REG 01PED

REGULATION FOR CERTIFICATION ACTIVITIES OF PRESSURE EQUPMENT/ASSEMBLIES



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1. PURPOSE AND AREA OF APPLICATION

This Regulation defines the rights and duties, as well as the operating methodology that governs the relations between Kiwa Cermet Italia S.p.A. (hereinafter "Kiwa Cermet" for the sake of brevity) and the Customer Organizations, for the implementation of the procedures for the Conformity Assessment of "Pressure Equipment and Assemblies" (hereinafter referred to as "Pressure Equipment") provided for by Directive 2014/68/EU (hereinafter referred to as the "Directive"), implemented by Legislative Decree 15 February 2016, no. 26 as a Notified Body, in accordance with the provisions of Forms A2-B-C2-D-D1-E-E1-F-G-H-H1 of Annex III of the Directive itself. For the definition of "Pressure equipment and assemblies" covered by this Regulation, the provisions of Article 1 of the Directive apply.

Furthermore, this Regulation defines the principles, criteria and procedures, in accordance with the reference standards indicated below, for the management of activities relating to the qualification, certification and subsequent maintenance of the certification of the technical personnel involved in the fabrication of permanent joints, by means of suitable welding and/or brazing procedures on metal components and related joining processes applied to pressure systems, as a Notified Body, in application of point 3.1.2. of Annex I of Directive 2014/68/EU.

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.

Reference documentation for the qualification of joining processes

For the certification of welding and brazing personnel involved in the manufacture of category II, III and IV pressure equipment.

Document	Description
UNI EN ISO 9606-1	Qualification tests for welders - Fusion welding - Part 1: Steels
UNI EN ISO 9606-2	Qualification tests for welders - Fusion welding - Part 2: Aluminum and aluminum alloys
UNI EN ISO 9606-3	Qualification tests for welders - Fusion welding - Part 3: Copper and copper alloys
UNI EN ISO 9606-4	Welding - Welders qualification tests - Fusion welding - Part 4: Nickel and nickel alloys
UNI EN ISO 9606-5	Welding - Welders qualification tests - Fusion welding - Part 5: Titanium and titanium alloys, zirconium and zirconium alloys
UNI EN ISO 14732	Welding personnel - Qualification tests of welding operators and welding preparers for fully mechanized and automatic welding of metallic materials
UNI EN ISO 13585	Brazing - Qualification of brazers and operators for brazing

For the certification of permanent joining processes used in the production of category II, III and IV pressure equipment.

Document	Description	Scope
UNI EN 13134	Brazing - Qualification of the procedure	Process qualification

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Document	Description	Scope
UNI EN 14271-1	Pressure equipment for refrigeration systems and heat pumps - Part 1: Vessels - General requirements	Process and brazer/preparer qualification
UNI EN ISO 15613	Specification and qualification of welding procedures for metallic materials - Qualification based on pre-production welding tests	Process and welder/operator qualification
UNI EN ISO 15614-1	Specification and qualification of welding procedures for metallic materials - Welding procedure qualification tests - Part 1: Arc and gas welding of steels and arc welding of nickel and nickel alloys	Process and welder/operator qualification
UNI EN ISO 15614-2	Specification and qualification of welding procedures for metallic materials - Welding procedure qualification tests - Part 2: Arc welding of aluminum and its alloys	Process and welder/operator qualification
UNI EN ISO 15614-5	Specification and qualification of welding procedures for metallic materials - Welding procedure qualification tests - Part 5: Arc welding of titanium, zirconium and their alloys	Process and welder/operator qualification
UNI EN ISO 15614-6	Specification and qualification of welding procedures for metallic materials - Welding procedure qualification tests - Part 6: Arc and gas welding of copper and its alloys	Process and welder/operator qualification
UNI EN ISO 15614-7	Specification and qualification of welding procedures for metallic materials - Welding procedure qualification tests - Part 7: Overlay by welding	Process and welder/operator qualification
UNI EN ISO 15614-8	Specification and Qualification of Welding Procedures for Metallic Materials - Welding Procedure Qualification Tests - Welding of tubes to tubesheet	Process qualification
UNI EN ISO 15614-11	Specification and qualification of welding procedures for metallic materials - Welding procedure qualification tests - Electron beam and laser beam welding	Process and operator qualification

In any case, Kiwa Cermet has the right, if requested by the Organization, to carry out the same certification/approval activities of the Welding Processes/procedures and of the Personnel/Welders on the basis of other recognized international standards and codes (for example: ASME BPVC, API, Collection S).

The regulations mentioned in these Regulations must be understood in their revision in force at the time of signing the contract with Kiwa Cermet (unless otherwise specified in written form, in case of transients granted following the updating of the aforementioned regulations).

For the purposes of this Regulation, EU Certification of Pressure Equipment means all conformity assessment activities that involve the issuance by Kiwa Cermet of specific conformity certification documents.

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

These Regulations are also available on the Kiwa Cermet website (www.kiwacermet.it).

2. GENERAL PRINCIPLES AND GUARANTEES FOR THE CUSTOMER

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

- a) Absence of discrimination: access to certification services is allowed to any Organization that requests it, in compliance with these Regulations, without any discriminatory conditions of a commercial, financial nature or membership of particular associations
- b) Impartiality and independence, ensured by the following measures:

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- Carrying out the certification activities assigned to personnel having no interest in the organization subjected to certification, required to observe the rules of conduct and independence established by Kiwa Cermet; on this point, Kiwa Cermet undertakes to accept any justified reports from the Customer, relating to the existence of incompatibility of the assignment, which could compromise impartiality or independence of judgment.
- Punctual application of formalized rules and procedures, in use by all the personnel of the certification services and periodic consultation with appropriate parties interested in the certification;
- Clear separation between the personnel performing the audit activities and those participating in the certification decision;
- Total abstention from carrying out assistance activities in the definition and application of the requirements to obtain the Certification.

