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**RSPO**

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# **RSPO Standard Operating Procedure for Standard Setting and Review 2020 (Revised)**

This revision incorporates the RSPO Theory of Change, the changes in the RSPO Governance Structure (Review) and the procedural requirements in line with the adoption of the RSPO P&C 2018 and the RSPO Independent Smallholder Standard 2019.

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## LIST OF ACRONYMS

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<b>RSPO</b>	Roundtable on Sustainable Palm Oil
<b>P&amp;C</b>	Principles and Criteria
<b>CSPO</b>	Certified Sustainable Palm Oil
<b>BoG</b>	Board of Governors
<b>ToR</b>	Terms of Reference
<b>SC</b>	Standing Committee
<b>ToC</b>	Theory of Change
<b>P&amp;C</b>	Principles & Criteria
<b>NI</b>	National Interpretation
<b>LI</b>	Local Interpretation
<b>WG</b>	Working Group
<b>TF</b>	Task Force
<b>ISEAL</b>	International Social and Environmental Accreditation and Labelling
<b>CoC</b>	Code of Conduct
<b>NGO</b>	Non-Governmental Organisation

<b><i>Conflict of interest</i></b>	Situation in which a party has an actual or perceived interest that gives, or could have the appearance of giving, that party an incentive for personal, organisational, or professional gain, such that the party's interest could conflict, or be perceived to conflict with, the conduct of an impartial and objective certification process.
<b><i>Consensus</i></b>	Decision taken in absence of any sustained objection.
<b><i>Criteria</i></b>	The conditions that need to be met in order to fulfil a principle. Criteria add meaning and operationally to a principle without themselves being direct measures of performance.
<b><i>Deadlock</i></b>	Whereby opposing parties come to a point of fundamental disagreement on a significant topic and no progress can be made risking a standstill or stalemate of the entire process.
<b><i>Disadvantaged stakeholders</i></b>	Stakeholders who may be challenged financially, geographically or lack the necessary resources to achieve a certain outcome
<b><i>Entry into vigour</i></b>	To come into force, to come into effect.
<b><i>Force majeure</i></b>	Refers to any situation which could not have been avoided even with due care and planning by the TF participant (i.e. was outside of the control of the TF participant). Examples include natural disasters, family illness.
<b><i>Indicators</i></b>	The measurable states which allow the assessment of whether or not associated criteria are being met. Indicators convey a single, meaningful message or piece of information.
<b><i>Informative Documents</i></b>	Including but not limited to guidance documents, tools, procedures, etc.
<b><i>Interest group</i></b>	Any person or group concerned with or directly affected by a standard.
<b><i>National Interpretation</i></b>	The National Interpretation (NI) is the interpretation of the RSPO P&C on national level following the procedures as outlined in section 9 of this document.
<b><i>Non - substantive changes</i></b>	A non-substantive change is one that does not materially affect the use and implementation of the standard.
<b><i>Normative Documents</i></b>	Documents that certified RSPO members will be audited against
<b><i>Principle</i></b>	A fundamental statement about a desired outcome, often providing greater detail about the objectives.
<b><i>Procedural complaints</i></b>	Procedural complaints relate to the way in which the standard was developed. These can include complaints about the process for deciding on the content of the standard, but not about the content of the standard itself.
<b><i>Public consultation</i></b>	Public consultation is the defined period or periods during which stakeholder comments are sought about a draft standard or document during a standard development process. Typically, different methods of engagement are used, such as online comment templates or physical consultation workshops.
<b><i>Smallholders</i></b>	Farmers grow oil palm, sometimes along with subsistence production of other crops, where the family provides the majority of labour and the farm provides

the principal source of income and where the planted area of oil palm is usually below 50 hectares in size.

<b><i>Scheme smallholders</i></b>	Smallholders that may be structurally bound by contract, credit agreement or by planning to a particular mill, but the association is not necessarily limited to such linkages. Other terms commonly used for scheme smallholders include associated and/or plasma smallholders.
<b><i>Independent smallholders</i></b>	Smallholders that are not bound by any contract, credit agreement or planning to a particular mill.
<b><i>Outgrowers</i></b>	Farmers or oil palm planters with more than 50 hectares in size who produce FFB for sales, but without mill. Outgrowers can be independent, i.e. independent growers, or associated with a mill, e.g. scheme outgrowers.  <i>This definition supersedes the definition described in RSPO P&amp;C 2013 and RSPO Management System Requirements and Guidance for Group Certification of FFB Production 2016.</i>
<b><i>Public Consultation</i></b>	The development of an NI shall include a period of time during which stakeholders outside of the NI TF have the opportunity to study and comment on the draft NI document. This is known as a ‘public consultation’.
<b><i>Significantly affected (stakeholders)</i></b>	Those who will be impacted by the implementation of the standard. This may also include indirectly affected stakeholders who have an interest in the application of the standard.
<b><i>Small Producing Countries</i></b>	Small producing countries are those countries who produce not exceeding 5% of global palm oil.
<b><i>Standards</i></b>	A document that provides, for common and repeated use, rules, requirements, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory.
<b><i>Standard development activities</i></b>	The term used in this document to cover both RSPO standards setting and standards review activities.
<b><i>Stakeholder:</i></b>	An individual or group with a legitimate and/or demonstrable interest in, or who is directly affected by, the activities of an organisation and the consequences of those activities.
<b><i>Substantive complaints</i></b>	Substantive complaints relate to the content of the standard and should be dealt with through the standard development or revision process.
<b><i>Task Force</i></b>	The RSPO’s task force is normally established to work in specific issues to address complex and difficult challenges and work towards developing solutions. The task force normally establishes under a working group or standing committee and is therefore non-permanent by nature.
<b><i>Verifiers</i></b>	The means of verification define the type of information or observations that are used to demonstrate that the required indicator state is being realised. Verifiers provide specific details that reflect a desired condition of an indicator. Verifiable criteria can be checked for compliance through an audit process.
<b><i>Working Group</i></b>	The RSPO's working groups are established under Standing committees or directly by the BoG. Its establishment is normally designed to encourage members to address complex and difficult challenges and work towards developing practical solutions.



## I. Introduction

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### Background

The Roundtable on Sustainable Palm Oil (RSPO) is a global, multi-stakeholder initiative on sustainable palm oil and sets the standard for the production, processing, trade and use of Certified Sustainable Palm Oil (CSPO). Its principal objective is to promote the growth and use of sustainable palm oil through cooperation within the supply chain and open dialogue amongst its stakeholders. Members of the RSPO and participants in its activities come from many different backgrounds, including plantation companies, manufacturers and retailers of palm oil products, environmental and social NGOs from many countries that produce and/or use palm oil. In 2018, the RSPO Board of Governors (BoG) endorsed the RSPO Theory of Change (ToC) with the overall vision of making sustainable palm oil the norm. The ToC is a roadmap that demonstrates how RSPO will achieve its vision. It includes key strategies and activities that RSPO will implement, with the support of members, partners, and other actors, to trigger the transformation of the palm oil sector. The strategies are intended to bring about direct outputs in the form of increased adoption of the RSPO standards, greater transparency and inclusivity in the RSPO system, increased market uptake of sustainable palm oil, and improved enabling environment.

The first set of Principles and Criteria, Indicators and Guidance (RSPO P&C 2007) have been applied since November 2007. After five (5) years of application by RSPO members, the RSPO P&C 2007 were reviewed in 2012-2013, leading to the RSPO P&C 2013. After a further five (5) years of application, these were reviewed and revised in 2017-2018, leading to the current RSPO P&C 2018.

The review of the RSPO P&C 2018; the BoG endorsement of the RSPO Governance Review for Reorganisation of Standing Committees, Task Forces and Working Groups; the lessons learned and new knowledge obtained along and during the process; as well as to accommodate the new RSPO governance structure, have necessitated in the adjustment of certain procedures and practices in the RSPO standard setting protocols.

The purpose of this RSPO Standard Operating Procedure (SOP) for Standard Setting and Review document is to set out the procedures and describe the process by which the RSPO standards are developed, reviewed and endorsed in line with ISEAL Alliance's requirements. It contains some notable changes in the organisational structure and practices in the RSPO standard setting procedure, which are in line with the ISEAL Code for continuous improvement. This document, therefore, will replace the earlier version of the RSPO Standard Operating Procedure for Standard Setting and Review, June 2017.

To note, a specific set of procedures for National Interpretations (NIs) and Local Interpretations (LIs) (for RSPO P&C 2018 and RSPO Independent Smallholder (ISH) Standard 2019 ) are detailed in Section 9 of this document.

### RSPO Vision and Mission

The vision of RSPO is to transform markets to make sustainable palm oil the norm and the RSPO missions are as follows:

- To advance the production, procurement, finance and use of sustainable palm oil products;

- To develop, implement, verify, assure and periodically review credible global standards for the entire supply chain of sustainable palm oil;
- To monitor and evaluate the economic, environmental and social impacts of the uptake of sustainable palm oil in the market; and
- To engage and commit all stakeholders throughout the supply chain, including governments and consumers.

