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reliability with added value

SKH

## REGULATIONS FOR CERTIFICATION

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In case of arguments the Dutch version shall be consulted

## **1. INTRODUCTION**

### **1.1 General**

SKH as certification body has set itself the objective, on behalf of and with the approval of the industrial (building) practice of developing and handling effective and well-functioning certification systems for the following determined directives:

- manufacturing of wooden building products;
- use of wooden building products;
- manufacturing and use of other products, whether or not applicable to the building industry;
- executing processes, whether or not for the purpose of building products;
- manufacturing and applying of furniture, building products for interior use and semi-manufactured products;
- assessing of used woodworking machinery and machinery being used;
- applying of management systems (such as quality, environment and safety).

### **1.2 The criteria for certification**

SKH complies with the criteria for certification as being laid down in these regulations. When applicable, SKH also complies with the criteria of the Council for Accreditation/ASI.

### **1.3 System**

The SKH certification system is based on the following three pillars: consultation / execution / appeal.

### **1.4 Consultation**

The optimal utilizing within an open and structured consultation of the collective expertise of suppliers and consumers of products/processes, independent persons, other persons concerned and SKH. Only in that way the principles for certification can be improved again and again. The meaning and the use of the quality declarations issued by SKH could increase in that way.

#### **1.4.1 Organization structure**

SKH has a clear structure with short and direct communication lines.

#### **1.4.2 Expertise**

The availability of the necessary expertise and skill within SKH for the benefit of the certification systems. SKH can also consult external experts.

#### **1.4.3 Developments**

The following of and getting into touch with national and international developments in the field of quality assessments and other forms of certification.

#### **1.4.4 Regulating the execution of certification systems**

The functioning of the certification systems and the conditions on which the applicants can be supplied with a quality declaration, are laid down in these regulations for the various forms of certification.

## 1.5 Implementation

### 1.5.1 Types of certification systems

The various certification systems and corresponding types of quality declarations are as follows:

- **Product certification**  
Certification of a product, resulting in a product certificate.
- **Attestation**  
Attestation – also called ‘certification of design’ (whether or not via prototype testing) – of a building product in an intended application, resulting in an attest.
- **Process certification**  
Certification of a process, resulting in a process certificate.
- **Chain of custody certification (COC)**  
Certification in respect of the chain of custody of a raw material or semi-manufactured product
- **Registration ISPM-15 marking**  
Registration in respect of the chain of custody of a raw material or semi-manufactured product in respect of ISPM15.
- **STIP certification**  
Certification of demonstrably responsibly produced timber
- **Management system certification**  
Certification of a management system, resulting in a management system certificate.
- **PEFC forest certification**  
Certification for sustainable forest management.
- **Certificate related to CE label)**  
A certificate indicating that SKH as Notified Body has assessed the product and/or production process control system in accordance with the applicable requirements and has determined that these are sufficient. The manufacturer may label the product CE, partly based on this certificate.
- **Person certification**  
Certification of the competence of a person resulting in a person certification.

### 1.5.2 Acknowledged quality declaration Certification marks/logos

Multiple certification marks are at the disposal of SKH on behalf of quality declarations.

1. The specifically registered SKH certification mark/logo (for an SKH quality declaration, being issued on the basis of an assessment directive or another normative document, where there is no question of a collective quality mark).
2. The logo KOMO® (for an SKH product or process certificate, issued on the basis of an assessment directive and the collective building logo KOMO® applies). SKH has a license agreement for the use of the collective building logo KOMO® and KOMO Klimkeur®, concluded with ‘Stichting KOMO’.
3. The brand name KOMO® with corresponding identification code (for an SKH attest issued on the basis of a National assessment directive and the collective building mark KOMO® applies).
4. The logo KOMO Klimkeur® attest-with-product certificate for ladders and steps. For the use of this hallmark, an agreement has been concluded with the Stichting Bouwkwiteit.
5. The logo for FSC®-COC certification. For the use of this hallmark, an agreement has been concluded with the FSC.
6. The logo for PEFC-COC forest certification. The certificate holder has entered into an agreement with the PEFC Council or National PEFC Governing Body for the use of this seal of approval.
7. Mark in accordance with ISPM 15. For the use of this hallmark, an agreement has been closed with PD.
8. STIP Mark For the use of this hallmark an agreement has been concluded with the SHR.

**1.5.3 The use of a certification mark/logo**

SKH states on each quality declaration the relevant certification mark/logo.

For the use of the certification mark/logo by the certificate holder see section 6.6 of these regulations.

*Note: not for EC type study based on machinery guideline.*

**1.5.4 Execution of a certification system**

Applicable guidelines:

- a. the quality requirements for a certification design in respect of SKH quality declarations are laid down in an assessment directive, also called certification scheme, or another normative document;
- b. an assessment directive can obtain the status of 'KOMO<sup>®</sup> assessment directive' if the AD (the certification scheme) has been accepted by KOMO<sup>®</sup>. SKH quality declarations are then provided with the collective word or pictorial mark KOMO<sup>®</sup>.

**1.5.5 General description of a certification procedure**

A certification system covers roughly the pre-certification procedure for the certification design to be executed by SKH, together with the concluding of a certification agreement and the issuing of the requested quality declaration, after a positive result has been obtained. The intended application procedure shall only be carried out by order of the applicant of a quality declaration.

SKH carries out inspections regularly in order to observe the compliance with the conditions agreed upon, as well as the use of the relevant certification mark/logo or identification code. If incorrect use is found, SKH will take measures in this respect.

A similar process takes place for a conformity declaration EC type study.

However, after the certification has been issued, SKH will only regularly inspect for possible changes in the agreed conditions under which the certification has been issued.

**1.5.6 Description of pre-certification procedure**

The pre-certification procedure consists of the testing of the certification design – if necessary also on the basis of the supporting reports supplied by the applicant – by means of the quality requirements laid down in the AD or other normative documents and is carried out by an appointed expert of SKH. If required, the organization of the applicant shall also be tested.

