

## MANAGEMENT SYSTEM CERTIFICATION GENERAL REGULATION (RG\_02 rev.10)

### 1 PURPOSE AND SCOPE

These current General Regulation define the general regulation to be applied for the appointment certification of conformity of management systems. The general term "management system" will be used. These instructions apply to the certification of management systems of production- and services enterprises in accordance with the respective scope of the accreditation of the ESQ Cert. This Regulation applies to Managements Systems certification activities carried out both under ESYD than with no Accreditation. To have a accurate control of the activities carried out under ESYD Accreditation you can consult the site [www.esyd.gr](http://www.esyd.gr) or the website [www.esqcert.com](http://www.esqcert.com), where you can view the accreditation certificates with its annex, relating to the covered sector by the same accreditation.

### 2 ACTIVITIES AREA

**2.1** Through the contract, ESQ CERT is committed to conducting a conformity assessment system according to standard references and, if successful, to issue a certificate of conformity.

**2.2** ESQ CERT have not any obligation to successful of verification of compliance, nor as to the issue of the final certificate. The Organization recognizes expressly that the certificate will be issued by ESQ CERT only on fulfillment of all necessary state of law and that any non-issuance of the certificate, or the subsequent suspension and / or withdrawal, as due to the lack requirements with respect to the relevant regulations, does not imply any responsibility for ESQ CERT or failure of the same.

**2.3** It is excluding by the contract any consulting activity in the construction and / or maintenance of the management system of the Organization subject to the certification assessment

**2.4** In order to avoid possible conflicts of interest, the organization undertakes to communicate to ESQ CERT, where applicable, the name of the consultant and the names of individuals who carry out activities directly.

### 3 SUBJECT MATTER OF THE AGREEMENT

**3.1** Only the system assertion specified in the contract document (offer model) is subject to assessment for the purpose of issuing the certificate. The certification of a management system does not extend to goods produced or services provided by the organization and, therefore, cannot be used as an accompaniment to the same nor so as to indicate that they are covered by certification.

### 4 MANDATORY REQUIREMENTS

**4.1** The Organization agrees to maintain conformity to the management system certificate throughout the whole period of validity of the certificate to all the requirements of the binding nature - such as laws, regulations, etc.. type of international, national or local - applicable to its services, products.

**4.2** The certificate only concerns conformity of the management system assertion with the reference standard document and does not therefore require ESQ Cert Ltd to issue a declaration/certificate or verify the Organisation's respect of the above requirements. The Organization therefore is solely responsible for its compliance with the law, excluding each or obligation by ESQ Cert.

**4.3** An Organization having a Management System certificate shall make efforts in order to:

- maintain its Management System conform to the requirements of the standard to which it is certified;
- keep a record of all the complaints with the relevant corrective actions implemented;
- accept to pay the surveillance audits for maintaining the certification during its validity period;
- accept to pay each further audit necessary to maintain the certification following relevant organizational changes happened after the date of certification issuance or after the latest audit performed by ESQ Cert.

**4.4** The certification is reserved for the Organization and for the operational units quoted in the certificate. The certification is not transferable. Organizational changes, variations in the staff or transfers of the Organization property allow the maintenance of the certification provided that:

- The Client shall inform ESQ Cert in writing without delay;
  - ESQ Cert has verified that the changes are in conformity with the certified Management System;
- An Organization holding a certification is committed in ensuring access to its site to ESQ Cert auditors, to the Accreditation Body's inspectors accompanying ESQ Cert or to ESQ Cert authorized representatives;

**4.5** The certified client shall inform ESQ CERT Ltd, without delay, of the occurrence of a serious incident or breach of regulation necessitating the involvement of the appropriate regulatory authority

### 5 START OF AGREEMENT VALIDITY

**5.1** This agreement is applicable after it is signed by the client and/or after signing of the offer for certification.

### 6 ACCESS TO INFORMATION

**6.1** The organization is committed to providing all the information and support necessary for the conduct of assessments, including the provision of full documentation regarding the system for which certification is required; also organization is committed to allow access to all areas where they are carried out activities relevant to the subject of the certification.

### 7 CHANGE OF CERTIFICATION PROCESS

**7.1** ESQ CERT may modify the certification process, also as a result of changes in the normative reference document or imposed by accreditation bodies. In this case, ESQ CERT must notify in advance the organization which, if not intends to comply with the changes introduced will have the right to renounce the contract within thirty days of that communication.

**7.2** Any costs for activities on site or document assessment arising from changes in legislation or regulations will be charged to the Organization.

