



REGULATION FOR THE CERTIFICATION OF MANAGEMENT SYSTEMS

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Rev. No.	SUMMARY OF CHANGES	DATE
10	Elimination of the requirements on the use of trademarks and inclusion in a specific Regulation	2025-11-19
9	Addition of clarifications concerning the FSMs with reference to UNI ISO 22003-1:2022.	2024-02-26

Verified by:

Compliance Manager

Dr. Alessandra Zazzera

Approved by:

Compliance and Legal Affairs Director

Eng. Maria Anzilotta

1. SCOPE AND FIELD OF APPLICATION

This Regulation describes the service of Certification of Management Systems by Kiwa Cermet Italia S.p.A. (hereinafter referred to as Kiwa Italia or Kiwa), in accordance with the requirements of the UNI CEI EN ISO/IEC 17021-1 Standard for Certification Bodies and with the rules for accreditation.

The requirements stated in this regulation are an integral part of the agreement entered into with Kiwa Italia (quotation, *Kiwa Regulation for Certification and General Terms and Conditions of Kiwa Cermet Italia for the performance of orders – hereinafter General Terms and Conditions*). These requirements refer solely to the aspects specifically connected with the scope of the requested certification.

The agreement expressly excludes any form of consultancy to the Customer that could jeopardise the nature of independence of the carried out assessments.

This regulation is also available on Kiwa Italia website (www.kiwa.it).

2. GENERAL PRINCIPLES AND GUARANTEES FOR THE CUSTOMER

In its certification activity, besides the *General Terms and Conditions*, Kiwa Italia applies the following principles:

- a) Absence of discrimination: access to certification services is allowed to any Organization requesting them, in accordance with this Regulation, without any discrimination of commercial or financial nature or regarding membership of particular associations.
- b) Impartiality and independence: ensured through formalized rules and controls, including:
 - Certification activities are assigned to personnel with no interests in the Organization subject to certification, bound to observe the rules of conduct and independence set by Kiwa Italia; regarding this aspect Kiwa Italia undertakes to accept any justified concerns of the Customer concerning the existence of incompatibility of the duty assigned, which could compromise the impartiality or independence of judgement;
 - Precise application of formalised rules and procedures used by all the personnel of certification services and periodic consultation with suitable certification stakeholders;
 - Clear separation between the personnel carrying out the audit activity and the personnel responsible for the certification decision;
 - Total absence of any kind of assistance in defining and applying the requirements for obtaining the Certification of Management Systems.
- c) Prompt management of complaints and appeals, as defined in § 12 of this Regulation;
- d) Confidentiality: As well as set out in the *General Terms and Conditions* and in *Kiwa Regulation for Certification*, Kiwa Italia requires all its personnel, including Auditors, to sign a confidentiality agreement as well as a document in which personnel commit to treat any information that comes into their possession in accordance with the provisions of the Privacy Act.
- e) Accreditations: Kiwa Italia undertakes to inform the Customer of any rejection, suspension or withdrawal of the accreditation (in case of a service covered by accreditation), as well as to support the Customer during the transition to another accredited Body; in such cases Kiwa Italia will not be in any way responsible for any damage caused to the Customer by rejection, suspension or withdrawal of the accreditation; in the aforementioned cases, the Customer has the right to opt out of the contractual relationship with Kiwa Italia, without prior notification and without any additional cost.

3. REGULATORY REQUIREMENTS AND LIMITS OF LEGALITY CONTROL

The legal conformity of the Management System to which the certification refers shall be considered by Kiwa Italia an essential pre-requirement for issuing the certification.

However, the certification issued by Kiwa Italia does only concern the conformity to the reference standard(s), and does not constitute a guarantee of compliance with the mandatory requirements. Such compliance is the specific competence of the Customer Organization, which retains responsibility, towards itself and towards others, for the legal obligations involved in the activities object to certification.

In this regard, the audit activities of Kiwa Italia shall not be considered as a form of waiver of responsibility with regard to possible assessments carried out by the Competent Authorities.

For some schemes of Certification of Management Systems, with significant risks related to the legal conformity, the Customer may be asked to provide Kiwa Italia also with a written statement, signed by the Legal Representative of the Organization, in which it has to subscribe a declaration of awareness that the conformity with legal requirements is the pre-requirement for obtaining and maintaining the certification in accordance with the standard of the management system being certified, and that this conformity is a responsibility of the Organization itself. Kiwa Italia shall inform the Customer that it needs to receive such statement.

In the case of **ISO 14001** certification: if the Organization has not presented, for one or more authorisations requested by the law on environmental issues, a complete and correct application (stating accurately all pertinent information) in advance no less than the time prescribed by the law to the competent authorities to issue the authorisation, or in case an Organization, for an application presented in compliance with the above requirements, is unable to produce objective evidence on formal solicitations sent to the intervening authorities, subsequent to the expiry of laws to which these authorities would have been obliged to conform, Kiwa Italia must issue a major non-conformity (ref. § 5.1). If the Public Agency to which the request for authorisation has been sent asks the Organization for documentation in addition to what has already been sent, the above stated time limit can be considered suspended until the reply has been sent. Where the law does not state a specific time limit, and it is not possible to find one in regulations of a general nature on administrative procedures or in the internal regulations of the competent authority for managing the specific processes, a time limit of six months will be considered (with the exception of cases in which the legislation provides for the so-called "tacit denial").

For Food Safety Management Systems (FSMSs) with reference to the standard ISO 22000 the certification guarantees the safety and suitability of products of an Organization in the food chain. However, a FSMS requires that an Organization meets all applicable legal and regulatory requirements on food safety through its management system.