The control on the observance of the quality requirements laid down in the relevant documents is carried out by auditors respectively inspectors of SKH. These controls can also be carried out on behalf of SKH by a third party on condition that these third parties comply with the requirements as laid down for product certification in NEN-EN 17065, 'General requirements for bodies operating product certification systems', in case of management system certification the requirements of NEN- EN-ISO /IEC 17021-1, 'Conformity assessment – Requirements for bodies providing audit and certification of management systems' and in case of inspections with the requirements of NEN-EN 17020, 'General criteria for the operation of various types of bodies performing inspections' or other relevant requirements. Assessment of conformity to NEN-EN-ISO/IEC 17024 - General requirements for bodies performing certification of persons.

Appeal procedure

Appeal is possible in accordance with the procedure laid down in Chapter 8 of these regulations for all measures taken and decisions made. INTRODUCTION

**1.6 Suspension of SKH**

If SKH does not comply with one or more requirements of accreditation or certification, SKH may be suspended by the assessing entity (RvA/ASI). This means that SKH may not issue new certificates that fall under the suspended accreditation. However, the extension or renewal of certificates with an accreditation mark is also not permitted during a suspension. SKH will, upon request, inform interested parties within 30 days of the consequences of and reasons for the suspension.

SKH will endeavour to remove the cause of the suspension as soon as possible in order to end the suspension.

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## 2. INTRODUCTION

### 2.1 Definition of terms

**Accreditation:** a procedure whereby a third party provides a written guarantee that a product, process, service or person meets specific requirements. SKH is audited by RvA for most certification schemes and, in the case of FSC® certification, by ASI.

**Attest:** a document in which the suitability is being confirmed of a certified design / product for a specific application, as described in the attest.

**Attest-with-product certificate:** an attest-with-product certificate is a quality declaration in which both the suitability for a specific application is being confirmed and the supervision over the production for a certified design / building product.

**Attestation:** the activities on the basis of which SKH makes known that a defined building product or a composed building component is suitable for a certain application. Usually there is talk about the assessment of design and/or prototype testing.

**Audit:** a systematic and independent and documented process in order to obtain evidence and the objective assessment thereof in order to determine to what extent has been complied with the agreed upon audit criteria.

**Guidance Committee:** a Board, consisting of representatives of the interested party, relevant experts for the subject of certification, as well as SKH, for the drawing up of proposals for a new certification scheme or an operative certification scheme to be amended.

**National assessment directive:** an assessment directive accepted by the Harmonization Board for the Building Industry for the issuing of SKH quality declarations.

**CE certification agreement:** the agreement to use the positive assessment of SKH of an offered wood processing machine or construction products under the CPR to substantiate the conformity declaration that the product may be marked with the CE logo and additional agreements between the holder of the conformity declaration and SKH.

**CE (Conformity) certificate:** a quality certificate of SKH as Notified Body that a product meets the European technical specification (according to the relevant Annex ZA in a harmonized EU standard of an EAD).

**CE logo:** a collective mark listed in various European directives.

**CE mark:** the CE mark indicates that the product meets the requirements of the community and that the required conformity assessment procedure has been used.

**CE marking basis:** the Machinery Directive or HENs or EADs under the CPR.

**Certificate Holder:** the organization requesting SKH to certify the subject of certification and with whom SKH has negotiated a certification agreement.

**Certification (general):** the activities on the basis of which SKH has made it known that there is a justified confidence that a clearly defined certification subject is in agreement with the quality requirements as laid down in a relevant certification scheme, or in the case of management system certification in the relevant standard or other normative document.

**Certification mark:** the whether or not collective word mark or logo for the purpose of certified products, processes and services quality declarations, issued by SKH.

**Certification scheme:** the collection of quality requirements, as well as the requirements for the inspection plan and/or the internal quality system (IQS) accepted in good harmony with all



interested parties for a certification system, which has been accepted as the basis for the issuing of SKH quality declarations. A certification scheme can also be referred to as AD (Assessment Directive)/URL (Implementation Directive)/BGS (Basis of Assessment)/standard/norm etc.

**Certification system:** a general system of regulations and procedures for the control and execution of certification.

**Chain of Custody:** a channel in which products are distributed from their origin, for instance in the forest, till their end use.

**Board of Experts** a board set up by SKH to assess the SKH certification system, assessment guidelines and the used certificates. The board consists of representatives of providers and buyers/users of products/processes, independent parties, other stakeholders and SKH.

**Conformity declaration:** a document issued in accordance with the SKH Regulations of Certification that states that the properties of a product match the corresponding requirement; the machine directive in case of a wood processing machine.

**Conformity holder:** the holder or owner of the EC type study Conformity Declaration.

**Construction Products Regulation (CPR):** harmonised rules for the marketing of construction products in the EU. Known under number 305/2011.

**European Assessment Document (EAD):** a document drawn up by the organization of TBIs/TABs in order to issue European Technical Assessments.

**European Technical Assessment (ETA):** the documented assessment of the performances of a building product in relation to its essential properties in accordance with the relevant European Assessment Document (EAD); in relation to the relevant provision of the Building Products Directive 305-2011 based on which the CE mark can be used.

**FSC®: Forest Stewardship Council®:** the organization determining the regulations for FSC certification and is the controller for the FSC certification marks.

**Collective Board of Experts:** a board of experts where one or more other certification bodies are involved for certification systems.

**Central Board:** as for Collective Board of Experts, however not exclusively for SKH certification systems and always juridical attached to a legal person thereto established.

**ISPM 15:** International Phytosanitary Measure 15

**Quality:** the extent to which a total of properties and characteristics of the subject of certification complies with the requirements laid down, resulting from the purpose of use.

**Quality requirements:** need or expectation being made known, has been obviously or compulsory described.

**Logo:** the SKH logo for the purpose of certified management systems and corresponding quality declarations issued by SKH.

**Management handbook:** an overview of the managerial procedures and regulations of an organization, with the intention to assure that a product or service complies with the requirements laid down.

**Management system:** system to determine policy and objectives and to achieve these objectives.

**Management system certificate:** a management system certificate confirms the conformity of a management system with the requirements laid down for that system, e.g. NEN-EN-ISO 9001 'Quality management systems - Requirements', NEN-EN 14001 'Environmental management systems. Requirements and guidelines for use' and VGM Checklist Contractors (VCA) and PCSN I - PEFC Standard Netherlands, criteria for sustainable forest management.

**PD:** Plant Protection Service of the Dutch Food and Consumer Product Safety Authority (NVWA)

**PEFC:** Programme for the Endorsement of Forest Certification schemes.

**PEFC Council:** the organization laying down regulations for PEFC certification and who is the controller of the PEFC certification marks.

