



**- CSQ System -**

***RULES***

***for Certification of Management Systems***

***Approved by the Board of Directors on 29 July 2008***

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## Article 1 - SCOPE OF THE RULES

### 1.1 - “CSQ System”

These Rules, approved by the Board of Directors of IMQ S.p.A. (hereafter “IMQ”) set out the “**CSQ System**” procedure applied by IMQ for certification of Management Systems concerning Quality, Environmental, Health and Safety in the Workplace, Data Security etc. (hereafter “Management Systems”) of organizations that supply products and/or services. The CSQ System is a certification system managed by IMQ in collaboration with CESI and ISCOM.

It is divided up into:

- a) basic certification schemes;
- b) sector-based certification schemes.

A list of these schemes is included in the “**Particular Rules**” which forms an integral and important part of these Rules.

These Particular Rules contain the requirements and detailed procedures for the single certification schemes (e.g. point 2.1) and are approved by the CSQ Technical Committee and may not depart from the general rules set forth in these Rules without special approval by the IMQ Board of Directors.

### 1.2 Purpose of certification

The purpose of the certification of Management Systems is to provide reliable independent assurance that an organization operates in accordance with the Standard(s) concerning Management Systems, e.g. UNI EN ISO 9001, etc. (hereafter called the “Standard” or “Standards”).

This purpose is attained, after preliminary assessment of the relevant documents, via independent auditing including initial audits and subsequent control (and re-certification) on a sample basis.

**IMQ cannot be held liable for the positive outcome of said audits and, as a result, the effective issue or otherwise of the relevant certificate.**

### 1.3 - CSQ Technical Committee

A special CSQ Technical Committee oversees the correct management of the different IMQ certification schemes. Said committee consists of equal numbers of representatives of the various parties involved in the certification process, in particular government offices, clients/customers, consumers and standards/research bodies.

The CSQ Technical Committee has the special role of guaranteeing the impartiality of the certification activities concerning the CSQ System.

## Article 2 - GENERAL CONDITIONS

### 2.1 - Requirements and liabilities of the organisation

The requirements that the organization must meet to obtain certification in the different schemes are laid down in the “Particular Rules”.

The organization undertakes to comply and continue to comply to the compulsory requirements, such as international, national or local laws, regulations, etc.

**CSQ certification only concerns the conformance of the organization’s Management System to the applicable standards and does not, therefore, constitute a certificate of conformance to the aforementioned requirements.**

The organization has, therefore, sole liability for its legal compliance, with the exclusion of any assurance liability or obligations on the part of IMQ.

## **2.2 - Obtaining and maintaining certification – Fees due**

Certification and maintenance of the same are subject to:

- a positive outcome of the process that checks conformity of the organization's Management System with the applicable standards/regulations;
- payment of the handling fee for issuing certification;
- payment of the fee for all foreseen inspections, audits and checks on documents (routine and extraordinary);
- payment of an annual fee to maintain the validity of the certification, ("maintenance fees").

## **2.3 - CSQ Auditors**

The evaluation and surveillance activities are performed by auditors employed by the Institutions participating in the CSQ System or outside experts who have been qualified in accordance with specific procedures and in compliance with the applicable standards.

## **2.4 - Confidentiality**

All certification application documents, and the auditing of the organization's Management System (documents, records, communications, test and audit reports, etc.) are handled on a confidential basis and not shared with third parties, with the exception of other certification institutions on the basis of mutual recognition agreements entered into by IMQ and other accreditation organizations.

Access and consultation of all relevant certification documents is only permitted to IMQ employees directly involved in dealing with the certification of the organization's Management System.

In the event that information on the organization needs to be communicated or shared with third parties in order to fulfil its legal obligations, IMQ shall notify the organisation in writing.

## **2.5 - No provision of consulting services**

When carrying out the activities required under these Rules and, in particular, during visits to the organization's premises, IMQ does not provide any type of consulting service regarding the organization's Management System for which certification has been requested or already obtained.

## **Article 3 - CERTIFICATION APPLICATION**

### **3.1 - IMQ offer acceptance and submission of application**

The organization applying for certification must fill out:

- the **IMQ offer acceptance form**, to be signed and stamped by the organization's legal representative or individual with delegated powers to do so;
- the **certification application**, using the relevant form providing the following information:
  - name of the organization;
  - name and location of the business unit(s) for which certification is requested;
  - description of the type of business engaged in by the business unit(s);
  - reference standard for requested certification;
  - name of the contact person at the organization;
  - number of employees.

