TABLE OF CONTENTS

1.	**Purpose and entry into force**	**2**
2.	**Scope**	**2**
3.	**Terms and definitions**	**3**
4.	**Responsibilities**	**4**
5.	**Control of the regulation**	**4**
6.	**Certification process**	**4**
6.1	**General information**	**4**
6.2	**Method for performing the audits and audit program**	**5**
6.3	**Start of the certification process**	**6**
6.4	**Preliminary audit (pre-audit)**	**6**
6.5.	**Stage 1 audit (initial examination of the documentation + initial audit);**	**7**
6.6	**Stage 2 audit (for the initial examination of the management system or certification audit)**	**8**
6.7	**Initial issue of the certification and subsequent renewals**	**9**
6.8	**Surveillance audit**	**10**
6.9	**Renewal audit**	**12**
6.10	**Special audits, or unannounced audits, or the possible reduction of the certification scope**	**14**
6.10.1	**Possible reduction of the scope of application of the certification**	**14**
7.	**Register of certified organisations**	**15**
8.	**Methods for making reference to the certification. Use of the certificate and the mark**	**15**
9.	**Suspension of the certification**	**15**
10.	**Withdrawal / cancellation of certification**	**16**
11.	**Handling of complaints and warnings by customers of the organisation and by interested parties**	**17**
12.	**Documentation or documented information of the management system and relative access for TÜV Italia audits**	**17**
13.	**Changes to the management system**	**17**
14.	**Changes to the rules of the certification system**	**17**
15.	**Particular requirements for organisations already certified by another body (transfer of management system certification)**	**18**
16.	**Confidentiality**	**19**
17.	**Appeals**	**19**
18.	**Complaints against TÜV Italia**	**19**
19.	**Disputes**	**19**
20.	**Economic conditions**	**19**

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1. Purpose and entry into force

The purpose of this document is to define the general regulation adopted by TÜV Italia S.r.l. (hereafter TÜV Italia) for the certification of management systems. For the particular aspects of each individual scheme, specific regulations have been prepared that supplement what is specified in this document (see the list in paragraph 2).
In order to emphasise the maximum correctness and transparency in performing the certification of management systems in accordance with this regulation, it is declared that:

1. TÜV Italia does not perform any consultancy activities in the area of management systems, neither directly nor indirectly through connected agencies;
2. TÜV Italia is fed by the incomes mainly deriving from the management system certification activities (for quality, environment, health and safety at the workplace, information security, social responsibility, etc.), inspection and certification of products;
3. TÜV Italia recognises the importance of impartiality when carrying out its management system certification activities, and for this purpose it resolves potential and actual conflicts of interest, and guarantees objectiveness when carrying out its certification activities through the implementation of suitable procedures.
4. TÜV Italia Management is constantly active and committed to guaranteeing impartiality for its management system certification activities.

For the changes introduced by this document, a period of transition has been defined during which they enter into force on the date of validity indicated in the header, Therefore, as of that date, the contents of this document replace the previously issued regulation.

2. Scope

This regulation applies to the management system certification activities carried out as a Certification Body accredited by ACCREDIA,or as a non-accredited Body; overall, TÜV Italia operates in all 39 sectors of IAF classification. It also makes reference to the requirements defined by the standard UNI CEI EN ISO/IEC 17021-1:2015 ”Requirements for bodies providing audit and certification of management systems”, as well as the document IAF MD 2:2017 as regards the transfer of an accredited certification from/to another Certification Body.
To receive detailed information about the activities carried out as an accredited by ACCREDIA Body, consult the website www.accredia.it or www.tuv.it where it is possible to view the accreditation certificates with the relative annexes inherent to the sectors covered by this accreditation.
The regulations (or similar documents) applicable as a reference for the individual management systems are indicated in the specific regulations indicated below:

- RSSQ - Specific regulation for the certification of quality management systems;
- RSSQ - Specific regulation for the certification of environmental management systems;
- RSVE - Specific regulation for EMAS verification
- RSSL - Specific regulation for the certification of management systems for health and safety at the workplace;
- RSSI - Specific regulation for the certification of information security management systems;
- RSIT - Specific regulation for the certification of service management systems
- RSGE - Specific regulation for the certification of management systems for energy;
- RSCO - Specific regulation for the certification of business continuity management systems;

Note: the above list may not be complete due to the development of new management system standards. Therefore, in order to control the configuration of the various specific regulations, please refer to those published on the website http://www.tuv.it/it-it/area-clienti/documenti-contrattuali. Organisations can also request a digital copy).

Other reference documents for management system certification are those defined by ACCREDIA, and specifically “Regulation for the accreditation of management system certification bodies” (RG 01-01) which can be consulted on the website www.accredia.it
This regulation is applied by TÜV Italia in a uniform and impartial manner for all organisations that use the certification services provided by TÜV Italia; In particular, no financial conditions or other types of undue conditions are applied; furthermore, access to certification is not conditioned by the size of the organisation or membership in a particular association or group, or by the number of organisations already certified.

3. Terms and definitions

The terminology used in this regulation is in agreement with the following standards:

- UNI EN ISO 9000:2015 "Quality management systems – Fundamentals and terminology";
- UNI CEI EN 45020:2007: "Standardization and related activities – General vocabulary".
- ISO/IEC 17000:2004 “Conformity assessment - Vocabulary and general principles

Weakness (CA)

Only during the stage 1 of the audit, a “weakness” is determined if there is a failure to comply with the requirements:

- of the documentation (or documented information) specified by the standard for which the organisation requested certification and/or by the TÜV Italia certification regulations, and/or the regulations issued by ACCREDIA
- of the implementation of the management system with respect to the standard for which the organisation requested certification and/or by the TÜV Italia certification regulations and/or the regulations issued by ACCREDIA (including the mandatory specific requirements for the certification scheme)

The persistence of the weakness at the moment of the stage 2 audit will prevent the certificate from being issued and will make a post-audit necessary.

Major Nonconformity (NCMa), called “Nonconformity” (NC) in some certification schemes

A major nonconformity exists in the documentation (or documented information) and/or implementation of a management system if even only one of the following situations is found:

An extended failure to comply with the requirements:

- of the documentation (or documented information) specified by the standard for which the organisation requested certification and/or by the TÜV Italia certification regulations and/or the regulations issued by ACCREDIA
- of the implementation of the management system with respect to the standard for which the organisation requested certification and/or by the TÜV Italia certification regulations and/or the regulations issued by ACCREDIA

Any situation that affects the efficiency of a management system or generates serious doubts:

- regarding the observance, by the product/service/process, of the requirements specified by the standard for which the organisation has requested certification (including mandatory ones) and/or
- regarding the continuity and consistency over time of compliance with the requirements of the standard which the organisation has requested certification and/or the regulations issued by ACCREDIA

A “minor nonconformity" that continues over time

Minor Nonconformity (NCMi), called an “Observation” (OSS) in some certification schemes

A minor nonconformity exists if even only one of the following conditions occurs:

Failure to comply with:

- document requirements (or documented information) that have a purely formal impact on the management system without having an impact on its maintenance over time
- the documentation (or documented information) specified by the standard for which the organisation requested certification and/or by the TÜV Italia certification regulations and/or the regulations issued by ACCREDIA
- the implementation of the management system with respect to the standard for which the organisation requested certification and/or by the TÜV Italia certification regulations and/or the regulations issued by ACCREDIA

Any anomaly that does not have an impact on the efficiency of the management system and does not generate serious doubts:

- regarding the observance, by the product/service/process, of the requirements specified by the standard for which the organisation has requested certification
- regarding the continuity and consistency over time of compliance with the requirements of the standard for which the organisation has requested certification and/or the regulations issued by ACCREDIA.

