Regulations for the certification of environmental management systems in conformity with
UNI EN ISO 14001:2004

00  24/04/2013  Annulla e sostituisce il documento
“Regulations for the certification of environmental management systems in
conformity with UNI EN ISO 14001:2004” in
rev. 11

<table>
<thead>
<tr>
<th>Rev.</th>
<th>Data</th>
<th>Descrizione</th>
<th>Redatto</th>
<th>Verificato</th>
<th>Approvato</th>
</tr>
</thead>
<tbody>
<tr>
<td>00</td>
<td>24/04/2013</td>
<td>Annulla e sostituisce il documento “Regulations for the certification of environmental management systems in conformity with UNI EN ISO 14001:2004” in rev. 11</td>
<td>SG</td>
<td>DIR</td>
<td>AD</td>
</tr>
</tbody>
</table>

IDENTIFICAZIONE: 0011CR_00_EN
SOMMARIO

1.0 SCOPE 3

2.0 NORMATIVE REFERENCES 3

3.0 DEFINITIONS 4

4.0 GENERAL CONDITIONS 4

5.0 ENVIRONMENTAL MANAGEMENT SYSTEM CERTIFICATION PROCESS 5

5.1 Offer 5

5.2 Application 5

5.3 Application review 6

5.4 Stage 1 audit 6

5.5 Stage 2 audit 7

5.6 Issue of Certification 9

6.0 SURVEILLANCE AND RECERTIFICATION 10

6.1 Validity period 10

6.2 Surveillance 10

6.3 Recertification 11

7.0 RIGHTS AND DUTIES OF CERTIFIED ORGANIZATIONS 11

8.0 TRANSFER OF ACCREDITATED CERTIFICATES 12

9.0 SUSPENSION, WITHDRAWAL OR RENOUNCEMENT TO CERTIFICATION 13

9.1 Suspension 13

9.2 Renouncement 13

9.3 Withdrawal 14

9.4 ICIM actions 15

10.0 CONFIDENTIALITY 15

11.0 ECONOMICAL CONDITIONS 15

12.0 CHANGE IN THE CERTIFICATION REQUIREMENTS 15

13.0 IMPROPER USE OF CERTIFICATION 16

14.0 APPEALS AND COMPLAINTS 16

15.0 DISPUTES 16
1.0 SCOPE

These Regulations define the requirements which an Organization applying for certification of its Environmental Management System (EMS) needs to comply with in order to obtain and maintain the certification issued by ICIM S.p.A. (then called ICIM), and to be recorded in the Register of certified Organizations.

ICIM services are available, without any discrimination, for any Organization which applies in compliance with these Regulations. These Regulations do not include consulting activities related to the preparation of EMS documentation or to the implementation of EMS.

The application of these Regulations is controlled by a Committee for Safeguarding Impartiality (CSI), nominated by ICIM Governing Body (GB), where the parties interested in certification are represented.

ICIM certification is a document where ICIM states that the applying Organization works with an EMS compliant to the rules.

The Client Organization is responsible for the observance of all the provisions of the law in force – community, national or local – and/or of the technical normatives related to environmental inspections and for the executions of the duties deriving from them.

ICIM activities for the verification of the legislative conformity do not replace those performed by supervision bodies and they are performed by sampling; therefore ICIM certification is not an evidence of the full respect of the laws applicable in the environmental field by the Client Organization.

