REVISION HISTORY				
Rev.	Date	Description	Written by	Approval
00	2021-09-15	New issuing	QM	AM-2021-01
01	2022-09-05	Amendment of the reference to the Regulations and § 13 and 14.	QM	AM-2022-02
02	2023-08-23	New chapter 17 (CE-UKCA Certificate transfer)	HoD	AM-2023-02
03	2023-10-18	Amended transfer procedure (§ 9.3, 9.8, 17.2, 17.3)	QM	AM-2023-03

TABLE OF CONTENTS

1 PURPOSE 3

2 SCOPE 3

3 REFERENCE DOCUMENTS 3

4 DEFINITIONS 3

5 PRINCIPLES OF IMPARTIALITY AND OPENNESS 4

6 RESPONSIBILITY 4

7 COMMITMENTS OF THE APPLICANT 4

7.1 RISK ANALYSIS 4
7.2 TECHNICAL FILE 4
7.3 MACHINE TYPE 4
7.4 INTERNAL CHECKS ON THE MANUFACTURE OF MACHINERY 5
7.5 DECLARATION OF CONFORMITY 5
7.6 COMPLIANCE TO THIS REGULATION AND TO THE LEGAL AGREEMENT 5

8 COMMITMENTS OF THE CAB 5

8.1 REASONS TO FORCE MAJEURE 5

9 CERTIFICATION PROCEDURES 6

9.1 ACCESS TO THE CONFORMITY EVALUATION SERVICES 6
9.2 REQUEST REVIEW AND OFFER ISSUING 6
9.3 SUBMITTING OF THE FORMAL APPLICATION 6
9.3.1 Type-examination application 6
9.4 START OF THE CERTIFICATION PROCESS 7
9.4.1 General 7
9.4.2 Technical file assessment 7
9.5 OUTCOME OF THE DOCUMENTS' EVALUATION AND COMMUNICATION OF THE FINDINGS 7
9.6 FUNCTIONAL ASSESSMENT 7
9.7 ADDITIONAL ASSESSMENT 8
9.8 TECHNICAL REVIEW AND CERTIFICATION DECISION 8
9.9 NEGATIVE OUTCOME OF THE TECHNICAL REVIEW AND CERTIFICATION DECISION 8
9.10 LIST OF CERTIFICATIONS 8
9.11 RECORDS KEEPING 8

10 CERTIFICATE AND LEGAL AGREEMENT VALIDITY AND RENEWAL 8

10.1 UKCA TYPE-EXAMINATION CERTIFICATE 9

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

11 OFFICIAL LANGUAGE AND TRANSLATIONS 9

11.1 TRANSLATION 9

12 WITHDRAWAL, SUSPENSION AND REVOCATION OF THE CERTIFICATE 9

12.1 WITHDRAWAL 9
12.2 SUSPENSION 9
12.2.1 Suspension effect 10
12.3 REVOCATION 10

13 COMPLAINTS AND APPEALS 11

14 DISPUTES 11

15 CONFIDENTIALITY 11

16 TRANSFER OF REGISTRATION 11

16.1 CHANGE OF THE COMPANY NAME OF THE MANUFACTURER 11
16.2 CERTIFICATE TRANSFER DUE TO AN OBL AGREEMENT 11

17 CE – UKCA TRANSFER 12

17.1 GENERAL 12
17.2 TRANSFER OF A CE CERTIFICATE ISSUED BY ECO CERTIFICAZIONI S.P.A. 12
17.3 TRANSFER OF A CE CERTIFICATE ISSUED BY ANOTHER EUROPEAN NOTIFIED CERTIFICATION BODY 12

18 SAFEGUARD CLAUSE OF THE CERTIFICATIONS ISSUED 12

19 MODIFICATION OF THE CERTIFIED PRODUCT 12

20 EXTENSION/REDUCTION OF THE CERTIFICATE SCOPE 13

21 MODIFICATION OF THE CERTIFICATION REQUIREMENTS 13

22 MODIFICATION OF THIS REGULATION 13

23 ECONOMIC CONDITION 13

23.1 CHANGES IN THE OFFER, IN THE PRICE LIST AND RIGHT OF WITHDRAWAL 13
23.1.1 Changes in the offer 13
23.1.2 Changes in the price list 13
23.1.3 Withdrawal and notice 13

24 CERTIFICATION ADVERTISEMENT 14

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

1 PURPOSE

This Regulation defines the general method adopted by ECO Certifications UK Ltd (hereafter ECO or CAB) to carry out conformity assessment on machines as defined in the Regulations 2008 Supply of Machinery (Safety) SI No. 1597 as amended– Great Britain. These methods must be followed by Manufacturer or its Authorised Representative (established in the United Kingdom) to obtain and maintain the certification.

ECO makes available the latest release of this Regulation on its own website www.ecocertifications.co.uk, at its headquarters or, at request of the applicant, it can be delivered in digital format.

Changes and additions will be handled by successive revision, the modified texts are highlighted with a vertical line in their left side. Any major changes in the applicable framework legislation will result in new release. Since the Regulation is an integral part of the contract between ECO and the Applicant, ECO will apply the latest issuing, it is up to the applicant to verify and adopt the latest edition available.

2 SCOPE

This Regulation applies to conformity evaluation activities performed by ECO on machinery listed in the Schedule 2 Part 4 of the Regulations 2008 Supply of Machinery (Safety) SI No. 1597 as amended, according to the requirements set out in article (11) point (2) (a) + (b) or article (12) point (2) (a), and will be carried out according to:

- Schedule 2 Part 9 – Type examination procedure

This Regulation describes commitments and responsibility which both ECO and Applicant shall adopt when the application is submitted and acknowledge.

