

**GENERAL RULES FOR DETERMINATION AND VERIFICATION
OF JOINT IMPLEMENTATION PROJECTS**

GENERAL RULES FOR DETERMINATION AND VERIFICATION OF JI PROJECTS

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0. INTRODUCTION

The “Asociación Española de Normalización y Certificación (AENOR)” [Spanish Association for Standardisation and Certification] is a private, independent, non-profit-making association.

AENOR headquarters are located at nº 6, Calle Génova, 28004 Madrid, Spain.

1. SCOPE

The present General Rules establish the rules applied by AENOR for determination and verification of Joint Implementation (JI) Projects against the requirements of United Nations Framework Convention on Climate Change (UNFCCC), according to decision 9/CMP.1 (hereinafter referred to as JI guidelines) under the Track 2 procedure.

In the context of JI, AENOR acts as an Accredited Independent Entity (AIE).

2. GLOSSARY OF TERMS

Terms applicable to this document are included in the *Glossary of Joint Implementation Terms* in force approved by the Joint Implementation Supervisory Committee (JISC).

3. APPLICATION

Any *project participant*, a private and/or public entity authorized by a Party to participate, under the Party's responsibility, in JI project, may apply to AENOR.

Any application for determination pursuant to paragraph 33 of the JI guidelines regarding JI project design documents, or determinations pursuant to paragraph 37 of the JI guidelines (also referred to as verifications) shall follow the procedure below.

4. DETERMINATION PROCEDURE FOR A JI PROJECT

Clarifications on determination requirements to be checked by an accredited independent entity

Section E of the JI guidelines contains the verification procedure of JI projects. Paragraphs 31-35 provide, in particular, a list of requirements which an accredited independent entity shall adhere to when determining a proposed JI project. Appendix B of the JI guidelines defines criteria for baseline setting and monitoring that shall be included in the JI PDD.

The determination of a proposed JI project shall follow all the requirements, standards, manuals and guidelines approved by the Joint Implementation Supervisory Committee (JISC). The general steps to be taken are presented below:

Step 1: AENOR has to check that determination requirements in paragraph 31 and 33 of the JI guidelines have been met. To carry out this duty, AENOR has to review the JI project design document (JI-PDD) or JI land use, land-use change and forestry project design document (JI LULUCF PDD) and any supporting documentation (including that the JI-PDD has an appropriate baseline and monitoring plan in accordance with the criteria set out in appendix B of the JI guidelines).

Step 2: AENOR shall make the project design document publicly available through the secretariat, subject to confidentiality provisions set out in paragraph 40 of the JI guidelines, and receive comments from Parties, stakeholders and UNFCCC accredited observers on the project design document and any supporting information for 30 days from the date the project design document is made publicly available.

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Step 3: After the deadline for receipt of comments, the JI project should be assessed by AENOR services and propose a resolution with respect to the determination.

On the basis of the determination report and the proposed resolution formulated by AENOR services, the responsible person for the final approval shall adopt one of the following decisions:

- To recommend the proposed JI project for registration under JISC
- Not recommend the proposed JI project for registration under JISC

Step 4: AENOR shall inform project participants of the decision adopted about the project. The reasons for such decision shall be specified.

Determination regarding a project design document

Step 5: Before making its determination publicly, AENOR has to have received the written approval (s) referred to in paragraph 33 (a) of the JI guidelines.

In accordance with paragraph 34 of the JI guidelines, AENOR shall make its determination publicly available through the secretariat, if it determines the proposed project to be valid, together with an explanation of its reasons, including a summary of comments received and a report of how due account was taken of these.

In order to ensure transparency and efficiency of the determination regarding a project design document: The determination regarding a project design document shall be deemed final 45 days (as defined in paragraph 35 of the JI guidelines) after the date on which the determination is made public, unless a Party involved in the project or three of the members of the JI Supervisory Committee request a review. If such a review is requested, the JISC shall finalize the review as soon as possible, but no later than six months or at the second meeting following the request for review. The JI Supervisory Committee shall communicate its decision on the determination and the reasons for it to the project participants and the public. Its decision shall be final.