### **Scope of Standard Development Activities**

The term 'RSPO Standards' (hereafter referred to as 'Standards') refers to:

- a. RSPO Principles and Criteria (P&C)
- b. National Interpretations (NI's)
- c. RSPO Independent Smallholder Standard
- d. RSPO Medium Grower Standard
- e. RSPO Supply Chain Certification Standard

The development and/or revision of any other key RSPO documents other than those mentioned above, such as guidance documents, and systems or tools developed to assist members in meeting RSPO standards, will be at the discretion of the Standard Standing Committee (Standard SC).

For the purpose of this document, both RSPO standards setting and standards review activities shall together be referred to as 'standard development activities'.

### **The Mandate of the Standard Standing Committee**

The RSPO Standard Standing Committee (Standard SC), which reports directly to the RSPO BoG is the body that governs any development of standards for RSPO.

The mandates of the Standard SC are as follows:

- To oversee and provide the necessary recommendations and/or guidance during the development process of any relevant RSPO standards and/or guidance;
- To ensure the development of RSPO standards and guidance complies with the appropriate procedures and best practices, including but not limited to compliance with the ISEAL Standard and the RSPO SOP for Standard Setting and Review;
- To make the decision throughout the development process of the RSPO standards and relevant and/or associate documents;
- To ensure that all due process (i.e. balanced representation of stakeholders in the Working Group(s)/Task Force(s), RSPO Code of Conduct (CoC), the principles of the ToC, compliance with ISEAL Standards, etc.) are respected and adhered to;
- To approve relevant RSPO document(s) for BoG endorsement.

In principle, all normative documents will require the endorsement of the BoG, whereas informative documents (including but not limited to guidance documents, tools, procedures, etc.) may be decided at the discretion of the Standard SC. Notwithstanding the above, the Standard SC shall have the discretion to decide whether any document shall be put forth to the BoG for endorsement and/or to recommend to the BoG to bring it to the General Assembly (GA) for adoption.

The Standard SC may create Working Groups and Task Forces to undertake specific assignments within its areas of responsibility, or may take responsibility that is assigned to them for Working Groups or Task Forces created by a BoG decision, or a GA decision or resolution.

Where appropriate, the other standing committees (Market Development SC, Assurance SC and Smallholders SC) may be consulted in the standard development process.

### **ISEAL Code Guidelines**

RSPO is a member of ISEAL and refers to the ISEAL Code of Good Practice for Setting Social and Environmental Standards (version 6.0 - December 2014) as the basis for all of their standard development activities. Further guidelines on implementing the requirements of this SOP can be found in the current version 6.0 (dated December 2014) ISEAL Code of Good Practice for Setting Social and Environmental Standards.

RSPO is subject to compliance with the aforementioned ISEAL code, and as such, has applied best practices in the process of development and review of the standard following ISEAL's Standard Setting Code.

## **II. Standard Development Activities**

The procedure adopted by RSPO for standard development activities is set out as follows:

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### **1. STANDARD DEVELOPMENT PROCESS**

#### **1.1 Directives from the RSPO Board of Governors (BoG) to the Standing Committees (SC)**

1.1.1 It is the responsibility of the RSPO BoG to provide directives to the Standard SC for the following reasons:

- a. Development of new standards
  - When there is a need to develop new standards that will lead towards achieving RSPO's vision of making sustainable palm oil the norm.
  
- b. Revision of existing standards
  - In line with ISEAL's requirements, existing standards need to be revised at least every five years for continued relevance and for effectiveness in meeting its stated objectives.
  - When there is a need for change, correction or amendment of the existing standard.

1.1.2 The Standard SC may also propose the development of new standards or revision of existing standards to the BoG, when a need is identified.

- 1.1.3 The Standard SC is responsible for overseeing the standard development and revision activities set out in this SOP, providing oversight throughout the aforesaid process over a dedicated Task Force and/or Working Group (TF/WG) within the Standard SC's oversight.

## 1.2 Review and Revision of Existing Standards

- 1.2.1 RSPO standards are reviewed at least every five years from their publication date in line with ISEAL's requirements. The start date of all standards is made publicly available and included in the standard. Subsequent review will follow prior to the expiry of the standard.
- 1.2.2 As part of the preparation for standard development activities, an existing standard is reviewed for continued relevance and effectiveness in meeting RSPO's vision to make sustainable palm oil the norm. Continued relevance of the standard is also assessed through the results of ongoing monitoring and evaluation activities. The decision on the extent on which revisions to the standard are needed (e.g. minor technical or significant changes to the scope) should be based on the results of the review process, which incorporates comments received to date. Results of this review are incorporated into the Terms of Reference (Section 2.1), and a summary report is submitted to the BoG and made publicly available.
- 1.2.3 In situations of uncertainty, the RSPO BoG will be consulted to determine whether an identified change required to the standard is non-critical. The BoG shall make the final decision regarding subsequent actions required
- 1.2.4 For a standard revision activity, the Standard SC shall define, through initial standard development activities set out in Section 2 of this document, the level to which it is necessary to conduct stakeholder engagement activities (see Section 3), whether a Task Force is required (see Section 4) and the extent of the public consultation process (see Section 5). This shall be decided according to the relative complexity of the changes required, scope of the revision and the end use of the standard.
- 1.2.5 For administrative and non-substantive changes to a standard can be made at the discretion of the Standard SC and BoG without the need of a consultation or formal revision process but shall include notification of any changes in the subsequent review and revision process; however, any changes in between the standards review period that has been endorsed by the BoG shall be announced and made accessible on the RSPO website.

## 1.3 Role, Composition and Objective of the RSPO Standing Committees (SC's)

- 1.3.1 In March 2019, the RSPO BoG endorsed the RSPO Governance Review for the Reorganisation of Standing Committees, Task Forces and Working Groups where the following Standing Committees were established:
- Standard Standing Committee (Standard SC)
  - Assurance Standing Committee (ASC)
  - Market Development Standing Committee (MDSC)
  - Smallholder Standing Committee (SHSC)

- 1.3.2 RSPO Standing Committees (SCs) comprise of members from the BoG, or their respective alternates, and other RSPO members, and strive for a balanced representation from all membership categories.
- 1.3.3 The BoG, at its sole discretion, may propose changes to the composition of an SC for it to better serve the RSPO or for specific standard development activities. Membership is honorary and participation is voluntary. The lack of positive involvement over a continuous period of 12 months will suggest withdrawal from the SC irrespective of notification or otherwise. The SC shall decide leadership and functionaries from among its members. The SC, at its behest, may invite experts on terms and conditions it prefers, but such experts cannot assume leadership of the SC or have a vote in decision-making. The RSPO Secretariat shall provide facilitation resources to all SCs.
- 1.3.4 The objectives of each Standing Committees can be found at this link: <https://www.rspo.org/about/supporting-bodies>

