



REVISION MATRIX

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1 DOCUMENT PURPOSE

This Regulation defines the operating methods and conditions adopted by AP Engineering Srl (hereinafter also AP) for conducting conformity assessment activities and issuing certification for machinery and equipment intended for use outdoors pursuant to Directive 2000/14/EC + 2005/88/EC (hereinafter the Directive) for which the AP Engineering Body has been Notified and in accordance with the procedures referred to in Directive 2000/14/EC + 2005/88/EC for which the AP Engineering Body has been Notified.

The Regulation describes the commitments and responsibilities assumed by AP and the applicant submitting a conformity assessment application.

The procedures and this Regulation comply with the operating rules of the applicable certification bodies and testing laboratories of the ISO/IEC 17000 series and consider the relevant EA/IAF/ILAC guides/documents.

This Regulation is part of the contractual conditions signed between AP and the certification applicant.

AP makes the latest updated version of the Regulation available on its website at <http://www.ap-engineering.it>, at its headquarters, or, upon request, sends an electronic copy.

Amendments and additions to the Regulation are managed through the issuance of subsequent revisions, in which the modified portions of the text are highlighted with vertical lines alongside the text.

2 APPLICATION FIELD

This Regulation applies to the conformity assessment activities of machinery and equipment intended for use outdoors for the issuing of certificates of conformity in accordance with Annex VI (Internal production control with assessment of technical documentation and periodic checks) and Annex VII (Verification of the single unit) of Directive 2000/14/EC + 2005/88/EC for all machinery and equipment intended for use outdoors indicated in Article 12 (Machinery and equipment subject to noise emission limits) and listed below:

- hoists for construction site material
powered by an internal combustion engine
Definition: Annex I no. 3. Measurement: Annex III B 3
- compaction equipment
only vibrating rollers and static rollers, vibrating plates and vibratory rammers
Definition: Annex I no. 8. Measurement: Annex III B 8
- motor compressors
(< 350 kW)
Definition: Annex I no. 9. Measurement: Annex III B 9
- hand-held demolition hammers
Definition: Annex I no. 10. Measurement: Annex III B 10
- construction site winches powered by internal combustion engines
Definition: Annex I no. 12. Measurement: Annex III B 12
- trailblazer
(< 500 kW)

Definition: Annex I no. 16. Measurement: Annex III B 16

- dumper
(< 500 kW)

Definition: Annex I no. 18. Measurement: Annex III B 18

- hydraulic or cable excavators
(< 500kW)

Definition: Annex I no. 20. Measurement: Annex III B 20

- backhoe loaders
(< 500 kW)

Definition: Annex I no. 21. Measurement: Annex III B 21

- motor graders
(< 500 kW)

Definition: Annex I no. 23. Measurement: Annex III B 23

- hydraulic power units

Definition: Annex I no. 29. Measurement: Annex III B 29

- waste compactors with loader and bucket
(< 500 kW)

Definition: Annex I no. 31. Measurement: Annex III B 31

- lawnmower
excluding:
 - agricultural and forestry machinery
 - multifunctional devices whose main motorized element has an installed power of more than 20 kW

Definition: Annex I no. 32. Measurement: Annex III B 32

- electric lawnmower (trimmers) / electric edge trimmers

Definition: Annex I no. 33. Measurement: Annex III B 33

- forklift trucks, internal combustion engine forklift trucks with cantilever load are excluded “otjer forklift trucks with cantilever load” referred to in Annex I no. 36, second indent, with a nominal capacity of not more than 10 t

Definition: Annex I no. 36. Measurement: Annex III B 36

- loaders
(< 500 kW)

Definition: Annex I no. 37. Measurement: Annex III B 37

- mobile cranes

Definition: Annex I no. 38. Measurement: Annex III B 38

- motor hoes
(< 3 kW)

Definition: Annex I no. 40. Measurement: Annex III B 40

- vibrating pavers
excluding pavers equipped with high compaction scrapers

Definition: Annex I no. 41. Measurement: Annex III B 41

- generating sets
(< 400 kW)

Definition: Annex I no. 45. Measurement: Annex III B 45

- tower crane

Definition: Annex I no. 53. Measurement: Annex III B 53

- welding generators



Definition: Annex I no. 57. Measurement: Annex III B 57

For the sake of simplicity, the above-mentioned machines and equipment intended for outdoor use will be referred to as "machines" throughout this regulation.

Access to certification is open to all organizations and is not dependent on their membership in any association or group, or their size. AP will apply its current fees for certification activities, ensuring fairness and uniformity of application. In the context of this regulation, "certification of conformity" or simply "certification" means AP's successful verification of the machine's compliance with the relevant regulatory document, which allows for the issuance of the "certificate." "certificate," unless otherwise specified, means any of the documents of conformity issued by AP upon successful completion of the verification activities.

3 DEFINITIONS

For the purposes of this Regulation - which as specified in Article 2 of Directive 2000/14/EC, applies only to machinery and equipment placed on the market or put into service as complete units for their intended use, non-powered attachments placed on the market or put into service separately are excluded, with the exception of hand-operated demolition hammers (definition Annex I no. 10) and hydraulic demolition hammers (definition Annex I no. 28 falling within Article 13 - Machinery and equipment subject only to noise marking) - the following definitions apply:

Machinery and equipment intended for outdoor use: means all machinery falling within the definition in Article 1, paragraph 2, of Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the approximation of the laws of the Member States relating to machinery, whether self-propelled or mobile, which, regardless of the traction gear they have and depending on their type, is intended for outdoor use and therefore contributes to exposure to environmental noise. The use of machinery and equipment inside structures that do not significantly affect sound transmission (for example, under awnings or shelters or within the external structure of buildings) is considered to be outdoor use. This definition also includes non-engine machinery, of industrial or environmental application, depending on their type, intended for outdoor use and which contributes to exposure to environmental noise.

Sound pressure p: pressure oscillations around the static pressure value due to the presence of a sound. It is expressed in pascals.

Sound pressure level L_p : ten times the logarithm to the base 10 of the ratio of the root mean square of the sound pressure to the square of the reference sound pressure. Sound pressure levels are expressed in decibels. The reference sound pressure is equal to 20 μ Pa (2×10^{-5} Pa)

Measuring surface S: fictitious surface of area S that encloses the source and on which the measurement points are positioned. The measurement surface is delimited by one or more reflecting planes.

Surface sound pressure level $\overline{L_p}$: arithmetic mean of the temporally averaged sound pressure levels at all microphone positions on the measurement surface, to which the background noise correction K1 and the environmental conditions correction K2 are applied. It is expressed in decibels. The A-weighted sound pressure level is expressed as L_{pA} .

Background noise correction, K_1 : Correction factor that considers the influence of background noise on the surface sound pressure level; K_1 depends on the frequency and is expressed in decibels. For A-weighted levels, the correction factor is denoted by K_{1A} .

Background noise: noise emitted by all sources other than the one being tested.

Environmental correction, K_2 : Correction factor that considers the influence of reflected or absorbed sounds on the surface sound pressure level; K_2 depends on the frequency and is expressed in decibels. For A-weighted levels, the correction factor is indicated by K_{2A}

Sound power W : amount of sound energy radiated into the air by a source per unit of time. It is expressed in watts.

Sound power level L_w : ten times the logarithm to the base 10 of the ratio between the sound power radiated by the sound source being tested and the reference sound power. It is expressed in decibels. The reference sound power is equal to 1 pW (10⁻¹² W). The A-weighted sound power level is expressed as L_{WA}

Field above a reflecting plane: a sound field in a homogeneous, isotropic medium on a rigid, infinite flat surface on which the source is positioned.

Frequency range of interest: for general applications, the frequency range of interest includes the octave bands with a center frequency between 125 Hz and 8,000 Hz.

Detected sound power level: a sound power level determined on the basis of the measurements referred to in Annex III; the measured values may be taken from a single machine representative of this type of machinery or equipment or from the average of a series of machines.

Guaranteed sound power level: a sound power level determined in accordance with the requirements set out in Annex III, including uncertainties related to manufacturing variations and measurement procedures, the non-exceedance of which is confirmed by the manufacturer or his authorized representative established in the Community on the basis of the technical means applied and referred to in the technical documentation

Reference parallelepiped: fictitious surface consisting of the smallest rectangular parallelepiped that encloses the source and is delimited by the reflecting plane(s).

