SOMMARIO

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02	Revision cap. 8	04/03/2014	RD	DIR	PRS
03	Revision references	27/01/2016	RD	DIR	PRS
04	Revision due to Accredia audit	27/01/2017	RD	DIR	PRS
05	Revision § 2.4.4, 3.1.1	01/02/2017	RD	DIR	PRS
06	Revision chap. 1, 4 e 9	01/10/2018	SRD	RD	PRS
07	Revision § 2.5	04/03/2019	SRD	RD	PRS
08	Added § 2.4.3.1	30/07/2021	SRD	RD	PRS
09	Revision § 3.4.1	18/10/2021	SRD	RD	PRS

0 PURPOSE AND APPLICATION FIELD

The requirements described in this document are an integral part of the assignment of the GEN MD20 assignment and of the economic offer. The requirements refer only to aspects specifically related to products subject to certification according to the Directive 2000/14/EC related to equipment and machines designed to operate outdoors and subject to noise emission limits, implemented in Italy by Legislative Decree no. 262 of 04 September 2002, as amended by Directive 2005/88/EC.
This document establishes the rules for the implementation of the procedures to be used for conformity assessment applied to machines and equipment designed to operate outdoors as defined in art. 3 letter a) and listed in art. 12 of the Directive.
Lastly, this regulation recalls the obligations to which the Manufacturer is held for the purpose of putting in the market the certified product.

1 REFERENCES

- Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors;
- Directive 2005/88/EC of the European Parliament and of the Council of 14 December 2005 amending Directive 2000/14/EC on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors;
- ISO/IEC 17065:2012 ““Conformity assessment – Requirements for bodies certifying products, processes and services”;
- ISO/IEC 17020:2012 “Conformity assessment – Requirements for the operation of various types of bodies performing inspection”;
- ISO/IEC 17021-1:2015 “Conformity assessment – Requirements for bodies providing audit and certification of management systems – Part 1: Requirements”;
- UNI, EN, etc. standards, related to the Directive, and Guide Lines applicable;
- GUIDE IAF – EA applicable;
- • General Regulations, Technical Regulations and provisions of the Accreditation Body (ACCREDIA), in the schemes and sectors covered by accreditation;
- UNI EN ISO 19011: 2018 "Guidelines for auditing management systems".

2 EXECUTION PROCESS

2.1 INTRODUCTION

ICEPI's activity is carried out in compliance with all the requisites that must be possessed by the Notified Bodies, as prescribed internationally and nationally by the competent Bodies and Authorities.
The manufacturer, or his authorised representative established in the Community, of a machine or equipment (hereinafter "customer"), who intends to assign to ICEPI the certification of his product, must ensure that a risk assessment is carried out to ensure that the noise emission requirements are respected, on the basis of this risk assessment the product must be designed and built.
The requirements set out in Article 12 of Directive 2000/14/EC are mandatory.
The customer chooses, according to the provisions of art. 14 of the Directive, the conformity assessment procedures in order to affix the CE marking on the product in relation to one of the following Annexes of the Directive:

1. internal control of production with assessment of technical documentation and periodical checking procedure referred to in Annex VI, (Module A2);
2. unit verification procedure referred to in Annex VII, (Module G);
3. full quality assurance procedure referred to in Annex VIII, (Module H);

The documents issued by ICEPI for the purposes of conformity assessment and maintenance, according to the assessment procedures indicated above, are as follows:

a) Report confirming that the technical documentation satisfies the provisions of the Directive, according to the Annex VI;
b) Certificate of conformity, according to the Annex VII;
c) Full quality assurance certificate, according to the Annex VIII.

2.2 TENDER

The bid request can be formulated by direct contact, telephone, mail, fax or using other tools, by anyone who may be willing to undertake the certification process. The Sales department can send the Customer a specific "tender request" form, in order to simplify and standardize the collection of information necessary for the preparation of the offer.
The formulation of the tender is carried out by the Commercial function on the basis of the price list and the information (times and amounts) that can be determined for the technical execution of the evaluation and decision activities.

2.3 APPLICATION

Following receipt of the tender and related documents attached, to activate the certification process the customer must:

- clearly tick, fill in and sign the relevant items identified in the "Certification application" form (RM MD01);
- accept the conditions of the present document, published on the ICEPI website (www.icepi.com) and available on request;
- accept the contractual and economic conditions on tender, by a simple stamp and signature on the tender or by formalizing an order with reference to the offer;
- sign the "Certification activity contract" (GEN MD20).