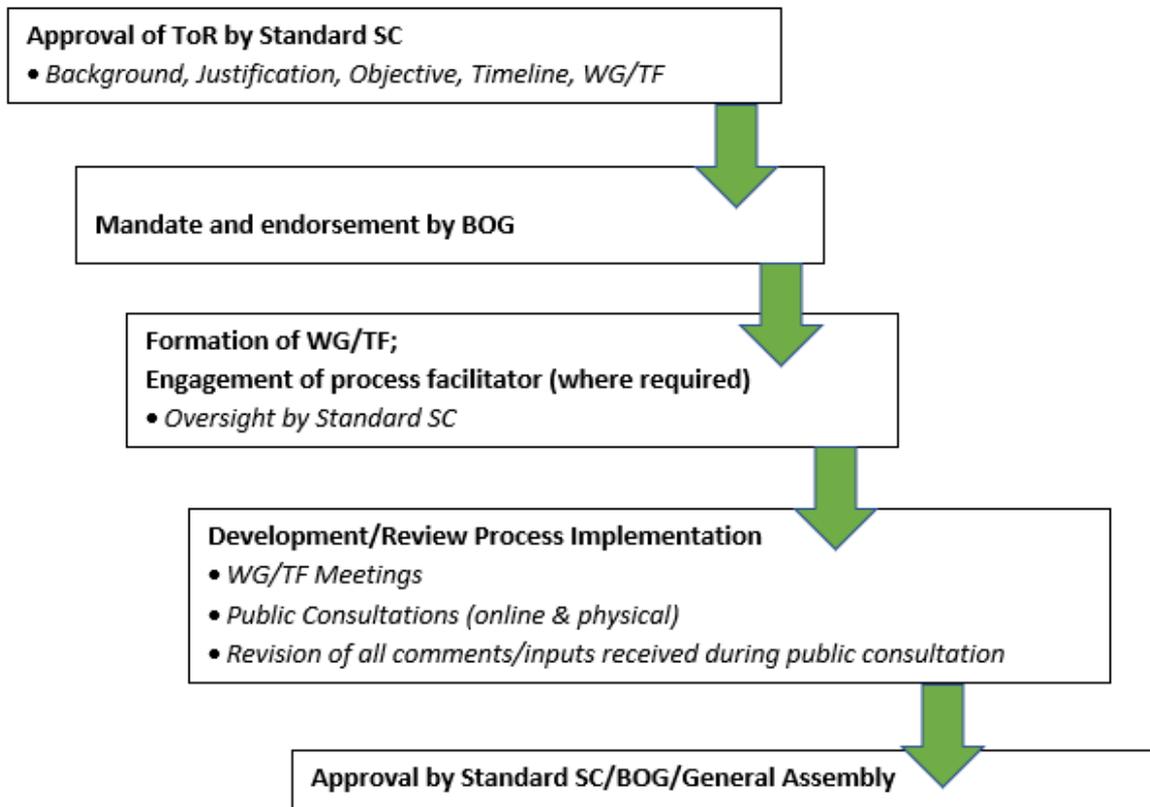
## 2. PREPARATION FOR STANDARD DEVELOPMENT ACTIVITIES

### 2.1 Terms of Reference

- 2.1.1 Before starting any new standard development activity, the Standard SC shall, through support of the RSPO Secretariat and stakeholders, develop or update the Terms of Reference (TOR) for the Task Force or Working Group (TF/WG) appropriate to the scale of the activity, which shall include the following elements:
- a. Background introduction and needs justification for the standard development activity, including an assessment of whether the proposed standard development activity shall meet the need identified. This shall include a review of what other RSPO standards exist or are being developed, and any potential overlap with the standard involved in the proposal. An assessment of how broadly the final standard is intended to be applied shall also be included.
  - b. Clear scope of the standard and its intended coverage (geographical and scale of operation).
  - c. Clear social, environmental and economic outcomes that the standard seeks to achieve and how those are linked to the RSPO's intended change.
  - d. An assessment of the risks in implementing the standard, and how to mitigate these risks. This shall include identification of factors that could have a negative impact on the ability of the standard to achieve its objectives, unintended consequences that could arise from its implementation, and possible corrective actions that could be taken to address these potential risks.

## 2.2 Work Plans and Reporting Requirements

2.2.1 The chart below displays the developmental process of the standard:



2.2.2 The mandated SC to carry out the overall process of the activities shall oversee planning and implementation of work plans for every standard development activity. This shall be made publicly available on the RSPO website, and be updated when necessary, until the point the standard is adopted.

2.2.3 The work plan shall contain:

- The RSPO contact point for the standard development activity;
- Details of the standard activity (e.g. preparation, amendment, revision);
- A brief description of the scope of the standard, including objectives and justification (as given in the TORs, see Section 2.1);
- Proposed timeline for the standard development activity (e.g. process of stakeholder consultation(s), details of when the task force meetings and public consultation meetings shall be held).

2.2.4 All SCs shall be able to review documents respective to their interests and expertise, e.g. ASC to review documents relevant to social auditing. However, the SC responsible for the development of the said document (ASC, MDSC or SHSC) shall provide written notice to the Standard SC and its co-chairs on the following items:

- Type of document – Normative/Informative

- Period of review – Estimated timeline
- Process of review – e.g. by TF/WG, Public Consultation period, Review by other SC's, estimated time to be endorsed and requirement to be endorsed by BoG

The SC responsible for the development of the respective work item, e.g. guidance and ToR, shall keep the Standard SC updated of progress made throughout the standard development work plan. The Standard SC will be responsible to update the BoG thereafter if the standard development work requires endorsement by the BoG.

- 2.2.5 At the end of the standard development activity, the Standard SC shall ensure that all parts of the public reporting requirements have been completed by the respective TF/WG, including all associated documents, and that this information has also been submitted to the RSPO Secretariat (See Annexe 2). These public reporting requirements must be adhered to and is recommended to be updated throughout the standard development activity as information becomes available.

### 2.3 Implementation of Work Plans (new or revised documents)

- 2.3.1 The development of the standard drafts shall take into account:

For the first draft:

- A review of other relevant commodity standards<sup>1</sup> to identify any major gaps in the coverage of the standard under development;
- A review of the relevant outputs of RSPO working groups and task forces, where those outputs need to be incorporated into the standard;
- For existing standards, incorporation of comments received regarding the Standard since it was last approved (see Section 1.2). This will be compiled by the RSPO Secretariat (Standard Development Department)

For subsequent drafts:

- A compilation of stakeholder comments submitted during the public consultation period(s) (see Section 5).

- 2.3.2 As part of a risk management measure or in the event of any work plan delays, budgetary concerns or extensions, the Task Force or Working Group will need to inform the Standard SC for a decision moving forward.

## 3 STAKEHOLDER INVOLVEMENT

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<sup>1</sup>ISEAL requires that RSPO encourages comments/inputs from other relevant standard setting organisations on issues that may be relevant to be taken into consideration during the development or review process.

### 3.1 Balance of Interests

3.1.1 The Standard SC shall ensure that there is a balance of interests for the standard development review process through stakeholder identification and consultation as set out in Sections 3.2 - 3.4 below. Stakeholder involvement by the RSPO Secretariat will be in line with ISEAL's requirements as mentioned below:

- Participation in the standard development activity is open to all stakeholders, and that participation and decision-making reflect a balance of interests among stakeholders in the applicable standard topic and geographical scope; and
- In a situation where a balance of interests in stakeholder participation cannot be ensured, RSPO will make efforts to engage all those stakeholder groups identified in the stakeholder identification process.

3.1.2 Challenges faced by disadvantaged stakeholder groups in participating effectively in any standard development activities should be taken into account, and a plan of action for how this can be effectively addressed within the budget and time allocations, on a scale relevant to the scope of the activity will be developed with the support of the RSPO Secretariat.

These plans of action may be by way of local outreach events where contents of documents are thoroughly explained in the local language and opportunity is given to comment unless situations of emergency do not allow for a physical outreach programme. In such cases, RSPO will address the constraints faced by disadvantaged stakeholders and consider seeking assistance from the appropriate intermediary organisation(s) (IMOs) within the regions, and ensure the use of local languages. There shall be no discrimination based on the size of the enterprise and tools will be made available if necessary, to promote a clear understanding of the requirements of the standard.

3.1.3 A final report summarising how stakeholder involvement requirements were implemented shall be published on the RSPO website (see Annexe 2).

### 3.2 Stakeholder Identification

3.2.1 The Standard SC with the support of the Secretariat shall carry out stakeholder identification, either through research and/or consultation with the relevant stakeholders for the purpose of identifying major interest categories, key affected parties, and identifying potential disadvantaged stakeholders. The identification exercise will begin with the existing RSPO membership list and shall thereafter include other categories, such as governments, NGOs, civil societies and other organisations (and their interests) that are relevant and are likely to be the key issues relevant to the standard.

3.2.2 Methods of communication between stakeholders shall be established to ensure transparency and inclusivity of all stakeholders during the development or revision process.

3.2.3 Stakeholders who have been significantly impacted by the activities of the relevant RSPO Standard or have sufficient expertise on a related subject matter must be given an opportunity to contribute, during the development/review process, and more so during the

public consultation period.

- 3.2.4 Relevant stakeholders generally include all category of RSPO members (growers including smallholders, processors and traders, consumer goods manufacturers, retailers, financial institutions, and social and environmental NGOs), governments, regional palm oil coalitions, workers' unions, international organisations, researchers and academic bodies, civil societies, indigenous and local communities, other sustainability roundtables, certification and accreditation bodies.
- 3.2.5 The results of the stakeholder identification exercise will be used to provide a database of stakeholders for engagement and referred to during the subsequent standard development activity. The database shall also be used as a reference throughout the standard development process to ensure continuous participation and contribution towards the standard. The stakeholder database will be reviewed every five (5) years as part of the standards revision process. RSPO shall consider using the stakeholder database to maintain records of communications and contributions during the consultation process.

### 3.3 Stakeholder Inclusion

- 3.3.1 Based on information from the identification exercise, the Standard SC shall set stakeholder participation goals for each standard development activity. These goals shall identify clear participation targets and success criteria for each stakeholder group. The SC shall review the progress towards meeting these objectives during and at the end of the standard development process.
- 3.3.2 The Standard SC shall ensure that key stakeholders (or representatives as appropriate) identified during the stakeholder identification process are proactively approached to contribute towards the public consultation process.
- 3.3.3 The Standard SC shall actively promote TF/WG members as representatives of their stakeholder interest group during the public consultation process, and ensure that details of how they can be contacted by stakeholders are publicly available (e.g. on the RSPO website).
- 3.3.4 During the development or revision of standards, RSPO Secretariat will inform ISEAL members through online announcements, to encourage input and participation in the process.

### 3.4 Collation of Comments post Public Consultation

- 3.4.1 The Secretariat shall have systems in place to ensure that the task force takes all comments received during the public consultation periods (and for existing standards, comments received since the publication date) into account. This shall ensure that different types of inputs received are weighted equally (e.g. written comments, teleconferences, workshops, etc.).
- 3.4.2 The TF/WG shall compile comments received according to the issues raised, or according to

the relevant criterion/indicator. A written synopsis shall be documented and published summarising how each of the comments (or groups of comments) has been addressed in the standard development process, including a brief justification for comments that have not been incorporated. RSPO shall also send this synopsis to all stakeholders that submitted comments.

3.4.3 When making the synopsis publicly available, RSPO shall consider to what extent the full text of original comments can be published, or where some text may need to be summarised or translated if they are of a nature personal to any individuals or stakeholders.

3.4.4 In line with ISEAL’s requirements on consistency between standards, when developing or revising its standards, RSPO will inform other organisations who have developed similar standards, for their input and participation in the public consultation process.