Source characteristic dimension, d_0 : Semi-diagonal of the parallelepiped consisting of the reference parallelepiped and its projections in the adjacent reflecting planes.

Declaration of conformity: It is a declaration by the manufacturer or his authorized representative established in the European Community with which, under his own responsibility, he declares that the machinery or partly completed machinery placed on the market complies with all the applicable essential health and safety requirements of Directive 2006/42/EC.

Placing on the market: The first making available on the European Union market, whether for consideration or free of charge, of machinery or partly completed machinery for distribution or use. Machinery or partly completed machinery made available after having undergone modifications that do not fall within the scope of ordinary or extraordinary maintenance are also considered to have been placed on the market.

Putting into service: first use of the machinery or partly completed machinery within the territory of the European Union; the use of the machinery or partly completed machinery constructed on the basis of previous legislation and already in service on the date of entry into force of the regulation implementing the directive, if they have been subject to changes in the methods of use not directly foreseen by the manufacturer.

Harmonized technical standards: the technical provisions adopted by the European standardization bodies on behalf of the European Union Commission and approved by the latter, the references of which are published in the Official Journal of the same and transposed into a national standard.

CE marking: standardized marking indicating the conformity of the machinery with the essential health and safety requirements of the Directive. Annex III of the Directive and the applicable harmonized standard establish the methods for affixing the marking, including the accompanying information. The manufacturer or his authorized representative established in the Community affixes it only to machinery.

Presumption of conformity: Machinery constructed in compliance with the harmonized standards relating to them is presumed to comply with the essential health and safety requirements listed in Annex I to the directive.

Manufacturer: the manufacturer of the machinery established in the European Community and any other person presenting himself as the manufacturer by placing his name, trademark or other distinctive sign on the machinery, or the person who reconditions the machinery; the manufacturer's representative if the latter is not established in the Community or, if there is no representative established in the Community, the importer of the machinery; other professional operators in the marketing chain to the extent that their activity may affect the safety characteristics of the machinery marketed.

Authorized representative: any natural or legal person established within the Community who has received a written mandate from the manufacturer to carry out on his behalf, in whole or in part, the obligations and formalities connected with this Directive

Notified body: body that, subject to authorization from the competent Ministry, carries out certification activities; after issuing the authorization, the competent Ministry communicates to the European Commission the notified bodies for CE conformity certification.

EC type examination: procedure according to which a CB verifies and certifies that a representative model of a machine satisfies the requirements of the Directive;

Evaluation Technician (EV): personnel who carry out conformity assessment activities for products and related documentation in order to verify compliance with the requirements established by mandatory standards;

Verification: activity conducted by the Body for the purpose of verifying the objective satisfaction by the applicant of the specific requirements relating to the processes, products and more generally to the activities carried out by it for the purpose of obtaining the CE certificate of conformity for the machine in question or the QMS Certification;

Relief: objective evidence of an event or condition that highlights a NC;

Non conformity (NC): Failure by the manufacturer to meet a requirement referred to in a Directive, standard, or applicable law. Failure to meet a requirement means the body cannot issue the EC Certificate of Conformity;

Complaint: expression of dissatisfaction, whether verbal or written, by entitled parties (direct customers, indirect customers, Public Authorities, ACCREDIA), relating to the services provided by the Body and, in general, to its operations;

Appeal: formal appeal, by Subjects having specific cause, against decisions taken or assessments expressed, or certifications issued by the Body;

Certification Committee (CC): Body internal organ responsible for the final conformity assessment, following which the positive outcome leads to the proposal for the release of the Certification.

4 GENERAL LAWS AND RULES

- Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors;
- Directive 2005/88/EC of the European Parliament and of the Council of 14 December 2005 amending Directive 2000/14/EC on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors (Text with EEA relevance)
- Legislative Decree 4 September 2002, n. 262 implementing Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to noise emission in the environment by equipment intended for use outdoors;
- Decree of 24 July 2006, of the Ministry of the Environment and Protection of Land and Sea, concerning amendments to Annex I - Part b, of Legislative Decree no. 262 of 4 September 2002, relating to the environmental noise emissions of machinery and equipment intended for outdoor operation;
- Legislative Decree No. 41 of the President of the Republic of 17 February 2017, as Provisions for the harmonization of national legislation on noise pollution with Directive 2000/14/EC and Regulation (EC) No. 765/2008, pursuant to Article 19, paragraph 2, letters i), l) and m) of Law No. 161 of 30 October 2014.
- Decree no. 32 of 20 February 2020 of the Ministry of the Environment, Land and Sea Protection, as a Regulation amending Annex II of Legislative Decree no. 262 of 4 September 2002 implementing Directive 2000/14/EC;
- Reference standards for the certification of machinery referred to in Article 7, paragraph 2 of Directive 2006/42/EC;

- other sector-specific documents (Normative Mandates, Interpretative Documents, Accredia Regulations, International Guidelines, etc.)
- Commission Delegated Regulation (EU) 2024/1208 of 16 November 2023 amending Directive 2000/14/EC of the European Parliament and of the Council as regards methods for measuring airborne acoustic noise from equipment for use outdoors

The above standards are intended to be applied in accordance with Directive 2000/14/EC. The identification of mandatory standards and/or laws applicable to the product is the responsibility of the applicant, who may refer to the standards and technical specifications issued by international standardization committees such as UNI, ISO, IEC, CEI, CEN, and CENELEC. The harmonized standards relating to the Directive, published and periodically updated by the European Commission, are available on the European Commission's institutional website. The Body will verify that the applicant has defined and formalized both a method of identification and the methods for updating and implementing them.

5 OBLIGATIONS AND DUTIES

This chapter details the mutual responsibilities and commitments that the applicant and AP are required to respect in order to allow the correct execution of the individual phases envisaged by the Certification process, according to the methods and timescales described in the following paragraphs and in the contractual documents signed by the parties.

AP advises that some phases of the activity may be performed by third parties (such as laboratories or other notified or accredited entities, in any case qualified by AP). If such activities are outsourced, the applicant may submit a written objection, justifying its decision. AP retains responsibility and makes the final decision.

5.1 Obligations and duties of the Body

AP undertakes to provide the necessary resources, plan, and conduct conformity assessment activities as required by the Directive. It also undertakes to provide the resources necessary to conduct any additional audits and all activities required to maintain the granted Certification

AP also guarantees adequate insurance coverage in relation to the risks that could arise for the applicant from carrying out the conformity assessment activities.

AP undertakes to grant all entities, public or private, access to Certification services, without making any distinction based on company size, membership in any organization or association, or the number of certifications obtained for the machines produced, the location of the headquarters, with the exception of entities subject to legal restrictions, which prevent them from marketing products subject to CE certification of conformity, subject to liquidation or other restrictive measures, subject to criminal proceedings for crimes against the State, civil rights, property and/or the environment and for machines for which AP is not recognized as a Notified Body.

AP is committed to

- Ensure maximum correctness and transparency in carrying out machine verification and certification activity



- Ensure, by signing specific contractual documents, that its personnel are not subject to undue internal or external pressure, whether commercial, financial or otherwise, which could negatively affect the work performed
- Ensure that personnel involved in the verification activities aimed at issuing the EC certificate of conformity are not involved in activities that could undermine confidence in their independence, impartiality and professional integrity.

AP hereby informs that, as part of its third-party obligations, it will not be able to support the applicant either directly or in a consultancy capacity in the design, adaptation and resolution of any non-conformities.

AP undertakes to provide the applicant, in the event of non-compliance, with all the necessary explanations for an adequate understanding of the facts preventing the issuing of the Certification.

AP undertakes to issue an offer for the requested services only after the applicant has provided at least the following information and documents:

- o duly completed request for quotation form
- o the manual or technical data sheet or descriptive document of the product

In the event that such documents and information are not provided, AP will not be able to follow up on the request for quotation.