The following additional **documentation** shall be enclosed with the application:

- a certificate attesting to its registration with the Chamber of Commerce in its home country or an equivalent document;
- the prototype of its current factory, organization or service trademark;
- the document that describes the organization and the business activities engaged in by the organization/organization unit(s) to be certified (e.g. the "Quality Manual" or other Organization Manual) (hereafter the "System Manual");
- any other documents requested for specific schemes.

### **3.2 - Processing of the Application**

**3.2.01** - Upon receipt of the application, IMQ:

- checks the application and submitted documentation;
- requests additional documentation beyond what has been indicated above if considered useful for the acceptance of the application;
- gives written confirmation of its acceptance of the application once it finds that the received documentation is complete.

**3.2.02** - If the applicant submits evaluation reports by Institutions recognized by IMQ, some or all of the evaluation procedures may be waived in accordance with the procedures and agreements made between IMQ and these Institutions.

### **3.3 - Certification process**

**3.3.01** - The certification process involves examination and evaluation by the head of an auditing group of the organization's System Manual and documentation, including any extra documents that may have been requested for the specific certification scheme.

**3.3.02** - The organization is notified in writing of the outcome of this examination and consequent evaluation. The organization undertakes to correct any instance of non-conformance found in its System Manual and documentation by the deadline and in accordance with the agreed conditions.

**3.3.03** - Once the application documents have been approved, the head of the auditing group provides for:

- performance of preliminary visits, if requested by the organization, to obtain further information on the organizational structure of the organization and the extent to which the Management System is implemented;
- preparation of the program for the audit visit upon agreement with the applicant;
- transmitting this program to the organization, together with the names of the outside experts who are scheduled to join the auditors.

The applicant has the right to request substitution of an auditor or expert if there is the risk of conflict of interest. This request must be made in writing within ten (10) days of the information being made known to the organization, stating the reasons.

IMQ reserves the right to confirm or replace the person in question, depending on the importance of the applicant's reasons.

**3.3.04** - At the beginning of an audit, the auditors must meet with the Management of the organization in order to:

- explain the evaluation procedure and criteria;
- establish an official channel for communication between the auditors and Management;
- clarify any aspects that were not fully understood;
- establish a climate of reciprocal trust.

**3.3.05** - The organization must ensure that the auditors are provided with all the necessary tools in order that they may correctly carry out the evaluation, and in particular the organization must put the following at their disposal:

- documents related to the Management System for which certification has been requested;
- associated records, including internal audit reports;
- all information required for safe access to the organization's sites (see point 5.4 below).

**3.3.06** - The audit involves a complete evaluation of the organization's Management System conformance with requirements of the applicable standard. This audit shall involve the taking of samples, interviews with employees, direct observation of activities, inspections and examination of documents and records.

The auditors must be assisted during these checks by employees of the organization. The organization must allow the auditors full and safe access to all areas where the activities to be certified are carried out, as well as interviews with the employees engaged in said activities.

**3.3.07** - On conclusion of the audit, the auditing group must prepare an evaluation report (hereafter, the "report").

Before finalizing this report, the applicant shall:

- a) be informed of its result;
- b) have the chance to discuss the contents of the report with the auditing group;
- c) sign it as having been seen (including any instances of non-conformity found) and receive a copy.

Should IMQ not send the organization written communication confirming the results contained in the report within one (1) month from the date of the visit, the report is to be considered confirmed.

The organization undertakes to deal with any "non-conformities" found during the audit, sending IMQ details of its planned corrective action within the deadline indicated in the non-conformity report(s), specifying the times for their implementation and who is responsible, to be signed by the Management System manager.

**3.3.08** - IMQ forwards the report to the CSQ Technical Committee, together with details of any corrective action in the event of instances of "non-conformity".

The CSQ Technical Committee then decides whether or not to grant the certification depending on the results and contents of these documents.

### 3.4 – Certificate issue and validity

3.4.01 - When certification is granted, IMQ sends the **certificate** to the organization. This states the reference standard, the organization's registered office, the production site(s) that has/have been certified, and the activity or activities to which the Management System refers, the date of issue and expiry and all further necessary information (where required by the standards, concerning accreditation, etc.).