5. DETERMINATION PROCEDURE FOR JOINT IMPLEMENTATION SMALL-SCALE PROJECTS. (JI SSC)

Clarifications on additional and specific determination requirements to be checked by an accredited independent entity

The procedure for determination JI small-scale project follows the same five steps as the *determination procedure* described above, with the particularities and exceptions described in the following paragraphs.

Section B of the Provisions for joint implementation small-scale projects, contains the provisions for Determination of JI small-scale projects. Part 6 of section B provide, in particular, a list of requirements which an AIEs shall adhere to when determining a proposed JI SSC project referred to in paragraph 33.

Ji SSC projects shall follow the stages of the project cycle specified in the verification procedure under the JISC, defined in paragraphs 30-45 of the JI guidelines. In order to reduce transaction costs modalities and procedures are simplified for JI SSC projects, as follows:

- (a) Projects may be bundled or portfolio bundled at the following stages in the project cycle under the verification procedure under the JISC: the JI project design document,

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determination referred to in paragraph 33 of the JI guidelines, monitoring, and determination referred to in paragraph 37 of the JI guidelines.

- (b) The requirements for the project design document are reduced;
- (c) Baselines methodologies by project category are simplified to reduce the cost of developing a project baseline;
- (d) Monitoring plans are simplified, including simplified monitoring requirements, to reduce monitoring costs;

In baseline setting and monitoring appendix B of the JI Guidelines and guidance of the JISC, shall be taken into account. Project participant may choose specific JI approach or CDM approach for baseline setting and monitoring.

The provisions for Joint implementation small-scale projects are defined in paragraphs 30-45 of the JI guidelines and in the document Provisions for Joint Implementation small-scale projects (version in force) approved by JISC.

6. VERIFICATION PROCEDURE FOR A JI AND JI SMALL-SCALE, PROJECT

The verification of JI projects is based on paragraphs 36 to 39 of the JI guidelines and on Section 7 of the Provisions for Joint Implementation small-scale projects.

Clarifications on verification requirements to be checked by an accredited independent entity.

Paragraphs 36 to 39, contains the provisions for verification JI and JI small-scale projects. These paragraphs provide a list of requirements, which a DOE shall adhere to when the determination regarding reported reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks.

Section C of the guidance on criteria for baseline setting and monitoring, contains the provisions for monitoring a JI project. Section 7 of the Provisions for Joint Implementation small-scale projects, contains the provisions for monitoring a JI small-scale project. The monitoring plan, included in the JI PDD or JI SSC-PDD, shall be implemented and revised prior to the application for determination regarding reported reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks (verification).

The project participants shall submit to AENOR a report in accordance with the monitoring plan on reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks that have already occurred. The report shall be made publicly available. The monitoring report shall be in accordance with the monitoring plan set out in paragraph 4 of Appendix B of JI guidelines.

Verification procedure

In accordance with the provisions on confidentiality in paragraph 40 of the JI guidelines, AENOR shall make the monitoring report publicly available, and shall:

- a) Determine whether the project documentation provided is in accordance with the requirements of the JI-PDD determined, provided that the reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks were monitored and calculated in accordance with the appendix B of the JI guidelines.
- b) Conduct on-site inspections, as appropriate, that may comprise, *inter alia*, a review of performance records, interviews with project participants and local stakeholders, collection of measurements, observation of established practices and testing of the accuracy of monitoring equipment;

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- c) If appropriate, use additional data from other sources;
- d) Review monitoring results and verify that the monitoring methodologies for the estimation of reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks have been applied correctly and their documentation is complete and transparent;
- e) Determine the reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks of greenhouse gases that would not have occurred in the absence of the JI project, based on the data and information derived under subparagraph (a) above and obtained under subparagraph (b) and/or (c) above, as appropriate, using calculation procedures consistent with those contained in the determined PDD and in the monitoring plan;
- f) Identify and inform the project participants of any concerns related to the conformity of the project and its operation with the PDD publicly available. Project participants shall address the concerns and supply relevant additional information;
- g) Provide a verification report to the project participants, the Parties involved and the JI Supervisory Committee. The report shall be made publicly available through the secretariat, together with an explanation of its reasons.

