

TEMPLATE

DEVIATION REQUEST FORM

PUBLICATION DATE **11.04.2021**

Version **5.0**

A. To be completed by Gold Standard

1 | Decision

1.1 | Date – 19/05/2022

1.2 | Decision

The applied deviation request is **approved**. The Project Developer may continue with the process by considering the first submission date as 04/03/2022.

1.3 | Is this decision applicable to other project activities under similar circumstances?

No

B. To be completed by the Project Developer/Coordinating and Managing Entity and/or VVB requesting deviation (Submit deviation request form in Microsoft Word format)

2 | Background information

| | | |
|---|---|--------------|
| Deviation Reference Number | DEV_254 | |
| Date of decision | 19/05/2022 | |
| Precedent (YES/NO) | No | |
| Precedent details | N/A | |
| Date of submission | 05/05/2022 | |
| Project/PoA/VPA | Project | ID – GS11568 |
| | <input type="checkbox"/> PoA | N/A |
| | <input type="checkbox"/> VPA | N/A |
| Project/PoA/VPA title | Biodigesters program for a low-carbon livestock sector in Vietnam (BioLive) | |
| Date of listing | N/A | |
| GS Standard version applicable | GS4GG | |
| Date of transition to GS4GG (if applicable) | N/A | |
| Date of transition to Gold Standard from another standard (e.g. CDM) (if applicable) | N/A | |
| Date of design certification/inclusion (if applicable) | N/A | |
| Location of project/PoA/VPA | Vietnam | |
| Scale of the project/PoA/VPA | <input type="checkbox"/> Microscale <input type="checkbox"/> Small scale <input checked="" type="checkbox"/> Large scale | |
| Gold Standard Impact Registry link of the project/PoA/VPA | | |
| Status of the project/PoA/VPA | <input checked="" type="checkbox"/> New <input type="checkbox"/> Listed <input type="checkbox"/> Certified design <input type="checkbox"/> Certified project | |
| Title/subject of deviation | Deviation on date of First submission | |
| Specify applicable rule/requirements/methodology, with exact paragraph reference and version number | GS4GG Principles and Requirements, version 1.2 Paragraph 4.1.49 and 5.1.7 | |
| Specify the monitoring period for which the request is valid (if applicable) | Start date N/A End date N/A | |
| Submitted by | Contact person name: Ha Hoang Thanh | |
| | Email ID: h.hoang@nexusfordevelopment.org | |
| | Organisation: Nexus for Development | |
| | Project participant: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | |

| | |
|--|---|
| <p>Validation and Verification body (VVB opinion shall be included, where required by the applicable rules/requirements or request is submitted by the VVB).</p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes; VVB name:</p> <p>VVB Staff name(s):</p> |
| <p>Any previous deviations approved for the same project activity/PoA/VPA(s)?</p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> |

3| Deviation detail

3.1 | Description of the deviation:

**Guidance* Use the space below to describe the deviation and substantiate the reason for requesting deviation from applicable rules/requirements. Please include all relevant information in support of the request. You are requested to follow the principles for requesting deviations, given in the [Deviation Approval Procedure/ Design Change Requirements](#).*

3.1.1 | Deviation detail (to be completed by Project developer):

The Project developer would like to seek for GS's confirmation/deviation on the definition of "First submission date" of our specific project as below:

GS requirements:

The definition of submission date is defined in the paragraph 4.1.49 of the GS4GG requirement as below:

"(b) Retroactive projects shall submit the required documents for preliminary review (time of first submission) within one year of the project start date. Retroactive Project submitted at a date later than one year from the project start date will not be eligible for Gold Standard certification"

However, it is also mentioned in para 5.1.7 that:

*"5.1.7 The Preliminary Assessment **starts** when the Project Developer has:*

- (a) signed and submitted the Terms and Conditions AND*
- (b) submitted the Project Documentation AND*
- (c) paid the fee for the Preliminary Review, where required"*

Project situation:

- The PD booked the review on 02/03/2022. All documents (a) and (b) above were submitted by **04/03/2022**
- It is not clear in the fee schedule <https://globalgoals.goldstandard.org/fees/> that to which entity the PD must pay the review fee to. The PD unfortunately only set up GS (but not SC) as the vendor before getting the invoice of PR fee so it took time

for changing. Due to PD's strict accounting policy, if it is a new vendor (which SC is in this case), we need to set up the vendor in the system and got approval before we can initiate payment. For the PD's specific case, we got the first invoice on 10/03/2022, however, due to some wrong information in the invoice and inconsistency of the IBAN number, the updated invoice was released and confirmed during 23/03/2022 to 25/03/2022. It took us until 21/04/2022 (nearly a month from corrected invoice date) for paying the invoice due to the procedure mentioned above.