4. ACCESS REQUIREMENTS FOR THE CERTIFICATION

4.1 General requirements

Before starting the Certification process with Kiwa Italia, the Organization must meet the following requirements:

- Have a Management System that fulfils the requirements of the Reference Standard and apply fully the Management System;
- Accept the conditions set out in this Regulation;
- Authorise access to premises, plants, areas and information necessary to carry out the Audit;
- Appoint an own Representative as main contact person of the Audit Team and guarantee that any consultant present during the audit maintains the role of observer;
- Be responsible for applying the requirements prescribed by the laws in force on matters of safety in the workplace. The Organization undertakes to provide Kiwa Italia with a complete and detailed report of the specific risks that exist in the workplace where Kiwa Italia personnel will be working and PPE necessary for carrying out the appointment, informing Kiwa Italia personnel concerning their correct use. In this regard, the Organization has to provide appointed Kiwa Italia personnel the Company documentation concerning the workplace safety (D.V.R., safety plan, procedures, etc.), limited to aspects of specific interest. If for those omissions, injuries occur or illnesses are contracted, no charge can be required for any reason to Kiwa Italia;
- Accept, without additional costs, the possible presence of auditor from the accreditation/control body as observers during the audit. Kiwa Italia will inform the Organization with regard to the possible presence of these auditors with a clear introduction of roles. Their presence has the aim of assessing that the evaluation methods used by Kiwa Italia are in accordance with the requirements for accreditation;
- For Commercial Credit Management Systems: have a management system active for at least 3 months.

For Management Systems for which a risk analysis is required, the Organization must:

- Adopt a method of risk assessment in accordance with the best practices and techniques available (for example those that may be derived from the reference standards on Risk management, laws or guidelines issued by the

Competent Authorities if any), and which must be applied systematically and involve as many people as possible within the Organization (internal and/or external resources);

- Demonstrate systematic use of the risk assessment procedure, which must take into account any risk situations observed (for the workplace health and safety scheme, it must also take into account reports of near misses and actual accidents with statistics (from proven and validated source) by geographic area.

In addition for the accredited certifications, in order to ensure that the assessment procedures adopted by Kiwa Italia comply with the applicable standards, the Accreditation Body may require to carry out a visit, called Market Surveillance Visit, at the certified Organization, directly through the use of its personnel.

This possible visit, is communicated by the Accreditation Body to Kiwa Italia with 7 working-day notice. Upon receipt of such communication Kiwa Italia will inform the Organization.

The audit plan is prepared by the Accreditation Body, which it will make available to Kiwa Italia; then Kiwa Italia will send it to the Customer Organization.

If the Organization does not grant its approval, the validity of the certificate is suspended until it has not accepted the visit for a maximum period of 3 months. Expired 3 months, in the absence of consent to the visit, the certification is withdrawn.

The Organization shall make available to the Accreditation Body the documentation that Kiwa Italia has taken as as reference during the previous audits. The Market Surveillance Visit does not replace the normal maintenance certification audit provided by the Audit Programme.

The Market Surveillance Visit procedures are indicated in the document IAF ID 04 (free download from IAF website: <http://www.iaf.nu>).

Other methods of control can be adopted by the accreditation Body, in order to verify the activities of Kiwa Italia, e.g. unannounced audit at the premises of certified subjects, request of information to Organizations or Consulting Companies, or other methods of control established by the accreditation body.

4.2 Applicability and Exclusions

Management System standards may be usually applied to any type of Organization, of any size and nature, unless otherwise regulated by the standard itself, or by the rules of the specific scheme. The non-applicability of specific requirements of the reference standard is acceptable for the requirements of individual reference standards, provided it is adequately documented and justified. It shall be in any case verified by Kiwa Italia, which may assess whether it is relevant or not.

For the Road Traffic Safety Management Systems (ISO 39001 Standard) for example, no requirement may be excluded.

For Anti-Corruption Management Systems (ISO 37001 Standard):

1. It is not possible to exclude the application of the standard to some sites or processes in the same Country. The certification is issued to an only legal entity and it includes all the sites, subsidiaries, branch offices, activities and processes carried out actually by the Organization. Exclusions to processes/functions carried out in a same Country are not allowed.
2. It is possible to limit the application to specific Countries, but the scope has to consider always the significant¹ processes and activities carried out abroad when they are carried out under the responsibility and the direct control of the Organization (e.g. representative offices or branch offices, representatives or intermediaries). This aspect will be mentioned in the certificate.
3. In case of Company Groups, when significant activities/processes are carried out by other Companies of the Group (holding companies and/or subsidiaries), also abroad, the paragraph 8.5 of UNI ISO 37001 applies.

¹ This list does not include all significant activities and processes: finance and control, sale, sale representatives and network, purchasing, institutional figures and corporate bodies, Top management offices and Board of Directors, internal auditing, licensing, tenders and authorizations, human resources management (including management, recruitment, employment and carrier promotion), administration and cash management, purchases, management of gifts and donations, relationships with institutional authorities and control bodies, patronage and sponsor management, disputes and complaints management, IT services, security management, control activities and tests.

For Management Systems of Occupational Health and Safety (ISO 45001), all sites, at which the activities falling in the scope of application are carried out, shall be included in the certification, without possibility of exclusions.

For Environmental Management Systems (ISO 14001), in case of organisations providing various services, the Organisation may decide whether to apply the Environmental Management System (EMS) to all activities or a subset of its services, provided that such decision is stated clearly and unmistakably and the limit of the EMS application scope is such that a clear organisational independence of elements to be separated is established (see point 3.1.6 of UNI EN ISO 14001). Moreover, if a service is provided in the area as an activity of external work in various sites which are logistically independent of one another (e.g. cleaning or maintenance site, waste collection, etc.), but managed by a single coordinating headquarters, all sites of external work where the service is provided and which refer to the same coordinating headquarters – whether similar to permanent sites or temporary sites – shall fall within in the EMS application scope.

