

Certification conditions BS I

Legal Scope:

TÜV Rheinland Polska Sp. z o.o.

Business Scope:

I.01 Pressure Equipment

Process Scope:

6.3 Service Delivery

NOTE: These testing and certification conditions will be effective upon notification and publication of the scope update in the NANDO list (<http://ec.europa.eu/growth/tools-databases/nando/>).

1. Objectives

The determination of rules, procedures and management for implementing product, process and service certification by TÜV Rheinland Polska Sp. z o.o. in Business Field I.01.

2. Terms and Abbreviations

Terms/Abbreviations	Description
test objects	applicant's products, processes, services and management systems
applicant	interested organization or person (especially product manufacturers); organization or person responsible to a certification body for ensuring that certification requirements are fulfilled. Whenever the term "applicant" is used in those certification conditions, it applies to both the "applicant" and the "client", unless otherwise specified.
certification body	third-party conformity assessment body operating certification schemes. In those certification conditions - TÜV Rheinland Polska Sp. z o.o.
certification program	Conformity assessment system related to specified objects of conformity assessment, to which the same specified requirements, specific rules and procedures apply
test plan	individual steps of evaluation in related scope e.g. inspection/audit plan
expert	Qualified and authorized by Certification Body personnel involved in certification procedure (eg. Inspector, auditor)

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3. Scope of Application

These certification conditions apply to the following conformity assessment bodies of
TÜV Rheinland Polska Sp. z o.o.
ul. Wolności 347, 41-800 Zabrze
Business Field BF I.01

Body:

- Notified Body for pressure equipment
- Notified Body for simple pressure vessels
- Notified Body for construction products
- Notified Body for transportable pressure equipment
- Certification Body for Welding Manufacturers
- Certification Body for Material Manufacturers
- Certification Body for qualification of welding personnel

(hereinafter referred to as “certification body”).

These certification conditions are published on web page www.tuv.pl

The certification body offers interested companies, especially product manufacturers (hereinafter referred to as “applicants”) the following services; testing, inspection, auditing, certification and, if required, surveillance and recertification of a test objects, with a statement about the conformity of the test objects with the underlying requirements.

The test objects can contain the applicant’s products, processes, services and management systems.

The certification is based on the requirements set out in the applicable regulations, specifications and, in particular, in respective certification programs. Test objects are evaluated against the requirements covered by the scope of certification and other requirements specified in respective certification program.

The certification body works as an independent third party. It is recognized and authorized as such for these activities

Depending on the scope of activity the authorization is based on:

- an accreditation by the Polish Centre for Accreditation (PCA)
- a notification by an authority issuing a national authorization or
- another approval of the body.

These certification condition regulates:

- the execution of the conformity procedure
- the duties and responsibility of the certification body as well as
- the tasks, obligations and rights of the applicant.

The corresponding requirements are based on the requirements of the series of standards, EN ISO/IEC 17000 as well as on the certification program applicable to the respective test object.

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All the interrelationships, specific requirements and the rules and procedures for carrying out the conformity assessment are set out and made available to the public in a certification program. A certification program is developed, prepared and approved by competent persons, a group composed of representatives of different groups (e.g. manufacturers, consumers or authorities).

The certification body normally uses prepared certification programs which have been devised and adopted by independent commissions, expert bodies or trade associations and which have been recorded in regulations and standards (guidelines, laws, ordinances, technical rules, standards, specifications and accreditation criteria etc.). The certification body is therefore not the owner of the certification program but merely the user of the program.

A certification procedure comprises the following steps application review, evaluation, review, certification decision.

The application review step comprises in this procedure the review of all input information submitted by applicant to check if application is complete.

The evaluation step comprises in this procedure the planning and selection of the scope of testing, inspection, auditing or certification well as the determination of the results. The test results are summarized in a report.

In the review step the results are assessed. It is the basis for a certification decision and includes an assessment of all required information and results related to the evaluation. In case of any nonconformities or missing documents, process documentation goes back to step evaluation.

In the certification decision step the final decision is made. If the properties of the test object comply with the requirements the certificate (certificate of conformity) is issued.

Steps evaluation and review are carried out independently of each other and by different persons (4 eyes principle).

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4. Principles

4.1 Application review

The interested applicant makes an enquiry of the certification body about the certification procedure either by letter/e-mail/telephone or by completing and submitting respective template provided by the certification body.

The certification body requires the following details and information about the applicant:

- Applicant's name and address and contact name;
- Type of evaluation (first certification/monitoring/recertification/modification);
- Expected scope of application and scope of the certification;
 - description of the test object (product/process/service),
 - details of the requirements of the test object (standards, specifications),
- Details about the applicant's company;
 - locations,
 - personnel, equipment, processes (manufacturing processes), subcontractors,
 - details of respective certifications already held.

The certification body will rely on evaluation results related to certification completed prior to the application for certification, where it can take responsibility for the results and satisfies itself that the body that performed the evaluation fulfils the requirements contained in the certification scheme.

NOTE This can include work carried out under recognition agreements between certification bodies.

The certification body decides on the basis of the enquiry about certification submitted by the applicant whether a certification procedure in accordance with the certification program is in principle possible. The applicant is informed if a certification procedure cannot be carried out.

If a certification procedure can be carried out, the offer is prepared, setting out the individual services, prices and conditions based on the scope of the certification applied for and the fees charged and calculations. The offer is then sent to the applicant.

The following applicable documents are enclosed with the offer:

- these certification conditions;
- related detailed certification conditions respective to the scope of certification;
- contract template on which the applicant can apply for the certification procedure.

To officially apply for the certification the applicant signs the frame contract with certification body and accept by order signing the financial offer conditions. By placing the contract the applicant accepts as binding certification conditions of certification body. As of the date of signature of the new contract, all contracts signed so far shall cease to be valid.

Changes contract agreements may be made in writing only.

Any ambiguities on the part of the certification body and applicant must be clarified.

Any differences in the perceptions of the certification body and the applicant must be resolved.

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Review of application information is conducted to ensure that:

- the information about the applicant and test object is sufficient;
- any known difference in understanding between certification body and the applicant is resolved, including agreement regarding standards or other normative documents;
- the scope of certification is defined;
- the means are available to perform all conformity assessment activities;
- the certification body has competence and capability to perform the certification activity;
- certification condition of certification body are accepted.

4.2 Evaluation

By way of preparation for the evaluation step the applicant has to provide the certification body in advance with specific documents, records and verifications specified in the related certification condition in explicit scope depending of the expected scope.

The documents are to be submitted to the certification body in Polish or in English. The documents can be submitted in another language only by prior agreement.

The certification body defines a generic plan applicable to all activities according to the scope of certification and based on the certification program.

The evaluation on the respective object is carried by authorized experts by certification body.

These experts perform checking the documents submitted as well as evaluation on site at the applicant's company.

The applicant is sent a test plan which notifies him/her of the procedure and scope of the evaluation. The evaluation covers the points specified in the certification program (respective regulations, standards or own certification program).

The evaluation is carried out by the experts in accordance with the test plan. Individual steps as part of the test can also be carried out on a subcontract basis by qualified external subcontractors (only by prior acceptance with applicant) – see also 4.9.5.

If inconsistencies between the real situation and the application were identified during the assessment, the body may make changes to the assessment plan, schedule additional time or, if justified, withdraw further assessment.

The expert will record under "Notes" any possibilities for improvement observed during the evaluation of the test object.

If specific requirements of the test object are not met, the experts will record this as nonconformity. Any nonconformity detected is to be rectified by the applicant in a reasonable time period by appropriate correction and corrective action. Evidence that the actions have been carried out is to be submitted to the experts.

Special additional evaluation can also be carried out by the expert in the case of serious/impermissible nonconformities (e.g. if the personnel do not have the required qualifications, lack of equipment, inadequate product design).

In this special evaluation the experts check whether the nonconformities have been effectively rectified by the correction actions taken.

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The experts set out the result of the evaluation (including any nonconformity found) in a written report which is delivered to the applicant.

4.3 Review and certification decision

Provided no objections were raised by the expert during the evaluation and all the nonconformities detected have been rectified, the experts' report with the associated documents is verified by authorized reviewer at the certification body.

The reviewer assesses the report for conformity with the requirements (formal and technical review). If the requirements are met and if conformity is proved, the certificate or other relevant document is issued by authorized in certification body certifier and delivered to the applicant. If the requirements are not met, a certificate is not issued and the applicant is informed in writing by the certification body of the negative decision and of the reasons for the decision.

4.4 Certificate, test mark

If applicable, at least the following information is shown on the certificate:

- Applicant's name and address
- Certificate number
- Scope of application/scope of the certification
(test object/certification program/product standard, certification stage, characteristic values and parameters if applicable)
- Reference to the evaluation on which certification is based
- Date of issue
- Period of validity of the certification
- Signature
- Name and address of the certification body
- any other information required by the certification scheme

The date of issue of the certificate not precede the date on which the certification decision was completed.

