

## REGULATION FOR INSPECTION ACTIVITIES FOR TYPE APPROVAL

<b>REVISION MATRIX</b>				
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## 1. Scope

This Regulation defines the general practices adopted by Automotive Technical Service S.r.l. (ATS), following named ATS or IB, for the conduction of Inspection activities on vehicles and / or their components according to the modalities provided by the following directives and regulations, [Regulation 2018/858](#) ~~Directive 2007/46/EC~~ (Vehicles cat. M , N, O), Regulation 168/2013 / EU (Vehicles cat. L), Regulation 167/2013 / EU (Vehicles Cat. T), ECE Regulations, Regulation 2016/1628 / EU (Category NRMM) and ECE Regulations.

ATS makes available the latest updated version of the Regulation on its WEB site at the address <http://www.ats.sm>, at its headquarters or at the request of the Applicant, it sends a copy in electronic format.

The amendments and additions to the Regulations are managed by issuing successive revisions, in which the portions of text modified are highlighted with vertical lines next to it. The Regulation is an integral part of the contract signed between ATS and the Applicant. ATS always applies the latest revision issued and it is the Applicant's responsibility to verify the issue of any updates on the website of the Body, and adapt to them.

## 2. Field of application

The Regulation is applied by ATS to Inspection activities on vehicles and / or their components.

The Regulation describes the commitments and responsibilities assumed by ATS and the Applicant for the execution of a periodic and / or extraordinary audit.

## 3. Reference documents

For the definition of the relationship between ATS and the Applicant, the requirements contained in the following documents are applied:

- ✓ [Regulation 2018/858 relating to the type-approval and market surveillance of motor vehicles and their trailers, as well as systems, components and separate technical units intended for such vehicles, which amends regulations \(EC\) no. 715/2007 and \(CE\) n. 595/2009 and repeals Directive 2007/46 / EC](#)
- ✓ [Directive 2007/46 / EC "of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, as well as systems, components and technical units intended for such vehicles";](#)
- ✓ Regulation (EU) n. 168/2013 "of the European parliament and of the council of 15 January 2013 relating to the approval and supervision of the market for two or three-wheel motor vehicles and quadricycles";
- ✓ Regulation (EU) n. 167/2013 "of the European parliament and of the council of 5 February 2013 relating to the approval and supervision of the market for agricultural and forestry vehicles";
- ✓ Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on the requirements for emission limits for gaseous and particulate pollutants and for homologation of internal combustion engines for non-road mobile machinery, and amends regulations (EU) n. 1024/2012 and (EU) no. 167/2013 and amending and repealing directive 97/68 / EC;
- ✓ ECE Regulations "UNECE Agreement 1958 - Relating to the adoption of uniform technical prescriptions for motor vehicles, equipment and parts that can be installed and / or used on motor vehicles, and to the conditions for mutual recognition of approvals issued on the basis of these requirements ";
- ✓ UNI CEI EN ISO / IEC 17000: 2005 "Conformity assessment - general vocabulary and general principles";
- ✓ ISO / IEC 17020: 2012 "Requirements for the operation of various types of bodies performing inspections";
- ✓ ILAC P15 Application of ISO/IEC 17020:2012 for the Accreditation of Inspection Bodies;
- ✓ ILAC P10:01/2013 "ILAC Policy on the Traceability of Measurement Results";
- ✓ General Regulations, Technical Regulations and provisions of the Single Accreditation Body (ACCREDIA), in the schemes and sectors covered by accreditation;
- ✓ RG-01; RG-01-04 in the applicable version;
- ✓ Standards and test directives referred to in the framework directives and regulations,
- ✓ Possible additional prescriptions contained in the technical and circular regulations or documents of the competent authorities such as, for example, ministerial bodies and / or competent Authorities, etc.

