



反贿赂管理体系 认证实施规则

版 本：A/1

编 写：质量技术部

审 核：于书梅

批 准：于贤达

生效日期：2025年9月1日

荣南认证中心有限公司



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1. 适用范围

- 1.1 本规则用于规范荣南认证中心有限公司(以下简称“本机构”或 RNCC)依据相关标准在中国境内开展的反贿赂管理体系认证活动。
- 1.2 本规则依据认证认可相关法律法规，结合相关技术标准，对反贿赂管理体系认证实施过程作出具体规定，明确本机构对认证过程的管理责任，保证反贿赂管理体系认证活动的规范、有效。
- 1.3 本规则是本机构在认证活动中的基本要求，所有认证人员在认证活动中应遵守本规则。
- 1.4 本规则覆盖可颁发的证书包括：反贿赂管理体系认证证书。

2. 认证依据

ISO 37001:2025 《反贿赂管理体系 要求及使用指南》

3. 对认证人员的基本要求

- 3.1 审核人员应具有 CCAA 注册人员资格。
- 3.2 认证人员应经过 ISO 37001《反贿赂管理体系 要求及使用指南》的培训；审核人员应经评价具备审核反贿赂管理体系的能力。
- 3.3 认证人员应当遵守与从业相关的法律法规，对认证活动及相关认证记录、认证审核报告的真实性承担相应的法律责任。

4. 初次认证程序

4.1 认证申请

认证机构应向申请认证的组织（以下简称申请组织）至少公开以下信息：

- 1) 可开展认证业务的范围，以及获得认可的情况。



International Standard

Anti-bribery management systems — Requirements with guidance for use

*Systèmes de management anti-corruption — Exigences et
recommandations de mise en œuvre*

ISO 37001

**Second edition
2025-02**



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ISO copyright office
CP 401 • Ch. de Blandonnet 8
CH-1214 Vernier, Geneva
Phone: +41 22 749 01 11
Email: copyright@iso.org
Website: www.iso.org

Published in Switzerland

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Foreword

ISO (the International Organization for Standardization) is a worldwide federation of national standards bodies (ISO member bodies). The work of preparing International Standards is normally carried out through ISO technical committees. Each member body interested in a subject for which a technical committee has been established has the right to be represented on that committee. International organizations, governmental and non-governmental, in liaison with ISO, also take part in the work. ISO collaborates closely with the International Electrotechnical Commission (IEC) on all matters of electrotechnical standardization.

The procedures used to develop this document and those intended for its further maintenance are described in the ISO/IEC Directives, Part 1. In particular, the different approval criteria needed for the different types of ISO document should be noted. This document was drafted in accordance with the editorial rules of the ISO/IEC Directives, Part 2 (see www.iso.org/directives).

ISO draws attention to the possibility that the implementation of this document may involve the use of (a) patent(s). ISO takes no position concerning the evidence, validity or applicability of any claimed patent rights in respect thereof. As of the date of publication of this document, ISO had not received notice of (a) patent(s) which may be required to implement this document. However, implementers are cautioned that this may not represent the latest information, which may be obtained from the patent database available at www.iso.org/patents. ISO shall not be held responsible for identifying any or all such patent rights.

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For an explanation of the voluntary nature of standards, the meaning of ISO specific terms and expressions related to conformity assessment, as well as information about ISO's adherence to the World Trade Organization (WTO) principles in the Technical Barriers to Trade (TBT), see www.iso.org/iso/foreword.html.

This document was prepared by Technical Committee ISO/TC 309, *Governance of organizations*.

This second edition cancels and replaces the first edition (ISO 37001:2016), which has been technically revised. It also incorporates the Amendment ISO 37001:2016/Amd 1:2024.

The main changes are as follows:

- subclauses were added on climate change and stressing the importance of the compliance culture;
- conflicts of interest were addressed;
- the concept of the anti-bribery function was clarified;
- the wording was harmonized with other standards where appropriate and reasonable;
- the latest harmonized structure was introduced.

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If ISO, or the ISO member body in the user's country, has reasonable doubt that users are not compliant with these terms, it may request in writing to perform an audit, or have an audit performed by a third-party auditor, during business hours at user's premises or via remote access.

Any feedback or questions on this document should be directed to the user's national standards body. A complete listing of these bodies can be found at www.iso.org/members.html.

Introduction

Bribery is a widespread phenomenon. It raises serious social, moral, economic and political concerns, undermines good governance, hinders development and distorts competition. It erodes justice, undermines human rights and is an obstacle to the relief of poverty. It also increases the cost of doing business, introduces uncertainties into commercial transactions, increases the cost of goods and services, diminishes the quality of products and services, which can lead to loss of life and property, destroys trust in institutions and interferes with the fair and efficient operation of markets.

Governments have made progress in addressing bribery through international agreements such as the Organization for Economic Co-operation and Development Convention on Combating Bribery of Foreign Public Officials in International Business Transactions^[19] and the United Nations Convention against Corruption^[18] and through their national laws. In most jurisdictions, it is an offence for individuals to engage in bribery and there is a growing trend to make organizations, as well as individuals, liable for bribery.