The above documentation must be transmitted to ICEPI integrated by the relevant technical documentation according to the required certification procedure. In detail:

<u>documentation for Annex VI</u>

1. name and address of the manufacturer or his authorized representative established in the European Community;
2. description of the machine or equipment;
3. brand, trade name, type, series and identification numbers;
4. technical data necessary for the identification of the machine or equipment (for example, technical sheets, drawings, etc.);
5. reference to Directive 2000/14/EC (the manufacturer or his authorized representative must indicate the classification of the machine or equipment submitted for certification, the points of the directive satisfied and the related certification procedures chosen);
6. technical report of noise measurements carried out in accordance with the provisions of the Directive;
7. evaluation of the guaranteed sound power level;
8. technical instruments applied and the results of the evaluation of the uncertainties due to production variation and their relation to the guaranteed sound power level.
9. draft of the EC/EU conformity declaration.

<u>documentation for Annex VII</u>

1. name and address of the manufacturer or his authorized representative established in the European Community;
2. description of the machine or equipment;
3. brand, trade name, type, series and identification numbers;
4. technical data relevant for the identification of the equipment and the assessment of its noise emission, including, if appropriate, schematic drawings and any description and explanation necessary for their understanding;
5. the reference to the Directive;
6. draft of the EC/EU conformity declaration.

<u>documentation for Annex VIII</u>

1. name and address of the manufacturer or his authorized representative established in the European Community;
2. description of the machine or equipment;
3. brand, trade name, type, series and identification numbers;
4. technical data relevant for the identification of the equipment and the assessment of its noise emission, including, if appropriate, schematic drawings and any description and explanation necessary for their understanding;

5. the reference to the Directive;
6. technical report of noise measurements carried out in accordance with the provisions of the Directive;
7. draft of the EC/EU conformity declaration.

1. the documentation concerning the quality assurance system:
   - 1.1 quality objectives and the organisational structure, responsibilities and powers of the management with regard to design and product quality;
   - 1.2 technical documentation to be drawn up for each product, containing at least the information indicated in point 3.1 of the Annex VIII for the technical documentations mentioned there;
   - 1.3 design control and design verification techniques, processes and systematic actions that will be used when designing the products pertaining to the equipment category covered;
   - 1.4 the corresponding manufacturing, quality control and quality assurance techniques, processes and systematic actions that will be used;
   - 1.5 the examinations and test that will be carried out before, during and after manufacture, and the frequency with which they will be carried out;
   - 1.6 the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.;
   - 1.7 the means to monitor the achievement of the required design and product quality and the effective operation of the quality assurance system.

The certification application must be presented in Italian. The acceptance of application and technical documentation in another official language of the European Union is allowed if resulting from a specific agreement between the parties.

2.4 CERTIFICATION EVALUATION

2.4.1 Document review

The technical documentation review is carried out by personnel with the necessary technical skills related to the scheme and the type of product to be certified.
At the end of the analysis of the technical documentation, ICEPI transmits to the customer any non-compliance by e-mail, fax or sending a report Remarks (RE), containing the findings and the related reasons.
The customer has the right to provide answers to the remarks indicating the AC (corrective actions) and to continue the certification procedure, or, alternatively, to renounce the continuation of the certification procedure. In this case, he/she must communicate in writing (with registered mail with return receipt) his/her renunciation of the procedure and his/her withdrawal from the contractual relationship.
In case of continuation of the evaluation process, following the documental integration made by the client in response to the remarks, ICEPI will submit the modified documents to a new review, before proceeding with the following activities.
If the result of the document examination is positive, ICEPI agrees with the customer the planning of the activities to be carried out on site.

2.4.2 Laboratory tests

The laboratory tests that should be necessary will be carried out on samples that are representative of the product, according to the indications of the Directive and any reference standards.
The tests are performed at the customer or at third party laboratories chosen by the customer. In any case, the laboratories must be accredited by the accreditation body or previously qualified by ICEPI, according to its own internal qualification procedures. ICEPI reserves the right to attend the tests and, if necessary, to validate their execution.

2.4.3 On sites tests

The instrumentation used by ICEPI and by the customer for on sites tests, such as noise measurements, is internally calibrated using primary samples calibrated in accredited laboratories or calibrated directly at accredited calibration laboratories.

2.4.3.1 Tests performed by the manufacturer

In the event that the manufacturer performs the noise measurements, the instrumentation used to carry out the tests shall be calibrated by accredited calibration laboratories at a frequency in accordance with the standard requirements.
The personnel carrying out the measurements must have proven experience in the field of Directive 2000/14/EC and the standards laid down therein for the category of machinery being tested.

The manufacturer must carry out the tests in accordance with all the requirements of the Directive and must be documented and recorded as required by the basic noise emission standard recommended by the Directive itself in Annex III part B.