### 8 OUTSOURCING

**8.1** ESQ CERT, for the provisions of services, can use internal employees, as external entities acting on its behalf, provided appropriately qualified.

These persons are required to comply with all obligations imposed on ESQ CERT, including those relating to confidentiality and independence.

### 9 LIMITS TO RESPONSIBILITY

**9.1** This agreement is an agreement on work, not on the result. ESQ Cert shall be responsible only for the direct losses caused to the organization resulting from material negligence or a serious mistake by ESQ Cert, its bodies, appointed persons, subordinates, representatives or suppliers. This responsibility will be limited to either 5 times the contractually agreed fee for that activity. All claims to compensation lose their validity six months after the occurred knowledge of the event that the claim is based on.

### 10 CERTIFICATION PROCESS

**10.1** Process starts with Organization application for certification service quotation. ESQ Cert Ltd proceeds with a formal examination of the documentation presented in order to verify the completeness and accuracy of the general information and to prepare a quotation on the basis of the data specified in the application. Organizations wishing their management system to be certified by ESQ Cert Ltd have to sign the quotation, in order to conclude the contract. When ESQ Cert Ltd declines an application for certification the reasons for declining are documented and the organization will be informed. Before the beginning of the documentation review audit, ESQ Cert Ltd communicates to the Applicant the names of the auditors who will conduct the certification services. The Applicant may refuse the participation of an auditor, providing such refusal is made in writing (including justification). If the Applicant is unable to accept any of the auditors proposed by ESQ Cert, the certification order is considered to be void. ESQ Cert will inform the Applicant of this decision in writing. Each auditor may not be assigned to and participate in the certification process if he/she has provided consulting or internal audit services to the Organization concerned within the last 2 years.

### 10.2 Initial Audits (Stage 1 audit)

The Stage 1 Audit must be carried out to verify the adequacy of the management system documentation in relation to the scope of certification. It also aims to assess whether the customer is ready for the Stage 2 audit. ESQ CERT Ltd evaluates this documentation against the requirements of the reference standard. This activity is generally carried out at the Organization; following special needs and specific agreements with the Organization, the documentation can also be sent to the offices of ESQ CERT Ltd or shared through suitable IT tools for evaluation. To complete the assessment, ESQ CERT Ltd issues a Document Audit Report, notifying any findings regarding the reference legislation. In the case of Non-Conformities and / or observations, the Organization is required to apply the necessary corrections to its documentation before carrying out the Stage 2 Audit (see § 10.3). The results of phase 1 can also lead to the postponement or cancellation of the planned phase 2.

### 10.3 Initial Audits (Stage 2 audit)

If the Stage 1 audit has given positive results, the Stage 2 audit can be performed. The Stage 2 audit shall take place at the Client's site in order to evaluate the implementation of Management System in conformity with the requirements of the normative document. ESQ Cert will verify the Client's availability for the audit and communicate the plan of the audit.

At the end of the audit, during the closing meeting and in the presence of the Top Management of the Organization and the team shall report its conclusions regarding the conformity of the Organization's Management System with the reference standard, pointing out the noticed deviations, if any. In the case of ISO45001 audit, at closing meeting shall be the presence of the management legally responsible for occupational health and safety, personnel responsible for monitoring employees' health and the employees' representative(s) with responsibility for occupational health and safety to attend the closing meeting. Justification in case of absence shall be recorded. This is valid also for surveillance audit and renewal

The result of the audit is recorded in a confidential report pointing out the deviations from the requirements of the standard, if any, and the opportunities for improvement. As for the corrective actions decided, the Client shall inform ESQ CERT in writing, within the agreed time, and give documented evidence of the corrective actions implementation. ESQ CERT shall evaluate the corrective actions proposed by the Client; if ESQ CERT does not accept the proposed actions concerning time and modalities for solving the non-conformities found, ESQ CERT shall inform the Client in writing.

In case of major non-conformities, the certification process will be temporarily suspended. A major non conformity is either a failure to fulfil one or more requirements of the management system standard; a situation that raises significant doubts about the ability of the Client's management system to provide product that meets customer and regulatory requirements.

In this case, the non-conformity handling and the relevant corrective actions shall be implemented within 90 days from the last day of the Stage 2 audit. ESQ CERT shall perform a supplementary audit to verify the correct implementation of corrective actions.