If one (or more) Organisation's operating unit but not all of them within a site can be certified, Kiwa indicates the operating units not covered by the certification as exclusions in the certificate. In particular, if the exclusion refers to activities that are generally services and are performed in the area or at mobile sites, Kiwa indicates such exclusion in the certificate scope or, alternatively, the indication "limited to the activities of..." or a similar statement shall be written before the activities included in the application scope of the management system to be specified in the certificate, so as to prevent the activities not included in the application scope of the system from being considered certified.

For FSMs (reference to ISO 22003-1:2022)

Multisite sampling is only allowed for the Categories "A, B, F, G" and the Category "E" only for re-heating structures (for instance catering for events, coffee bars, pubs) and only for structures with limited preparation or cooking (for instance reheating, frying). Multisite sampling is not allowed for any other identified categories.

5. CERTIFICATION PROCESS

5.1 General requirements

Every Audit involves an initial meeting in which the following are shared: objectives, the methods of carrying out the activities, the classification criteria for non-conformities with the consequent corrections and corrective actions and the obligation of confidentiality to which Kiwa Italia personnel are bound; and a closing meeting at which the result of the Audit is announced and clarifications are given on the results formalised in the report.

The audit language may be Italian or English. In this second case, Kiwa Italia reserves the right to evaluate, if necessary, the continuous presence of special translators to support the audit team. In the case of other languages, other than Italian or English, it will always be necessary for the Organization to guarantee the continuous presence of appropriate translators at its own expense.

In case, during the audit, significant deviations are found between the company situation and what has been communicated by the Organization, the Audit Team immediately notifies Kiwa Italia concerning this deviation in order to decide possible contractual modifications with consequent updates of the duration of the Audit².

Each finding issued during the Audits³ is classified as follows:

Major non-conformity: non-fulfilment of a requirement that affects the capability of the Management System to achieve the intended results and compromises the effectiveness of the product / service. It may concern:

- A deviation or total absence of conformity in relation to a specified requirement, found on the basis of objective evidences;
- A failure to comply with legal requirements applicable to the scope of certification.

Minor non-conformity: non-fulfilment of a standard requirement or the partial failure to comply with one or more requirements of the Management System and/or of the agreement stipulated with Kiwa Italia, that does not affect the capability of the Management System to achieve the intended results, not falling within the category of the major non-conformities previously described.

² The term "significant deviation" means a difference that requires a change in the duration of the audit as established in document IAF MD5 and in the additional relevant rules of the specific certification scheme.

³ Except for the Stage 1 in which all issues, that could be classified in terms of Non-conformities in Stage 2, are identified.

Several minor conformities pertaining to the same requirement of the Standard, depending on the contents and the general result of the Audit, can lead to a major NC.

Minor non-conformities not resolved and/or not taken in hand by the Organization can lead to the issuing of a major NC.

Opportunity for improvement: a situation highlighted during the Audit that can provide an opportunity for improving the Management System.

At the end of each Audit, the Audit Team meets to evaluate the evidence recorded, to classify it and to write the report.

In the final meeting, the Audit Team introduces to the Management the results of the Audit and the conclusions regarding the Management System complying with the Reference Standard, highlighting any Non-conformities found. At the end of the meeting, Lead Auditor issues a Report that outlines the results of the Audit.

Any difference of opinions between the Audit Team and the Organization, concerning the results of the Audit or its conclusions, must be discussed and resolved, wherever possible. In the event of any non-resolved differences of opinion, the Organization can express its reservations on the results of the Audit.

5.2 Requirements for Multisite Organizations

In the case of multi-site organizations, before the certification audit, the organization must have carried out at least one internal audit on each site and have verified its compliance.

For FSMSs (reference to ISO 22003-1:2022)

The Organization shall carry out the internal audit at least one year before the certification audit and assess the effectiveness of corrective actions, if applicable. After being certified the annual internal audit shall cover all Organization's sites included in the certification scope of the multisite Organization and the continuous effectiveness of corrective actions shall be proved.

The Organization will have to analyse any findings identified in a specific site and implement appropriate Corrective Actions, relating to Non-conformities attributable to causes applicable to multiple sites, extending them to all sites covered by the scope of the Management System.

The results of these internal audits must be presented to Kiwa Italia during the certification audit and any corrective actions must be documented.

The certification is granted when all the sites verified in the initial certification audit have reached the level of conformity required for certification.

In the event that serious deficiencies are found in a single site, it is not permitted that, instead of resolving the Non-compliance, the Organization requests to exclude the site in question from the scope of the certification.

The certification is entirely suspended if in the surveillance any of the sites does not meet the conditions for maintaining the certification.

5.3 Request of Certification

On the basis of the information supplied by the Organization, Kiwa Italia drafts a quotation for the Certification, indicating the reference Standard(s) and the scope of the Certification notified by the Customer Organization.

Returning the Certification quotation to Kiwa Italia, signed by the Organization, constitutes the official request for the activities of Certification, as well as the acceptance of the contractual and economic conditions (set out in the quotation), of the conditions contained in this Regulation, in *Kiwa Regulation for Certification*, as well as in the *General Terms and Conditions* (also available on the website www.kiwa.it)⁴.

If the quotation is acceptable, the Organization must additionally send Kiwa Italia:

- A Chamber of Commerce Registration certificate dated no more than 6 months previously, or a similar equivalent document;

⁴ Kiwa Cermet will inform the Customer concerning all the possible subsequent amendments to the contractual documents; it is responsibility of the Customer always having the update version of these documents, downloading them from website www.kiwa.it.