#### 4. Definitions

For the purposes of this Regulation the following definitions are provided:

**Applicant:** the person or entity responsible, to the approval authority, for all aspects of the approval and production conformity process; it is not essential that said person or entity participate directly in all the construction phases of the vehicle, system, component or technical entity subject to approval (Applicant);

**Motor vehicle:** any vehicle driven by an engine that moves with its own means, complete, completed or incomplete;

**Component:** a device subject to the provisions of a regulatory act and intended to be part of a vehicle, which can be type-approved independently of the vehicle if the regulatory act expressly provides for it;

**Trailer:** any non-self-propelled vehicle on wheels designed and manufactured to be towed by a motor vehicle;

**Inspector (ISP):** staff that carries out conformity assessment activities, both employees and contractors with the Body;

**Inspection (or Verification):** activity carried out through documentary, instrumental and functional analysis, for the purpose of verifying compliance with requirements defined through the verification of objective evidence;

**Non-conformity (NC):** the Applicant's failure to satisfy a requirement, referred to by a Directive, a law or a law in force or a customer specification or technical specifications defined by the latter, applicable to the area considered, which invalidates the I continue with the Inspection Institute;

**Observation (Oss):** the Applicant's failure to satisfy a requirement, which despite being indicative of inadequate behavior, is not such as to compromise the continuation of the Inspection Procedure, but whose resolution by the customer must in any case be verified by part of the Body before the closure with positive outcome of the activities;

**Comment:** Not configurable survey as the non-fulfillment of a requirement by the Applicant, but it is aimed at preventing that this situation could occur, because potentially achievable.

**Responsibility:** burden assumed or deriving from the conduct of a process, from the execution of a job, or from the management of an assignment (or task) entrusted and to be carried out with the due commitment.

**Complaint:** manifestation of dissatisfaction, both verbal and written, by parties entitled (direct customers, indirect customers, public authorities, ACCREDIA), relating to the services provided by the body and, generally, to the work of the same;

**Appeal:** formal appeal, by subjects with specific cause, against decisions taken or evaluations expressed or certificates issued by the Body;

**Final Inspection Report:** Document certifying the outcome of a complete homologation activity (new vehicle)

**Partial Inspection Report:** Document certifying the outcome of an Inspection activity on a single "proof" required by a regulation or directive (eg by COP or by extension of a vehicle's homologation)

The terminology and definitions used in the documentation to support the performance of the activities respect the contents of the following documents:

- ✓ UNI UNI CEI EN ISO / IEC 17000 standard "Conformity assessment - Vocabulary and general principles"
- ✓ Framework directives pursuant to par. 3.


#### 5. Principles of Independence, impartiality and transparency

The organizational structure of ATS, the employees and the inspectors who carry out the inspection activities, guarantee their independence with regard to the opinions expressed regarding the assessments carried out. The Body undertakes not to carry out inspections if unmanageable situations of conflict of interest arise, which could undermine the impartiality and independence of judgment.

ATS gives all entities, public or private, equal access to inspection services, without making any distinction based on the size, membership of any organization or association, or the number of products checked. The only exception is for entities subject to legal restrictions.

In order to ensure maximum fairness and transparency in the performance of inspection activities, ATS specifies, also by signing appropriate behavioral codes, that its management and technical personnel are not subject to undue internal or external pressure, of a commercial or financial nature or other, which could negatively affect the work done.

Personnel affected by inspection activities are not involved in activities that can undermine confidence in their independence, impartiality and professional integrity. Furthermore, the Body does not carry out inspection activities on its own objects or of which it owns the property or towards which it may also be involved through its personnel in terms of design, consulting, marketing technical assistance, nor does it carry out other activities that may compromise trust in your work.

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## 6. Responsibility

In this regulation the mutual responsibilities and the commitments that the Applicant and ATS are required to comply with in order to allow the correct execution of the individual phases envisaged by the verification activities, according to the methods and times described in the following paragraphs and in the documents are detailed. contractual agreements signed by the parties.