3 REFERENCE DOCUMENTS

The following rules, laws and standards will be taken into account to relation to the certification procedures and agreement between ECO and the Applicant:

- Regulations 2008 Supply of Machinery (Safety) SI No. 1597 as amended;
- ISO/IEC 17065 “Conformity assessment. Requirements for bodies certifying products, processes and services”;
- ISO/IEC 17000 “Conformity assessment – Vocabulary and general principles”;
- GUIDE IAF – EA as applicable;
- General Regulation, Technical Regulation and provision from the Accreditation Body (UKAS), on schemes and areas covered by the accreditation;
- UKCA marking: conformity assessment and documentation https://www.gov.uk/guidance/ukca-marking-conformity-assessment-and-documentation
- Using the UKCA marking https://www.gov.uk/guidance/using-the-ukca-marking

The identification of binding rules and laws applicable to the product under certification is responsibility of the Manufacturer, who can rely on technical harmonised standards or technical specification issued by international standardization committees such as CEN, CENELC, ISO, IEC etc. The standards harmonised with the machinery SI 2008 No. 1597 as amended are listed in this link:

https://www.gov.uk/government/publications/designated-standards-machinery?_ga=2.157504826.1435805419.1661329496-533435257.1661161668&cookie_consent=accept please note that the standards can be only purchased by their official sale points.

ECO will assess if the Applicant has defined and applies measures for identification of applicable standards and how they are updated.

4 DEFINITIONS

On the purpose of this Regulation the following definitions are provided:

Manufacturer: any natural or legal person who designs and/or manufactures machinery or partly completed machinery covered by this SI 2008 No. 1597 as amended and is responsible for the conformity of the machinery;

Authorised Representative: any natural or legal person established in the Community who has received a written mandate from the manufacturer to perform on his behalf all or part of the obligations and formalities connected with this Regulations;

Type-examination: procedure provided for in Schedule 2 Part 9, plus the internal checks on the manufacture of machinery provided for in Part VIII, point 3;

Mark: Graphic Logo of an Organization (also Brand name);

Certification Accredited Body (CAB): Accredited Body authorised to grant certificate of conformity;

Inspector (ISP): personnel appointed to perform conformity assessment to provide product’s certificate of conformity;

Evaluation: activities conducted in order to assess the actual fulfilment of the applicable requirements by the Applicant. Applicable requirements can be related to products, processes or services for which the UKCA Certification is required either for type-examination;

Remark: objective confirmation of an event or condition that highlights a non-conformity or other issues as observation or comment;

Non-conformity (NC): lack of fulfilment of one or more requirements set out by the SI 2008 No. 1597 as amended and/or by applicable legislation which affect the product’s conformity;

Observation (Oss): lack of fulfilment of one or more requirements, which despite being indicative of inappropriate behaviour, is not such as to impair the product’s conformity;

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

Comment: remark which is not configured as a failure to meet a requirement but is intended to prevent that this situation may occur, because potentially feasible. It can also be aimed at providing guidance to the improved performance of the Applicant;

Responsibility: burden taken or arising from either performed process, performed jobs, management task to make certain that particular things are done in relation to product UKCA conformity;

Complaint: expression of dissatisfaction, other than appeal, by any person or organization to a conformity assessment body or an accreditation body, relating to the activities of that body, where a response is expected;

Appeal: request by the person or organization that provides, or that is, the object of conformity assessment to a conformity assessment body for reconsideration by that body of a decision it has made relating to that object;

The previous terms and definitions are also used on documents used by ECO to perform the needed activities to grant UKCA Certificates, as established in:

- Regulations 2008 Supply of Machinery (Safety) SI No. 1597;
- ISO/IEC 17000 “Conformity assessment – Vocabulary and general principles”.

5 PRINCIPLES OF IMPARTIALITY AND OPENNESS

ECO allows equally to all public or private entities the access process shall not be conditional upon the size of the client or membership of any association or group, nor shall certification be conditional upon the number of certifications already issued. Organization under legal restriction measures against products in the scope of this Regulation cannot apply for the certification of those products.

In order to ensure maximum fairness and openness in the evaluation process and certification according to machinery SI 2008 No. 1597 as amended, ECO states that its staff both technical and management is not subject to undue pressure internal or external, financial or otherwise, that may negatively affect their work.

Personnel involved in evaluation activities aimed to issue Certificate of conformity are not involved in other activities that could undermine confidence in the independence, impartiality and professional integrity. Also, ECO and its personnel do not offer consultancy, do not design, implements, operate or maintain the products which are in the scope of this Regulation.

6 RESPONSIBILITY

This Regulation details mutual responsibilities and commitments between ECO and the Applicant, which both parts shall respect to allow the proper execution of each step in the Certification process, as described in the following paragraphs and other legal agreements.

Some activities of the evaluation process can be carried out by third party entities (e.g. special test or subcontracting to other approved body). Such events will be submitted in advance to the Applicant in order to obtain a written acknowledge and permission. In any case the responsibility of said activities remains exclusively on ECO.

7 COMMITMENTS OF THE APPLICANT

The Applicant agrees to provide full cooperation to ECO personnel in each step of the evaluation process described in paragraph 9.

He/She handles and provides any permission or licence which can be needed to access the production areas involved in the certification process. He/She also provide all documents which ECO establishes to be checked out for the certification purpose.

Therefore, the Applicant shall submit to ECO the proper application for Type-examination[1]and with it he/she has the responsibility to carry out all the previsions needed to comply with the SI 2008 No. 1597 as amended involved. All documents provided by the Applicant should be in Italian or in English, documents in other languages will be rejected.

7.1 Risk analysis

The Applicant shall demonstrate to have assessed and evaluated all risks related to the product under certification, to ensure the compliance with all the applicable Health and Safety Requirements listed in Schedule 2 Part 1 of the Machinery SI 2008 No. 1597 as amended. The technical file shall permit to verify that the product has been manufactured according to this evaluation.

7.2 Technical file

The Applicant shall compile and submit the technical file which provide evidence of the compliance with machinery SI 2008 No. 1597 as amended and all other SI 2008 No. 1597 as amended applicable to the products[2]. The technical file shall include the machine’s instruction for use.