- A list of currently building sites (where applicable);
- Additional documentation regarding specific Certification Schemes (where applicable) previously communicated by Kiwa Italia;
- Documentation stating that the agreed deposit has been paid (where applicable).

When Kiwa Italia receives these documents, Kiwa Italia examines them verifying that:

- ◆ data and documents requested are all complete;
- ◆ the requirements of the certification service have been clearly defined and understood by both parties;
- ◆ Kiwa Italia is able to perform the activities requested;
- ◆ there are no differences from the information supplied at the time of requesting the quotation.

If the result of the above-mentioned examination is positive, the Certification process starts. In case of negative result, Kiwa Italia shall have the right to request the necessary additions or modifications before officially beginning the process or to give notification of the impossibility of beginning it, giving the Customer the reasons.

Kiwa Italia notifies the Organization in advance concerning the members of the Audit Team; if there are any conflicts of interest, the Organization can request substitutions, within 3 working days, by submitting a formal and substantiated request.

5.4 Preliminary Audit

If the Organization asks for a Preliminary Audit to be carried out, which is an option available at the time of requesting the quotation; this can be performed in order to assess the level of implementation of the Management System before beginning the certification process (Stage 1 and Stage 2).

The results of the Preliminary Audit are documented but are not considered for the aim of the certification process and of the relative issuing of the certificate. They are therefore only expressed in terms of non-conformities, do not require the Organization to notify Kiwa Italia concerning the corrective actions it intends to take and they are not subject to analysis for issuing the certification.

5.5 Initial Certification Audit

During the initial certification Audit, the Audit Team have to assess the Management System in accordance with the applicable requirements. The initial certification Audit is conducted in two stages: Stage 1 and Stage 2.

5.5.1 Stage 1

Stage 1, at least part of which, is carried out on the Organization site.

For the ISO 22000 Standard purposes, in exceptional circumstances, a part of Stage 1 may take place off-site. (E.g. worksites in remote locations, very brief seasonal productions).

For Credit Management Systems and for Management Systems for Prevention of corruption, the entire Stage 1 (including the documental analysis) should always be carried out at the Customer Organization, without any exception.

Stage 1 includes:

- Documentation Assessment;
- A review of the location and the particular conditions of the site(s) of the Organization;
- Exchange of information with the Organization personnel, in order to check the level of readiness for Stage 2;
- A review of the Organization understanding of the requirements for the Standard;
- Collection of the information regarding the scope of the Management System, procedures, legal and statutory aspects, including confirmation of the information supplied to Kiwa Italia by the Organization;
- A review of the allocation of resources for the Stage 2 Audit and agreement with the Organization on the planning of the Stage 2 Audit, gaining sufficient knowledge of the management system and of the activities of the Organization site, with reference to the possible significant aspects;

- Verifying that internal Audits and the top management review have been planned and are being carried out according to that plan and assessing that the level of implementation of the Management System provides evidence that the Organization is ready for the Stage 2.

For the ISO 22000 standard, it also includes the following assessments:

- whether the identified PRP (Prerequisite Programs) cover the activities and products of the Organization and are appropriate to the company activity;
- whether there are adequate processes and methods for the identification and assessment of the HACCP with the corresponding categorisation and definition of control measures;
- whether the binding requirements on food safety have been adopted;
- whether, for multisite Organizations, at least one internal audit has been carried out at each site in the year before the certification.

Regarding the documental assessment, this will be represented by different documents depending on the Management System reference Standard:

The documentation must contain a sufficiently detailed description of the scope of the Management System in relation to all points of the Reference Standard.

The results of Stage 1 are suitably documented and promptly communicated to the Customer Organization; the Audit Team then agrees with the Organization the details for Stage 2, also dealing with its planning, including the detailed Audit Plan.

Following Stage 1, if any modifications to the company data and activities are found compared to what was communicated by the Customer at the time of drawing up the quotation, the methods and duration of Stage 2 and of the subsequent surveillance audits may differ from what was initially proposed in the quotation.

Depending on the results of Stage 1, the Customer is obliged to make any modifications or integrations. Kiwa Italia may request the modified documents to be submitted for a new evaluation before moving on to the next activities.

The Customer has to keep an updated copy of the reviewed documents for Kiwa Italia and make them available on request, for the entire period of the agreement with Kiwa Italia.

At the end of the Stage 1, the Audit Team issues a copy of the Audit report to the Customer, who signs it. The report is submitted for internal examination and approval by Kiwa Italia.

If within 60 calendar days of the end of Stage 1, the Customer has not received any communication, or received notification of Stage 2 by Kiwa Italia, the review report may be considered automatically confirmed. On the contrary, if following internal examination Kiwa Italia considers that any modifications need to be made to the contents of the report, it will give formal notification to Organization, providing explanations for each variation made and indications of the subsequent actions.

For Standards relevant to Quality Management Systems, in exceptional circumstances in which Stage 1 is not carried out at the Organization sites, but entirely at Kiwa Italia, the Organization is obliged to provide Kiwa Italia with an additional series of data and documents that will be requested at the time of accepting the quotation, for the purposes of allowing Kiwa Italia to carry out Stage 1. In these cases, Kiwa Italia furthermore reserves the right to ask for Stage 1 to be completed on site, if the documents and data requested for carrying out Stage 1 bring to light situations to be deepened on site in order to achieve the objective of Stage 1. Stage 1 reporting and result management will take place in the same way as described above. Such cases will always be established by Kiwa Italia according to parameters such as: characteristics, dimension, complexity of the Organization and the scope of the certification.