**Person certificate:** a person certificate confirms the conformity that a method matches the prescribed conditions.

**Process certification:** the activities on the basis of this SKH makes it known that a clearly described process is in agreement with the quality requirements as laid down in the relevant AD, also on the basis of relevant process standards.

**Process certification:** the activities on the basis of which SKH makes it known that a clearly described product is in agreement with the quality requirements as laid down in the relevant certification scheme, also on the basis of relevant product standards.

**Product certificate:** a product certificate confirms the conformity of a product with the specification as laid down in the product certificate.

**Product certification:** the activities on the basis of which SKH makes it known that a clearly described product is in agreement with the quality requirements as laid down in the relevant certification scheme, also on the basis of relevant product standards.

Should relevant product standards be absent, product certification can only be effected in combination with attestation (as being brought about in the relevant certification scheme).

**SKH quality declaration:** a general collective term for the definitions product certificate, attest, attest-with-product certificate, process certificate and management system certificate. An SKH quality declaration is a document, issued in accordance with the regulations of the relevant SKH certification system, in which a justified confidence has been pronounced by SKH that the clearly defined subject of certification is in agreement with the quality requirements as laid down in the relevant certification scheme or, in case of e.g. management system certification, is agreement with the relevant standard. At the same time it has been declared that the certification subject, supplied with an SKH quality declaration, complies with the specification as laid down in that quality declaration.

**KOMO<sup>®</sup> quality declaration:** an SKH quality declaration, supplied with the collective word mark or logo KOMO<sup>®</sup>, issued by SKH on the basis of an assessment directive. Copyright KOMO.

**SBK:** assessor of assessment guidelines with a Building Decree connection.

**SKH:** Certification and attestation body SKH.

## **2.2 Models**

SKH employs the assigned method of certification laid down in these Regulations for Certification, including the following specimen documents, developed for that purpose:

- application form for an SKH quality declaration;
- certification agreement;
- KOMO® attest;
- KOMO® product certificate;
- KOMO® attest-with-product certificate;
- KOMO® process certificate;
- KOMO Klimkeur® attest-with-product certificate;
- SKH product certificate;
- SKH process certificate;
- SKH person certificate;
- SKH management system certificate;
- SKH FSC COC or PEFC-COC certificate;
- SKH PEFC-forest certificate;
- SKH STIP certificate;
- Registration ISPM15 marking;
- Certificate of performance and the conformity certificate of the production inspection in the factory for the CE mark;
- SKH conformity certificate EC type study.

SKH reserves the right to deviate from the said specimen should there be a reason in practice. About such deviations consultations shall take place with the relevant Board of Experts and, when so required, with the 'Stichting Bouwkwaliiteit SBK'.

## **2.3 General**

### **2.3.1 Supplying of information**

SKH provides in principle, to anybody requesting that, the required information about the certification systems of SKH and the composition of a (Collective) Board of Experts.

### **2.3.2 The application**

SKH is prepared to issue an SKH quality declaration to producers and service suppliers whose product, respectively service (and quality system) comply with the requirements as laid down in a certification scheme declared binding or another normative document, as well as granting the right to use the quality declaration with the corresponding certification mark or identification code. The conditions linked with this right are laid down in these Regulations for Certification, in the certification agreement with the certificate holder and the quality declaration. This right applies to all production places of the certificate holders mentioned, where the relevant product or service, with quality declarations, is being manufactured, respectively granted.

### **2.3.3 Quality of certification systems**

The quality of the SKH certification systems is mainly determined by the extent, in which it has been complied with the requirements laid down by all interested parties.

These interested parties are the consumers/users, producers/suppliers, institutes dealing with the issuing of regulations and SKH.

SKH shall take care that the required expertise of interested parties are brought together in the Boards of Experts, in the Advisory Board Quality, as well as in the guidance Boards and shall see to it that they are functioning correctly, in order to be sure that they are socially broadly based.

### **3. BOARDS**

#### **3.1 General**

SKH is being supported for the various certification systems by the various Boards of Experts such as (at the time of preparing these regulations for ):

- SKH Boards of Experts as for:
  - timber and timber-based products;
  - the sectors furniture, interior building and woodworking machinery.
- Joint Boards of Experts as for:
  - fire resistant covering systems;
  - waste bags;
- Central External Boards of Experts as for:
  - VCA, of which information can be found on the website of the SSVV: [www.ssvv.nl](http://www.ssvv.nl).
  - Environmental care, of which information can be found on the website of the SCCM: [www.sccm.nl](http://www.sccm.nl).

The Boards have been installed in consultation with the interested parties. Representatives from these parties could be member of a Board of Experts.

SKH determines in consultation with an SKH Board or a Joint Board of Experts the sphere of activity of that Board and the possible necessity to extend that Board.

#### **3.2 SKH Boards of Experts**

The duties, the composition, the term of office and the procedure of the SKH Boards have been laid down in SKH document 89.183. A copy of this document is available on request.

#### **3.3 Advisory Boards Quality**

##### **3.3.1 General**

SKH is being supported by (ad hoc) Counseling Boards when drawing up new or amending certification schemes.

SKH appoints a temporary Counseling Board. The composition of a supervisory committee should preferably be such that the experts involved in a certification subject are represented in a balanced way. Members of an advisory Board can only consist of representatives of interested parties respectively branch organizations.

##### **3.3.2 Duties**

A Counseling Board has the duty to draw up of a draft certification or to amend a certification scheme before the final certification subject. SKH shall provide the secretariat of a Counseling Board.

#### **4. PRESCRIBED DOCUMENTS**

##### **4.1 (National) assessment directives**

###### **4.1.1 Drawing up or amending**

SKH consults the relevant Board of Experts about the need for a new or the amendment of an existing certification scheme. SKH introduces an ad hoc Counseling Board to work out proposals, when the need is there.

A certification scheme must include the following:

- a description of the certification subject;
- requirements on the basis of mandatory regulations (when applicable);
- product and/or quality requirements;
- allocated NEN-EN standards, NEN standards and/or NPRs, as well as other prescribed documents or, when not available, drawn-up and assigned requirements and test methods in consultation with all relevant parties;
- requirements for the quality system with the corresponding inspections;
- control frequency.