2.0 NORMATIVE REFERENCES

The following national and international normative references apply for EMS certification. The latest edition of the referenced documents applies:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNI EN ISO 14001: 2004</td>
<td>Environmental manage systems – Requirements with guidance fo use</td>
</tr>
<tr>
<td>UNI ISO 14004 : 2005</td>
<td>Environmental management systems - General guideline on principles, systems and support</td>
</tr>
<tr>
<td>UNI EN ISO 19011</td>
<td>Guidelines for quality and/or environmental management systems auditing</td>
</tr>
<tr>
<td>ISO/IEC GUIDE 66</td>
<td>General requirements for bodies operating assessment and certification/registration of environmental management systems (EMS)</td>
</tr>
<tr>
<td>IAF GD6:2006</td>
<td>Guidelines on the Accreditation of Certification Bodies for Environmental Management System</td>
</tr>
<tr>
<td>RG-01</td>
<td>Regulations for the accreditation of Certification Bodies</td>
</tr>
<tr>
<td>SINCERT RT-09</td>
<td>Directives for accreditation of Bodies performing the certification of Environmental Management Systems (EMS)</td>
</tr>
<tr>
<td>UNI EN ISO/IEC 17021</td>
<td>Conformity assessment – Requirements for bodies providing audit and certification of management systems</td>
</tr>
<tr>
<td>RT-14</td>
<td>Directives for accreditation of Bodies operating EMS certification of “protected areas” according to ISO 14001</td>
</tr>
</tbody>
</table>
3.0 DEFINITIONS

For the purposes of this document the definitions given in UNI CEI EN ISO/IEC 17000:2005 and UNI ISO 14050:2002 apply.

4.0 GENERAL CONDITIONS

The certification process can be started by ICIM if the applying Organization:

- is compliant to applicable Laws and Regulations environmental requirements (in particular this conformity involves the possession of all the authorizations and the observance of all the legislative requirements, of the prescriptions contained in the authorizations or in other prescriptive documents of technical, operational or analytical nature). If the Organization does not obtain the necessary authorization from the designed authorities, it has to be able to show that the complete and correct authorization request was submitted at least three months before;
- has an EMS which conforms to the requirements of the applicable management system and normative references;
- accepts both the conditions stated in these Regulations and the contractual conditions for certification.

The contractual conditions for certification of EMS:

- define the applicable normative reference;
- identify the Organization and the Operative Unit object of certification;
- define the process/products/services interested in EMS certification;
- define the steps of the certification process;
- define specific applications of these Regulations, when required.

In order to obtain an EMS certification, the Organization needs to have an EMS which is fully operative and in conformity with the requirements of UNI EN ISO 14001 and/or any other normative references which can be applicable by contract.

EMS is intended to be fully operative when:

- it has been applied for at least 3 months;
- the internal audit system is fully operative and its effectiveness can be demonstrated;
- a management review of the EMS has been made and recorded;
- objectives necessary to obtain results in conformity with corporate policies have been defined;
- the processes necessary to ensure that the Organization’s objectives are in conformity with legal applicable prescriptions, are defined, controlled and monitored;
- actions improving environmental services offered by the Organization have been carried out.

ICIM process for the certification of the Organization EMS is composed of 2 stages:

- Stage 1 Audit documentation review + preliminary audit (on site);
- Stage 2 Audit evaluation audit (on site).

During preliminary (or precertification) audit for the evaluation and surveillance of EMS, the Organization which started the certification process with ICIM needs to ensure that ICIM auditors have free access to operational areas, information and documentation necessary to perform the audits.
The free entrance shall be extended, when required, to auditors accompanying ICIM, for the accreditation and/or for mutual recognition agreements, otherwise the certification is not issued or it can be suspended because the obligation has not been respected.

If during the audit, it is necessary to conduct an audit on processes performed at suppliers’ sites, the Client Organization needs to ensure that ICIM auditors and, when required, auditors accompanying ICIM have free access to their suppliers’ operational facilities.

Issuance and maintenance of certification are subject to the payment of the respective fees.

5.0 ENVIRONMENTAL MANAGEMENT SYSTEM CERTIFICATION PROCESS

5.1 Offer

An Organization starting the EMS certification process shall provide ICIM with all the necessary information to enable it to make a correct and complete economical offer. In particular, the following information shall be provided:

- applicable normative reference;
- essential information regarding the Organization and its activities;
- identification of the Organization’s processes, both internal and outsourced processes that will affect the conformity to requirements;
- number of permanent and temporary (i.e.: yards) sites interested in certification and relevant activities performed.

The Organization, when requesting an offer, has to send the “Request for Services Offer” filled in – in all its parts, available on www.icim.it.