Depending on Stage 1 results, Kiwa Italia may establish the postponement or cancellation of Stage 2.

5.5.2 Stage 2 and Issuing of the Certification

The aim of the Stage 2 is to evaluate the implementation, as well as the effectiveness, of the Customer Management System.

Stage 2 is planned to take place within a certain time period after Stage 1, in such a way as to allow the Organization to resolve the issues that emerged in Stage 1 and for Stage 2 to be planned efficiently by Kiwa Italia.

The maximum time that can elapse between Stage 1 and Stage 2 will be set by Kiwa Italia and must be such as to guarantee that the results of Stage 1 are still valid. The system, the Organization and the regulatory and legislative context therefore must not undergo significant variations between the two stages.

In exceptional circumstances and for substantiated reasons, decided by Kiwa Italia, the two stages may be carried out consecutively. In such instances if the result of Stage 1 is negative, the initial certification review will be completed just the same, but a new Stage 2 review will need to be undertaken.

In case of significant changes that would have an impact on the Management System, in the time between the Stage 1 and the target date for the Stage 2, Kiwa Italia may require the repetition of all or part of Stage 1.

The Stage 2 always takes place on the premises where the processes that are the subject of the certification are carried out. This Audit extends to all requirements of the Standard and to all products/services and sites covered by the certification.

At the start of Stage 2, the resolution of any findings notified in Stage 1 is assessed.

For Energy Management Systems (ISO 50001) for the purpose of issuing certification, the organization being audited must be able to demonstrate, through objective evidence, a continuous improvement of energy performance.

At the end of Stage 2 Audit, the Audit Team issues a copy of the Audit report to the Customer, who signs it. The report is submitted for internal examination and approval by Kiwa Italia, for the subsequent decision as to whether or not certification is granted.

For any Non-conformities found in Stage 2, the Organization must send Kiwa Italia, on the relevant forms, its proposal for making the corrections and taking the corrective actions agreed (along with an analysis and formalisation of the causes that generated them), with a timescale for implementation.

The process cannot be examined for the final decision until the proposal for resolving and taking the corrective actions for the non-conformities has been received. In addition, before the certification is issued the resolution of any major non-conformities must be verified, according to the review methods set by Kiwa Italia (Audit on the Customer premises and/or Audit through documented evidence).

This assessment must take place no later than 6 months from the last Stage 2 day; otherwise the 6 months expired, but within 12 months from the last day of Stage 2, it will be necessary to conduct another Stage 2 before proceeding with the certification process. Over 12 months it will be necessary to start from Stage 1.

The assessment of the implementation and effectiveness of the corrections and corrective actions concerning minor non-conformities is carried out by Kiwa Italia in the subsequent periodic surveillance Audit.

If the certificate is issued, Kiwa Italia sends notification with the certificate attached and including any requests arising in the Certification Decision phase.

If the certificate is denied, Kiwa Italia will notify the Organization, which will report what was found in the Certification Decision phase and the relative consequent actions.

Once certification has been issued, Kiwa Italia adds the Organization to the list of Certified Companies. This list is updated every month and can be seen on the website (www.kiwa.it).

The list of certificates covered by accreditation is also provided to the Accreditation Body with the frequency and by the methods set by the Accreditation Body itself.

In addition, the list of Quality Management System certifications regarding sector IAF 28, is communicated by the methods prescribed by the Accreditation Body in conjunction with the Competent Authority.

Any requests for changes to the content of the certificate must be sent to Kiwa Italia in writing and prior to the first useful verification review.

The Certificate of Conformity is valid for 3 years from the date of first issue.

The date of first issue cannot be prior to the date of the certification decision.

It is permitted the reproduction (including color) of the certificates of conformity issued by Kiwa Italia, as long as it reproduces the original in full. Partial reproduction is not permitted.

5.6 Surveillance Audit

Kiwa Italia carries out periodic surveillance Audits on Certified Organizations, in order to assess they continue to comply with the reference requirements and in order to ensure a complete review of the Management System in each certification cycle. Surveillance Audits are always carried out at the sites where the activities subject to certification take place.

Surveillance Audits take place once a year within the month the certificate expires, except for the first Surveillance Audit following Stage 2, that must not exceed 12 months from the date of the certification decision.

During surveillance audits an assessment of the resolutions of the previous Audit non-conformities is carried out, as well as a review of the implementation and effectiveness of the corrective actions taken.

For Energy Management Systems (ISO 50001) in order to maintain certification, the Organization must demonstrate the implementation of actions to improve energy performance.

At the end of the Audit, the Audit Team issues a copy of the Audit report to the Customer, who signs it. The report is submitted for internal examination and approval by Kiwa Italia. The report can be considered confirmed if within 60 calendar days no further notification is given to the Organization. On the contrary if, following internal examination, Kiwa Italia considers that any modifications need to be made to the content of the report, it will give formal notification to the Organization, providing explanations for each variation made and indications of the subsequent actions.

In the event of Non conformities, the Organization must send Kiwa Italia, within 20 working days and on the relevant forms, its proposal for the treatment and taking the corrective actions agreed (along with an analysis and formalisation of the causes that generated them), with a timescale for implementation. If within 30 working days of sending this the Organization has not received any communication, it may consider automatically accepted the treatments and the plan of action set out.

In the event of major non-conformities, Kiwa Italia will notify the Organization of the consequent actions: Audit on the Customer premises and/or Audit through documented evidence. This Audit must take place no later than 6 months after the previous one (Kiwa Italia may set a shorter time period depending on the seriousness and number of non-conformities reported).

In the event of a negative result or the above mentioned period being exceeded, the Organization will be subject to a measure of suspension as stated in § 8 of this Regulation.

