

## REGULATION FOR CERTIFICATION

### Regulation (UE) 305/2011

**D.M. 17-01-2018 - Factory Production Control of the concrete produced with industrialized process.**

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## 1. GENERAL REQUIREMENTS

### 1.1 Purpose and area of application

This Regulation defines the operating methodology that governs the relations between Kiwa Cermet Italia S.p.A. (hereinafter "Kiwa Cermet" and the Company (hereinafter also "manufacturer") in the provision of product certification services in accordance with the requirements of Regulation (EU) 305/2011 of the DM 17-01-2018.

The requirements expressed in this regulation are an integral part of the contract stipulated with Kiwa Cermet (economic quotation, *Kiwa Regulation for Certification and General Terms and Conditions of Kiwa Cermet Italia for carrying out the assignments* - hereinafter *General Terms and Conditions* for brevity). These requirements refer only to the aspects specifically connected to the field of application of the requested certification.

This regulation applies to the following certification activities:

- Compliance with Regulation (EU) No. 305/2011, of all construction products, with attestation of conformity based on production control in the FPC factory with "Systems of assessment and verification of constancy of performance" of type 2+ based on "FPC factory production control" (hereinafter AVCP system 2+)
- Control system of the "Factory Production Control of the concrete produced with industrialized process." D.M. 17.01.2018, chap. 11.2.8.

Any form of advice to the Customer, which could undermine the nature of independence of the assessments carried out, is expressly excluded from the subject of the contract.

This regulation is also available on the Kiwa Cermet website ([www.kiwacermet.it](http://www.kiwacermet.it)).

### 1.2 General Principles

In its certification activity, in addition to the provisions of the *General Terms and Conditions*, Kiwa Cermet applies the following principles:

- a) The policies, strategies, procedures are not discriminatory: access to certification services is allowed to any Company that requests it in compliance with these Regulations, without any discriminatory conditions of a commercial, financial nature or belonging to particular associations.
- b) It is totally impartial and independent and ensures this condition through the following measures:
  - Performance of certification activities assigned to personnel having no interest in the company subjected to certification, required to observe the rules of conduct and independence established by Kiwa Cermet;
  - Clear separation between the personnel who carry out the audit activities and those who participate in the certification decision;
  - Timely management of complaints, appeals and litigations, as defined in § 8 of these Regulations;
  - Kiwa Cermet, moreover, is not directly involved in the production, representation, marketing, maintenance, installation of products or materials relating to certification, nor does it offer assistance in the design and development phase of the product itself, nor does it have any related structures who carry out these activities, in accordance with the provisions of current legislation on the subject;
  - Confidentiality: in addition to what is regulated in the *General Terms and Conditions* and in the *Kiwa Regulations for Certification*, Kiwa Cermet ensures that all personnel, including its Auditors, sign a commitment to confidentiality, as well as a document in which the personnel undertakes to process any data it comes into possession, in compliance with the provisions of the law on Privacy. The confidentiality obligation is no longer valid in the face of Kiwa Cermet's obligation to publicly communicate the existence, suspension or withdrawal of an Organization's certificate in the face of legal obligations and/or other provisions;
  - Punctual application of formalized rules and procedures, in use by all personnel of the certification services and periodic consultation with appropriate Parties Interested in certification;
  - Notifications and authorizations: Kiwa Cermet undertakes to inform the Customer of any renunciation, suspension or revocation of the ministerial authorization; in such cases Kiwa Cermet is in no way responsible for any damage caused to the Customer by the renunciation, suspension or revocation of this authorization; in the aforementioned cases, the Customer has the right to renounce the contractual relationship with Kiwa Cermet, without the need for notice and without additional charges.

### 1.3 Definitions

#### Product Certification

In this Regulation, the term "certification" indicates all the "assessment and verification of constancy of performance" activities carried out by Kiwa Cermet on the basis of which it is certified that a construction product, placed on the market by the manufacturer with its own trade name, is subjected to conformity control on the basis of the "Determination of the product type" (type tests or product type calculations) or to the factory production control (FPC) and/or to further tests on samples taken in the factory in compliance with the requirements of the applicable Technical Standards.