5.2 Obligations and duties of the applicant

The applicant is committed to

- provide maximum collaboration to AP and its collaborators during all phases of the Certification process.
- prepare any permits and authorizations to allow access to the areas involved in carrying out the verification activities, whether internal or external to the company being examined.
- allow on site access or the provision of copies of all documents that AP deems useful to the examine for the purpose of granting the requested EC certificate of conformity.
- provide, following acceptance of the order and for the purpose of obtaining certification, the complete technical file as required by Annex VI or Annex VII of Directive 2000/14/EC together with the duly completed Certification application

The applicant undertakes to comply with all provisions of this regulation and to honor any further obligations arising from the signing of the contractual documents required by the Certification process. In particular, the applicant undertakes to ensure the following:

- provide support to AP staff, making their own responsible staff available for the activities involved in the conformity assessment process, during working hours and for the entire period involved in the Certification process;

- facilitate the performance of evaluation activities, within the timeframe and methods agreed in the official communications;
- facilitate access by AP staff to all areas involved in the assessments, registrations (changes to technical file, compliant resolution, etc.), to staff involved in design and manufacturing, etc.;
- facilitate the resolution of NCs that emerge during the Certification process, allowing AP to verify their resolution, through evidence of the corrective actions undertaken;
- do not market the machines subject to the certification until the process has been successfully completed;
- do not market the machines subject to the certification if this is suspended, revoked or expired;
- promptly communicate to AP any modification made to the machine subject to the requested EC certificate of conformity and to the manufacturing process;
- fulfil payments in the manner and within the timeframes defined in the signed contractual documents;
- not omit or fail to communicate to AP any information relevant to the Certification process or to the machine subject to the required conformity assessment
- use and publicize the Certification exclusively within the limits for which it was granted, avoiding bringing discredit on the Body
- allow the requested checks to be carried out, even if communicated with minimal notice, by the personnel appointed by AP, even when supported by personnel from ACCREDIA or the relevant bodies;
- allow AP to perform additional checks based on serious complaints regarding certified machinery, even in conjunction with personnel from the competent authorities or ACCREDIA. These checks may be performed without prior notice or with a minimum of seven working days' notice. Refusal will result in the revocation of the certification.

It is not permitted to reject the proposed inspectors.

5.2.1 Product changes

The applicant for certification undertakes, once the certification has been received, to:

- communicate to AP any changes to the product or production process
- do not place a product modification on the market without obtaining AP approval for the modification

5.3 Special conditions

AP cannot be held responsible in any way for the failure to issue the certification if the situations indicated below occur:

- a. Failure to comply with the timeframes indicated by AP for the resolution of non-conformities
- b. Failure to resolve non-conformities
- c. unavailability of the testing machine
- d. Failure to pay by the applicant
- e. documentary deficiency
- f. Other cases that AP will document in writing

Regardless of the cases described above, payment for the services performed is always due. If the applicant cancels the certification service following acceptance of the order, a fee equal to 30% of the total will still be due, unless additional costs are attributable to services already performed and documented.

6 CERTIFICATION PROCEDURE

The certification process and the related application rules that the parties undertake to comply with are outlined below. The process is conducted in accordance with the provisions of the Directive, the harmonized accreditation standards referred to in paragraph 3, the applicable mandatory laws, and all specifications and guidelines issued by international bodies such as IAF, EA, ILAC, etc. Each phase is conducted in accordance with internal procedures and regulations established by AP, which can be consulted by the applicant at the Body's headquarters, limited to the sector relevant to the Certification.

6.1 Certification Request

To access conformity assessment services, the applicant submits the MD-C52 request for quotation form (Directive 2000/14/EC), available on the AP website, by email, or otherwise. The request for quotation form must be completed and signed in its entirety.

If the form is filled out by an Agent or by a person other than the Legal Representative, it is necessary to attach a written proxy or mandate to the form in support.

If the form is completed by AP personnel, it must be signed by the person completing it and submitted as an attachment to the offer.

The request form should not be confused with, and does not replace, the certification request included in the offer.

6.2 Request examination and sending of the offer

Upon receipt of the request for quotation, AP's technical secretariat or sales staff completes the MD-C66 form along with the MD-C53 quotation form. Once completed, the MD-C52 quotation form, the MD-C66 form, and the MD-C53 quotation are submitted to the Technical Manager and Sales Manager for approval. The Sales Manager, together with the Technical Manager of the Certification sector, will review the request and carry out a detailed evaluation of the quotation and the MD-C66 form.

If the evaluation is successful, the Technical Manager and Sales Manager approve the quotation with their signature. At this point, the sales secretariat or the relevant sales representative sends the quotation to the applicant. Costs are determined based on the information provided on the request form and the PRT-C01 price list.

If the evaluation is unsuccessful, AP will activate one of the following procedures:

- 1) If the negative outcome is due to inconsistent data provided by the applicant, the Sales Manager will provide information to the relevant sales representative so that he can interface with the customer so that the request for quotation can be corrected with the correct information



- 2) If the negative outcome is due to incorrect data in the MD-C66 form, the Sales Manager will provide information to the relevant sales representative so that he can make the appropriate corrections to the form.

If the negative outcome is due to incorrect data in the offer (MD-C53 form), the Sales Manager will provide information to the relevant sales representative so that he can make the appropriate corrections to the form.

6.3 Acceptance of the order and review of the application

Upon receipt of the order from the applicant (countersigned offer possibly accompanied by other administrative documentation from the applicant), AP issues the MD-C11 order confirmation after verifying that the order does not contain any unconventional contractual changes, that all information and fields are correctly filled out, and that the certification application is completed and signed. In particular, AP verifies the application to check:

- a. Completeness of the data of the manufacturer and, where applicable, of his authorized representative,
- b. Verification of the signatures with particular attention to the written declaration specifying that the same application has not been submitted to another notified body,
- c. Completeness of the technical documentation as defined in Annex VII, paragraph 2. The completeness check is carried out by the Technical Manager at the request of the contact person who manages the order.

After reviewing the application and order, AP sends the customer the MD-C11 confirmation with any necessary additions. If the application is missing the required information, AP will notify the applicant of the necessary additions and specify a maximum response time. This response time may not, under any circumstances, exceed three months, except where the applicant requests an extension in writing.

Acceptance of the order via the MD-C11 form is confirmed in writing by AP, which constitutes formal administrative acceptance for the purpose of issuing the invoice for any advance payments.

Upon receipt of the order, the quotation document becomes a certification request, as the "certification request" section is specifically included in the quotation.

The job order is then opened

6.4 Job order opening

Following acceptance of the order, AP opens the relevant job order to plan the subsequent application completeness review activity.

6.5 Certification process starts

Following the positive outcome referred to in §6.3 above, AP will communicate in writing the procedures for carrying out the activities and the timelines for the Certification Process, indicating the names of the assigned technicians MD-G08.

AP will send the assigned assessor the MD-G07 assignment, which must be returned signed for acceptance.

The client may object to the names indicated within 3 working days, detailing the reasons in writing, which must constitute objective impediments (conflict of interest, pending litigation, unfair conduct, conduct not in line with the principles of professional ethics, etc.). If the reasons are found to be valid, AP will proceed with a new assignment, informing the applicant of the new names.

According to what is defined in Directive 2000/14/EC (Article 14 point 1), the Manufacturer or his authorized representative must subject each type of machinery and equipment to one of the following conformity assessment procedures before placing it on the market or putting it into service:

- a) internal production control procedure with evaluation of the technical documentation and periodic checks referred to in Annex VI;
- b) single specimen verification procedure referred to in Annex VII;
- c) full quality assurance procedure referred to in Annex VIII.

Ap Engineering is accredited as Body for types a) and b). Details for both procedures are provided below

6.5.1 Control procedure referred to in Annex VI

This procedure requires the Body to evaluate a copy of the technical documentation submitted by the Customer (manufacturer or its representative) before the first machine or equipment is placed on the market or made available.

If there are doubts about the plausibility of the technical documentation, the Body informs the Manufacturer and, if necessary, performs or arranges for the performance of any changes to the technical documentation or, if necessary, any tests deemed necessary.

6.5.1.1 Document Verification

The first phase of the process consists of verifying the conformity of the documentation produced by the customer. The appointed technician examines the documents contained in the technical documentation.

The inspector appointed by AP assesses the completeness of the documentation comprising the technical documentation prepared by the customer, which must meet the requirements set out in the relevant annex of Directive 2000/14/EC. The assessment is performed at the Body's premises, unless otherwise agreed with the customer.

In the case of series production, the customer must include documentation relating to the internal provisions that will be applied to maintain the conformity of the machinery with the provisions of Directive 2000/14/EC (internal manufacturing control process referred to in Annex V of Directive 2000/14/EC).