2.4.4 Assessment conformity evaluation

The conformity assessment process will be conducted by ICEPI's appointed and qualified technicians, who may be accompanied by staff of Bodies accrediting the ICEPI activity (having the function of observing the Technician's work) or by personnel in training or by personnel as an observer without any intervention in the evaluation activities, subject to ICEPI's notice to the customer.
The conformity assessment is performed:

- for Annexes VI and VII, to the place where it is possible to verify that the unit/family has been manufactured according to the examined technical documentation, carrying out, if necessary, checks, measurements and tests;
- for the All. VIII at the sites where the customer performs the design, manufacture, final verification and tests on the product, including the headquarters of companies controlled by the customer or those of significant subcontractors, in order to evaluate the application of the Quality System according to the reviewed documentation.

The customer has the right to refuse the appointed inspector or the technical assessment team assigned, within three days from the notification of the verification itself, motivating the reasons in writing, which will be evaluated by ICEPI.
The audit is planned in such a way as to take into consideration all the requirements of the reference Directive. In the initial step of the inspection, the resolution of any findings reported in the documented and unresolved examination is evaluated.
Afterwards, the inspector (for Annexes VI and VII) or the team leader of the technical assessment team (for Annex VIII) communicates to the client any remarks he must resolve, by e-mail, fax or transmission of the report Remarks (RE). The customer has the right to provide answers to the remarks indicating the AC (corrective actions) and to continue the certification procedure, or, alternatively, to renounce the continuation of the certification procedure. In this case, he/she must communicate in writing (with registered mail with return receipt) his/her renunciation of the continuation of the procedure and his/her withdrawal from the contractual relationship.
The dossier can not be examined for the resolution until the closure of all the remarks. In the case of Annex VIII, any remarks concerning system aspects can be managed by requesting evidence of the solution or a corrective action plan, whose closure verification, at the discretion of ICEPI, can be performed in the subsequent surveillance audit.
In the event that the customer does not provide answers to the findings reported by ICEPI within 6 months of the written challenge sent by ICEPI, the application for certification will expire and any contractual agreement between ICEPI and the customer will be considered terminated.

2.4.5 Certification transfer

If the customer asks ICEPI to certify with reference to the All. VI of the Directive a group of machines/equipment already certified by ICEPI itself for another customer, the first customer must provide ICEPI with a declaration authorizing the new one to use the original technical documentation. This declaration must contain all the information necessary for the identification of the product including:

- designation;
- type;
- number and date of issue of certification.

The new customer must provide ICEPI with a declaration stating that the reference technical documentation for the certification of the product consists of that originally prepared by the first manufacturer. This declaration must contain the same information as above.
To start the certification process, the new customer must:

- clearly tick, fill and sign the items identified in the "Certification application" form (RM MD01);
- accept the conditions of the present document, published on the ICEPI website (www.icepi.com) and available on request;
- accept the contractual and economic conditions on offer, by means of a simple stamp and signature on the offer or by formalizing an order with reference to the offer;
- sign the “Certification activity contract" (GEN MD20).
- send the new user and maintenance instructions of the product;
- send a draft form of the declaration of conformity;
- - send the aforementioned declaration.

The certification application must be presented in Italian. The acceptance of application and technical documentation in another official language of the European Union is allowed if resulting from a specific agreement between the parties.
ICEPI, in order to issue the Report confirming that the technical documentation satisfies the provisions of the Directive according to the Annex VI, carries out an examination of the new declaration of conformity and of the new customer's use and maintenance instructions for comparison (or comparative examination) with respect to that already assessed relative to the family already certified, in order to verify that the contents of the document are correct.
Any changes that involve formal changes to the Report confirming that the technical documentation satisfies the provisions of the Directive according to the Annex VI (for example, change of company name, address, etc.) must be received by ICEPI through a written and justified request from the customer and involve a fixed charge for administrative expenses.

2.5 SURVEILLANCE: PERIODICAL CHECKINGS, PERIODICAL AUDITS AND UNEXPECTED VISITS

Periodical checkings (Annex VI procedure I and II) are audits conducted with frequency defined by ICEPI, performed to verify the maintenance of conformity of the machine or equipment produced to the technical documentation and to the provisions of Directive 2000/14/EC.

During the periodical check according to procedure I of the Annex VI the ICEPI inspector accesses, for inspection purposes, to the manufacturer's site to acquire the information necessary to verify:

- the correct and complete marking of the machine or equipment according to the provisions of art. 11 of the Directive;
- compliance of the drafting of the EC declaration of conformity with the provisions of art. 8 of the Directive;
- the application of technical tools and the results of the assessment of uncertainties due to variability in production and their relationship with the guaranteed sound power level.

If the above checks provide unsatisfactory results, ICEPI may conduct noise tests, which at its discretion can be simplified or conducted completely according to the requirements of Annex III of the Directive.