###### **4.1.2 Enacting**

When the Board of Experts agrees with the draft certification scheme, it will be published for comments. When the relevant Board agrees with the revised draft after having considered comments received and the certification scheme shall be presented to the executive Board of SKH with a positive advice to declare the document binding.

###### **4.1.3 Accepting as KOMO® assessment directive**

If the certification scheme is intended to issue an SKH quality declaration, which is provided with the word mark or pictorial mark KOMO®, the certification scheme adopted must comply with further conditions set by the KOMO® foundation for this purpose, whereby any connection to the Building Decree must have been accepted.

###### **4.1.4 Declaring as binding**

The certification scheme shall be declared binding by SKH after receipt of the positive advice of a Board of Experts and possibly a notice of accepting as National assessment directive.

###### **4.1.5 Issuing**

Final certification schemes are issued by SKH. Certification schemes can also be issued by other bodies in the case of a draft certification also other certification and/or attestation bodies are involved.

###### **4.1.6 Withdrawal**

A Board of Experts can propose to withdraw a certification scheme being declared binding, should there exist an urgent reason to do so. SKH can decide to do this. Should other certification and/or attestation bodies be involved in the withdrawal of the certification scheme, withdrawal can only take place with the approval of these bodies.

## **4.2 Standards**

### **4.2.1 Dutch standards**

NEN standards come about via the Netherlands Normalization Institute (NEN).

### **4.2.2 European and other standards**

NEN-EN standards, whether or not harmonized, come about with the contribution of NEN via Comité Européen de Normalisation (CEN).

Other international standards come about via other channels.

### **4.2.3 Issuing of standards**

In the Netherlands standards are issued by NEN.

## **4.3 Other certification schemes or standards**

Each scheme knows its scheme controller who, in accordance with the regulations sets up/amends and fixes. Thereto belong among other things FSC<sup>®</sup>, PEFC and environmental care standards.

## **5. PROCEDURE TO OBTAIN AN SKH QUALITY DECLARATION**

### **5.1 Offer**

When requested by a producer or supplier of services, SKH gives information for a possible request for an SKH quality declaration.

Within the framework of an application the following documents shall be made available:

- an application form (if applicable) as referred to in § 2.2 of these regulations;
- a copy of these regulations;
- the relevant document laying down the requirements or reference thereto;
- the offer, indicating the:
  - scope of the pre-certification inspection;
  - costs of the pre-certification inspection;
  - costs for the drafting and the maintenance of the SKH quality declaration;
  - costs linked with the interim termination of the application when the termination is at the request of the applicant.

### **5.2 Application**

#### **5.2.1 Admissibility of the application**

Applications for an SKH quality declaration can only be taken into consideration, if, for the relevant certification subject a certification scheme or other normative document is available. In case there is no such document available SKH informs the producer or supplier of services that the application for the time being cannot be declared susceptible on technical grounds. If required SKH shall cooperate to (help) develop the missing certification scheme or other normative document.

#### **5.2.2 Processing an application**

After SKH has received the completed and signed application form from the producer or supplier of services SKH sends an invoice to the applicant. After receipt of the amount due, together with possible well-founded reports, the application shall be dealt with by SKH as soon as possible. In case of delay other arrangements can be agreed on.

Should the data supplied give reason thereto, SKH can decide to have a further investigation or shall inform the applicant that further data is required. In these cases the application shall be considered at a date still to be decided.

SKH determines the procedure and the program for the further processing of the application in consultation with the applicant. SKH retains the right not to process the application in case of ponderous reasons. The applicant shall, in that case, be informed accordingly. SKH is not allowed to supply information to third parties about the application and/or processing thereof, unless permission has been received from the relevant applicant.

### **5.3 Pre-certification procedure**

There are two ways to follow depending on the type of quality declaration: via a pre-certification inspection (5.3.1) for product and process certification as well as for attestation and Registration ISPM15 marking or via an initial audit for management systems or COC certification (5.3.2).

#### **5.3.1 Pre-certification inspection in case of product and process certification, as well as attestation, Registration ISPM15 marking and COC certification assessment**

##### **5.3.1.1 General**

The pre-certification inspection may involve taking samples, testing samples or assessment of the possible underlying reports, product or process assessment and, when applicable, an attestation, , together with an assessment of the company.



**5.3.1.2 Sampling**

The possible sampling takes place on the premises of the company of the applicant by SKH or under specific conditions by a third party.

The applicant provides all samples free of charge to SKH. After testing the samples shall be destroyed, unless the applicant has asked in writing that the samples be returned to him.

**5.3.1.3 Testing of samples**

The sample inspection shall be carried out by or by order of SKH and shall be paid for by the applicant.

**5.3.1.4 Assessment of company**

The assessment of the company takes place by SKH on the basis of the document with the requirements and takes place during the running production of the relevant product or (or together with) during the process being executed.

**5.3.2 The initial audit of a management system (ISO 9001, ISO 14001, PEFC forest management and VCA)****5.3.2.1 General**

SKH prepares an audit plan/agenda after consultation with the organization.

**5.3.2.2 Audit**

The audit consists of an assessment of the management system laid down and the application thereof.

The organization provides SKH with all the relevant documentation free of charge.

**5.3.3 Interim reporting**

SKH shall report between times to the applicant, should the need arise during the pre-certification inspection. In case of a delay in the inspection procedure, this shall be reported to the applicant.

**5.3.4 Interim termination of the application**

If the interim report as mentioned in section 5.3.3 prompts the conclusion that a positive final result to the pre-certification inspection cannot reasonably be expected, processing of the application can be terminated on the basis of joint consultations.

The organization may terminate his application at any time, but shall be liable to reimburse SKH for costs already incurred.

**5.3.5 Method of reporting**

SKH shall report to the applicant about the pre-certification procedure in Dutch, and if requested, to do so in English. Reports of SKH remain the property of SKH.

**5.4 Decision about the application****5.4.1 Positive decision about the application**

If the result of the pre-certification procedure is positive, the applicant qualifies to obtain the relevant SKH quality declaration and the use thereof.

After finalizing the application procedure SKH informs its decision in writing to the applicant offering a certification agreement allowing the use of the SKH quality declaration, together with the relevant certification mark or identification code as mentioned in Chapter 1 of these Regulations for Certification. The regulations for the use of certification marks are laid down in section 6.6.