However, the law alone is not sufficient to solve this problem. Organizations have a responsibility to proactively contribute to combating bribery. This can be achieved by an anti-bribery management system, which this document is intended to provide, and through leadership commitment to establishing a culture of integrity, transparency, openness and compliance. The nature of an organization's culture is critical to the success or failure of an anti-bribery management system.

A well-managed organization is expected to have a compliance policy supported by appropriate management systems to assist it in complying with its legal obligations and commitment to integrity. An anti-bribery policy is a component of an overall compliance policy. The anti-bribery policy and supporting management system help an organization to avoid or mitigate the costs, risks and damage of involvement in bribery, to promote trust and confidence in business dealings and to enhance its reputation.

This document reflects international good practice and can be used in all jurisdictions. It is applicable to small, medium and large organizations in all sectors, including public, private and not-for-profit sectors. The bribery risks facing an organization vary according to factors such as the size of the organization, the locations and sectors in which the organization operates, and the nature, scale and complexity of the organization's activities. This document specifies the implementation by the organization of policies, procedures and controls which are reasonable and proportionate according to the bribery risks the organization faces. [Annex A](#) provides guidance on implementing the requirements of this document.

Conformity with this document cannot provide assurance that no bribery has occurred or will occur in relation to the organization, as it is not possible to completely eliminate the risk of bribery. However, this document can help the organization implement reasonable and proportionate measures designed to prevent, detect and respond to bribery.

This document can be used in conjunction with other management system standards (e.g. ISO 9001, ISO 14001, ISO/IEC 27001, ISO 37301 and ISO 37002) and management standards (e.g. ISO 26000 and ISO 31000).

Guidance for the governance of organizations is specified in ISO 37000 and requirements for a general compliance management system are specified in ISO 37301.

Anti-bribery management systems — Requirements with guidance for use

1 Scope

This document specifies requirements and provides guidance for establishing, implementing, maintaining, reviewing and improving an anti-bribery management system. The system can be stand-alone or can be integrated into an overall management system. This document addresses the following in relation to the organization's activities:

- bribery in the public, private and not-for-profit sectors;
- bribery by the organization;
- bribery by the organization's personnel acting on the organization's behalf or for its benefit;
- bribery by the organization's business associates acting on the organization's behalf or for its benefit;
- bribery of the organization;
- bribery of the organization's personnel in relation to the organization's activities;
- bribery of the organization's business associates in relation to the organization's activities;
- direct and indirect bribery (e.g. a bribe offered or accepted through or by a third party).

This document is applicable only to bribery. It sets out requirements and provides guidance for a management system designed to help an organization to prevent, detect and respond to bribery and comply with anti-bribery laws and voluntary commitments applicable to its activities.

The requirements of this document are generic and are intended to be applicable to all organizations (or parts of an organization), regardless of type, size and nature of activity, and whether in the public, private or not-for-profit sectors. The extent of application of these requirements depends on the factors specified in [4.1](#), [4.2](#) and [4.5](#).

NOTE 1 See [Clause A.2](#) for guidance.

NOTE 2 The measures necessary to prevent, detect and mitigate the risk of bribery by the organization can be different from the measures used to prevent, detect and respond to bribery of the organization (or its personnel or business associates acting on the organization's behalf). See [A.8](#) for guidance.

2 Normative references

There are no normative references in this document.

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminology databases for use in standardization at the following addresses:

- ISO Online browsing platform: available at <https://www.iso.org/obp>
- IEC Electropedia: available at <https://www.electropedia.org/>

反贿赂管理体系—要求及使用指南

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引 言

贿赂是一种普遍存在的现象，它引发了严重的社会、道德、经济和政治疑虑，破坏了良好治理，阻碍了发展，并扭曲了竞争。贿赂侵蚀了正义，损害了人权，是缓解贫困的障碍。它还增加了商业活动的成本，给商业交易带来了不确定性，提高了商品和服务的价格，降低了产品和服务的质量，这可能导致生命和财产的损失，破坏对机构的信任，并干扰市场的公平和高效运行。

政府已经通过国际协议（如《经济合作与发展组织关于在国际商业交易中打击贿赂外国公职人员的公约》[19] 和《联合国反腐败公约》[18]）以及国家法律，在解决贿赂问题方面取得了进展。在大多数司法管辖区，个人从事贿赂行为是违法的，并且有一种日益增长的趋势是，使组织以及个人都对贿赂行为承担责任。

然而，仅靠法律并不足以解决这个问题。组织有责任积极主动地参与打击贿赂。这可以通过反贿赂管理体系来实现，本标准旨在提供这样的管理体系，并通过领导层的承诺来建立诚信、透明、开放和合规的文化。组织的文化性质对于反贿赂管理体系的成功或失败至关重要。