During the periodical inspection according to procedure II of the Annex VI the ICEPI inspector accesses, for inspection purposes, to the manufacturer's site to choose an appropriate sample of the final production on which to conduct noise tests according to Annex III of the Directive or equivalent tests to verify the conformity of the products with the corresponding requirements of the Directive same. ICEPI also acquires the information necessary to verify:

- the correct and complete marking of the machine or equipment according to the provisions of art. 11 of the Directive;
- compliance of the drafting of the EC declaration of conformity with the provisions of art. 8 of the Directive.

The periodical check is carried out by ICEPI's appointed and qualified inspectors, who may be accompanied by people of Bodies accrediting ICEPI activity (having the function of observing the work of the ICEPI inspector) or by personnel in training or by personnel as observer without any intervention in the verification activities, subject to ICEPI notification to the customer.

At the end of the periodical checks, the inspector draws up a Surveillance Report, in which he expresses an opinion on whether the client complies with the relevant requirements of the Directive or reports any remarks. ICEPI notify its decision to the manufacturer.

The periodical audit is a system audit conducted at least annually and the unexpected visit is an additional audit. During the audit, the ICEPI inspector accesses, for inspection purposes, the design, manufacture, inspection, test and storage premises and acquires the necessary information, in particular:

- the documentation related to the approved system;
- the registrations envisaged in the part of the system related to the design, such as results of analysis, calculations, tests, etc.;
- the records foreseen in the part of the manufacturing system, such as tests and test data, calibration, reports on the qualifications of the personnel involved, etc.

The audit is carried out by ICEPI's appointed and qualified inspectors, who may be accompanied by people of Bodies accrediting ICEPI activities (having the function of observing the work of the ICEPI inspector) or by

personnel in training or by personnel as observer without any intervention in the verification activities, subject to ICEPI notification to the customer.
ICEPI can perform or make someone perform tests to verify the correct functioning of the system applied by the customer.
At the end of the audit, the team leader of the technical assessment team draws up a report on the checks carried out, in which it expresses an opinion regarding the customer's compliance with the system's obligations or reports any remarks. ICEPI notify its decision to the manufacturer.

3 ISSUE, REFUSAL, WITHDRAWAL, SUSPENSION, LIMITATIONS

3.1.1 Certificate issue

Following a positive evaluation by the Decision Committee, ICEPI issues the certificate/report with reference to the pertinent point of the specific annex of Directive 2000/14/EC for which the client has requested the certification.
The issue of the certificate is bound to respect for the client's duties:

- binding duties, as described in the legislative provisions transposing Directive 2000/14/EC;
- contractual duties undersigned in the "Certification activity contract" (GEN MD20), in acceptance of the offer and in these Certification Rules.

The Report for verification of the technical documentation is valid for 3 years and it is subjected to confirmation based on the results of the surveillance, unless changes of the product or significant change in the state of the art.
The Certificate of unit verification has unlimited validity, except for modifications to the product.
The Full Quality Assurance Certificate is valid for 3 years, it is subject to confirmation in case of modification to the system and according to the results of the surveillance.
The certificate is notified to the customer in original by mail. He is the only one authorized to use the certification issued.
The manufacturer has the right to request a copy of the conformity assessment documents identifying the configuration of the certified machine.
Copy of the original is kept by ICEPI. The conservation of the certificate copy, of the Certification Application, of the technical documentation and of the relevant registrations is at least 10 years from the date of manufacture of the last unit produced for the Annex VI and from the date of placing on the market for the Annex VII; for the Annex VIII the conservation period is always 10 years from the date of the last surveillance conducted.
A copy of the "Certificate List" is sent to the authorization and accreditation bodies in the time and manner defined by them.
The signing of the Certification activity contract, of the relative offer and of these Rules constitutes for ICEPI authorization for the publication in the Certificate List of the following data (unless express and written prohibition by the applicant):

- identification of the product/system;
- identification of the applicant;
- evaluation procedure;
- technical executor of the evaluation;
- date of verification and outcome;
- date of issue and number of the certificate.

Copies of the certificates can be obtained by request from the Commission, Member States or other notified bodies. A copy of the technical documentation and the results of the examinations can be obtained from the Commission or member states following a reasoned request.
Any formal changes to the certificate, following a justified request by the customer, implies the issuance of a new certificate/report and a fixed charge for administrative expenses. Any copies conforming to the original imply a fixed charge for administrative expenses.
The Certificate List is updated not only for the issue of new certificates, but also for any revision, suspension or withdrawal of the certificates already issued.