*Postponement of positive decision about the application*

A decision may be postponed if new information concerning the applicant is found that has not been included in the pre-certification inspection that could influence the result of the decision.

The decision may be negative if illegal activities a history of repeat deviations from the certification requirement and similar cases are found.



**5.4.2 Negative decision about the application**

If the result of the pre-certification procedure is negative, SKH rejects the application, reporting in writing the reasons for this decision.

If an application has been rejected or has been terminated after mutual consultation, SKH shall a possible renewed application for the same or a similar product or service not taken into consideration, unless the applicant has taken sufficient measures to improve the situation, in particular on those items on which his first application has been terminated or rejected.

SKH will submit its decisions with an appeal clause in accordance with the Dutch General Act on Administrative Law. If the result is negative, the refusal to provide a EC type study declaration will be communicated to the Ministry of Social Affairs and Employment and other certification bodies after the expiration of the appeal period.

**5.4.3 Appeal**

Appeal is possible on all measures and decisions taken by SKH in accordance with the procedure laid down in Chapter 8 of these regulations.

**5.5 Cost of application**

Unless agreed otherwise, SKH shall pass on the costs of both the pre-certification procedure and the preparation of the SKH quality declaration on the basis of the information mentioned in the quotation. The charges shall include possible laboratory tests as well as traveling expenses, including accommodation, and the fee of the SKH official concerned.

If the applicant fails to pay the invoice on time, SKH may postpone further processing of the application and/or the offering of the certification agreement.

If an application has been rejected or has been terminated by mutual consent, the applicant shall pay the costs within 30 calendar days after receipt of the invoice deducting the amount already invoiced, respectively the amounts received by SKH.

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## 6. CERTIFICATION AGREEMENT

### 6.1 Basis for the certification agreement

The basis for the certification agreement is based on the positive results of the pre-certification procedure and its continuation on the basis of positive results of the periodic inspection and audit reports and the complying with the regulations laid down in this document. Maintaining the certification agreement may be at stake if the normative document and/or the product or process is amended and/or production is too limited or irregular.

### 6.2 Publication

#### 6.2.1 By certificate holder

A certificate holder is free to publicize that he is entitled to the use of the SKH quality declaration and the accompanying certification mark or identification code for the relevant products and/or services, areas of application and location of the company laid down in the certification agreement concluded with him. The certificate holder needs the approval of SKH when he, in another way, brings SKH into connection with publications with these products and/or services, areas of application and the location of the company.

#### 6.2.2 By SKH

SKH publishes an overview of all depositary receipt holders (name of depositary receipt holder, type of depositary receipt, title of depositary receipt, issuance date, amendment date, termination date of depositary receipt) with whom SKH has concluded certification agreements on its website, [www.skh.nl](http://www.skh.nl). SKH provides a register of certificates granted under licence to licensor. Licensor shall be provided with the above information including the certificate. SKH periodically adjusts its website accordingly.

*In addition, SKH shares the information with scheme managers/owners if this or the scheme prescribes it.*

This data is shared with the relevant systems via a link. Further information can be found under the privacy statement of SKH B.V. (see [https://www.skh.nl/privacy\\_statement](https://www.skh.nl/privacy_statement)).

### 6.3 Special provisions

#### 6.3.1 In case of attestation and product or process certificates and registration ISPM15

##### 6.3.1.1 Validity

The period of validity of an SKH quality declaration is unlimited, unless mentioned to the contrary in the document. This always applies, subject to changes in the product, the process and/or the normative document or the revoking of the certification agreement.

##### 6.3.1.2 Commitment of certificate holder

The certificate holder commits himself to take care that the products or processes as specified in the SKH quality declaration:

- a. shall also comply, at the time of delivery, with the specifications laid down in said documents (mentioned in the relevant document with the requirements);
- b. shall be provided, at the time of delivery, with the certification mark or identification code. The certificate holder is not allowed to supply products or processes with the agreed on certification mark or identification code, which do not comply with the specifications. Furthermore the certificate holder takes care that:
- c. each customer disposes of a copy of the relevant SKH quality declaration ;
- d. he shall promote that, on the building site where the product shall be processed or the process shall be executed, they also have a copy of the relevant SKH quality declaration at their disposal. SKH quality declaration.

### **6.3.2 In case of a management system certificate**

#### **6.3.2.1 Validity**

The period of validity of the certificate is 3 years. Supplying a new certificate after the termination of the period of validity is possible after an integral re-audit of the management system.

#### **6.3.2.2 Commitment of certificate holder of a management system certificate**

The organization shall inform SKH in writing should the management system not comply any longer with the requirements in the basis. The certificate can be suspended after assessment. The suspension comes into force after the decision made by SKH has been sent to the certificate holder by registered letter stating the reasons.

Section 7.5.2.1 comes than into force.

The management system certificate does not give the right to use a certification mark on products and/or test reports. The certificate holder shall not be allowed to use certification documents or parts thereof in a misleading way or to allow such use.

### **6.3.3 In case of a COC certificate**

#### **Validity**

The validity period for an SKH-COC certificate is 5 years. Issuing of a new certificate after termination of the validity period is possible after an integral assessment of the control system.

#### **Commitment of certificate holder**

Section 6.3.1.2 also applies for certificate holders of a COC certificate.

### **6.3.4 In case of a conformity declaration machinery directive**

A conformity declaration will be valid for 5 years. A new declaration can be obtained after a new positive assessment. The conformity declaration holder commits himself to take care that the delivered machine meets the specification of the conformity declaration.

## **6.4 Termination of the certification agreement**

### **6.4.1 Period**

Except for the provisions of section 6.4.2, termination of the certification agreement may only take place on the last day of any month, taking into account a period of at least three full months. The other party shall be informed by registered letter, stating the date of the termination of the certification agreement. The reason(s) for the termination shall be substantiated.

### **6.4.2 Immediate termination**

If one of the parties is clearly contravening one or more of its obligations under the terms of the certification agreement, the other party shall be authorized by virtue of this single fact to terminate the certification agreement at once.

### **6.4.3 Obligations**

Termination does not affect the producer's existing financial obligations in respect of SKH or its undertakings already made in respect of third parties.

The obligation of SKH in respect of confidentiality shall remain unaltered, despite termination.