On basis of the information provided in the “Request for services offer” and in conformity with the normative requirements and accreditation rules, ICIM elaborates and sends the offer to the Organization.

If accepting the economical offer, the Organization (Client) makes a formal request for certification by sending ICIM the application for EMS certification, which will be filled in, stamped and signed by the Client’s legal representative. The offer is an integral part of the application.

5.2 Application

A Client wanting to be accredited, needs to send the EMS application to ICIM by using the relevant form (Doc. ICIM 14Q003) and enclosing the following documentation:

- Environmental Management System Manual (with the list of EMS procedures);
- Initial Environmental Evaluation (with the evaluation of the environmental features);
- List of the operational sites (if any) and description of their activity;
- Environmental policy;
- Environmental aims;
- Organization chart (if not already included in the Manual);
- Certificate issued by the relevant C.C.I.A.A., which shows the inclusion in the Register of Companies and indicates the legal representative;
- Declaration stating that the Client can fully exercise its rights, not being in liquidation, or insolvent or in arrangement with creditors;
4.3 Application review

When receiving the Application and the related documents, ICIM staff will check if all the documents have been received (in conformity with par. 5.2 of these Regulations) and verify information completeness mainly regarding:

- the correct identification of the certification normative reference;
- the scope of certification (sites and activities), clarifying exclusions, if any;
- EA and NACE sectors.

ICIM staff, on basis of the above information:

- verify its competence and abilities to perform specific certification activities;
- defines who the responsible for the documentation review is, by selecting him from a list of qualified environmental auditors;
- records the Organization registration into ICIM Informative System, communicates the acceptance of its application request, confirms the start of the preliminary stage and informs about the name of the person in charge of the documentation review.

Within five days from receipt of this information, the Organization has the right to ask for replacement of the personnel in charge of the documentation review, in case any conflict of interests exists.

The Client’s application, where these Regulations are mentioned, and ICIM acceptance represent the contractual formalization of the relation between ICIM and the Client, and the applicability of these Regulations.

The contractual agreement between ICIM and the Client includes:

- initial certification audit divided in 2 stages (stage 1 and stage 2);
- surveillance and recertification audit.

5.4 Stage 1 audit

5.4.1 Document review

The document review involves the evaluation of completeness and adequacy of the documentation in relation to the scope of certification and the normative reference requirements.

At the end of the review, the personnel in charge fills in the Document Review Report and sends it to the Client.

In case the document review shows important deviations of the described EMS, ICIM formally asks the Client for additional documents or datas, and the certification process will be suspended until the findings are positively solved.

If the Client does not comply with the above mentioned requests within one year from sending, ICIM can review the commercial terms.
5.4.2 Preliminary visit

Once the document review is completed, ICIM verifies the Client’s availability for the preliminary visit and officially communicates, at least 15 days in advance, the date and the names of the auditors (external as well) selected for the audit.

ICIM selects the audit team considering the specific competences / experiences, the geographic location and incompatibilities, if any. Within 5 days from audit notification, the Organization has the right to ask for replacement of the personnel in charge of the documentation review, in case any conflict of interests exists.

The Client is given the audit plan directly by the audit team leader (ATLEMS), who will show the contents during the visit opening meeting at the Client’s premises.

The preliminary visit starts with an opening meeting with the Clients in order to:

- clarify how the audit will be performed;
- establish an official channel for the communications between the team and the Client;
- determine any other point relevant for the audit;
- clarify and/or solve any problem found during the documentation review;
- collect information for better organizing the next evaluation audit (Stage 2), agreed with the Client;
- give information to the auditors about the Client’s EMS and about activities / areas which need particular attention;
- verify the Client’s preparation to the Evaluation audit, with particular reference to:
  - the complete identification of the environmental features related to the activities of the Organization, and the consequent assessment of those which are significant;
  - the full conformity to the applicable environmental legislation;
  - an adequate progress of the EMS implementation process and its conformity to the normative reference requirements.

At the end of the preliminary visit, during the closing meeting, the audit Team Leader shows the audit results, fills in and signs a report which will be presented to the Client for approval. A copy of it will be given to the Client.

