Testing and certification regulations

General conditions and procedural guide for the
certification of quality management systems
of the certification body for lifts and their safety components
of TÜV Rheinland Industrie Service GmbH

Contents

0. Preliminary remarks

The certification body for lifts and their safety components of TÜV Rheinland Industrie Service GmbH, hereinafter referred to as the certification body, among other things offers its services for the certification of quality systems for lifts. The certification body is a notified body within the meaning of EU Directive 2014/33/EU with the identification number 0035.

The duty and assurance of independence and impartiality on the part of the appointed auditors is present. The quality management system of the certification body meets the requirements of DIN EN ISO/IEC 17021 as regards the certification of management systems. The organisation and procedure for the certification process are described in the corresponding quality management documents.

1. Scope

These testing and certification regulations govern the certification and surveillance of quality systems on the basis of Lifts Directive 2014/33/EU.

2. Certification procedure

2.1 Prerequisites

2.1.1 The client commissions the certification body for lifts and their safety components with the certification of its quality system.

The order for certification shall be accompanied by the written declaration of the client that no other certification body (notified body) has been commissioned to carry out the same procedure.

2.1.2 When the certification body is commissioned for the first time for the purpose of certification, it shall conclude a contract with the client for the certification of a quality system in accordance with Lifts Directive 2014/33/EU.

By signing the contract, both contracting parties accept the provisions of these Testing and Certification Regulations as binding.

2.1.3 The client's organisation must be registered under commercial law..

2.2 Procedure

The auditors are selected by the certification body based on approval for the sector and qualification.
Following audit preparation, the assessment procedure is divided into two stages.

2.2.1 Audit preparation

Audit preparation in the form of a preliminary audit serves to establish if certification of the quality system installed by the client is possible in principle.

The purpose of the preliminary audit is to reveal weaknesses in the quality documents and in the implementation of the quality system. The scope of the preliminary audit is established in cooperation with the client and the audit is generally performed by one auditor (lead auditor). The preliminary audit can include a review of the quality documents of the client.
The client receives a report at the end of the preliminary audit.

2.2.2 Stage 1 audit: Review of the QA documents

In the stage 1 audit, the current relevant quality documents of the client (quality manual and, if appropriate, further applicable documents, such as quality procedure documents, work and test instructions, documents regarding the products) are reviewed by the auditors (the auditor) to establish fulfilment of the requirements of the Lifts Directive. If required, the client receives a short report, for which there is no need for a specific form, and if the outcome of the document review is positive, the certification audit itself is planned, including details of the auditing process and a proposal for an audit date.
If the quality documents do not meet the requirements, at the request of the client, an additional meeting or discussion regarding the further procedure to be followed can take place and possibly a preliminary audit can be agreed.

At the same time, the lead auditor clarifies whether a full internal audit has been carried out in the company, i.e. all requirements of the directive must have been audited. S/he also clarifies whether a review of the quality system has been carried out by the top management of the company.

Only when all deviations and uncertainties have been resolved does the certification audit take place.

2.2.3 Stage 2 audit: Certification audit in the organisation

At the start of the stage 2 audit, the client receives the audit plan which has also been agreed with him.

During the audit in the organisation, the auditors (the auditor) examine and assess the effectiveness of the quality system which has been installed. The basis is the Module of Lifts Directive 2014/33/EU which has been selected for the performance of the conformity assessment. Audit questionnaires serve as a guide through the audit procedure.

The task of the organisation during the audit is to demonstrate the practical application of the documented procedures.

The result is documented in a report.
Nonconformities are documented in nonconformity reports. The auditors decide on the categories which apply to the nonconformities.
The following categories are possible:

- Nonconformities where corrective actions are necessary, without resubmission of documents
- Nonconformities where corrective actions are necessary, with resubmission of documents
- Nonconformities where corrective actions are necessary, with a re-audit (on-site inspection).

If nonconformities are present, the corrective actions are laid down and evaluated by the auditor for suitability. The implementation of the corrective actions is assessed at the latest in the first surveillance audit.

The lead auditor decides if a re-audit is necessary, if appropriate, in consultation with the certification body. S/he also decides on the scope of the re-audit, but only the requirements affected by the nonconformities are audited. The re-audit is calculated on the basis of the time needed and the relevant price list.

At the end of the audit the client is informed of the audit result in a closing meeting.

2.2.4 **Issue of certificates, surveillance and recertification audits**

Issue of certificates

The audit findings presented by the lead auditor are assessed by the certification body for completeness and for correct execution of the certification procedure. The certification body makes the decision regarding issue of the certificate based on this assessment.

The certificate is only issued when all nonconformities have been closed.

Finally, following release by the certification body, the client receives a detailed audit report with the assessment by the auditors (the auditor).

The certificate confirms that the quality system installed by the client is designed in accordance with the requirements of the directive and that the requirements based on the directive are fulfilled. The certificate is valid for three years if surveillance audits are performed in the organisation every year with a positive outcome. In particular and justifiable cases, a surveillance audit at short notice may become necessary.