Comment (COM)

The comment is reported in case of the audit team alerting the organisation of aspects that can be improved concerning documentation and/or the implementation of the management system, apart from its actual conformity or actual efficiency.
Therefore no corrective action is requested by the organisation, even though during a subsequent audit it will be checked if the COMs have been analysed and assessed by the organisation and therefore if they were implemented.

Positive Aspect (AP)
It represents a positive aspect of the management system, worthy of mention in the audit report.

Furthermore, the definitions specified in the specific regulations of the applicable certification scheme(s) apply (e.g. RSSQ, RSMD, RSSA, RSVE, RSSL, RSSI, RSIT, RSGE, RSCO, etc).

4. Responsibilities

This regulation provides a detailed description of the responsibilities of the Organisation and TÜV Italia during the contractual relationship for the certification activities.
Organisations who are customers of TÜV Italia are authorised to create a link to the home page of the website of TÜV Italia, which is www.tuv.it.

5. Control of the regulation

If the regulation is revised, TÜV Italia will suitably inform all the organisations who have a current certification contract. Each change will be highlighted as follows:

- the revised and/or additional text is written in *italics*
- the deleted and not replaced text is indicated with {text deleted}

If the document is completely revised, reference to it will be indicated in the table “description of the revision” and since the changes are significant, individual changes will not be highlighted, but the entire text contained in the document.

6. Certification process

6.1 General information

The certification process adopted by TÜV Italia is divided into the following fundamental steps:

a. Start of the certification process;
b. Preliminary audit if required (preaudit);
c. Stage 1 audit (review of the documentation and initial inspection);
d. Stage 2 audit (or audit for certification) for the initial evaluation of the management system (it can also include subsequent audits, called post-audits, in order to check the implementation of corrective actions requested during the initial audit);
e. CdA (Committee of Approval, for the examination of the audit file and approval);
f. Issuance of the certificate;
g. Periodic audits for maintaining the certificate (surveillance and renewal audits, which can also include subsequent audits, or post-audits, for checking the corrective actions requested during the surveillances or the renewal);
h. Any unscheduled audits for maintenance of the certificate.

During all the audits indicated *in the above list* and during the period of validity of the certification contract, the organisation must:

- supply all the information (documented and non-documented) necessary to perform the audit;
- permit the TÜV Italia audit team, who may be accompanied (after being suitably communicated by TÜV Italia), by personnel from the accreditation Bodies, or by observers, auditors in training, by personnel assigned by TÜV Italia to monitor the auditors in the field, to access all areas in which the activities and processes included in the scope are carried out. If access is not permitted, the certificate cannot be issued,

in the case of an initial or renewal audit, or already issued certification must be suspended / withdrawn in the case of a periodic surveillance audit or of an unscheduled audit.

Furthermore, the organisation that has a management system certification process in progress with TÜV Italia must timely inform them in writing in the case of:

- accidents, emergencies, injuries that occurred
- ongoing legal procedures concerning the scope of the management system
- changes to the size and context of the organisation with respect to what was previously communicated when stipulating the certification contract in terms of: employees, changes to the scope of the management system and the relative processes and/or sites.

6.2 Method for performing the audits and audit program

All type of management system audits (pre-audit, stage 1 audit, stage 2 audit, surveillance audit, renewal audit, extension audit, post-audit, unscheduled audit) are carried out in accordance with the requirements of standard UNI CEI EN ISO/IEC 17021-1:2015, and with reference to the guidelines UNI EN ISO 19011:2018, within an audit program established in consideration of the size of the organisation, the scope, the complexity of the management system, the processes and products, the work shifts, the level of efficiency of the management system, the result of previous audits and any certificates already issued to the customer, or the results of other audits already performed, the possibility to perform an audit in a combined and joint manner for multiple certification schemes, whether or not to adopt multi-site sampling for organisations structured in multiple sites, any concerns of the interested parties, the data relative to the performance of the organisation, changes in legal requirements, any received complaints, changes to the certification and accreditation requirements.
Each audit is scheduled, and information regarding the dates for performing the activities and the audit team is provided in advance to the organisation in a written communication, except in the cases of audits at short notice or unannounced (if required by the specific certification scheme). For the stage 1 audit (only if it lasts longer than 1 auditor day), stage 2 audit, surveillance and renewal audits, the audit team manager will prepare an audit plan that the audit team manager sends in advance to the organisation.
Every audit starts with an opening meeting between the management of the organisation and the audit team.
During the audit, the audit team proceeds with collecting objective evidence by examining documents and records, directly observing the activities, participating in tests, measurements, speaking together with managers and the operational personnel of the organisation, etc.; for this purpose, the audit team can use specific documentation (check-lists or guidelines), which are to be considered a guide and not a binding document (therefore the team can also perform investigations not expressly specified in the cited documentation).
The audit ends with a closing meeting during which the audit team presents a summary of the audit results to the management of the organisation, pointing out both positive aspects that were found as well as possible weaknesses with respect to the established requirements. The audit results are recorded in a report.

The organisation is obliged to provide the audit team with maximum collaboration during all described steps; in particular:

- the organisation allows the audit team to access the areas where the activities covered by the management system are carried out and to interview personnel involved in these activities;
- Based on legislative requirements concerning health, safety and hygiene at the workplace, the organisation provides the audit team with detailed information regarding specific risks that exist in the environment where employees work as well as the preventive and emergency measures that have been adopted; furthermore, it is obliged to provide personal protective equipment to the members of the audit team, or inform TÜV Italia in advance (during the stage 1 audit) of the type of personal protective equipment to be used by the audit team.
- the organisation makes the documents necessary for performing the audit available to the audit team; these are planning documents (such as manuals, procedures, instructions, specifications, declarations, drawings, etc.) as well as registration documents specified by the requirements of the standard for which the organisation requests certification;
- the organisation identifies a person appointed to act as the interface with TÜV Italia during the operational phases of the certification process (this appointment is usually the person responsible for the management system);

- if the organisation would like to have one of its consultants participate in the audit, this will be possible provided that the consultant will be present as a simple observer and not as an active participant; in particular, he may not respond to questions of the audit team in place of the organisation.

The organisation retains the right to request and receive information regarding the audit team assigned by TÜV Italia and, if there is a conflict of interest, may object to the appointment of members of the team, providing suitable motivation for the request. In the case of an audit at short notice (or unannounced) TÜV Italia will place particular attention on the designation of the audit group due to the impossibility for the client to object to members of the audit group.
Finally, in accordance with the standards regulating the activities of the certification bodies, the organisation is obliged to accept the presence of observers of TÜV Italia and of ACCREDIA accreditation body appointed to monitor the audit; they retain their above indicated rights, but failure to accept the monitoring of the audit results in the certificate not being issued or its suspension or withdrawal.