Punctual management of complaints, appeals and disputes, as defined in § 10 of these Regulations;

- c) 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 Privacy law;
- d) Accreditations and Notifications: Kiwa Cermet undertakes to inform the Customer of any renunciation, suspension or revocation of accreditation and/or ministerial notification; in such cases Kiwa Cermet is in no way responsible for any damage caused to the Customer by the renunciation, suspension or revocation of accreditation or notification; 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.

3. ACCESS REQUIREMENTS FOR CERTIFICATION

3.1 General Requirements

Before embarking on the certification process with Kiwa Cermet, the Organization must meet the following requirements:

- Accept the conditions set out in these Regulations;
- Authorize access to the premises, plants, areas and information necessary to carry out the Audit;
- 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;
- Be responsible for the application of the requirements laid down by current workplace safety regulations. In the absence of mandatory provisions, the Organization 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, due to such omissions, accidents occur or illnesses are contracted, no charge can be made for any reason to Kiwa Cermet.
- Accept, at no additional cost, the possible presence of Auditors of the accreditation body or Control Authority, as Observers, who will be notified by Kiwa Cermet with a clear illustration of roles. This presence is intended to ensure that the assessment methods adopted by Kiwa Cermet comply with the requirements for accreditation.
- Accept any verification by the Accreditation Body. In fact, in order to ascertain that the assessment methods adopted by Kiwa Cermet comply with the reference standards, the Accreditation Body may request a visit, called Market Surveillance Visit, to be carried out at the certified Organization, directly through the use of their own personnel. This eventual visit is communicated by the Accreditation Body to Kiwa Cermet with 7 working days' notice. Upon receipt of this communication, Kiwa Cermet will inform the customer organization. The visit plan is prepared by the Accreditation Body, which will make it available to Kiwa Cermet, then Kiwa Cermet will send it to the client organization. If the Organization does not grant its approval, the validity of the certificate is suspended, until approval for the visit is granted, for a maximum period of 3 months. After 3 months, in the absence of approval for the visit, the certification is revoked. The Organization must make the documentation that Kiwa Cermet used as a reference during previous audits available to the Accreditation Body. The Market

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Surveillance Visit does not replace the normal certification maintenance audits required by the audit program. For the procedures for carrying out the Market Surveillance Visit, reference can be made to the document IAF ID 04 (which can be downloaded free of charge from the IAF website: www.iaf.nu). Other control methods may be adopted by the Accreditation Body, to verify the operation of Kiwa Cermet, for example. unannounced visits at the offices of certified subjects, requests for information from organizations or consulting firms, or other control methods established by the accreditation body itself.

3.2 Remarks classification

Each finding found during the Audits is classified as follows:

Major Non-Conformity: deviation or total absence of compliance with requirements, found on the basis of objective evidence, following the assessment activities.

Minor Non-Conformity: deviation or partial absence of compliance with requirements, found on the basis of objective evidence, following the assessment activities.

Several minor non-conformities, inherent to the same requirement, 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.

Elements of Improvement: anything not covered by the definitions of non-compliance and which constitutes a possible improvement in the effectiveness of the solutions adopted by the customer, to achieve compliance with the requirements and prevent deviations.

4. GENERAL CONDITIONS

4.0 - The manufacturer is responsible for the design and manufacture of a product covered by the Directive, in order to be placed on the Community market. The drafting of the technical documentation (the Technical File), the CE marking and the issuance of the EU Declaration of Conformity are its sole responsibility.

An importer or distributor is deemed to be a manufacturer for the purposes of the Directive and subjected to the obligations of the manufacturer when they place pressure equipment on the market under their own name or trademark or modify pressure equipment already placed on the market in such a way that they condition compliance with the requirements of the Directive.

The authorized representative, established within the European Union, is formally appointed by the manufacturer and acts in the name and on behalf of the latter in relation to the obligations under the Directive.

- **4.1-** The manufacturer who intends to use Kiwa Cermet for the "CE" marking of their pressure equipment, is responsible for the intended use assigned to each pressure equipment and its classification as set out in Annex II of the Directive. If there is a disagreement between the manufacturer and Kiwa Cermet resulting from the application of the classification rules, Kiwa Cermet, after informing the manufacturer, reports the terms of the disagreement to the Competent Authority to which it responds for any decision on the matter.
- **4.2** The manufacturer chooses, in accordance with Annex II of the Directive, the conformity assessment procedures to be able to affix the "CE" marking on the pressure equipment in relation to the classification of the same. Therefore, different conformity assessment modules are presented for the manufacturer grouped by risk category (II III IV) listed in Annex II of the Directive.
- **4.3** The various modules mentioned may also entail the recognition, by Kiwa Cermet, of equivalent documents issued by other notified bodies, the acceptance of which always implies a formal verification by Kiwa Cermet, in accordance with the provisions of the Directive and a communication to the Competent Authority.
- **4.4** The checks and assessments of the Quality System are carried out by Kiwa Cermet which may also make use of test laboratories or external assessment bodies qualified by Kiwa Cermet. Tests on pressure equipment are established at the absolute discretion of Kiwa Cermet and can be commissioned directly to Kiwa Cermet or to Kiwa Cermet qualified test laboratories.

In case of use of test laboratories or external bodies, it is the customer's right to report any justified incompatibility situations and to object to the external laboratory/body, the same right applies to any refusal of inspectors or technical experts.