A certificate remains valid as long as the requirements and the conditions on which certification was based remain unaltered.

The certification body can also allot a test mark for certain test object in addition to the actual certificate. The scope of application and the standard on which certification is based are shown on the test mark as well as an individual identification number and the entry on the TÜV Rheinland website "Certipedia" (www.certipedia.com). A QR code can also be used as a link to this website. The validity of the test mark is linked to the validity of the certificate.

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4.5 Surveillance

In the case of certain test objects (e.g. design type, operating management systems) the validity of the certification and compliance with the requirements of the certification are monitored at regular surveillance intervals by the certification body, according to the related certification program and respective certification conditions of Certification Body. Surveillance evaluation step is required in this process at specified intervals.

The certification body authorized experts to carry out the corresponding surveillance.
The surveillance evaluation is carried out in accordance with the procedure described in chapter 4.3, with special emphasis also placed on checking the effectiveness of measures taken to rectify previous nonconformities.

The approved certifier decides on the basis of the review result whether the certification is to be maintained, suspended or even revoked.

In cases where such action is justified, for example where complaints and appeals have been made, the certification body can also require that special evaluation be carried out.

4.6 Extension of the certification (recertification)

If the period of validity of the certificate is limited, the following procedural steps application review, evaluation, review, certification decision, surveillance (if applicable) must be repeated in order to make an appropriate extension to the validity of the certification after it has expired (chapter 4.1-4.6).

4.7 Changes in scope of certification

If the certification requirements change (e.g. because the certification program on which certification is based has been revised) the certification body will inform the applicant in due time about these changes as well as about any adjustment measures that need to be taken.

In case of any changes on the part of the applicant, the conditions described in clause 4.10.3 shall be applied.

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4.8 Withdrawing, restrictions, suspension, revocation

Where infringements of the certification program and of these certification conditions have been identified, the certification body can require the applicant to take appropriate corrective measures. In extreme cases the validity of a certification can be lapsed or suspended, restricted or revoked.

A certification is withdrawing when:

- the period of validity stated on the certificate has expired and has not been extended
- the contract for certification has been cancelled by the certification body or applicant after 3 months' notice of cancellation has been given.
- the applicant relinquishes the certificate
- the applicant becomes insolvent
- the regulations on which the certificate was based have changed.

A certificate can be restricted, suspended or revoked by the certification body if:

- nonconformities from the certification requirements occur following the issue of the certificate,
- the applicant refuses to allow surveillance or does not enable it to take place,
- and does not allow the certification body to carry out surveillance despite a written request,
- the certificate (or test mark) is used in any manner that might mislead,
- or impermissible advertising is carried out using the certificate (or test mark),
- facts have come to light that could not be detected at the time of the issue of the certificate,
- corrective measures required to correct nonconformities were not taken in a reasonable or specified time limit,
- fees due to the certification body have not been paid after a reminder in the time limit set.

When test object no longer fulfils certification requirements, before declaring a certificate restricted, suspended or invalidated the certification body will give the applicant the opportunity of putting his/her side of the case unless such a hearing cannot be justified because of the urgency of the measures to be taken.

The certification body can ask the applicant to return the certificate when revoking the certification.

The certification body will publish the lapsing or revocation of the certification as appropriate and is entitled to inform certain bodies such as the accreditation body or the authorities/surveillance authorities issuing the authorization about the issue, lapsing or revocation of certificates.

In case restriction of certification, the Certification Body informs the Client in writing and makes necessary changes as to the certification status in certification documents and public information.

The certification body shall not be liable for any damage the applicant may suffer because a certificate has not been granted or because a certificate has been lapsed or revoked.

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4.9 Duties and responsibility of the certification body

4.9.1 Obligation of the certification body

The certification body undertakes to meet all the requirements made of it based on:

- the certification program on which certification was based
- the corresponding accreditation requirements
- the legal/official requirements

(especially in the case of a notification by an authority issuing an authorization).

The certification body will ensure that the principles such as impartiality and independence, competence, responsibility, openness and confidentiality will be maintained and that complaints and appeals will be dealt with independently, impartially and without bias. The certification body is responsible for all its certification activities.

The certification body works as an independent third party, free from any pressure and influence and with no conflicts of interest so that reliance can be placed on the statements of conformity on the certificates it issues.

The certification body is a part of legal entity TÜV Rheinland Polska Sp. z o.o. and is a member of the TÜV Rheinland Group:

TÜV Rheinland Polska Sp. z o.o.
ul. Wolności 347, 41-800 Zabrze
Business Field BF I.01 "Pressure Equipment and Plant Technology"

TÜV Rheinland Polska Sp. z o.o. has been registered under the number KRS: 0000081930.

4.9.2 Impartiality

The certification body ensures that it will offer its services to all interested applicants on the same equitable terms and will carry out these services impartially, objectively and in a non-discriminatory manner.

The persons involved in a certification procedure and experts and subcontractors are not subject to any conflicts of interest in their work. They do not participate in the planning and development, manufacture, marketing, operation and maintenance of the test items falling within the scope of application of the certification. Nor do they carry out any advisory activities with the applicants concerned. The remuneration of the personnel is not based on the number of inspections carried out or certifications issued out or on their outcomes.

Moreover, the impartiality of the certification body is monitored by a impartiality committee (as a "means of ensuring impartiality"). Those committee is composed of representatives of different interest groups and stakeholders.

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The certification body is not designer, manufacturer, installer, implementer, operator, distributor or maintainer of the certified test object; provider or maintainer of the certified object and not offer or provide consultancy to its clients especially not offer or provide management system consultancy or internal auditing to its clients where the certification scheme requires the evaluation of the client's management system.

The certification body ensure that activities of separate legal entities, with which the certification body or the legal entity of which it forms a part has relationships, do not compromise the impartiality of its certification activities.

The certification body ensure that all personnel of certification body or committees who could influence the certification activities act impartially.

4.9.3 Competence

Personnel engaged in a certification procedure are qualified, competent and authorized by the certification body to work as application reviewers, inspectors (auditors), reviewers and certifiers. The personnel are employed by TÜV Rheinland or are contractually bound to the certification body. The performance of the personnel is regularly monitored by the certification body.

4.9.4 Equipment

The testing equipment and facilities used in a certification procedure, especially in the evaluation step are suitable for the required tests. The testing equipment has been calibrated and the testing and evaluation software has been validated.

4.9.5 Subcontracting

Individual partial tests, especially as part of the evaluation step, can be also be subcontracted or outsourced by the certification body to competent and qualified external companies in scope of laboratory testing and other parts of the assessment tasks, e.g. carrying out inspections or audits.

External approved laboratories or, as appropriate, of accredited laboratories. There is also the possibility to witness the test held by client laboratory. In any case, the relevant requirements of EN ISO 17025 shall be maintained according to the instructions of MS-0034501.

Certification Body maintains a list of qualified subcontractors and keep documents from the assessment of subcontractors' competence and its works.

The results of such subcontracted/outsourced tests are incorporated in the report as well as in the review and decision on certification. The certification body retains responsibility for subcontracted/outsourced activities, i.e. the evaluation of the execution of the subcontracted partial tests as well as the assessment of the corresponding test results are carried out in all cases by the experts of the certification body themselves.

If the certification body intends to include external bodies in subcontracting a certification procedure, it has to inform the applicant accordingly and obtain his/her permission for this.

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4.9.6 Confidentiality

The certification body undertakes to treat in confidence all the information made available to it about the test item to be certified or about the applicant and to use this information only for the agreed purpose. Information about the applicant obtained from sources other than the applicant (e.g. from the complainant or from regulators) are treated as confidential. No information obtained from certification activities will be made available to third parties without the express written consent of the applicant. This commitment to treat information in confidence applies to all personnel at the certification body as well as to associated committees and external (e.g. subcontracted) bodies). The applicant will be informed if the law requires information to be disclosed to third parties (e.g. to official authorities) and he/she will be informed of the extent of the information disclosed.

The applicant can release the certification body on certain grounds from its obligation to maintain secrecy.

4.9.7 Openness / information

The certification body will disclose all information about the certification program and certification procedure, the costs to the applicant, the conditions of use for the certification as well as the procedure for handling complaints and appeals.

Most of this information is provided in these certification conditions, which form part of the contract between applicant and Certification Body. General calculation rules on the fees charged to applicants are available on request. Calculation is always based on application data's.

4.9.8 Records / register of the test items certified

The following records in particular serve to document a certification procedure in a comprehensible manner test plan, report (including nonconformity report, corrective measures), certificate.