In case of several major NCs or NCs highlighting a significant non-compliance of the Management System with the reference standard for the certification, Kiwa Italia may establish a prompt provision of suspension of the certification as indicated in paragraph 8 of this Regulation.

A review of the implementation and effectiveness of the corrections and corrective actions taken for minor non-conformities is carried out by Kiwa Italia at the next Surveillance Audit.

Based on the indications given in the Audit report (countersigned by the Organization representative), regarding significant changes to the Management System within the Organization or to the context in which the reference system operates (e.g. legislative modifications) and/or the number of staff involved, Kiwa Italia reserves the right to modify the contractual conditions for subsequent audits (for example as a result of the need to vary the duration of the Audits), by notifying the Organization.

If, during the initial phases of the surveillance audit, the Lead Auditor finds significant changes not previously communicated by the Organization, such that will not allow the Audit to be conducted within the timescale indicated in the agreement, the necessary contractual modifications must be settled with Kiwa Italia before the visit can be made. In this case Kiwa Italia will issue a non-conformity due to the non-compliance with a contractual requirement of this regulation (ref. paragraph 10.1) whose extent depends on the applied change and the subsequent potential and/or actual effects on the certificate management system.

The postponement of an already scheduled and agreed Audit, for reasons attributable to the Organization, must be notified to Kiwa Italia at least 30 days before the scheduled date, otherwise a penalty of 50% of the cost involved will be invoiced, along with any expenses incurred.

Surveillance Audits are invoiced at the end of the Audit on the premises of the Customer Organization, according to the set time intervals; if the Audit is postponed for reasons attributable to the Organization, the service will still be invoiced at 100% of the cost, in the month for which the Audit was scheduled (regardless of the actual date of the Audit).

Carrying out the Surveillance Audits prescribed in the certification cycle is conditional upon the Organization being up to date with payments for all previous services supplied.

As well as on-site Audits, surveillance activities may also include by way of example:

- a) requests to the certified Customer regarding aspects pertaining to the certification;
- b) a review of the Customer declarations for its own business activities (for example advertising materials and website);
- c) requests to the Customer to provide documents and registrations (on paper or by electronic means).

These other forms of monitoring can be applied by Kiwa Italia depending on: information received from external sources, results of the Audits, input from the Accreditation Body (for accredited services) etc.

5.7 Certification Renewal

Kiwa Italia carries out a renewal Audit every three years, with a Certification Decision that must precede the expiry of the certificate, to make sure the Organization Management System continues to conform to the requirements of the specific certification scheme.

The date of the Renewal Audit may not take place beyond the certificate expiry date.

The Renewal Audit takes into consideration the performance of the Management System and includes a review of the previous reports from the Surveillance Audits and the Audit Programme.

To this end the Audit is extended to all requirements of the Standard, to all products/services covered by the certification and also involves a fresh review of the Company Management System documentation. The Renewal Audit is always carried out on the premises where the processes covered by the certification take place.

For ISO 9001 scheme, for Organisations in IAF 28 sector, if it is difficult to have operative building sites at disposal during the scheduled period of the renewal audit, the audit shall be carried out in the scheduled period anyway (the decision shall come before the expiry of the certificate), even if the audit is limited to the document evaluation and recording only for building site activities. If the abovementioned audit is successful, the certification renewal is granted after an additional audit to be carried out as soon as the Organisation informs Kiwa Italia of the beginning of building site activities and within 6 months from the certification renewal. Upon the elapse of 6 months allowed for the additional audit, the certification will be suspended for no more than a month, after which the certificate will be withdrawn.

For Energy Management Systems (ISO 50001) for the purpose of renewal of the certification, in the audit the Organization must be able to demonstrate through objective evidence, a continuous improvement of energy performance.

On the basis of the indications given in the last Audit report (countersigned by the Organization representative), regarding significant changes to the Management System, the Organization, the context in which the reference system operates (e.g. legislative modifications) and/or the number of staff involved, as well as the progress of the Management System during the three-year period, Kiwa Italia will review the contractual terms. The Organization will then be notified of any modifications, relating to the Renewal visit and the subsequent three-year period, applying the tariffs stated in the last valid quotation. These modifications may also require a complete Stage 1 Audit to be performed, which will be notified by Kiwa Italia at least 3 months prior to the date the certificate expires.

If, during the initial phases of the renewal visit, the Lead Auditor finds significant changes not previously communicated by the Organization, the necessary contractual modifications must be settled with Kiwa Italia before the visit can be made.

The ways in which Audits are conducted and the results processed, including any Non-conformities, are the same as those of the Surveillance Audits.

If any major non-conformities are found, where no resolution is possible before the certificate expires, Kiwa Italia will decide upon suspension of the certification or, in more serious cases, withdrawal of the certification (cfr. § 8).

In case of several major NCs or NCs highlighting a significant non-compliance of the Management System with the reference standard for the certification, Kiwa Italia may establish a prompt provision of suspension or withdrawal of the certification as indicated in paragraph 8 of this Regulation.

If the Renewal Audit has a positive outcome, subsequent renewal of the certificate will be possible; while if the outcome is negative, the certificate will not be renewed and the Organization will be charged for the fees owing, including expenses. If the Organization intends to reactivate the certification, a new certification process will need to be initiated, as described in the preceding paragraphs of this regulation.

Carrying out the Renewal Audit is conditional upon the Organization being up to date with payments for all previous services supplied.

The postponement of an already scheduled and agreed Renewal Audit, for reasons attributable to the Organization, must be notified to Kiwa Italia at least 30 days before the scheduled date, otherwise a penalty of 50% of the cost involved will be invoiced, as well as any expenses incurred.