6.3 Start of the certification process

The organisation requesting services from TÜV Italia must provide the information requested by the questionnaire in written form.
Once this information is obtained, the certification offer is prepared with a description of the offered service, complete with all information relative to the activities (including the duration in terms of auditor days of the members of the audit team) and prices determined based on current rates.
{ deleted text }
Some certification sectors or schemes require the provisions contained in specific technical documents (e.g. ACCREDIA Technical Regulations) issued by the accreditation body, which supplement the general certification provisions and with which both the organisation as well as TÜV Italia must comply.
The offer is accompanied by the "Order Form", which certifies the acceptance of the contractual conditions, which also include this regulation.
The certification process is activated by the review of the customer's acceptance of the offer made by the functions appointed by TÜV Italia, which subsequently involves the assignment of a certification order number.

6.4 Preliminary audit (pre-audit)

This is an inspection that is carried out, if requested by the customer, prior to starting the actual certification activities. The methods for carrying out the preliminary audit are agreed upon on a case by case basis with the individual customer; the preliminary audit must be carried out prior to the stage 1 audit and can include a preliminary and additional examination of the documentation to be performed at the offices of TÜV Italia or at the organisation.
The preliminary audit makes it possible for TÜV Italia to better understand:
- the size and nature of the organisation's activities;
- its suitability for approaching the certification process;
- the possible non-applicability of single regulatory requirements regarding the implemented management system;
- the possible applicability of laws and legislative requirements;
- the type of experience required of the audit team to be assigned to the certification audit;
- the scope of the resources needed to perform the certification audit.

Furthermore, in principle the preliminary audit can permit the organisation to:
- precisely identify the scope of the management system;
- precisely identify any particular requirements that do not apply to the management system and the reasons that support these exclusions;
- identify any weaknesses in the management system documentation;
- identify any weaknesses in the implementation of the management system in accordance with the reference standard, the certification regulations and the documentation;
- obtain clarifications regarding the details of the certification procedure;
- make a more precise prediction of the times necessary for receiving certification and make any adjustments to the relative program.

The results of the preliminary investigation are briefly recorded by the audit team that, if agreed with the customer, prepares a report using a specific form; in any case, these results, considering the methods with

which the investigation was carried out, are to be considered approximate and only represent a reference to be further investigated during the actual certification audit.
TÜV Italia performs only one preliminary audit before officially starting the certification process. This activity cannot be considered part of the certification process and if it is carried out, this does not reduce the duration of the certification audit.
During the transition period provided for the new editions of management system standards, TÜV Italia provides a Delta audit service that follows principles that are similar to the above described preliminary audit.
A preliminary audit cannot exceed 2.0 auditor days.

6.5. Stage 1 audit (initial examination of the documentation + initial audit);

The stage 1 audit (as set forth by ISO/IEC 17021-1) normally includes the examination of the documentation or the documented information and the initial audit at the site (or sites) of the organisation, and is usually carried out at the site of the organisation itself; the stage 1 audit can be carried out without an audit at the organisation only in exceptional cases, which are defined in the individual specific regulation of any certification scheme.
Its purposes are:

- valuate the suitability of the documentation or the documented information of the management system with respect to the requirements of the standard for which the organisation has requested certification, and identify any weaknesses.
- valuate the location of the organisation and the specific conditions of the site, as well as to start any investigations/in-depth studies/analyses, dialogue with the organisation's staff, in order to determine its level of preparation for the stage 2 audit.
- Review the identification, state of implementation and the comprehension of the requirements of the standard by the organisation, with reference to the main services and the most significant aspects, the processes, objectives and operation of the management system.
- Collect the information necessary regarding the purpose (scope) of the management system, the processes, the location(s) of the organisation, the relative statutory provisions, the regulatory and conformity aspects (e.g. quality, environment, aspects related to the organisation's activities, related risks, etc.)
- Review the allocation of resources for stage 2 and agree upon the details of the stage 2 audit with the organisation.
- Obtain sufficient comprehension of the management system and the operations carried out on site, understanding the significant aspects of the organisation's management system for which certification is requested.
- Evaluate if the internal audits and management review have been planned and performed effectively, and if the level of application of the management system suggests that the organisation is ready for the stage 2 audit.
- Provide clarifications regarding the details of the certification procedure.
- Make a prediction of the time necessary for receiving certification and make any adjustments to the relative program.

Results of the stage 1 audit:
The results of the stage 1 audit are described in a report that summarises the outcome of the examination of the management system documentation (manuals, mandatory procedures and other documents or documented information required by the standard for which the organisation requests certification) and the outcome of the first part of the initial investigation.

a) Results of the verification of of the management system documentation or documented information
If the documentation or the documented information is insufficient, the customer will be informed in the report.
If the examination of the documentation did not point out any weaknesses, but only comments, the stage 2 audit can be carried out without the organisation having to correct the documentation.
If the examination of the documentation or the documented information pointed out weaknesses, they must be corrected by the organisation prior to the stage 2 audit; the possible persistence of weaknesses in the documentation or the documented information at the moment of the stage 2 audit will prevent the certificate from being issued and will make a post-audit necessary.
If the examination of the documentation discovered weaknesses for which, in the opinion of the lead auditor, the examination of the documentation or the documented information must be repeated, this is formalised in

the stage 1 report; obviously in this situation the new examination of the documentation must be repeated after the organisation has been made aware of the formalised weaknesses.

b) Results of the initial audit

The initial audit consists of a field inspection at the organisation site (or sites).
If the initial audit points out the insufficient application of the management system, the organisation is informed in the report through the notification of weaknesses. The persistence of the weakness at the moment of the stage 2 audit will prevent the certificate from being issued and will make a post-audit necessary.
Based on the results of the stage 1 audit, during which TÜV Italia was able to learn about the organisation, TÜV Italia reserves the right to evaluate the need to change its economic offer, if deviations are found with respect to the information received with the information questionnaire used to prepare the offer.
When determining the period of time between the stage 1 and the stage 2 audit, the time necessary for resolving any identified weaknesses must be considered.

6.6 Stage 2 audit (for the initial examination of the management system or certification audit)

During the stage 2 audit, the resolution of the weaknesses identified during the stage 1 is checked first; any actions undertaken as a result of the comments made in the stage 1 audit are also evaluated.
The stage 2 audit is carried out at the site(s) of the organisation and has the purpose of evaluating that the management system has been effectively implemented in accordance with the reference standard, this regulation and the relative documentation. These verifications include:

- The information and evidence regarding the conformity to all the requirements of the standard and other regulatory documents applicable to the management system
- The monitoring, measurement, reporting and review of the performance, in reference to the fundamental performance objectives and targets
- The management system and the performance with reference to compliance with legal requirements
- Keeping the processes under control
- The internal audits and management review
- The responsibility of management regarding the defined policies
- The relationships between the regulatory requirements, the performance objectives and targets, all the applicable legal requirements, the responsibilities, the competency of personnel, the activities, procedures, performance data and the results and conclusions of the internal audits

The stage 2 audit is carried out with respect to the activities described in the scope, including all the processes that the organisation identified and evaluating all the applicable requirements of the standard of reference for which the organisation has requested certification.
Furthermore, at the moment of the audit, the management system of the organisation must already be working; the terms of its operation are defined in the individual specific regulations relative to the standard for which the organisation has requested certification and, finally, must respect the requirements of paragraphs 8 and 11 of this regulation.