The originals of these documents are sent to the applicant. A second copy is filed and archived at the certification body electronically. The documents are archived for at least 10 years (or for at least 2 certification cycles in the case of the surveillance and extension of the certification). Additional legal requirements remain unaffected.

The certification body maintains a register of all valid certifications (showing the applicant's name, test object/product, certification program/regulations on which certification is based and scope of application of the certification).

The certification body maintain information on certified products which contains at least the following: identification of the object; the standard(s) and other normative document(s) to which conformity has been certified; identification of the applicant. The list of certified objects is available upon request. As a minimum, the certification body shall provide information, upon request, about the validity of a given certification. Depending on the certification program valid certifications (e.g. on design types, management systems) will be published on the TÜV Rheinland website "Certipedia" (www.certipedia.com).

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Appeals against test results or decisions on certification or complaints about the certification body can be submitted to the certification body by the applicant himself/herself or by other interested groups.

4.9.9 Change in the certification requirements

The certification body will inform the applicant of all relevant changes (affecting the certificate) in terms of the requirements of the test item to be certified, especially of changes to the certification program (or product standards) on which certification is based. The certification body will also inform the applicant about all adaptation measures to be taken (Chapter 4.8).

After changes have been made to the certification requirements the certification body will check within a specified period the adaptations that have become necessary at the applicant's company.

4.9.10 Complaints/appeals

The process of complains/appeals and defined responsibilities for undertaking this process are available on www.tuv.pl

Appeals against the decision of the certification body and complaints about the certification body should be addressed to the certification body in the first instance. Appeals and complaints that have not been, or cannot be, resolved by the certification body can be addressed to the scheme owner.

4.9.11 Responsibility/liability of the certification body

The certification body is legally responsible for the correct execution of the evaluation, for the decision on certification and for the statement of conformity on the certificate.

Any liability by the certification body to the applicant or third party exists only to the extent prescribed by law for willful intent or gross negligence. All further claims shall be excluded.

In particular, the certification body will not be liable for any damage the client may suffer because a certificate cannot be issued owing to an unfavorable test result.

4.9.12 Fraudulent claim of certification

The Applicant may not declare certification before issuing the certificate.

False declaration of certification may result in the consequences specified below:

- Certification body shall be entitled to terminate the contract without a notice
- Client shall be obliged to pay contractual penalty amounted at 10,000.00 PLN

Furthermore, Certification Body can provide information to the market and external organs especially when the safety requirements are not fulfilled and test object endangers the life or health.

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4.9.13 Acceptance of conformity assessment results

In some cases, applicant might have obtained the results of determination activities, such as testing, inspection or auditing, prior to making an application for certification. In such a situation, the conformity assessment result may be from a source not within the contractual control of the certification body. Such results can be considered in the certification process only in case below conditions are fulfilled:

- for testing, it should meet the applicable requirements of ISO/IEC 17025;
- for inspection, it should meet the applicable requirements of ISO/IEC 17020;
- for management system auditing, it should meet the applicable requirements of ISO/IEC 17021.

Furthermore, certification body will accept certifications already held and issued by other Notified Bodies or Certification Bodies with existing accreditation in specified scope. Applicant should inform about certification already held, it could have the impact on the calculation of time. The certification body reserves the right to verify the authenticity of the copy of certificate and related documents.

Detailed conditions of acceptance of conformity assessment results are defined in certification condition in specified scope.

4.9.14 Sampling

Where applicable, the certification body defines in specified certification conditions the extent to which sampling of the test object to be certified is required, and on what basis such sampling should be undertaken both at the evaluation and surveillance stages and who is permitted to undertake it.

4.10 Rights and obligations of the applicant

4.10.1 Obligations of the applicant

The applicant will ensure and undertake that all the requirements made of his/her company and the test object by the certification program and by these certification conditions are satisfied and will continue to be satisfied in the future as well. The applicant shall inform the body of any relevant aspects relating to the company or product (e.g. shift work) that may affect the planning and conduct of the assessment. The applicant is obligated to fulfil always the certification requirements, including implementing appropriate changes when they are communicated by the certification body and if the certification applies to ongoing production, the certified test object continues to fulfil the product requirements.

4.10.2 Access to the applicant

The applicant has an obligation to cooperate. The applicant must provide the certification body with all the required information, data and documents relating to the application or the evaluation.

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In order to enable the experts from the certification body to carry out the scheduled evaluation and surveillance, the applicant shall grant them access to all relevant areas in the company (such as working and storage areas, including distribution warehouses) and to the test object (such as documentation, records, personnel, premises, production facilities, test facilities, equipment, products, client's subcontractors and complaints).

The applicant has also to provide access to his/her production facilities as well as to data and information to auditors of the certification body or the authorities issuing authorizations (e.g. PCA), for example, in the case of a witness audit.

The applicant (manufacturer) is obliged to calibrate the equipment used for inspection purposes in accordance with the manufacturer's recommendations and to check it before use. The applicant shall make available valid calibration certificates, verification documents and comply with the measurement consistency requirements. The expert (inspector) shall verify the validity of the certificates and check the equipment. If a defect in the equipment is found by the applicant before the inspection, the applicant should notify TÜV Rheinland Polska Sp. z o.o. of the defect and take corrective action. In the event of finding a non-conformity with the requirements of measurement consistency, the expert is obliged to terminate the inspection.

4.10.3 Information about changes

The applicant must notify the certification body immediately in writing of all changes affecting certification, such as changes to the organization, the procedures and processes e.g. the legal, commercial, organizational status or ownership, organization and management (e.g. key managerial, decision-making or technical staff, modifications to the product or the production method, contact address and production sites, major changes to the quality management system).

The certification body will inform the applicant about the measures to be taken to deal with these changes, check and verify the measures taken by the applicant. The following procedural steps application review, evaluation, review, certification decision, surveillance if applicable may have to be repeated (chapter 4.1 - 4.6).

4.10.4 Use of the certificate / test mark

The certificate certifies that the test object conforms to the prescribed requirements of the certification program. The declarations on the certificate relate solely to the test object inspected.

During the period of validity of the certificate the applicant is entitled to:

- use the certification (with the certificate and, if applicable the test mark) for advertising purposes in printed matter (such as brochures, leaflets and business documents)
- to depict the certificate (and, if applicable the test mark) in an unaltered form for advertising purposes

The design (composition, shape, color and typography) of the test mark must not be altered. It is not permitted to remove parts of the test mark.

The applicant must not distribute or publish test reports and certificates in an abridged form. Extracts of these documents may not be published without the prior consent of the certification body.

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The test mark must not be used in conjunction with or directly connected to other logos and marks. A sufficient gap should be left when placing the test mark next to other marks.

The applicant must not use the certificate (and, if applicable the test mark) in a misleading way but must use it solely for the designated scope of application. The certificate must not be used in a way that would bring the certification body into disrepute. The conditions of use for the test mark if allotted are set out in respective attachment.

After the suspension or revocation of the certification the applicant must cease to use any advertising that refers to the certification in any way. The applicant has to return all certification documents requested by the certification body after the revocation of the certification.

If the applicant provides copies of the certification documents to others, the documents shall be reproduced in their entirety or as specified in related certification program. The applicant in making reference to its test object certification in communication media such as documents, brochures or advertising, is obligated to comply with the requirements of those certification conditions.

4.10.5 Complaints

The applicant must record and archive all complaints and incidents affecting the scope of application of the certification. The applicant must provide these documents to the certification body and inform it about the measures he/she have taken to deal with the complaints when requested to do by the certification body.

4.10.6 Responsibility / liability of the applicant

The applicant is responsible for meeting all the requirements of the test object made by the certification program. The completion of certification by the certification body does not exempt the applicant from his/her statutory product liability obligation.

4.11 Effective date and modification of those certification conditions

If individual provisions of these certification conditions become ineffective, the validity of any other provisions is not affected thereby. The certification body and the applicant shall replace the provisions recognized as ineffective by effective provisions which most closely approximate to the intended provision.

Polish law solely shall be applicable to the legal relationship existing between the applicant and the certification body.

These certification conditions came into force on 2018-07-06. All previous regulations became inoperative on the aforementioned date.

The certification conditions apply to all certificates issued during the period of validity. Future changes to these certification conditions can affect existing certifications. The applicant will be informed about this in writing by the certification body.

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Those certification conditions are published on Certification Body website. Those certification conditions are an integral part of agreement between Certification Body and Applicant.

4.12 Area of activity

Certification Body provides services in Poland and abroad. Services of Certification Body can be offered by local entities which are part of TUV Rheinland Group, but still the certification activities will be performed by Certification Body Personnel. In this special case, Certification Body in relations with Applicants could be represented by the mentioned local entity.