4.5 Conformity assessment procedures

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For the purposes of this Regulation, according to the risk category of the Pressure Equipment, for the assessment of conformity, Kiwa Cermet applies the following modules:

Modules by Category II = A2 D1 E1;

Modules by Category III = B (type of project) + D B (type of project) + F

B (type of project) + E B (type of production) + C2 H;

Modules by Category IV = B (type of production) + D B (type of production) + F

G H1

The following are valid for the modules in which on-site verification activities are envisaged:

- The postponement of the verification already scheduled and agreed, for reasons attributable to the Organization, must be communicated to Kiwa Cermet at least 30 days before the scheduled date, otherwise a penalty equal to 50% of the expected fee will be invoiced, in addition to any expenses incurred.
- Carrying out the surveillance inspections provided for in the certification cycle is subjected to the regular payment
 of the previous activities by the Organization.
- 4.5.1 Module A2 Internal production control and surveillance of the final inspection
- 4.5.1.1 This module requires the manufacturer to keep production under internal control and carry out the final check on the pressure equipment under the supervision of Kiwa Cermet during an unannounced visit.
- 4.5.1.2 Kiwa Cermet issues the manufacturer an analysis report of the documentation and tests carried out on the pressure equipment according to the conformity assessment procedure of the relevant Module A2 reported in Annex II of the Directive. If the outcome of these inspections and verifications is positive, Kiwa Cermet issues the manufacturer with the Certificate of Authorization of the internal production control.
- 4.5.2 Module B EU-Type Examination type of production
- 4.5.2.1 This module requires the manufacturer to make available to Kiwa Cermet all the technical and evidential documentation relating to a type of pressure equipment, called "Type" (ranging from design, production methods and final verification, description of operation, etc.) and makes available to Kiwa Cermet a representative sample of its "Type" production in order to verify and ascertain that this "Type sample" meets the provisions of the Directive.
- 4.5.2.2 Kiwa Cermet issues the manufacturer an analysis report of the documentation and tests carried out on the pressure equipment according to the conformity assessment procedure of the relevant Module B reported in Annex III of the Directive. If the outcome of these examinations and verifications is positive, issues the manufacturer with the "EU" Type Examination Certificate type of production.
- 4.5.2.3 The manufacturer is also obliged to promptly inform Kiwa Cermet (which holds the technical documentation relating to the "EU" type production type Examination Certificate) of all changes to the approved pressure equipment, which must receive a further approval, where such changes may affect compliance with the essential requirements or prescribed manner of use of the pressure equipment.
- 4.5.3 Module B EU-Type Examination type of project
- 4.5.3.1 This module requires the manufacturer to make available to Kiwa Cermet all the technical and evidential documentation relating to the design of a pressure equipment in order to verify and ensure that this Design meets the provisions of the Directive.
- 4.5.3.2 Kiwa Cermet issues the manufacturer with an analysis report of the documentation carried out according to the conformity assessment procedure of the relevant Module B reported in Annex III of the Directive. If the outcome of these examinations and verifications is positive, Kiwa Cermet issues the manufacturer with the "EU" Type Examination Certificate type of project.
- 4.5.3.3 The manufacturer is obliged to promptly inform Kiwa Cermet (which holds the technical documentation relating to the "EU" Type Examination Certificate design type) of all changes to the design of the approved pressure equipment, which must receive a further approval, where such changes may affect compliance with the essential requirements or prescribed manner of use of the pressure equipment.

4.5.4 Module C2 – Conformity to type

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- 4.5.4.1 This module requires the manufacturer to make available to Kiwa Cermet all the technical documentation relating to a type of pressure equipment subjected to an "EU" Type Examination Certificate, (ranging from design, production methods and final verification, to description of operation, etc.), makes representative samples of its production available to Kiwa Cermet and carries out the final check on the pressure equipment in order to verify and ascertain that these samples taken from production meet the provisions of the Directive.
- 4.5.4.2 Kiwa Cermet issues an analysis report of the documentation and tests carried out on the pressure equipment, according to the conformity assessment procedure of the relevant Module C2 reported in Annex III of the Directive. If the outcome of these examinations and verifications is positive, issue the Certificate of Conformity to the type to the manufacturer.
- 4.5.5 Module D Conformity to type based on quality assurance of the production process
- 4.5.5.1 This module provides for the assessment of the company's quality management system (QMS) for the production, inspection and testing of the finished product, for which a valid EU-type examination certificate is available, and subjected to surveillance by Kiwa Cermet, to the to ensure that the pressure equipment conforms to the type covered by the 'EU' type examination certificate.
- 4.5.5.2 This module requires the manufacturer to adopt a recognized quality system for the production, final inspection and testing of the pressure equipment concerned, subjected to surveillance by Kiwa Cermet. The quality system ensures that the pressure equipment conforms to the type described in the EU type examination certificate and the requirements of the Directive applicable to it.

The group appointed by Kiwa Cermet first evaluates the documentary apparatus supporting the quality system, to determine if it satisfies the applicable requirements, and subsequently carries out periodic inspections at the production sites involved, to ensure that the manufacturer maintains and applies the quality system. During these visits, the notified body may carry out or have carried out, if necessary, tests on the products to verify the correct functioning of the quality system.

- 4.5.5.3 Kiwa Cermet issues an audit report and analysis of documentation and tests carried out on pressure equipment, according to the conformity assessment procedure of the relevant Module D reported in Annex III of the Directive. If the outcome of these examinations and stage 1 and stage 2 audits is positive, Kiwa Cermet issues to the manufacturer the Type Certificate of the Quality Assurance System of the Production Process.
- 4.5.5.4 Further details on the operating procedures relating to the application of Module D can be found on the attachment CERTIFICATION OF EQUIPMENT AND PRESSURE ASSEMBLIES MODULE D.
- 4.5.6 Module D1 Quality assurance of the production process
- 4.5.6.1 This module provides for the assessment of the company QMS for the production, inspection and tests on the finished product, and subjected to surveillance by Kiwa Cermet, in order to ensure that the pressure equipment complies with the requirements of the Directive.
- 4.5.6.2 This module requires the manufacturer to adopt a recognized quality system for the production, final inspection and testing of the pressure equipment concerned, subjected to surveillance by Kiwa Cermet. The quality system ensures that the pressure equipment complies with the requirements of the Directive that apply to it.

The group appointed by Kiwa Cermet first evaluates the documentary apparatus supporting the quality system, to determine if it satisfies the applicable requirements, and subsequently carries out periodic inspections at the production sites involved, to ensure that the manufacturer maintains and applies the quality system. During these visits, the notified body may carry out or have carried out, if necessary, tests on the products to verify the correct functioning of the quality system.