The conclusion of the audit may result in 3 different situations:
a) No nonconformity (major or minor), possible comments;
b) Presence of minor nonconformities and possible comments, but no major nonconformity;
c) presence of major nonconformities, possible minor nonconformities and possible comments.

The stage 2 audit must be carried out within 6 months maximum of the stage 1 audit.

Type (a) situation

If no evidence was found that leads to the issue of a nonconformity, the audit team prepares the audit report that is sent to the TÜV Italia Approval Committee; a copy of this report is also delivered to the organisation.

Type (b) situation

If evidence is found that leads to the issue of minor nonconformities without major nonconformities, the audit team prepares the audit report with the description of the said “NCMi”.
The audit team delivers the audit report containing a description of the minor nonconformities to the organisation.

The organisation must define the corresponding measures (treatments, root cause analysis and corrective actions), and prepare a plan for their implementation and then effectively implement them, at the latest within 4 months of the audit. Within 1 week of receiving the report, the organisation sends the proposed corrective actions to the audit team, and then the Lead Auditor sends the report to the Approval Committee of TÜV Italia. The audit team checks the implementation and effectiveness of these actions during the subsequent surveillance audit; the actions that have not been implemented within the limit of 4 months (or are not effective) lead to the issue of a major nonconformity, and therefore to the need for a post-audit.

Type (c) situation

If there is evidence that leads to the issue of major nonconformities, the audit team will prepare the audit report that includes them and deliver it to the organisation.
The organisation defines the corresponding measures (treatments, root cause analysisand corrective actions) for the major nonconformities (including the implementation plan, which must be completed within 4 months of the audit) and communicates them to the Lead Auditor, within 1 week.
The Lead Auditor examines the proposed corrective actions; if the result of this assessment is not satisfactory, the organisation is requested to change the proposal; if the result is instead positive, the audit team will perform a post-audit on a date agreed with the organisation (within 4 months of the audit) to verify the closure of the corrective measures.
This verification is limited to determining the closure of the major nonconformities that emerged during the stage 2 audit. In this circumstance, all the major nonconformities must be resolved (and also the minor nonconformities that the organisation had declared as already closed on the date of the post-audit) to permit the certificate to be issued.
If the 4 months term is not respected by the organisation, or if the post-audit has a negative result, the certification procedure will be stopped permanently; in that case, the certification procedure must be started from the beginning.
If the post-audit is performed within 4 months of the audit and has a positive result, the audit team prepares the post-audit report, which is sent to the approval committee of TÜV Italia, together with the previous audit report; a copy of this post-audit report is also delivered to the organisation.
Note: if in addition to the major nonconformities there are also minor nonconformities, they will be managed as described above (“type (b) situation”); however, as already mentioned, if there were any minor nonconformities that the organisation declared as being already closed on the date of the post-audit, they will be checked during the post-audit.

6.7 Initial issue of the certification and subsequent renewals

The certification is approved by the TÜV Italia Approval Committee after successfully receiving and examining the positive report from the audit team and the other documents, as well as the data comprised in the audit file (this data may include information of public domain, comments from the organisation regarding the audit report).
It is possible that the examination of the audit file by the approval committee has a fully or partially negative outcome; in that case, and depending on the situation, as evaluated on a case by case by the approval committee, the reports can be revised directly by the committee, and the relative changes are communicated to the organisation in various forms, either by changing the audit reports or by means of formal communications. The certification is therefore issued based on the changes that were made.
The approval committee can also not approve the issue of the certification, in that case TÜV Italia will formally inform the company about the reasons for which the decision was made.
The documents that attest the certification are :

a) an approval letter for the certification that includes: the positive result of the approval, the conditions regarding maintenance of the issued certification, the expiration date of the certification, fixed 3 years from the date of certification approval, or - for a renewal - 3 years from the date of expiration of the previous certificate, the period within which the subsequent surveillance audits must be carried out, and instructions regarding the use of the certification logo.

b) a certificate (which in the case of multi-site certification can include, as attachments, other sub-certificates) that contains: an identification number (with the corresponding revision if the certificate is to be reissued), the name of the organisation with the relative site(s) and address(es), the applicable reference standard and any applicable ACCREDIA RT (Technical Regulation), the scope in Italian and English, the IAF sector or technical

areas of reference, the date of issue that coincides with the date of certification approval, the expiration date, the logo of the accreditation body (if the sector or the certification scheme has been accredited), the signature of the authorised TÜV Italia Manager, the date of the first issue.
Certification validity depends on the observance of the technical and economic conditions described in this regulation.
The granting of the certification automatically implies permission for the organisation to use the certificate itself and the logo issued by TÜV Italia, in accordance with the methods described in par. 8.

Note regarding certification renewals:
The same procedure described above is followed upon the three-year renewal audit of the certification following the renewal audits specified in par. 6.9 of this regulation.
The documents certifying the validity of the certification upon renewal are comprised of:

a) an approval letter for the renewal of certification that includes: the positive result of the approval, the conditions regarding maintenance of the renewed certification, the expiration date of the certification fixed 3 years from the date of expiration of the previous certificate, the period within which the subsequent surveillance audits must be carried out, and instructions regarding the use of the certification logo.

b) a certificate (which in the case of multi-site certification can include, as attachments, other sub-certificates) that contains: an identification number (with the corresponding revision if the certificate was reissued), the name of the organisation with the relative site(s) and address(es), the applicable reference standard and any applicable ACCREDIA RT, the scope in Italian and English, the IAF sector or technical area of reference, the date of reissue, the expiration date, the logo of the accreditation body (if the sector or the certification scheme has been accredited), the signature of the authorised TÜV Italia manager, the date of the first issue, and the period of validity gap if applicable.

6.8 Surveillance audit

The purpose of the surveillance audits is to verify that the certified organisation maintains an effective management system in compliance with the requirements of the applicable reference standard and the applicable certification regulations.
The surveillance audits are therefore mandatory for the purposes of the continuity of certificate validity; if the certified organisation does not intend to undergo within the programmed time period a surveillance audit without providing suitable motivation, this involves the right to suspend the certificate validity by TÜV Italia (see par. 9);
During the three-year period of certificate validity, in general and notwithstanding other requirements specified in the individual specific regulations, 2 surveillance audits are carried out on an annual basis for the purpose of confirming the validity of the certificate itself.
The first surveillance audit must be carried out within 12 months of the date of completion of the stage 2 audit (including a possible post-audit), with a tolerance of +0 / -12 weeks. The second surveillance audit must be carried out within 24 months of the date of completion of the stage 2 audit (including any post-audit) , with a tolerance of +0 / -12 weeks .
Finally, after every three-year renewal of the certificate (see par. 6.9), surveillance is carried out on an annual basis, always taking into consideration as a reference both the tolerances indicated above as well as the day and month on which the stage 2 audit was completed (including a possible post-audit).
TÜV Italia may only allow an exception from the deadlines indicated above in case of events of an exceptional nature, justified in writing by the organisation and with a notice of not less than 20 work days prior to the date scheduled for the surveillance audit.
(failure to respect this limit will result in payment of the penalties specified in par. 20 of this regulation).
Each surveillance audit relates to a part of the management system: it always includes some elements, so-called "fixed" elements, of the management system, plus additional random elements; for more details, refer to the specific regulations applicable for the certification schemes (e.g. RSSQ, RSSA, RSVE, RSSL, RSSI, RSIT, RSGE etc)
Overall, the surveillance audits during the three year period cover at least the entire management system, and in any audit always include at least the following elements:

- internal audits and management reviews;
- a review of the actions implemented following the results of the previous audit
- handling of complaints and reports

- effectiveness of the management system in reaching the objectives
- progress of the planned activities for the purpose of continuous improvement
- keeping the actions continuously under control
- review of the changes made to the management system (including products/services and processes)
- use of the logo and/or any other reference to certification

Furthermore, the following activities may also be verified:
- requests by TÜV Italia regarding aspects concerning certification
- review of the declarations of the organisation concerning their activities (for example promotional material, website)
- request to the customer to provide documents and records (paper or electronic)
- application of other methods for monitoring the organisation's performance

At the start of the surveillance audit, the documentation and documented information for the management system is reviewed; in particular, the parts of the documentation or documented information that have been reviewed by the organisation in the meantime are verified.
Unlike the procedure used during the certification audit and the subsequent renewal audits, during the surveillance audits the audit team has been given full authority by TÜV Italia to make all necessary decisions under the general supervision of the BA Division Director, but without the absolute need for direct verification by the approval committee (an exception to this rule are situations that involve the suspension or withdrawal of the certificate, for which the information in par. 9 and 10 of this regulation apply).
Of course, the supervision of the BA Division Director and the possible check by the approval committee could make it necessary to review the audit team report; in this case, the relative amendments are sent to the organisation.
TÜV Italia monitors the reports regarding the surveillance activities by means of delegated and technically competent personnel.

Also in the case of surveillance audits, the following 3 situations are possible:
a) no nonconformity (major or minor), possible comments;
b) presence of minor nonconformities and possible comments, but no major nonconformity;
d) presence of major nonconformities, possible minor nonconformities and possible comments.

Type (a) situation
If no evidence was found that leads to the issue of major nonconformities or minor nonconformities, the audit team prepares the audit report that is sent to TÜV Italia; a copy of this report is also delivered to the organisation.

Type (b) situation
If evidence is found that leads to the issue of minor nonconformities without major nonconformities, the audit team prepares the audit report with the description of the said minor nonconformities.
The audit team delivers the audit report containing a description of the minor nonconformities to the organisation.
The organisation must define the corresponding corrective actions for the minor nonconformities (treatments, root cause analysisand corrective actions), and prepare a plan for their implementation and then effectively implements them, at the latest within 4 months of the audit. Within 1 week of receiving the report, the organisation sends the defined actions to the Lead Auditor and then the Lead Auditor sends the report to TÜV Italia.
The audit team checks the implementation and effectiveness of these actions during the subsequent audit (surveillance or renewal); the actions that have not been implemented within the limit of 4 months, or are found not effective, lead to the issue of a major nonconformity, and therefore to the need for a post-audit.

Type (c) situation
If there is evidence that leads to the issue of major nonconformities, the audit team will prepare the audit report that includes the major nonconformities (as already specified above, any minor nonconformities issued during the previous audit and for which the corrective actions defined by the organisation result as not being implemented or not effective, will become major nonconformities).

The organisation defines the corrective actions (treatment, root cause analysis and corrective actions) corresponding to the major nonconformities (including the implementation plan, which must be completed within 4 months of the audit) and communicates them to the audit team, within 1 week.
The audit team examines the proposed corrective actions; if the result of that assessment is not satisfactory, the organisation is requested to change the proposal; if the result is instead positive, the audit team will perform a post-audit on a date agreed with the organisation (within 4 months of the audit) to verify the closure of the corrective measures.
This verification is limited to determining the closure of the major nonconformities that emerged during the previous audit; In this circumstance, all the major nonconformities must be resolved (and also the minor nonconformities that the organisation had declared as already closed on the date of the post-audit).
If the 4 month term is not respected by the organisation or if the post-audit has a negative result, TÜV Italia proceeds - as a general rule - with the suspension and possibly the subsequent withdrawal of the certificate (see paragraphs 9 and 10).
If the post-audit is performed within 4 months of the audit and has a positive result, the audit team prepares the post-audit report, which is sent to TÜV Italia, together with the first audit report; a copy of this post-audit report is also delivered to the organisation.
Note: if in addition to the major nonconformities there are also minor nonconformities, they will be managed as described above ("type (b) situation"); however, as already mentioned, if there were any minor nonconformities that the organisation declared as being already closed on the date of the post-audit, they will be checked during the post-audit.

6.9 Renewal audit

The duration of the renewal audit is defined based on the information acquired during the surveillance audits, or by receiving a written communication regarding the substantial changes that took place in the organisation recently.
Based on the above, it may be necessary to review the current contract or send a new offer.
The purpose of the renewal audit is to verify that the certified organisation has maintained an effective management system in compliance with the requirements of the applicable reference standard and the certification regulations.
The renewal audit is therefore mandatory for the purpose of continuous validity of the certification.
If the certified organisation does not intend to undergo the renewal audit, it must inform TÜV Italia in writing, providing notice of at least six months prior to the expiration date of the certificate.
{text deleted}

In order to fulfil the requirements of the standard that regulates the management system certification activities, the renewal audit is scheduled close to the expiration of the existing certificate.
Reasonably, the recertification audit must be carried out within three (3) years - 3 months of the last day of the "on site" audit, of the initial stage 2 audit (including a possible post-audit). In any case, certification renewal must be completed, including a possible post-audit and the approval of the approval committee before the expiration of the certification.
If the renewal activities (referring only to the performance of a possible post-audit and/or the subsequent approval of certificate renewal) is completed after the expiration date of the previous certificate, the date of issue of the renewal certificate will be the date of the approval, but the expiration date will be calculated 3 years from the date of expiration of the previous certificate (thereby pointing out a non-continuity of the certification with its reinstatement, which will be explicitly stated in the certificate); in these cases, however, the approval (including a possible post-audit) must take place within 6 months of the expiration date of the previous certificate.
If the renewal is not completed in the terms indicated above, the organisation is no longer being entitled to claim as being certified, and must stop using the certification and the certification logo, and if it wishes to reobtain certification, it must proceed with a new certification procedure, starting from what is indicated in point 6.3 of this regulation.
Each renewal audit covers the entire management system. If any significant changes were made to the management system or the context in which it operates (example changes in legislation) and if there were not yet subjected to what was stated above in paragraph 13 of this regulation, it may be necessary to repeat the stage 1 audit and if necessary, this will be communicated in advance by TÜV Italia.
At the start of the renewal audit, the documentation and documented information for the management system must be reviewed.

Any anomalies that arise during the evaluation of the documentation and the documented information will be included in the renewal audit report and suitably classified.
During the renewal audit, the implementation and effectiveness of the improvement measures resulting from the evaluations issued during the previous audit will be verified in particular, the organisation's "response" to the comments issued upon the previous audit will be evaluated and, specifically, also the following will be assessed:

- the effectiveness of the management system as a whole, as a result of internal and external changes, and its continued relevance and applicability to the scope of the certification
- the commitment demonstrated to maintain the effectiveness and improvement of the management system in order to reinforce the overall performance
- if the effectiveness of the certified management system contributes towards the pursuit of the organisation's policies and objectives.

A check will also be performed, as in every audit, of the correct use of the TÜV Italia logo (see par. 8), as well as the correct management of any complaints (see par. 11).