7.3 Machine type

If the Applicant choses the certification procedure according to Schedule 2 Part 9, a type of the machine shall be made available for the proper evaluations and test, if ECO deems necessary more than one specimen complete or partially complete, the Applicant shall provide it as well.

The place where the assessment will be carried out will be agreed between ECO and the Applicant, the latter shall provide any permission or licence to access the premises when the sample is located.

[1] Schedule 2 Part 9 of the SI 2008 No. 1597 as amended

[2] The requirements can be related to harmonised standards, laws or binding regulation, applicable to the machine

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

7.4 Internal checks on the manufacture of machinery

For machinery listed in Schedule 2 Part 4 the Applicant can chose the procedure referred to regulation 11. (2) (a) + (b) or 12. (2) (a) the Applicant shall implement the internal checks on the manufacture. The procedure to ensure that the machinery remains in conformity with the provisions of this SI 2008 No. 1597 as amended shall be provided in the technical file.

The process of internal checks shall include:

- evidence of management of the complaints received in relation to the machine type and related corrective action taken;
- evidence of the updating procedure for the appliable SI 2008 No. 1597 as amended EHSRs and applied standards;
- evidence of the procedure to update the technical file, modification and updating of the certified machine and procedure to inform the Approved Body prior to introduce such modifications.

7.5 Declaration of Conformity

The Applicant, according to regulation 7. (2) €, draw up a draft of the Declaration of Conformity which contents are listed in Schedule 2 Part 2 section A.1 for the machine under certification process. If the process ends with positive result and a certificate is granted, the Declaration of Conformity completed with certificate number and ECO as the approved body who granted it, shall be submitted as soon as the positive result is confirmed.

7.6 Compliance to this Regulation and to the legal agreement

The Applicant agrees to comply to each paragraph of this Reregulation and to respect further commitment arising from the signature of agreement documents which represents legal agreements as referred to the Machinery SI 2008 No. 1597 as amended and ISO/IEC 17065. Also, the Applicant ensures that:

- will provide support to ECO personnel, by providing technical staff and facilities needed for the conformity evaluation all along with the duration of the process;
- will help to ensure that the process is performed with the schedule and method as agreed;
- will permit the access of ECO personnel into all the premises involved in the certification process, access to all documents necessary to evaluate the conformity of the products, and related records, access to its own personnel involved in design a manufacturing;
- will ensure the implementation of the corrective actions as result of NCs found in the evaluation process, and will provide evidence of the mentioned corrective actions;
- will agree to do not place on the market the machine until the positive conclusion of the certification process;
- will inform ECO promptly about any modification to be adopted on the machine, technical file or approved quality management system prior to implement such modification if they may affect the UKCA Certification obtained;
- will inform ECO promptly on any modification already implemented on the machine, technical file or approved quality management system by submitting the revised documents and an application to update the UKCA Certification obtained;
- will fulfil the payments as agreed and signed in the legal agreement documents;
- will not omit or fail to provide to ECO any information related to the certification process or to the machine under certification;
- will use and advertise the granted certification within the limits and the purpose for which it has be granted avoiding causing disrepute to ECO itself;
- will allow to perform the needed evaluation, even if communicated in short advance and even ECO personnel are accompanied by accreditation body inspector witnesses;
- will allow ECO to carry out unexpected evaluation and inspection due to serious report from the field on certified machines, even accompanied by authority representative or accreditation body representative. In those cases, it not possible to reject the inspectors proposed by ECO and said authorities. If the manufacturer does not permit the access with 5 days to the request, the granted certificate will be revoked.

8 COMMITMENTS OF THE CAB

ECO will provide all the resources to plan and execute the needed evaluation tasks according to the provisions set out in the Machinery SI 2008 No. 1597 as amended. Moreover, ECO will provide resource to perform additional assessment or surveillance audit when foreseen by the certification procedure applied.

ECO guarantees adequate insurance to cover liabilities arising from its operations performed during certification activities according to the Machinery SI 2008 No. 1597 as amended and this regulation.

8.1 Reasons to force majeure

ECO will not be held liable for any fault due to unforeseen circumstances happened before the legal agreement has been signed or for any unforeseen circumstances which does not depend on ECO procedure or personnel behaviour.

Equally ECO cannot be held liable for any delay which came from Applicants tardiness in providing the requested documents, information or corrective actions due to non-conformities.

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

9 CERTIFICATION PROCEDURES

The certification process conducted by ECO will be described in the following paragraphs. It is carried out according to prescription of the SI 2008 No. 1597 as amended (where applicable some EU legislative framework), the national legislative framework and considering the technical and harmonised standards applicable. Also, it will be applied all the involved Regulation issued by ECO and here mentioned.

9.1 Access to the conformity evaluation services

To access the services provided by ECO for the conformity evaluation, the Applicant shall submit a request by using the dedicated form on the website or by an e-mail to the certification office (please refer to Contacts menu in www.ecocertifications.co.uk). The request should contain at least the following information, needed to write down the offer:

- Applicant identification (company name, headquarter location, contact person, other administrative information);
- Machine identification (brand name, type, designation of use);
- Chosen procedure for certification (Schedule 2 Part 9);
- Chosen harmonised standard applied in full or partially;
- Manufacturing site;

If this information is submitted by e-mail or telephone, then the Technical Back Office will fill-in the request form and it will be submitted to the Applicant together with the offer to confirm the received data.

The request and the offer can be signed by the Legal representative or his/her appointed person.

9.2 Request review and offer issuing

If the information provided by the Applicant is deemed insufficient to write down the offer, such addition will be request by e-mail.

When all the necessary data have been received, the Technical Back Office prepares the offer using specific form, submit it to the technical responsible e division manager for approval, then forward the approved document to the applicant. The Technical Back Office issues the offer together with the formal application form, both documents shall be returned signed by the legal representative of the company or by an appointed person, if the latter is the case, then the appointment letter shall be submitted too. The application form contains, in addition to other statements, that:

- An application (as described in paragraph 9.3) for the same machine has not been submitted to another approved body[3];
- This Regulation is accepted in whole, and the applicant is committed to respect it for all the certification process and contract validity.