一个管理良好的组织应有一项合规政策，并由适当的管理体系支持，以协助其履行法律义务和对诚信的承诺。反贿赂方针是整体合规政策的一个组成部分。反贿赂方针及其支持的管理体系有助于组织避免或减轻涉及贿赂的成本、风险和损害，促进商业交易中的信任和信心，并提升其声誉。

本标准反映了国际良好实践，可在所有司法管辖区使用。它适用于所有部门的小型、中型和大型组织，包括公共部门、私营部门和非营利部门。组织面临的贿赂风险因多种因素而异，如组织的规模、组织运营的地点和部门，以及组织活动的性质、规模和复杂性。本标准规定了组织根据其所面临的贿赂风险，实施合理且相称的政策、程序和控制措施。附件 A 提供了实施本标准要求的指导。

符合本标准并不能保证组织没有发生或将来不会发生贿赂行为，因为完全消除贿赂风险是不可能的。然而，本标准可以帮助组织实施旨在预防、检测和应对贿赂的合理且相称的措施。

本标准可以与其他管理体系标准（如 ISO 9001、ISO 14001、ISO/IEC 27001、ISO 37301 和 ISO 37002）和管理标准（如 ISO 26000 和 ISO 31000）结合使用。

关于组织治理的指导在 ISO 37000 中进行了规定，而一般合规管理体系的要求在 ISO 37301 中进行了规定。

反贿赂管理体系——要求及使用指南

1 范围

本标准规定了建立、实施、保持、评审和改进反贿赂管理体系的要求，并提供了相关指导。该体系可以独立存在，也可以融入整体管理体系中。本标准涉及组织活动相关的以下方面：

- 公共部门、私营部门和非营利部门的贿赂；
- 组织的贿赂行为；
- 组织人员代表组织或为了组织利益而进行的贿赂；
- 组织商业伙伴代表组织或为了组织利益而进行的贿赂；
- 对组织的贿赂；
- 与组织活动相关的对组织人员的贿赂；
- 与组织活动相关的对组织商业伙伴的贿赂；
- 直接和间接贿赂（例如，通过第三方或由第三方提供或接受的贿赂）。

本标准仅适用于贿赂问题。它规定了要求，并为旨在帮助组织预防、检测和应对贿赂，以及遵守适用于其活动的反贿赂法律和自愿承诺的管理体系提供了指导。

本标准的要求是通用的，旨在适用于所有组织（或组织的一部分），无论其类型、规模和活动性质如何，也无论其属于公共部门、私营部门还是非营利部门。这些要求的适用程度取决于 4.1、4.2 和 4.5 中指定的因素。

注 1：见 A.2 以获取指导。

注 2：组织为防止、检测和减轻自身贿赂风险所需的措施，可能与用于防止、检测和应对对组织（或其人员或代表组织行事的商业伙伴）的贿赂的措施不同。见 A.8 以获取指导。

2 规范性引用文件

本标准中无规范性引用文件。

3 术语和定义

以下术语和定义适用于本标准。

ISO（国际标准化组织）和 IEC（国际电工委员会）维护用于标准化的术语数据库，其访问地址如下：

—— ISO 在线浏览平台: <https://www.iso.org/obp>

—— IEC Electropedia: <https://www.electropedia.org/>

3.1

贿赂 bribery

提供、承诺、给予、接受或索取任何价值的不当利益（无论是财务的或非财务的），无论地点如何，直接或间接地违反适用法律，以此作为引诱或奖励，促使个人就其职责绩效（3.16）采取或不采取行动。

注1：上述为一般定义。“贿赂”一词的含义由适用于组织（3.2）的反贿赂法律和由组织设计的反贿赂管理体系（3.5）进行具体规定。

3.2

组织 organization

为实现其目标（3.11），具有自身职责、权限和相互关系的个人或一群人。

注1：组织的概念包括但不限于个体经营者、公司、集团、商行、企事业单位、行政机构、合伙企业、慈善机构或研究机构，或其部分或组合，无论是否具有法人资格，无论公立还是私立。

注2：如果组织是更大实体的一部分，则“组织”一词仅指处于反贿赂管理体系（3.5）范围内的该更大实体的一部分。

3.3

相关方（推荐术语） interested party

利益相关者（认可术语） stakeholder

能够影响、被影响或自认为受到某个决定或活动影响的个人或组织（3.2）。

注1：相关方可以是组织内部的或外部的。

3.4

要求 requirement

明确表述的、必须履行的需求。

注1：ISO 管理体系标准中“要求”的核心定义是“明确表述的、通常隐含的或必须履行的需求或期望”。在反贿赂管理的背景下，“通常隐含的要求”不适用。

注2：“通常隐含”意味着对于组织（3.2）和相关方（3.3）而言，所考虑的需求或期望是习惯或常见做法所隐含的。

注3：规定的要求是明确表述的，例如在成文信息（3.14）中。

如您需获取上述认证规则全文及对应认证依据的全文，可通过以下方式联系 RNCC 获取。

联系电话：0871-63517098

邮箱：rnccyn@163.com