Also in the case of renewal audits, the following three situations are possible:
a) no nonconformity (major or minor), possible comments;
b) presence of minor nonconformities and possible comments, but no major nonconformity;
c) presence of major nonconformities, possible minor nonconformities and possible comments.

Type (a) situation
If no evidence was found that leads to the issue of a nonconformity, the audit team prepares the audit report that is sent to the TÜV Italia approval committee; a copy of this report is also delivered to the organisation.

Type (b) situation
If evidence is found that leads to the issue of minor nonconformities without major nonconformities, the audit team prepares the audit report with the description of the said minor nonconformities.
The audit team delivers the audit report containing a description of the minor nonconformities to the organisation.
The organisation must define the corresponding corrective actions for the minor nonconformities (treatments, root cause analysis and corrective actions), and prepare a plan for their implementation, and eventually implements them, at the latest within 4 months of the audit. Within 1 week of receiving the report, the organisation sends the defined corrective actions to the Lead Auditor, and then the Lead Auditor sends the report to the approval committee of TÜV Italia.
The audit team checks the implementation and effectiveness of these corrective actions during the subsequent surveillance audit; the actions that have not been implemented within the limit of 4 months (or are not effective) lead to the issue of major nonconformities, and therefore to the need for a post-audit.

Type (c) situation
If there is evidence that leads to the issue of major nonconformities, the audit team will prepare the audit report that includes them and deliver it to the organisation.
The organisation defines the corresponding Proposal of corrective actions (treatment, root cause analysis and corrective actions) for the major nonconformities (including the implementation plan, which must be completed within 4 months of the audit) and communicates them to the Lead Aduitor, within 1 week.
The Lead Auditor examines the proposed corrective actions; if the result of that assessment is not satisfactory, the organisation is requested to change the proposal; if the result is instead positive, the audit team will perform a post-audit on a date agreed with the organisation (within 4 months of the audit) to verify the closure of the corrective actions.
This verification is limited to determining the closure of the major nonconformities that emerged during the renewal audit; In this circumstance, all the major nonconformities must be resolved (and also the minor nonconformities that the organisation had declared as already closed on the date of the post-audit) to permit the certificate to be renewed.
If the post-audit was not completed with a positive result or was not performed prior to the expiration date of the certification, the certificate will no longer be valid and TÜV Italia will communicate its decision regarding the status of the certification, taking into consideration what is specified in paragraphs 9 and 10.

If the post-audit has a positive result, the audit team prepares the post-audit report, which is sent to the TÜV Italia approval committee; a copy of this post-audit report is also delivered to the organisation.

Note: if in addition to the major nonconformities there are also minor nonconformities, they will be managed as described above ("type (b) situation"); however, as already mentioned, if there were any minor nonconformities that the organisation declared as being already closed on the date of the post-audit, they will be checked during the post-audit.

6.10 Special audits, or unannounced audits, or the possible reduction of the certification scope

TÜV Italia reserves the right to perform unannounced audits of the certified organisation, possibly in the presence of or with the participation of Accredia inspectors.
These audits are carried out based on valid and demonstrated reasons (in the opinion of TÜV Italia), which are communicated to the organisation.
These audits may be of the following types:

- audits for revoking certification suspension
- audits for expanding or varying the scope (ref. 4.1)
- audit with short notice or without notice, describing and informing customers in advance of the conditions based on which these audits are carried out, if they are necessary:
  - a close examination of the handling of complaints received from customers of the certified organisation.
  - checking the changes made by the organisation to its management system.
  - verifying the management system after receiving information regarding serious incidents, emergencies, accidents, malfunctions or concerning failed compliance with the conditions based on which the certificate was issued.

The reasons for which audits of these types may be performed are, for example, significant changes to the certified management system that the organisation communicated to TÜV Italia (see also par. 13 of this regulation), or complaints or reports related to the operation of the management system, or information concerning the failure to comply with the conditions based on which the certificate was issued, or the improper use of the certificate or logo, request of the approval committee to increase the frequency of the surveillance audits following the evaluation of the certification procedure, etc.
The details concerning the performance of these audits are defined on a case by case basis, according to the circumstances, by TÜV Italia. Information regarding the dates for performing the activities and the audit team is provided in advance to the organisation in a written communication, except in the cases of audits at short notice or without notice (if required by the specific regulatory certification scheme).
Unless otherwise decided by TÜV Italia, these unannounced audits, if carried out, do not substitute the surveillance or renewal audits specified in par. 6.8 and 6.9, but are carried out in addition to them and are the responsibility of the audited organisation.
In order to ascertain that the assessment methods adopted by TÜV Italia comply with the reference standards, the accreditation body, which is the guarantor of the issued certifications (Accredia), may request to carry out inspections at the certified organisation, using its own personnel, which will be previously agreed upon between TÜV Italia and the organisation.
If the organisation does not provide approval, the validity of the certificate will be suspended until the inspection can be performed, for a maximum period of 3 months.
After this 3 month period, and if the inspection was not permitted, certification will be revoked.
The assessment methods used by the accreditation bodies are described in the specific regulations and/or communications/circulars available on their websites.
The organisation must provide the accreditation body with the reference documentation that TÜV Italia used during previous audits.

6.10.1 Possible reduction of the scope of application of the certification

TÜV Italia has the right to reduce the scope of the certification to exclude the parts that do not satisfy the requirements if the organisation failed, in a persistent or serious manner, to comply with the requirements of the certification regarding those parts of the scope of the certification. This reduction will be in line with the requirements of the standard used for certification.

7. Register of certified organisations

Once the management system certification has been issued, TÜV Italia updates its register of certified organisations, which includes at least the following information:

- identification of each certified organisation;
- the state of validity of the certification;
- the reference standard for the management system;
- the site(s) and/or plant(s) covered by the certification;
- the type of products, processes, services to which the certificate applies.

This register is available to the public (also on the TÜV Italia website) and is provided free of charge upon request; it is also provided to ACCREDIA.
The sectors for which TÜV Italia has received ACCREDIA accreditation can be found at www.tuv.it.
By obtaining a certificate for the IAF sectors for which TÜV Italia has ACCREDIA accreditation gives the organisation the right to enter its name and other information in the list that ACCREDIA publishes periodically.
In compliance with the legal requirements on the protection of privacy, signing the certification contract implies that TÜV Italia is authorised to publish information about the organisation in its register (unless the organisation prohibits this explicitly by informing TÜV Italia in writing).

8. Methods for making reference to the certification. Use of the certificate and the mark

The organisation must prepare and - after being certified - implement a documented procedure regarding the management of the methods for making reference to the certification (in particular related to the use of the certificate and of the certification mark); this procedure may be described in a separate document that is specifically dedicated to the topic, or may be included in another management system document; in any case, it must include the function(s) of the organisation that have been assigned the responsibilities for this management, and in particular the methods for using the certificate and the mark, in order to ensure that the following requirements are observed.
The organisation may make reference to the certification obtained in a way that makes evident that the said certification concerns the management system, the sites covered by the system, the processes, and the activities/services (within the scope of what is specified by the applied certification standards) but not the products.
TÜV Italia controls that the certificate and the certification mark are used correctly during the surveillance and renewal audits.
Detailed information on how to use the certificate and the certification mark can be found in a specific document (Guide to marks and certification - Rules and methods of making reference to the certification - Use of the certificate and the mark) available at www.tuv.it
If the certificate is suspended or withdrawn, the certified organisation must stop using the certificate and the TÜV Italia logo and any other method of making reference to the certification; if this is not observed, TÜV Italia reserves the right to take legal action.