3.1.2 Confirmation for Report Annex VI

In case of changes made to the approved machine or equipment (or group of machines or equipment), whose technical documentation is held by ICEPI, the customer informs ICEPI.

In case of minor changes and following a positive evaluation by the ICEPI, the validity of the first Report is confirmed, notifying a written communication to the customer.
If the changes made require a new assessment of compliance with the relevant requirements of Directive 2000/14/EC, ICEPI informs the customer of the expiry of the report validity.
If the customer intends to continue with the changes, he must submit a new Certification application (RM MD01) for a new evaluation. In this case, the evaluation process may be limited to the aspects modified and will end, following a positive evaluation, with the issue of a new Report which will withdrawal and replace the previously issued one.

3.1.3 Report Annex VI extension

In case of production of new types of the machine/equipment belonging to the approved machinery or equipment group, whose technical documentation is held by ICEPI, the customer informs ICEPI and presents a new Certification application (RM MD01).
ICEPI assesses whether the new models have the same characteristics as the certified group, ensuring compliance with the relevant requirements imposed by Directive 2000/14/EC. In case of positive result of these checks (documentary and / or field tests), ICEPI will extend the validity of the Report also to the new models, issuing an extension of the original certificate.
If the changes made require a new assessment of compliance with the relevant requirements of Directive 2000/14/EC, ICEPI informs the customer of the expiry of the report validity.
If the customer intends to continue with the changes, he must submit a new Certification application (RM MD01) for a new evaluation. The evaluation process will end, following a positive evaluation, with the issue of a new Report.

3.1.4 Renewal for Report Annex VI

At the end of the three years of validity of the Report for verification of the technical documentation and following a customer application, ICEPI examines the technical documentation according to any significant evolution of the state of the art during the previous three years. If deemed necessary for the evaluation, ICEPI carries out checks on a sample of the product.
In case of positive result of the above checks and following positive evaluation by the Decision Committee, the first certificate is renewed, renewing its validity for another three years.
ICEPI sends a revision of the Report, previously issued and containing the updated validity conditions, to the customer.

3.1.5 Confirmation for Full quality assurance Annex VIII

ICEPI must be informed of any changes (relating to the design and / or manufacture of the product covered by the system) or the introduction of new models only if these changes involve changes to the quality assurance system.
ICEPI decides if and which checks are necessary to evaluate the conformity of the quality assurance system modified.
In case of positive result of the above checks and following positive evaluation by the Decision Committee, the certificate is confirmed with reference to point 3.4 of Annex VIII of Directive 2000/14/EC.
ICEPI sends a revision of the Full Quality Assurance certificate, previously issued and containing the updated validity conditions.

3.1.6 Certificate refusal

Following a negative assessment by the Decision Committee, the issue of the certificate/report is refused in reference to:

- item 6 last sentence of Annex VI of Directive 2000/14/EC,
- item 4, second paragraph of Annex VII of Directive 2000/14/EC,
- items 3.3 and 3.4 last sentence of Annex VIII of Directive 2000/14/EC.

The refusal of the certificate is provided to the customer with the details of the reasons provided by the Decision Committee and with the indication of the related details for the appeal, to be conducted as in the "Appeals, Complaints and Disputes" procedure (GEN PG06). The procedure is published on the ICEPI's website and is available for consultation by anyone interested. Copy of the same is provided by ICEPI upon request.
The related documentation is sent by mail with registered mail with return receipt. The refusal of the certificate is also forwarded to the other Member States and to the other notified bodies, by simple communication.

3.1.7 Withdrawal, suspension or limitations

If ICEPI finds that the relevant provisions of Directive 2000/14/EC have not been respected by the customer or that the certificate (report Annex VI, unit verification certificate, certificate of full quality assurance) no longer have the conditions to be maintained valid, taking into account the principle of proportionality, suspends or withdraws the issued certificate or submits it to restrictions, until compliance with the provisions is ensured.

The certificate / report is limited or suspended for a defined time:

- if, following a periodical check or surveillance of the quality assurance system, no respect of the obligations of the Directive 2000/14/EC by the customer;
- in case of serious non-conformities detected.

Furthermore, the suspension of the certificate/report can take place in one of the following cases:

- the periodical surveillance/check has a negative result;
- the client does not allow ICEPI the execution of the periodical surveillance/visit with the required periodicity, or does not allow the verification to be carried out in the presence of ACCREDIA inspectors or members of other eligible authorities;
- the customer refers to the certificate or uses the certificate incorrectly (see chapter 5);
- the customer introduces changes to the product or system without informing ICEPI;
- the customer does not keep records of complaints and related corrective actions taken (see chapter 6).

The certificate is subject to withdrawal if:

- the product is subjected of a safeguard measure pursuant to art. 9 of Directive 2000/14/EC.

