

# GENERAL REGULATIONS

**VINCOTTE nv**

Vilvoorde – Belgium

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## Conformity Assessment

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## 1. SCOPE

The current General Regulations define the rules applicable to the conformity assessment procedures of propulsion engines specifically intended for installation on or in watercraft.

## 2. DEFINITIONS

For the purpose of the current General Regulations, the terms and definitions given in ISO/IEC 17065:2012 "Conformity Assessment – Requirements for bodies certifying products, processes and services" apply.

Furthermore, the following definitions apply:

- Applicant: Organisation seeking the certification by VINÇOTTE nv relating to conformity assessment procedures of propulsion engines specifically intended for installation on or in watercraft .
- Organisation: under the current General Regulations, the term "Organisation" is used to designate an organisation as defined in the ISO 17065:2012 standard (section 3. 1: client).
- Certified/Registered Organisation: organisation of which the products have been certified by VINÇOTTE nv and who have received a certificate of conformity issued by VINÇOTTE nv.

## 3. REFERENCE STANDARDS

The certification process applied is based upon a demonstrated compliance with the requirements of the following normative international, European and national documents:

- 2013/53/EU: Directive of the European parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC.
- 768/2008/EC: Decision of the European parliament and of the council of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC.
- ISO 8178-6:Reciprocating internal combustion engines - Exhaust emission measurement - Part 6: Report of measuring results and test.
- ISO 18854:Small craft - Reciprocating internal combustion engines exhaust emission measurement - Test-bed measurement of gaseous and particulate exhaust emissions.
- Belgian Royal Order dated 12/03/2017 regarding the requirements of market surveillance on the equipment of recreational craft.
- and other similar reference standards.

The basis for certification can be extended to other international or national normative documents depending on the approvals/notifications received by VINÇOTTE nv.

## 4. GENERAL RULES

**4.1.** The current General Regulations are the only ones VINÇOTTE nv applies for the conformity assessment procedures of propulsion engines specifically intended for installation on or in watercraft that comply with the standards and normative documents listed in section 3.

**4.2.** Any Organisation seeking certification relating to its products by VINÇOTTE nv must abide by the General Regulations in force at the time the certification contract is concluded. Likewise, when the conformity assessment is carried out within a regulatory framework, any applicable regulatory requirements are in force in compliance with the calendar set by the law.

**4.3.** The requirements of the current General Regulations supersede the corresponding requirements of the VINÇOTTE nv general terms and conditions of sale.

**4.4.** The specific conditions defined in the certification contracts may neither alter nor modify the requirements of the current General Regulations.

## 5. OBLIGATIONS OF THE APPLICANT

**5.1.** The applicant makes the necessary arrangements for :

- the conduct of the evaluation and surveillance (if required), including provision for examining documentation and records, and access to the relevant equipment, location(s), area(s), personnel, and applicant's subcontractors.
- investigation of complaints.
- the participation of observers (if applicable).

**5.2.** Declarations and claims are consistent with the scope of certification (product, standards...)

**5.3.** The applicant cannot use its product certification in such a manner as to bring the VINÇOTTE nv into disrepute.

**5.4.** The applicant cannot make any statement regarding its product certification that VINÇOTTE nv may consider misleading or unauthorized.

**5.5.** Upon suspension, withdrawal or termination of certification, the applicant discontinues its use of all advertising matter that contains

any reference thereto and takes action as required by the certification scheme and takes any other required measure as mentioned in section 11.

**5.6.** Copies of certification documents shall be reproduced in their entirety.

**5.7.** References to the product certification in documents, brochures, or advertising must follow the rules mentioned in section 10.

**5.8.** Conformity marks and information on the product complies to the requirements of Directive 2013/53/EU. Appropriate actions must be taken and documented.

**5.9.** The applicant keeps record of all complaints and recalls and makes them available to VINÇOTTE nv. Client has to communicate them without delay to VINÇOTTE nv who will evaluate the impact on the validity of the delivered certificate(s).

**5.10.** The applicant informs VINÇOTTE nv, without delay, of changes that may affect its ability to conform with the requirements of Directive 2013/53/EU.

## 6. CERTIFICATE CHARACTERISTICS

### 6.1. Scope

The EC Type examination certificate issued by VINÇOTTE nv attests that the products produced by the applicant comply with the requirements of Directive 2013/53/EU.

### 6.2. Period of validity

The EC Type examination certificate is valid for an unlimited period from the date of issue.

### 6.3. Conditions of validity

The validity of a EC Type examination certificate is maintained provided that:

**6.3.1.** The certified products remain in compliance with the applicable requirements.

**6.3.2.** The required technical documentation and a copy of the EU declaration of conformity is stored for at least 10 years by the Applicant after the product has been placed on the market.