AP recognizes as valid, and therefore without the need for further testing, technical documentation that includes test reports issued by a laboratory accredited in accordance with UNI EN ISO 17025:2018 or, alternatively, test reports provided by the manufacturer or another designated entity qualified by AP.

AP's qualification of the test site includes the qualification of the personnel involved, the test method, and the designated testing area. To proceed with the qualification of the test site, the Applicant must provide:

- List of instruments with related LAT Calibration Certificates (from a laboratory accredited according to UNI EN ISO 17025)
- List of staff and their CVs
- Test procedure
- Report template
- Test site floor plan

Upon receipt of the aforementioned documentation, which must be provided after the qualification offer is accepted, AP will conduct a document audit and an on-site audit to verify the correct application of the test procedure, including, where applicable, verification and calculation/characterization of the k2 factor. Upon successful evaluation, AP will issue a qualification certificate with reference to the test procedure, instrumentation, and personnel. Any changes to the verifications made after qualification must be communicated by the Applicant to AP.

The cost of the site qualification audit is borne by the Applicant

6.5.1.1.1 Outcome of the Document Verification and communication of findings

AP uses dedicated MD-C54 checklists (Directive 2000/14/EC) to perform the document assessment and report the outcome of the assessment. If the outcome is not positive, the following types of findings can be indicated in the MD-C08 document:

- Non conformity (NC)

All reliefs must be communicated to the Client in writing, specifying the requested resolution timeframe, which in any case cannot exceed 6 months from the date of notification of the relief via the MD-G10 form. A waiver of the 6-month period is permitted if the applicant submits a written request for an extension supported by adequate justification. AP must evaluate the reasons for the extension request and communicate its acceptance or denial in writing.

Generally speaking, reliefs related to NC type are considered to be those:

- Lack of documentation
- Lack of technical documentation
- Failure to meet regulatory requirements

Upon receipt of the list of findings from AP, the client can choose to update their documentation or cancel the process. In the latter case, the cancellation must be communicated to AP by registered mail with return receipt or by certified email to apengineering@pec.it. Cancellation will result in the closure of the Certification Process and the debiting of the fees for the activities performed.

If, following the document review, any Non-Conformities (NCs) are identified, the client has four weeks to propose corrective measures, which must be validated by AP before implementation, and six months to complete the agreed-upon corrective actions. If no notification is received within this period, AP will inform the client of the cancellation of the certification process and will inform the Market Surveillance Authority and other Notified Bodies. The client has the right to appeal as indicated in this procedure. A waiver of the six-month period is permitted if the applicant submits a written request for an extension supported by adequate justification. AP must evaluate the reasons for the extension request and communicate its acceptance or denial in writing.

If, at the end of the document review, any NC findings emerge, these will have the effect of preventing access to the next phase of the Certification Process, which involves verifying the machine's conformity to the contents of the technical documentation and measurements (where required).

6.5.1.2 Checks during production

The assessment conducted by AP during production is carried out according to one of two procedures, which we will refer to as Procedure 1 and Procedure 2, chosen by the manufacturer in accordance with the provisions of point 6 of Annex VI of Directive 2000/14/EC.

Procedure 1) AP conducts periodic checks to verify the continued conformity of the manufactured machinery or equipment with the technical documentation and the requirements of Directives 2000/14/EC and 2005/88/EC, with particular attention to:

- correct and complete marking of the machine or equipment in accordance with the provisions of Article 11 of Directive 2000/14/EC;
- drafting of the EC declaration of conformity in accordance with the provisions of Article 8 of Directive 2000/14/EC;
- the technical tools applied and results of the evaluation of uncertainties due to variability in production and their relationship with the guaranteed sound power level.

AP recognizes as valid, and therefore without the need for further testing, technical documentation that includes test reports issued by a laboratory accredited in accordance with UNI EN ISO 17025:2018 or, alternatively, test reports provided by the manufacturer or another designated entity qualified by AP.

AP's qualification of the test site includes the qualification of the personnel involved, the test method, and the designated testing area. To proceed with the qualification of the test site, the Applicant must provide:

- List of instruments with related LAT Calibration Certificates (from a laboratory accredited according to UNI EN ISO 17025)
- List of staff and their CVs
- Test procedure
- Report template
- Test site floor plan

Upon receipt of the aforementioned documentation, which must be provided after acceptance of the qualification offer, AP will conduct a document audit and an on-site audit to verify the correct application of the test procedure, possibly verifying and calculating/characterizing the k2 factor. Upon successful evaluation, AP will issue a qualification certificate with reference to the test procedure, instrumentation, and personnel. Any changes to the verifications made after qualification must be communicated by the Applicant to AP.

The cost of the site qualification audit is borne by the applicant.

If the technical documentation is found to be unsatisfactory and/or lacks a Test Report and/or contains Test Reports that differ from the above, AP will conduct noise tests, which may be simplified or complete according to the requirements set out in Annex III for the type of machine or equipment under consideration. The cost of additional noise tests will be quoted in a supplementary offer.

Procedure 2) AP performs, or arranges for, tests to be performed at random intervals. An adequate sample of the final production, selected by AP, will be examined by performing noise tests as defined in Annex III, or equivalent tests.

In addition to the tests, AP verifies:

- correct and complete marking of the machine or equipment in accordance with the provisions of Article 11 of Directive 2000/14/EC;
- drafting of the EC declaration of conformity in accordance with the provisions of Article 8 of Directive 2000/14/EC.

6.5.1.3 *Frequency of checks for inspections during production*

As defined in Annex VI of Directive 2000/14/EC, for both procedures, the frequency of inspections must be defined by the notified body based on the results of previous inspections, the need for corrective actions, and additional guidance. The frequency of inspections can be defined based on annual production volume and the manufacturer's overall reliability in maintaining guaranteed values, ensuring a complete inspection at least every three years. In accordance with this, AP has defined the rules for determining the frequency of inspections, as shown below. Specifically, for both procedures, the frequency of inspections is defined by AP based on the results of previous inspections, the need for corrective actions, and the manufacturer's overall reliability in maintaining guaranteed values. Inspections are performed according to the intervals indicated in Tables 1 and 2 below

Type	Max interval
First surveillance	24 months
Subsequent surveillance	According to table 2

Tabella 1

Subsequent surveillance is based on the outcome of the surveillance check just carried out according to the criteria defined in §6.5.1.5 summarized below by comparing the L_{medium} value of the surveillance with the A value calculated according to the formulas reported in §6.5.1.5

Condition to be verified	Max interval subsequent surveillance
a. if $L \leq A$	24 months
b. if $L > A$ and the new calculation of the guaranteed value based on the surveillance values is lower than the limit	12 months
c. if $L > A$ for two times in a row and the new calculation of the guaranteed value based on the surveillance values is lower than the limit	6 months
d. if $L > A$ and the new calculation of the guaranteed value based on the surveillance values is higher than the limit	certificate suspension

Tabella 2

6.5.1.4 Number of samples to be tested in case of procedure 1

The Manufacturer must have and follow a periodic production control procedure that defines the number of units to be subjected to noise tests, designed to verify continued compliance with the declared sound power values, and the related criteria. This number may be derived by referring to specific technical standards.