9.3 Submitting of the formal application

The application with the clause that it has not been submitted to another approved body, included in the offer form, shall be signed by the legal representative or by an appointed person[4].

With the application shall be submitted the documentation related to the selected certification procedure[5]:

- Procedure for Type-examination as per Schedule 2 Part 9.

If the Applicant is the Authorised Representative of the manufacturer, then ECO shall receive the appointment with application.

The application and related documents provided will be checked out by ECO personnel, where documents or signature are missing those will be required anew.

9.3.1 Type-examination application

If the procedure for Type-examination is submitted, there must be one application for each type of machinery under certification. The application form shall be filled-in in each relevant part, at least the following information shall be provided:

- Identification of the Applicant (company name, address, tax code, etc.);
- Identification of the Authorised Representative (company name, headquarter address, TAX code, etc.), established in the EU Community, if any;
- Name, phone number and e-mail of the person appointed to maintain contact with ECO;
- Reference of the Applicant's consultant (if any);
- The product for which the certification is requested (refer to Schedule 2 Part 4 for type description);
- Description, model and brand name of the product for which the certification is requested;
- The address of the production site (refer to all production sites if any and if are different from headquarter address);
- The address where the Type can be assessed by ECO inspectors.

With the application for, the following documents shall be submitted:

- Copy of the technical file, compiled according to Schedule 2 Part 7 of the SI 2008 No. 1597 as amended;
- List of harmonised and technical standards taken into account for designing the product;

[3] This requirement is set out in the SI 2008 No. 1597 as amended Part 9 point 2
[4] The signature states the legal validity of the agreement and declarations
[5] The confidentiality described in paragraph 14 applies to all the information provided by the applicant.

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

- Reference to the procedures implemented to ensure that the mass production of the certified the machinery remains in conformity with the provisions of this regulations.

9.4 Start of the certification process

9.4.1 General

The signature of the offer and the Application form constitute order and legal agreement; therefore, the applicant can submit the order and the application on its own head letter, with the same information and with reference to ECO offer number. The Technical Back Office will inform the Client about activities schedule and appointed personnel.

The Client has 5 workdays to reject the appointed personnel in written form and for objective motives[6]. If ECO find such motives correct and acceptable, the Technical Back Office will provide different personnel for the activities, beside the Client cannot chose or ask for specific persons.

9.4.2 Technical file assessment

The appointed personnel will evaluate the completeness of the technical file, according to the list in Schedule 2 Part 7 of the Machinery SI 2008 No. 1597 as amended. The evaluation is carried out into ECO facilities unless different agreement takes charge, the evaluation will refer to:

- a general description of the machinery;
- the overall drawing of the machinery and drawings of the control circuits, as well as the pertinent descriptions and explanations necessary for understanding the operation of the machinery;
- full detailed drawings, accompanied by any calculation notes, test results, certificates, etc., required to check the conformity of the machinery with the essential health and safety requirements;
- the documentation on risk assessment demonstrating the procedure followed, including:
  - a list of the essential health and safety requirements which apply to the machinery,
  - the description of the protective measures implemented to eliminate identified hazards or to reduce risks and, when appropriate, the indication of the residual risks associated with the machinery;
- the standards and other technical specifications used, indicating the essential health and safety requirements covered by these standards;
- any technical report giving the results of the tests carried out either by the manufacturer or by a body chosen by the manufacturer or his authorised representative;
- a copy of the instructions for the machinery;
- where appropriate, the declaration of incorporation for included partly completed machinery and the relevant assembly instructions for such machinery;
- where appropriate, copies of the declaration of conformity of machinery or other products incorporated into the machinery;
- a copy of the declaration of conformity[7]

Where appropriate, for series manufacture, the internal measures that will be implemented to ensure that the machinery remains in conformity with the provisions of this SI 2008 No. 1597 as amended.

The manufacturer must carry out necessary research and tests on components, fittings or the completed machinery to determine whether by its design or construction it is capable of being assembled and put into service safely. The relevant reports and results shall be included in the technical file.

9.5 Outcome of the documents' evaluation and communication of the findings

If remarks will be found during the documents' evaluation, those findings, the appointed personnel, will submit the appropriate check list to the scheme responsible, the latter will sign the document to be issued to Client. The Client will be asked to return the proposition to handle the non-conformities within 15 days.

If the Client do not amend its documents, the certification process will be ceased, and related cost will be charged (see chapter 12.1). The waiver shall be submitted in written by mail, fax or e-mail to info@ecocertifications.co.uk.

If the Client choses to submit the amended documents, that must be accomplished within 6 months. If the amendments took more than 6 months, the certification process will be closed with negative outcome. The refusal of the certification, documented with the non-conformities detected, will be communicated to the National Authority responsible for market surveillance and to all other Approved Bodies. The resolution of the NCs related to documents only will be evaluated off site, the resolution of the NCs related to the product will be evaluated on site.

If the amended documents still have NCs this will be communicated to the Client, as described above, and additional cost will be charged accordingly.

9.6 Functional assessment

The assessment on the Type will be carried out in the site provided and agreed by the Client and ECO, as written in the application form.

[6] Motives such as: conflict of interest, previous unethical behaviour, etc.

[7] If it is the first certification of the product then a draft of the declaration of conformity is accepted, where only the certificate number is omitted. The complete declaration of conformity shall be provided when the positive outcome will be communicated together with the certificate number.

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

In this phase of the process the appointed personnel will:

- Check the amended documents due to any remark found during the documents' assessment as described in paragraph 9.5;
- Check the Type as indicated in the application to confirm the technical file content. The appointed personnel will carry out all the verification and test deemed as necessary to verify the compliance with applicable essential health and safety requirements as listed in Schedule 2 Part 1 of the Machinery SI 2008 No. 1597 as amended[8];

Where remarks arise from the Type assessment, in this case NCs specifically, the Client has 15 days to issue its proposal for the resolutions and, if those are accepted by ECO, the actual solution shall be implemented with 6 months. Appointed personnel will check documents amendment and/or modified product to verify the compliance with the prescription of the Machinery SI 2008 No. 1597 as amended. This additional evaluation will be charged accordingly.