The terms used refer to the definitions given in:

UNI CEI EN ISO/IEC 17000

UNI CEI EN 45020

### 1.4 References

UNI CEI EN ISO/IEC 17065

Regulation (UE) n° 305/2011

Delegated Regulation (UE) 568/2014

Delegated Regulation (UE) 574/2014

D.M.17-01-2018

Decree of the President of the Superior Council of the LL.PP. n. 213 of 8 July 2015 "Operating instructions for issuing the authorization to the certification bodies for the control of the FPC factory process of the concrete produced with industrialized process, pursuant to §11.2.8 of the Technical Standards for Construction referred to in the Ministerial Decree 14.01.2008"

Decree of the President of C. S.LL.PP. n. 213 of 08 July 2015

Guideline for the production, transport and control of ready-mixed concrete issued by the CSLLPP - STC

Guidelines of the EU Commission on the "New Approach" Directives

EU Commission guidelines (Guidance Paper A/M) regarding the CPD/CPR

Interministerial Decrees concerning the application of Regulation (EU) 305/2011

LEGISLATIVE DECREE 16 June 2017, n. 106. "Adaptation of national legislation to the provisions of Regulation (EU) no. 305/2011, which establishes harmonized conditions for the marketing of construction products and which repeals Directive 89/106/EEC"

Interministerial Circular no. 3 of 09/06/2011

Guidelines and documents issued by GNB-CPR (Co-ordination of the group of the Notified Bodies for the construction products Regulation (UE) 305/2011) applicable to relevant products.

### 1.5 Manufacturer's requirements

The manufacturer:

- Must not have requested certification from another Notified Body relating to the relevant products;
- It must ensure that there is not more than one certificate issued by different Notified Bodies relating to the same products at the same time;
- It undertakes to comply with the provisions contained in Regulation (EU) no. 305/2011 and the specific rules applicable to the product for which certification is requested, in addition to subsequent amendments and additions; in particular, the manufacturer must ensure that procedures are put in place to ensure that the mass production of the products subjected to certification maintains the declared performance, including through sample tests (Article 11);
- Must possess a documented quality management system, conforming to specific requirements to meet the requirements for FPC factory production control;
- Must report to Kiwa Cermet any changes made to the production process, to the factory production control system itself or to the production site;

- Must be responsible for the application of the requirements provided for by the regulations in force on safety in the workplace. In the absence of mandatory provisions, the manufacturer undertakes to provide Kiwa Cermet with complete and detailed information on the specific risks existing in the environment in which Kiwa Cermet personnel and the PPE necessary for carrying out the assignment are intended to operate, informing Kiwa Cermet personnel on their correct use. In this regard, the customer organization must provide the personnel appointed by Kiwa Cermet with company documentation relating to safety in the workplace (D.V.R., safety plan, procedures, etc.), limited to items of specific interest. When for such omissions, accidents occur or illnesses are contracted, no charge can be made for any reason to Kiwa Cermet;
- Accept the conditions set out in these Regulations;
- Authorize access to the premises, plants, areas and information necessary to carry out the conformity assessment activities;
- Accept the presence, during Kiwa Cermet's visits, of any Accredia inspectors accompanying them;
- Designate its own Representative as the main interlocutor of the Audit Group and have any consultants present during the Audit play the role of observer.

## 2. INITIAL CERTIFICATION

### 2.1 Application for certification

The Company that intends to request certification sends a request for quotation to Kiwa Cermet.

Kiwa Cermet, after having collected the necessary information, prepares a quotation detailing the procedure, costs and mentioning the applicable Technical Standard and sends it to the Company attaching this Regulation.

In the case of AVCP system 2 + Ministerial Decree 17-01-2018 and Technical Standards, if the contractual conditions are not already provided for in the quotation, Kiwa Cermet draws up the contract for carrying out the initial and periodic surveillance at the manufacturer. The contract or quotation contains all the contractual conditions, to regulate the relationship between Kiwa Cermet and the Manufacturer, as well as the list of products under surveillance.

### 2.2 Planning of certification activities

Kiwa Cermet agrees with the Company the date of the initial certification audit.