5. Roles & Responsibilities

Process Roles	Responsibilities
Head of respective Certification Body/ Deputy	<ul style="list-style-type: none">▪ Maintenance and publication of those certification conditions;▪ Overall coordination including coordination with the top management;▪ Development and maintenance of certification methods;▪ Quality assurances;▪ Personnel approval;▪ Maintaining the notification (if applicable);▪ Suitability of the certification method applied;▪ Assurance procedures carried out by qualified personnel and in accordance with the regulations and the state of the art;▪ Work equipment and installations deployed;▪ Internal and external communication of required information;▪ Application and implementation of the QM system;▪ Cooperation with the notifying authority and other bodies according to the directives (if applicable);▪ Reporting obligations to the notifying authority with regard to issuing, refusing, restricting, suspending and withdrawing certificates; and of all circumstances affecting notification (if applicable);▪ Information (on request) to the competent authorities regarding conformity assessment activities, other activities, subcontracts (if applicable);▪ Information to other notified bodies about negative and (on request) positive results of conformity assessments (if applicable);▪ Maintenance of list of certified test objects;▪ Provide information, upon request, about the validity of a given certification. <p>The performance of individual tasks may be delegated by the heads to other certification body personnel. However, the</p>

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	responsibility for these delegated tasks remains with the respective head of Certification Body.
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6. Specifications

N/A

7. Attachments

N/A

8. Related Documents

N/A

9. External Reference Documents

ISO/IEC 17000 Conformity assessment -- Vocabulary and general principles

EN ISO/IEC 17020 Conformity assessment - Requirements for the operation of various types of bodies performing inspection

EN ISO/IEC 17021-1 Conformity assessment - Requirements for bodies providing audit and certification of management systems

EN ISO/IEC 17024 Conformity assessment - General requirements for bodies operating certification of persons

EN ISO/IEC 17025 General requirements for the competence of testing and calibration laboratories

EN ISO/IEC 17065 Conformity assessment - Requirements for bodies certifying products, processes and services

Testing and Certification Conditions for Personnel Performing Permanent Joints / Warunki Oceny i Certyfikacji dla Personelu Wykonującego Połączenia Nierozłączne

Legal Scope:

TÜV Rheinland Polska Sp.zo.o.

Business Scope:

I.01 Pressure Equipment

Process Scope:

6.3 Service Delivery

These detailed testing and certification conditions are an integral part of the Certification Conditions BS I (MS-0034720). The certification conditions shall be read together.

1. Objectives

The determination of rules, procedures and management of conduct in carrying out the qualification and certification of joining personnel by TÜV Rheinland Polska Sp. z o.o. in Business Field I.01.

2. Terms and Abbreviations

Terms/Abbreviations	Description
TRP	TÜV Rheinland Polska Sp. z o.o.
Certification Body	TÜV Rheinland Polska Sp. z o.o. Certification Body for Persons in the field of joining personnel. Notified Body for Pressure Equipment number 2627 under Directive 2014/68/EU (PED). Certification Body operating certification of persons, an external organisation assessing the fulfilment of the requirements of the certification program and the competence of the applicant under the certification program.
Certification Program	This document - Testing and certification conditions welders MS-0036961. The certification program is a set of specific requirements within the certification process, taking into account the requirements regarding competencies, professional skills and skills of people
Client	A person or organization that employs applicants/candidates/welders and pays for certification submit a request for quotation, signs the order. Usually referred to as payer or purchaser.
Applicant	The person who submitted the application for certification.
Candidate (hereinafter referred to as "Applicant")	An applicant who has met the specified prerequisites and has been admitted to the certification process.

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Terms/Abbreviations	Description
Assessment	Process that evaluates a person's fulfilment of the certification program requirements. It includes stages such as a practical exam, a theoretical exam and relevant tests.
Expert	Personnel qualified and approved by the Certification Body involved in the certification procedure of persons (hereinafter referred to as 'examiner').
Welding	An operation that provides a joint in such a way that the material to be joined is continuous. There are basic welding methods: metal welding, plastic welding, soldering, laminating and bonding.
Approvals of the personnel	Wherever the phrase "approvals of the personnel" is used, it shall be understood as meaning personnel certification.

3. Scope of Application

This certification conditions apply to the following Certification Body for qualification of welding personnel TÜV Rheinland Polska Sp. z o.o. (Notified Body for Pressure Equipment NoBo 2627).

The accredited services provided by TRP operate based on the current PCA accreditation scope number AC 195. If the scope of certification is outside the accreditation scope held by TRP, the requirements of the PED directive do not apply in such cases.

The Certification Body offers certification of personnel performing permanent joints to all interested persons independently from the organization or group of organizations.

This document is addressed to applicants for certification and those already certified for the assessment of the competence of the welding personnel. The rules set out in this document concern certification, surveillance of the certificate and re-certification of personal competence and are a supplement to the certification program.

The certification program consists of this document and directive 2014/68/EU together with the applicable harmonized standards or technical specifications listed below as assessment criteria..

The directive 2014/68/EU have been prepared and adopted by the European Parliament and national legislation and, in the case of harmonized standards, by the European Committee for Standardization (CEN), acting under a mandate of the European Commission.

All dependencies, special requirements as well as rules and procedures for certification are regulated in these certification conditions. The certification program applied together with this document is subject to systematic review and updating by competent persons from bodies within the TÜV Rheinland Group.

Examinations are conducted in Polish or English. Upon special request, the examination may be conducted in another language. In such a case, the Certification Body must provide examination personnel who are fluent in the indicated language.

The Certification Body does not provide training.

These certification conditions are published on the web page www.tuv.pl

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The specified certification requirements have been defined in standards which are assessment criteria:

- EN ISO 9606-1 Qualification testing of welders — Fusion welding — Part 1: Steels,
- EN ISO 9606-2 Qualification testing of welders — Fusion welding — Part 2: Aluminium and aluminium alloys,
- EN ISO 9606-3 Qualification testing of welders — Fusion welding — Part 3: Copper and copper alloys,
- EN ISO 9606-4 Qualification testing of welders — Fusion welding — Part 4: Nickel and nickel alloys,
- EN ISO 9606-5 Qualification testing of welders — Fusion welding — Part 5: Titanium and titanium alloys, zirconium and zirconium alloys,
- AD 2000-Merkblatt HP 3 Welding supervisors, welders,
- EN ISO 14732 Welding personnel — Qualification testing of welding operators and weld setters for mechanized and automatic welding of metallic materials,
- EN 13067 Plastics welding personnel. Qualification testing of welders. Thermoplastics welded assemblies,
- EN 13121-3 - GRP tanks and vessels for use above ground. Design and workmanship,
- EN ISO 13585 - Brazing — Qualification testing of brazers and brazing operators,
- Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonization of the laws of the Member States relating to making available on the market of pressure equipment,
- Regulation of the Ministry for Economic Development of 11 July 2016 as regards the requirements for pressure equipment and pressure equipment assemblies.

The applicable editions of the standards have been published on the list of technical specifications.

4. Principles

A general overview of the certification process with specific prerequisites is presented below.

4.1 Application Review

This process begins when the client (i.e., the applicant, manufacturer or exam organizer) approaches the Certification Body with a request for a commercial offer.

To receive a commercial offer, the client should provide at least the following information:

- Name and contact details of a payer,
- Additional requirements relating to the order (location, time, language etc.).

Based on the above information, it is checked and decided whether the certification procedure can be carried out (it must be ensured that the resources, competencies, and capabilities of the Certification Body are sufficient to conduct the certification). If the verification result is negative, the client will be informed accordingly.

Based on submitted information, an offer is prepared, based on the current price list and referring to the certification program. The client should accept the price offer on the order form (or in an equivalent way). If necessary, an order acceptance confirmation is sent back to the client.

Each interested applicant submits a detailed application to the Certification Body on the appropriate template or in an equivalent way and sign the contract.

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The prerequisites of the program and the requirements to be met by applicants for certification:

- The applicant must be at least 18 years old on the day of the exam (the applicant's identity and age are verified on the day of the examination by showing an ID document with phot).
- The applicant should confirm the training in the requested area (standard, technical specification). The training should include the requested revision of the standard or reference specification (the evidence of training is verified no later than on the day of the examination).
- The applicant should confirm their ability and lack of health contraindications to perform permanent joints.
- The applicant should submit a fulfilled application for certification. In addition, no later than on the day of the examination before the examination starts, the applicant shall sign the contract. A template for the application is available from the Certification Body in response to the request for a quotation.

Each applicant submits personal data voluntarily. The Certification Body has the right to verify the certificates submitted in the specific case of potential falsification, or in other justified cases.

The certification agreement between the Certification Body and the applicant is concluded by signing the contract by the applicant and signing the application by an approved application reviewer on the part of the Certification Body. By signing the agreement all requirements of the certification program are accepted. The conclusion of the agreement is a condition for initiation of the certification process.