## 7. Applicant's commitments

The Applicant undertakes to provide maximum cooperation to the ATS representatives during all phases of the verification activity as described in par. 9., accepting all the requisites and the prescriptions posed by these Regulations, committing to transfer the contents to all the subjects involved, guaranteeing their respect on the part of the same and in particular undertakes to:

- ✓ provide all the documents and information requested by the ATS staff, guaranteeing their completeness and truthfulness, in order to allow the correct planning and execution of the verification
- ✓ prepare any permits and authorizations to allow safe access, to the personnel appointed by ATS in order to correctly carry out the required checks, even when accompanied by personnel from the relevant Bodies, or by ISP in support or training, or by other personnel in role of Observer
- ✓ report to ATS any changes or erroneous communications of the data provided, promptly informing the Body to ensure the success of the checks
- ✓ to accept that the activities covered by the contract signed with ATS may be attended by personnel of the appointed Bodies, or by other staff acting as Observer, under penalty of interruption of the Inspection Body.

### 7.1 Informational Documentation

The Manufacturer must provide the complete documentation, including the information sheet, drawings data, photographs and whatever else provided. The information documentation can be provided in the form of an electronic document.

### 7.2 Information sheet

In compliance with the requirements set by the annexes of the individual framework Directives, referred to in par. 3. the Manufacturer must provide the information sheet in which the information that the Applicant is required to provide is prescribed. The information sheet can be provided in the form of an electronic document.

### 7.3 Product prototype

the Applicant must prepare a Type representative of the product object of the request, built according to what is prescribed in the information sheet, to allow ATS to carry out the checks, measurements and tests deemed necessary for the purpose of assessing the conformity to the requirements set by the reference directives . It must also issue or procure the authorizations or permits necessary to allow access to ATS representatives, to the place where the prototype is located.

## 8. IB commitments

ATS undertakes to make the necessary resources available, to plan and carry out the inspection activities as indicated in the offer.

ATS also guarantees adequate insurance coverage for the risks that could arise to the Applicant, from the conduct of conformity assessment activities of the prototypes referred to in this Regulation.

### 8.1 Causes of force majeure

ATS will not be held liable for any non-compliance due to objectively unforeseeable circumstances, prior to the appointment given by the Applicant for conducting the inspections.

Equally, ATS cannot be held responsible for failure to comply with the agreed deadlines if they are attributable to delays on the part of the Applicant, or for failure to comply with the commitments made by the latter pursuant to paragraph 7.

ATS undertakes to inform the Customer of the possible revocation, suspension or renunciation of the acknowledgments obtained by the competent authorities, necessary for the performance of the inspection activities referred to in this regulation. In the aforementioned cases the customer has the right to withdraw from the contract signed with the Body which cannot be held responsible in any way for any non-compliance linked to this eventuality.

## **9. Inspection procedure**

The inspection process conducted by ATS involves the performance of the steps described in the following paragraphs. The process takes place according to the provisions of the framework Directives and the Test Directives. Each phase is carried out according to internal procedures and regulations prepared by ATS, which can be consulted by the Applicant at the Head Office of the Body, limited to the sector relevant to the Inspection.

### 9.1 Access to Inspection services

To access the conformity assessment services offered by ATS, the Applicant formulates an offer request. The request can be received in written or verbal / telephone form. ATS will define an appointment with the applicant in which qualified personnel will proceed to detect the needs of the same, transferring the necessary information to issue the resulting offer.

### 9.2 Review of the request and sending of the offer

The RT checks that the documentation compiled during the meeting with the Applicant has been filled in correctly. If the documentation is missing some data, ATS will request the completion of the same in writing if necessary.

Following the review carried out, ATS sends the Applicant an offer for the requested activities. The offer, in addition to containing the economic quantification for the Inspection services, reports the timing details and the list of tests to be performed.

### 9.3 Beginning of the Inspection procedure

The acceptance of the Offer or the sending of the Order document constitutes a Contract for the required Inspection activities.