The certification, in accordance with the AVCP system 2+, requires the manufacturer to carry out the "Determination of the product type" and the "Factory production control (FPC)". Kiwa Cermet is responsible for the certification of the "Production control of the FPC factory" on the basis of an initial inspection (IFPC) and the maintenance of the certification on the basis of periodic surveillance (FPC). Should Kiwa Cermet's assessment reveal the need for additional evaluations during the conformity assessment process, such evaluations will be quoted separately as and when they arise.

The Company is required to provide full cooperation to the Group of inspectors (auditors) by making the necessary documentation available to them.

### 2.3 Audit at the manufacturer

#### 2.3.1 Generality

The manufacturer must define, document and maintain a permanent system of FPC and identify areas of responsibility to ensure that the products placed on the market conform to the declared performance characteristics. The FPC system must include procedures, regular inspections, tests and/or evaluations. The manufacturer must carry out FPC tests to monitor the conformity of the product.

#### 2.3.2 Audit management

The assessment of compliance with the requirements of the reference scheme is carried out on the basis of the check lists "*check list for initial factory inspection and factory production control*", drawn up on the basis of the indications given by the GNB-CPR, which report and define the elements to be checked.

In particular, the main aspects to be examined for the verification of conformity of the FPC factory production control are:

- possible application of a quality management system;
- measuring instruments and calibration method (internal or external);
- suitability of the machinery used for production and related maintenance;
- suitable competence of the personnel used in the production cycle and in the final control of the product;
- assessment of the control of raw materials or components purchased;
- evaluation of the control of the production process (control of the semi-finished product and of the process parameters);
- controls on finished products in order to ensure that they comply with the technical requirements of the product and/or manufacturing;
- examination of internal procedures for the management of non-conformities and/or rejects (any corrective actions and complaints);
- examination of internal procedures for transport, storage and packaging of finished products.

The Company must register each of these elements, giving evidence:

- the type of control;
- the control method used;
- the frequency of the control and the variation rules;
- exhaustive coverage of the essential characteristics required;
- the correct attribution of classes and threshold levels for each essential characteristic required;
- the method in which control results are recorded and stored.

The Company must present all relevant products and information for the purpose of a careful and valid evaluation by Kiwa Cermet.

The Company must always keep available, for any feedback, the technical reports concerning the tests and/or type calculations in order to be able to verify the compliance of the tests carried out with the products to be certified.

The Lead Auditor of Kiwa Cermet Audit Group draws up the "Factory Production Control Report", delivers the originals of the non-compliance reports to the Company's management, taking care to collect the signature for the relevant parts, keeping a copy for himself.

## **2.4 Corrective Actions (CA)**

The corrections and corrective actions, necessary to eliminate the non-conformities that have emerged, must be defined by the Company and communicated to Kiwa Cermet within 20 working days from the audit, filling in each individual non-conformity report, in the part of competence relating to the "actions corrective measures proposed/implemented" indicating the methods, timing and responsibilities of implementation.

Each form that provides for it must be signed by the Company Representative.

The Lead Auditor of the Audit Group (RGA) evaluates the proposed corrective actions and, for acceptance or in the case of comments or the need for clarification, notifies the Company in written form.

The positive or negative outcome of the CA assessment is noted on the non-compliance report in the relevant part and approved by the RGA.

The actual implementation of the CAs and the closure of the NCs will be evaluated by the RGA in the subsequent surveillance audit; in the case of major NCs, the assessment will take place through an additional audit.

The treatment of the observations/improvement elements will be assessed in the field, on the occasion of the subsequent surveillance audit.

## **2.5 Classification of Non-Conformities (NC)**

Each Non-Conformity found during the FPC audits is classified as follows:



**Major Non-Conformity:** non-compliance that affects the efficacy or safety of the product and concerns:

- Deviation or total absence of conformity with respect to a specified requirement, found on the basis of objective evidence;
- Failure to comply with legal requirements applicable to the product subjected to certification.

**Minor Non-Conformity:** Any non-conformity related to any failure to meet the standard requirements, not falling within the category of major non-conformities described above, or the partial failure to meet one or more standard requirements and/or the contract with Kiwa Cermet.