After termination of a certificate the certificate and all copies thereof shall be immediately returned to SKH and the former certificate holder shall immediately at his own expense remove all references to certificate/certification schemes/scheme of controller and such in name, logos, certification mark or trade marks on products, documents, advertisements and promotional material. The former certificate holder will enable SKH and/or the scheme controller/logo controller to check whether these obligations have been met.

#### **6.4.4 External circumstances**

In case of amendments of the SKH Regulations for Certification, normative documents and/or the certification scheme SKH informs the certificate holder as soon as possible in writing on which date the amended Regulations for Certification, the amended normative documents and/or the amended certification scheme shall be made binding and also the scope and magnitude of a possible necessary additional test on the application procedure carried out at an earlier date.

If the certificate holder accepts the amendments and the result of any additional test is positive, the amended requirements shall be part of the certification agreement of the certificate holder as from the date the amendments have been declared binding.

If the result of any additional test is negative, the certification agreement terminates on the date on which the amended requirements become binding for SKH.

If the certificate holder is not prepared to accept the amendments and/or does not agree with the proposed additional test, he shall inform SKH in writing within the term set by SKH. Herewith expires the certification agreement as from the date on which the amended requirements become binding for SKH.

### **6.5 Mutual secrecy and commitment**

#### **6.5.1 By SKH**

SKH shall ensure with all the resources at its disposal that its staff members maintain strict secrecy in respect of third parties concerning all information with which it becomes familiar as a result of implementing the certification activities.

If external experts are used, they shall sign a declaration in which the duty to maintain secrecy has been regulated, in a way as meant in the previous paragraph.

If members of staff of SKH are accompanied by representatives of an accreditation organization, SKH shall take care of the secrecy.

#### **6.5.2 Commitment certificate holder**

The certificate holder may not - under any name or title - persuade or attempt to persuade SKH staff members who, by virtue of their position, may have information arising from implementation of the certification agreement to enter his employment or to act as his consultant or to employ them or to use them as his consultants within two years of them leaving the employment of SKH.

### **6.6 Use of markings and logo / certification mark**

#### **6.6.1 Marking of products (product certificate)**

*KOMO® /SKH certification mark*

The certificate holder shall provide products falling under an SKH quality declaration with the certification mark with accompanying text, or in the case of an attest with the identification code, as laid down in the quality declaration.

***FSC® markings***

The FSC® markings may be used in agreement with the requirements as laid down in document *FSC- STD-50-001*. Each other use may only be after approval by SKH. Other claims or statements in relation to FSC® may only be made after approval by SKH.

***PEFC™ trademarks***

The PEFC™ logo may be used in accordance with the requirements as stated in document PEFC ST 2001 following agreement with the PEFC Council of PEFC National Governing Body.

***IPPC mark in accordance with ISPM 15***

The IPPC mark in accordance with ISPM 15 shall be used in accordance with the requirements laid down in the Handbook SMHV.

***STIP logo***

The STIP logo may used in accordance with the STIP scheme.

***CPR***

The use of the number 0502 in relation to the SKH or CE mark is allowed if the producer is in the possession of a CE mark issued by SKH and the use meets the requirements laid down in the documents specifying the requirements (directive/harmonised standard). Other use is allowed after approval by SKH.

Note: not for EC type study based on machinery guideline.

**6.6.2 Marking of services (process certificate)**

The certificate holder shall mention in the conditions of sale that the service supplied with an SKH quality declaration shall be executed in accordance with the specification laid down in the relevant quality declaration, or to provide the relevant product with the certification mark with accompanying text as indicated in the quality declaration.

**6.6.3 Marking of additional company records**

The logo's of management system certification may be used in or on company documents. Another use of the logo is, if so desired, also possible after consultation with SKH.

The PEFC forest management logo may be used in agreement with the requirements as laid down in document PCSN VI.

**6.6.4 Person certificate**

If badges are granted to persons in the possession of a person certificate, they are solely intended for personal use. The badges will remain the property of SKH.

**6.6.5 Protection of certification marks**

Possible actions against third parties in order to protect the certification marks belong to SKH and, in respect of the collective KOMO® mark in consultation with 'Stichting Bouwkwiteit' and with FSC® International the use of the FSC® logo and trade marks and such; with PD and IPPC the use of the IPPC mark in accordance with ISPM 15; with PEFC Council of PEFC National Governing Body the use of the PEFC logo.

**6.7 Liability**

SKH is not liable for damage incurred by the certificate holder resulting from the implementation of these SKH Regulations for Certification and from the termination thereof.

Certificate holder indemnifies SKH against all claims and claims for compensation by third parties in respect of (pretended) inferiorities of subjects delivered by the certificate holder under SKH quality declaration.

**6.8 Fees****6.8.1 Fees for use**

The certificate holder pays SKH a fee for the right to use the quality declaration issued by SKH, provided with the certification mark or identification code, as well as for the costs associated with the preparation and maintenance of the certification system for the relevant product, or service, as well as

Payment shall be made by the producer in response to the first request by SKH to do so.

This excludes the costs for changes to the certificate following a request by the certificate holder.

**6.8.2 Assessment**

The level of the fee shall be determined by SKH, where possible after consultation with representative producer organizations of the certificate holders.

If the fee is to be based on turnover, the certificate holder shall supply the necessary information.

**6.8.3 Indexation**

Specified fees can be indexed by SKH.

## **7. MAINTENANCE OF CERTIFICATE**

### **7.1 Inspection**

#### **7.1.1 Inspection general (with the exception of machinery directive)**

SKH exercises regular controls for compliance with the commitments by the certificate holder. Controls for product and process certificates are also called inspections. Inspections can take place at random points of time and are generally not announced. Depending on the certification schedule, inspections/audits can take place unannounced or at short notice based in accordance with the usual requirements of the relevant schedule. Controls within the framework of management system certification are called audits. Audits are always announced.

The controls take place by or on behalf of employees of SKH. During an audit, the auditor may be attended by auditors or auditors in training and one or more employees of the RvA or ASI. Certificate holder grants such employee(s) access to his/her company.

The certificate holder renders the necessary cooperation for the control whereby for management systems the first periodic audit shall take place within 12 months after the initial certification audit, and puts, free of charge, the required samples and, when necessary the use of the relevant apparatus at the disposal of SKH.