AENOR shall determinate, upon receipt of a report referred to under paragraph 36 of the JI guidelines, during the operational lifetime of the project, that the JI project achieved the verified amount of reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks of greenhouse gases that would not have occurred in the absence of the JI or JI small-scale project. It shall inform the project participants, Parties involved and the JI Supervisory Committee of its determination decision regarding reported reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks. This determination shall be deemed final 15 days after the date on which it is made public, unless a review is requested.

7. CREDITING PERIOD AND MAINTENANCE OF THE DETERMINATION REGARDING REPORTED REDUCTIONS IN ANTHROPOGENIC EMISSIONS BY SOURCES.

These requirements are based on Section C of the guidelines for users of the JI PDD form.

Projects starting as of 2000 may be eligible as JI projects if they meet the requirements of the JI guidelines.

The project participants shall choose the starting date of the crediting period to be on or after the date the first emission reductions are generated by the JI project. The crediting period shall not extend beyond the operational lifetime of the project. ERUs shall only be issued for a crediting period starting after the beginning of 2008

8. VERIFIED EMISSIONS REDUCTION UNITS.

The verification report shall constitute a request for issuance to the Focal Point of the Host Party of ERUs equal to the verified amount of reductions of anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks of GHG. Procedure for the issuance of emissions reductions units are based in specific regulations of the host country.

9. COMMITMENTS.

The project participants involved in the JI project are hereby committed to:

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Maintain the monitoring system while the Crediting period.

Provide AENOR's verifying team access to the documents relating to the project activity and the monitoring System and to the facilities where the activities covered by the project are carried out. The company management and any persons co-operating directly therewith must be approachable by AENOR's verifying team during verification.

Inform AENOR's verifying team of any events considered being relevant to the monitoring System assessment and to facilitate their work at all times.

To make all payments corresponding to the expenses derived from determination, or verification.

Notify AENOR in writing of:

- a) Any JI project modifications during verification process.
- b) Changes in the company's legal status or corporate name.
- c) Relocation of the facilities where activities related to the JI projects are carried out.

The above changes may require an extraordinary determination or verification, at the expense of the Parties participants in the JI project, to determine whether or not the verified emission reduction units are to be maintained.

To keep and make available to AENOR services a registry of complaints filed by its stakeholders, as well as any corrective action to which they may have given rise.

10. PROCEDURE FOR ALLOCATION OF RESPONSIBILITIES

AENOR has implemented its procedure for allocation of responsibilities in order to comply with all JI requirements. The responsible officers for the operational management functions for JI activities in AENOR are the following:

- Climate Change Manager
- Technology Coordinator
- JI Quality Manager

The functions of the operational management for JI activities shall not be transferred or delegate by power of attorney to any other personnel.

11. COMPLAINTS, DISPUTES AND APPEALS

11.1. Complaints handling

A complaint is the formal (written) and/or informal (verbal) expressions of dissatisfaction regarding the performance of a AIE in relation to its JI function(s), from any source, such as the JI client's organization *(JI PP), the general public or its representatives, government bodies, NGOs, etc.

AENOR has made available a specific e-mail address in its website to make the procedure of sending complaints easier. It can be accessed in AENOR website in section "Certification-Environment" through the following link:

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http://www.en.aenor.es/aenor/certificacion/mambiente/medio_ambiente.asp

The procedure to send complaints is included in option "Joint Implementation projects" in the section "Contact us".

JI PPs, general public or its representatives, government bodies, NGOs, etc. may send complaints through the following communication channels:

- e-mail address: ji.kyoto@aeonr.es,
- fax number +34913190581,
- address: AENOR, Génova 6, 28004 Madrid (Spain).