Several minor non-conformities, inherent to the same requirement of the Standard, depending on the contents and the general result of the audit may result in the issuance of a major NC.

Minor non-conformities not resolved and/or not taken over by the Organization may result in the issuance of a major NC.

**Improvement element (Observation):** situation detected during the Audit that can provide ideas for improvement of the product subjected to certification.

## 2.6 Certification Decision

Kiwa Cermet examines the audit documentation produced by the RGA and, in the case of a positive outcome, authorizes the issue of the Certificate of Conformity of the production control in the factory FPC.

If the final decision of Kiwa Cermet differs from that proposed by the RGA, the reasons are communicated in written form to the Company.

For certified products referring to EU Regulation 305/2011, following the positive outcome of the certification resolution, the Company receives CE certification and can apply the CE marking associated with number 0476, which identifies Kiwa Cermet as a Notified Body.

## 2.7 Certificate of factory production control (FPC)

The factory production control certificate (FPC) is drawn up on the basis of the circular of the Ministry of the Interior 9 June 2011 n° 3 "*operating instructions to the bodies qualified under the Decree 9 May 2003, n ° 156*" as well as the indications of the GNB -CPR.

The certificate of factory production control (FPC) is valid as long as the conditions defined in the reference technical specification or the conditions of production in the factory or its production control undergo significant changes.

## 3. CERTIFICATION MAINTENANCE

### 3.1 Generality

To verify the maintenance of the conformity of the production control in the factory FPC by the manufacturer, Kiwa Cermet must conduct periodic surveillance audits with reference to the Regulation (EU) n ° 305/2011, to the MD 17-01-2018. The audits are conducted at least annually. Different frequency must be motivated and approved by Kiwa Cermet.

### 3.2 Surveillance Audit

The surveillance audit includes the audit at the Company in the same way as defined in § 2.3.2 and can be unannounced.

Unannounced audits are structured in the same way as normal scheduled audits (all aspects will be assessed) and with operational arrangements similar to those of scheduled audits without prejudice to the lack of communication to the client of the expected dates of the audit.

Unannounced audits are similar in characteristics and peculiarities to supplementary audits, i.e. they are audits not provided for by the standard programming whose contents are defined from time to time according to the reason that generated the need to carry them out.

### 3.3 Certification Confirmation

Kiwa Cermet examines the surveillance audit documentation and, in the case of a positive outcome, the validity of the certification is confirmed.

For major NCs, the Company must promptly activate actions, approved by the Lead Auditor of the Audit Group, which must be implemented within a maximum of 2 months, before re-placing the products subjected to the survey on the market, providing for a possible recall of those already distributed.

Any justified extension requests for implementation times must be approved by Kiwa Cermet.

For minor NCs, the corrective action and implementation times proposed by the Company, and sent to Kiwa Cermet within 20 working days of the audit, must be approved by the Lead Auditor of the Audit Group.

### 3.4 Extraordinary Audits

Kiwa Cermet reserves the right, motivated in written form to the manufacturer, to carry out extraordinary audits relating to the certified product, for the reasons indicated in the *Kiwa Regulation for Certification*, or for requests that emerged during the issue of the certificate or following motivated complaints, notifications of legal measures regarding the safety or legality of the product, etc.).

These audits do not replace and do not modify the process and frequency of periodic surveillance audits.

The costs of the aforementioned audit activities are borne by the Company.

## 4. TEST REPORT AND CERTIFICATION MODIFICATIONS

### 4.1 Extension and/or modifications of the certification

If the customer company requests an extension and/or modification that may result in a change to the contents of the existing certificate, or to the FPC system, Kiwa Cermet will issue a new quotation.

Depending on the extension/modification requested, Kiwa Cermet will be able to carry out a further inspection visit or, in the case of unchanged product manufacturing procedures (compared to what has already been verified in the FPC), proceed with an administrative update.

### 4.2 Extension of the certification to a third company

If the manufacturer (company "a") had to supply its certified products to a third company (company "b"), with the aim of placing such products on the market under the name of company "b", the latter company may request certification in their own name by following the procedure referred to in the previous paragraphs.