The certificate can also be withdrawn in one of the following cases:

• the customer does not comply with the conditions imposed by ICEPI for the revocation of the suspension of the certificate;

- the customer suspends the production of products or services covered by the Certified Quality assurance system for a period generally exceeding 1 (one) year;
- the customer makes a formal application to ICEPI for the withdrawal of the certificate;
- for any other serious reason, in the opinion of ICEPI, by way of an example and not in an exhaustive way the evident inability of the system to achieve the conformity requirements of the legislative or contractual or product safety provisions.

In the aforementioned cases, ICEPI will inform the customer of the reasons and the details for any appeal, that has to be addressed as in the procedure "Appeals, Complaints and Disputes" (GEN PG06). In the previous cases or in case it becomes necessary the presence of the competent authority, ICEPI will inform the competent authority.
Once the suspension period (established by ICEPI or the competent authority) is exceeded, in the absence of appropriate corrective actions, ICEPI will proceed with the withdrawal of the certificate and the ending of the contract (Certification activity contract" GEN MD20).
In case a certificate is suspended or withdrawn, ICEPI informs the competent surveillance authority in Italy and the other bodies notified for Directive 2000/14/EC after exhaustion of the terms of appeal.
During the suspension period the customer loses the right to affix the CE marking and loses the right to use or advertise the certificate by any means. The conditions for the restoration of the suspended certification (including the necessary conformity assessment activities) will be established by ICEPI based on the reasons that led to the suspension and based on the duration of the suspension.
If the customer does not implement the actions indicated by ICEPI for the restoration of the suspended certificate, the contractual relationship will cease to be valid and the certification will be withdrawn or, if it is possible, the scope will be reduced.
The reduction of the certification scope involves the issue of a new certificate, indicating the type of product for which the certificate is valid, and the withdrawal of the old certificate.
Following the certificate withdrawal, the customer loses the right to use the CE marking and the certificate; he undertakes to return the original copy of the certificate or to arrange for its destruction. The customer can again activate the certification process by submitting a new application.

4 COMPLAINTS AND APPEALS

The Customer can submit a complaint concerning the work of ICEPI. Detailed procedure for the presentation of the complaint or appeal is contained in the GEN PG06 document, published on the ICEPI website www.icepi.com and available on request.

Under the responsibility of the Board of ICEPI, the complaint is analysed and the possible actions to be taken for the management and solution are identified; ICEPI provides a written reply to the complainant.
The person in charge of handling the complaint will be the highest company function that has not been involved in the complaint process.

Each complaint received, also through the accreditation body/competent authority, is registered by ICEPI and managed as described above. The complaint will be confirmed to the claimant and the expected intervention times will be indicated and, subsequently, will be contacted for the closure of the complaint.
The CSI, the Committee for Safeguarding Impartiality, is periodically informed about the records of the complaints received.

Information about the content of the complaint and its resolution can not be made public without the consent of the parties involved.

The customer has the right to make a written appeal or appeal against the decisions of ICEPI regarding the granting, refusal, suspension or withdrawal of the certificate. The appeal must be sent by registered mail with return receipt to I.C.E.P.I. S.p.A., via P. Belizzi, 29/31/33, 29122 Piacenza to the Board of Directors attention.
In the appeal the customer must indicate his/her own references (company), the object of the appeal, the reasons that led to recurring, possible registrations in support of the reasons mentioned above, the signature of the legal representative of the customer company. The absence of one or more of the previous elements imply reason to reject the appeal, in which case ICEPI will send the sender communication containing the reasons.
The Board of Directors will start the examination step of the appeal involving the interested parties and at the end of this investigation the applicant will be informed about the results of the action within two months from the date of receipt of the appeal.
The responsible for the appeal management will be the highest company function that did not have taken part in the appealed process.
The CSI, the Committee for Safeguarding Impartiality, is periodically informed about the records of the appeals received.

In case of any dispute, the court of Piacenza shall be competent.

5 INCORRECT USE OF CERTIFICATION, CERTIFICATE AND CE MARKING

The use of certification or of the certificate is considered incorrect, when it can mislead the market on the nature, quality and methods of use of the certified product.
ICEPI considers incorrect the use of the certificate and the CE marking when:

- the certification application has not yet been submitted or has been rejected;
- the products don’t comply the object/scope of the certificate;
- the certificate has not yet been issued;
- the certificate has been withdrawn/suspended;
- the certificate has expired and has not yet been renewed;
- the customer does not allow ICEPI to carry out the surveillance within the established terms;
- the customer has not implemented the product changes required by ICEPI;
- the certificate is used or advertised outside its scope of applicability or limitation;
- the customer has made changes to the product or to the system without prior confirmation by ICEPI;
- the customer fails to comply with the contractual conditions.