When certification is not granted, IMQ informs the organization of its decision in writing and provides explanations. It may also request a second visit to check whether the non-conformities have been dealt with and/or ask for the documents proving that these have been dealt with.

If extra visits are needed, the procedure described in point 3.3.08 above applies.

If the organization does not respond to IMQ's notification within the time indicated therein, its application for certification is considered refused.

**3.4.02** – Once issued, **certification is valid for three years**. However, its validity depends on the outcome of surveillance audits of the organization's Management System in accordance with the procedures indicated in Article 6 below, as well as the contractual relations between IMQ and the organization.

After said visits, renewal of the certification is confirmed by IMQ in a letter.

After a re-certification audit (see point 6.2 below), if the outcome is positive, certification is reissued.

Upon termination of the contract with IMQ, for whatever reason, the validity and effectiveness of certification automatically ceases to be valid.

**3.4.03** - Once the certificate has been issued, the organization is recorded in the Register of Companies with a certified Management System. This register shall be adequately distributed.

The relative information is then forwarded to any federations/associations to which IMQ belongs. Moreover, the certified organization will also be inserted in the accreditation bodies' databases, reflecting IMQ's accreditation status.

**3.4.04** – IMQ has the right to alter or update the certification procedure described in point 3.3 above, also as a result of changes to the relevant standard and/or requests coming from the accreditation bodies.

The provisions of article 8 below shall apply in such cases.

### 3.5 - IMQ accreditation - Suspension, renunciation and revocation of accreditation

**3.5.01** - IMQ is accredited by SINCERT (the Italian National System for Accreditation of Certification and Inspection Bodies) as a certifying body for Management Systems. IMQ must therefore operate in compliance with the provisions of the accreditation body with regard to its accredited schemes and sectors, applying all the relevant documents.

IMQ is also required to inform the accreditation body of all certificates issued, refused, suspended, re-issued, renounced and revoked, as well as the information required under point 5.1 letter h) below.

IMQ undertakes to behave at all times in a correct transparent manner and to collaborate with SINCERT.

**3.5.02-** IMQ shall inform the organization of any suspension, renunciation or revocation of its accreditation for the sector to which the organization belongs and shall assist the organization in passing to another accredited body.

**3.5.03-** IMQ cannot be held liable for any losses for the organization as a result of any suspension, renunciation or revocation of its accreditation; in these cases, the organization has the right to renounce certification without the need to give notice and at no extra cost to itself.

*Note: Updated information on IMQ's accreditation status can be checked at any time by contacting the CSQ Secretariat and these websites: [www.imq.it](http://www.imq.it) and [www.sincert.it](http://www.sincert.it).*

## Article 4 - LICENCE TO USE THE IMQ MARK

### 4.1 - Licence to use the marks

As from the issue of the “CSQ” certificate, the certified organization has the right to use the **marks issued by IMQ** with regard solely to the specific certified scheme(s) (“sector-based scheme”) for which the organization has obtained certification (hereafter “the marks”). These marks are indicated in **Annex A** of the “Particular Rules”.

The organization may, therefore, use the marks for the relevant certification on its documents and advertising concerning the activities and/or business unit(s) mentioned in the certificate, provided that it is true and complete with all relevant certification information.

The CSQ System belongs to the **Federazione CISQ (Italian Certification of Corporate Quality Systems - CISQ)** and thus also means that the certified organization may:

- be entered in the “CISQ” list of certified organizations;
- benefit from the mutual recognition agreements stipulated by CISQ and foreign bodies;
- use the “CISQ” mark (see point 4.2 below);
- receive the “IQNet” certificate and corresponding mark (see point 4.2 below).

### 4.2 - Rules for using the marks

#### (i) “CSQ” mark

The organization may use the “CSQ” mark only:

- with the name of the certified organization (or the business unit of the certified organization);
- with the certificate identification number (optional);
- with the reference to the standard(s) for which certification has been obtained;
- within for as long as the certificate is valid;
- with in connexion with the purpose/activity of the certified organization (or business unit);
- in connexion with the business unit(s) of the certified organization;
- by the legal owner;
- without making any changes to its shape (enlargement/reduction is permitted, provided the mark is still perfectly legible);
- in the set colours or in black and white (see Annex “A” in the “Particular Rules”).