Verbal complaints shall be communicated to any member of the Climate Change Unit. In this case the compliant will be requested to provide a written authorization in advance, using any of the channels mentioned above, for recording the conversation.

Verbal and written complaints will be communicated to the JI Quality Manager by any member of the Climate Change Unit who may have received it.

The JI Quality Manager will check the mailbox ji.kyoto@aeonr.es daily in order to identify any complaint that may has been received. The JI Quality Technician will assist the JI Quality Manager in this task.

Any complaint that is received through these communication channels shall be acknowledged by the JI Quality Manager in a period of ten working days according to the laboral calendar in Madrid. In the absence of the JI Quality Manager, the Technology coordinator shall acknowledge its reception.

A reasoned answer shall be sent to the complainant within twenty working days after the date of the acknowledge of its reception, according to the following provisions.

Nevertheless the complaint has a technical nature or not, it will be analysed by members of the Climate Change Unit. A team shall be appointed by the Technology Coordinator or the Operational Director in order to gather and analyse all necessary information to answer and solve the complaint. Members appointed to handle the complaint shall be different from those who carried out the validation or verification/certification activities. . Validators, Verifiers, Team leaders, the JI Quality Manager and the Technology Coordinator may be part of the team that analyses the complaint. The team will collect all the information necessary and will prepare a reasoned answer. The Technology Coordinator or the JI Quality Manager will send the reasoned answer to the complainant. The motives or causes will be analysed and it will be evaluated if the complaint is valid and related to work for which AENOR is responsible, as well as the actions to be taken.

If the result of the analysis is a non-compliance with the requirements, a corrective action related to the Quality Management System of AENOR shall be raised and managed by the JI Quality Manager or the Technology Coordinator.

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During the complete process the identity of the complainant and details of the complaint are to be kept confidential.

The JI Quality Manager will inform to the Quality and Social Responsibility Department to record the complaint in the Quality Management database. This record will be coded as follows:

DD / XXX – YY

Where XXX is a correlative number

YY are the two last numbers of the current year

This record will adjust to the format RG-CA/003 “General record for incidents”.

The format shall include the following information:

- Person and entity that has received or detected the complaint (incident) and date.
- External entity affected
- Type of complaint: on writing or verbally communicated.
- Analysis of what happened.
- Activity that has been affected.
- Identification of causes, (why it had happened?)
- Actions to be taken, responsible person and proposed date:
 - Immediate actions carried out to manage non conformance (if applicable)
 - Corrective actions carried out to avoid recurrence of non conformance (if applicable)

If a corrective/preventive action is necessary it will be managed and recorded. The root cause analysis shall be done in order to define the adequate corrective/preventive action.

The Climate Change Manager is responsible for monitoring the correct implementation of the actions taken and its effectiveness.

The Quality and Social Responsibility Department is the final responsible for the monitoring of the correct handling of complaints.

The records shall be kept by the Quality and Social Responsibility Department for 5 years.

The confidentiality of the complainant and the subject of the complainant shall be safeguarded during the whole process.

11.2. Disputes handling.

A dispute is defined as a disagreement between a AIE and the project participant (PP) regarding the IE's recommendation and/or opinions/decisions made at various stages during the validation and/or verification/certification functions.

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AENOR has made available a specific e-mail address in its website to make the communication easier to send information about disputes. It can be accessed in AENOR website in section "Certification-Environment" through the following link:

http://www.en.aenor.es/aenor/certificacion/mambiente/medio_ambiente.asp

The procedure for handling disputes is included in option "Joint Implementation projects" in the section "Contact us".

The procedure for handling disputes is included in option "Joint Implementation projects" in the section "Contact us".

PPs may send disputes through the following communication channels:

- e-mail address: ji.kyoto@enor.es,
- fax number +34913190581,
- address: AENOR, Génova 6, 28004 Madrid (Spain).

The JI Quality Manager will check the mailbox ji.kyoto@enor.es daily in order to identify any dispute that may have been received. The JI Quality Technician will assist the JI Quality Manager in this task.