- 4.5.6.3 Kiwa Cermet issues an audit report and analysis of documentation and tests carried out on pressure equipment, according to the conformity assessment procedure of the relevant Module D1 reported in Annex III of the Directive. If the outcome of these examinations and stage 1 and stage 2 audits is positive, Kiwa Cermet issues the manufacturer with the Quality Assurance System Certificate of the Production Process.
- 4.5.6.4 Further details on the operating procedures relating to the application of Module D1 can be found on the attachment CERTIFICATION OF EQUIPMENT AND PRESSURE ASSEMBLIES MODULE D1.
- 4.5.7 Module E Conformity to type based on quality assurance of pressure equipment
- 4.5.7.1 This module provides for the assessment of the company QMS for the final inspection and tests on the finished product, for which a valid EU-type examination certificate is available, and subjected to surveillance by Kiwa

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Cermet, in order to ensure that the equipment pressure devices conform to the type covered by the «EU» Examination Certificate, the type and the requirements of the Directive.

4.5.7.2 - This module requires the manufacturer to adopt a recognized quality system for the final inspection and testing of the pressure equipment concerned, subjected to surveillance by Kiwa Cermet. The quality system ensures that the pressure equipment conforms to the type described in the EU type examination certificate and the requirements of the Directive applicable to it.

The group appointed by Kiwa Cermet first evaluates the documentary apparatus supporting the quality system, to determine if it satisfies the applicable requirements, and subsequently carries out periodic inspections at the production sites involved, to ensure that the manufacturer maintains and applies the quality system. During these visits, the notified body may carry out or have carried out, if necessary, tests on the products to verify the correct functioning of the quality system.

- 4.5.7.3 Kiwa Cermet issues an audit report and analysis of the documentation and tests carried out on the pressure equipment, according to the conformity assessment procedure of the relevant Module E reported in Annex III of the Directive. If the outcome of these examinations and stage 1 and stage 2 audits is positive, Kiwa Cermet issues the manufacturer with the Type Certificate of the Pressure Equipment Quality Assurance System.
- 4.5.7.4 Further details on the operating procedures relating to the application of Module E can be found on the attachment CERTIFICATION OF EQUIPMENT AND PRESSURE ASSEMBLIES MODULE E.
- 4.5.8 Module E1 Quality assurance, inspection and testing of finished pressure equipment
- 4.5.8.1 This module provides for the assessment of the company QMS for final inspection and tests on the finished product, and subjected to surveillance by Kiwa Cermet, in order to ensure that the pressure equipment complies with the requirements of the Directive.
- 4.5.8.2 This module requires the manufacturer to adopt a recognized quality system for the final inspection and testing of the pressure equipment concerned, subjected to surveillance by Kiwa Cermet. The quality system guarantees the conformity of the pressure equipment with the requirements of the Directive applicable to them.

The group appointed by Kiwa Cermet first evaluates the documentary apparatus supporting the quality system, to determine if it satisfies the applicable requirements, and subsequently carries out periodic inspections at the production sites involved, to ensure that the manufacturer maintains and applies the quality system. During these visits, the notified body may carry out or have carried out, if necessary, tests on the products to verify the correct functioning of the quality system.

- 4.5.8.3 Kiwa Cermet issues an audit report and analysis of the documentation and tests carried out on the pressure equipment, according to the conformity assessment procedure of the relevant Module E1 reported in Annex III of the Directive. If the outcome of these examinations and stage 1 and stage 2 audits is positive, Kiwa Cermet issues the manufacturer with the Certificate of the Quality Assurance System, inspection and testing of the finished pressure equipment.
- 4.5.8.4 Further details on the operating procedures relating to the application of Module E1 can be found on the attachment CERTIFICATION OF EQUIPMENT AND PRESSURE ASSEMBLIES MODULE E1.
- 4.5.9 Module F Conformity to type based on product verification
- 4.5.9.1 This module provides for product verification by examination and testing of each individual pressure equipment by Kiwa Cermet, in order to ensure that the pressure equipment conforms to the type covered by the "EU" Type Examination Certificate and to the requirements of the Directive.
- 4.5.9.2 Kiwa Cermet issues an analysis report of the documentation and tests carried out on the pressure equipment, according to the conformity assessment procedure of the relevant Module F reported in Annex III of the Directive. If the outcome of these examinations and verifications is positive, issues the manufacturer with the Certificate of Conformity to the Type based on the verification of the pressure equipment.
- 4.5.10 Module G Verification of the unit
- 4.5.10.1 This module foresees the examination by Kiwa Cermet of the design and production of each pressure equipment and carrying out at the time of manufacture, the appropriate tests required by the standards, , in order to ensure that the pressure equipment complies with the requirements of the Directive.
- 4.5.10.2 Kiwa Cermet issues an analysis report of the documentation and tests carried out on the pressure equipment, according to the conformity assessment procedure of the relevant Module G reported in Annex III of the

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Directive. If the outcome of these examinations and checks is positive, issues the manufacturer with the unit verification Certificate of Conformity.

4.5.11 Module H – Total Quality Assurance

- 4.5.11.1 This module provides for the evaluation of the company QMS for the design, manufacture, final inspection and testing of the finished product, and subjected to surveillance by Kiwa Cermet in order to ensure that the pressure equipment complies with the requirements of the Directive..
- 4.5.11.2 This module requires the manufacturer to adopt a recognized quality system for the design, manufacture, final inspection and testing of the pressure equipment concerned, subjected to surveillance by Kiwa Cermet. The quality system ensures compliance of the pressure equipment with the applicable requirements of the Directive.

The group appointed by Kiwa Cermet first evaluates the documentary apparatus supporting the quality system, to determine if it satisfies the applicable requirements, and subsequently carries out periodic inspections at the production sites involved, to ensure that the manufacturer maintains and applies the quality system. During these visits, the notified body may carry out or have carried out, if necessary, tests on the products to verify the correct functioning of the quality system.