During the assessment process, the appointed personnel should be allowed to take picture of the Type in whole and in details such as safety components location, special test set up, etc. to provide objective record of the evaluation process. The Client shall provide access and permission for those activities.

9.7 Additional assessment

If additional assessments both on documents or on the Type due to NCs or non-complete machine in the first inspection, those will be charged accordingly. The need of such additional assessments will be communicated by e-mail.

9.8 Technical review and certification decision

When all the assessments will be closed with positive result, ECO will proceed with the technical review and the decision to grant the certificate. Qualified personnel will be appointed for both these tasks.

If the technical review has positive outcome and the decision committee allows to grant the certificate, then ECO will issue the Type-examination Certificate according to Schedule 2 Part 9.

The certificate number will be communicated to the Client in order to receive the copy of the declaration of conformity, complete with all the information established in Schedule 2 Part 2 section A.1 of the Machinery SI 2008 No. 1597 as amended. The original Certificate will be e-mailed after the payment of the final invoice[9] and after the client has sent the complete declaration of conformity, not necessarily signed. Paper version will be issued only upon request and with extra payment.

The Certificate allows the Client to affix the UKCA mark (according to Schedule 2 Part 3 of the Machinery SI 2008 No. 1597 as amended) but only on the product referred in it.

9.9 Negative outcome of the technical review and certification decision

A negative outcome of the technical review and the subsequent negative decision of the committee can arise both from the negative outcome of the assessment and related refusal of the Client to solve the NCs or from a different evaluation of the personnel appointed of the technical review. The refusal and the related reasons will be communicated to the Client, to the National Authority for the market surveillance a to all other Approved Bodies.

The Client can submit an appeal to the decision in written form by mail or e-mail[10] as described in procedure 03GP07 available in our website www.ecocertifications.co.uk and in paragraph 13 of this regulation.

The Client is committed to pay the invoice even if the decision committee refuses the certification.

9.10 List of certifications

ECO has and maintain up to date a list of granted certification. This list contains at least the following information: Certificate holder, certified product Type, certificate number and revision, first issuing date, current issuing date, expiry date, and other relevant information to ensure that it will keep up to date with legislative and normative modification.

The status of each certificate can be check out in our website, also the National Authority for the market surveillance has the reserved credential to verify all the certificate issued by ECO.

The same list is made available to the Accreditation Body UKAS upon request e during the surveillance activities.

9.11 Records keeping

ECO and the Client are committed to retain all the documents involved in the certification process for at least 15 years from the certificate issuing date, both the first issuing and the current issuing if a subsequent revision has been granted.

10 CERTIFICATE AND LEGAL AGREEMENT VALIDITY AND RENEWAL

The legal agreement between ECO and the Client last until the expiry date of the Certificate which will be in 5 years from the issuing date, despite any amendment which can occur. The Client can waive to the certification as per paragraph 23.1.

[8] Where harmonised standards have been applied and declared, their requirements will be checked in addition.
[9] This case is applicable also when transfer, renewal o modification of the certificate has been requested.
[10] Alternatively, an agreed courier or other form that provides for the delivery certificate can be used, (e.g. short manual receipt)

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

10.1 UKCA Type-examination certificate

The Certificate lasts 5 years. Within 6 months from the expiry date ECO shall review the certificate validity according to legal framework and standards modification occurred and according to any modification on the technical file and products. If the review has positive outcome the certificate is renewed for additional 5 years.

ECO informs the Client for any normative and/or legislative modification, which can affect the Certificate.

The Client informs ECO about any modification to the certificated product and its technical file which are intended and prior to implement such modification.

11 OFFICIAL LANGUAGE AND TRANSLATIONS

All the certificates are written in English.

If the Client needs the Certificate in other than English, the request shall be submitted prior the issuing, better if the information is stated in the request, anyway a different language from Italian and English will result in additional costs.

The request for issuing the certificate in a language other than Italian or the bilingual version requires the issuance of a translated copy conforming to the original.

The official language for the certificate is English, for any dispute on the terms and contents the English language is valid.

11.1 Translation

If a translation is requested after the issuing of the certificate the Scheme Responsible will inform the Client about the additional costs for the official translation, the translation will be commissioned only after acceptance of the additional costs. The issuing of the translated certificate is not subjected to the decision committee.

The translated certificate can be draw up after the issuing of the original one, therefore it will bear the same revision number and the same date (first emission, current emission, expiry date). The certificate can only be issued in bilingual Italian plus the requested language.

The certificate will have a note which states "*Certificate translated in "LANGUAGE" issued at dd.mm.yyyy following the Client's request. This document is a conforming copy of the original certificate no. xxxx-S-0000-revyy issued at "first emission date". The signature of the ECO's Legal Representative states the translated content complies with the original. For any dispute on the terms and contents the English language is valid*".

The new translated certificate can be signed by the current Legal Representative which has the right to sign the certificates and can be a different person from the one who signed the original certificate.

12 WITHDRAWAL, SUSPENSION AND REVOCATION OF THE CERTIFICATE

12.1 Withdrawal

The Client can waive the certificate or the certification process at any moment, by the following means:

- Waiver in progress,
- Waiver after obtained the certification by ECO.

In the first case, the Client communicates the waiver of the certification process by registered mail, submitted to ECO or by registered e-mail submitted at the address info@ecocertifications.co.uk then provide the payment of all activities already done by ECO. ECO will record the information in its jobs list.

