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If you should require any further information then please do not hesitate to contact us. We will be pleased to help you.

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## **1. GENERAL SCOPE OF WORK**

The Validation of deviation(s) is the independent evaluation of the project design, in case of changes that have occurred or are expected to occur to a project / grouped project / project activity instance by a validation/verification body against the VCS Program rules.

The validation is based on the information made available to TÜV NORD CERT GmbH and on the contract conditions. TÜV NORD CERT GmbH cannot be held liable by any entity for making its validation opinion based on any false or misleading information supplied to it during the course of validation.

TÜV NORD CERT GmbH employs a risk-based approach in the validation, focusing on the identification of significant risks for project implementation and the generation of verified carbon units (VCUs).

The service of TÜV NORD CERT GmbH will not include any consulting service. Nevertheless, the client may certainly perceive TÜV NORD CERT GmbH's possible requests for clarifications and/or corrective actions to the client as indicators of possible potential for improvement in the project design.

The validation will follow the procedures of TÜV NORD CERT GmbH's JI/CDM Certification Programme (JI/CDM CP) Quality manual and the applicable VCS Program rules.

The deviation(s) assessment is based on the following documents and information provided by the client: TÜV NORD CERT GmbH will validate the following information:

- A detailed description of the deviation
- A revised design document in clean version (except for TDfrMP and TDfMM)
- A revised design document in track change version (except for TDfrMP and TDfMM)
- Supporting documents

On the basis of the above listed documentation and its expertise TÜV NORD CERT GmbH will carry out an assessment of the deviation(s) against the criteria as detailed in the related VCS Program rules. The validation might require an on-site assessment.

TÜV NORD CERT GmbH will submit to the following documents:

- A validation report for deviation(s) (including opinion);

## **2. VALIDATION PROCESS**

The deviation(s) process of the VCS a project / grouped project / project activity instance shall follow the sequence of steps presented below. The steps may vary in case the deviation(s) are combined with the verification service of the same project / grouped project / project activity instance:

### **2.1. Review of Documents:**

The project documentation submitted by the client and supporting background documents related to the project design and baseline study as well as monitoring plan will be reviewed. Furthermore, the validation team may use additional documentation or checklist by third parties like host-party legislation, technical reports referring to the project design or to the basic conditions and technical data. The document review shall establish to what degree the presented documents meet the established validation criteria. The findings of initial document review will be presented to the client.

**2.2. Assessment using a Validation Protocol:**

For cost-effective and systematic validations, one generic protocol will be used as the documented backbone of a transparent validation process. The protocol shows, in a transparent manner, criteria and requirements, means of validation and the results from pre-validating the identified criteria.

**2.3. On site visit and follow-up interviews:**

Visits of the project site(s) / PPs offices will be carried out in line with the VCS Program rules. To ensure an efficient validation process the client has to provide all necessary information and documentation during the site visit and grant access to relevant sites and persons. If TÜV NORD CERT GmbH finds that the information provided by the Client is not sufficient to perform the validation, TÜV NORD CERT GmbH may, at TÜV NORD CERT GmbH's sole discretion, request follow-up interviews with project stakeholders, project developers, consultants and/or technical staff, or financially responsible persons.

**2.4. Draft-Validation reporting:**

The draft validation report will facilitate the joint effort between the client and TÜV NORD CERT GmbH to develop and document answer(s) and conclusions to requirements, which are considered applicable for VCS projects. The independent validation exercise and subsequent discussions given in the report shall enable the client to address any concerns TÜV NORD CERT GmbH may have raised related to the project, and how these may be clarified.

In order to remedy any mistakes, problems or any other outstanding issues that needed to be clarified for positive conclusion on the project design, Corrective Action Requests (CAR) or Clarification Requests (CL) may be raised. All CLs & CARs are reported and elaborated in terms of implication of CLs & CARs issued in the draft validation report. In the event of issuance of CARs / CLs the client will have to close CARs and respond to CLs before the validation could be completed.

**2.5. Resolution of CARs & CLs**

The CARs and CLs stated in the draft validation report will have to be resolved by the client, if these are issued. The requests can be resolved or "closed out" by the client by modifying the project design and by rectifying and updating the project design documentation. If this is not done in the final stages of the validation, it may cause the project not be recommended for registration, or cause the expected emission reductions not to be subsequently validated and verified.

The number of Assessments on the corrective actions for closure of CARs and CLs raised should be limited to two consecutive rounds. For further resolution, the client and TÜV NORD CERT GmbH may enter into an amendment for additional man-days required.

**2.6. Validation Report**

The final validation report on the deviation(s) will reflect the results and any adjustments made to the project after the submission of draft validation report. This final validation report will reflect the responses to corrective action and clarification requests, discussions and revisions of project documents. Thus, the final validation report should give the final conclusions regarding the projects conformance with relevant VCS Program rules. The validation report may raise issues that need to be subsequently addressed during the following verification on like the implications of any remaining corrective action requests not resolved during the validation.