For the purpose of certification, in the case that the entire production process was carried out at company "a", without the certified product undergoing modifications and/or alterations, it can be used (with the consent of the parties expressed in written form) the technical documentation and the reports of the inspection visits carried out at company "a".

However, it is specified that:

- In the event that company "b" has a warehouse where products from company "a" are stored, Kiwa will always carry out an on-site audit at company "b", both during the initial assessment and subsequent surveillance audits. Exceptions may be made in specific cases, assessed individually on a case-by-case basis by the Scheme manager in a documented manner, where it can be objectively and unequivocally determined that the transfer of the product, and/or any subsequent packaging and storage in company "b"'s warehouse, cannot in any way affect the conformity of the product to the declaration of performance; in such cases, Kiwa may carry out documentary assessments (both during the initial assessment and subsequent surveillance audits);
- In the event that company "b" does NOT have a warehouse and shipments to customers are made directly by company "a", Kiwa may, if deemed appropriate, carry out an on-site audit at company "b", both during the initial assessment and subsequent surveillance audits, or assess whether a documentary examination is sufficient, in which case the certificate will be issued to company "b" on the basis of a documentary examination.

It is understood that the relationship between "a" and "b" must be regulated through the stipulation of a specific contract, which Kiwa will review it for certification purposes.



## 5. SUSPENSION, WITHDRAWAL OR REDUCTION OF THE CERTIFICATION

The Certification can be suspended, withdrawn or reduced for the reasons indicated in the Kiwa Regulations for Certification or at the request of the customer.

Kiwa Cermet reserves the right to evaluate on the basis of the reasons that led to the suspension/withdrawal/reduction:

- The possibility of requesting the manufacturer to recall products already placed on the market (including those in stock);
- Whether to allow the Company to continue with the placing on the market of products already made on the date of suspension/withdrawal/reduction.

Except in exceptional cases (established in any case by Kiwa Cermet or the Competent Authority) the suspension period cannot last more than 6 months, otherwise the certification will be withdrawn.

The inherent communication is sent to the manufacturer by registered letter with return receipt or certified mail, it includes the motivation, the duration and the conditions under which the provision can be withdrawn, as well as the limitations on the use of the certificate.

During the suspension period, the customer loses the right to affix the CE marking and use of the Kiwa Cermet Certification Mark (where provided) and loses the right to use or advertise the certificate by any means. The conditions for restoring the suspended certification (including the necessary conformity assessment activities) will be established by Kiwa Cermet 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 Kiwa Cermet to restore the suspended certification, the certification will be withdrawn or, in possible cases, its scope will be reduced.

The reduction of the certification involves the issue of a new certificate, indicating the type of product for which the certification has remained valid, and the withdrawal of the old certificate.

Withdrawal of the certification involves automatic termination pursuant to art. 1456 of the Italian Civil Code of the contract to which this regulation applies, without prejudice, in any case, to compensation for any damage suffered by Kiwa Cermet.

Following to the withdrawal of the certification, the manufacturer (or authorized representative) loses the right to use the CE marking, the certificate and the Kiwa Cermet Certification Mark (where applicable); the Company will be able to activate the certification process again by submitting a new application.

In case of suspension or withdrawal for technical reasons, Kiwa Cermet will inform the competent Authorities, the relevant Notified Bodies and/or other third parties who request it.

## 6. ADVERTISING

Once the Company has obtained the test report or certificate of conformity, it has the right to make the news public, regarding the products covered by the certification. In any case, the Company must pay attention to ensure that in its publications and advertising there are no misleading references to the products subjected to certification.

## 7. USE OF THE TRADEMARK, THE CERTIFICATE OF CONFORMITY AND THE CE MARKING

### 7.1 Use of certification marking and logos

#### 7.1.1 Use of CE Marking

The use of the CE marking is regulated by Regulation (EU) No. 305/2011 at Articles 8 and 9.

#### 7.1.2 Use of Kiwa logo

The use of the Kiwa logo is optional; however, if the Company wishes to make use of this option, these regulations are binding.