- 4.5.11.3 Kiwa Cermet issues an audit report and analysis of the documentation and tests carried out on the pressure equipment, according to the conformity assessment procedure of the relevant Module H reported in Annex III of the Directive. If the outcome of these examinations and stage 1 and stage 2 audits is positive, Kiwa Cermet issues the manufacturer with the Full Quality Assurance System Certificate.
- 4.5.11.4 Further details on the operating procedures relating to the application of Module H can be found on the attachment CERTIFICATION OF EQUIPMENT AND PRESSURE ASSEMBLIES MODULE H.

4.5.12 Module H1 – Total Quality Assurance with design control

- 4.5.12.1 This module provides, in addition to the requirements of Module H, that Kiwa Cermet carries out the Design Examination, aimed at understanding the design, manufacturing process and operation of the pressure equipment, as well as ascertaining compliance with the requirements of the Directive that apply to it, and the surveillance with unannounced visits on the Final Verification of the pressure equipment, including the Pressure Tests, the Final Examination and the Examination of the safety devices.
- 4.5.12.2 This module requires the manufacturer to adopt a recognized quality system for the design, manufacture, inspection of the final product and testing of the pressure equipment concerned, subjected to surveillance by Kiwa Cermet. The quality system ensures compliance of the pressure equipment with the applicable requirements of the Directive.

The group appointed by Kiwa Cermet first evaluates the documentary apparatus supporting the quality system, to determine if it satisfies the applicable requirements, and subsequently carries out periodic inspections at the production sites involved, to ensure that the manufacturer maintains and applies the quality system. During these visits, the notified body may carry out or have carried out, if necessary, tests on the products to verify the correct functioning of the quality system.

- 4.5.12.3 Kiwa Cermet issues an audit report and analysis of documentation and tests carried out on pressure equipment, according to the conformity assessment procedure of the relevant Module H1 reported in Annex III of the Directive. If the outcome of these examinations and checks is positive, issues the manufacturer with the Total Quality Assurance System Certificate with design control.
- 4.5.12.4 The manufacturer is also obliged to promptly inform Kiwa Cermet (which holds the technical documentation relating to the "CE" design examination certificate) of all changes to the design of the approved pressure equipment, which must receive further approval, where such modifications may affect compliance with the essential requirements or prescribed manner of use of the pressure equipment.
- 4.5.12.5 Further details on the operating procedures relating to the application of Module H1 can be found on the attachment CERTIFICATION OF EQUIPMENT AND PRESSURE ASSEMBLIES MODULE H1.

4.6 Certification/approval activities of the technical personnel involved in the construction of permanent joints and related processes (point 3.1.2. of Annex I of the Directive

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4.6.1 - To start the activity, in addition to countersigning for acceptance the service proposal prepared by the commercial function, the manufacturer completes and signs a specific application for certification, attaching, if necessary, the reference documents (pWPS/pBPS).

The qualification activity of the permanent joining processes (welding/brazing) and of the personnel assigned to them is based on a practical test, to which, at the request of the manufacturer or on the basis of specific requirements of the reference standard, can be combined theoretical test to ascertain technical skills.

The theoretical test consists of a written exam based on a questionnaire with multiple choice questions (to be selected according to the operational areas of the welding processes for the metal materials of interest to the candidate) divided into the various topics indicated by the reference standards (e.g. Appendix B of the UNI EN ISO 9606-1 standard). Passing the theoretical test is achieved with at least 80% of correct answers, and is noted by marking the appropriate spaces on the certificate.

The practical test requires each candidate to carry out the test pieces, or the designated personnel to carry out the assays for the qualification of the joining processes, as per the activity program contained in the service proposal accepted by the manufacturer. Kiwa Cermet's inspector supervises the execution of the test pieces by checking the identity of the candidates, in the case of qualification as welders, and verifying that the equipment (with particular reference to the welding machines and their state of maintenance/calibration), materials and operating parameters comply with the requirements of the standards and other reference documents.

At the end of the practical test, the test programs referred to in the reference standards are performed on the test pieces, preferably using laboratories accredited according to the ISO/IEC 17025 standard.

The manufacturer may request to carry out the tests at a trusted laboratory, even if not accredited: in this case, the inspector Kiwa Cermet must assist in the execution of the tests.

When the test programs give positive results, Kiwa Cermet issues the corresponding qualification certificates, which contain the information required by the various reference standards applied.

- 4.6.2 Personnel certificates are valid for the period indicated in the various standards starting from the date prescribed by the reference standards, provided that they are signed every six months by the employer (even temporary) or supervisor, to certify that the following conditions are met:
- the welder/operator must regularly carry out the welding work for which he is qualified;
- interruptions for a period longer than six months are not permitted;
- the work of the welder/operator must generally be in accordance with the welding conditions used in the qualification test;
- there must be no particular reasons to question the skills and technical knowledge of the Welder/Operator.

The certificates for joining processes are valid, with reference only to the manufacture of pressure equipment or accessories, starting from the date of the examination test, and do not expire, provided that the requesting Organization maintains the ability to replicate the operational and environmental conditions reported therein.

- 4.6.3 Based on the results of the tests and qualification exams, Kiwa Cermet issues the certificates. With the issue of the certificate, the qualification of the person is attested, but this does not confer any authority to operate. This is conferred by the employer with a written certificate, based on the competence of the operator, as specified by the certificate, assuming responsibility for the results of the control. If the certified person is self-employed or an employer, he must assume all the responsibilities defined above for the employer. The certificates for permanent joining processes for pressure systems of categories II, III and IV allow to demonstrate the suitability of the methods adopted for their implementation, pursuant to par. 3.1.2 of Annex I of Directive 2014/68/EU.
- 4.6.4 In the case of certificates issued by another body, there may be 3 cases:
- a) The procedures and qualifications of the personnel have been issued by a notified body or by a third party recognized in accordance with harmonized standards. Kiwa Cermet verifies on a documentary basis the suitability of welding procedures and personnel qualifications with respect to the characteristics of the pressure equipment being manufactured.
- b) The procedures and qualifications of the personnel have been issued by a notified body or by a third party recognized in accordance with harmonized standards. Kiwa Cermet verifies on a documentary basis the suitability of welding procedures and personnel qualifications with respect to the characteristics of the pressure equipment being manufactured. In the case that the procedures or qualifications do not cover all the minimum requirements, in addition to what is already available, Kiwa Cermet may request to have the examinations and tests provided for in the appropriate harmonized standards, or equivalent examinations and tests carried out.