If requested the certificate holder shall be obliged to enforce the right for SKH to carry out inspections at his suppliers of components and/or raw materials of the relevant products or processes.

If appointments have been made for inspections, an appointments can be postponed under the following conditions:

- 1) For appointments within the Netherlands:
  - a) more than 5 business days before the appointment: no costs will be charged;
  - b) in case of cancellation within 5 business days before the appointment, the following costs will be charged: 25% of the inspection costs.
- 2) For agreements outside of the Netherlands:
  - a) more than 28 business days before the appointment: no costs will be charged;
  - b) in case of cancellation within 28 business days before the appointment, the following costs will be charged: 50% of the inspection costs.

#### **7.1.1.1 Inspection general (machinery directive)**

In the context of the machinery directive, SKH regularly checks for changes to the conditions under which the conformity declaration has been granted. If changes occur, the declaration holder will be informed and made aware of the consequences. The controls take place by or on behalf of employees of SKH.

### **7.1.2 Frequency**

The basic frequency of the inspection has been laid down in the relevant documents laying down the requirements per product/process. SKH audits a certificate holder at least once a year and on request twice a year SKH audits a certificate holder with a management system certificate.

### **7.1.3 Area**

The control refers to all relevant aspects laid down in the certification scheme or normative documents, having regard to those aspects mentioned in the SKH quality declaration.



#### **7.1.4 Changing circumstances**

The certificate holder shall inform SKH in time of his intention to change the circumstances – among other things change in product or process, management system or organization structure – on which granting of the quality declaration has been based. SKH determines whether an addition to an earlier pre-certification procedure is necessary.

When affirmative SKH can prohibit the certificate holder to provide the product or process, being produced under the changed circumstances, with the relevant certification mark or identification code during the time of the additional inspection.

This prohibition ends as soon as SKH has informed the certificate holder in writing of the positive result of the additional inspection.

##### **7.1.4.1 Altered circumstances (machinery directive)**

The certificate holder must timely inform SKH of its intention to change the wood processing machine on which the conformity declaration is based. SKH determines whether an addition to an earlier pre-certification procedure is necessary.

When affirmative, SKH can prohibit the certificate holder to provide conformity declaration with the wood processing machine produced under the changed circumstances, with the relevant certification mark or identification code during the time of the additional inspection.

This prohibition ends as soon as SKH has informed the declaration holder in writing of the positive result of the additional inspection.

#### **7.2 Dealing with complaints** (not applicable to conformity declaration EC type study)

##### **7.2.1 Registration of complaints**

The certificate holder is compelled to keep a complaint registration system and each complaint shall be registered.

##### **7.2.2 Duty to provide information**

The certificate holder shall immediately report to SKH serious or structural complaints by consumers about the certified products or services, as well as complaints dealing with the functioning of the management system.

##### **7.2.3 Communication obligations**

Should in any way products or services supplied by the certificate holder not comply with the requirements laid down, it is the duty of the certificate holder to do his utmost to warn the buyers and if so desired by the buyer – to take back or to repair specimen or services supplied not complying with the quality requirements. SKH can execute control over this.

##### **7.2.4 Detailed inspection**

Should the certificate holder and the consumer not come to terms regarding a complaint about a product of service supplied with an SKH quality declaration, then SKH examines the nature and the cause of the shortcoming established and reports about this to the complainant and certificate holder. The costs shall be borne by the party found to be at fault, should SKH decide to do so.

Should the complaint be legitimate, the certificate holder shall pay the complainant an appropriate redress. This could also be the reason for SKH to revise the internal quality control casu quo the management system, intensification of the controls by SKH and, when necessary, in consultation with the certificate holder, and, when necessary, taking disciplinary measure or the imposing of a sanction.

SKH does not participate in the discussion about the financial consequences of inferiority of products or services covered by an SKH quality declaration, unless on explicit request by the buyer or certificate holder.



**7.2.5 Particular provisions for environmental care certificate holders**

Should a decision by the proper authorities be enforced in which the infringement of important environmental regulations has been established at the environmental care certificate holder's, SKH can proceed to the execution of a re-assessment. The certificate holder shall pay the expenses. At the moment of enforcing a decision a link shall be made with the clauses in section 20 of the Conservancy Act.

Should there be a written decision by the Public Prosecutor for legal action due to any criminal offense or any contravention of important environmental regulations at the environmental care certificate holder's, SKH shall proceed to execute a re-assessment. The certificate holder shall pay the expenses.

**7.3 Deviations during inspections**

Should deviations be established during an inspection, it depends on the seriousness and the nature whether SKH restricts itself by indicating within which period the organization shall take corrective measures or to give a warning in writing, and confines itself to extra control visits and/or take sanctions.

In case of an established deviation the certificate holder shall indicate which corrective measures he shall take and, when applicable, what he has done or shall do with the deviating products or services supplied (process).

**7.4 Method of reporting**

SKH reports about the control and possibly additional actions in the Dutch language or – if requested – in the English language. Reports of SKH remain the property of SKH.

**7.5 Disciplinary measures****7.5.1 Written warning**

SKH can give a written warning, whether or not followed by extra controls, in case of a legitimate complaint and/or a once only or several deviations found during inspections and/or repeated observation of one or more deviations.

**7.5.2 Sanctions**

Sanctions can be:

- a. suspension;
- b. termination of the certification agreement.

**7.5.2.1 Suspension**

Depending on the seriousness and the nature of the complaints and/or deviations found and of the circumstances, SKH can suspend the right of the certificate holder to supply products or services under a quality declaration and certification mark or identification code. The suspension comes into force after the decision made by SKH has been sent to the certificate holder by registered letter stating the reasons.

SKH reserves the right – in case the safety comes into play and/or the (further) prevention of damage – to inform the buyer(s) of the relevant products or services.

In the event of suspension the certificate holder shall refrain from making any use of the certification mark or the identification code for the relevant products or services and shall also refrain from creating the impression that the producer still has the right to supply these products or services under SKH quality declaration with the accompanying certification mark or the identification code.

If these provisions are contravened, the certificate holder shall be liable to pay SKH an immediate claimable penalty of € 7500,- as well as a penalty of € 750,- for every day that the contravention persists.