In this occasion, the Organization has the opportunity to discuss with the Audit Team clarifying its position about the report.

Any action performed by the Client in order to solve any observation reported during the audit, is verified during Stage 2 audit.

On basis of the results of the Preliminary Visit Report (PVR), ICIM evaluates the necessity of requesting corrections to the Client, and the certification process will be suspended until the findings are positively solved. In this case the Client will be informed in writing.

Following the preliminary visit, if the certification process is suspended for more than 18 months, ICIM will have to perform a second preliminary visit before proceeding with the evaluation visit.

5.5 Stage 2 audit

5.5.1 Evaluation visit

If the preliminary visit has given a positive result, ICIM will plan and perform the evaluation visit in order to verify:
- the EMS full conformity to all the UNI EN ISO 14001 normative requirements;
- the EMS correct application and knowledge by the Organization;
- the EMS effectiveness, that’s to say its capacity to follow its policy and to achieve environmental aims.

The evaluation visit is planned and performed with the same modalities of the preliminary visit.

At the end of the evaluation visit, the audit Team will hold a closing meeting with the management and the managers of the concerned services.

During the final meeting, the Audit Team Leader, assisted by other auditors, shows the results of the evaluation visit, the non-conformities and recommendations (if any), making sure that they will be acknowledged for their effective importance.

The Audit Team Leader gives the Organization a copy of the evaluation report which shows and records the non-conformities and recommendations found (if any).

In this occasion, the Organization has the opportunity to discuss with the Audit Team clarifying its position about the report.

Making sure the results of the evaluation visit have been comprehended by the Organization, the report will be signed by the Audit Team Leader and by the Organization management in order to take note of the observations made. A copy of the report will be given to the Client.

In case of disagreement with the Audit Team, the Organization has the possibility to raise some reservations about the non-conformities found; these reservations have to be justified and stated in the audit report. These will be examined by ICIM environmental service personnel.

ICIM receives the report from the Audit Team Leader. If ICIM deems it necessary to make any changes, it will informs the Organization in writing.

5.5.2 Non-conformities resolution

The non-conformities issued by the Audit Team are classified as Critical (C) or Non-critical (N) depending from their Extent, Systematic nature, Critical state, Influence.

The classification of the non-conformity is clearly stated on the registration form and it is explained to the Organization.

In any case, the legislative non-conformities are always classified as Critical non-conformities (C).

Considering the non-conformities found during the visit, the Organization has to:
- define the treatment of non-conformities;
- identify the causes of non-conformities;
- propose a corrective action, where necessary, in order to remove the causes of non-conformities.

Within two weeks from the visit date, the Organization proposes corrective actions for solving the non-conformities by indicating times and modalities of implementation in the non-conformity registration form, which will be reviewed by ICIM (environmental personnel).

If there are comments or needs of clarification, ICIM environmental personnel will inform the Organization in writing.

If there are no comments, the proposed resolutions are considered as accepted by ICIM.

5.5.3 Evaluation result

The evaluation result is considered as:
• positive: if all the elements are in compliance with the normative requirements, or if any non-conformity found is classified by ICIM as Non-Critical (NC-NC). That’s to say that it does not substantially compromise the adequacy of the EMS, and the corrective actions proposed by the Organization are considered by ICIM as adequate and appropriate as for the implementation time within the audit programme;

• negative: if any non-conformity found is classified as Critical (NC-C), that’s to say that the non-conformities refer to important deviations of the evaluated EMS and/or to the non-respect of applicable laws and regulations.

In case of a positive result, the outcome of Stage 1 and Stage 2 Audit will be submitted to ICIM’s judgement in order to assess if the Organization can be certified.

In case of one or more Critical non-conformities (negative result), the certification process will be temporarily interrupted, suspending the assessment of certificability of the Organization, until the Company can show evidence regarding the resolution of the deviations found.