**6.3.3.** Any significant modification, will be communicated to VINÇOTTE nv Examples (not limited list) :

- Significant changes within the organisation.

- Changes to the certified product.

- Stopping or repulsion of the production of certified products.

- Changes in the Organisation's name or address.

**6.3.4.** VINÇOTTE nv is authorized to carry out any unscheduled assessment at any time and without prior notice. If the assessment of the products, is carried out within a regular framework, this assessment will be carried out when public authorities issue a reasoned complaint concerning the requirements of the applicable standards and normative documents listed in section 3.

**6.3.5.** All financial obligations with regard to VINÇOTTE nv are covered.

**6.3.6.** The certificate can be restricted, suspended, or withdrawn under the circumstances mentioned in section 11.

## 7. CERTIFICATION APPLICATION

**7.1.** Any Organisation interested in the certification of its products may apply to VINÇOTTE nv.

**7.2.** As soon as the Organisation's intention is known, VINÇOTTE nv will review the application with and will submit the Organisation with a quotation together with an order form, the general terms and conditions of sale and the current General Regulations.

**7.3.** Ordering proceeds with the filling in and the signing of the applicable order form by the Applicant. These forms are part of the VINÇOTTE nv quotation.

The relevant order forms must be returned to VINÇOTTE nv, if necessary, attached to a standard purchase order. The provisions of the purchase order cannot contradict the requirements of the VINÇOTTE nv order forms, these current General Regulations, or the requirements of the certification scheme. Therefore, the purchase order shall refer to the offer of VINÇOTTE nv and these current General Regulations.

The conditions of the offer, including the time of the assessment, may be reviewed based on information received from the Applicant and the auditor/inspector's findings.

**7.4.** The Applicant may not lodge an application in parallel with another notified body for the same conformity assessment procedure.

## 8. CERTIFICATION PROCESS

### 8.1. Registration

VINÇOTTE nv acknowledges all orders received.

Before reviewing the documentation, VINÇOTTE nv communicates the auditor/inspector's names who will conduct the certification audit to the Applicant. The Applicant will be informed beforehand of any

change in the assignment.

The Applicant may refuse the participation of an auditor/inspector, providing such refusal is made in writing (including justification) and not less than four weeks before the beginning of the certification process. If the Applicant is unable to accept any of the auditors/inspectors proposed by VINÇOTTE nv, the certification order is considered to be null and void. VINÇOTTE nv will inform the Applicant of this decision in writing.

#### 8.2. Conformity Assessment

During the Conformity Assessment the appointed auditor/inspector verify that the products, are in compliance with the standards and normative documents listed in section 3. For this purpose, the required documented technical information and product is examined. The audit process starts with an opening meeting. During this meeting, the participants introduce themselves and the details of the evaluation program are defined.

The audit ends with a closing meeting. During the closing meeting, the auditor/inspector will present his conclusions.

#### 8.3. Corrective Measure

In the event that the requirements with the standards and normative documents listed in section 3 have not been met by the applicant, he will be requested to take appropriate corrective measures before asking a new assessment. In this case a conformity certificate cannot be issued unless conformity assessment is conform and certification decision is positive.

#### 8.4. Audit/Inspection report

Following the audit, the auditors/inspectors prepare a confidential report.

This report includes a brief description of the Applicant, a description of the products and the results of the evaluation. If applicable, non-conformities will be noted in this report.

#### 8.5. Certification file

The auditor/inspector prepares the certification file. This file contains:

- The technical documentation.
- the audit report.
- the conclusions of the Conformity assessment.

This certification file is presented to VINÇOTTE nv's automotive Certification Committee (CC)

#### 8.6. Certification

The certification file is reviewed by VINÇOTTE nv's automotive Certification Committee.

In principle, the Certification Committee meets every week. At each meeting, the committee reviews all files that have been submitted. If necessary, the concerned auditor(s)/inspector(s) is/are heard. In each case, the Certification Committee will decide either to grant a certificate and under what conditions, or to refuse the certification and for what reason(s).

A certificate is refused when the Certification Committee concludes that the product deviates from the requirements of the normative reference document.

The Certification Committee decision is communicated to the Applicant.

If the certificate is granted, the certificate issuance date is the date of the Certification Committee's decision.

#### 8.7. Registration and publication

As soon as a certificate is granted, a unique identification reference is printed on the certificate.

The certificate normally states:

- The scope of the certification : the normative reference document(s).
- the name and address of the certified Organisation.
- Identification of the approved type.
- the Name, address, logo and identification of the notified body.
- the name and signature of the Chairman of the CC
- the BELAC logo.
- the period of validity (if any).