The person in charge of ATS, informs the Applicant of the procedures for carrying out the activities and the timing of the Inspection procedure, indicating the names of the Inspector (s) who will perform the activity and the list of laboratories used. The Applicant may object to the names indicated within 5 days, working, circumscribing the reasons in writing<sup>1</sup>. Should the reasons find a valid response, ATS will proceed with a new assignment, reporting the new names to the Applicant.

### 9.4 Document Verification


The first phase of the Iter consists in the verification of the conformity of the documentation produced by the Applicant as per par. 7.1. The inspector appointed by ATS proceeds to examine the documents contained in the information document, such as for example projects, drawings, technical sheets, etc.

### 9.5 Outcome of Document Verification and communication of reliefs

If at the end of the document verification emerges Non-conformity (NC), Observations and / or Comments, ATS will indicate the resolution of the same, as a requirement for accessing the next phase of the Inspection procedure, which involves conducting product tests. The list is communicated in writing. Following the communication, the Applicant can choose to adapt his own documentation or to renounce the continuation of the Iter. In the latter case, the renunciation must be communicated to ATS by registered letter with return receipt. The waiver involves the closure of the Inspection Body and the debiting of the amounts relating to the activities carried out (see par. 11.1).

If the Applicant decides to continue with Iter, he / she can proceed to adapt his / her documentation, resolving the issues raised, notifying ATS within a period of time not exceeding six (6) months, on pain of a negative outcome of the Iter of Inspection. The objective evidence of the required adjustments is assessed by ATS during the functional verification of the product.

If the number of the NCs and their extension do not allow the normal continuation of the Iter, ATS will inform the Applicant of the need to perform a new Document Verification following the resolution of the findings raised. The amounts provided for in the offer items will be charged again on the occasion of the new Check.

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#### 9.6 Functional Evaluation

The product conformity assessment activity is conducted at the laboratory site chosen by the customer; the laboratory must be accredited according to the UNI EN ISO / IEC 17025 standard or recognized by ATS itself.

The checks required to complete the Certification process include:

- ✓ Possible adjustments of the documentation following the NC and Observations emerged during the documentary check and in par. 9.5;
- ✓ Examination of the representative specimen of the "Type" for which the request is made, for the confirmation of correspondence to what stated in the information document. ATS carries out the necessary checks, measurements and tests to verify whether the solutions adopted meet the requirements of the framework Directives and the Test Directives;

At the end of the Inspection activities ATS will report the results obtained in the Final or Partial Inspection Report according to the type of activity performed.

#### 9.7 Repetition of the tests

If the outcome of the tests shows that the product does not comply with the requirements applicable to it, ATS will inform the customer in writing. The presence of NC or OSS not treated for example in the document analysis does not allow the issuance of an inspection Report attesting the vehicle's conformity.

On all occasions when the need arises to have to repeat the test activity, for non-compliant results or to verify changes made to the prototype by the Applicant, ATS will apply the same amounts or evaluate the issue of a new dedicated offer.

#### 9.8 Issue of the final Inspection documentation

At the conclusion of the activities offered on the offer and of any repetition of test activities agreed with the applicant, ATS issues a final technical documentation consisting of the Final or Partial Inspection Report according to the type of activity performed.

#### 9.9 Preservation of the Inspection Documentation

ATS and the Applicant undertake to keep a copy of the documentation relating to the activities carried out for a number of years equal to 10, except where otherwise indicated by applicable legislative documents.

#### 9.10 Resolution of the remarks and derogations to the times shown in the offer

The Body is not responsible for failure to comply with the deadlines indicated in the offer if, during the documental or functional verification phase, findings emerge, since their resolution is the sole responsibility of the customer. In practice, if the resolution of the findings does not take place within the following 6 (six) months, the activity will be considered closed with a negative result and the client will have to submit a new request. Possible exceptions can be considered on the basis of ascertained, obvious objective impediments, by the Head of the Body.