After being informed by the Audit Team or, in case the resolution of NC-C requires more than 6 (six) months, the reopening of the EMS certification process, is subject to an additional visit by ICIM in order to verify the positive resolution of the Non-Conformity and the effectiveness of the relevant Corrective Actions.

In particular conditions, the above terms can be varied by ICIM upon a justified request from the Organization.

Only after approving the Critical Non-Conformity resolution proposals, verifying (through a review of the relevant documentation) the implementation and the effectiveness of the proposed resolutions and in case of a the positive resolution of non-conformities, ICIM reopens the certification process and the Organization will be submitted to ICIM’s judgement in order to assess if it can be certified.

ICIM Managing Director, delegated by ICIM Governing Body, approves the decisions regarding the issue of certification.

5.6 Issue of Certification

When certification is granted, ICIM will issue a certificate which defines:

• the normative reference;

• the scope of EMS certification with respect to product/process as applicable at each site;

• date of granting, extending or renewing;

• the expiry date or recertification due date consistent with the recertification cycle.

In case the certification is not granted, the reasons for this decision will be communicated to the Client in writing, clarifying any deviation from the EMS certification requirements. The Organization shall correct any Non-Conformities within the time limit accepted by ICIM.

If the Client does not accept ICIM decision, the Client can ask ICIM for more verifications and the Client’s reasons of disagreement shall be presented as per modalities indicated in par. 14.

On the due date, ICIM shall decide if another audit is needed or if it can accept a declaration written by the Client, with adequate evidence, stating that the corrective actions have been implemented.

The implementation and the effectiveness of the corrective actions shall be verified during the first surveillance audit.

Following the certification issuance, ICIM will register the Client in the Register of Organizations holding ICIM certificate for EMS and will give this information to National and International Bodies having mutual recognition agreements with ICIM. The Register contains the name and location of the Client,
EMS normative reference, the scope and the certificate validity period. The Register is updated at least every 3 months and it is available to anybody upon request.

Upon written request, ICIM shall supply any evidence confirming the validity of the certification.

Following ICIM’s agreements with National and International Bodies, ICIM can issue further certification.

For the certification of overseas Organizations, all the conditions which regulate the issue of certification to National Organizations apply, with respect for ICIM International agreements.

6.0 SURVEILLANCE AND RECERTIFICATION

6.1 Validity period

The certification will be valid for a period of 3 years from the date of issuance.

6.2 Surveillance

ICIM will conduct Surveillance audit at the Client’s site to confirm that the Client’s EMS continues to conform to the requirements of the standard to which it is certified.

During the certification validity period of 3 (three) years, 2 (two) Surveillance audits shall be conducted, usually 9 months and 21 months from initial certification, whereas the third Surveillance audit is incorporated in the Recertification audit.

Every Surveillance audit shall evaluate the effectiveness of some EMS processes so that all the processes will be reviewed every 3 years.

The Surveillance audits shall be notified to the Client at least 2 weeks prior to the visit.

During the Surveillance audit, ICIM will review the Client’s usage of ICIM certification.

In addition to the surveillance audits as provided in the 3-year-programme, ICIM shall conduct Surveillance audits at the Client’s site without notice:

- in case ICIM receives significant complaints and warnings that the Client does not satisfy the requirements of the EMS standard or these Regulations;
- in case of changes regarding the Client’s organization;
- in case the Client’s EMS certification is temporarily suspended.

Any expenses regarding Surveillance audits without notice will be paid by the certified Client if any non-conformity to the requirements is observed.

If any non-conformity to the requirements is observed during the Surveillance audits (with or without notice) ICIM shall inform the Client in writing. The Client will be invited to resolve the issues found.

In particular, if there are Critical Non-Conformities (C), these shall be solved (through review of additional documentation or through additional audit) within 2 months from the audit date; if this is not possible, ICIM will suspend the certificate.

ICIM communicates the official suspension to the Client by sending a registered letter where the conditions for withdrawing the suspension are also stated.

The suspension leads to the temporary cancellation of the Client from the register of EMS certified clients.