## 4 TASK FORCE (TF)

### 4.1 Establishment of a Task Force

4.1.1 Where identified as needed for a standard development activity (see Section 1.2.4), the Standard SC shall establish a TF to undertake the detailed standard development and decision-making activities through TF meetings, resulting in recommendations to the BoG. In some cases, an existing RSPO WG may be tasked with a particular standard setting activity, in which case they shall also follow the procedures as set out in this document and the rules for the TF.

4.1.2 The Standard SC shall keep the BoG updated with key information and progress of the TF throughout the standard development activity, and the BoG can at any time request further information from the Standard SC.

4.1.3 Each stakeholder interest group (as identified by the SC, see Section 4.2) shall nominate their chosen representative(s) and put this forward to the SC. The representative shall join the TF on behalf of their stakeholder interest group. Similarly, the stakeholder interest group shall also decide to nominate a second representative (‘alternate’) – see Section 4.6. The members of the TF shall function as defined in the ToR for the TF establishment.

4.1.4 Representative representative of each stakeholder interest category must be an RSPO member, unless an exception is approved by the Standard SC.

4.1.5 As a guidance, the TF may comprise of 24 representatives or in similar ratio by interest category, as shown in the following table:

No.	Member Representatives by Interest Category	Number
1	Palm oil growers incl. smallholder representation*	12
2	Consumer goods manufacturers	2
3	Environmental NGOs	3

4	Social NGOs	3
5	Retailers	1
6	Banks and investors	1
7	Processors and traders	2

\*Representation Malaysia (3), Indonesia (3), ROW (3) and Smallholders/outgrowers (3)

4.1.6 To avoid conflict of interest and due to the escalated alternative decision-making mechanism as outlined in section 4.4, Standard SC members (as individuals) shall not sit on the TF.

## 4.2 Role of Task Force Members

4.2.1 The main purpose of the TF shall be to represent a balance of relevant stakeholders at TF meetings. All seven RSPO membership categories shall be represented and the SC may decide on additional stakeholder categories to be included according to the standard development activity, in accordance with the stakeholder identification exercise (see Section 3.1). The seven RSPO membership categories are:

- **Palm oil growers** – including larger plantations and smallholder groups, associations, and researchers.
- **Processors and traders** - including processors, refiners, traders, and researchers.
- **Banks and investors** – including banks, investors, financial institutions, researchers, and academics.
- **Environmental interests** – including national and international NGOs, conservation practitioners, researchers and academics.
- **Social interests** – including people affected by the palm oil supply chain and elected representatives of communities impacted by the palm oil supply chain, or NGOs representing them, research organisations, and academics.
- **Retailers** – including retail companies, supermarkets, and researchers.
- **Consumer goods manufacturers** – including consumer goods manufacturers and researchers.

4.2.2 A membership category may request support from the RSPO Secretariat for the selection of nominees. Where agreement on nominations cannot be reached, it is at the discretion of the SC to finalise nominations.

4.2.3 The SC shall ensure that the TF provides representation for different affected countries or regions as appropriate.

4.2.4 Additionally, topic experts and/or stakeholders identified and wish to contribute may be invited to inform the TF on critical issues, such as, but not limited to, Decent Living Wage (DLW), High Conservation Value (HCV), High Carbon Stock (HCS), Integrated Pest Management (IPM), Greenhouse Gas (GHG), fragile soil, peatland, water, labour, health and safety, and Best Management Practices (BMP) on all relevant topics in the palm oil industry. Topic experts shall not represent any membership category and shall not participate in any decision-making.

### 4.3 Task Force Meetings

- 4.3.1 The TF shall convene for at least two (2) physical meetings, unless otherwise justified by the SC. It is recommended that each of these meetings are held subsequent to each public consultation period. In the event that physical meetings are not feasible, arrangements shall be made to convene via virtual meetings.
- 4.3.2 The purpose of the TF meetings is to strive for consensus on the content of the standard under development, among a balance of stakeholders.
- 4.3.3 For the TF meetings, the SC shall decide on whether it is most appropriate for these to be guided by an external facilitator or chaired by the RSPO Secretariat or another appropriate person(s). The SC shall ensure that the chosen facilitator has no conflict of interest in the standard development activity. The role of the facilitator or chairperson is to ensure that all TF meetings focus on the objectives as defined in the ToR and ensure that they are being duly conducted in accordance with the requirements of this SOP (and any other relevant documents).

### 4.4 Decision Making

- 4.4.1 The TF shall aim to make decisions by consensus.
- 4.4.2 If consensus is not possible for any specific issue or criteria and this results in a deadlock, i.e. whereby opposing parties come to a point of fundamental disagreement on a significant topic and no progress can be made risking a standstill or stalemate of the entire process, the TF shall refer the matter to the Standard SC, who shall seek to resolve the issue in question by consensus.
- 4.4.3 Should the Standard SC not be able to resolve the matter and also result in deadlock, they shall defer it to the BoG, who in turn, shall aim to resolve it by consensus.
- 4.4.4 Should the BoG not be able to resolve the matter and also result in deadlock, it shall be brought to the General Assembly.
- 4.4.5 Where a decision goes through this escalated decision-making process, the previous language and understanding applies until such time as a new decision is reached.
- 4.4.6 Deadlock on an issue shall not prevent continuation of the standard development process and the TF shall continue according to the work plan on all other issues not directly affected by the matter causing the deadlock. The SC may consider issuing specific instructions for the continuation of the work.
- 4.4.7 RSPO Secretariat shall make public (through the RSPO website) the final decisions on the content of the standard, as well as a summary of deliberations in arriving at the decisions

made.

## 4.5 TF member Responsibility and Conduct

4.5.1 The RSPO Secretariat shall ensure that each TF member has:

- Signed the Code of Conduct (CoC) for standard development activity (see Template in Annexe 1);
- Received the TORs and work programme for the standard development activity (Section 2);
- Received the RSPO SOP for Standards Setting and Review (this document).

4.5.2 Additional requirements can be made to the template Code of Conduct (CoC) by the Standard SC as appropriate, but the minimum requirements as set out in Annexe 1 shall be included.

4.5.3 All TF meeting participants, whether substantive or alternate task force members, and observers or technical experts abide by the following responsibility and conduct:

### Substantive Member

- Substantive members commit to attend all TF meetings unless prevented to do so by force majeure<sup>2</sup>. Should a member be unable to participate, he/she should be replaced by their nominated alternate in that meeting, whom they shall brief on developments so far.
- Substantives commit to fully engaging in the entire process through active participation during the TF meetings, any activities they agree to conduct in between meetings, briefing of the alternates in their membership category, engagement with their SC and BoG representatives, and outreach to the stakeholders in their membership category.
- The substantive member being replaced by the alternate has the responsibility to brief the alternate on the debate so far and current discussion points to assure smooth continuation of the discussions.
- Lack of active participation over a continuous period of 12 months or missing two consecutive meetings will result in removal from the TF irrespective of notification or otherwise.

### Alternates Member

- If a TF member is unable to be present at a TF meeting, a named alternate may represent the substantive member on the following conditions:
  1. A single alternate member may represent multiple substantive members only where the substantive members represent the same membership category;

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<sup>2</sup> Force majeure refers to any situation which could not have been avoided even with due care and planning by the TF participant (i.e. was outside of the control of the TF participant). Examples include natural disasters, family illness.

2. Where alternate members are present with substantive members at a physical meeting, alternate members are not allowed to actively participate and shall take on the role of observers. However, alternates can be asked or given permission by the facilitator or the chair of TF to contribute, when appropriate.
  3. Switching between substantive and alternate members within a physical meeting can only take place after a verbal statement made from the substantive and only in the case of force majeure, and formal approval from the facilitator or the chair of TF during the meeting.
  4. Where alternate members are representing substantive members, their roles are as described above under the heading of 'Substantive Member'.
- The TF member shall inform the SC of the alternate representative as soon as possible ahead of the first meeting. It is recommended that each membership category nominates a number of alternates corresponding to the number of substantives (i.e. as many alternates as there are substantives) prior to the first meeting, who are kept well briefed on proceedings should the need arise for them to step in.
  - A single alternate member may represent multiple substantive members only where the substantive members represent the same membership category;
  - Where alternate members are present with substantive members at a physical meeting, alternate members are not allowed to actively participate and shall take on the role of observers. However, alternates can be asked or given permission by the facilitator or the chair of TF to contribute, when appropriate.
  - Switching between substantive and alternate members within a physical meeting can only take place after a verbal statement made from the substantive and only in the case of force majeure, and formal approval from the facilitator or the chair of TF during the meeting.
  - Where alternate members are representing substantive members, their roles are as described above under the heading of 'Substantive Member'.

#### Observers and Technical Experts

- Observers and technical experts may attend task force meetings following assessment by the RSPO Secretariat and the TF Co-Chairs and notice must be provided to the TF members prior to the meeting in no time. Observers or technical experts have decision-making power or vote.

