

Testing and Certification Regulations for Pressure Equipment Modules F, G and 1

1 Scope

The Testing and Certification Regulations apply for the conduct of tests and the issue of certificates (hereinafter called "Certificates") for products by the TÜV CERT Certification Body (hereinafter called "Certification Body") and for the use of the Identification Number of the Notified Body in conjunction with the CE/ π mark

according to the Directive for
Pressure Equipment 97/23/EC,
Transportable Pressure Equipment 1999/36/EC

in the modules F, G and 1.

2 Testing and Certification Procedure

- 2.1 The Client applies to the Certification Body for the testing, certification and use of the Notified Body's identification number. The first time a certification order is placed the Certification Body and the Client conclude a module-related contract (Contract on the Testing, Certification and Use of the Identification Number).
- 2.2 When the testing and certification procedure has been completed, the Client will receive a written test report and, if the result is positive, he will also receive a Certificate.
- 2.3 If it is not possible to issue a Certificate because the test result is negative, neither the Testing nor the Certification Body shall be liable for any disadvantages the Client may experience because of this.

3 TÜV CERT Certificate

- 3.1 Issue of the Certificate and use of the Notified Body's identification number in conjunction with the CE/ π
 - 3.1.1 Entitlement to use the Notified Body's identification number only applies for those products listed in the Certificate.
 - 3.1.2 The Certificate is only valid for the complete product. Where necessary and in consultation with the Certification Body, the products bearing the mark will be dismantled for despatch to the extent that is useful in order to install the product in an installation.

If it is necessary to dismantle the product extensively into its individual parts for despatch, the client must name an assembly shop, which shall then be subject to inspection by the Certification Body in the same way as the initial production facility.
 - 3.1.3 The Client is obliged to notify the Certification Body of any damage to products which are within the scope of the certification.

3.2 Declaration of invalidity of a Certificate

3.2.1 A Certificate may be declared invalid by the Certification Body if

- faults which were not evident or not detected at the test are discovered in the products subsequently,
- misleading or otherwise inadmissible advertising is issued using the mark,
- continued use of the mark is not acceptable for reasons no evident at the time of the test.

3.2.2 The declaration of invalidity may be published.

4 Publication of Test Reports and Certificates

4.1 The Client may only pass on test reports and Certificates with their full wording and an indication of the date of issue. Publication or duplication of extracts is subject to the prior permission of the Certification Body.

4.2 The Certification Body reserves the right to publish a list of the Certificates.

5 Obligations and Responsibility

5.1 Obligations and responsibility of the Certification Body

The Certification Body undertakes to treat all information made accessible to it with respect to the Client's company as confidential and to assess it only for the agreed purpose. Documents of the company will not be passed on to third parties. Excluded from this provision is the detailed report to the arbitration body in the case of a dispute. The Client may release the Certification Body from its obligation of secrecy.

The Certification Body shall be liable under statutory provisions towards the Client or third parties only in the case of wilful action or gross negligence. Any other claims are excluded.

5.2 Obligations and responsibility of the Client

The Client shall make available to the Certification Body the documents required for the certification (for further use or examination purposes) and shall grant the Certification Body access to the relevant departments in the company.

6 Violation of the Testing and Certification Regulations

The Certification Body shall be entitled to demand a contractual penalty of up to EUR 5,000 in the case of non-compliance with the Testing and Certification Regulations and especially if the Notified Body's identification number is used illegally.

The Notified Body's identification number shall also be deemed to have been used illegally if products bearing a mark are offered for sale or placed on the market before the Certificate is issued or if inadmissible advertising is conducted.

7 Coming into Force and Amendment of the Testing and Certification Regulations



- 7.1 The Testing and Certification Regulations shall come into force as from 01.08.2002.
- 7.2 When new Testing and Certification Regulations are drawn up, the present Regulations shall cease to be valid after a transitional period of 6 months.
- 7.3 As required the Client shall be notified when new Testing and Certification Regulations come into force or the present ones become ineffective. This shall normally be done in conjunction with the testing activity following the date the new Testing and Certification Regulations come into force.

8 Complaints / Place of Jurisdiction

The Client may lodge complaints against decisions of the Certification Body. The complaints shall be submitted to the Head of the Certification Body and handled in each case by the superior body against which the complaint is lodged.

The place of jurisdiction for both parties to the contract shall be Munich.