The suspension can be withdrawn when ICIM makes sure that the EMS compliance to the certified requirements is restored.
Failure to resolve the issues that have resulted in the suspension within 6 months, shall result in withdrawal of the certification.

6.3 Recertification

Every 3 years, the Recertification requires an additional review of documentation and an audit of the Client’s EMS, which shall be performed during the 6 (six) months before the certificate expiry date.

The recertification audit, which includes a complete review of EMS documentation, will be performed at client’s site; the same procedures described in par 5.4.1 will be followed.

If the Recertification audit identifies instances of non-conformity, corrective actions shall be implemented before the certificate expiry date.

The recertification audit shall have a positive result in the due time so to allow ICIM to approve the request for recertification and to reissue the certificate.

ICIM shall plan the recertification audit 6 months prior to the certificate expiry date and shall conduct the audit at least 30 days prior to the expiration of certification.

When the Client does not respect this schedule and does not obtain the recertification within the certificate expiry date, the certificate shall be considered as expired from the day after the expiry date stated in the certificate.

The new certificate will have the same number of the previous one, followed by a stroke and a progressive number which indicates the renewal.

The date of issue of the first certificate, the recertification date (current edition) and the expiry date are stated on the certificate.

At the end of the 3-year validity period, ICIM will send a quotation for recertification.

The recertification is subject to the satisfaction of what it is indicated in par.11 of these Regulations.

7.0 RIGHTS AND DUTIES OF CERTIFIED ORGANIZATIONS

The Client can advertise the possession of ICIM certification for its EMS provided that a correct reference is made to the scope and limits of the certification.

The Organization can use ICIM mark of conformity and any other mark of conformity on technical and advertising documents, if clearly authorized.

ICIM mark shall not be used if this could be interpreted as denoting QMS certification or product conformity.

ICIM requirements for the use of ICIM mark, stated in ICIM 0008CR document, shall be satisfied.

ICIM mark shall not be used on a product as this could be interpreted as denoting product conformity.

The certification cannot be used for EMS models or activities outside the scope of certification; it cannot be used in a misleading manner.

The Client is committed to being in conformity with the legally binding requirements applicable to its products, services and personnel. The certification only refers to EMS conformity to the normative reference document. The Client is the only responsible for the legislative conformity; ICIM has no responsibility or obligation bonds.

ICIM certification for EMS does not relieve the Client from its obligations and authorizations related to the production activities of the site.
The certification is reserved for the Organization and for the operational units quoted in the certificate. The certification is not transferable.

Organizational changes, variations in the staff or transfers of the Organization property allow the maintenance of the certification provided that:

- the Client shall inform ICIM in writing without delay;
- ICIM has verified that the changes are in conformity with the certified EMS;

The verification following these changes shall involve a revision of the fee: an extra fee can be charged.

An Organization having a EMS certificate shall make efforts in order to:

- maintain its EMS conform to the requirements of the standard to which it is certified;
- keep a record of all the complaints with the relevant corrective actions implemented to its EMS;
- accept to pay the Surveillance audits for maintaining the certification during its validity period;
- accept to pay the Surveillance audits necessary to maintain the certification following relevant organizational changes happened after the date of certification issuance or after the latest Surveillance audit performed by ICIM.

If a Client wants to change and/or extend the EMS model or the certification scope, change and/or extend the production site involved in EMS certification, the Client shall inform ICIM in writing.

In response to this application, ICIM will review it in order to make a decision.

An Organization holding a certification is committed in ensuring access to its site to ICIM auditors, to the Accreditation Body’s inspectors accompanying ICIM or to ICIM authorized representatives; in assisting them during Surveillance audits and in implementing any EMS corrective actions in relation to any non-conformity found.

ICIM auditors are committed to limiting their interference with the operational activities.

The Client shall ensure that the certification will not be used upon withdrawal or expiry (ref.: § 9.0).