Renewal Audits are invoiced at the end of the Audit on the company premises, according to the set time intervals; the service will in any case be invoiced at 100% of the cost, in the month scheduled for the Audit (regardless of the actual date of the Audit).

Following renewal, the three-year validity of the certificate of conformity is updated.

6. CHANGES TO THE SCOPE OF THE CERTIFICATION

6.1 Extension of the scope

The Organization can request an extension of the scope of the certificate, following the same process as the initial issue, pertaining to the addition of new products/procedures/services and/or new offices/production sites.

The extension requires an Audit, carried out on the Organization premises, regarding the elements of the Management System and an examination of the documentation to which the extension will apply.

The duration of the Audit depends on the extension requested and could involve an entire repetition of the certification process; the extension Audit can be organised in conjunction with the Surveillance/Renewal Audits.

The ways in which the Audits are conducted and the results managed are the same as those for Surveillance Audits, taking into account that, before the extension is approved, any major non conformities must be seen to be resolved, according to the assessment methods set by Kiwa Italia (Audit on the Customer premises and/or Audit through documented evidence) no later than 6 months from the Major non conformity being issued (Kiwa Italia may set a shorter time period depending on the seriousness and number of non-conformities reported).

If the outcome is positive, the decision to extend the certification can go ahead, while in the case of a negative outcome the extension process is stopped.

If the outcome is positive, the Certificate of Conformity will be reissued with the new extended scope, keeping the original expiry date.

No changes to the scope of the Certification may be discussed at the time of Auditing unless the Organization has previously notified Kiwa Italia in writing and unless it has been accepted by Kiwa Italia.

6.2 Reduction of the scope

The reduction can refer to the scope and/or sites covered by the certification.

Kiwa Italia will reduce the scope of the existing certification upon request of the Organization or if some parts are found no longer to conform to the requirements, or if some parts of the certification scope are no longer carried out by the Organization and, therefore, cannot be verified by Kiwa Italia.

The reduction of sites or part of the scope is not permitted for certifications issued under the Management System certification scheme for Occupational Health and Safety.

The reduction of sites or part of the scope for Environmental Management System certification can only be implemented if it conforms to the rules for accreditation (stated in the official documents of the Accreditation Body).

The reduction can also be proposed by the Lead Auditor during a Surveillance/Renewal Audit and written into the Audit report.

Reductions occurring as a result of a request from the Organizations or on the initiative of Kiwa Italia can also take the form of an interruption of part of the processes cited in the scope, for a period of one year, or the closure of permanent sites.

Following the reduction the Certificate of Conformity will be reissued, with the new reduced scope, keeping the original expiry date. The Organization must in addition promptly adapt all forms of communication and advertising regarding the certification to the new reduced scope.

Kiwa Italia will notify the reduction to the Accreditation Bodies and/or to other third parties that may request it.

7. EXTRAORDINARY AUDITS

7.1 Supplementary Audits

Kiwa Italia reserves the right to carry out Supplementary Audits for the reasons mentioned in *Kiwa Regulation for Certification* or for requests arising in the phase of Certification Decision and communicated in advance to the Organization.

Kiwa Italia may also carry out supplementary audits to review potential critical situations (see § 10.2).

These possible Supplementary Audits, paid for by the Organization, do not substitute and do not modify the process and frequency of the periodic Surveillance Audits.

7.2 Short-notice or unannounced audits

Kiwa Italia reserves the right to carry out Audits with short prior notification (5 working days from the date set for the Audit) or unannounced following reports, complaints or failure to communicate modifications that are of such importance and significance to give rise to serious doubts regarding the Management System lack of conformity with the system requirements and/or this regulation.

Such Audits, paid for by the Customer Organization, do not substitute or modify the process and frequency of the periodic Surveillance Audits.

Given the short prior notification or the lack of notice (in the case of unannounced audits) and the impossibility of the Organization to refuse the auditor appointed by Kiwa Italia, the utmost care will be taken when selecting the Audit Team.

In the case of unannounced audit, the Lead Auditor will illustrate the audit plan to the Organization and will agree the details at the beginning of the audit.

In the event of unavailability of the Organization to carry out those audits, Kiwa Italia reserves the right to suspend or withdraw (in cases considered more serious) the certification issued.

8. SUSPENSION AND WITHDRAWAL OF THE CERTIFICATION

8.1 Suspension of the Certification

The certification can be suspended for the reasons mentioned in *the Kiwa Regulation for Certification* or on request of the Customer Organization.

Except in special circumstances (in any case decided by Kiwa Italia) the period of suspension may not last beyond 6 months, otherwise the certification will be withdrawn.

During the period of suspension the Customer Organization loses the right to use the Kiwa Italia Certification mark, the certificate and is deleted from the lists of the Certified Organizations. The conditions for restoring the suspended certification (including the necessary Audit processes), will be set by Kiwa Italia based on the reasons that led to the suspension and depending on the duration of the suspension.

If the Customer Organization does not put into practice the actions specified by Kiwa Italia for restoring the suspended certification, the certification will be withdrawn or, where possible, its scope will be reduced.

Kiwa Italia reserves the right to communicate the suspension to the accreditation bodies and/or to other third parties that may request it.

8.2 Withdrawal of the Certification

The certification can be withdrawn for the reasons mentioned in *the Kiwa Regulation for Certification* or on request of the Customer Organization.

The withdrawal of the certification determines the automatic resolution ex art. 1456 c.c. of the agreement to which this regulation applies, except, in any case, the refund of any damage suffered by Kiwa Italia.

Following withdrawal of the certification, the Organization loses the right to use the Kiwa Italia Certification mark and is deleted from the register of Certified Organizations.