The Certification Body needs the following data and information about the applicant:

- personal data of the applicant and if applicable data of the employer or an authorized representative of the applicant,
- type of examination (certification, re-certification, change),
- type of examination program, other specifications,
- other required details as specified on the application template.

A necessary condition for starting the certification process is a complete and correctly completed application. The Certification Body reviews the application. In the case of deficiencies, the Certification Body sends an application to the applicant for its supplementation. In case of special needs submitted by the applicant, the Certification Body verifies and accommodates them within reason and in appropriate cases.

The Certification Body shall refuse to certify if the subject of certification does not cover the scope of the certification program.

4.2 Assessment

The Certification Body assesses the initial certification by using the following assessment methods: theoretical and practical exams. Examinations are conducted on the basis of the certification program and based on current and relevant reference standards.

Examinations for the welding personnel are conducted on the client's site in the manufacturing plant or in the location of another entity. The examination may also take place in another entities cooperating with the Certification Body.

Before the examination, the Examiner checks if the applicant meets all the prerequisites of the certification program. At the request of the applicant, the examiner is obliged to make the certification conditions available to candidates and to clarify any questionable provisions.

The examination board consists of an examiner and, in special cases, a supervisor of the examination.

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The applicant during the examination is obliged to comply with the rules and conditions of the Certification Body specified in this document.

- Confidentiality rule - The applicant cannot share confidential examination material.
- Integrity rule - It is forbidden to bring unauthorized help into the examination area and to participate in unfair practices during the exams. During the examination, the applicant cannot own or use any telecommunication equipment or training aids. Anyone who uses unauthorized materials, equipment or documents during the examination will be excluded from further participation in the examination and the examination will be assessed as unsuccessful.
- Impartiality rule - Any potential conflicts of interest in relation to the Certification Body should be reported before the examination start.
- Safety rule - All activities should be conducted in accordance with the applicable safety and health and safety regulations, and any safety breaches should be reported immediately.

4.2.1 Conditions of the theoretical examinations

- The theoretical examination consists of checking the candidate's knowledge of the basic issues related to the performing permanent joints process applied to the examination scope.
- The candidate will receive exam sheets with 20, single-choice test questionnaire.
- The candidate has 2 minutes to answer each question.
- In order to pass the theoretical part of the examination, the answers to at least 70% (for assessment, in accordance with EN ISO 9606 / EN ISO 14732 / EN ISO 13585) of the 20 questions (including all answers to health and safety questions must be correct), in the case of assessment acc. to EN 13067 - 80% of the 20 questions and EN 13121-3 - 60% of the 30 questions must be correct. The candidate also has the right to take an oral exam, based on a specific question sheet. In the case of an oral exam, the correctness of the answers is verified in real-time by the Examiner. The passing criteria remain unchanged.
- Evaluation of the results of the theoretical examination is assessed by the examiner.
- The answer sheet shall be checked immediately after the finalization of the theoretical examination.
- The candidate who does not pass this part of the exam shall not be allowed to take the practical examination.
- The candidate resigning from taking the exam before it commences may take a second examination no later than 6 months from the date of acceptance of the application. After starting the exam, resignation from the self-will test is treated as failing the examination.

4.2.2 Conditions of the practical examinations

- The practical exam consists execution of the exam joint by the candidate in order to check skills necessary to achieve the specified competences.
- Examination of joints are made in specially designated areas or directly at the candidate's workstation. The workstation should be equipped to allow the candidate to control both the process and compliance with all requirements specified in the pWPS/WPS and pBPS/BPS process instructions. The instructions should be provided by the manufacturing plant or other entity and must include basic data regarding the test joint welding process to be performed during the test. Material Safety Data Sheets for the base and additional materials used in the test process should be available for review.

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- Basic materials and additional material used for the examination joints are selected according to the intended scope of the examination, and their grade and quality are confirmed by the examiner before the start of the examination activities.
- The examination joint is performed in accordance with the pWPS/ WPS or pBPS/BPS technological instructions, which should be available at the workplace. Before the participant begins making the joint, the examiner checks the completeness of the information contained in the instructions to enable the applicant to make the examination joint.
- Each examination joint should be permanently marked. The marking should enable identification of the joint's performer, the process and the welding position.
- The execution of the examination joint should be carried out in accordance with the relevant reference standards.
- The duration of the examination joint shall correspond to the duration of the joint type under manufacturing conditions.
- Replacing the started examination joint with a new one is only possible if the examiner determines that there have been difficulties independent of the qualifications of the candidate, and the defects caused by them cannot be removed without deterioration of the examination joint quality.
- The examiner may interrupt the practical test if the welding conditions do not meet the requirements or if the candidate competence is not sufficient to correctly conduct the welding process.
- The candidate resigning after starting the exam, resigning from the self-will test is treated as failing the examination.
- The results of the practical examination will be assessed by the examiner.

Test of examination joints

- The final examination results are reviewed by an independent expert and on this basis, a certification decision is issued. The examination joint should be prepared before testing, in accordance with the requirements of the relevant standards.
- Each sample taken for destructive testing from the joint shall be marked on the joint and stamped by the Certification Body.
- The visual assessment of the joint and some destructive tests (e.g., fracture test, bend test, leak test, peel test, etc.) can be conducted on-site by the examiner. Non-destructive/destructive tests can also be outsourced to a laboratory cooperating with the Certification Body, especially in the case of RT or UT tests that cannot be performed during the examination.
- The tests may be carried out in the client's internal laboratory in the presence of a Notified Body acc. to the internal instructions of the Certification Body, in order to ensure an appropriate level of impartiality in the performance of the tests. Records of the results of tests performed in the Client's internal laboratory are included in the report of the Certification Body by an examiner. The laboratory is also verified to meet the relevant requirements of EN ISO/IEC 17025.
- The results of the tests are documented and include the marking of the tested joint.
- The examiner conducts an assessment.
- The final examination results are reviewed by an independent expert and on this basis, a certification decision is issued.

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4.2.3 Conditions for resignation and exclusion from the exam

- Candidates may resign from taking the examination before the start of the examination. In this case, you may take the second examination no later than 6 months from the date of registration of the application.
- If, after the start of the examination, a participant resigns from the examination, the examination is classified as failed.
- Anyone who, during the examination, uses prohibited materials, equipment or documents will be excluded from further participation in the examination and the examination will be classified as failed.
- Anyone who does not comply with Occupational Health and Safety and Fire protection requirements during the examination is excluded from further participation in the examination, and the examination is classified as failed.

4.2.4 Remarks on the exam, questions and exam samples

- The exam participant may submit remarks on the exam, questions and exam samples, which should be applied to the examiner.

4.2.5 Requirements for rooms, equipment, examination samples**A. Examination room - theoretical part of the examination.**

A.1 The number of seats is at least equal to the number of exam participants.

A.2 A participant taking the theory exam must be provided with a single, independent seat.

A.3 Minimum area 40m² per 20 person/min. 2m² per person to be examined.

B. Workshop - practical part of the test

B.1 Participants taking the practical exam must be provided with a single workstation with access to the necessary control and measurement equipment and personal protective equipment. The equipment must meet the necessary requirements related to applicable occupational health and safety and fire protection regulations.

B.2 The workshop should be a room with a minimum height of 3.75 m and consist of separate welding stations.

B.3 The location designated for the practical exam should consist of designated workstations.

B.4 Room height min. 3,75 m

B.5 Anti-slip floor made of non-combustible materials

B.6 Illumination of the stand to allow proper welding and visual inspection (min. 500 lx)

B.7 Temperature min. 14°C

B.8 Table with the possibility of fixing the specimen in the forced position and welding equipment to ensure safe process.

B.9 Gas extraction system for the reduction of pollutants harmful to health.

B.10 Walls and ceiling and cabin interiors painted with matt paints.

B.11 Walls or screens made of non-combustible, non-flammable material which suppress harmful radiation with min. 2m long ventilation gap at the floor. For gas work stations there is no need for local ventilation as well as the need to be separated by walls or screens.

B.12 At least 15 m³ of free space not occupied by devices and equipment for one person

B.13 Floor area 2 m²

B.14 Large-volume or horizontal transport equipment with a mass greater than 25 kg on a fixed welding station

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B.15 The workshop must contain equipment for safe placement or suspension of the flow torch, container with water for periodical/failure cooling of the flow torch, electrode stub container.

B.16 The workshop for safe placement or suspension of the flow torch, container with water for periodical/failure cooling of the flow torch.

B.17 The workplace with manual flow torches and accessories for safe placement or suspension of the torches.

B.18 The workplace for arc welding with covered electrodes equipped with electrode stub container.

B.19 No flammable materials are stored in the workplace and in the workshop.

B.20 The location of equipment and workpieces makes it possible to leave the working station quickly and safely.

B.21 The workstation should be provided with instructions (pWPS/WPS, pBPS/BPS) appropriate for the method at that workstation.