#### (ii) “CISQ” mark

This mark may only be used:

- together with the “CSQ” mark, to the right of this and respecting the same conditions in point (i) above;
- if never larger than the “CSQ” mark;
- without making any changes to its shape (enlargement/reduction is permitted, provided the mark is still perfectly legible and do not affect the perfect legibility of the “CSQ” mark);
- in the set colours or in black and white (see Annex “A” in the “Particular Rules”).

#### (iii) “IQNet” mark

This mark may only be used:

- together with the “CSQ” mark, to the right of this and respecting the same conditions in point (i) above;
- if never larger than the “CSQ” mark;
- without making any changes to its shape (enlargement/reduction is permitted, provided the mark is still perfectly legible and do not affect the perfect legibility of the “CSQ” mark);
- in the set colours or in black and white (see Annex “A” in the “Particular Rules”).

#### (iv) “SINCERT” mark

(Optional) This may only be used by organizations with certification with accreditation, together with the “CSQ” mark and in compliance with the rules in the SINCERT document **“Rules for the use of the SINCERT accreditation mark”**, full reference to this is hereby understood; this document can be viewed on the relevant website: [www.sincert.it](http://www.sincert.it).

**All these marks will be sent in the various formats to the organization by the IMQ Marketing Service.**

#### **4.3 - Improper use of the marks and certification**

Any use of the marks and certification in a way that might deceive consumers/users and, in any case, not in compliance with these Rules is considered an improper use of the marks and certification.

More specifically, the use of the mark(s) and/or certification together with the name and/or mark of the certified organization or applicant is considered improper when, for instance:

- certification has not been issued;
- certification has been suspended or revoked;
- the marks are used in connexion with activities and/or services not covered by certification;
- the marks are used in such a way that they may be interpreted as being marks of compliance with technical standards for products, including those cases where the product is represented in documents issued by the organisation (test certificates, medical reports, compliance statements, etc.);
- the marks are used on test or calibration reports issued by the certified organisation (certification must not be confused with accreditation of the test/calibration labs).

#### **4.4 - Improper use of the marks and certification – Action taken by IMQ**

As soon as IMQ becomes aware of the improper use of the marks or certification, it takes all necessary steps to prevent such use, at the same time protecting its own rights in the most appropriate manner, which may involve the publication of the fact on its “IMQ Informa” newsletter and, if necessary, in the Press.

### **Article 5 - OBLIGATIONS OF THE CERTIFIED ORGANIZATION**

#### **5.1 - Obligations of the organization**

The certified organization undertakes:

- a) to maintain the conformance of its organization with the requirements of the standard(s) cited on the certificate. If it plans to change its structure in terms that are significant to its compliance with the relevant standard(s), the organization must give prior written notice to the IMQ, which may accept the variations or order extra audits. The cost of any such audits is to be borne by the certified organization;
- b) to inform IMQ immediately of any changes in the number of its employees; in this case, IMQ may decide to carry out an extra audit or bring a planned surveillance audit forwards in time (see point 9.3 below);
- c) not to use its certification so as to discredit the CSQ System and IMQ;
- d) not to make any declaration as regards its certification or publish this in a way that may be considered misleading or unauthorized;
- e) to keep a register of all the complaints and corrective measures involving its certified Management System and, if so requested by IMQ, provide proof of its management;
- f) with regard to the CSQ System accreditation status, to grant the Accreditation Body

inspectors access to its premises when accompanied by the CSQ System auditors. These visits, the purpose of which is to monitor the CSQ System auditors, will be announced in advance, except for audits at short notice (see point 6.3 below);

- g) to inform IMQ immediately of any non-conformities detected by the control authorities, as well as any suspensions or revocation of authorisations, licences, etc.;
- h) to inform IMQ immediately of any legal/administrative proceedings concerning the certified object, apart from within the limits set down by law;
- i) to inform IMQ immediately of any incidents with a long-term effect and/or that required the intervention of external bodies in order to be dealt with and/or that have led to reports being sent to the public authorities;
- j) to keep IMQ informed of any developments in the aforementioned proceedings.

With regard to the situations described in letters g) to j) above, IMQ may order extra audits at the organization's expense or revoke the certification, depending on the seriousness and impact of the event.

## **5.2 - Changes to certification**

If a certified organization wishes to change the field of validity of its certification, it must submit a written request to IMQ. IMQ shall then decide whether or not a new assessment is necessary.

All the costs incurred are to be borne by the certified organization.