### 10.4 Surveillance audits

To maintain the validity of the certificate, annual surveillance audits must be carried out at the customer's premises and scheduled from the date of the initial audit. The date of the first surveillance audit, subsequent to the initial certification, must not exceed 12 months from the date of the certification decision. In the event that the surveillance audit expiration date is exceeded, the certificate must be suspended unless the customer has reasonable grounds to postpone the surveillance audit. In the surveillance audits, the correct maintenance of the certified system is ascertained with particular reference to the effectiveness of the system and the implementation of continuous improvement programs. Once the visit is complete, the Organization receives the related audit report where, in the same, the outcome of the audit is presented and any detected findings.

### 10.5 Renewal Audit

Renewal audits are scheduled prior to expiration of certification. During a recertification audit, special attention shall be paid to:

- The effectiveness of the management system during the entire past certification cycle, particularly taking into account internal and external changes and their relevance and applicability to the scope of the certification

Continual improvement together with maintaining efficiency of and improving the management system for enhancement of overall performance

- How the operation of the certified management system contributes to the achievement of the organization's policy and objectives.

The recertification process must necessarily conclude, with a positive outcome, before the expiry date of the certification shown on the certificate, which cannot be extended by ESQ CERT Ltd. Consequently, the recertification audit must be concluded positively in time for allow the approval by ESQ CERT Ltd of the recertification proposal and the consequent reissue of the certificate by the aforementioned date (at least one month before the expiry date indicated on the certificate). If an Organization does not comply with the aforementioned deadlines and therefore does not obtain the reissue of the certificate within the deadline of the same, the relative certification must be considered expired starting from the day following the expiry date shown on the certificate; I-WELD informs the Organization of its consequences

If the renewal audit is carried out, for various reasons, after the expiry of the certificate, the following cases may occur:

- 1) if the renewal audit was successfully completed by the expiry of the certificate, the audit follows the procedures for renewal;
- 2) if the renewal audit was successfully concluded after the expiry of the certificate, the renewal audit follows the procedures provided for the stage 2 audit, subject to the positive conclusion of the same within 6 months from the aforementioned deadline;
- 3) if 6 months have passed since the certificate expired, the audit will be considered as initial

### 10.6 Issue of Certification

When certification is granted, ESQ CERT will issue a management system certificate.

The certification is not granted in cases of:

- Major non-conformities;
- non-conformities related to legal requirements

Following the certification issuance, ESQ Cert will register the Client in the List of certified Organizations and will give this information to the Accreditation Body. The Register contains the name and location of the Client, the certification number, the management system normative reference, the certificate validity. The Register is updated monthly and it is available to anybody upon request.

### 11. Classification of findings and resolution

#### 11.1 Non-Compliance

A non-conformity is defined as the non-fulfillment of a requirement. For the Non-Conformities found in the audits (Documentary, Preliminary, Initial, Surveillance, Renewal), with respect to the requirements of the Company Management System, ESQ Cert adopts the classification shown below.

A. Category 1 (Major) Non-Conformity (NC):

Category 1 (or Major) Nonconformities are defined as:

to. A Non-Conformity that influences the ability of the Management System to achieve the expected results; this could occur in the following circumstances:

- There is a significant doubt about the effectiveness of the control processes in place or about the fact that the products or services meet the specific requirements
- A Category 2 (minor) Non-Conformity associated with the same requirement or aspect proving the existence of a systemic weakness

b. A Category 2 (Minor) Non Conformity that persists over time (or not resolved as agreed by the Organization).

Category 1 NCs must be verified and closed by ESQ CERT Ltd to judge the system as compliant and recommend the issuance of the certificate and / or consider a certificate already issued valid. Resolution includes the following steps:

- Within 15 days from the audit date, the Organization defines the Corrective Actions to resolve the NC and sends them in writing to ESQ CERT LTD which verifies and approves the proposed Corrective Actions;
- Within 90 days from the audit date, the Organization implements the Corrective Actions and ESQ CERT Ltd verifies, with an audit, the closure of the NC and the effective application of the Corrective Actions. For Category 1 Non-Conformities, the expected Closure Audit must take place within the deadline agreed with the Lead Auditor, in any case within 90 (ninety) days from the closure of the audit. In the event that the Organization, already in possession of an ESQ CERT Ltd certificate for the same certification scheme subject to the major Non-Conformity, is unable to comply with this term, the suspension of the certificate is necessary. In the event that it is not possible to verify the implementation of corrections and corrective actions within 6 months from the closing date of the Phase 2 audit (Initial Audit), it is necessary to conduct a second Phase 2 audit. Category 1 Non-Conformity closure audit must normally be performed on-site in order to verify the closure and effectiveness of the Corrective Actions and therefore close or downgrade the Major Non-Conformance to Minor or Observation. In exceptional and adequately motivated cases, the closure audit of the Non-Conformities can be carried out off-site as a desk review; this may be applicable when the Lead Auditor believes that the documentary evidence is sufficient to close the Non-Conformity.