B.22 Test participant shall have access to welding tools such as a grinder or dryer for storing covered electrodes.

C. Facilities and equipment

C.1 The workshop shall be equipped with the necessary joining equipment, flow torches for gas in a technical condition to ensure that an examination is carried out in accordance with the applicable standards.

C.2 This equipment shall ensure that the welding parameters specified in the welding process manual (pWPS/WPS, pBPS/BPS) are monitored.

Equipment and welding tools must be regularly inspected in accordance with the manufacturer or other entity procedure.

C.3 Equipment and tools should be supervised and regularly inspected in accordance with the procedure of the facility or another entity. The examiner is obliged to verify the document before the exam begins.

C.4 Damaged equipment should only be repaired by qualified personnel or qualified companies.

C.5 The equipment and accessories are documented to fulfill health and safety requirements.

- Parent Materials control document (plates, tubes),
- Inspection document for welding consumables,
- Welding gas inspection document,
- Welding equipment inspection protocol,

C.6 Permanent marking of the sample.

C.7 Gas supply station from bottles or bundles of bottles or gas pipelines.

C.8 In case of supply flow torch with gas from bottle, safety valve must be located at the inlet or inside the torch.

C.9 In case of supply flow torch with gas from bundle of bottles or gas pipeline, safety valve must be located at every inlet.

C.10 Workstations for welding with covered electrodes equipped with an electrode dryer.

C.11 Workstations for welding with covered electrodes, MAG/MIG and TIG methods equipped with effective local ventilation.

C.12 Gas hoses for gases used in accordance with the purpose, type of gas and nominal pressure (gas-hose mixture suitable for the dominant gas in the mixture).

C.13 Consumables posing a risk to health and life - classified, labelled, safety data sheets for substances.

C.14 The equipment shall be inspected with the parameters specified in the WPS/pWPS, pBPS/BPS.

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D. Examination samples

D.1 Before starting the examination, the examiner is obliged to check that examination sample sets are prepared, secured and stored in an appropriate way.

D.2 Examination samples should be stored in a secure place. Access to examination samples should be restricted to authorised person and a Certification Body examiner. Examination samples must be suitable for the appropriate method, prepared in a way specified in the criteria document.

D.3 Separate storage space for filler metals, parent materials and consumables.

D.4 Welding materials stored in humidity-resistant shelves.

D.5 Storage instructions for consumables including, but not limited to, control of storage conditions (humidity, temperature).

Parent materials (plates, tubes) are storage to avoid effects like damage, corrosion or soiling.

D.6 Basic materials (sheet metal, tube) for the examination should be confirmed by a certificate of min. 2.2 EN 10204.

D.7 Welding consumables shall be confirmed by the CE marking, where applicable.

D.8 Cutting machines (thermal and mechanical), stationary/portable grinders
Personal protection and auxiliary tools.

D.9 Protective equipment of the participant must contain welder's helmet, gloves, apron, etc.

D.10 Examination samples are approved by the examiner based on visual inspection and the presented documentation..

D.11 The sample should be permanently marked and separated to prevent its reuse.

D.12 Samples for the examination shall be selected and marked by the examiner. The examination entity should provide a sufficient number of samples for the examination process, with the assumption that if the examiner has doubts about the correctness of the sample, they must guarantee replacement of the sample.

E. Test equipment

E.1 Test equipment used during the examination process is supervised by the laboratory to which the tests are contracted. Tests are performed in laboratories on the basis of a cooperation framework agreement. The Certification Body maintains a list of such laboratories..

E.2 Samples should be prepared in an appropriate way (bevel angle, root face) by a person authorized to do so, having qualifications in accordance with the requirements of individual standards (evaluation criteria). Samples should be labelled.

F. Social rooms, cloakrooms and sanitary facilities

F.1 Access to changing rooms and sanitary facilities should be provided.

4.3 Review and certification decision

If the assessment did not indicate any non-conformity or if all identified non-conformities have been corrected, the assessment report prepared by the experts, together with the attached documents, is forwarded to the approved reviewer of the Certification Body.

The reviewer assesses the records from the assessment in terms of conformity with the requirements (formal and technical assessment). On the basis of information gathered during the certification process, the decision-

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maker makes a decision on certification, directly related to the requirements of the certification program. In the case of fulfilment of requirements and proof of conformity, the certificate is issued by an approved certifier of the Certification Body.

The reviewer and the certifier are personnel not involved in the examination or training.

The condition for granting certification is to meet the requirements in the subject scope specified in the reference standard and certification requirements specified in this document and the relevant certification program. If these requirements are not met, the Certification Body refuses to grant certification.

4.4 Certificate, test mark

The validity of the certificate follows the reference standards, and the date of issue and expiry are indicated on the certificate.

The issued certificate remains valid if all certification requirements are met, after the completion of all tests and laboratory examinations of the examination joints.

The certificate for personnel performing permanent joints is valid provided that the welding supervisor, employer or examiner/Certification Body confirms every 6 months that the certified individual is working within the scope of the competencies granted by the certificate.

At least the following information is shown on the qualification certificate:

- Applicant's name and address.
- Certificate number.
Reference to the certification program (specification/standards or other relevant documents, including the date of issue).
- The scope of the certification, including conditions and restrictions on its validity, if applicable.
- The date of start and expiry of certification.
- Signature of the person making the certification decision.
- Name and address of the Certification Body;
- Any other information required by the certification scheme.

In case of receiving an external complaint about non-compliance with the conditions of the certificate issued, the Certification Body may decide to withdraw, restrict or suspend the certification.

4.5 Surveillance

The condition of maintaining the certification is continuous compliance of the requirements specified for certified personnel. During the period of the validity of the certificate, the Certification Body supervises the granted certification by considering complaints related to the competence of the certified person and considering information detected after the issuance of certification documents that may affect the validity of certification.

4.6 Extension of the certification

Validity of the certificate may be renewed by the Certification Body through recertification of qualifications, on condition that the requirements specified in the applicable standards, technical regulations and legal requirements are met. Activities related to the recertification process are performed to confirm that the certified person maintains competence according to the same steps as the initial certification, see section 4.1-

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4.5 without a theoretical examination (unless the reference documents state otherwise). The recertification period is in accordance with the relevant standard.

An applicant who has a valid certificate of competence issued by TÜV Rheinland Polska or another Certification Body shall attach the certificate and request recertification in accordance with the conditions set out in point 4.1.

4.7 Changes in scope of certification

In case of a change in the certification program that requires additional assessment, the Certification Body will make publicly accessible, without the need for request the specific method of verification of compliance with the changed requirements by certified persons (e.g. recertification).

Each change of the certification program is related to the Certification Body's determination of a transitional period to adapt to the introduced changes by already certified persons, taking into account the interests of interested parties in such a way that these changes can be implemented. If the certification program is changed, the Certification Body will define the methods and mechanisms required to verify the fulfillment of the changed requirements. Information is publicly available.

4.8 Withdrawing, restrictions, suspension, revocation, Transfer of certification

▪ Withdrawal of certification can result from:

- A. Resignation of certification by the certified person.
- B. Conscious abuse of rights by the certified person within the framework of certification.
- C. Non-conformity found within the surveillance activities.
- D. Failure to comply with the terms of the agreement regarding the payment of remuneration to the Certification Body.
- E. Failure to meet the conditions of the agreement concerning payment to the Certification Body.
- F. In case of failure to take corrective measures or failure to achieve the required effects.
- G. Failure of the certificate holder to take corrective actions recommended following suspension of certificate.
- H. Failure to apply to the Certification Body for re-certification.
- I. Lack of evidence of the required work time of a certified person specified by the requirements or of the reference standards covering the scope of the certificate.
- J. Violation of the certification program or these certification conditions occurs.

The certificate may be renewed on the basis of an application and on the basis of a prior selection of the method of renewal of qualifications, before their expiry date and the fulfilment of the criteria in the reference standard.

If the application is submitted after the expiry of the certificate, the procedure for new applications is used.

▪ The scope of certification may be limited as a result of:

- A. Verification of a complaint or other information about the certified person's violation of certification requirements;
- B. Failure to meet the requirements set in the certification suspension process,

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C. An application submitted by the certified person (in this case the assessment is not carried out).

In case of restricting the scope, modified certification documents are issued. The applicant is obliged to return previously issued certificates.

▪ **Extension the scope of certification.**

Extension of the scope of certification may take place upon request for certification. Extension of the scope of certification may concern additional qualifications related to the change:

- A. Sheet thickness,
- B. Pipe diameters,
- C. Filler material,
- D. Welding positions in the given method of the normative document being the basis for certification.

Extension of the scope of certification requires completing the application. When extending the scope of certification, the procedure is in line with the initial certification without the theoretical examination.