When using the certification mark, the customer shall comply with all applicable rules stated in the "*Kiwa Regulation for Certification*" and those below.

The logo is applicable only to communications and documentation that mention the products certified by Kiwa Cermet in accordance with Ministerial Decree 17-01-2018 and Regulation (EU) No. 305/2011 relating to "AVCP system 2+".

The logo may not be affixed to products or their packaging.

The following relevant regulatory reference must be added to the "Factory Production Control" logo:

- D.M.17-01-2018
- Reg. (UE) 305/2011



It must be used over a white or clear background.

It must be used with the colours of figure 1; as an alternative to black the colour "Kiwa blue" can be used (Pantone 300).

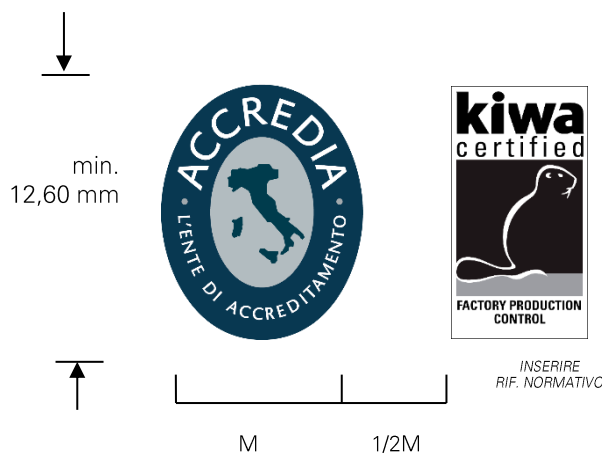
It must be used in such a way that it is visible in its entirety and not just a part of the pictogram. Possible or further additions to the pictograms shown in the figure are not permitted.

The size of the Kiwa logo may be increased or decreased uniformly while maintaining the size ratio and as long as the lettering remains legible.

Kiwa Cermet reserves the right to take legal action to protect its image if the logo has been used in a way that does not comply with contractual agreements and/or in such a way as to discredit the image of Kiwa Cermet.

7.1.3 Use of the Accredia logo in conjunction with the Kiwa logo

The certification mark can only be used for certifications subject to control by the Accreditation Body ACCREDIA. The two marks, Accreditation Body mark and Kiwa Cermet mark, must be used solely in a combined format. The figure shows an application example. The minimum height shown will be in proportion to measurement "M" in order to maintain the proportions of the marks.



The use of the mark of the Accreditation Body ACCREDIA is governed by the rules of the regulation ACCREDIA RG 09 (which can be read or downloaded from website [www.accredia.it](http://www.accredia.it)); for anything not specified in this document or in the Kiwa Regulation for Certification, or in the event of any discrepancies with them, RG 09 takes priority.

7.2 Incorrect use of the certification, certificate and CE marking

In addition to what is indicated in *the Kiwa Regulation for Certification*, the following rules apply.

The use of the certification or certificate is considered incorrect when it can mislead the market on the nature, quality and methods of use of the products subjected to certification.

It is incorrect to use the CE marking when it is applied to products:

- with an application for certification not yet submitted or with an application for certification refused;
- which do not comply with the object shown in the certificates;
- for which the manufacturer (or authorized representative) has not implemented changes requested by Kiwa Cermet.

If an incorrect use of the certification, certificate, CE marking is found, Kiwa Cermet may revoke the manufacturer (or agent) the right to affix the CE marking and use the certification, by notifying the Competent Authority.

In the most serious cases (e.g. undue marking) Kiwa Cermet also informs the Public Prosecutor's Office.

## 8. COMPLAINTS, APPEALS AND LITIGATIONS

### 8.1 Complaints

Anyone wishing to submit a documented complaint to Kiwa Cermet, concerning activities included within the scope of certification, can send it to the following email addresses: [info@kiwacermet.it](mailto:info@kiwacermet.it) and [kiwa@pec.kiwaitalia.com](mailto:kiwa@pec.kiwaitalia.com) or to the address Kiwa Cermet Italia Via Cadriano 23, 40057 Granarolo dell'Emilia (BO).