## **5.3 - Transferability of certification – Obligation to notify IMQ**

Certification is reserved to the organization and business units mentioned on the certificate and is not transferable, unless the organization is sold or transformed, merged or split or a particular branch of the certified organization is conveyed.

In these cases, IMQ must be notified immediately and nevertheless within fifteen (15) days of the decision being recorded in the Register of Companies, where necessary. Should this deadline not be observed, the organization's certification may be suspended or revoked.

In the cases described above, the organization shall send IMQ a request to maintain its certification as the result of a change in its structure together with a copy of the relevant Chamber of Commerce certificate and any other documents that may be required. IMQ shall then verify, possibly with an extra audit, that the Management System has not been changed and/or that it conforms to the requirements of the relevant reference standard.

The cost of updating the certification and any audits shall be borne by the altered organization.

## **5.4 - Safety in the workplace – Obligation to inform IMQ**

In accordance with current health and safety in the workplace laws, the organization undertakes to provide IMQ with full details of all specific risks in the workplace that IMQ auditors may be exposed to.

The organization also undertakes to promote full co-operation and co-ordination via its safety representative in order to ensure all health and safety measures are properly implemented to guarantee the safety of IMQ's auditors, as well as all protection and prevention measures required for its employees and all other people operating or, in any case, present in the workplace.

## Article 6 - CONTROL OF THE CERTIFIED ORGANIZATION

### 6.1 - Routine controls

IMQ performs routine controls of the certified organization to verify that it continues to comply with the requirements of the relevant standard(s).

### 6.2 - Surveillance audits – Re-certification audits

**6.2.01** – The first surveillance audit takes place **within nine (9) months from the issue of the certificate**, unless the CSQ Certification Committee considers that a shorter interval is necessary in order to check that any non-conformities that have occurred have been satisfactorily dealt with (in which case IMQ will inform the organization).

**After the first visit, surveillance audits are performed within twelve (12) months of the previous audit in accordance with the rules of the accreditation bodies.**

The annual surveillance audits are required to verify that the Management System is applied to the whole organization. **Three audits** are carried out in order to do this, however, the areas/aspects considered important are always checked each time.

Every third surveillance audit, known as the “re-certification audit”, is a general review of the certified Management System, with special attention paid to documents and an analysis of the Management System’s effectiveness. The certificate is re-issued after this audit, if positive.

**6.2.02** - Surveillance and re-certification audits are pre-announced with sufficient notice for the organization. Should the organization request the date of an audit to be changed within the ten (10) days leading up to the planned date, IMQ reserves the right to charge the organization for costs in accordance with the economic conditions in force.

**6.2.03** - The certified organization undertakes to grant access to the CSQ System auditors at any time during normal working hours.

During the surveillance audits, the CSQ System auditors must be given the possibility to verify the implementation of the certified organization’s Quality System without any difficulties. The auditors are required to interfere as little as possible with the organization’s activities.

**6.2.04** - See points 3.3.03 to 3.3.07 above for details of the audit methods, audit reports, non-conformity reports and corrective action.

**6.2.05** - Certification will be suspended in the most serious cases of non-conformity, in the event of repeat non-conformity and/or prolonged periods in which it is impossible to perform the required audits. This suspension is only cancelled when the organization has corrected the reported non-conformity to the satisfaction of the auditor or other situation that first gave rise to the suspension (see points 7.1 and 7.2 below).

### 6.3 - Audits at short notice

IMQ may make audits at short notice – i.e. within five (5) working days from notifying the organization – in order to investigate claims received, following changes to the organization’s structure or as a follow-up in the case of organizations whose certification has been suspended.

## Article 7 - SUSPENSION, RENUNCIATION OR REVOCATION OF CERTIFICATION

### 7.1 - Suspension of certification

Certification may be suspended whenever IMQ has reason to believe that the organization's Management System no longer meets the requirements of the relevant standard(s), laws and/or regulations and, especially, in the following cases:

- a) critical cases of non-conformity, i.e. a large number of such cases or repeated instances, non adoption of corrective action and, more generally, negative audit results;
- b) impossibility to carry out surveillance audits as planned (see point 6.2.01 above) and/or the extra audits requested by IMQ;
- c) non-observance by the organization of its obligations under points 5.1 and 5.3 above;
- d) the existence of legal or administrative proceedings, reports of illegality, complaints, disputes, etc., concerning the basic requirements of the Management System or the product(s)/service(s) provided by the organization, or a failure to notify IMQ of the same;
- e) the organization is found to be guilty of non-observance of the basic requirements of the Management System covered by the certification;
- f) upon motivated request by the organization;
- g) in the event of non-payment of the fees due, for whatever reason, to IMQ.

