1.4 For CABs accredited for MSC Fishery certification, the committee shall as part of the impartiality review consider all instances where the CAB has undertaken both the MSC fishery pre-assessment and full assessment of an individual fishery.

Subject: Structural Requirements**Guidance 5.1.4**

The intent of this requirement is to ensure that the CAB's impartiality procedures are robust where the CAB has undertaken both the MSC fishery pre-assessment and full assessment of the same fishery. It is particularly important to ensure that there are no conflicts of interest involved between the personnel involved in the pre and full assessments in line with the requirements of ISO 17065.

5.2 Confidentiality

5.2.1 In addition to ISO 17065, specific requirements on confidentiality are detailed in the [FCR](#) (4.3.2, 4.5, 7.9.1.1.b) and in the [CoC CR](#) (8.2.2.5 and 8.3.1.7).

Guidance 5.2

When undertaking their work, CABs have access to commercially-sensitive information. The MSC believes that a policy and instruction on confidentiality needs to be documented to:

- Ensure the CAB considers all aspects of confidentiality.
- Allow the accreditation body to review the policy and subsequent procedures for completeness.