### 9. SPECIFIC CASES

In addition to the standard certification program described above, special cases can also be accommodated. The most common examples are detailed below. The Certification Committee may be requested to take a decision.

#### 9.1. Change to the certification.

A Certified Organisation may request that modified products may be covered by its current certificate. This request may involve new products (new variants/versions) ,or another reference standard.

In such a case, a specific program is developed, taking the

nature of the request into account. In principle, the program is limited to the Certified Organisation's new products.

If the modification is granted, either the initial certificate is adapted to the new situation or it is withdrawn and replaced by a new certificate with new conditions, or an additional certificate is established.

When the certification scheme introduces new or revised requirements that affect the client, the certification body shall ensure these changes are communicated to all clients. The certification body shall apply the instructions mentioned in the reference standard concerning the evaluation of the modifications.

#### 9.2. Transfer of certificates

Upon the Certified Organisation's request wishing to transfer a certificate issued by another certification body to VINÇOTTE nv, VINÇOTTE nv may, under certain conditions, issue a certificate based on previous audit results and take over the certification programs.

The original certificate and the latest audit reports are examined and assessed.

The results of this Transfer Review are submitted to the Certification Committee, which grants (or not) a certificate, expiring on the same date as the original certificate.

### 10. USE OF LICENCE, CERTIFICATE LOGO AND CONFORMITY MARK

The Certified Organisation may:

- display, reproduce and issue copies of the certificate (additional originals are available from VINÇOTTE nv),
- disclose only full copies of the reports to any third party,
- reproduce the VINÇOTTE nv logo referring to the applicable normative document, but only on correspondence, promotional documentation and advertising documentation (including websites). In this case, the following conditions apply :
  - The logo will always be used together with the name of the certified Organisation.
  - Therefore, the logo may not be applied on the product itself or on its direct packaging.
  - The logo will only be related to products covered by the relevant certificate. The Certified Organisation will identify the products to which the certificate applies when the use of the logo might lead to confusion.
  - The Certified Organisation discontinues any use of the logo, deemed unacceptable by VINÇOTTE nv and any form of declaration relating to the authority of the Certified Organisation for the use of the logo, which VINÇOTTE nv might deem to be misleading.
  - Upon termination of the certification for whatever reason (expiration of the validity period, withdrawal notified by VINÇOTTE nv, etc.), the Certified Organisation undertakes to discontinue all use of the logo immediately and destroy the stock of any material on which it appears.
  - In the case of scope modification (extension or decrease) of the certification, the Certified Organisation commits to use the new certificate issued and/or the modified logo.
  - The logo must be in accordance with the corporate identity style guide of VINÇOTTE nv.
  - Only the logo delivered by the VINÇOTTE nv may be used. The logo should be used in combination with the body's registration number.

### 11. CERTIFICATE SUSPENSION OR WITHDRAWAL

Certificates can be suspended or withdrawn for the following reasons:

- On voluntary request by the client.
- On no respect of the General Regulations.
- Non-compliance of the product with the applicable reference standards.

Only VINÇOTTE nv's Certification Committee has the authority to suspend or withdraw a certificate.

Any suspension or withdrawal is notified to the notifying Authority. In case of withdrawal, all original certificates should be returned to VINÇOTTE nv.

### 12. APPEALS AND APPEAL PROCEDURE

Any party concerned may object to a decision made by the Certification Committee. To be considered, all objections must be sent to VINÇOTTE nv by registered mail. The Certification Committee's decision remains valid during the appeal procedure. Objections are handled by the Appeals Committee.

The composition of the Appeals Committee will be communicated to the appellant, who has the right to contest it by registered mail within 8 days.

A (remote) meeting of the Appeals Committee is called within two weeks of the final agreed constitution of the Committee members. At the meeting, the appellant is heard in confidence. The Appeals Committee may also hear any other individual who may be relevant to the appeal. Each interviewee will be given one week's notice of the time and place of the meeting.

The Appeals Committee shall release its decision on the appeal within two weeks of the meeting. The decision, taken by majority of the Appeal Committee, as declared by its Chairman, will be final. The appealed decision will stand for the duration of the appeal procedure.

### 13. CONFIDENTIALITY

All information about the applicants and the Certified Organisations is treated as confidential and measures are taken to restrict access to the certification files.

VINÇOTTE nv commits to not disclosing any confidential information about the applicant or Certified Organisations nor any information collected during the audits, except for the data directly related to the status of the certification (all the data mentioned on the certificate). However, VINÇOTTE nv may disclose parts or all of the certification files to the accreditation or notification bodies and to auditors/inspectors of other certification bodies with which a mutual recognition agreement of certificates is sought or is in effect. The applicant will be notified of the information provided.