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c) The operator's procedures and qualifications have not been certified or are not certified by a Notified Body or a recognized third party entity. Kiwa Cermet requires the necessary qualifications to be made in accordance with the provisions of the directive.

5. REQUIREMENTS FOR THE MANUFACTURER

- **5.1.** Without prejudice to the validity and cogency of all the provisions of the Directive and its annexes, the manufacturer is responsible for the implementation of all the actions necessary to ensure compliance of the Pressure Equipment with the requirements of the Directive, in particular the aspects related to the following topics of primary importance for the conformity assessment of pressure equipment:
- Risk Analysis (RA);
- Essential Safety Requirements (ESR);
- Conformity of base and filler materials;
- Traceability of the materials used;
- Welding qualification procedures (WPAR and WPS);
- Qualifications of the personnel who carry out the welding and non-destructive tests (NDT);
- Final pressure test.
- The manufacturer must be in possession of adequate instrumentation with relative maintenance and calibration program that guarantees metrological traceability.

5.2 Risk Analysis (RA)

- 5.2.1 The Risk Analysis (AR) connected to all the life stages of the pressure equipment, and in particular to the stages of production, transport, installation, operation, maintenance and disposal, is a mandatory requirement that the manufacturer has the obligation to satisfy.
- 5.2.2 The Risk Analysis (AR) must be prepared and signed by the manufacturer and must highlight all foreseeable risks in the possible methods of use of the equipment and also in the case of all reasonably foreseeable incorrect use.
- 5.2.3 For each risk highlighted in the Risk Analysis (AR), the manufacturer must provide evidence of the most suitable countermeasure adopted in order to eliminate or significantly reduce the relevant risk.
- 5.2.4 The Risk Analysis (AR) is a document that is an integral part of the Technical File (FT) which must be submitted to Kiwa Cermet and, if requested, to the competent authority.

5.3 Essential Safety Requirements (ESR)

- 5.3.1 The manufacturer is responsible for the fulfillment of all the Essential Safety Requirements (RES), provided for in Annex I of the Directive, applicable to his own pressure equipment.
- 5.3.2 The manufacturer must prepare and sign a document in which he lists all the Essential Safety Requirements (RES) of the Directive and for each give evidence of how these have been taken into consideration and respected..
- 5.3.3 The list of Essential Safety Requirements (RES) of the Directive is a document that is an integral part of the Technical File (FT) which must be submitted to Kiwa Cermet and, if requested, to the competent authority.

5.4 Regulatory changes and/or certification requirements

Kiwa Cermet updates on technological advances generally recognized as state of the art indicating whether the approved type can cease to comply with the applicable requirements of Directive 2014/68/EU and decides whether such progress requires further investigation. In this case, Kiwa Cermet informs the manufacturer accordingly.

In any case, it is the responsibility of the manufacturer to verify that its test reports are updated to the latest available version of the standard applied and/or that they are, from a technical point of view, at the same level as the "state of the art", in order to guarantee presumption of conformity with the essential requirements of the Directive.

If the manufacturer does not comply with these requests, Kiwa Cermet will revoke the certificate.

6. SUBMISSION OF THE APPLICATION

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- 6.1 The manufacturer must submit the application by filling out the specific Kiwa Cermet form. In this form he must specify the Risk Category (II, III, IV) of the Pressure Equipment and consequently must indicate which Modules (A2, B type of project, B type of production, C2, D, D1, E, E1, F, G, H, H1) intends to apply in the conformity assessment requested to Kiwa Cermet. Pursuant to the directive, it is forbidden to submit similar applications for certification, for the same products, to other Notified Bodies.
- 6.2 The manufacturer must submit separate applications for the procedures provided for in the Annexes of the Directive grouped according to the various Modules.
- 6.3 The submission of the application for Modules D, D1, E, E1, H, H1, which provide for the assessments of the company QMS, simultaneously implies the activation of the surveillance procedures according to the corresponding Modules.
- 6.4 The pressure equipment object of the application may also include variants as long as they do not involve different types of risk with respect to the Essential Safety Requirements (ESR).
- 6.5 The acceptance of the variants or criteria for determining the homogeneity of the families of pressure equipment is subjected to the unquestionable judgment of Kiwa Cermet.
- 6.6 Each application must be accompanied by a Technical File (FT) that collects in an orderly manner all the technical documentation required by the conformity assessment procedure adopted for the affixing of the "CE" marking, according to the relevant Forms of Annex III of the Directive. Any "EU" type Examination Certificates, QMS Certificates, Test Reports designed to demonstrate compliance with one or more Essential Safety Requirements (RES), whose acceptance is in any case at Kiwa Cermet's discretion, can also be attached.
- 6.7 As regards the certification activities of the technical personnel involved in the construction of permanent joints and related processes (point 3.1.2. Of Annex I of the Directive), the Organization makes a specific application for certification to Kiwa Cermet which must contain at least the following indications:
- Name of the requesting Organization;
- Reference standards/technical specifications;
- Type and thickness of the base material;
- Type of welding positions subjected to certification;
- Number of welders/operators to be qualified, if applicable;
- Number of joining processes to qualify, if applicable;
- Required period for carrying out the qualification exam;
- Any request to verify the technical knowledge of the candidates during the examination;
- Possible extension modalities for the validity of the certificates.