Surveillance audit

The surveillance audit is generally performed by one auditor. The audit date is agreed with the client. The time frame for the audit is - 3 months and + 1 month, based on the date of the certificate (due date).
The quality elements management commitment, quality management system and, if appropriate, development and improvement of the system as well as internal audits are always assessed in the surveillance audits. All other elements can be distributed over several surveillance audits.
If nonconformities are identified, the same procedure is followed as in the certification audit.
Following the surveillance audit the client receives a report from the certification body.
If there are major nonconformities, the certificate can be withdrawn.

Recertification audit

If the validity of the certificate is to be extended beyond the current three years, a recertification audit shall be performed before the expiry of the current certificate in order to prolong the certificate for a further three years.
The audit procedure is as described in the stage 2 audit of these testing and certification regulations.
In the recertification audit, the effectiveness of the entire quality system is assessed. The client provides the auditors (the auditor) with the current quality manual, including a list of all the changes that have been made to it.

3. Use of the certificate

3.1 Following a positive assessment of the audit reports by the certification body, the certification body issues a certificate confirming verification of the quality system according to Lifts Directive 2014/33/EU.
Following issue of the certificate, the client is entitled/obliged to undertake the CE marking of the product in association with the identification number of the certification body based on the provisions of the Lifts Directive.

3.2 The client is only entitled to make use of the certificate in connection with the scope stated on the certificate.

3.3 A certificate expires when

- The term of validity stated on the certificate expires

- The certificate holder renounces the certificate prior to expiry of the period of validity stated in the certificate
- The certification contract for the certification of a quality system in accordance with Lifts Directive 2014/33/EU was terminated by one of the contractual parties, taking the periods of notice duly into account
- The client becomes insolvent or an application for insolvency proceedings opened against him is refused due to insufficient assets
- The provisions upon which the certificate was based were changed or other provisions are to be used, e.g. due to a change in use.

3.4 A certificate can be withdrawn by the certification body if

- Major nonconformities were established
- The manufacturer does not permit, or hinders, the agreed inspection of his quality system by the certification body or its commissioned testing or inspection body
- An inspection of the product marked with a CE marking and the identification number of the certification body reveals serious defects
- Misleading or otherwise impermissible advertising is carried out in connection with the certificate
- Other serious reasons are present.

3.5 The certification can publicise the expiry or withdrawal of a certificate at its own discretion or based on legal rules and regulations.

3.6 The certification body is entitled to inform the supervisory authorities, the accreditation bodies, the notified bodies and the licensing authorities of every refusal, limitation, expiry or withdrawal of a certificate of conformity.

3.7 The certification body shall not be liable for any disadvantage or harm accruing to the client from non-issuance, expiry or withdrawal of a certificate.

3.8 If a certificate is not re-issued or if it is withdrawn, the client is obliged to remove the CE marking and identification number from all products of the type in question that are accessible to him, and to allow the certification body or the body commissioned by the certification body to undertake corresponding inspections. All resulting costs shall be the responsibility of the client.

4. Obligations of the certification body

4.1 The certification body undertakes to treat all information made available to it about the client's company as confidential and to use it only for the agreed purposes. Documents made accessible to the certification body shall not be passed on to third parties. Excluded from this is detailed reporting to the arbitration body in cases of dispute and – upon request – to the competent authorities.
The client may release the certification body from its duty of confidentiality for certain reasons.

4.2 Liability of the certification body towards the client or third parties is only present to the extent that the law stipulates such liability in the case of intent or gross negligence. Further claims are excluded.

5. Obligations of the client

5.1 The client shall immediately notify the certification body of any changes it plans to make or has made to the certified quality system. Continued approval depends on the client's proof of compliance with the requirements of the directive or on a supplementary audit.

5.2 The client shall notify the certification body in good time of intended relocation of assessed production sites or the intended transfer of his company to another company or another company owner.

5.3 The client shall record and archive all complaints concerning his certified product. At the request of the certification body, he must make these documents available without delay and free of charge. The certification body shall be informed of the measures taken by the client to rectify justified complaints.

5.4 The client is obliged to immediately remedy any serious safety defects in products that subsequently become apparent and to take appropriate measures to minimise damage in the market. In any event, he shall immediately stop placing the labelled products on the market and shall inform the certification body accordingly.

5.5 The Client is obliged to retain the product documents created within the framework of the quality system for at least ten years after the last product was placed on the market, irrespective of the period of validity of the certificates. Further requirements arising from other regulations or legal provisions remain unaffected.

6. Appeal procedure

6.1 The client may lodge an appeal or complaint with the certification body against decisions of the certification body which are not satisfactory to him with regard to the certification procedure that was carried out. The certification body shall then provide the appellant with detailed reasons for its decision.

6.2 If the reasons given by the certification body are not acceptable to the appellant, the appellant has the right to lodge an appeal with the steering committee of the certification body. The steering committee makes a final decision.

7. Entry into force and changes

7.1 The Testing and Certification Regulations entered into force on 01.03.2019

7.2 They apply in principle to all certificates issued during their period of validity.

7.3 Future amendments to the Testing and Certification Regulations may be applied to existing certificates by written agreement with the certificate holders.

Cologne, 2019-03-01

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