## 4.6 Financial Support and Capacity Building for WG/TF

4.6.1 WG/TF members are requested to cover their own expenses in attending the physical meetings if possible. RSPO recognises that this will not be possible for all members (e.g. smallholders and disadvantaged stakeholders), and therefore, members can apply to the RSPO Secretariat for reimbursement for reasonable travel, accommodation and subsistence costs incurred whilst participating in physical meetings. RSPO has a policy of not paying fees for time spent participating in the TF or expenses incurred during consultation, email, and telephone discussions.

4.6.2 RSPO strives to ensure all stakeholders can participate meaningfully, and as such, the RSPO

Secretariat shall facilitate their participation in terms of specific briefings or support to understand documents and processes through additional capacity building if needed.

## 5 PUBLIC CONSULTATION

### 5.1 Public Consultation Periods

- 5.1.1 Public consultation is the period of time during which stakeholders outside of the TF have the opportunity to study and comment on the draft document.
- 5.1.2 Each standard development activity shall include:
- For new standards development - at least two rounds of public consultation (allowing submission of comments by stakeholders), with the first one of at least 60 days and the second one of at least 30 days.
  - For standard revisions - at least one round of public consultation (allowing submission of comments by stakeholders) of at least 60 days.
  - Where significant, unresolved issues persist after the consultation round(s), or where insufficient feedback was received, additional rounds of consultation shall be carried out as necessary.
- 5.1.3 The consultation phases shall be used to present new drafts of the standard, as developed by the TF, to the public for comment.
- 5.1.4 The consultation process is open to all stakeholders and aims to achieve a balance of interests in the subject matter, and in the geographical scope and scale of operation, to which the standard applies. The draft of the standard will be available in key languages during public consultation.
- 5.1.5 Stakeholder groups that are not adequately represented are identified and proactively consulted by the RSPO Secretariat or appointed consultant for their contributions to the process, using methods tailored to these stakeholder groups (e.g. physical consultation meetings in their regions).
- 5.1.6 The SC shall, if requested, support Task Force members to organise at least one regional public consultation meeting in each relevant region or country.
- 5.1.7 All comments received during consultation are compiled for the consideration by the TF. It is suggested that comments are anonymised to aid neutral consideration. A written synopsis of how each comment has been addressed and, where not followed by an action, a justification is given. This is documented and the synopsis is made publicly available and accessible to all parties who submitted comments.
- 5.1.8 During consultation periods for standards development, the RSPO Secretariat will provide a

synopsis of the comments received (online), to all parties who have submitted comments during the consultation period.

## 6 PILOT TESTING

### 6.1 Process for pilot testing

- 6.1.1 Where appropriate, field trials, audits, impact and risk assessments, product testing or lab tests on the new or revised standard to assess the feasibility and auditability of requirements in the draft standard or any of its new elements or major alterations may be conducted.
- 6.1.2 The tests can include field trials or mock audits, measurement of impact, and evaluation of risk, as appropriate.
- 6.1.3 Where feasible, multiple pilot tests should be held to trial the new or revised standard in geographical regions that are significantly different from one another.
- 6.1.4 Results of the field test shall determine whether any edits and changes need to be made to the draft standard prior to final endorsement.

## 7 ENDORSEMENT OF STANDARDS

### 7.1 Process for endorsement

- 7.1.1 The RSPO Secretariat and Standard SC, with the support of technical experts if needed, shall check that the appropriate requirements of this SOP have been complied with, and shall submit any relevant recommendations and comments to the BoG for consideration.
- 7.1.2 The final draft standard as approved by the Standard SC – or optional versions where consensus has not been reached (see 4.4.2-4.4.6) – shall be submitted to the BoG for endorsement by the Standard SC.
- 7.1.3 The RSPO BoG shall discuss endorsement of the standard as an agenda item at their next upcoming meeting. The Board's decision shall be final.
- 7.1.4 Normative documents supporting the implementation of the RSPO Standards require endorsement by the RSPO BoG only. They do not need to be brought to the General Assembly.
- 7.1.5 Informative documents that support the implementation of the RSPO Standards will be

subject to approval by the Standard SC unless decided otherwise.

## 7.2 Endorsement of Standards documents

- 7.2.1 All normative documents will be endorsed by the RSPO BoG. Subject to the discretion of the BoG, the RSPO standard documents may be escalated for voting at the RSPO General Assembly, in accordance with the RSPO Statutes.
- 7.2.2 All normative documents (*refer to the Glossary section for definition of normative documents*) will have to be approved by the Standard SC prior to endorsement by the RSPO BoG. As for the other Standards (e.g. Supply Chain, Shared Responsibility, Jurisdictional Approach), approval will be made at the BoG level unless decided otherwise (refer to 7.1.5).

## 8 PUBLICATION AND AVAILABILITY OF STANDARDS

### 8.1 Publication and Availability of Standards

- 8.1.1 The approved final standards shall be published within 2 weeks of approval and made available for free in electronic format.
- 8.1.2 The RSPO Secretariat shall inform its stakeholders of the new or revised standard and any applicable transition period, in particular certification bodies and, where feasible, certified enterprises.
- 8.1.3 The RSPO Secretariat shall inform about implications for other associated documents that are affected by the new or revised standard and indicate timelines for their subsequent adjustments/revisions.
- 8.1.4 Hard copies of public summaries, standards and other available materials related to the standard shall be made available on request at the lowest cost possible and covering only reasonable administrative costs. These materials shall be made available for free in electronic format.
- 8.1.5 The RSPO Secretariat shall provide translations of the final versions of the standard as appropriate for members. The RSPO secretariat shall strive to provide translations within four (4) months of the standard being endorsed.
- 8.1.6 All translated documents shall include on their cover page the official language of the original standard and reference of where to find it, and a note stating that in the case of inconsistency between versions, reference shall default to the original English version.

**Note:** The corresponding standard draft as agreed by the TF shall be made available during the public consultation phases in the standard development process.

## 8.2 Standards' Structure and Content

- 8.2.1 The Standard SC shall ensure that the social (people), environmental (planet) and/or economic (prosperity) objectives, in line with the ToC, shall be clearly set out in the introduction to the standard as relevant.
- 8.2.2 The RSPO Secretariat shall ensure that the final structure of the standard forms a logical framework such that the requirements clearly contribute to the standard's objectives. A statement of intent shall be developed for each principle, providing a link between the respective criteria and indicators. Each principle, criteria and indicator shall be clearly numbered, and the Standard SC shall check that these terms are being used correctly in the standard as according to the definitions in the Glossary section..
- 8.2.3 Compliance requirements (critical or non-critical indicator) shall be clearly identified in the introduction and throughout the standard.
- 8.2.4 The proposed date for standard revision shall be noted in the standard along with a transition period by which the revised standard shall come into effect.

## 9 NATIONAL INTERPRETATION

### 9.1 Function of National Interpretation

- 9.1.1 In addition to the RSPO P&C for sustainable palm oil production , National Interpretations (NIs) of the generic indicators and guidance contained within the RSPO P&C could be developed to support the implementation of the RSPO P&C on country level. RSPO encourages all palm oil producing countries to comply with the generic P&C, however if members of a particular country see the need for an NI, a process may be initiated. Until an NI has been developed and formally endorsed by the RSPO BoG, the applicable standard is the generic RSPO P&C.
- 9.1.2 The NI process should allow raising awareness across all membership categories and stakeholders within each respective country and facilitate implementation of the RSPO P&C indicators by including country references and legal context. Grower member(s) seeking certification should call upon all membership categories within each respective country to develop an NI.
- 9.1.3 Upon revision of the RSPO P&C, the NI shall be developed/revised within twelve months of the adoption of the new standard. Until the newly endorsed NI has come into effect, (during the 1-year transition period) the prevalent standard for auditing will be the existing NI, or the latest applicable P&C while the NI is being developed.

- 9.1.4 The RSPO Secretariat shall identify and agree on a focal point (be it individual or organisation) for NIs, who have the responsibility to form the NI Task Forces (NI TFs). The focal point will be responsible to keep members informed of any changes of the standards or procedures by direct notification to the NI TFs or through public announcements on the RSPO website through the RSPO Secretariat. The focal point is also responsible for providing clarifications to working groups within a reasonable time frame in order not to delay the ongoing NI process.
- 9.1.5 Local Interpretation (LI) for Small Producing Countries<sup>3</sup>, as mentioned in the previous version of this document, no longer applies except for RSPO Independent Smallholders.

## 9.2 Development of a National Interpretation (NI)

- 9.2.1 The approval by the Standard SC and the subsequent endorsement by the RSPO BoG, of an RSPO NI shall be dependent on demonstration that the NI development has complied to the following:

### 9.2.1.1 Participation Requirements:

- a) The RSPO National Interpretation (NI) process shall be initiated by an RSPO member or several RSPO members.
- b) The member(s) shall formally request permission to begin the NI process from the RSPO Secretariat for the country where this NI process is to be initiated.
- c) Upon obtaining formal permission from the RSPO Secretariat, the member(s) may initiate the process, i.e. initiating the development of the NI, where more than one member or group of members want to initiate a process, the RSPO Secretariat shall request collaboration of all parties as prerequisite for the NI process.
- d) The initiating member(s) shall be responsible to appoint a facilitator (either the initiating member(s) themselves or an agreed upon independent facilitator [a person or persons free of conflict of interest] to facilitate the NI process.

