



Title: Derogation 2: Covid-19 Chain of Custody Labour Pause

Relevant MSC program document(s) and clause reference(s):

- MSC Chain of Custody Standard v5.0 (Group and CFO Standards v2.0)
 - 5.7.2 (Default and Group); 5.8.2 (CFO Standard)
 - 5.7.3 (Default and Group); 5.8.3 (CFO Standard)
- MSC Chain of Custody Certification Requirements v3.1
 - 8.2.15.b

Effective date: 28 March 2021.

Expiration date: This derogation will expire on 28 May 2021 and will be superseded by Derogation 7: Chain of Custody Labour Audit Risk Revision.

Issuing authority and date: Dr Rohan Currey, Chief Science and Standards Officer, 9 February 2021

To: MSC Accredited Conformity Assessment Bodies (CABs)

Cc: Assurance Services International and Aquaculture Stewardship Council

Versions published

Version no.	Date published	Description of amendments
1	6 May 2020	N/A
2	26 February 2021	Extension of application.

1 Objective of the derogation

- 1.1 To delay the implementation date of the MSC labour requirements.

2 Normative requirements – certificate holders & CABs

- 2.1 The requirements in section 5.7.2 of the [MSC Chain of Custody Default Standard](#) and section 5.8.2 of the [Group](#) or [Consumer-Facing Organisation Standard](#) (v5.0 Default, v2.0 Group or v2.0 CFO) do not apply during the effective dates of this derogation.

3 Derogation requirements – CABs

- 3.1 The requirements in section 5.7.2 of the [MSC Chain of Custody Default Standard](#) and section 5.8.2 of the [Group](#) or [Consumer-Facing Organisation Standard](#) (v5.0 Default, v2.0 Group or v2.0 CFO) do not apply during the effective dates of this derogation.
- 3.2 This is applicable for certificate holders that have been classified as Standard Risk as per Tables 5 and 6 of the [MSC Chain of Custody Certification Requirements v3.1](#) and are thus expected to comply with the CoC labour requirements by the date of their second CoC audit.

FAQs and further guidance

1. Why is the MSC releasing this derogation?

To provide a reprieve to CoC certificate holders that have the potential to face exceptional difficulties in carrying out a third-party labour audit as a result of the impacts of Covid-19 on the ability to hold on-site audits.

2. When do certificate holders have to complete a labour audit?

This derogation exempts Chain of Custody certificate holders from completing a labour audit until 28 May 2021.

3. What happens after 28 May 2021?

After 28 May 2021, this derogation will be superseded by the Chain of Custody Labour Audit Risk Revision Derogation (2021/2).

4. I have to complete an audit for my buyer. What does this mean for my MSC certificate?

It is important to note that this derogation does not, in any way, supersede existing agreements or buying specifications between certificate holders and their customers to have a third-party labour audit.