### 7.2 - Consequences of suspension

7.2.01 – During the suspension period, the organization:

- **may not use the certificate and the marks** as per Article 4 of these Rules, **nor present itself as a certified organization;**
- **the organization is still expected to pay the sums necessary to maintain certification (fees).**

IMQ, in turn:

- may suspend its surveillance activities, as per Article 6 above;
- **publish details of the suspension** on its newsletter "IMQ Informa";
- inform the relevant authorities and/or bodies of the suspension.

7.2.02 – The suspension may only be revoked by IMQ when the organization can prove that it has dealt with the non-conformities in a satisfactory manner or when the circumstances giving rise to the suspension no longer exist.

Before restoring the certification, IMQ may carry out further examination of the relevant documents and/or audits at the organization's place of business in order to ascertain that the problems found have, in fact, been dealt with properly. The certified organization shall bear all the costs incurred for any extra audits and examinations.

7.2.03 – Certification is revoked after six **(6) months** if the suspension has not been revoked; in the case of non-payment of IMQ fees (point 7.1, letter g) above), this interval is reduced to one **(1) month**.

7.2.04 – The organization is informed of suspension and the revocation of the same by means of registered letter with recorded delivery or any other legally acceptable means.

### 7.3 - Revocation of certification

The certification of a organization may be revoked in the case of:

- a) non-observance by the organization of the obligations accepted under Articles 5 and 6 above;
- b) the failure or cessation of the organization's business;

- c) improper use of the certificate and/or mark(s) or serious irregularities in the use of the same;
- d) the organization being found guilty of non-observance of the basic requirements of the Management System and/or the relevant product(s)/service(s);
- e) failure by the organization to adapt its activities to meet changes in the standard(s) and/or regulations;
- f) non-revocation of suspension of the certification, as per point 7.2.03 above.

The decision to revoke certification shall be communicated to the organization by means of registered letter with recorded delivery or any other legally acceptable means.

#### **7.4 - Consequences of revocation of certification**

If certification is revoked, the organization undertakes:

- a) to return the certificate within fifteen (15) days from notification of revocation;
- b) not to use the certificate and the relevant mark(s);
- c) to remove the certification mark(s) from its letterhead and all documents, as well as any reference to the same;
- d) pay IMQ all outstanding fees and other expenses.

IMQ, in turn:

- aa) interrupts all surveillance activities as per Article 6 above;
- bb) **deletes the organization's certification** from the registers indicated at point 3.4.03 above;
- cc) **publishes details of the revocation** in its newsletter "IMQ Informa";
- dd) informs the relevant authorities and/or bodies of the revocation.

#### **7.5 - Renunciation of certification**

The organization may renounce certification:

- a) in the event of **early termination** of the contract in accordance Article 11 below;
- b) when it **does not accept changes in the economic conditions** to the annual fees for certification maintenance (see point 9.2 below);
- c) when it **does not intend to adapt to changes in the reference standard(s)** (see section 8.1 below);
- d) when it **does not accept changes to these Rules** (see point 8.2 below);
- e) in the event of **renunciation or revocation of IMQ accreditation** with regard to EA certification in the sector to which the organization belongs (see point 3.5.03 above);
- f) **before obtaining certification**. In which case, however:
  - if IMQ receives the renunciation before it starts its assessment of the application, the organization is only obliged to pay the sum for the opening of the file ("CSQ certification issue processing");
  - if, on the other hand, IMQ receives the renunciation after it has started its assessment of the application or the "stage 1" audit (where foreseen), but before the assessment process has been completed, the organization is obliged to pay 50% (fifty percent) of the full certification fee.

**The organization must send its renunciation via registered letter with recorded delivery or other legally acceptable means to:**

**IMQ S.p.A. – Area Certificazione CSQ – Via Quintiliano, 43 - 20138 Milan - Italy.**

#### **7.6 - Consequences of Renouncing Certification**

Upon the renunciation of certification, the organization shall:

- a) return and no longer use the certificate and the mark(s) to which the certificate refers;
- b) remove the certification mark(s) from letterheads and all documents, as well as any reference to the same;

- c) pay all outstanding sums due to IMQ, including invoices issued during the three (3) months subsequent to the date of renunciation, as per point 11.1 below.