In the absence of a specific procedure and criteria defined by the manufacturer, AP adopts the procedure in §6 below in its assessment. 5.1.5

6.5.1.5 Number of samples to be tested in case of procedure 2

Procedure 2 requires the Body to define the testing methods. Since it is not possible to define a specific and always equal number of samples a priori, as it depends on multiple factors such as manufacturer availability and/or availability based on the type of machine, aware that different types of machines can have different production numbers, AP defines a number of samples required for the surveillance test equal to a minimum of 3 and a maximum of 10 according to Table I of EN 27574-4, as AP considers a number less than 3 to be inadequate even if provided for in Table I itself. This choice is due to the fact that the number of samples in itself is not a factor that can be defined a priori but is a value that has an effect exclusively on the evaluation criterion. In particular, AP uses the simplified method clause §6.2 of EN 27574-4 to evaluate the outcome of the surveillance tests, which provides for the following steps:

- 1) Record the number of test samples " n " made available by the manufacturer
- 2) Define the acceptability constant " k " as a function of the value " n " on the basis of table I of 27574-4 below

Prospect 1 – Acceptability constant k for different sizes of the sample n

Prospetto I — Costante di accettabilità k per diverse numerosità di campione n

n	1	2	3	4	5	6	7	8	9	10
k	-0,131	0,351	0,564	0,692	0,778	0,842	0,892	0,932	0,966	0,994

- 3) Determine the coefficient "A" equal to $A = L_c - k \cdot \sigma_m$, where L_c is the guaranteed LWA value and σ_m = reference standard deviation for the machine family which is assumed to be equal to 2,5 in accordance with definition 3.20 of EN 27574-1 and definition 3.24 of the EN ISO 4871 standard and table A.1 of the EN ISO 4871 standard
- 4) Take the measurements and calculate the average Lwa level with the following formula where L is the average value of the values detected on n specimens and L_i is the LWA calculated for each specimen tested

$$\bar{L} = \frac{1}{n} \sum_{i=1}^n L_i$$

- 5) Evaluate the result on the basis of the acceptability criterion provided by the EN 27574-4 standard at p. 6.2 for a simple sampling as reported below:
 - a. if $L \leq A$ the declared value of LWA guaranteed is confirmed
 - b. if $L > A$ the declared value of LWA guaranteed is NOT confirmed
- 6) if in case b) defined above is necessary to carry out a new calculation of the guaranteed value and verify whether this continues to be lower than the limit
- 7) If the outcome of the surveillance check is found to be compliant with the limit, it can be considered compliant with a reduction in the surveillance interval. If it is found to be greater than the limit, the outcome of the surveillance is considered negative.

6.5.2 Control Procedure referred to in Annex VII

If the Customer chooses the Single Item Verification, as per Annex VII, AP will proceed as follows:

- Document Verification as per §6.5.1.1
- Agrees with the customer the place, in accordance with the Directive, where tests will be carried out
- Performs the necessary noise emission tests or asks for them to be performed

6.5.3 Machine Checks

The machine conformity assessment activity is conducted at the location(s) indicated by the customer in the Application form or at another agreed location.

The checks required to complete the Certification process include:

- Examination of the representative specimen of the "Type" indicated in the Certification application to verify its compliance with the declarations in the technical file. AP performs the necessary checks, measurements, and tests to verify whether the adopted solutions meet the essential health and safety requirements set forth in the Directive:
 - o internal production control procedure with evaluation of the technical documentation and periodic checks referred to in Annex VI,

- single specimen verification procedure referred to in Annex VII.
- Laboratory tests:
 - for Annex VI on a minimum of three specimens of the product being certified. In the case of similar machines with similar acoustic power sources, they may be grouped under a single certificate. This grouping into "families" will allow for a smaller number of tests to be performed. As a general rule, each machine model included in the certificate must be subjected to at least one acoustic measurement test. If it is not possible to test all the machines, the Technical Manager will be responsible for defining which and how many models to test. The Technical Manager must provide evidence of the decision made, providing adequate justification;
 - for Annex VII the execution of the acoustic emission surveys will be conducted on the single specimen.

If any findings emerge during the product inspection, AP will duly notify the customer in writing using a dedicated form (MD-C08 and MD-G10)

If, during the machine inspection, any findings are identified that require modifications/additions to the submitted documentation and/or modifications to the machine itself, this request must lead to a review of the technical documentation and the implementation of the modifications to the machine. The timeframe for implementing the modifications will be agreed upon with the customer, but with a maximum limit of 6 months from the date of notification of the findings. This period may be extended by an additional 6 months upon the customer's justified request. If this period elapses without notification, AP will inform the customer of the cancellation of the certification process and will inform the Market Surveillance Authority and other Notified Bodies. The customer has the right to appeal as indicated in this procedure..

Upon receipt of the list of findings from AP, the client can choose to update their documentation or withdraw from the process. In the latter case, the withdrawal must be communicated to AP by registered mail with return receipt or by certified email to apengineering@pec.it. The withdrawal will result in the closure of the certification process and the charging of the fees for the activities performed.

At the end of the product verification activities, the assessor compiles the relevant verification report using the template provided in the quality system for each individual standard or group of standards, or prepares a specific report based on the templates provided in the AP Quality System.

6.5.4 Review and decision on certification

Upon successful completion of all the required checks and procedures, AP reviews the contents of the application and decides on the Certification.

The review is conducted within the Certification Committee "CC", which meets on a scheduled basis according to the plan defined by AP. In any case, the client may request, with justification, an extraordinary CC meeting. AP reserves the right to accept the request and convene an extraordinary CC meeting

In the event of a positive decision by the CC, AP notifies the customer of the decision by attaching the relevant "Certificate of Conformity" for the procedure set out in Annex VI or Annex VII of Directive 2000/14/EC

In all cases, the relevant certification process will be scheduled for the next available CC meeting only if payments are made in due time. In the event of non-payment, AP reserves the right not to proceed with the review and final decision. In this case, the client will under no circumstances be entitled to claim damages from AP for late review.

The document will be sent only after the agreed residual amounts for the verification activity performed have been paid.

The customer may use the Certificate received only for the purposes set out in the Directive and in reference to the type of machine for which it was issued, entering the necessary data on the declaration of conformity that will be attached to the machine and for all the obligations required for placing the machine on the market..

The Certificate authorizes the customer to affix the CE marking, in accordance with the provisions of the Directive, exclusively on machinery or equipment attributable to those described in the technical annex to the Certificate or in the Certificate itself

6.5.5 CE marking and indication of the GUARANTEED SOUND POWER LEVEL

The customer is aware that he will never be able to add the Notified Body number to the CE mark as this practice is not foreseen for type certificates

The CE conformity marking consists of the initials "CE" according to the graphic symbol shown in Annex IV of Directive 2000/14/EC

The indication of the guaranteed sound power level consists of the single figure of the guaranteed sound power level expressed in dB, the symbol L_{WA} and a pictogram, expressed as indicated in Annex IV of Directive 2000/14/EC.

6.5.6 Negative outcome of the conformity assessment

If the customer fails to resolve the findings identified following the document review or machine testing and inspections within the established deadlines, AP will not be able to proceed with the Certification process. AP will inform the customer of the negative conclusion of the Certification process via certified email (PEC), specifying the reasons for the decision, and will initiate the communications required by the Directive to the competent authority and other notified bodies, and will charge the costs for the activities conducted. The customer may submit a new Certification application or submit a reasonable appeal according to the procedures set forth in this regulation



6.5.7 List of Certifications

AP maintains an updated list of issued certifications. This list includes the client's company name, the certified product identification, the certificate number issued, its issue and expiration date, and other useful information for monitoring their validity.

Issued certificates are published on the AP website on a dedicated page that allows verification of the data and authenticity through the certificate number. This database is fully accessible to market surveillance authorities.

6.5.8 Documentation Retention

AP and the customer undertake to keep a copy of the documentation relating to the machine as defined by Directive 2000/14/EC for a period of ten (10) years from the date on which the machine was introduced onto the market

6.5.9 Closing of the certification procedure

To regulate certification timelines, including any delays in issuing new standards, AP does not maintain open certification applications for any reason not arising from or related to its operations beyond 12 months from the date of positive assessment of the certification application. After this period, AP will close the business and provide written notice of cancellation of the application.

The customer can submit a new Certification application or submit a reasonable appeal according to the procedures set out in this regulation.

6.5.10 Internal production control

During the certification process according to Annex VI, AP will verify the presence and content of the documentation produced to ensure compliance with Directive 2000/14/EC regarding the internal production control requirement. AP is not responsible for the correct application of these procedures, as they are not part of the assignment. Responsibility remains solely with the client.

Verification of internal production control procedures is not required when requesting single-item certification.

6.5.11 Assessment by the notified body during production

The assessment conducted by AP during production is carried out according to one of the two procedures, which we will indicate as Procedure 1 and Procedure 2, chosen by the manufacturer in accordance with the provisions of point 6 of Annex VI of Directive 2000/14/EC

- Procedure 1)

AP carries out periodic checks to verify the continued conformity of the machine or equipment produced with the technical documentation and the requirements of Directive 2000/14/EC + 2005/88/EC, with particular attention to:

- Correct and complete marking of the machine or equipment in accordance with the provision of article 11 of Directive 2000/14/EC;
- Drafting of the EC declaration of conformity in accordance with provision of article 8 of Directive 2000/14/EC;

- The applied technical tools and results of the uncertainty evaluation due to variability in production and their relationship with the guaranteed sound power level

AP recognizes as valid, and therefore without the need for further testing, technical documentation that includes test reports issued by a laboratory accredited in accordance with UNI EN ISO 17025:2018 or, alternatively, test reports provided by the manufacturer or another designated entity qualified by AP.