Based on these indications, after a preliminary examination to verify the completeness of the information provided, Kiwa Cermet formulates a service proposal that will be sent together with this regulation. This proposal also lists the conditions for carrying out the service, and the materials and documentation that the Organization must make available during the examination:

- finding the base materials for the realization of the test pieces with dimensions compliant with what is indicated in the reference standards;
- 3.1 type certificates according to the EN 10204 standard for base and filler materials;
- technical data sheets of any protective gases;
- valid identity documents of the candidates;
- WPS/BPS of reference.

Upon receipt of the acceptance of the service proposal, Kiwa Cermet sends the Organization in written form the confirmation of acceptance of the application.

7. USE OF THE CERTIFICATION AND APPLICATION OF THE CE MARKING

7.1 - Each pressure equipment that has obtained the «CE» certifications according to the Modules indicated in point 4.5 of this Regulation is affixed, by the manufacturer, the «CE» marking, in accordance with the provisions of the

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Directive. The "CE" marking must be associated with the number 0476, identification of Kiwa Cermet as a Notified Body to the European Community.

- **7.2** In application of the Directive, the manufacturer is required to unequivocally identify pressure equipment bearing the «CE» marking, compared to those which do not. The affixing of marks resulting from other types of certification can take place as long as these marks cannot lead to confusion with the "CE" marking.
- **7.3** The use of the "CE" marking, of the Certificates and Certifications issued by Kiwa Cermet is strictly reserved to the manufacturer and is not transferable, except in the case of transfer or transformation of the manufacturer's company, in which case prompt notice must be given to the Kiwa Cermet, which records the change and instructs the procedures for updating the Certificates or Certifications, repeating, if deemed necessary, and/or carrying out additional evaluation visits to the manufacturer.
- **7.4** Kiwa Cermet carries out surveillance visits, usually announced, at the manufacturer, at least once a year to ensure that the manufacturer maintains and applies the already approved Quality System. Kiwa Cermet can make visits without notice (compulsory in the cases provided for by the Directive).
- **7.5** Following these visits, Kiwa Cermet issues, according to the Modules of the Directive, an audit report and analysis of the documentation and tests carried out on the pressure equipment.
- **7.6** The manufacturer undertakes to keep its organization compliant with the subjected of the Certificates issued by Kiwa Cermet. The manufacturer must notify Kiwa Cermet of any changes to the quality system and changes in the pressure equipment produced, providing all the documentation necessary for the assessment of such changes. Kiwa Cermet examines the documentation concerning the changes and informs the manufacturer of their acceptance or not, simultaneously issuing, if necessary, a new Certification which replaces the previous one. In some cases, the acceptance of the changes may take place, at Kiwa Cermet's unquestionable judgment, only following a successful additional inspection visit at the manufacturer. The cost of this verification is borne by the manufacturer, is not included in the Surveillance amount and is subjected to payment:
- the amount for the examination of the documentation;
- the amount of any additional visits to the manufacturer.
- **7.7** The Manufacturer keeps Kiwa Cermet informed of all changes to its Certified Pressure Equipment. These changes must be subjected to an additional examination by Kiwa Cermet to verify if they can affect compliance with the Essential Safety Requirements (RES). If the changes affect compliance with the Essential Safety Requirements (RES) or the conditions of use provided, Kiwa Cermet will carry out additional tests and checks at its sole discretion.
- **7.8** The manufacturer must keep a record of all accidents occurring during the use of the pressure equipment and the related actions taken to remedy them and must inform Kiwa Cermet in all cases provided for by the Directive.
- **7.9** The manufacturer must keep a record of all complaints and related actions taken in relation to the Pressure Equipment for which the «CE» marking authorizations have been granted and remedy them. This information must be investigated by the Manufacturer to assess the effectiveness of the Risk Analysis carried out.

8. RIGHT OF UNILATERAL WITHDRAWAL FROM THE CONTRACT AND RENUNCIATION OR REVOCATION OF THE CERTIFICATION

- **8.1** 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 revocation 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. 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 Regulations for Certification*. In particular, for notice of less than three months with respect to the scheduled Audit and greater 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.
- **8.2** In case of renunciation, the manufacturer must communicate, within a period not exceeding 15 days from the date of the waiver, the stocks of the product bearing the «CE» marking
- 8.3 Kiwa Cermet informs the competent Authority and other notified bodies of the waiver.
- **8.4** Kiwa Cermet reserves the right to revoke the "EU" Type Conformity Certificate and/or the QMS Certification in all cases indicated in the *Kiwa Certification Regulation* and in the following cases:

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- bankruptcy of the manufacturer;
- Non-compliance with the commitments undertaken in maintaining the certification in compliance with the applied schemes.
- **8.5** In the case of revocation, the manufacturer is required to immediately cease affixing the "CE" marking and to eliminate any reference in catalogs and advertisements in general. In this phase, the manufacturer undertakes to communicate to Kiwa Cermet the stock of the products already made, subjected of the revoked certification.
- **8.6** In the case of the presence on the market of a product for which the "CE" marking has been revoked, due to defects that may be detrimental to users, Kiwa Cermet requires the manufacturer to withdraw from the market all units of the product itself, within term that will be indicated by Kiwa Cermet.
- **8.7** Kiwa Cermet has the right to request the modification of the type references of the product for which there has been a renunciation or revocation of the "CE" marking, as well as to carry out a check to ascertain the numeric amount of stocks of the certified products referred to in previous point 8.5.
- **8.8** Kiwa Cermet will not investigate questions relating to products for which the "CE" marking has been revoked due to non-compliance, unless the manufacturer has demonstrated that he has taken, in the meantime, all those measures to avoid the repetition of the non-compliance had given rise to the revocation.
- **8.9** Regarding the certification activities of the technical personnel involved in the construction of permanent joints and related processes (point 3.1.2. Of Annex I of the Directive), Kiwa Cermet can carry out monitoring or control activities on the work of qualified personnel in 'scope of its institutional activities such as:
- Surveillance at construction sites and production workshops;
- certification or periodic visits to company quality systems according to the UNI EN ISO 9001 standard;
- certification or periodic visits on products regulated in mandatory regime (eg: EU Directives);
- third party certification activities.