### 9.2.1.2 The scope of work of the facilitator shall include but not limited to the following:

- *to undertake stakeholder identification*
- *to send invitations to participate in the stakeholder identification*
- *to facilitate the process of developing the NI for that respective country*
- *to organize meetings*
- *to perform secretarial functions including liaison with RSPO Secretariat; and*
- *to ensure that documents are posted on the RSPO website and national media for the public consultation process*

- 9.2.1.3 A TF is formally established to undertake the detailed NI process through written approval by the RSPO Secretariat. A written approval by the RSPO Secretariat to establish an NITF by

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<sup>3</sup> Small Producing Countries – countries that produce less than 5% of the global CPO

members must be obtained no later than 24 months from the adoption of the standard. The completion of an NI revision and/or development (*in a scenario where there was no previously developed NI*) must be concluded no later than 36 months from the adoption of the standard.

The main purpose of the NI TF shall be to represent a balance of relevant stakeholders at TF meetings and shall include self-selected representatives, i.e. each membership category selecting their own representatives, from the seven RSPO membership categories below:

- **Palm oil growers** – including larger plantations and smallholder groups, associations, and researchers..
- **Processors and traders** - including processors, refiners, traders, and researchers.
- **Banks and financial institutions** – including banks, investors, financial institutions, researchers, and academics.
- **Environmental interests** – including national and international NGOs, conservation practitioners, researchers, and academics.
- **Social interests** – including people affected by the palm oil supply chain and elected representatives of communities impacted by the palm oil supply chain, or NGOs representing them, research organisations, and academics.
- **Retailers** – including retail companies, supermarkets, and researchers.
- **Consumer goods manufacturers** – including consumer goods manufacturers and researchers.

9.2.1.4 At least one (1) representative of the abovementioned membership categories shall be an RSPO Member, while other representatives (and their organisations) are not required to be members of the RSPO. However, all members of the NI TF need to abide by the Code of Conduct (CoC) for standard development activity (Annexe 1). If not all membership categories are present, NI shall ensure balance representations and seek endorsement from the Standard SC on the NI representation.

9.2.1.5 As a guidance, the NI TF may comprise of 12 substantive representatives, or in similar ratio by membership category, as shown in the following table:

No.	Member Representatives by Membership category	Number
1	Palm oil growers	4
2	Consumer goods manufacturers and Supply Chain representatives	4
3	NGO's	4

9.2.1.6 Invitations shall be circulated widely and publicised through the RSPO website and in country platforms to ensure adequate opportunity for interested stakeholders to nominate themselves for inclusion. An NI TF may request support from the RSPO Secretariat for the selection of nominees. Where agreement on nominations cannot be reached, it is at the discretion of the Standard SC to finalise nominations.

9.2.1.7 The responsibility of the TF members and observers or technical experts shall include, but not limited to, the following:

#### I Substantive Member

- Substantive members shall commit to attend all NI TF meetings unless prevented to do so by force majeure. Should a member be unable to participate, he/she should be replaced by their nominated alternate in that meeting, whom they shall brief on the developments so far.
- Substantives shall commit to fully engage in the entire process through active participation during the NI TF meetings and any activities they agree to conduct in between meetings, briefing of the alternates, and outreach to the stakeholders in their membership category.
- Lack of active participation over a continuous period of six (6) months or missing two (2) consecutive meetings will result in removal from the NI TF irrespective of notification or otherwise.

#### II Alternate Member

- If an NI TF member is unable to be present at a meeting, a previously nominated alternate may represent the substantive member on the following conditions:
  - A single alternate member may represent multiple substantive members only where the substantive members represent the same membership category;
  - Where alternate members are present with substantive members at a physical meeting, alternate members are not allowed to actively participate and shall take on the role of observers. However, alternates can be asked or given permission by the facilitators to contribute, when appropriate.
  - Switching between substantive and alternate members within a physical meeting can only take place after a verbal statement made from the substantive and only in the case of force majeure, and formal approval from the co-chairs of the TF during the meeting.
  - The substantive member being replaced by the alternate has the responsibility to brief the alternate on the debate so far and the current discussion points to assure smooth continuation of the discussions.
- The substantive member shall inform the NI TF or its co-chairs of the alternate as soon as possible ahead of the first NI TF meeting. It is recommended that each membership category nominates a number of alternates corresponding to the number of substantives (i.e. as many alternates as there are substantives) at the start of the NI process, who are kept well briefed on the proceedings should the need arise for them to step in.

#### III Observers and Technical Experts

- The NI TF may consider inviting a number of technical experts to provide technical support for the group discussions. Relevant government representatives may also be invited as well as other observers from stakeholder organisations. Technical experts, government

representatives, and all other observers have no decision-making power or vote in the process.

## 9.2.2 Process Requirements

### 9.2.2.1 RSPO endorsement of an NI shall require compliance with the following process requirements:

- a. The NI TF shall convene for physical or virtual meetings on at least two occasions, whichever feasible; at least one of which shall be subsequent to the public consultation period.
- b. The NI TF shall make decisions based on consensus. For the process of national interpretation, consensus shall mean:

*General agreement characterised by the absence of sustained opposition to substantial issues by any NI TF member with voting rights and by a process seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments.*

- i) If consensus is not possible for any specific issue or criteria and this results in a deadlock, i.e. whereby opposing parties come to a point of fundamental disagreement on a significant topic and no progress can be made risking a standstill or stalemate of the entire process, the TF shall refer the matter to the SC, which will seek to resolve the issue in question by consensus.
- ii) Should the SC not be able to resolve the matter and also result in deadlock, they shall defer it to the BoG, who in turn, shall aim to resolve it by consensus.
- iii) Should the BoG not be able to resolve the matter and also result in a deadlock, it shall be brought to the General Assembly, where a decision shall be made by the members through simple majority, as per RSPO Statutes.
- iv) Where a decision goes through this escalated decision-making process, the previous language and understanding applies until such time as a new decision is reached.
- v) Deadlock on an issue shall not prevent continuation of the standard development process and the TF shall continue according to the work plan on all other issues not directly affected by the matter causing the deadlock. The SC may consider issuing specific instructions for the continuation of the work.
- iv) NI TFs may agree to establish a different alternative decision-making mechanism at the start of the NI process. Where no such alternative decision-making process has been established, the mechanism as described in clauses b(i)-(iii) above shall be applied.

## 9.2.3 Public Consultation

9.2.3.1 The development of an NI shall include a period of time during which stakeholders outside of the NI TF have the opportunity to study and comment on the draft NI document. This is known as a 'public consultation'.

- a. The public consultation period for obtaining comments on draft requirements shall be for a total of at least 60 days.
- b. Draft documents shall be made available in English and/or appropriate national languages and shall be disseminated on the RSPO website and a country-based website.
- c. The NI TF shall demonstrate that efforts have been made to solicit input from disadvantaged stakeholder groups<sup>4</sup>, such as smallholders and communities. Plans to reach out to disadvantaged groups may be referred to in 3.1.2 para 2.
- d. The NI TF shall show evidence that it has sought and taken account input from growers, supply chain and financial institutions, environmental NGOs, social NGOs and smallholders.
- e. All comments are duly considered by the NI TF, which indicates how each of the comments has been addressed.
- f. NIs may consider carrying out field testing of their new or revised standards, or the new elements or substantial alterations within.

## 9.2.4 Process Report

9.2.4.1 The NI TF shall develop a report that details the NI process and demonstrates compliance with the NI participation, process and content requirements as outlined in this document, and which shall be submitted together with the draft NI document for review by the RSPO Secretariat in its endorsement decision. A template to develop the process report shall be provided by the RSPO Secretariat to the NI TF.

## 9.2.5 Content Requirements

9.2.5.1 RSPO endorsement of an NI shall require compliance with the following content requirements:

*A: Interpreting P&C indicators*

- a. Indicators may be strengthened and raised from non-critical indicators to critical indicators, however, shall not be reduced from critical to non-critical indicators.
- b. Where measurable indicators have been developed in the RSPO P&C, NIs shall include acceptable performance levels for these indicators.
- c. NIs shall be confined to the scope of the RSPO Criteria and not include additional criteria; however, additional indicators may be included provided they do not contradict or weaken any part of the standard.

*B: Interpreting P&C Guidance*

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<sup>4</sup> [https://www.isealalliance.org/sites/default/files/resource/2017-11/ISEAL\\_Standard\\_Setting\\_Code\\_v6\\_Dec\\_2014.pdf](https://www.isealalliance.org/sites/default/files/resource/2017-11/ISEAL_Standard_Setting_Code_v6_Dec_2014.pdf) (pg 9)

- a. The shall provide specific interpretation at a minimum for that guidance where a National Interpretation is explicitly required in the RSPO P&C but may include all guidance. In the guidance sections, NIs shall focus on specific national context and reference existing national or regional best practice guidance where applicable.
- b. Deletion of any guidance elements should be justified in the process report and it is at the discretion of the Standard SC to accept the proposed deletion.