AP's qualification of the test site includes the qualification of the personnel involved, the test method, and the designated testing area. To proceed with the qualification of the test site, the Applicant must provide:

- List of instruments with related LAT Calibration Certificates (from a laboratory accredited according to UNI EN ISO 17025)
- List of staff and their CVs
- Test procedure
- Report Template
- Test site floor plan

Upon receipt of the aforementioned documentation, which must be provided after the qualification offer is accepted, AP will conduct a document audit and an on-site audit to verify the correct application of the test procedure, including, where applicable, verification and calculation/characterization of the k_2 factor. Upon successful completion, AP will issue a qualification certificate with reference to the test procedure, instrumentation, and personnel. Any changes to the verifications made after qualification must be communicated by the Applicant to AP.

If the technical documentation lacks a Test Report or contains Test Reports that differ from those described above, AP will conduct noise tests, which may be simplified or completed according to the requirements set out in Annex III for the type of machine or equipment in question

- Procedure 2)

AP performs, or asks to perform, tests at random intervals. An adequate sample of the final production, selected by AP, will be examined by performing noise tests as defined in Annex III, or equivalent tests

In addition to testing, AP verifies:

- Correct and complete marking of the machine or equipment in accordance with the provision of article 11 of Directive 2000/14/EC;
- Drafting of the EC declaration of conformity in accordance with provision of article 8 of Directive 2000/14/EC.

Random checks can never have a frequency lower than that reported in the following table 1:

Table 1 – Condition detected during testing	Surveillance interval
LwA Measured AVERAGE ⁽¹⁾ (SORV) – LwA Measured AVERAGE ⁽¹⁾ (CERT) < +0.7 dB (se LwA Measured SORV ⁽²⁾ lower that guaranteed ⁽³⁾ but still below the limit)	12 months

LwA Measured AVERAGE ⁽¹⁾ (SORV) – LwA Measured AVERAGE ⁽¹⁾ (CERT) $\geq +0.7$ dB (se LwA Measured SORV⁽²⁾ lower than guaranteed⁽³⁾ but still below the limit)	6 months
LwA Measured ⁽⁰⁾⁽¹⁾ (SORV) – LwA Measured AVERAGE ⁽¹⁾ (CERT) $< +0.7$ dB (se LwA Measured SORV⁽²⁾ higher than guaranteed⁽³⁾ but still below the limit)	6 months
LwA Measured ⁽⁰⁾⁽¹⁾ (SORV) – LwA Measured AVERAGE ⁽¹⁾ (CERT) $\geq +0.7$ dB (se LwA Measured SORV⁽²⁾ higher than guaranteed⁽³⁾ but still below the limit)	3 months and evaluate certificate suspension

⁽⁰⁾ Every single test must be compared

⁽²⁾ Rounded value

⁽¹⁾ Non rounded value

⁽³⁾ Last calculated guaranteed sound power level

If the measured value is higher than the limit set by the directive, this is considered non-compliance and the procedure for communicating it to the customer is activated

For both procedures, the frequency of inspections will be determined by AP based on the results of previous inspections, the need for corrective actions, annual production volume, and the manufacturer's overall reliability in maintaining guaranteed values. In any case, the first production surveillance inspection will generally be scheduled within 12 months of the initial certification or renewal decision date.

6.6 Validity and Renewal of the Certification and Contract

Contracts signed between AP and the customer last for the duration of the Certification. The customer has the right to withdraw from the contract according to the procedures indicated in these regulations.

6.6.1 Certificate of conformity

Upon successful completion of all required checks and procedures, AP reviews the application and decides on certification.

If the decision is positive, the Body notifies the Applicant:

- a "Technical Report" for the procedure set out in Annex VI
- a "EC Certificate of Conformity" for the procedure set out in Annex VII

The Certificate, issued after the conformity assessment, is valid for three years. Within this period, the customer requests AP to review the validity of the Certificate. If the review is successful, AP renews the validity of the Certificate for an additional three years from the expiration date.

6.7 Official language and translations

The documentation submitted by the applicant must be in Italian or English. Languages other than those indicated will not be accepted.

Certificates are issued in Italian and, upon request, also in English, or alternatively in a bilingual Italian and English format.

If the applicant for certification requires the certificate to be issued in a language other than the bilingual Italian/English version and the request is received before it is issued, AP will take care of everything necessary to draft the document in the bilingual Italian/requested language version, following acceptance of the optional costs by the client.



Requests for the certificate to be issued in a language other than Italian or in a bilingual version require the issuance of a translated copy compliant with the original.

The official language of the certificates is Italian. Any dispute regarding the terms or contents will be resolved in Italian

6.7.1 Translations

In the event of a request for translations after the document has been issued, AP will take care of everything necessary to prepare the document in the requested language, following the client's acceptance of the optional costs. The request is evaluated by AP's General Management, and issuance of the document does not require a resolution.

The translated copy of the certificate can be issued even after the document's initial issuance and does not require changing the current issuance date. The document can be issued in either a bilingual version, Italian plus the language requested for translation, or in the translation language only.

The translated document will contain the wording "Certificate translated into language "XXXXXXX" issued on 00/00/0000 following the client's request. The document represents a certified copy, conforms to the original, of the certificate xxxx-rev yy issued on "first issue date". The conformity of the contents to the original is certified by the signature of the Legal Representative of the Body. For any dispute regarding the terms or content, the version drawn up in Italian shall prevail."

In this case, the certificate is issued under the responsibility of the person who holds the Legal Representation of the Body and has the authority to sign the Certificates at the time of issuance. This person may be different from the signatory of the Original Certificate.

7 Waiver, Suspension and Revocation of Certification

7.1 Waiver

The customer may renounce the Certification at any time and for any reason, according to the following procedures:

- Waiver in progress
- Waiver the obtained certification

In the first case, the Certification applicant communicates their refusal to continue with the Certification Process by registered letter with return receipt sent to AP or by certified email to apengineering@pec.it and arranges for payment of the amount due for the activities performed by the Body. The Body will inform the interested parties of the negative outcome of the evaluation process.

In the second case, the customer must communicate the renunciation by registered letter with return receipt or by certified email to apengineering@pec.it. Following the submission of the renunciation notice, the customer is required to return the original of the Attestation or Certificate received to AP. Renunciation of the Certification will result in the expiration of its validity. The Body will inform the market surveillance authority and other relevant notified bodies. The certificate's status is updated on the certification register and on the Body's website.



7.2 Suspension

The validity of the Certification may be suspended:

- upon request of the customer who must make a motivated written request by registered mail with return receipt or certified email to apengineering@pec.it;
- at the sole discretion of AP, if it finds:
 - serious reports from the market,
 - improper use of the Certificate, in a manner that does not comply with the provisions of the Directive and this regulation
 - failure to comply with contractual obligations (including the requirements set out in this Regulation), the requirements of the Directive, the economic conditions and payment deadlines, signed with AP
 - Regulatory changes with a significant impact on confirmation that require a reassessment

The suspension order is communicated to the customer via registered letter with return receipt (advance notification via email) or via certified email. The communication states the reason for the suspension and the deadlines within which the customer must implement the requested corrective actions. The customer has five (5) days to notify AP that the order has been accepted and that the provisions indicated by AP have been complied with.

If the Client fails to comply with the requested communications or fails to remove the contested causes for the suspension within the indicated period, AP will proceed to revoke the validity of the Certification, publicizing it in the manner established by the Directive and ACCREDIA regulations.

The suspension provision ceases when AP receives and approves evidence of the implementation of the corrective actions that the Customer has implemented to remove the causes that generated it.

7.2.1 Effects of suspension

Suspension of Certification prohibits the manufacturer from placing machinery on the market with reference to the suspended Certificate, effective from the date of suspension. In the most serious cases, AP reserves the right to notify the market surveillance authority to request the recall of machinery from the market, including those currently in storage.