IMQ shall, in turn:

- aa) interrupt all surveillance activities, as per Article 6 above;
- bb) delete the organization certification from the registers indicated in point 3.4.03 above;
- cc) publish details of the organization's decision to renounce certification on its newsletter "IMQ Informa".

## **Article 8 - CHANGE IN QUALITY MANUAL OR STANDARDS**

### **8.1 - Changes to standards**

If the reference standards are changed, IMQ will promptly notify the certified organization, which will have the right to adapt its Management System to the new requirements by the specified deadline or renounce its certification.

If the organization decides to maintain its certification, IMQ shall check its conformance with the new standards.

The expenses for any audits and, if necessary, maintenance audits shall be borne by the certified organization, in accordance with current IMQ fees.

### **8.2 - Changes to the Rules**

If IMQ makes any changes to the Rules that entail acceptance by the certified organization, IMQ shall accordingly notify the organization of this by means of registered letter with recorded delivery or other legally acceptable means, at the same time publishing the changes rules on its website [www.imq.it](http://www.imq.it).

If the certified organization does not reply by registered letter with recorded delivery or other legally acceptable means within one (1) month days of receiving notice of the change(s) in the Rules, the change(s) will be considered accepted.

## **Article 9 - FEES**

### **9.1 - Certification and maintenance fees**

The fees for certification activities and maintenance of certification and terms of payment are indicated by IMQ in its **offer accepted by the organization**. This offer is prepared by IMQ in line with the fees indicated in the current IMQ Scale of Fees and on the basis of the information provided by the organization (number of employees, etc.); the fees refer to the activities involved in certification and maintenance for three (3) years (including two surveillance audits and one re-certification audit).

The rates indicated in the **current IMQ Scale of Fees** shall apply for all matters not expressly mentioned in the offer or omitted from the same.

If extra audits are required as the result of changes in the organization's structure, changes to the reference standard(s) or accreditation requirements, IMQ may review and update the economic conditions in the offer. If the organization refuses to accept the changes, IMQ shall have the right to terminate the contract, informing the organization of its decision by means of registered letter with recorded delivery.

### **9.2 - Changes to IMQ's Scale of Fees**

All certified organizations and organizations in the process of being certified are notified by IMQ of any change in its scale of fees for certification and maintenance of certification

by legally accepted means, including e-mail.

The certified organization has the right to renounce certification within one (1) month of receipt of said notification (see point 7.5, letter b) above); if no renunciation is forthcoming, the organization is understood to have accepted the changes.

Organizations that exercise their right to renunciation will be charged the fees valid before the changes until the contract is terminated.

### **9.3 - Changes to employee numbers**

The organization is obliged to inform IMQ immediately of any changes to its number of employees (see point 5, letter b) above).

The updated fees shall apply as from the first invoice issued after said change.

## **Article 10 - USE OF CERTIFICATION AND LIABILITIES**

### **10.1 - Legal obligations and requirements – Organization’s liability – Indemnity**

The issue and maintenance of certification for Management Systems does not in any way form an attestation or guarantee by IMQ of respect of the organization’s compliance with its legal obligations and requirements.

The organization therefore has sole liability, for its own actions and losses and towards third parties, for correct carrying-out of its own business and compliance of the same and its product(s)/service(s) to the applicable standard(s), as well as customer and third party general expectations.

The organization also undertakes to keep IMQ and its employees and collaborators uninvolved in any complaint, action and/or claim by third parties concerning IMQ’s activities in relation to these Rules.

### **10.2 - Non-fulfilment by IMQ – Limited liability**

If IMQ should be found to have failed to carry out the activities required under these Rules owing to an error or omission, IMQ may only be held liable for an amount not more than five (5) times the fees owed for the activities carried out at the moment of the error or omission that has led to a loss for the organization.

### **10.3 - Period in which to make claims**

Any complaint or claim for damages involving IMQ shall be made by the organization within and no later than one (1) year from the event that has given rise to the request or claim, after which time all claims shall be invalidated.