The Organisation accept the presence of representatives of the accreditation or notification bodies, or auditors/inspectors in training. Vinçotte nv respects in all cases the applicable laws and regulations related to privacy (GDPR).

### 14. IMPARTIALITY

It is VINÇOTTE nv's policy to conduct all certification activities impartially and that all personnel is free from any external pressure of any nature.

Therefore:

- VINÇOTTE nv ensures that certification activities are executed in an objective manner without any prejudice.
- VINÇOTTE nv identifies actual and potential conflicts of interest and actively manages them so that objectivity is guaranteed. If impartiality cannot be guaranteed, VINÇOTTE nv will refuse the certification assignment.
- VINÇOTTE nv ensures that its personnel is independent with regard to any other organisation or person with an interest in the result of certification activities.
- VINÇOTTE nv is aware of the responsibility and liability associated with certification activities, the decisions taken and the statements and certificates delivered.

To ensure auditor/inspector impartiality, an auditor/inspector cannot be assigned to and participate in the certification process if there has been any relationship of any kind (consulting, internal audit services, in-house training, employment, financial, personal, first or second-degree family) between an audit team member and the applicant within the last 2 years.

The certification commission acts as an independent and autonomous body ensuring that the decision makers are not the same as the ones that have carried out the certification activities.

- VINÇOTTE nv has also installed a Committee for Impartiality. This committee's objectives are:
- Supervise the certification policy with respect to impartiality.
- Ensure the certification schemes are impartial, transparent and objective.
- Issue opinions and recommendations through examining certification files.
- Conduct a review of the impartiality of the audit, certification and decision-making processes and of the financial independence. For that reason, the Committee members have access to all the necessary information.
- Take any steps deemed necessary, such as notifying the accreditation bodies when its recommendations are not acted upon.
- Discuss and approve:
  - certification, validation and verification rules,
  - specimen contract documents,
  - the quality manual
  - the qualification criteria for auditors/inspectors and technical experts.
  - the technical basis for granting certification.

Committee members are appointed by specific bodies representing a variety of sectors for which VINÇOTTE nv has obtained accreditation.

### 15. LANGUAGES

VINÇOTTE nv normally operates in English. Audits may be conducted in any other language by mutual agreement.

The language(s) to be used during the audit will be defined by the Applicant at the time of contract acceptance. If the chosen language for the report is not the language mentioned above, a translation will be provided in one of them (bilingual report). The certificate and report will be issued in English only.

### 16. CERTIFICATION FEES

The certification fees fixed by VINÇOTTE nv are defined in lump sums and a set of daily and hourly rates.

The sums notably cover:

- the audit preparation and documentation review.
- the certification audit and report.
- the certification, registration and publication.

A sum is fixed per certificate for certification, registration and publication. All sums are invoiced after completion of the corresponding certification phase (generally after sending the report to the Organisation).

Supplemental activities are invoiced at the daily and hourly rates (based on the same principles as the standard costs).

### 17. REFERENCE STANDARD CHANGES

When a revised reference standard or normative document is published, the transitional provisions mentioned (if any) will be taken into account. A transition period is defined in compliance with the criteria defined by the competent authorities. During this period, Applicants and Certified Organisations will have the choice between the previous or revised version of the normative document. Beyond this period, the latest edition will apply for the purpose of assessing conformity and preparing certificates.

### 18. LOSS OF ACCREDITATION

VINÇOTTE nv is overseen by one or more accreditation bodies and takes all the necessary measure to maintain the accreditations that have been awarded. Should VINÇOTTE nv lose all or part of an accreditation for a reference standard, all the relevant contractual obligations with the applicants are immediately terminated and dissolved.

### 19. APPLICABLE LAW & DISPUTES

The current general regulations are governed by Belgian law. Subsequent to an attempt to reach an amicable settlement, any dispute about the validity, interpretation and implementation of the regulation shall be judged by the Brussels first court of instance.

### 20. COMPLAINTS

It is VINÇOTTE nv's policy to take into account, to evaluate and to give an appropriate reaction/answer to each received complaint. This is done in the respect of the confidentiality rules. Identity of the complainant will be preserved toward third parties.

VINÇOTTE nv guarantee also the no-discrimination during and after the complaint treatment process.

A contact form is available on the VINÇOTTE nv's website. <https://www.vincotte.be/nl/contact>

### 21. REVISIONS

The last Revision of this document is always available on the VINÇOTTE nv's website <https://www.vincotte.be/en/terms-conditions>