▪ **Suspension of certification can result from:**

- A. Submission of temporary resignation from certification by a certified person.
- B. Determination of non-compliance with the requirements such that immediate withdrawal is not necessary.
- C. Lack of compliance with changed certification requirements by a certified person within the time determined by the Certification Body.
- D. Failure of the certified person to comply with the changed certification requirements within the time set by the Certification Body.
- E. Failure to meet the obligations set out in the contract.
- F. Incorrect references to the certification program or misleading use of certificates.
- G. The certified person was found not to comply with the current requirements of the relevant standards and/or certification program.
- H. Negative records, complaints about the activities of the certified person identified as part of the supervision.
- I. Abuse of rights under the scope of the certificate.
- J. From the decision of the Certification Body after verifying and proving unethical behavior.

The certified person is informed about the suspension of certification by a letter specifying the conditions under which the suspension will be revoked.

The time of suspension of certification should not be longer than one year. After this period, it is necessary to withdraw the certificate.

The Certification Body takes appropriate actions that may lead to suspension or withdrawal of the certificate or publishes comprehensive information in case of breach of the certification program or notification of justified and repeated objections and complaints to the qualification of the certified person.

▪ **Termination of certification**

Not applicable.

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▪ Transfer of certification

The Certification Body does not conduct certification transfer processes in accordance with the guidelines of the EA-8 document. Each time, it conducts the certification process in accordance with the provisions of these conditions.

In the case of an application to transfer certification documents to another Certification Body, the written application is considered individually, in order to ensure that all the principles adopted in the EA-8 document are observed. The time required to prepare the documents will be calculated individually, depending on the scope of the application. The Unit will contact the applicant (another unit) with information on further steps, costs and possible additions.

4.9 Duties and responsibility of the Certification Body

4.9.1 Obligation of the Certification Body

The Certification Body is obliged to perform the certification process in accordance with the certification program and appropriate procedures.

The Certification Body is obliged to issue a certificate in case of positive result of the certification.

The Certification Body must take into account justified requests of the applicant for adjustment to special needs, i.e. certificate in a foreign language / other possible for the Body.

The Certification Body reserves the ownership right to the certificate.

The Certification Body ensures the impartiality of its personnel by continuously identifying risks related to impartiality arising from the activities of the Certification Body, its affiliations, or the affiliations of its personnel.

The Certification Body does not certify individuals employed by the Body due to the risk of impartiality.

4.9.2 Competence

The Certification Body ensures competent personnel for carrying out the assessment. Under the applicable procedures, personnel are monitored and evaluated to ensure that they have current knowledge and sufficient competence to carry out the assessment. The Certification Body is fully responsible for the activities of personnel acting on its behalf.

4.9.3 Equipment

The Certification Body is fully responsible for the compliance of the equipment, resources and localization conditions (examination premises) on which the examination is conducted with the requirements of the reference standards. Personnel of the Certification Body are obliged to check and confirm the compliance of resources to conduct the examination with the requirements before taking the examination.

4.9.4 Subcontracting

In special cases, the Certification Body subcontracts laboratory tests of the welded joint. TRP has to have a legally binding contract with each of the subcontractors. The list of testing laboratories is maintained by the Certification Body, available on request at the company's headquarters. Laboratories should be accredited for subcontracted tests. In case of using the services of a non-accredited laboratory, the Certification Body has to

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confirm during the audit compliance of the laboratory with the relevant requirements of EN ISO/IEC 17025 standard.

In order to conduct the examination, the Certification Body uses premises, equipment and examination samples of subcontractor's or manufacturer's plant or other entity meeting the requirements specified by the Certification Body.

The Certification Body is responsible for all subcontracted works. It is the responsibility of the Certification Body to confirm the competence and fulfillment of the subcontractor's requirements and to evaluate and monitor the results of the work.

4.9.5 Confidentiality

The Certification Body and all personnel acting on its behalf are obliged to keep confidential all information obtained and created during certification activity or from other sources, except for situations required by law or when an authorization has been obtained from the applicant, candidate or certified person.

The Certification Body, when legally obliged, provides confidential information, informs the person concerned what information is provided (except in situations prohibited by law).

The Certification Body undertakes to handle all confidential information and to process it only in the agreed scope.

In order to protect the interests of persons, data are processed lawfully, collected for the purpose of assessing the competence of personnel performing permanent joints. The Body guarantees that the acquired data (including confidential information) will not be processed or disseminated in a manner that violates the rights of the individuals concerned.

The Certification Body reserves the right to show the list of certified persons at the company's head office. Upon request, the Certification Body provides information on whether a person is actually certified and in which scope.

4.9.6 Information availability

The Certification Body is obliged to provide information about certification (including advertising) in a reliable and not misleading way. Fees for the conducted certification processes of welding personnel are set in accordance with the price list available on request at the Head Office of the Body.

The Certification Body and the personnel are responsible for informing interested persons about the certification process in a reliable and not misleading way. The Certification Body provides access to information on conducting welding personnel assessments on the website www.tuv.pl through the publication of these testing and certification condition welders.

The Certification Body shall provide information on the technical requirements on request and at every stage of the assessment.

4.9.7 Records/register of the test items certified

The Certification Body ensures the achievement of documentation from the assessment process for 10 years while maintaining the principle of keeping records for at least one full certification cycle.

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The Certification Body manages records from certification processes ensuring their traceability in order to ensure process integrity and confidentiality of information. After the storage period, the records are destroyed with respect to the rules of information confidentiality.

The Certification Body is responsible for the proper protection of examination materials (examination questionnaire, examination samples) in all steps of the certification process from the preparation of the examination to the protection of materials after evaluation, taking into account their appropriate location.

4.9.8 Change in the certification requirements

Each time the Certification Body informs interested parties about changes in certification requirements. The Certification Body informs the applicant, candidate, certified person or its representative upon each request with regard to the criteria requirements for certification.

4.9.9 Complaints and appeals

The applicant, candidate, certified person or its authorized representative is entitled to submit a complaint against the activity of the Certification Body and appeal against the certification decision.

The Certification Body handles complaints and appeals in accordance with the adopted procedure, information on how to submit complaints and appeals is available at www.tuv.pl

In case of not granting certification, the Certification Body undertakes to consider an appeal against the decision in an impartial manner and in accordance with the appropriate procedure of the Body.

4.9.10 Responsibility/liability of the Certification Body

The Certification Body is responsible for ensuring safety throughout the entire certification process in accordance with local legal requirements. In the case of a breach of safety rules, the certification process may be terminated at each stage of assessment.

4.9.11 Fraudulent claim of certification

The Applicant may not declare certification before issuing the certificate.

The Certification Body responds to any improper use of certification marks or logos of the Body. The Certification Body is obliged to carry out verification of each report of irregularities, including a complaint from the applicant, candidate, certified person or its representative in accordance with the applicable procedure.

4.9.12 Rights and obligations of the applicant and client

4.9.12.1 Obligations of the applicant

Obligations include a code of conduct, i.e. the ethical or personal behavior required by this document.

- Obligations of the applicant, candidate, certified person to:
 - A. Continuous updating of welding process knowledge.
 - B. Presentation of true and not misleading information for certification purposes.
 - C. Compliance with the provisions of the certification program during the period of validity of the certificate.
 - D. Ethical behavior which does not bring a bad reputation to the Certification Body.
 - E. Commitment to confidentiality, non-disclosure of confidential examination materials.
 - F. Not participating in unfair practices during the examination.

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- G. Implementation of all necessary arrangements to resolve complaints.
- H. Acceptance to participate in the assessment of an observer, auditor or evaluator on behalf of the Certification Body or accreditation body. Costs related to participation in the assessment of these persons are on the side of the Certification Body.
- Client's obligations
- A. The client should keep records of all complaints and take corrective, and preventive action related to them, which affects compliance with certification requirements and is obliged to document appropriate actions and make them available to the Certification Body.

4.9.12.2 Access to applicant's and client documentation and premises

The client shall provide the Certification Body with all necessary information, data, and documents as well as access to all relevant premises in order to carry out certification.

4.9.12.3 Information about changes

The applicant must notify the Certification Body in writing immediately of any changes that may affect the ability to meet the certification requirements.

4.9.12.4 Use of the certificate/test mark

- The applicant is obliged:
 - A. Using the certificate for its intended purpose and only to the extent described in it, referring to certification in accordance with the scope of certification; Referring to certification in advertising materials and other media through the publication of the full version of the certificate.
 - B. Referring to certification in advertising materials and other media through the publication of the full version of the certificate.
 - C. Not referring to the certification program and using the certificate for marketing purposes in a wrong or misleading way.
 - D. Transfer copies of certification documents only in their full wording and with the date of issue.
 - E. Return any certificates to the Certification Body in case of suspension or withdrawal of certification.
 - F. Not to use the certification in a way that can discredit the Certification Body and not issue declarations relating to certification in a way that could be considered misleading or unauthorized.
 - G. Not to advertise their certification during its suspension and not to invoke certification in case of its withdrawal.
 - H. Not declaring certification before certificate issuance, in case of suspension of certification and withdrawal of certification. Consequences of breaching the prohibition have been specified in the General Terms and Conditions of TÜV Rheinland Polska Sp. z o.o.
 - I. Not to use and agree to use the certificate or part of it (logo/mark) in a manner inconsistent with its intended use.