*C: Legal Context*

- a. The NI shall include the identification of applicable legal requirements on international, regional, and national level. See Annexe 3 for guidance on applicable legal requirements.
- b. When there is a conflict between an RSPO P&C indicator and a legal requirement, the higher/stricter requirement shall prevail, unless the higher requirement of the RSPO Standards are in conflict with local legal requirements.
- c. Any actual conflicting requirements between RSPO Criteria and legal requirements shall be referred to the RSPO Secretariat for resolution by the Standard SC, with a suggestion from the NI TF as to how the conflicting elements can be resolved without leading to a lowering of the standard.
- d. Interim measures may also be proposed by the NI TF, subject to the approval of the BoG.

*D: Smallholders & Medium Growers*

- a. NI's shall develop national definitions for the following terms:
  - Smallholders
  - Different types of smallholders, such as independent smallholders, scheme smallholders, or any such similar concepts existing in the country
  - Medium Growers
- b. The NI shall refer to the existing RSPO definitions (see RSPO P&C) in order to do this.
- c. NI's shall review the RSPO Management System Requirements and Guidance for Group Certification of FFB Production<sup>5</sup>, for the development of the smallholder and medium grower guidance, in particular:
  - the requirements and guidance for individual group members with up to 50 ha plantation size (i.e. as per RSPO definition) and the requirements and guidance for group managers: and either refer to these in their entirety for the NI or include specific smallholder guidance as appropriate where additional guidance is needed for the country context within the NI document itself.
  - Section 1.3 certification scenarios: to check if all typical organisational set-ups in the country are clearly captured as outlined in table 2. Should there be other organisational set-ups, the TF shall propose a suitable certification

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<sup>5</sup> This is currently being reviewed by the RSPO Secretariat and an updated version will replace this document accordingly.

option within the NI.

d. For Independent Smallholders, please refer to 9.6 below.

### 9.3 Endorsement and Publication of NIs

- 9.3.1 NI working groups shall submit, in English, the draft NI together with the comments received during public consultation and an indication of how these were addressed in the NI document, as well as the NI process report, to the RSPO Secretariat for the BoG's endorsement.
- 9.3.2 RSPO Secretariat commits to review the submitted documents and respond to the NI TF within 2 weeks either requesting for missing documents or confirming completeness and start of review of the complete set of documents to develop a recommendation for consideration by the Standard SC.
- 9.3.3 RSPO Secretariat shall notify the NI TF of any non-compliances with the above participation, process and content requirements, and issue corresponding corrective action requests, or in the absence thereof, submit the NI to the Standard SC for further review. The Standard SC shall provide their comments and corrective actions (if any) to the NI TF through the RSPO Secretariat. Once all corrective actions (if any) are addressed, the Standard SC submits the NI to the BoG for endorsement.
- 9.3.4 RSPO Secretariat and SC commit to sending their respective comments for all identified issues in one set of comments each. The RSPO Secretariat shall respond with their set of comments within one (1) month of confirming completeness of the submitted documents and confirm within two (2) weeks upon receipt of the corrective actions that these were satisfactory and submit the NI to the SC for further review.
- 9.3.5 The SC commits to review the NI and issue corrective actions (if any) in their next upcoming meeting. Upon submission of the NI to the BoG, the BoG commits to review the NI for endorsement in its next upcoming BoG meeting.
- 9.3.6 Following endorsement of the NI, this is accepted as further specification of the indicators and guidance accompanying the generic RSPO P&C and it replaces the generic RSPO P&C as the standard against which audits are carried out in the corresponding country.
- 9.3.7 NIs endorsed by RSPO must be posted on the RSPO website in English and the appropriate national language within 2 weeks of endorsement by the BoG, together with all documents as outlined in Annexe 2, provided the NI TF submitted the national language version together with the English version for the endorsement process. Should a translation be required at this point, the RSPO Secretariat commits to posting the national language version on the RSPO website within three (3) months of endorsement.

Step-by-step NI Endorsement Process:

Step	Action	Entity		Timeframe (within)
		By	To	
1	NI TF submits NI documents to RSPO Secretariat	NI TF	RSPO Secretariat	-

2	The RSPO Secretariat confirms completeness of the NI documents or requests additional documents	RSPO Secretariat	NI TF	2 weeks; If incomplete: Two (2) weeks after receiving resubmission of the NI documents.
3	The RSPO Secretariat reviews the NI documents and issues recommendations	RSPO Secretariat	-	One (1) month after confirming completeness..
4	The RSPO Secretariat sends the NI documents to the Standard SC	RSPO Secretariat	Standard SC	In absence of recommendations: One (1) month after confirming completeness. If recommendations are issued: One (1) month after confirming completeness of the resubmitted NI documents.
5	The Standard SC reviews the NI documents and issues recommendations	Standard SC	-	Following the Standard SC meeting schedule.
6	The RSPO Secretariat to notify the decision by the SSC to the NI TF (if it is not approved)	RSPO Secretariat	NI TF	Two (2) weeks
7	The Standard SC submits the NI documents to the BoG (not less than seven (7) working days before the BoG meeting)	Standard SC	BoG	Following the BoG meeting schedule.
8	The BoG reviews the NI documents for endorsement	BoG	-	Following the BoG meeting schedule.
9	The RSPO Secretariat to notify the decision by the BoG to the NI TF	RSPO Secretariat	NI TF	Two (2) weeks

## 9.4 Timeline for NI Revision

9.4.1 When the generic RSPO P&C are amended, appropriate changes to the NI must be made within twelve (12) months (see 9.1.3). Extensions to this period can be agreed at the discretion of the RSPO Secretariat.

9.4.2 NI TF may initiate an earlier process for amendments or appropriate changes to the NI, if a need for this is identified, e.g. due to substantial changes in the national legal context.

## 9.5 Permanent NI Task Force

9.5.1 The RSPO strongly encourages the NI TF to continue meeting regularly to provide a consistent forum for further dissemination of relevant new documents and rules, as well as serving as an organ to be consulted in public consultation phases of all RSPO documents.

## 9.6 Local Interpretation for RSPO Independent Smallholder Standard (RISS)

9.6.1 The RSPO Independent Smallholder (ISH) Standard was ratified at the RSPO General Assembly (GA) 2019. The Smallholder Standing Committee (SHSC), at its meeting on 24 February 2020, recognises the need to develop an interpretation for the RSPO ISH Standard. The Standard Standing Committee then, during its meeting on 6 March 2020, confirmed the need for a local interpretation for the RSPO ISH Standard to support the implementation of the standard at a local level.

9.6.1.1 In accordance with the decision by the Standard SC, a local interpretation<sup>6</sup> may be developed by the stakeholders in the country, restricted to the following items only:

- a) Definition of smallholders (including size threshold);
- b) Applicable local laws, and regulations pertaining to land and land-use rights and legality; and
- c) Any other matters relevant to the local context of independent smallholders that do not alter the core substance of the principles, criteria and indicators of the RSPO ISH Standard.

9.6.1.2 To initiate the development of LI for the RSPO ISH Standard, a TF shall be formed (refer to clause 9.2.1 and 9.2.2 of this document). The main purpose of the TF shall be to represent a balance of relevant stakeholders at TF meetings and shall include self-selected representatives, i.e. each membership category selecting their own representatives, from the seven (7) RSPO membership categories below:

- *Independent Smallholders* – including smallholder groups, associations, and growers/mills who purchase FFB from ISH or provide direct support (technical and management) to ISH.
- *Processors and traders* - including processors, refiners, traders, and researchers.
- *Banks and investors* – including banks, investors, financial institutions, researchers, and academics.
- *Environmental interests* – including national and international NGOs, conservation practitioners, researchers, and academics.
- *Social interests* – including people affected by the palm oil supply chain and elected representatives of communities impacted by the palm oil supply chain, or NGOs representing them, research organisations, and academics.
- *Retailers* – including retail companies, supermarkets, and researchers.
- *Consumer goods manufacturers* – including consumer goods manufacturers and researchers.

9.6.1.3 At least one (1) representative of each membership category shall be an RSPO member. While other representatives (and their organisations) may not necessarily be members of the RSPO, all members of the TF do need to abide by the Code of Conduct (CoC) for standard development activity (Annexe 1).

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<sup>6</sup> The Standard SC has deliberated and made a decision that the National Interpretation (NI) for the RSPO ISH Standard is premature for now considering that the RSPO ISH Standard and stepwise approach is new and having taken into consideration that the development of the RSPO ISH Standard took into account the local ISH reality and context. The Standard SC may review this decision as and when deemed appropriate.

9.6.1.4 As a guidance, the TF may comprise of 13 substantive representatives, or in a similar ratio by membership category, as shown in the following table:

Smallholders and oil palm growers acting as group managers	5
Supply Chain Representatives (including processors/traders, consumer goods manufacturers, retailers, and banks and investors)	4
Environmental NGOs and Social NGOs	4

9.6.1.5 The committee does recognise the limitation to maintain the balance ratio for the TF, at times. In case the TF has limited representation from a certain category, the RSPO Secretariat may provide the necessary support to recommend an alternative to fill the gaps.

9.6.1.6 The composition of the TF will be considered final if even after active consultation and engagement there are a minimum of two (2) candidates from each category from the list above.

9.6.2 Public consultation and endorsement of the RSPO ISH Standard - LI shall be subject to review and approval by the Standard SC.