In the second case, the Client communicates the waiver of the obtained certificate by registered mail, submitted to ECO or by registered e-mail submitted at the address info@ecocertifications.co.uk, this communication shall be done within 3 months from the expiry date of the certificate and the legal agreement. If the communication is sent after said term a fee can be applied according to the agreed economical condition set out in the offer and in this Regulation at paragraph 23. Moreover, the Client shall return the original Certificate granted by ECO. The waiver of the Certificate voids the certification validity, ECO will inform the National Authority for the market surveillance and the others Approved Bodies of the circumstances.

12.2 Suspension

The validity of the Certificate can be suspended:

- Upon Client request[11];
- Upon not appealable decision by ECO, if the following occur:
  - lingering of unsolved remarks,
  - serious reports from the market,
  - unappropriated use of the Certificate, and use dissimilar from which intended by the Machinery SI 2008 No. 1597 as amended or which can cause discredit to ECO[12],

[11] If the waiver is request, the Client shall submit a registered mail or a registered e-mail at info@ecocertifications.co.uk, and shall explain the motives of the request as per paragraph 12.2.1 of this Regulation and any useful information such as the esteemed time for the suspension, etc.

[12] i.e. the association of the Certificate to Type noncertified and not related to the certificate itself, or association of the certificate with modified product without the appropriate communication to ECO.

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

- lack in compliance with agreed terms including the requirements set out in this Regulation, SI 2008 No. 1597's requirements as amended, economic condition and payment deadlines, as signed.

The suspension measure will be submitted to the Client by registered mail (anticipated by e-mail) or by a registered e-mail if the Client has one. The letter will describe the suspension motives and the deadlines to implement the needed corrective actions. The Client shall inform ECO about his/her intention about the remarks within 5 workdays as described in paragraph 12.2.1 of this Regulation, also the corrective actions can be submitted with the same letter sent by registered mail (anticipated by e-mail) or with a registered e-mail.

If the Client choose not to comply with terms of the communications requested or to not solve the NCs within the established deadlines[13], ECO will proceed with the revocation of the certificate, and will give notice of the revocation to the National Authority for the market surveillance, to the Accreditation Body (UKAS).

The suspension measure ceases when the Client solve all the causes upon which it is based and give evidence of the implemented corrective actions.

12.2.1 Suspension effect

The certificate suspension means the Client cannot place the related product on the market, since suspension date. If the safety of the end users is in jeopardy ECO can demand to the Client to take action on the product already placed on the market, included those stored.

ECO cannot bind the Client about the action on the market but have to inform the National Authority for market surveillance about any risk related to certified products.

Due to the suspension the Client:

- loses the right to affix the UKCA mark on the certified product and shall stop to use the certificate;
- shall remove any reference to certificate in its advertainment documents and website.

The suspension will be published as previewed by the legislative framework applicable.

Any expenses sustained by ECO for additional assessment or activities due to the suspension measure will be charged to the Client.

12.3 Revocation

The revocation measure adopted by ECO imply that the Certificate will be withdrawn, and the certification granted ceases its validity.

ECO will revoke the certificate when the deadline of the suspension measure is surpassed, and the Client has not taken action to solve the NCs as per paragraphs 12.2 and 12.2.1 of this Regulation. Also, ECO will give notice of the revocation to the National Authority for the market surveillance, to the Accreditation Body (UKAS), if the following cases occur:

- fraudulent and illegitimate use of the Certification;
- serious non-compliance with this Regulation;
- significant and systematic non-conformity of the product manufactured or being manufactured, with respect to the technical documentation presented to ECO and/or to the Essential Health and Safety Requirements established by the machinery SI 2008 No. 1597 as amended;
- failure to adapt the machine to the requirements set by the new editions of the applicable standards, both for intrinsic deficiencies in the Client's structure and for evident lack of will of the latter;
- adoption of significant modifications made to the certified product by the Client without the prior involvement of ECO;
- ascertained and repeated arrears towards ECO;
- misleading use of the Certification and/or the trademark, such as to cause damage or discredit to ECO;
- repeated impediment to carrying out the surveillance visits conducted by ECO, possibly alongside the staff of UKAS or other personnel from the National Authority for the market surveillance.

The revocation is an act of the Decision Committee, the decision will be communicated to the Client by registered mail (anticipated by e-mail) or by a registered e-mail if the Client has one, the communication will state the reasons for the revocation measure and will be immediately in force.

The revocation measures will be made public as previewed by the Machinery SI 2008 No. 1597 as amended and by the applicable legislative framework, also they will be always submitted to:

- National Authority for the market surveillance;
- UKAS according to their Regulation for accreditation;
- Any Authority who has right to be informed, as per their own Regulation.

Due the revocation measure, the Client shall:

- Stop the place in the market the products affected by the revocation and cease to affix the UKCA mark on such products;
- Return the original Certificate to ECO and any copy he/she has made;
- Stop to use and advertise the revoked Certificate, remove any reference to ECO and the revoked Certificate in its documents and website.

[13] The deadline to solve the NCs and implement the appropriate corrective actions is 6 months, ECO can extend this term in specific cases.

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

13 COMPLAINTS AND APPEALS

Any involved person can forward a complaint on the activity performed by ECO and its personnel. ECO will analyse the complaint's content in order to establish the appropriate corrective action according to the implemented internal procedures. ECO will always provide a written answer to the complaints, both if the complaint is rejected or is accepted and then treated. In the latter case ECO will provide possible corrective actions to the complainant.

ECO will not treat anonymous complaints. ECO adopt the procedure 03GP07 *Management of complaints and appeals* as published it its website.

If the complainant will not be satisfied by ECO answer or does not partake of the proposed corrective actions, then can forward and appeal.

Usually appeals will be forwarded by unsatisfied Clients against negative certification decision, anyway the appeal must be always in written form, submitted by registered mail (anticipated by e-mail) or by a registered e-mail if the Client has one to the address info@ecocertifications.co.uk, motives for the appeals shell be described and documented. The appeal shall be submitted within 15 working days from the adverse decision.

Within 5 working days from the received appeal, ECO will inform the appellant that the appeal has been received and which personnel will be appointed to manage the case. The received appeal and the appointment of personnel to manage the case do not void the taken decision until the conclusion of the treatment.