As part of these activities, Kiwa Cermet may proceed with the revocation of certificates if:

- the conditions indicated in art. 6 of the Kiwa Regulations for certification are met;
- it is found that the conditions of chapter § 9.4 are not satisfied;
- as a result of documented objective evidence that testifies to the inability of qualified personnel to maintain the quality of execution demonstrated during qualification;
- as a result of documented objective evidence that testifies that the Organization has lost the ability to replicate the operational and environmental conditions referred to in the process certificates issued.

The revocation of the certificate will be notified in written form by registered letter to the Organization and qualified personnel and will involve the relative cancellation of the person and the relevant Organization from the list referred to in chapter 12.

In the case of the certificate being revoked, the qualified personnel and the Organization undertake not to advertise the certification and to return the issued 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.

Qualified personnel, whose certificate has been revoked, and the Organization cannot re-apply for certification no earlier than 6 months from the date of revocation, on the condition that the causes giving rise to the revocation decision have been removed or resolved.

Qualified personnel and the Organization will not be able to use the certificate(s) and copies thereof when the certification itself is revoked.

Kiwa Cermet reserves the right to communicate the suspension or revocation measure to the accreditation bodies or to other third parties who request it.

Kiwa Cermet on the basis of the reasons that led to the suspension/revocation/reduction of the certification reserves the right to request the list of stocks in the warehouse, of the products covered by certification, on the date of the suspension/revocation/reduction decision.

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In the case of suspension or revocation related to specific critical issues on products already placed on the market, Kiwa Cermet will inform the competent Market Supervisory Authorities, other notified bodies and the Accreditation Body.

9. IMPROPER USE OF THE CERTIFICATION

In addition to what is indicated in the Kiwa Certification Regulations, the following rules apply.

- **9.1** It is incorrect to use the "CE" marking, a Quality System Certificate, when it can mislead the buyer as to the nature, quality, origin of the pressure equipment, or when it is not used in accordance with these Regulations.
- 9.2 Specifically, it is incorrect use of the «CE» marking when it is applied to pressure equipment:
- for which the application for certification has not yet been submitted or has been refused;
- do not correspond to the subject of the Certificates or Certificates of Conformity;
- for which the Certificates or Attestations of Conformity have been revoked.

These cases have been stated for indicative and non-limiting purposes.

- **9.3** As soon as incorrect use is reported, if Kiwa Cermet has issued a specific Certification, it revokes the manufacturer's right to affix the "CE" Marking or to use this Certification and inform the competent Authority and other notified bodies of this; if this is not possible, it takes all necessary measures to protect its interests.
- **9.4** Regarding the certification activities of the technical personnel involved in the construction of permanent joints (point 3.1.2. Of Annex I of the Directive), there must be no risk that the certificate, referring to the technician, is confused or associated with the certification of the manufacturer other than the individual professional.

10. COMPLAINTS, APPEALS AND LITIGATION

10.1 Complaints

The Manufacturer may submit a documented complaint, concerning its relations relating to the certification activities with Kiwa Cermet.

This complaint may arise from problems occurring during the certification process, such as, for example, delays in carrying out the various phases and/or incorrect behavior on the part of the Body's Auditors.

Kiwa Cermet records the complaints, analyzes them and informs the complainant about the actions taken, within 30 days from the date of receipt of the complaint; the assessment and eventual approval are carried out by personnel not involved in the process, subject 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.

10.2 Appeals

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

The appellant must justify the reasons for his appeal and, in the case in which such appeal relates to a decision of Kiwa Cermet, it must be presented to Kiwa Cermet within 10 calendar days from the date of communication of the decision.

The assessment and eventual approval are carried out by personnel not involved in the process, subject of the appeal.

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.

The detailed procedures for submitting complaints and appeals are shown on the website www.kiwacermet.it.

10.3 Litigation

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If the outcome of the appeal is not accepted by the appellant, 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*.

11. PUBBLICATION OF THE CETIFICATION ISSUED

Kiwa Cermet maintains an updated list of products, personnel and companies with issued Certification, according to the respective conformity assessment modules provided for by the Directive.

These lists are periodically made available to the Competent Authority and can be sent to anyone interested, upon a reasoned request submitted to Kiwa Cermet.

12. CONSERVATION OF TECHNICAL AND CERTIFICATION DOCUMENTS

All the technical documentation of a pressure equipment, designed and/or built and subjected to the evaluation activity of Kiwa Cermet, must be organized in an orderly manner in a Technical File.

The "EU" Declarations of Conformity drawn up by the manufacturer and the Attestations/Certificates issued by Kiwa Cermet, must be kept by the manufacturer, together with the technical documentation collected in a Technical File, for at least **10 years** from the last manufacturing date of the Equipment under pressure and remain at the disposal of the competent national authorities for the necessary checks/inspections.

For the above purposes, the documentation relating to the company Quality Management System (QMS) and any adjustments to it and the documentation relating to the surveillance inspections must also be kept for 10 years.

13. FORMS

The modules provided for in Annex III of the PED Directive for which Kiwa Cermet carries out conformity assessment activities for pressure equipment are summarized below. These modules describe the procedures to be followed for the conformity assessment of pressure equipment and assemblies both with reference to the manufacturer and for Kiwa Cermet.

In order to facilitate the Pressure Equipment Manufacturer in understanding the assessment procedures to be followed, as well as for the preparation of the technical documentation to be submitted to Kiwa Cermet in the form of a Technical File, a copy of the forms/attachments reworked by Kiwa Cermet are delivered to the manufacturer.

☐ Module A2	☐ Module B (type of production)	☐ Module B (type of project)
☐ Module C2	☐ Module D	☐ Module D1
☐ Module E	☐ Module E1	☐ Module F
☐ Module G	☐ Module H	☐ Module H1

14. 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

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