9.6.3 Notwithstanding, for countries where the NI process is ongoing, the NI TF may consider to include the development of the LI for the RSPO ISH Standard in its ToR. This can be done through the adoption of the generic RSPO ISH Standard by the NI TF and its commitment to develop the LI for the RSPO ISH Standard (see 9.6.2 above) as part of the work scope.

## 10 GENERAL

### 10.1 Record keeping

10.1.1 All standards setting and review activities are recorded and documented by the RSPO Secretariat.

10.1.2 To ensure transparency to stakeholders, where possible and appropriate, these documents are made publicly available on the relevant section of the RSPO website.

10.1.3 Where not made publicly available on the website, these records are made available to interested stakeholders on request. Stakeholders are made aware of all records available on request through the relevant section of the RSPO website.

10.1.4 The RSPO Secretariat shall ensure that the documentation of the standard development

process, associated policies and procedures, lists of stakeholders contacted and the stakeholders involved at each stage of the process, comments received and a synopsis of how those comments were taken into account, and all draft and final versions of the standard are kept for a minimum of five (5) years.

## 10.2 Procedural complaints

10.2.1 The RSPO Complaints System is available with the aim of impartial handling of procedural complaints regarding standard development activities as set out in this SOP. RSPO stakeholders have ready access to this service via the RSPO website online form (<http://www.rspo.org/members/complaints>) or submit directly to email ([complaints@rspo.org](mailto:complaints@rspo.org)).

10.2.2 The RSPO Complaints System documents efforts to resolve complaints, and keeps these records for a minimum of five (5) years.

10.2.3 Decisions taken on procedural complaints shall be disclosed at least to the affected parties, and where appropriate, a summary shall be made publicly available. The Standard SC shall be informed of any complaints and involved as necessary with follow-up actions.

## 10.3 Substantive complaints and comments related to the Standard

10.3.1 A documented process to receive ongoing substantive complaints, comments and requests for clarification is established and maintained by the RSPO Secretariat upon publication of the initial standard.

10.3.2 The RSPO Secretariat is identified as the focal point for standards-related enquiries and for submission of comments, with contact information ([certification@rspo.org](mailto:certification@rspo.org)) or AskRSPO made publicly available. These comments shall be taken into account during the subsequent standard revision process (see Sections 2.3 and 3.4).

## 10.4 RSPO website section for standard development activities

10.4.1 An individual website section is used for standard development activities, with subsections created for each standard setting activity. This provides all interested stakeholders with clearly identified access to all relevant information and documents (as set out in this SOP) throughout and after the standard development activity. It is the duty of the RSPO Secretariat to ensure that information on the website is kept up-to-date.

10.4.2 During any standard development activities, the RSPO website shall actively be used to alert stakeholders to this (e.g. through promotion on the front page), and direct stakeholders to the appropriate place on the website where more information can be found.



## Annexe 1 Template Code of Conduct for Standard Development Act

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It is fundamental to the integrity, credibility and continued progress of the Task Force (TF) that every member supports, promotes and works towards the production and use of Sustainable Palm Oil and the work of the Roundtable on Sustainable Palm Oil (RSPO). Every member organisation and individual must act in good faith towards this objective and commit to adhering to the principles set out in this Code. This Code applies to all members of the TF.

### **Achieving Consensus**

Each individual member of the TF shall be responsible for seeking to build consensus within the TF on how to address any issues that arise. Members shall recognise that achieving consensus in practice requires all members to be prepared to listen carefully to all the views of the group, and wherever possible actively seek compromises that will allow agreement.

The TF meetings are likely to include a number of contentious issues. Members shall at all times be respectful of the opinions of other TF members, and the right of each member to share their expertise and opinions with the group. Members shall at all times respect and support the role and authority of the chairpersons/facilitators to encourage this.

### **Attendance**

Members shall commit to physical attendance at all physical meetings. If this is not possible, members are responsible for organising a previously nominated alternate to attend in their place and shall inform the Standard SC of this.

### **Representation of stakeholder groups**

Each individual member of the TF/WG shall be responsible for consulting with stakeholders not directly represented in the TF/WG and ensuring that their views are expressed within the discussions. Members are expected to play an active role in representing their stakeholders' interests, including ensuring that consultations with their stakeholder group are carried out and putting forward their concerns, comments or ideas to the group. Members are there to represent an interest group within the RSPO, not their own interests or the interests of their own organisation.

Members shall provide and allow their contact details to be publicly used by the Standard SC during the standard development activity, to encourage communication from their interest group.

### **Promotion and Commitment**

Member organisations shall acknowledge their membership of the TF/WG and its objectives, the RSPO P&C and its implementation process through informed and explicit endorsement. Members of the TF/WG shall promote and communicate this commitment throughout the stakeholder group that they are representing.

### **Breaches of this Code**

Breaches of this Code may lead to exclusion from the TF/WG.

Members shall seek to resolve grievances directly with other member organisations and shall not make unsubstantiated allegations of breaches against other members.

Prior to taking public action in cases of unresolved allegations of breaches of this Code, members shall report breaches to the Standard SC and their appropriate representative in the RSPO BoG , who shall deal with the alleged breaches in accordance with the RSPO Grievance Procedure.

**TF Member agreement**

I acknowledge and agree with the terms in the TF/WG ToR and CoC above, and standard development activity requirements as set out in the RSPO SOP for Standards Setting and Review.

Signed by:

Witnessed by:

\_\_\_\_\_

\_\_\_\_\_

Name:

Name:

Organisation:

Organisation:

Date:

Date:

## Annexe 2 Public Reporting Requirements

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All of the following information shall be made publicly available throughout the standard development activity process as it becomes available and updated as necessary.

1. Taskforce Terms of Reference
2. Details of TF Member Representatives
  - Name
  - Position / Title /Organisation
  - Contact email address
  - Stakeholder representation category
3. Work Programme (*see Section 2*)
4. Summary report of stakeholder involvement actions (*see Section 3*)
5. Summary of TF meeting minutes with attendance list
6. Draft standards for public consultation
7. Summary of comments from public consultations
8. Final draft standards for approval by the RSPO BoG
9. Final standard as approved by the RSPO BoG

### National Legislation

Acts and Schedules relating to in general or specific aspects, notably:

<b>Agriculture</b>	All aspects, including licence and permit requirements, quarantine, plant disease and pests, extension services, and seeds (specifically, oil palm), production, processing, and export.
<b>Buildings and Amenities</b>	All aspects of construction, including permits, approvals and inspections, safety, housing requirements, building works, sanitation, potable water, and industrial waste.
<b>Companies</b>	All legal obligations, including permits and licences to operate, registration, tax and value added tax, customs and duties, arbitration and dispute mechanisms, trade and competition, and control of security personnel.
<b>Factories and industrial Facilities, Ports and storage</b>	All operational aspects, including permits and approvals, licences to operate, and control of waste.
<b>Employment</b>	All labour and practices requirements, conditions to be met in accommodation, sanitation, work hours and associations, workers' rights, and trade unions (specifically, women in the workplace), apprentices, industrial organisation, workers' compensation, young workers and children in the workplace, and minimum wage determinations.
<b>Environment</b>	Including all regulations on air, land, water, resources (including Flora and Fauna) and communities; the requirements of environmental impact assessment - specifically, on Rare, Threatened and Endangered Flora and Fauna (wildlife), waste and pollution, national parks and reserves, forest, water resources (uptake and discharge into); licence and permit requirements for operations, water quality standards and testing, and extraction of road and house building material.
<b>Chemicals</b>	Importation, registration, transport, storage, handling and disposal of chemicals used in the mill, plantations and in general use within the operation (specifically, pesticides, inflammable, poisons, and dangerous goods).
<b>Hydrocarbons</b>	Storage, transport, handling and disposal of all types of mineral oils and fuels (specifically, fuel, diesel, petrol and lubricants, and associated legislation).
<b>Medical</b>	Including facilities, registration of practitioners, storage and control of drugs, public health, births and deaths, child and maternity care, abuse, domestic violence and abuse; specifically, new legislation on AIDS/HIV and other infectious or contagious diseases.
<b>Education</b>	All aspects in the control and management of schools and teaching.
<b>Land Issues</b>	Including acquisition, registration, titles, survey, tenure, land disputes, land settlement schemes, formation of land groups, native customary rights, indigenous people and their rights, including dispute resolution and judiciary mechanism and physical and spatial planning, and all aspects of agricultural development.

<b>Occupational Health and Safety</b>	Including aspects on notifications, reporting and linked with various factory or workplace acts, together with specific acts on dangerous goods chemicals of practices (specifically, electricity, fire, and gas).
<b>Transport</b>	Including the licensing of vehicles, traffic regulations, roads and their maintenance. Applicable codes of practice.

### International legislation

Please refer to Annexe 1 in the RSPO P&C for key international laws and conventions applicable to the production of palm oil.

The RSPO is an international non-profit organisation formed in 2004 with the objective to promote the growth and use of sustainable oil palm products through credible global standards and engagement of stakeholders.

[www.rspo.org](http://www.rspo.org)



**Roundtable on Sustainable Palm Oil**

 [rspo@rspo.org](mailto:rspo@rspo.org)

 [www.rspo.org](http://www.rspo.org)