## **Article 11 – DURATION OF CERTIFICATION**

**11.1** - The certification contract, of which these Rules form an integral and substantial part, is stipulated for an **open period**, starting **from the date of acceptance of the offer** by IMQ for certification of the organization.

Each party has the right to terminate this contract by giving the other party minimum three (3) months notice of its intent to do so by means of registered letter with recorded delivery or other legally acceptable means.

**11.2** - Termination by the organization involves the immediate and contemporary renunciation of certification, meaning that certification shall cease to have effect as from the date that IMQ receives notice from the organization of its intent to terminate the contract.

- 11.3** - Termination by IMQ involves revocation of certification, though certification shall continue to be valid until the date planned for the next surveillance audit.  
All the provisions of this contract continue to be valid for as long as certification is valid in order to ensure that the Management System in question continues to comply with the relevant standard(s), including IMQ's right to make extra audits and obtain information should it suspect that non-compliance on the part of the organization.
- 11.4** - In all cases of termination (points 11.2 and 11.3 above) the organization shall, in any case, pay IMQ all the agreed fees and expenses concerning the activities carried out by IMQ until the effect date of termination.

**Article 12 - INFORMATIVE NOTE PURSUANT TO ARTICLE 13, LEGISLATIVE  
DECREE N° 196 DATED 20<sup>TH</sup> JUNE 2003  
(Personal data protection - Privacy)**

- 12.1** - In accordance with Legislative Decree N° 196/2003, all personal data (hereafter the "data") provided directly by the organization or via third parties are and shall be handled by IMQ – and in particular recorded and kept in a database – in order to guarantee correct continuance of all contractual relations between IMQ and the organization, both on a legal level (e.g. accounting and tax obligations, etc.) and on a commercial level (e.g. in order to send catalogues, brochures, etc.).  
In relation to the aforementioned purposes, the data shall be handled using manual, ITC and telephonic means for activities strictly linked to the purposes and always, in any case, in such a way to guarantee the security and confidentiality of the data.  
The organization is, therefore, obliged to provide IMQ with its data to ensure continuance of all contractual relations between IMQ, with the result that should it refuse to provide said data, it will become impossible for IMQ to continue such relations.  
IMQ may make the data known – in relation to the recipient's specific areas of competence - to other bodies, administrations, associations and, more generally, any private or public subject, its own employees charged with handling the data and external subjects, managers and/or people appointed by IMQ to whom communication of the data is essential in order for IMQ to provide its services, including debt recovery firms who may be requested to recover sums owed by the organization to IMQ.  
The sole purpose of communicating the data is to guarantee institutions and consumers of the issue, existence, renunciation, suspension or revocation of certification.
- 12.2** - The "Holder" of the personal data is IMQ S.p.A., with registered offices in Milan (Italy) - Via Quintiliano, 43, in the person of its *pro-tempore* Director General.  
Pursuant to Article 7 (Access to personal data and other rights) of the Decree in point 12.1 above, the organization may, at any time, have full access to its data, request information from the *Person in charge of data processing* in each Function. The organization may thus, for example, ask that the data be updated, corrected, integrated or deleted, without this affecting the organization's right to oppose, for legitimate reasons, the handling, processing and use of its data.  
The *Person in charge of data processing* list can be obtained by sending a request to the following e-mail address: [info@img.it](mailto:info@img.it). The list of external debt recovery firms can be viewed on the IMQ website: [www.img.it](http://www.img.it).
- 12.3** - Upon signing these Rules, the organization consents to the handling and processing of its data for the aforementioned purposes and to their communication for the aforementioned purposes.

**Article 13 - APPEALS**

- 13.1** - The applicant or certified organization may appeal against decisions taken by IMQ, addressing these to the CSQ Technical Committee, setting forth the reasons for its disagreement within thirty (30) days from notification of the decision.

The CSQ Technical Committee must process the appeal within three months after it is submitted, and it may contact the interested party directly.

**13.2** - The CSQ Technical Committee shall deal with the appeal within four (4) months from receipt of the appeal and may adopt all means necessary to do, including hearing the organization if necessary.

**13.3** - IMQ shall notify the organization of the outcome of its appeal within six (6) months from receipt of the same.

#### **Article 14 - PLACE OF JURISDICTION**

**14.1** - Any controversy arising in relation to the application or interpretation of the certification contract, of which these Rules form an integral part, including their validity, enforcement and termination, shall be referred to the Arbitration Court in Milan for settlement.