Any dispute will be communicated to the JI Quality Manager by any member of the Climate Change Unit who may have received it.

Any dispute shall be acknowledged by the JI Quality Manager or the Climate Change Manager in a period of ten working days according to the laboral calendar in Madrid. In the absence of the JI Quality Manager, the Climate Change Manager shall acknowledge its reception.

A reasoned answer shall be sent to the disputant within twenty working days after the date of the acknowledge of its reception, according to the following provisions.

A team shall be appointed by the Technology Coordinator in order to gather and analyse all necessary information to answer and solve the dispute. Members from the Climate Change Unit appointed to handle the dispute shall be different from those who carried out the validation or verification/certification activities. Validators, Verifiers, Team leaders, the JI Quality Manager and the Climate Change Manager may be part of the team that analyses the dispute. The team will collect all the information necessary and prepare a reasoned answer. The Climate Change Manager or the JI Quality Manager will send the reasoned answer to the disputant. The motives or causes will be analysed and it will be evaluated if the dispute is valid and related to work for which AENOR is responsible, as well as the actions to be taken.

If the result of the analysis is a non-compliance with the requirements, a corrective action related to the Quality Management System of AENOR shall be raised and managed by the JI Quality Manager or the Climate Change Manager.

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The JI Quality Manager will inform the Quality and Environmental Department to record the dispute in the Quality Management database. This record will be coded as follows:

DD / XXX – YY

Where XXX is a correlative number

YY are the two last numbers of the current year

This record will adjust to the format RG-CA/003 “General record for incidents”.

The format shall include the following information:

- Person and entity that has received or detected the dispute (incident) and date.
- External entity affected (project participant)
- Type of dispute: on writing or verbally communicated.
- Analysis of what happened.
- Activity that has been affected.
- Identification of causes, (why it had happened?)
- Actions to be taken, responsible person and proposed date:
 - Immediate actions carried out to manage and solve the dispute (if applicable)
 - Corrective actions carried out to avoid recurrence of a non conformance detected (if applicable)

If a corrective/preventive action is necessary it will be managed and recorded. The root cause analysis shall be done in order to define the adequate corrective/preventive action.

The Climate Change Manager is responsible for monitoring the correct implementation of the actions taken and its effectiveness.

The Quality and Social Responsibility Department is the final responsible for the monitoring of the correct handling of disputes.

The records shall be kept by the Quality and Social Responsibility Department for 5 years.

Confidentiality of disputes and the subject of the dispute shall be safeguarded during the whole process.

11.3 Appeals handling.

An appeal is defined as follows: A JI client organization’s (JI PP) request for a review by an independent appeal panel of various decisions taken by a AIE in respect of validation and/or verification/certification functions.

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AENOR has made available a specific e-mail address in its website to make the communication easier to send information about appeals. It can be accessed in AENOR website in section "Certification-Environment" through the following link:

http://www.en.aenor.es/aenor/certificacion/mambiente/medio_ambiente.asp

The procedure for handling appeals is included in option "Joint Implementation projects" in the section "Contact us".

PPs may send appeals through the following communication channels:

- e-mail address: ji.kyoto@aeenor.es
- fax number +34913190581,
- address: AENOR, Génova 6, 28004 Madrid (Spain).

The JI Quality Manager will check the mailbox ji.kyoto@aeenor.es daily in order to identify any appeal that may have been received. The JI Quality Technician will assist the JI Quality Manager in this task.

Any communication related to appeals shall be acknowledged in a period of ten working days according to the laboral calendar in Madrid, by the JI Quality Manager or the Climate Change Manager

Any member of the Climate Change Unit that receives a communication related to an appeal shall communicate it to the JI Quality Manager and/or the Climate Change Manager and they will inform the Legal Department and the Quality and Social Responsibility Department. They will assess the validity of the appeal. Subsequently it will be sent to the General Director and the Appeals Committee by the Quality Management Director.