- During Certification process, it would be confusing for the reviewer (VVB/SC) who might translate this paragraph 5.1.7 that the first submission date is the latest date of all 3 milestone (a), (b) and (c) above.

Deviation/confirmation request:

From the definition above from the GS principles and requirements, to avoid any confusion during Preliminary review and Design Certification, we would like to seek for GS confirmation that the First submission date shall be the date of submission of Terms and Conditions and Project Documentation (which is 04/03/2022) and therefore, the project will be subjected to all the applicable methodology, rules and requirements at time of First submission date.

3.1.2 | VVB opinion (to be completed by VVB, if applicable):

**Guidance* If required by SustainCERT or Gold Standard for this particular deviation, please add here the VVB's opinion.*

N/A

3.2 | Assessment of the deviation:

**Guidance* Use the space below to describe how the deviation complies with the requirements, and, where applicable, the accuracy, completeness and conservativeness is ensured. Please include all relevant information in support of the request.*

3.2.1 | Deviation assessment (to be completed by Project developer):

From our point of view, this definition in the paragraph 4.1.49 would be fair and logical because of the following reasons:

1. The **PDD template requires the PD to fill in the First submission date**. It is impossible for PD to forecast the date when Invoice is released and being paid due to delaying from SC side for issuing the invoice (in our case, it took SC more than a week to send the first invoice after we sent email requesting for it). The PD could only control the date they submit to SC platform. If defining the First submission date following the para 5.1.7, it will lead to unnecessary CAR during Preliminary review.

2. As exactly quoted from para 5.1.7 above, the GS4GG Principles and Requirement only mentions about the **date when SC will start the PR review** but not the definition for the **first submission date**
3. That would be uncertainty for Project Developer if SC define the first submission date as the date the invoice payment as there are many things that out of PD's control, e.g., the international transfer might also take days and there might be error in payment transferring, etc. **This will also cause PD the risk of passing the 1 year from start date rule or using the older version of methodology, guideline** if there is any new versions that released or in force since the PD first submission and the date of invoice payment.
4. Finally, it has been observed from other projects that the first submission dates have been defined as the date the PDD/VPADD were submitted to SC platform.

3.2.2 | VVB opinion (to be completed by VVB, if applicable):

**Guidance* If required by SustainCERT or Gold Standard for this particular deviation, please add here the VVB's opinion.*

N/A

3.3 | Impact of the deviation:

**Guidance* Use the space below to describe the impact of the deviation on project design, safeguarding principles assessment, SDG assessment, emissions reductions, monitoring frequency, data quality, potential risk or any other relevant aspect of the project. Please substantiate the impact assessment with relevant and verifiable data/information.*

3.3.1 | Impact assessment (to be completed by Project developer):

The confirmation from GS would help not only this project but also other projects/VVBs/reviewers to have the clear definition on the start date. We would suggest GS to set a suitable period for the PD to pay the invoice, e.g. 2 months or so and if the payment is later than that period then GS will review on case by case basis.

3.3.2 | VVB opinion (to be completed by VVB, if applicable):

**Guidance* If required by SustainCERT or Gold Standard for this particular deviation, please add here the VVB's opinion.*

N/A

3.4 | Documents:

**Guidance* List of documents provided (note that once a decision has been made by Gold Standard, this deviation form along with supporting documents will be made public on the Gold Standard website. If any of the supporting documents are confidential, please indicate here to ensure they are omitted.)*

| Version number | Release date | Description |
|----------------|--------------|---|
| 5 | 11.04.2022 | Additional information added: <ul style="list-style-type: none"> - date of listing, design certification, transition - standard version - specific reference to a requirement deviated from - any previous deviations/design changes approved Guidance on VVB opinion |
| 4 | 14.01.2021 | |
| 3 | 16.07.2020 | |
| 2 | 03.05.2018 | |
| 1 | 01.07.2017 | Initial adoption |