B. Category 2 (Minor) Non-Conformity (NC):

Category 2 (or Minor) Non-Conformities are defined as:

to. A Non-Conformity that does not affect the ability of the Management System to achieve the expected results; this could occur in the following circumstances:

- Single, unsystematic, implementation failures or implementation failures of a System requirement or aspect

For category 2 NCs, Corrective Actions and the corresponding adaptation plan must be verified and approved by ESQ CERT Ltd. This is necessary to judge the system as compliant and to recommend the issue of the certificate or to consider a certificate already issued valid. Resolution includes the following steps:

- Within 15 days from the audit date, the Organization defines and plans the Corrective Actions to resolve the NC and sends them in writing to ESQ CERT Ltd;
- ESQ CERT Ltd verifies and approves the proposed Corrective Actions;
- The Organization implements the Corrective Actions within the defined times (within 60 days from the audit date) and ESQ CERT Ltd assesses their closure and effectiveness during the subsequent scheduled audit.

C. Observations: The Observations are without prejudice to the system's judgment of conformity, or the recommendation for the issue of the certificate and / or the continued validity of a certificate already issued; any resolutions of the Observations in any case provide for the following phases:

- The Organization implements the actions defined to resolve the anomalies within the next audit;
- ESQ CERT Ltd GL evaluates the implementation and effectiveness of the actions in subsequent audits and, if the evaluation is positive, the Observation is closed; otherwise the Observation remains open as such (unless the situation has degenerated into a situation of Major and / or Minor Non-Conformity)

## 12. SUSPENSION OF THE SYSTEM/PRODUCT CERTIFICATE

12.1 In the event of problems deemed serious and significant, ESQ CERT Ltd has the right to temporarily suspend the Certificate of Conformity; for example in cases where the Organization:

- Do not send the appropriate Corrective Actions for any Non-Conformities within the scheduled time;
- Do not apply adequate Corrective Actions for any Non-Conformities within the scheduled time;
- Does not comply with payments relating to activities already carried out;
- Do not observe the detailed conditions in the applicable certification regulations;
- is unable to ensure the regular performance of the planned audit activities;
- Misuse the Trademark and / or the Certificate of Conformity;
- Do not handle complaints correctly;
- Do not inform ESQ CERT Ltd about substantive facts that can affect the effectiveness and reliability of the certified system;
- Do not inform ESQ CERT Ltd of all current legal procedures, accidents and / or emergencies in progress concerning the scope of the certification;
- Refuse or obstruct audit activities;
- Give evidence that the Management System does not guarantee compliance with binding laws and regulations relating to the certification standard applied;
- Voluntarily request the suspension of the certificate;
- Does not allow the performance of surveillance audits or certification renewals with the necessary periodicity;
- Do not persistently or seriously comply with the certification requirements, including the requirements relating to the effectiveness of the management system (for example: repeated presence of Major Non-Conformities and / or their ineffectiveness in implementation, loss of credibility of the certification to following extraordinary events);

In the event of suspension, ESQ CERT Ltd sends the official suspension notification by e-mail, reserving the right to make this suspension public. In the event of suspension, the certification of the Organization's Management System is temporarily invalidated.

13 Reduction of the scope

The reduction may relate to the scope and / or sites subject to certification. ESQ CERT Ltd provides for the scope reduction of existing certification, if some parts are found no longer meet the requirements, or the organization has failed so persistent or severe to meet the requirements in relation to certain parts of the field application of certification or at the request of the Organization. The reduction of sites or part of the scope is not eligible for the certificates issued in the certification scheme ISO45001. The reduction of sites or part of the scope for the ISO 14001 environmental management systems can be implemented only if in compliance with the rules for accreditation (reported in the official documents of the accreditation). The reduction can also be proposed by the Team Leader Audit during an audit of surveillance / renewal and reported on the audit report. As a result of reduction will be re-issued the Certificate, with the new scope reduced, maintaining the original expiration date, the company shall also promptly conform all the forms of communication and publicity about the certification, the new scope reduced. ESQCERT communicate the measure to reduce the accreditation bodies and / or other third parties who request them, and reserves the right to publish the information on its website.

## 14. Extension of the scope of certification

The scope of certification can be extended at the request of the Organization.