The Appeals Committee is composed of Vice President of AENOR, four elected members from the Board of Directors, and the General Manager of AENOR. It will also include at least one person from the client who was not involved in the project subject to the appeal and a number of neutral third parties as agreed by the appellant and the IE.

The members of the Appeals Committee are not involved in any JI activity including taking decisions regarding validation and verification of JI project activities, so they have no conflict of interest with the appeal in any way. All members of the Appeals Committee shall sign an impartiality agreement. In the case a member of the Committee has a conflict of interest with the appeal, he/she will not participate in the process.

The Appeals Committee will gather all necessary information or will require it to the staff involved in validation/verification/certification work. The Committee has the right to hear the explanations from a witness and/or consult with external technical experts and/or take any measure and/or any actions, including arranging meetings as necessary to make right decision. The appellant shall be notified of the date of the meeting that will be held within 30 working days of the date of the appeal receipt.

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Taking into account all the relevant information, the Appeals Committee shall judge the appeal with fairness by using a simple majority rule voting process. The submission, investigation and decision on appeals shall not result in any discriminatory actions against the appellant.

If feasible, the appellant shall be informed about the progress on appeal investigation before the process is finished.

Once the Committee has taken a decision, it will prepare a report to be sent to the Board of Directors for final approval in their next meeting. The General Manager shall notify the final decision to the appellant within 10 working days from the date of final decision by the Board of Directors.

The members of the Appeal Panel shall hold in confidentiality all information generated during the appeal process related to the appellant's business/organization and the subject of the appeal.

In case the appellant is not satisfied with the decision of the Appeals Committee, the JI Quality Manager shall inform the appellant that it has an option of complaining to the JI EB.

If the result of the analysis is a non-compliance with the requirements, a corrective action related to the Quality Management System of AENOR shall be raised by the JI Quality Manager or the Climate Change Manager.

The JI Quality Manager will inform the Quality and Social Responsibility Department for recording the appeal in the Quality Management database. This record will be coded as follows:

DD / XXX – YY

Where XXX is a correlative number

YY are the two last numbers of the current year

This record will adjust to the format RG-CA/003 "General record for incidents". The format shall include the following information:

- Person and entity that has received the appeal (incident) and date.
- External entity affected (project participant)
- Communication channel used to send the appeal.
- Analysis of what happened.
- Activity that has been affected.
- Identification of causes, (why it had happened?)
- Actions to be taken, responsible person and proposed date:
 - Immediate actions carried out to manage and solve the appeal (if applicable)
 - Corrective actions carried out to avoid recurrence of a non conformance detected (if applicable)

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If a corrective/preventive action is necessary it will be managed and recorded. The root cause analysis shall be done in order to define the adequate corrective/preventive action.

The Climate Change Manager is responsible for monitoring the correct implementation of the actions taken and its effectiveness.

The Quality and Social Responsibility Department is the final responsible for the monitoring of the correct handling of corrective actions related to appeals.

The records shall be kept by the Quality and Social Responsibility Department for 5 years.

12. CONFIDENTIALITY

All companies' information, data and documents to which AENOR may have access during the determination or verification of the JI project, is treated confidentially and such information, data or documents are used exclusively for the determination or verification purposes stipulated in these General Rules.

AENOR may show the contents of its files to comply mandating paragraph 40 of the JI Guidelines. AENOR may, also, show it to accreditation bodies or to competent authorities in the event that the determination entails conformity with some mandatory regulation.

13. PUBLICITY

AENOR shall publish the list of projects determined or verified, specifying the scope of the respective Certificates.

14. FINANCIAL CONDITIONS

AENOR will inform about its prices for determination, verification and/or any other related activity to any project proponent/project participant that submits the adequate request and information

Payments made during the determination or verification process shall not be reimbursed to the applicant entities under any circumstances whatsoever.

15. RECOGNITION AGREEMENTS

According to the "Procedure for accrediting independent entities by the Joint Implementation Supervisory Committee" approved by the JISC recognition agreements with other bodies (organizations) is not applicable to this activity.

16. AMENDMENTS

Any revision of this document shall be made publicly available on AENOR website.