The final validation report shall include a validation opinion which either forms the basis for VCS acceptance of the deviation(s) of the project / grouped project / project activity instance or which explains the reason for non-acceptance if the project is judged not to fulfil validation requirements.

### **2.7. Technical review & Final Approval**

Before the submission of the final validation report, a technical review and final approval of the whole validation procedure will be carried out.

During the technical review process, the validation opinion and the specific assessments as prepared by the validation team may have been confirmed or revised. Furthermore, reporting improvements might have been achieved.

The technical review follows an overall (esp. procedural) assessment of the complete validation carried out by a qualified auditor.

### **2.8. Submission to the client**

Registration is the formal acceptance by VCS of a project. Registration is the prerequisite for the verification and issuance of VCUs related to that project.

TÜV NORD CERT GmbH will submit the validation report to the client.

## **3. SCHEDULE OF EVENTS**

TÜV NORD CERT GmbH is prepared to begin the assessment work on the design change(s) upon receipt of all necessary documentation.

The detailed timeline of events shall be mutually agreed upon after conclusion of the contract.

## **4. TEAM COMPOSITION**

An experienced team will carry out the deviation(s) of the project.

The validation team will consist of experienced (lead) auditors and experts covering technical, methodological, environmental, host country and socio-economic competence.

The final team composition will be announced after the conclusion of contract and in the course of the audit planning. The client has the right to reject any team member with sufficient justification. Related Curriculum Vitae of the audit team will be provided upon request vide [operations.carbon@tuev-nord.de](mailto:operations.carbon@tuev-nord.de).

## **5. RIGHTS AND RESPONSIBILITIES OF TÜV NORD CERT GMBH**

In addition to performing the service detailed in the offer TÜV NORD CERT GmbH shall:

Issue a validation report on deviation(s) in line with scheme requirements, which will state whether, in the validation/verification body's opinion, the project / grouped project / project activity instance fulfils the requirements of the scheme.

Arrive at its opinion upon consideration of the following matters and reporting as to any aspect with which TÜV NORD CERT GmbH is not satisfied, namely whether:

- All relevant scheme requirements are met
- the monitoring system and procedures are in line with the applied methodology.

TÜV NORD CERT GmbH shall be entitled to Interview attorneys, engineers, analysts, accountants, or other parties deemed by TÜV NORD CERT GmbH to have the qualifications necessary to assist in the performance of the service without any extra fees/charge payable on this account by the client. TÜV NORD CERT GmbH may select and engage such persons without the clients prior approval save that, should the client advise TÜV NORD CERT GmbH that a conflict of interest exists, TÜV NORD CERT GmbH will take all necessary measures to engage alternate advisors. TÜV NORD CERT GmbH may also consult with stakeholders to assist in the performance of the service. Stakeholders shall include the public, including individuals, groups or communities affected, or likely to be affected, by the activity in question.

TÜV NORD CERT GmbH shall perform the service in an efficient, prompt, skillful and careful manner in accordance with the current industry standards, practices and accredited procedures. In performing the service, TÜV NORD CERT GmbH shall observe and obey all applicable laws, regulations, rules and standards imposed by any government or other duly constituted authority having jurisdiction in the host country.

TÜV NORD CERT GmbH by accepting the offer neither automatically guarantees a positive validation opinion nor the acceptance of deviation(s) by VCS.

TÜV NORD CERT GmbH has the right to subcontract members of the TÜV NORD JI/CDM Certification Program of other entities and external individuals.

## **6. RESPONSIBILITIES OF THE CLIENT**

The client is responsible for:

Preparing a Project Design Document in compliance with the rules set by the applied scheme. In case of changes to the scheme during execution of the service the client shall adapt the project documents to the new rules.

Determining the deviations using approved methodologies and tools and scientifically appropriate protocols as required by the scheme, to gather the necessary data and reporting data in a complete, transparent and accurate manner.

Providing TÜV NORD CERT GmbH with:

- the necessary and requested access to client books, records, information systems and facilities such that TÜV NORD CERT GmbH is able to validate the data and assumptions presented in the project documents.
- all information, documentation, data or other material or taking all measures required by the scheme unless TÜV NORD CERT GmbH is expressly responsible for providing such measures under this agreement. In case of deadlines set by the scheme concerning material to be provided or measures to be taken by the client, the client shall provide TÜV NORD CERT GmbH with material 3 working days before expiry of the deadline.

Complying with TÜV NORD CERT GmbH's requests to conduct interviews, meetings and/or discussions with client's employees and agents on any matters relating to the service, within such deadlines as TÜV NORD CERT GmbH shall establish.

All obligations of the client shall be performed according to the scheme in force when performing the obligations. In case of changes to the scheme affecting performances already rendered the client shall amend or render anew its performances accordingly.