In the case in which the organization requires the extension of the scope of the certification to include new business areas or elements of the management system that were not included in the certification, ESQ CERT determines the method and scope of the evaluation. Documentary evidence cannot be used in cases of request for extension of the scope of certification. The extent of an activity associated with a type of work can only be granted following an on-site audit.

## 15. WITHDRAWAL OF THE CERTIFICATE

Apart from the cases expressly referred to in the relative Rules or Guidelines, ESQ Cert may observe of the minimum requirements of the reference standard document. It may also be withdrawn in the following cases:

- a) failure to eliminate the reasons that led to the suspension of the certificate within the deadline communicated by ESQ Cert.
- b) termination of the activity of the certified Organisation or its suspension for more than 3 months
- c) conviction of the Organisation for matters concerning its failure to respect the legally binding requirements of the certified system.

In the event of withdrawal, the Organisation is required to return the certificate of conformity within 15 days from the withdrawal communication sent by ESQ Cert. The certificate of conformity will be furthermore deleted from the ESQ Cert web site ([www.esqcert.com](http://www.esqcert.com)). Within the sphere of ESQ Certs commitments, it may communicate suspension, relinquishment or withdrawal of certification to Accreditation Bodies and other third parties making a request in this sense. It may also enter the event in the list of certified companies present on its Internet site. Furthermore the certificate withdraw (regarding QMS IAF 28 sector in Italy) will be communicate to AVCP in Italy.

## 16 SHORT NOTICE AUDIT

ESQCERT Ltd may conduct audits of certified clients at short notice or unannounced to investigate complaints, or in response to changes, or as follow up on suspended clients. This audit does not replace or change the process and the frequency of annual surveillance audits.

Given the short notice and the inability of the Organization to reject inspectors from ESQ CERT Ltd, max attention will be paid to the choice of the Audit group

## 17 USE OF CERTIFICATION MARK

17.1 The use of ESQ Cert mark by organizations is allowed only with the express written consent of ESQ CERT, which provides a model of the organization brand and its features. Rules for use of certification mark are available on RG-01 "Rules of the ESQ Cert Certification logo". Is mandatory that all ESQ CERT clients certified:

- a) be conforms to the requirements of RG-01 when making reference to its certification status in communication media such as the internet, brochures or advertising, or other documents,
- b) does not make or permit any misleading statement regarding its certification
- c) does not use or permit the use of a certification document or any part thereof in a misleading manner
- d) upon suspension or withdrawal of its certification, discontinues its use of all advertising matter that contains a reference to certification, as directed by ESQ CERT
- e) amends all advertising matter when the scope of certification has been reduced
- f) does not allow reference to its management system certification to be used in such a way as to imply that ESQ CERT certified product (including service) or process
- g) does not imply that the certification applies to activities that are outside the scope of certification
- h) does not use its certification in such a manner that would bring the certification body and/or certification system into disrepute and lose public trust.

## 18. Confidentiality

18.1 ESQ Cert undertakes to treat confidentially all information and documentation made available to it by the organization.

Information on special products or individual organizations will only be forwarded to third parties with the written consent of the organization.

The accreditation body is allowed to inspect documents of the organization during accreditation audits. It is mandatory for ESQ Cert to allow the accreditation bodies access to files. In cases, where the law requires the passing on of information to third parties, the organization will be informed of the forwarded information within the scope of law.

Due to accreditation requirements it is mandatory for ESQ Cert to maintain a register of certified customers which is to be made available on request. Hence, the following data are excluded from confidentiality: (1) Name and address of company certified, (2) Normative reference/standard, (3) Scope and (4) • Certificate status (granted, suspended, withdrawn).

## 19 Appeals procedure

19.1 The organization may appeal against the decision of ESQ Cert by explaining the reasons for its disagreement within 7 days of the date of notification of the decision. The appeal will be sent to the Certification Division of ESQ Cert. ESQ Cert will examine the appeal, according to their internal instructions, within 4 weeks months of its submission and consult the organization's representatives, if necessary; the appeal will be examined by persons different from those who carried out the audits or inspections, and made the certification decision.

ESQ Cert shall provide the appellant with progress reports and outcome.

ESQ Cert shall give formal notice to the appellant of the end of the appeal-handling process. All costs related to the appeal are at the organization's expense, unless there are good ground for the appeal.

## 20 Dispute

The only competent Court for disputes relating to the application or interpretation of these Regulations shall be the Court of Valletta.

Date:

Stamp and Signature  
of the statutory representative

Approved by ESQ CERT Ltd