Kiwa Cermet records the complaints, analyzes them and informs the complainant about the actions taken, within thirty days from the date of receipt of the complaint.

Kiwa Cermet will establish with the complainant if and to what extent, the content of the complaint and its resolution must be made public.

### 8.2 Appeals

If the complainant is not satisfied with the response received, or intends to oppose a decision by Kiwa Cermet, he/she can appeal in written form.

The appellant must justify the reasons for his appeal and, in the case that this appeal relates to a decision by Kiwa Cermet (e.g. record of major Non-Conformity), it must be presented to Kiwa Cermet within 10 calendar days from the date of communication of the decision.

Kiwa Cermet will provide the applicant with a written reply and notify any action to be taken within 30 days from the date of receipt of the appeal.

### 8.3 Litigations

Any dispute between the Customer and Kiwa Cermet will be handled as provided for in art. 18 paragraph 1 of *the General Terms and Conditions of Kiwa Cermet Italia for the performance of the assignments*.

## 9. RIGHT OF UNILATERAL WITHDRAWAL FROM THE CONTRACT

Kiwa Cermet may freely withdraw from this contract by giving written notice to the customer organization with six months' notice of the effective date of the withdrawal. Withdrawal by Kiwa Cermet involves the withdrawal of the certification issued. The Organization is in any case required to pay Kiwa Cermet the amounts due for the services received during the notice period, as established in the last valid quotation.

If the Organization wishes to withdraw from the contract, the unilateral withdrawal during the period of validity of the Certification requires compliance with the notice times provided for in the *General Terms and Conditions* and in the *Kiwa Regulation for Certification*.

In particular, for notice of less than three months with respect to the scheduled Audit and more than two weeks, the Customer will have to pay 50% of the amount relating to the amount foreseen for the subsequent activity provided for in the contract. For notice periods of less than two weeks, the provisions of the *General Terms and Conditions* apply.

In case of termination of the contract, Kiwa Cermet will issue an invoice, in relation to the costs of closing the certification file, as established in the last valid quotation.

Following the withdrawal, the manufacturer (or authorized representative) loses the right to use the CE marking, the certificate and the Kiwa Cermet Certification Mark (where applicable); the Company may again activate the certification process by submitting a new application.

If the withdrawal date falls within a period of more than 3 months from the date of the last audit, an extraordinary surveillance audit must be carried out by that date in order to verify the permanence of the compliance requirements of the system.

In any case, the right of withdrawal can be exercised only after the positive closure of all NCs detected in the last inspection.

## **10. UNILATERAL MODIFICATION OF THE CONTRACT**

Kiwa Cermet reserves the right to modify these Regulations at any time. Any new clauses/changes made will be effective from the moment they are communicated to the customer in written form.

The Organization that does not intend to accept the changes, may withdraw from the contract by giving written notice by registered letter with return receipt or certified mail within 30 calendar days, under penalty of forfeiture, from the day following the communication to Kiwa Cermet.

The withdrawal will be effective from the last working day of the month of receipt of the communication from the customer.

## **11. TRANSFER OF CERTIFICATIONS ISSUED BY OTHER BODIES**

Kiwa Cermet recognises the validity of certificates issued by other Certification Bodies accredited by recognised authorities and those belonging to the Mutual Recognition Agreement (EA MLA Multi Lateral Agreement).

Certification transfer takes place on specific request of the Organization and includes at least the assessment of:

Reasons that led to the transfer request;

Previous audit reports of the outgoing Certification Body (check of absence of major NCs, absence of supplementary audit to be carried out);

Validity status of the certificate issued which must be taken over;

Existence of any complaints still in progress and their management;

Any legal disputes with P.A., judicial complaints (regarding the management systems), legal proceedings in progress.

The transfer must always involve a review of the Organization documentation; depending on the transfer phase, the relative Surveillance/Renewal Audit can also be carried out subsequently, keeping the date scheduled for the visit by the previous Certification Body.

Transfers are subject to the Certification Decision as for initial certificate issuing and, if the results are positive, the Certificate of Conformity will be issued keeping the original length and expiry of the outgoing Body original certificate.

Where the above requirements do not exist, the request must be dealt with as a new certification.