9. Suspension of the certification

TÜV Italia, for serious reasons at its absolute discretion, as explained in writing to the organisation, has the right to suspend the validity of the management system certification already issued for a defined period of time, for a maximum of 6 months.
In these cases, the organisation loses the right to make reference to this certification for the period of time considered and defined by TÜV Italia, and therefore, in particular, also the right to use the TÜV Italia certification mark.
In particular, certification can be suspended in one of the following cases:

- The organisation does not carry out the post-audit necessary for checking the correct and effective closure of the nonconformities that arose during the surveillance or renewal audit.
- Any post-audit relative to the surveillance has a negative result following the failure to close the corrective actions defined for the nonconformities, in this case the maximum term of suspension is identified based on the date of the surveillance audit (month and day of the stage 2 activities including any post-audit) plus six months.
- The organisation does not perform the surveillance audit within the required period.
- The organisation does not accept the execution of special or unannounced audits (ref. paragraph 6.10 of this Regulation)
- The organisation makes incorrect reference to the certification.

- The complaints are managed incorrectly.
- The organisation is late in making payments for a period that exceeds 15 days.
- The organisation does not inform TÜV Italia in time concerning any type of measures by public authorities and/or legal proceedings in progress, incidents or serious accidents.
- If there is a legal proceeding in progress or if prior notice has been given regarding the start of legal proceedings towards the organisation, TÜV Italia reserves the right to proceed with the preventive suspension of the certificate until the issues at the basis of the proceeding that was started have been clarified and there is objective evidence that the certified management system and its elements and responsibilities are not involved in the said legal proceedings.
- If the management system does not guarantee the observance of the mandatory requirements applicable to persons, privacy, environment and the safety of the supplied products/services. This suspension must be expressed by TÜV Italia also during the period of implementing the corrective actions while awaiting the post-audit for the closure of the nonconformity.
- The organisation changes its management system such that it affects the issued certification without informing TÜV Italia.
- The organisation does not communicate company changes that affect the issued certification.
- The organisation will be liquidated or assigned/transferred to third parties and/or is purchased by third parties or stops its activity or if an agreement with creditors has been reached, based on a court decision or an out-of-court settlement, or has been declared bankrupt.
- Upon direct request of the organisation, justifying its reasons, for a period that does not exceed 6 months and in any case for a period that does not go beyond the expiration date of the certificate.

If certification is suspended, TÜV Italia it will officially inform the organisation as provided by law, also communicating the conditions that the organisation must satisfy, within a specific period of time, in order for the certification to become again valid and not permanently revoked.
TÜV Italia has the right to make this notification public.
Following the suspension of certification, if the organisation continues to make reference to it in any manner, TÜV Italia may take legal action.
If the organisation satisfies the conditions specified by TÜV Italia by the end of the suspension period, the suspension of the certification will be revoked, and the organisation will be officially notified. If instead at the end of the suspension period the organisation still does not satisfy the specified conditions, TÜV Italia will withdraw the certification (see par. 10).
If the notification of the suspension has been made public, also the subsequent revocation of the suspension will be made public.
Within TÜV Italia, all the decisions related to the suspension of certification (and the withdrawal of the suspension) are properly documented.

10. Withdrawal / cancellation of certification

TÜV Italia, for very serious reasons suitably justified to the organisation in writing, has the right to cancel the validity of certification already issued, which automatically involves the withdrawal of the authorisation given to the organisation to make reference to it as described (see par. 8).
In particular, certification can be withdrawn/cancelled in one of the following cases:

- The organisation does not satisfy the conditions specified by TÜV Italia for the revocation of certification suspension;
- The organisation interrupts the manufacturing of the products/provision of the services, processes, services mentioned in the certificate for a period of time that exceeds 1 year;
- The organisation terminates the certification contract;
- {text deleted}
- TÜV Italia changes the rules for the certification system and the organisation cannot or does not want to comply with the new requirements;
- If circumstances arise, such as those indicated for suspension, that are considered by TÜV Italia as being particularly serious;
- In the case of a multi-site organisation, if the central office or one of the sites does not comply with the requirements necessary for multi-site certification;
- If the organisation does not accept the new economic conditions defined by TÜV Italia for a contract change.

The withdrawal/cancellation of the certification must be notified to the organisation via legal accepted media, and TÜV Italia has the right to make this notification public; In particular, communication is made to ACCREDIA for certificates that were issued for ACCREDIA accredited business sectors and, if required by the rules for the accreditation of specific certification schemes or sectors.
Following the withdrawal/cancellation of the certification, if the organisation continues to make reference to it in any manner, TÜV Italia may take legal action.
Within TÜV Italia, all the decisions related to the withdrawal/cancellation of certification are properly documented.

11. Handling of complaints and warnings by customers of the organisation and by interested parties

The organisation (already certified by TÜV Italia or not yet certified but that is using the certification services of TÜV Italia) must prepare and implement a documented procedure for the handling of complaints and warnings that guarantees:

- the recording of the complaints and warnings received from its customers and by interested parties related to the products, processes, services to which the management system applies;
- the suitable investigation of these complaints and warning, and the relative recording;
- the adoption, if necessary, of corrective measures and their recording;
- the written response to the person making the complaint within a defined period of time.

The organisation must make these records available to TÜV Italia, who may examine them during the audits.
Furthermore, if the certification refers to IAF sectors for which TÜV Italia has ACCREDIA accreditation, these records must also be made available for verification by ACCREDIA representatives.

12. Documentation or documented information of the management system and relative access for TÜV Italia audits

The certified organisation must make its documentation or the documented information of the management system available to the TÜV Italia audit team, a copy on electronic support of this documentation or documented information must also be made available to TÜV Italia if requested, in order to satisfy the demands of the members of the approval committee or the certification committee of TÜV Italia or the auditors of the ACCREDIA accreditation body.
Any IT standard is accepted for the copy on electronic support.
Furthermore, the organisation is required to keep a copy of the audit reports issued by TÜV Italia for a period of 3 years from the date of the report itself.

13. Changes to the management system

The certified organisation must inform TÜV Italia in advance, with a formal written communication (mail, fax, letter) to the Unit of reference (office in the national territory), of any substantial change it intends to make to its management system, the relative scope (for example, additions of other certification standards and/or the excluded requirements are considered non applicable, changes to the type of products, processes, services mentioned in the certificate, extension to another site, etc.) or to the relative controlled documentation (see par.12).
TÜV Italia evaluates the actual need to perform an additional unscheduled audit based on these changes (see par. 6.10), possibly involving a revision of the certificate, or to directly start a new certification process.
Failure to comply with these conditions can cause the suspension of certification (see par.9).
It is also possible that the certified organisation itself requests TÜV Italia to review its certificate upon occurrence of one or more of the situations described in the first paragraph.
Also in this case, TÜV Italia evaluates the actual need to carry out an additional unscheduled audit based on the changes that were made (see par. 6.10) or to start a new certification procedure. These audits do not only cover the activities and processes for which the extension is requested, but must also cover all the points of the applicable reference standard.
In all cases, the reviewed certificates are issued upon the positive opinion of the approval committee.