### 8.0 TRANSFER OF ACCREDITATED CERTIFICATES

If an Organization having a valid certificate issued by another certification body which has been accredited in this field by an Accreditation Body which adheres to the agreement of mutual recognition EA/IAF, applies for certification transfer, ICIM shall make a verification which includes:

- review of the application for certification (par. 5.3 of these Regulations);
- review of the reports for the audit performed by the accredited body which issued the certification;
- non-conformities and corrective actions status;
- any on-site audit, whose extension depends on the conformity and validity of the certification previously issued.

The Client shall communicate to ICIM:

- the reasons for applying for certification transfer;
- any observation or recommendation received by national or local authorities in charge;
- any complaint received and relevant actions implemented.

The contractual agreement between ICIM and the Client has the same modalities stated in par. 5.3 regarding the extension of audit activity.
If the above mentioned activity is completed with positive results, ICIM issues the EMS certification which maintains the expiry date stated in the previous certificate.

As for the Surveillance and Recertification EMS audits, the schedule decided by the Body which previously issued the certificate shall be maintained.

9.0 SUSPENSION, WITHDRAWAL OR RENOUNCEMENT TO CERTIFICATION

9.1 Suspension

ICIM can suspend EMS certification in cases wherein:

- major EMS non-conformities and other non-conformities have not been solved in the time agreed with ICIM;
- the certified Client does not allow Surveillance audits to be conducted at the required frequency;
- major changes have been made to the Client’s management system or to its site regarding the scope of certification, without informing ICIM;
- relevant changes to the certified EMS have not been accepted by ICIM;
- the certified Client does not allow the Accreditation Body’s staff or its representatives accompanying ICIM to participate to the audit;
- EMS does not ensure the compliance to the laws and regulations applicable to the activity and/or site interested in certification;
- major and justified complaints are sent to ICIM.

The certified Client can voluntarily request a suspension, provided that reasons are given. The suspension would not exceed 6 months and the certificate expiry date.

ICIM communicates the official suspension to the Client by sending a registered letter where the condition for withdrawing the suspension are also stated.

In case of suspension, the client refrains from:

- further promotion of its certification;
- using any copy or reproductions of the certification and/or ICIM mark.

ICIM shall make the suspended status of the certification publicly accessible and shall take any other measure it deems appropriate.

The suspension can be withdrawn in cases wherein, following ICIM audit, it is observed that the EMS compliance to the certified requirements is restored.

Failure to resolve the issues that have resulted in the suspension within 6 months, shall result in withdrawal of the certification.

Any expenses regarding the supplementary audit resulting from the suspension will be paid by the certified Client.

9.2 Renouncement

The Client can renounce to its EMS certificate by giving formal communication to ICIM within 6 months prior to the schedule of the next audit.

The Client shall renounce to certification in case of:

- change of the normative reference as stated in par. 12 of these Regulations;
- non-acceptance of any revision of these Regulations;
- non-acceptance of changes in the economical contractual conditions;

the Client shall send communication to ICIM within 1 month from the date of notification of ICIM changes.

In case of renouncement, the Client shall:
- return ICIM original certificate;
- not use any eventual copy of the certificate and reproduction thereof;
- remove all references or symbols related to ICIM certification from its letterhead paper, technical or advertising documentation and web sites.

In case of renouncement, ICIM shall proceed with:
- the cancellation of the Client from the register of certified clients (par. 5.5.4);

The Client can apply for certification 1 year after resolution of the contract, unless exceptions which will be evaluated by the Committee for Impartiality.

9.3 Withdrawal

ICIM shall withdraw the EMS certificate under the following circumstances:
- failure of the Client to observe the requirements deriving from the application of par. 6, 7, and 13 of these Regulations;
- failure of the Client to resolve the issues of suspension within 6 months for the reason stated in par. 9.1;
- failure to resolve the issues regarding non-conformity with the EMS requirements;
- arrears for more than a month since receipt of warning given by ICIM by registered letter;
- cessation of activities for which the Client obtained a certified EMS;
- bankruptcy or liquidation.

ICIM shall communicate the decision for EMS certification withdrawal to the Client by sending a registered letter.

Upon withdrawal, the Client shall:
- return ICIM original certificate;
- not use any eventual copy of the certificate and reproduction thereof;
- remove all references or symbols related to ICIM certification from its letterhead paper, technical or advertising documentation.