Following the suspension the Customer:

- loses the right to affix the CE marking in reference to the suspended Certificate
- must refrain from advertising the Certification until the end of the suspension period.

Suspensions are made public by AP in the manner established by the Directive and ACCREDIA regulations and, in any case, on its website.

Any costs incurred by AP to carry out any checks or activities caused by suspension measures shall be borne by the Customer.

7.3 Revocation

The Revocation measure adopted by AP consists in the definitive withdrawal of a Certificate granted to the Client, with the consequent loss of validity of the Certification.

AP will notify the revocation of Certification following a Suspension order if the Client has not complied with the provisions of this regulation. Furthermore, AP will notify the revocation of Certification in all cases ordered by the competent authorities or where it finds objective evidence:

- of the fraudulent and illegitimate use of the Certification;
- of serious breach of this Regulation,
- of a significant and systematic non-conformity of the product manufactured or in the process of being manufactured, with respect to the technical documentation submitted to the Body and/or to the Essential Health and Safety Requirements established by the Directive, following uncommunicated changes;
- following verification and acknowledgement of changes made to the product without communicating the relevant information to the Body;
- of a failure to adapt the machine to the requirements set by the new editions of the applicable standards, either due to intrinsic deficiencies in the Customer's structure or due to a clear lack of will on the part of the Customer;
- of non-payment of fees due to AP;
- of a misleading use of the Certification and/or the trademark, such as to cause damage or discredit to AP.

The revocation of the Certification is notified to the Customer by registered letter with return receipt, sent in advance by email or by certified email, containing the reasons for the measure adopted, and takes effect immediately.

Revocations are made public in the manner established by the Directive and ACCREDIA regulations and in any case on its website and are always communicated:

- to the competent Ministry and to the other Notified Bodies;
- to ACCREDIA in the times and ways established by it (if applicable);
- to any other entitled entities, in the times and ways established by them;
- to the market through publication on the AP institutional website.

Following the revocation, the Customer must:

- Stop marketing the machines in reference to the revoked Certification and stop affixing the CE marking in reference to the same;
- Return the original Certificate and any copies thereof to AP;
- Refrain from advertising and using the revoked Certification, removing the logo and references to AP from the documentation in use.



If the customer fails to fulfill the financial commitments undertaken with AP, the Body reserves the right to issue a formal notice which may lead to the suspension or revocation of the Certifications granted.

8 Complaints and Appeals

The Body adopts the methods described in the PRG16 Procedure published on its website for the management of complaints and appeals.

All direct customers, customers of customers, other individuals who come into contact with AP personnel while carrying out their activities on AP's behalf, personnel of accreditation bodies, concessionaires, market surveillance bodies, and institutional bodies in general are entitled to file complaints against AP.

9 Arbitration and Disputes

Before taking legal action in dispute with the Body, the Complainant agrees to resolve the dispute with the Body through arbitration at the Bologna Chamber of Commerce. Only after the outcome of the arbitration, if dissatisfied with its conclusions, may the Complainant take legal action by initiating a dispute with the Body, for which the Court of Bologna has exclusive jurisdiction. The Body adopts the methods described in the PRG16 Procedure published on its website for the management of arbitration and litigation.

10 Confidentiality

AP's activities cannot ignore the evaluation of data and documents that represent sensitive elements of the Company's know-how and/or information subject to confidentiality requirements. To ensure the necessary confidentiality, AP adheres to the requirements of Legislative Decree No. 196 of June 30, 2003, and Regulation (EU) 2016/679 (GDPR) regarding the processing of data provided by the customer. It also adopts measures to protect the data and information obtained during conformity assessment activities, testing and/or measurement activities, and more generally during all phases of the processes involved in providing the services offered.

The terms of treatment are available at the AP headquarters.

AP does not disclose the above data and information, except where required or permitted by law, and will provide written notice to the interested Client unless otherwise indicated by the judicial authority. AP extends the obligation of confidentiality to all internal and external personnel involved in the activities referred to in this Regulation and adopts appropriate control, management, and storage measures for the information transmitted on computer media.

The Client explicitly approves that the information and documents relating to the Certification are accessible to ACCREDIA, the Certification Committee and the Impartiality Safeguarding Committee and the Competent Authorities, for the control activities required by the reference Standards.

11 Transfer of Certification

11.1 Change of the Manufacturer company name

If the customer changes their company name or address, they must promptly communicate the changes in writing by registered mail with return receipt or by certified email to apengineering@pec.it, sending:

- a copy of the new Chamber of Commerce registration certificate or equivalent document;
- a copy of the notarial deed certifying the aforementioned change.

Once all necessary checks have been completed, AP will issue a new revision of the Certificate. AP reserves the right to conduct additional checks to verify that the requirements necessary to maintain the validity of the issued Certification are met. In all other cases, AP will revoke the Certification (Section 7.3).

11.2 Transfer of the Certificate with OBL contract

Manufacturers and/or their authorized representatives who have obtained type certification can request the transfer of their certificate to other companies that have signed an OBL (Own Brand Labeling) contract with them. The manufacturer and/or their authorized representative assumes the role of OEM.

In this case, both companies must complete and sign a specific form, provided by AP, containing all the technical information necessary to identify the products, which will then be indicated in the certificate sent to OBL.

OBL company will have the same obligations and rights as the initial customer and will also be required to send a copy of the documentation (instructions, CE plate, declaration of conformity) under its own brand.

The Certificate will be valid from the moment of formal acceptance by AP and will expire the same as the original Certificate.

In the event of the original certificate becoming invalid, the certificate issued to OBL will also immediately expire. Notification will be given as provided in this regulation.

In order for AP Engineering to take charge of and carry out the certificate transfer activity, the following conditions must be verified:

- AP Engineering must be provided with a copy of the contract signed between OEM and OBL which reports:
 - Accurate indication of the data and location of the companies and their headquarters
 - Accurate identification of the machine models covered by the contract with reference to the traceability code of the technical file
 - Accurate identification of the machine models covered by the contract with reference to the certificate number(s) issued by AP Engineering
 - Indications and correlation table of machine models between OBL and OEM ones, i.e. for each OEM machine model it is necessary to indicate whether the OBL will maintain the same model identifier or whether this identifier will be different
- declaration issued by the OEM authorizing OBL to use the technical documentation.
- OBL's commitment to record and report complaints from the market
- Acceptance of the Regulation by both Organizations

12 Safeguard clause for issued Certifications

In order to protect certified machines, should AP lose its Notified Body status, AP undertakes to sign agreements with other equally qualified Certification Bodies to guarantee the transfer and relative validity of the issued certifications without additional costs for certified companies, until the natural expiration of the contracts signed with them.

This process will be initiated only with the prior written consent of the AP-certified Organizations, who, alternatively, have the right to waive the Certification.

13 Machine changes

The Customer is required to communicate in writing any modifications it intends to make to the machines for which an EC Type Certificate has been issued by AP, including changes to the internal manufacturing control procedure, by sending AP all documentation useful for their prior assessment.

AP will perform the necessary checks, at its own expense. If the changes made compromise compliance with the requirements of the Directive or applicable standards, AP would notify the client that the change has not been authorized. If the client makes the changes, the certification will be immediately suspended until the client makes the necessary adjustments within the specified timeframe. Continuation of the status quo without the client providing the necessary evidence to the Body will result in revocation of the certification (Section 7.3).

In the event of positive assessments that do not affect the validity of the Certification, AP will issue a confirmation of validity of the existing Certification or issue a new revision of the same to the Client.

If the modification is not authorized, the customer is prohibited from placing the product on the market with the modification indicated in reference to the existing certification.

14 Extension/Reduction of Certification

If the customer communicates to AP the intention to Extend or Reduce the scope of the Certification, the Body will evaluate the contents of the request in order to determine whether the extension or reduction can be granted.

Once the evaluation procedure has been defined, AP formalizes the decision to the client by issuing a specific offer based on the price list. The verification of extensions/reductions follows the steps described in the Certification process.

In case of reduction of the Certification, the customer undertakes to review all advertising material

15 Changes to Certification requirements

The issuance of new editions of harmonized standards, or changes in the legislative landscape relating to machinery, may modify the requirements for obtaining and maintaining Certification. AP undertakes to promptly communicate to the client the need to implement the new requirements, informing them of the deadline for compliance with the new provisions, and formalizing a detailed financial proposal for conducting the additional audits necessary to verify the client's compliance with the new requirements.