If an incorrect use of the certification, certificate or CE marking is found, ICEPI can revoke the customer the right to affix the CE marking and to use the certification, giving notice to the competent authority.
In the most serious cases (such as undue marking) ICEPI also informs the competent police office.

6 RIGHTS AND DUTIES

6.1 CUSTOMER DUTIES

The customer must not have submitted a similar application for certification to another Notified Body for the same product.
The same application must not have already been rejected by another Notified Body.
ICEPI customer requests as specified in the "Certification activity contract" (GEN MD20):

- to maintain a record of the investigative proceedings for market control actions, relating to the non-compliance of certified products, to be promptly reported to ICEPI;
- to record the corrective actions taken, as well as any possible measures by the competent authorities;
- compliance with mandatory duties, as described in the legislative provisions transposing Directive 2000/14/EC;
- compliance with the contractual duties signed in the “Certification activity contract" (GEN MD20), in the offer and in these rules;
- to make available to ICEPI, if relevant, a sample of the equipment type and be aware that ICEPI can request other samples, if the test plan requires it;
- to allow ICEPI to access, for inspection purposes according to the certification procedure requested, the design, manufacture, inspection, testing and storage sites and to provide it with all the necessary information and related documentation.

The Company that applies for the Certification and the certified company must also:

1. allow, during the period of validity of the certificate, the carrying out of the surveillance audits on production or on the system where foreseen, subject to agreement with ICEPI;
2. provide and keep updated all the documentation required by ICEPI;
3. do not place to the market products before the conclusion of the certification process;
4. inform ICEPI of any complaints received from customers regarding the certified product;
5. inform ICEPI beforehand regarding transfers of ownership, changes in contact details, opening new offices and / or branches, changes in company names, significant changes to their work cycles. The company must provide, before the renewal of the certification, the updated data on the introduction of new processes / products and changes to the organizational structure;
6. not to issue, without prior authorization of ICEPI, modified versions of the technical documentation of the product and / or of the system documentation that contain change to the requirements of the Directive and / or the applied standards;
7. communicate the possible involvement of the Legal Representative in trial proceedings related to the organization's activity;
8. avoid making and forbidding others to make statements that may mislead the certification obtained;
9. avoid using and prohibiting the use of the certificate or part of it in a misleading way;
10. stop using all advertising materials that refer to certification in case of suspension or withdrawal of the same;
11. not to suggest that the certificate applies to activities / products that are outside the scope of the certification;
12. do not use the certificate in such a way as to damage the certification body's reputation and compromise public trust;
13. to guarantee the access of the inspectors, including ACCREDIA inspectors (except as indicated in the following paragraph 6.2), to all company areas and to all the relevant registrations in order to ensure the correct execution of the conformity assessment;
14. guarantee (except as indicated in the following paragraph 6.2) access to the ACCREDIA auditors subject to ICEPI's communication of their names;
15. guarantee (except as indicated in the following paragraph 6.2) access to ICEPI inspectors in training and supervision;
16. accept that in case of refusal of certification the information will be supplied in copy to the Accreditation Body;
17. to be available to perform inspections with 5 days' notice, following receipt of complaints and / or reports or suspensions of certification, without the possibility of challenging the team responsible for carrying out such inspection.

6.2 CUSTOMER RIGHTS

The company:

1. may publicize the certification in the manner it deems most appropriate provided it complies with the rules defined in this document;

2. can express a judgment on the degree of satisfaction and communicate any complaints in writing so that ICEPI can use this information to activate ways of improving the service provided;
3. may request the substitution of the inspectors of both ICEPI and ACCREDIA if there are motivated conflicts of interest, giving written notice to ICEPI within and no later than the period of time established in the communication of the audit;
4. may make reserve against the content of the remarks found during the inspection by the inspectors, giving written notice to ICEPI.

6.3 ICEPI RIGHTS AND DUTIES

ICEPI reserves the right to use employees and / or freelancers with exclusive relationship, for the execution of the conformity assessment procedures that are the object of this Rules.
ICEPI is required to:

1. to keep updated the documentation of the management system with reference to the documents destined to the companies requesting certification;
2. prepare, provide and keep up-to-date a detailed description of the certification activity (initial and maintenance), including the certification application, the conformity assessment reports, the initial verification and surveillance reports, the processes for issuing, maintain, reduce, extend, suspend, revoke certification and renewal process;
3. apply the provisions set out in these Rules regarding the aspects related to the scope of the certification application;
4. communicate in advance to the companies the composition of the inspection teams and the presence of the ACCREDIA inspectors;
5. verify that the companies are able to effectively manage compliance with the binding laws relating to the products supplied, without assuming any direct responsibility regarding the adequacy of the technical choices adopted for this purpose by the companies themselves (the responsibility is exclusive of the companies), or in order to verify compliance with legal requirements;
6. in case of ICEPI bankruptcy or withdrawal of the ICEOI accreditation with consequent cancellation of the authorization / notification, ICEPI itself will transfer its certifications to another notified body with which it will stipulate a special transfer agreement.