If the appellant is not satisfied by the ultimate decision on the appeal, then he/she can rely on the dispute procedure against ECO.

According to The Supply of Machinery (Safety) Regulations 2008 S.I. 1597 as amended, the appeal can be made to the Secretary of State, as provided for in the Regulation itself – ref. Schedule 4, Regulation 18 (7).

14 DISPUTES

Any dispute which can arise between ECO and its Clients, due to interpretation, implementation, execution, validity and effectiveness of each point of this Regulation and any legal agreement signed by both parties can be treated exclusively under UK Law.

15 CONFIDENTIALITY

The activities carried out by ECO, by means of its appointed personnel, rely upon documents and technical documents which can be regarded as sensitive data of the company know-how and/or information subjected to the Client privacy guarantee. To ensure the necessary confidentiality, ECO adopt the prescription set out in the DPA (Data Protection Act 2018), on the treatment of the Applicant/Client data and documents. ECO also adopts measures aimed at protecting data and information obtained in the course of conformity assessment activities, test and / or measurement activities and more generally during all phases involving the processes relating to the provision of the services offered.

Informative on the data treatment and privacy policy are available on the website www.ecocertifications.co.uk.

ECO do not share the above-mentioned data or information, unless it is requested by legislative prescription[14], ECO will ask for permission to or will inform the Client (where legal action is involved). ECO extend the confidentiality commitment to all personnel involved in the activities handled according to this Regulation, also ECO adopt appropriate measure to protect paper documents and digital documents.

The Applicant/Client explicitly accepts that all the information and all the records related to the certification process will be shared with the Accreditation Body (UKAS), with the Decision Committee and with the adopted Mechanism for Impartiality Safeguard as required by the accreditation standards ISO/IEC 17065.

16 TRANSFER OF REGISTRATION

16.1 Change of the company name of the manufacturer

If the Client changes its own company name or its address, this information shall be communicated to ECO by written means i.e. registered mail or registered e-mail to info@ecocertifications.co.uk together with the following documents:

- Copy the Commerce Chamber certificate which show the declared modification;
- Copy of the legal act which states the declared modification (if any).

ECO will verify the received information and the Decision Committee will allow the emission of the amended certificate (the revision number will increase by one), the previous revision of the certificate will be surpassed and shall be returned to ECO. The cost of the amended Certificate will be charged according to the legal agreement signed. ECO will retain the right to verify the information received and to carry out appropriate assessment to ensure the respect of the requirements needed to be respected to comply with the issued Certificate.

16.2 Certificate transfer due to an OBL agreement

The manufacturer and/or their authorised representative, who has received a Type-examination Certificate can apply the transfer of their certificate to other companies that have entered a contract with them as an OBL (Own Brand Labeling).
In this case both companies shall fill-in the appropriate form, provided by ECO, with all the information necessary to identify the products related to the Certificate which will be labelled by the OBL company, and which will be mentioned in the transferred certificate.
The OBL company shall be committed and will have the same right of the original manufacturer (and Certificate's owner), also the OBL company shall provide to ECO copy of the documents made with its own brand (instruction for use, machinery's label, declaration of conformity).

[14] i.e. Part 9 point 7 is applicable, or the magistrate asks for the information

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

The new Certificate will be valid from the decision of the certification committee and will expiry in the same date of the original certificate.
If the original certificate expiries or will be revoked then the transferred certificate issued to the OBL company will void accordingly, the OBL company shall comply with the prevision set out in paragraph 12 of this Regulation.

17 CE – UKCA Transfer

17.1 General

As defined by the UK Government for Reducing re-certification/re-testing costs for UKCA marking, a manufacturer or its authorised representative can apply to a UK Approved Body to transfer its CE certificate(s), if an EU-recognised CAB has completed the relevant conformity assessment activities applying to the product(s) object.3
The transfer is applicable only if the CE certificate is valid.
Once the UKCA certificate has been issued, for any scope extension/reduction, the manufacturer or its authorised representative shall apply or for an extension/reduction as described in chapter 19 or apply for the transfer of the extended/reduced CE Certificate.

17.2 Transfer of a CE Certificate issued by ECO Certificazioni S.p.A.

If the CE Certificate is issued by ECO Certificazioni S.p.A., after having signed the economic agreement, the manufacturer must send to ECO UK:

- the application and,
- the Technical File for UKCA marking.

After having received the afore-mentioned documents, the ST archives them together with a copy complete CE Certification job (reports and certificate) and sends them to the appointed inspector for a technical evaluation.

The Inspector evaluates the technical file and the CE Certification project to assess the compliance with UKCA requirements and, if there are no remarks, send the results to the Decision Committee to approve the UKCA Certificate issuance.

17.3 Transfer of a CE Certificate issued by another European Notified Certification Body

If the CE Certificate is issued by another European Notified Certification Body, after having signed the economic agreement, the manufacturer must send to ECO UK:

- the application,
- the Technical File for UKCA marking,
- a copy of the valid certificate,
- a copy of the assessment report of the European Notified Body.

After having received the afore-mentioned documents, the ST archives them together with a copy complete CE Certification job (reports and certificate) and sends them to the appointed inspector for a technical evaluation.

The Inspector evaluates the technical file and the CE Certification project to assess the compliance with UKCA requirements and, if there are no remarks, send the results to the Decision Committee to approve the UKCA Certificate issuance.

18 SAFEGUARD CLAUSE OF THE CERTIFICATIONS ISSUED

ECO has taken put an insurance policy to protect the certified organization, also if ECO will cease its activity as Approved Body, then to ensure the validity of the issued certificates and prosecution of the certified organization manufacture, ECO will sign agreement to transfer the issued certificate to others suitable Approved Bodies, without additional cost charged on the certified organization from ECO.

Said transfer will only start if the certified organization will agree with ECO, if this is not the case all documents related to the Certificate will be submitted to the UK National Authority for market surveillance who will contact the certified organization in order to select another Approved Body.