AP will inform the client of any significant changes in applicable regulations that may affect the validity of the certification obtained by the client. Upon notification of a regulatory change, AP will inform the client of one of the following options:



- The regulatory change has no impact on the conformity of the product and for the certificate issued no.....
- The regulatory change has an impact on the conformity of the product and for the certificate issued no. In order to maintain the validity of the certificate, the manufacturer and/or representative must send the following documentation to AP within _____ days from the date of this letter (AP will be responsible for listing the necessary documents based on the regulatory change that has occurred)

If, following the audits conducted, AP finds that the client has not complied, it will initiate the Certification suspension procedure. If the client demonstrates its intention not to comply with the new requirements, or refuses the proposed audit activities, AP will revoke the Certifications granted on the date the new provisions come into force.

Verifying the correct implementation of product documentation and/or technical updates, necessary to incorporate new regulatory requirements that impact the certification obtained by the customer, may require the Body to perform the certification process, in whole or in part. AP will prepare a quotation for the customer detailing the activities required to conduct the necessary verifications of the interventions implemented by the manufacturer to maintain product compliance with the changed requirements.

16 Amendments to the Regulation

The continuous updating of the regulatory and legislative framework applicable to the activities conducted by AP and covered by this regulation may require the modification of one or more paragraphs of the same in order to maintain the conformity of the certification process or of the certificates issued with the current regulations.

AP makes the latest updated version of the Regulation available on its website, at its headquarters and will send an electronic copy to all customers with ongoing certification activities and issued performance certificates via certified email within 5 days of publication.

Sending the new revision and amendment to the regulations does not require the customer's express acceptance, as it constitutes a unilateral modification to the contractual conditions due to regulatory and legal requirements. However, the customer may formally notify the customer via certified email to apengineering@pec.it of their right to refuse the regulations. Any formal refusal to accept the regulations will result in the termination of the existing contract without penalty.

- a. In the case of customers holding certifications issued with initial suspension of the Certificate with subsequent withdrawal of the same after 6 months from the suspension if no communication of acceptance of the new revision of the certification regulation is received via certified email
- b. In the case of customers with an ongoing certification procedure with initial suspension of the certification process with subsequent closure of the same after 6 months from the suspension if no communication of acceptance of the new revision of the certification regulation is received via certified email

The customer always has the right to initiate a complaint as reported in PRG16 published on the official AP Engineering website.

17 Economic Conditions

The economic conditions reported in the Offer for the activities referred to in this regulation are based on the information contained in the Application sent by the customer and refer to the items in the Price List, defined by the Management of the Body.

Customers wishing to access the Certification services must accept the Offer and also undertake to comply with the payment terms contained therein.

17.1 Changes to the Offer, Price List and Right of Withdrawal

Changes to the economic conditions signed by the Customer may be applied by AP if AP itself detects discrepancies between the data communicated by the Customer when completing the Application and what is found during the subsequent verification activities required by the Certification Process or following revisions to the Price List.

If conditions differ from those declared in the Application, justifying additional verification activities, AP will inform the client of the necessary financial additions and suspend the Certification Process until these are accepted.

AP will inform the client who refuses the financial integration presented that the Certification Process has been interrupted, quantifying the amounts for the activities already carried out only.

The fee schedule applied by AP is periodically reviewed by the Body's Management. In the event of changes to the agreed-upon financial conditions, AP will notify the client of the new fees for the audit activities via fax, email, regular mail, or certified email.

The customer has the right to reject the new pricing conditions. If the customer refuses, they understand that the certification process will be deemed unsuccessful. Following this outcome, AP will notify the relevant parties, such as the Competent Authorities, Accredia, and other Notified Bodies.

18 ADVERTISING AND USE OF CERTIFICATION

The customer may publicize and advertise the product certification in the manner they deem most appropriate, reproducing the obtained certificate in its entirety, enlarging or reducing it, in color or black and white, provided that it remains legible and does not undergo any alteration.

Solutions other than those defined in this paragraph must be authorized in writing by the Body's Management.

The Customer must avoid misleading or ambiguous uses of the Certification and must avoid the Certification being understood to extend to products not covered by the certificate.

In the event of non-compliant use of the certificate with respect to what is indicated in this paragraph, AP reserves the right to take appropriate measures against the manufacturer, including recourse to appropriate legal action and revocation of the granted Certification.

18.1 USE OF THE TRADEMARK

18.1.1 Introduction

Use of the trademark(s) is governed by AP Engineering's RG06 regulation, published on the Body's official website, an excerpt of which is provided below. The client or applicant for certification services undertakes to comply with the provisions of this regulation and of regulation RG06.

18.1.2 Body Trademark

By "Body Trademark" we mean the graphic logo shown in pict. 1, registered by AP Engineering S.r.l. and owned by the Body



pict. 1

18.1.3 Use of the Body Trademark

The use of the trademark is reserved for the Body and is not granted to the Body's Clients or to those requesting certification services.

The Trademark is placed by the Body on its own results presentation documents sent to customers.

18.1.4 Advertising and use of results presentation documents

The customer may disclose and advertise the documentation of the results obtained by the Body in the ways it deems most appropriate by reproducing the document in its entirety, enlarging or reducing it, in color or black and white, provided that it remains legible and does not undergo any alteration.

18.1.5 Use of the Accreditation Body's Trademark

AP Engineering uses the Accreditation Body Trademark exclusively on documentation presenting the results of activities carried out under the accreditation system. AP Engineering's use of the mark complies with the provisions of the Accreditation Body's regulations, as last revised, published on its website.

The use of the Accreditation Body's trademark is not permitted to the Body's Clients or to those requesting certification services.

18.1.6 Advertising and Use of Third-Party Documents

If the results presentation documents sent by the Body to its clients contain results presentation documentation, produced by the Body's qualified suppliers, relating to activities carried out under an accredited or non-accredited regime, the client may disclose and publicize such documentation in the ways it deems most appropriate by reproducing it in full, enlarging or reducing it, in color or black and white, provided that it remains legible and does not undergo any alteration.

18.1.7 Measures and sanctions

In the event of failure by the Body's Clients or by Applicants for certification services to comply with the provisions of this regulation or of regulation RG06, AP reserves the right to take appropriate measures against them, including recourse to appropriate legal action and the revocation of the validity of the documents presenting the results.

19 INFORMATION ON THE RATES APPLIED BY THE BODY

The Body makes general information regarding its fees available at its offices. The Body's clients and certification applicants must submit a written request containing a sworn statement in which their legal representative undertakes not to disclose the information obtained to third parties. The request is verified by the Body's legal representative.

20 PRODUCT MANAGEMENT IN CASE OF SUSPENSION OR REVOCATION OF CERTIFICATION

20.1 Product management in case of suspension

In the event of a suspension of the Certification, the manufacturer

- is required to suspend production and supply to the market of the certified products subject to the suspension;
- is required not to use the certificate and the brands nor to qualify itself as an organization granting the certification;
- is required to segregate and identify as non-compliant any products already in stock and recall any already placed on the market if the suspension is due to technical problems;
- is required not to use the notification number together with the product with suspended certification for the entire duration of the suspension;
- is required not to advertise the certification that is no longer valid;
- For products already placed on the market, the suspension must be communicated through its official channels within 30 days of receiving the suspension order, providing evidence to AP.

20.2 Product management in case of revocation

In the event of a revocation of the Certification, the manufacturer undertakes to:

- return the originals of the obtained Certifications to AP
- no longer use the certificate and the trademark or trademarks granted for use;
- do not use copies and/or reproductions of the certificate collected;
- do not advertise or use the revoked Certifications, removing the logo and references to them from the documentation in use;
- cease to affix the CE marking to products referred to the revoked Certification and, consequently, cease marketing them
- remove the aforementioned trademarks from all products (including those in stock), catalogues and all documents, as well as any reference to the certification itself;



- For products already placed on the market, the manufacturer is required to communicate the revocation through its official channels within 30 days of receiving the suspension order, providing evidence to AP.
- segregate and identify as non-compliant any products already in stock and recall any already placed on the market if the withdrawal is due to technical issues.