7 CONSENT TO TEST SUBCONTRACTING

The customer is aware of the fact that ICEPI for the execution of the test activities has the right to use external accredited or qualified laboratories, in relation to which ICEPI assumes and maintains full responsibility for each activity assigned.
In relation to it and in the absence of express refusal, to be reported in the Certification application, the customer's consent to the test subcontracting is considered acquired.

8 USE OF ICEPI AND ACCREDIA MARK

The use of the ICEPI logo is not allowed to the applicant; the ICEPI mark may be used, following formal written authorization with the signing of specific regulations for use. The use of the mark is allowed to the positive end of the certification process to companies that, by signing the " Certification activity contract" and accepting the offer, have requested it; these companies will be asked to sign the "Regulations for the use of the ICEPI mark".

The applicant can disclose and publicize the obtaining of the Product Certification in the most appropriate ways. He can reproduce the certificate obtained in full, enlarging or reducing it, in colour or in black and white, provided that the mark remains legible and does not present any alteration. Different solutions from those defined in this chapter must be authorized in writing by I.C.E.P.I. S.p.A.

The applicant must avoid misleading or ambiguous uses of the certification issued by ICEPI and must avoid that the certification can be considered extended to products not covered by the certificate issued by ICEPI. In case of non-compliant use of the certificate referring to what is indicated in this paragraph, ICEPI reserves the right to take appropriate measures against the manufacturer, including appropriate legal actions as indicated in chapter 5.

The use of the ACCREDIA mark by the customer is permitted only with the mark of the accredited Body, in accordance with the Accredia RG-09 Regulations, available on the website www.accredia.it. The ACCREDIA mark used by the customers of the Accredited Bodies is oval in shape and bears the name ACCREDIA with the words "Accreditation body" and it has in the middle part the shape of Italy.
The customer can never use the Accreditation Mark separately from the ICEPI Certification Mark.
The ACCREDIA mark must not be used in such a way as to suggest that ACCREDIA has certified or approved the product or in any other way misleading.

It is forbidden to use the ACCREDIA mark, nor the mark of the Body, nor, even less, the Accredia and ICEPI mark, in any type of technical documentation that may involve the product in any way, when the customer is in possession of a certified management system (example: declarations of conformity for the purposes of CE marking).

In any case, for the use of the ACCREDIA mark with ICEPI mark, the customer must expressly accept the "Regulations for the use of the ICEPI mark", available only upon formal written request.

9 DATA AND CUSTOMER PROPERTIES

According to the EU Regulation 2016/679 and current provisions, ICEPI informs that the data provided may also be of a personal nature and will be processed with IT tools solely for the performance of the requested service; the data will not be disseminated and will not be disclosed to other subjects except for the rightful authorities.
The applicant explicitly approves that the information and acts concerning him are accessible to the Accreditation Body, ACCREDIA.
The data of the certifications issued and the status of validity, suspension and withdrawal may be published on the ICEPI website and, for any activities for which ICEPI is accredited, will be included in the ACCREDIA database available on its website (as applicable).

The data controller is ICEPI. At any time, the customer may exercise his / her rights by writing to the contact responsible. All the properties of the customer temporarily used by ICEPI for the performance of the service will be kept intact, having regard to their nature and entity by ICEPI; any pre-existing defects or damage will be reported by ICEPI upon taking charge.
The personnel of ICEPI is subjected to professional secrecy with regard to anything that becomes known in the exercise of its functions (except in relation to the competent authorities of the Country in which it carries out its activity).
The applicant is also contractually obliged not to disclose data, information, observations and conclusions produced by ICEPI during the certification activity, if this is not explicitly foreseen by regulations.

10 UPDATE OF THESE RULES

In case of future updates and amendments to this regulation document, ICEPI will make the new document available on its website www.icepi.com. The modifications made will not have any effect on the Certification applications in progress and will be considered effective only for the Certification applications signed at the date of the revision of these Certification Rules. In case of changes with immediate effect, ICEPI must notify the manufacturer by registered mail with return receipt. Within 60 days from the communication, the manufacturer can formally communicate the non-acceptance of the changes, this decision involves the renunciation of the certification. After 60 days have elapsed without any communication from the manufacturer, the new edition of these Regulation document will be deemed accepted by silent consent.