Kiwa Italia will communicate the withdrawal to the accreditation bodies and/or to other third parties that may request it.

Certification withdrawals referring to the ISO 9001 Standard, regarding sector IAF 28, will be communicated to the competent Authority and to the Accreditation Body Accredia, by the methods specified by the Accreditation Body in conjunction with the Authority.

9. USE OF THE CERTIFICATION MARK

The Customer with a Management System certified by Kiwa Italia can choose whether or not to use the certification mark granted by Kiwa Italia.

Using the certification mark the Customer has to fulfil all the applicable rules mentioned in *Kiwa Regulation for Certification* and the Regulations for Use of the Mark, to which reference is made (www.kiwa.it).

10. COMMUNICATION TO KIWA ITALIA

10.1 Changes to the Management System

The certified Organization has to inform promptly Kiwa Italia in writing in case of significant changes as that indicated in point 5.2 of *Kiwa Regulation for Certification*, including the site(s), the Management System descriptive documentation, significant changes to the products/procedures/services and/or the number of involved personnel.

In response to these changes, Kiwa Italia will assess the consequent actions to be taken (such as: the need to carry out a supplementary Audit, if necessary accompanied by a revision of the certificate, or to undergo a new certification process).

10.2 Notification of Critical Situations

The Organization certified or about to be certified must promptly inform Kiwa Italia of any critical situation or event that may endanger compliance of the management system, as for example: judicial and/or administrative proceedings, incidents, emergency situations occurred, serious accidents (for the certification of management systems for health and safety on the workplace), exceptional events, non-compliance with laws, related to the management system, or major non-conformities that affect the guarantee of conformity of the management system.

For anti-corruption management systems, Kiwa Italia must be immediately provided with detailed information on any event related to episodes of corruption that may have involved the Organization and/or one or more of its Human Resources, the consequent actions adopted for limiting the effect of this event, the root cause analysis and the corrective actions. In these cases, Kiwa Italia has the right to evaluate if informing the market concerning the fact this Organization is "subject to assessment for specific events" (except law obligations and regulated markets).

For all said notifications, the Organization must provide Kiwa Italia with precise indications and documentation on the resulting actions adopted to mitigate the effects of such event, an analysis of root causes and corresponding corrective actions.

Failure to comply with these conditions can lead to suspension, or in more serious cases withdrawal of the certification.

11. TRANSFER OF CERTIFICATIONS ISSUED BY OTHER BODIES

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

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

- Reasons that led to the transfer request;

- Previous audit reports of the outgoing Certification Body (check of absence of major NCs, absence of supplementary audit to be carried out);
- Validity status of the certificate issued which must be taken over;
- Existence of any complaints still in progress and their management;
- Any legal disputes with P.A., judicial complaints (regarding the management systems), legal proceedings in progress.

The transfer must always involve the assessment of the Organisation's documents.

Kiwa Italia reserves the right to audit the Organisation, if after the document assessment a further in-depth analysis is needed on site.

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

According to the transfer phase, the relevant Surveillance/Renewal Audit may be carried out only when the transfer is complete, keeping the date of the audit scheduled in the audit plan.

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

12. COMPLAINTS AND APPEALS

12.1 Complaints

The Organization may present documented complaint regarding its dealings with the certification activities provided by Kiwa Italia.

The complaint may arise from problems encountered during the certification process, such as for example, delays in completing the various phases and/or incorrect conduct by Auditors of the Body.

Kiwa Italia records all complaints, examines them and informs the claimant of the actions taken, within thirty days of receiving the complaint.

Complaints are handled by personnel not involved in the activities that are the subject of the complaints.

Kiwa Italia will establish with the claimant whether and to what extent the content of the complaint and its resolution should be made public.

12.2 Appeals

If the claimant is not satisfied with the response received, or intends to appeal against the decision of Kiwa Italia, he can present an appeal in writing.

The petitioner must state the grounds for his appeal and, where the appeal refers to a decision made by Kiwa Italia (e.g. the expression of a Major non-conformity), it must be presented to Kiwa Italia within 10 calendar days of the decision being communicated.

Appeals are handled by personnel not involved in the activities being appealed.

Kiwa Italia will give the petitioner a written reply and will give notification of any actions to be taken within 30 working days of the date of receiving the appeal.

A detailed description of how to present complaints and appeals is given on the website www.kiwa.it.

13. RIGHT OF UNILATERAL WITHDRAWAL FROM THE CONTRACT

Kiwa Italia may freely withdraw the agreement with the Customer Organization by giving written communication to the Customer Organization with a notice of six months from the effective date of withdrawal. The withdrawal by Kiwa Italia determines the withdrawal of the issued certification. The Organization is in any case obliged to pay Kiwa Italia the amounts due for the services received during the notice period, as established in the last valid quotation.

In the case the Organization wishes to terminate the agreement, the unilateral withdrawal, during the period of Certification validity, requires the respect of notice times established in *General Terms and Conditions* and in *Kiwa Regulation for Certification*.

For notice of less than three months from the scheduled Audit and greater than two weeks, the Customer must pay 50% of the cost for the instalment scheduled for the subsequent activity as agreed in the agreement. For periods of notice of less than two weeks, the conditions specified in the *General Terms and Conditions* shall apply.

In case of termination of the Agreement, Kiwa Italia will issue an invoice for the expenses of closing the certification file, in accordance with the last valid quotation.

14. UNILATERAL CHANGE OF THE CONTRACT

Kiwa Italia reserves the right to modify this Regulation at any time. Any new clauses / changes made will be effective from the time they are communicated to the customer, in writing.

The Organization that does not intend to accept the changes, can 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 Italia.

The withdrawal will take effect from the last working day of the month in which the customer's communication is received.