4.9.12.5 Complaints

The Applicant is obliged to immediately inform the Certification Body about issues that could affect the ability to continue to meet certification requirements, including information about non-conformity and complaints about professional activity covered by the scope of certification.

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4.9.12.6 Responsibility/liability of the applicant

The applicant is responsible for meeting all the certification requirements, including the implementation of appropriate changes, if they are communicated by the Certification Body during the certificate validity period.

4.9.13 Protection of personal data

The administrator of the applicant's personal data within the meaning of the provisions of the law on the protection of personal data, shall indicate:

On the basis of, among others, Article 13 paragraphs 1 and 2 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27.4.2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter: RODO), I announce that:

a) The Data Controller:

Administrator of personal data TÜV Rheinland Polska Sp. z o.o. with its registered office in Zabrze 41-800 at ul. Wolności 347, entered into the Register of Entrepreneurs of the National Court Register at District Court in Gliwice Xth Commercial Division of the National Court Register, KRS: 0000081930, REGON: 010422615.

(b) The Data Protection Officer:

Adam Piątek, ul. Wolności 347, 41-800 Zabrze, e-mail: inspektor-do@pl.tuv.com

c) Purposes of personal data processing and legal basis of processing:

The processing of the applicant's personal data will be carried out:

- pursuant to Article 6 paragraph 1 f of the RODO in order to issue and maintain a certificate and meet the requirements arising from the obligations towards accreditation bodies.
- pursuant to Article 6 paragraph 1 b, in order to take action prior to the conclusion of a contract or service for its performance.
- pursuant to Article 6 paragraph 1 c of the RODO for the purpose of carrying out legal obligations, in particular tax provisions, and accounting provisions, for the period arising therefrom.

d) Recipients of the data

The recipient of personal data will be entities cooperating within the framework of the contract as well as companies belonging to the TÜV Rheinland Group or entities authorized under the law. The sourced data from certificate as: name, surname, certificate number will be stored in the EuroWeld database and will not be published. Only authorised employees of the TÜV Rheinland Group have access to this data.

e) Transfer of data to a third country/international organization:

Personal data will not be transferred to a third country, but may be processed within the TÜV Rheinland Group, an international organization with appropriate safeguards in accordance with Article 46 of the RODO.

f) Retention period of personal data:

Personal data will be retained for a period of 10 years or the cessation of any of the above purposes.

g) Right of access to personal data and other rights:

In connection with the processing of personal data, the following rights shall be exercised:

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- The right of access to the content of their personal data (Article 15 of the RODO),
- the right to rectification/addition (Article 16 of the RODO),
- the right to erasure them (Article 17 of the RODO),
- the right to restriction of processing of such data (Article 18 of the RODO)
- the right to object to their processing (Article 21 RODO),
- the right to data portability (Article 20 RODO),
- the right to withdraw consent at any time without affecting the lawfulness of the processing where the processing of personal data is based on consent given pursuant to Article 6 paragraph 1a or Article 9 paragraph 2a of the RODO,
- the right to file a complaint with the supervisory authority, i.e. the President of the Office for the Protection of Personal Data.

h) Consequences of not providing personal data:

Providing personal data is voluntary but is a requirement for the implementation of a contract or certification service, issuing and maintaining a certificate, and failure to provide them will result in the impossibility of its implementation.

i) Automated decision making, profiling:

Personal data will not be processed in an automated way and will not be profiled.

5. Roles & Responsibilities

No additional remarks acc. Certification conditions BS I (MS-0034720).

6. Specifications

N/A

7. Attachments

N/A

8. Related Documents

MS-0034720 - Certification conditions BS I

MS-0034793 - Templates - Certification conditions BSI / Formularze - Warunki certyfikacji BSI

MS-0041752 - Transfer of certification BSI / Polityka przenoszenia certyfikacji BSI

9. External Reference Documents

EN ISO/IEC 17024 Conformity assessment -- General requirements for bodies operating certification of persons / Ocena zgodności -- Ogólne wymagania dotyczące jednostek certyfikujących osoby

DACP-01 Accreditation of Persons Certification Bodies / Akredytacja jednostek certyfikujących osoby

DA-11 Accreditation of conformity assessment bodies for notification purposes / Akredytacja jednostek oceniających zgodność do celów notyfikacji

DAN-03 Accreditation of conformity assessment bodies for notification purposes in accordance with Directive 2014/29/EU and Directive 2014/68/EU / Akredytacja do celów notyfikacji i uznania organizacji strony trzeciej 2 odniesieniu do Dyrektywy 2014/68/UE w sprawie urządzeń ciśnieniowych oraz do celów notyfikacji w odniesieniu do Dyrektywy 2014/29/UE

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EA-2/17 - EA Document on Accreditation for Notification Purposes / Dokument EA dotyczący akredytacji do celów notyfikacji

Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment / Dyrektywa Parlamentu Europejskiego i Rady 2014/68/UE z dnia 15 maja 2014 r. w sprawie harmonizacji ustawodawstw państw członkowskich odnoszących się do udostępniania na rynku urządzeń ciśnieniowych
Regulation of the Ministry for Economic Development of 11 July 2016 as regards the requirements for pressure equipment and pressure equipment assemblies / Rozporządzenie Ministra Rozwoju z dnia 11 lipca 2016 r. w sprawie wymagań dla urządzeń ciśnieniowych i zespołów urządzeń ciśnieniowych
Regulation of the Minister of Economy of 27 April 2000 concerning work safety and hygiene in welding works / Rozporządzenie Ministra Gospodarki z dnia 27 kwietnia 2000 r. w sprawie bezpieczeństwa i higieny pracy przy pracach spawalniczych.

EN ISO 9606-1 Qualification testing of welders - Fusion welding - Part 1: Steels / Egzamin kwalifikacyjny spawaczy - Spawanie - Część 1: Stale

PN-EN ISO 9606-2 Qualification test of welders - Fusion welding - Part 2 Aluminium and aluminium alloys / Egzamin kwalifikacyjny spawaczy - Spawanie - Część 2: Aluminium i stopy aluminium

PN-EN ISO 9606-4 Approval testing of welders - Fusion welding - Part 4 Nickel and nickel alloys / Egzaminowanie spawaczy - Spawanie - Część 4: Nikiel i stopy niklu

PN-EN ISO 9606-5 Approval testing of welders - Fusion welding - Part 5 Titanium and titanium alloys, zirconium and zirconium alloy / Egzaminowanie spawaczy - Spawanie - Część 5: Tytan i stopy tytanu, cyrkon i stopy cyrkonu

EN ISO 14732 Welding personnel - Qualification testing of welding operators and weld setters for mechanized and automatic welding of metallic materials / Personel spawalniczy - Egzaminowanie operatorów spawania oraz nastawiaczy zgrzewania dla zmechanizowanego i automatycznego spawania/zgrzewania metali
AD 2000-Merkblatt HP 3 Welding supervisors, welders / Nadzór spawniczy, spawacze

EN ISO 14732 Welding personnel — Qualification testing of welding operators and weld setters for mechanized and automatic welding of metallic materials / Personel spawalniczy - Egzaminowanie operatorów spawania oraz nastawiaczy zgrzewania dla zmechanizowanego i automatycznego spawania/zgrzewania metali

EN 13067 Plastics welding personnel - Qualification testing of welders - Thermoplastics welded assemblies / Personel spawający i zgrzewający tworzywa sztuczne - Egzamin kwalifikacyjny spawaczy i zgrzewaczy - Spawane i zgrzewane połączenia z tworzyw termoplastycznych

EN 13121-3 - GRP tanks and vessels for use above ground. Design and workmanship / Naziemne zbiorniki z tworzyw sztucznych wzmocnionych włóknem szklanym - Część 3: Projektowanie i wykonanie

DA-10 Accreditation in flexible areas / Akredytacja w zakresach elastycznych

EN ISO 9606-3 Approval testing of welders - Fusion welding - Part 3: Copper and copper alloys / Egzaminowanie spawaczy - Spawanie - Część 3: Miedź i stopy miedzi

EA-8 Guidance on Transfers of Accredited Certification of Persons / Wytyczne dotyczące przenoszenia akredytowanych certyfikacji osób

EN ISO 13585 Brazing — Qualification testing of brazers and brazing operators / Lutowanie twarde - Kwalifikowanie lutowaczy i operatorów lutowania twardego