**7.5.2.2 Cancellation of suspension**

A suspension shall be canceled by SKH in writing, when SKH is satisfied that the relevant certificate holder has taken appropriate measures.

**7.5.2.3 Appeal**

The certificate holder can appeal against the enforced suspension at the Arbitration Board. The suspension continues in spite of the putting into operation of an appeal, until such time that a decision has been taken on the basis of the contents laid down in these Regulations for Certification.

**7.5.2.4 Termination of suspension**

Should the said measures mentioned in section 7.5.2.1 not been taken by the relevant certificate holder within two weeks (attest, product or process certificate)/ 3 months (management certificate) after the date of the suspension, SKH shall proceed to terminate the certification agreement.

**7.5.2.5 Notice**

A sanction shall always be published. SKH will determine the degree of publication in consultation with the certificate holder and, in consultation with the certificate holder, will publish the sanction imposed in such bodies as it deems appropriate.

**8. COMPLAINT / BOARD OF ARBITRATION / NOTICE OF OBJECTION (WITH THE EXCEPTION OF MACHINERY DIRECTIVE, SEE CHAPTER 9)****8.1 Complaint**

Complaints can be submitted in writing and addressed to the director.

The complaints are registered and assessed by the director in the order in which they come in. After this an investigation shall take place with the calling in of an expert (internal or external). The complainant receives a report with conclusions of the investigation.. In case the complainant does not agree with the report an appeal is possible at the Board of Arbitration.

PS The complaint shall first be made known to the producer of the product should a complaint refer to a certified product.

**8.2 Appeal**

SKH takes care, as the occasion arises, that the Board of Arbitration shall be made responsible to pass judgment in respect of:

- a. an appeal lodged against a decision, measure or sanction taken by SKH, in particular against:
  - the rejection of an application (in accordance with section 5.2.2 or 5.4.2);
  - the immediate termination of the certification agreement (in accordance with section 6.4.2);
  - a sanction taken (in accordance with section 7.5.2).
- b. matters being referred to these SKH Regulations for Certification or to any agreements entered into with SKH to the Board of Arbitration.

The certificate holder may lodge an appeal with the Board of Arbitration within 30 days from the date of a measure or decision taken by SKH. The lodging of an appeal shall not affect the measure or decision by SKH until such time as the Board of Arbitration has given its verdict.

The bringing in of a Board of Arbitration, the procedure, as well as the manner in which the judgment has come about and is being announced is laid down in the SKH Regulations for the Board of Arbitration. On request and following on the submitting of a notice of objection, these regulations shall be made available.

**8.3 Putting an appeal into operation**

The putting into operation of an appeal shall take place by sending a registered letter, including a founded proposal, to the director of SKH, who shall pass on this notice of objection immediately to the chairman of the Board of Arbitration.

At the same time as the appeal is submitted, the appellant shall deposit a sum of € 500,- from which any costs incurred by the appellant in connection with the appeal shall be deducted at a later date.

If the deposit is insufficient, the Board of Arbitration shall at any time be empowered to request an additional amount.

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## **9. APPEAL AND OBJECTION IN THE CONTEXT OF THE MACHINERY DIRECTIVE**

### **9.1 General**

Complaint and appeal proceedings concerning the 'CE conformity declaration and the EC type study declaration concerning wood processing machines (EU Machinery Directive 2006/42/EC, annex IV, fields 1 to 8)'.

SKH observes the complaint proceedings for administrative bodies as set out in Chapters 6 & 7 of the Dutch General Act on Administrative Law in the context of its statutory inspection & certification activities.

### **9.2 Complaints**

Complaints concerning the 'CE conformity declaration and the EC type study declaration concerning wood processing machines (EU Machinery Directive 2006/42/EC, annex IV, fields 1 to 8)'. A stakeholder can file a complaint if he disagrees with a written decision or refusal to take a decision. SKH will inform the stakeholder of the option to file a complaint in its correspondence using the following clause:

Complaints clause:

A complaint can be made against this decision based on the Dutch General Act on Administrative Law. To that end, a complaint must be submitted to the SKH within 6 weeks after a decision has been provided. The complaint must substantiate why the decision is not correct. Please enclose a copy of the contested decision and any other documents related to the matter to the complaint.

### **9.3 Further requirements procedure for the handling of complaints**

A complaint will be handled by an employee of SKH who is not involved in the contested decision. In case the complainant does not agree with the report, an appeal can be submitted to the Board of Arbitration (refer to Chapter 8).

SKH will take a decision within six weeks after receipt of the appeal which will be communicated to the appellant in writing by registered mail. This period may be extended once by SKH with four weeks. If an appeal is submitted to the Board of Arbitration, the period within which SKH must take a decision is ten weeks. This period may also be extended once with four (4) weeks.

The appellant can object to the decision on the appeal to the District Court. This must be mentioned on the decision on the appeal.

### **9.4 Appeals**

Appeal proceedings concerning the 'CE conformity declaration and the EC type study declaration concerning wood processing machines (EU Machinery Directive 2006/42/EC IV, fields 1 to 8)'.

A stakeholder can file an appeal with the District Court if he disagrees with a written decision or refusal to take a decision on a complaint.

The body will inform the stakeholder of the option to file an appeal in its correspondence using the following clause:

Appeal clause:

An appeal can be filed against this decision based on the Dutch General Act on Administrative Law. To that end, an appeal with a copy of the decision must be submitted to the District Court in (the region of the appellant) within 6 weeks after a decision has been provided. This appeal must indicate why the decision of the designated body (SKH in Wageningen) is incorrect. Administrative fees will be charged for the handling of an appeal.

## **10. FINAL AND TRANSITIONAL PROVISIONS**

### **10.1 Other provisions**

In all cases not covered by these SKH Regulations for Certification, the Board of Arbitration shall decide.

**10.2 Name of these regulations**

These regulations may be cited as the SKH Regulations for Certification

**10.3 Coming into force of amendments**

Amendments of these regulations shall only come into force after publication to certificate holders, stating the date on which they shall come into force, bearing in mind the contents of section 6.4.4.

**10.4 Validity**

All SKH quality declarations existing at the time of effectuation of these Regulations for Certification are considered to comply with these Regulations for Certification until the end of their period of validity.

**10.5 Coming into force of these SKH Regulations for Certification**

These SKH Regulations for Certification come into force on 01-01-2020