14. Changes to the rules of the certification system

TÜV Italia has the right to make changes to its certification system described in this Regulation.
In this case, however, TÜV Italia allows already certified organisations to present their observations regarding the proposed changes.

Once a decision has been reached regarding the changes to be made, TÜV Italia must specify the effective date of these changes and the resulting corrective actions required of the organisations, agreeing upon a suitable period of time for them to adapt themselves.
If the organisation cannot or does not want to comply with these new rules, TÜV Italia will withdraw/cancel the certification (see par. 10).

15. Particular requirements for organisations already certified by another body (transfer of management system certification)

TÜV Italia transfers management system certification applying the requirements of the international document IAF MD 2:2017.
Only an accredited and valid certificate can be transferred. A suspended certificate (whose suspension is known) cannot be transferred.

Only level 3 certificates issued by a body that is a signatory to IAF or regional ML and, if applicable, levels 4 and 5 are acceptable for the transfer. Organisations that have certification that is not covered by this accreditation must be considered new customers.

The information necessary for transfer can be collected from the customer and reviewed “on site” or “off site”. This information can also be requested from the issuing certification body, which is required to provide this information.
The result of the review must be documented and suitably recorded.
Based on the result of the document review, if necessary, for example based on major nonconformities that are outstanding or not closed, TÜV Italia reserves the right to carry out a “pre-transfer visit" at the customer site(s) to confirm the validity of the certification, and proceed with the transfer.
The decision relative to the transfer of the certification must be made before starting any surveillance or recertification audit activities on site.
If the pre-transfer review process does not identify any problems, the certification cycle must be based on the previous certification cycle defined by the issuing certification body and TÜV Italia must establish the audit program for the rest of the certification cycle.
The new certificate can have the date of the initial certification indicated by the previous certification body date as the date of “FIRST CERTIFICATION” on its own certificate, specifying the phrase “Issued by another certification body”.

In compliance with point 9.5.2 of ISO/IEC 17021-1, it is not possible to issue a certificate until:

a) the implementation of the corrections and corrective actions relative to all major nonconformities issued by the previous certification body has been verified;
b) the customer's action plans relative to the corrections and corrective actions implemented for all the minor nonconformities issued by the previous certification body have been accepted.

If the pre-transfer review activities (document review and/or pre-transfer visit) identify problems that prevent the certificate from being transferred, TÜV Italia must consider the customer as being a new customer. A new offer must be prepared and a new stage 1 + stage 2 certification activity must be carried out.
At the end of the certification process, the certificate must indicate the date of the new certification cycle without making reference to the previous certification.

If a request is received from another certification body for the transfer of a certificate, TÜV Italia is required to inform the accepting certification body if the certificate has been withdrawn or suspended.
If the certificate is valid, TÜV Italia will request authorisation from the client before providing the requested information to the new certification body, and will request the customer to confirm its intention to terminate the contract.
The customer's certificate will not be suspended or withdrawn following the notification of transfer received from another certification body if the customer continues to satisfy the certification requirements.
{text deleted}

16. Confidentiality

TÜV Italia guarantees that all the information obtained during the certification activities is considered confidential, in compliance with mandatory legislation and applicable technical regulations, and handled confidentially at all levels of its organisation, without prejudice to what is specified by provisions of law or by accreditation bodies, or if subject to the written authorisation of the concerned organisation.
TÜV Italia is also aware of its obligation to guarantee the protection of proprietary information and any other intellectual property in materials and documents of the organisation, with it being understood that proprietary information, for example, includes, but is not limited to, any idea, concept, know-how, patent, design, prototype, industrial secret, financial information.
This principle of protection does not include information that has entered the public domain.
{text deleted}

17. Appeals

The organisation that uses the certification services of TÜV Italia has the right to present appeals against the decision adopted by TÜV Italia regarding the concession, suspension or withdrawal of certifications.
If the organisation wants to appeal the decision, it must send a registered letter with return receipt to TÜV Italia S.r.l. to the attention of the BA Division Director – Via G. Carducci 125 ed. 23 – 20099 – Sesto San Giovanni (MI).
This letter must include the references of the organisation, the subject of the appeal, the reasons for making the appeal, any attachments that support the previously indicated reasons, the signature of the legal representative of the organisation. Failure to provide one or more of the above indicated items may cause the appeal to be rejected; in those cases TÜV Italia will send a communication with its motivations to the sender.
The Division Director, with the support of the Legal Affairs Manager, will start the examination of the appeal, involving the concerned parties and at the end of the investigation, the claimant will be informed of the result of the action within two months of the date of receiving the appeal

18. Complaints against TÜV Italia

TÜV Italia takes into consideration the complaints and warnings coming from the market that concerns the customers of the organisation under the following conditions:

- they must be formalised in writing (any format is accepted, such as a letter, fax, e-mail) and must provide a detailed description of the situation related to the complaint/report;
- the name and address of the person making the complaint/report must be stated clearly;
- the reasons for the complaint/report must be formalised.

If this information is not available in the complaint or warning presented by the organisation or by another source, it will be contacted for the necessary clarifications.
Complaints and reports are managed using a complaint register and for each, an initial response is sent within 10 working days of its receipt.
Complaints are examined by the Division Director, or by a person appointed by him, who carries out the suitable investigations and in-depth examinations with the help of the concerned functions, analyses the received documentation and carries out the appropriate investigations.
If the specific situation requires it, TÜV Italia reserves the right to carry out a supplementary audit to check the state of the management system of the organisation subject to the complaint/warning. The performing of these unscheduled audits is regulated above in par. 6.10.
For the purpose of managing the complaint/warning, TÜV Italia sends a written notice to the person making the complaint/warning regarding the outcome of the investigations and any measures that were adopted.
Information concerning the content of the complaint/warning and its resolution cannot be made public without the consent of the involved parties.

19. Disputes

If any disputes arise with TÜV Italia S.r.l. the competent court is the court of Milan.

20. Economic conditions

TÜV Italia defines the economic conditions applicable to the certification activities in order to obtain a profit that is sufficient for guaranteeing its independence in carrying out its activities and permits the continuous improvement of the services offered, both traditional as well as innovative.

TÜV Italia prepares an offer for each certification request that it receives and sends it to the requesting organisation. This document contains all the technical-economic information related to the requested activities. The offer is prepared based on the information received in the questionnaire completed by the requesting organisation, also considering the critical aspects and specific risks of the process, the environmental aspects, the specific requirements specified by the accreditation bodies or by binding national and international documents.

Once the contract has been signed, TÜV Italia reserves the right to revise the contractual documents if variations are discovered during the certification cycle with respect to the conditions declared by the organisation and based on which the offer was prepared, upon communication and acceptance in writing by the organisation. If the offer is not accepted by the organisation, the contract will be terminated with immediate withdrawal of the certificate if it was already issued.

If, for any reason, the organisation does not execute the contract after it was confirmed, or terminates it in advance, TÜV Italia reserves the right to charge an amount, as a penalty, equal to the residual value of the contract, updated at the moment of termination based on the increase in the cost of living (Istat index) of consumer prices increased by 3 points, plus the cost for services already provided and without prejudice to the right to request compensation for further damage.
If the organisation cancels a single audit activity that was already scheduled within a period of 20 days prior to the agreed upon date - without terminating the contract - TÜV Italia reserves the right to charge the entire amount of the scheduled activity.
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