19 MODIFICATION OF THE CERTIFIED PRODUCT

The Client shall inform ECO which retains the technical file relating for Type-examination certificate (Schedule 2 Part 9) of all modifications to the approved type. The ECO will examine these modifications as described in paragraph 7.6 and then either confirm the validity of the existing UKCA type-examination certificate or issue a new one if the modifications are liable to compromise conformity with the essential health and safety requirements or the intended working conditions of the type.

The Client shall submit a request and will receive an offer for said activities, when the offer is accepted ECO will proceed with evaluation which can be off site on documents only or on site, to check out the product as described in paragraph 9. If the assessment's outcome is negative the Decision Committee for certification will suspend the Certificate until all the NCs will be solved (see paragraph 12.2 for details).

If the assessment's outcome is positive the Decision Committee can confirm the validity of the existing Certificate or can ask for its amendment if necessary.

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

20 EXTENSION/REDUCTION OF THE CERTIFICATE SCOPE

If the Client submit a written request to extend or to reduce the scope of a Certificate[15], ECO will evaluate the request to establish if it can be accepted[16].

when ECO has established the correct procedure will provide the related offer to Client and if accepted the process will follow the rules set out in paragraph 9.

If the modification requested and granted are related to the scope reduction, the Client shall amend all the advertisement documents.

21 MODIFICATION OF THE CERTIFICATION REQUIREMENTS

Amendments on harmonised standards or to the legislative framework can affect the requirements set out for the certified products and for the maintenance of the Certificate itself.

ECO undertakes to promptly communicate to its Clients if any of the new requirements shall be implemented and the deadlines to adopt the needed measures. ECO will provide the related offer if the whole certification process or part of it is deemed necessary.

When the offer is signed ECO will appoint its personnel to carry out the appropriate assessment. If the assessment outcome is positive the Decision Committee will grant the Certificate amendment. If the assessment's outcome is negative because the Client has not implemented the appropriate measure to comply with the new requirements, then the Decision Committee can start the suspension procedure as per paragraph 12. If the Client refuse at all to comply with the new requirements, then the Decision Committee can decide for the revocation procedure as per paragraph 12.

22 MODIFICATION OF THIS REGULATION

Due to the changes in the legislative framework and continuous improvement of the standards related to the certification process in the scope of this Regulation, ECO may approve modification on some paragraphs or to the whole document.

ECO keep this Regulation updated in its website, in its headquarter and will provide a digital copy upon request.

The Clients undertake to adopt the new terms established in the amended Regulation as written in paragraph 1. Even if the adoption is optional, changes cannot be assumed as just cause for the withdrawal of the signed agreement. Therefore, if the Client does not adopt or accept the amended regulation then suspension procedure, as per paragraph 12 can be promoted.

23 ECONOMIC CONDITION

The economic conditions and the exclusions, written the offer for the certification according to the Machinery SI 2008 No. 1597 as amended refers to the information provided by the Client /Applicant in the application form (see paragraph 9.3) are based on the price list[17], established by ECO.

The Client/Applicant who wants to proceed with the certification process shall accept (sign) the offer provided by ECO as per paragraph 9.3, also undertaking to comply with the payment conditions contained therein.

23.1 Changes in the offer, in the price list and right of withdrawal

Changes to the economic conditions signed by the Applicant, may be applied by ECO if it detects discrepancies between the data communicated in the application form and what is found during the subsequent verification activities provided for by the Certification Process. Or following revisions of the price list.

23.1.1 Changes in the offer

If ECO personnel will detect differences between the information provided in the application form and the actual condition assessed in the certification process, then ECO will amend the previous offer or will submit a new one for the additional costs. The certification will put to a hold until the Client will sign the amended/new offer.

If the Client refuses to accept and sign the amended/new offer the certification process will be aborted, and ECO will send the invoice for the activities already carried out.

23.1.2 Changes in the price list

The adopted price list is periodically amended by the high management. If those modification shall be implemented also in certification process already started those changes will be communicated by e-mail and the offer can be amended accordingly.

The Client can reject the changes within 1 month from the communication received by ECO. If a new agreement is not reached, then the Certification will expire at its natural expiry date or on occasion of the next scheduled surveillance.

For the activities already carried out in during the month granted to decide the new economic condition, ECO will apply the previous price list.

23.1.3 Withdrawal and notice

The Client can recede from the signed legal agreement with a head-notice of 3 months before the expiry date. If the head-notice is less than 3 months ECO can apply a penalty up to 20 % of the total amount written in the agreement.

[15] i.e. additional variants of the same certified type or remove obsolete variants of the certified type

[16] Sometimes the reduction of the scope can affect the whole certificate

[17] The price list can be verified at ECO headquarter on request of the legal representative of the Client

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED

If the Client does not fulfil the economic commitments signed with ECO, the latter can start the procedure for suspension and revocation of the Certificate.

24 CERTIFICATION ADVERTISEMENT

The Client can publish and advertise the obtained certificate as he/she wish, therefore the Certificate can be shared in whole, with reduced or increased dimensions, in colour or black and white, but avoiding any alteration.

Other conditions from those stated above shall be requested in advance and authorised by ECO in written.

The Client shall avoid misuse or equivocal use of the obtained Certificate and shall not suggest that the certification extends to processes and products that are not within the scope of the certification.

If ECO finds out any misuse of the Certificate, or if receive notice or complaint from the market about a misuse of any certificate, then it will take legal measures to stop the fraudulent behaviour and will start the revocation procedure.

To use ECO mark on advertising documents please check ECO Regulation 02GR01 in our website. To use UKAS mark on advertising and technical documents please check UKAS website.

THIS DOCUMENT IS PROPERTY OF THE COMPANY ECO CERTIFICATIONS LTD. - LONDON
ALL RIGHTS ARE RESERVED AND REPRODUCTION IS FORBIDDEN EVEN PARTIAL IF NOT AUTHORIZED