In case of certification withdrawal ICIM shall:
- Cancel the Client from the Register of certified Clients (par. 5.6) and make the Client certification publicly accessible and take any other measure it deems appropriate;
- Accept the Client’s application only 1 year after withdrawal and only if the Client can demonstrate that actions have been taken in order not to incur in the issues which brought to the withdrawal.
9.4 ICIM actions

If the Client which renounces to the certification or whose certification has been withdrawn by ICIM, will not respect the obligations described in par. 9.2 and 9.3, ICIM will take legal and advertising measures it deems appropriate.

10.0 CONFIDENTIALITY

All deeds (documentations, letters, communications) and information regarding EMS certification activity, starting from the application, are confidential. The access to the Client’s confidential information is regulated by a special procedure.

ICIM personnel, or co-operators acting on the certification body’s behalf, shall keep confidential all information obtained or created during the performance of their activities.

Where ICIM is required by law to release confidential information to a third party or authorities, the client shall be notified in advance of the information provided.

11.0 ECONOMICAL CONDITIONS

The sum due to ICIM for certification activities is stated in the offer and it shall be paid according to the modalities indicated in the offer.

The cancellation or the postponement of already scheduled visits gives the right to debit 50% of the sum due for the scheduled activity as compensation, unless the cancellation or postponement request is sent to ICIM in writing at least 10 working days prior to the visit date.

Moreover, in case of default or delay in payments during the present contractual agreement, ICIM is authorized to issue invoices with direct remittance payment, before performing any Surveillance audit indicated in the contract. The invoices shall be entirely paid before any Surveillance activity starts.

Any withdrawal or renouncements to ICIM certification for any reasons stated in the Regulations, shall involve the full payment of the sum due for a new application and its evaluation in case the Client applies for it.

In default of payment, ICIM will send the Client a warning letter and the notice of withdrawal of certification.

The Client will be charged for any cost related to any recovery of the credit and for any legal expenses.

12.0 CHANGE IN THE CERTIFICATION REQUIREMENTS

In case of changes to the requirements for certification including:

- the normative reference for the model of EMS certified;
- the Regulations.

ICIM shall inform the Clients without delay, using any means it deems appropriate.

In case the changes are accepted, the Client has to conform to them within the term communicated by ICIM when sending the change information.

In case the changes are not accepted, the Clients can renounce to the certification provided that they inform ICIM as per modalities stated in par. 9.2 of these Regulations.

ICIM has the right to evaluate the Client’s EMS conformity to the new requirements.
The Client will be charged for any expense for any Surveillance audit.

13.0 IMPROPER USE OF CERTIFICATION

The use of certification is considered as improper if it can mislead any addressees of the technical, commercial and advertising information and, in particular when:

- the certification has not been granted yet;
- the certification is used or advertised outside its scope;
- the Client makes some changes to its EMS which are not accepted by ICIM;
- the Client does not consider the changes to the system requirements made by ICIM;
- there are circumstances which can have a bad impact on the Client EMS;
- the certification has been withdrawn or suspended;
- the Client renounces to the certification.

After verification of the Improper use of certification, ICIM will take any measure in order to stop it and safeguard its own interests.

14.0 APPEALS AND COMPLAINTS

The applicant or already Client shall appeal against ICIM decisions, by stating the reasons for its disagreement within 30 (thirty) days from communication of the decision.

ICIM shall review the appeal and provide the Client with the outcome within 3 (three) months from receipt.

Complaints can be presented to ICIM by ICIM certified clients, or by the clients of the Organization holding ICIM certificate, or by Accreditation Bodies and/or by any of the parties interested in certification.

In case of written complaints, ICIM shall acknowledge their receipt within 15 (fifteen) days from receipt and shall provide a rapid outcome.

15.0 DISPUTES

Every and any dispute which arises between the parties in the execution, application or interpretation of the terms of these Regulations, which cannot be solved between the parties, shall be transferred to Foro of Milan.