## **10. Claims and resources**

ATS takes into consideration all complaints received in writing from customers or other interested parties. Any verbal or telephone complaints are taken into consideration, provided they are not anonymous and that they are followed by a written communication.

Anonymous complaints are not taken into consideration by ATS

For all complaints received, the Body will confirm the receipt to the complainant by fax or e-mail (within 5 working days after receipt). Complaints are identified and recorded in a special register and are analyzed by the Quality Manager with the support of a competent person on the matters covered by the complaint but not involved in the problems underlying the complaint. These analyzes are intended to ascertain that all the information necessary to assess the validity of the complaint is available and to proceed, therefore, to the relative treatment.



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In the event that the complaint proves to be unfounded, ATS informs the complainant in writing giving the reasons for which the complaint is to be considered groundless.

In the event of a complaint, proceed as follows:

- a) where the complaint refers, directly, to the work of ATS, the facts described and the relevant documentary evidence are analyzed and any shortcomings in the activity carried out by the inspectors on the technical, procedural and ethical levels are examined. On the basis of the results of these investigations, and if required and applicable, we proceed, first of all, to the adoption of the necessary corrections (intended to remove, if possible, or in any case minimize the negative consequences in relation to the complainant) and therefore, once identified the causes of the deficiencies at the origin of the complaint, the adoption of the necessary corrective actions;
- b) where the claim originates from the inadequacy of an inspected "object", a complete review is carried out. The Body verifies the correctness of the activity carried out (methods followed, tools used, methods of inspection and reporting of results). If this investigation shows deficiencies in the activity of ATS, proceed as in a). If the investigation shows that the unsuitability of the object is not attributable to deficiencies in the work of ATS but to different factors, the Body shall notify, in writing, to the customer the considerations made during the review of the practice.
- c) If the complaint concerns aspects related to the impartiality of the organization, the same is brought to the attention of the Management that evaluates the actions to be taken in order to eliminate the threat.

The procedures referred to in points a) and b) are conducted by specially appointed personnel, operating under the supervision of the Quality Manager. Upon request, written by the complainant, ATS provides reports on the progress of the complaint management.

At the conclusion of the aforementioned activities, ATS, after communicating in writing to the complainant, within 30 days of taking charge of the complaint, the outcomes of the complaint management process, evaluating with the aforementioned complainant and with the other parties involved in the complaint if, and if so to what extent, the content of the complaint and its resolution should be made public.

Appeals against decisions taken or actions taken by the Body are managed in the terms set out below but do not suspend the validity of these acts until the conclusion of the related treatment. Appeals must be submitted by registered letter with return receipt. within 15 (fifteen) working days, from the notification of the deed in question.

ATS confirms within 5 (five) following working days, by fax, the receipt and acceptance of the appeal, communicating at the same time the name (s) of the persons to whom the appeal examination is entrusted, and also committing to provide the applicant, upon request of the same, with information on the progress of the management of the appeal.

The management of appeals is carried out, with due distinctions, by procedures similar to those adopted for the management of the complaints referred to in the previous point, starting from an initial examination of the relative soundness and admissibility, by the Technical Manager of the Division concerned provided that not involved in the contents of the appeal itself, with the assistance of the Quality Manager.

This management must ensure that any previous analogous cases are duly considered, that all management phases are correctly recorded and that all applicable corrections and corrective actions are defined and proposed.

The final decisions are formulated, reviewed and approved by a Commission composed of the Technical Manager of the Operating Division concerned, the Director and the Sole Administrator.


Within the 3 months following the presentation of the appeal, ATS provides for the closure and notification of the outcome of the appeal to the claimant by registered letter with return receipt.

## 11. Litigation

For all disputes that may arise between the parties regarding the interpretation, implementation, execution, validity and effectiveness of the inspections carried out, the Court of Ravenna is exclusively competent.

## 12. Confidentiality



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The activities carried out by ATS cannot disregard the evaluation of data and documents that represent sensitive elements of the Company's know-how and / or information subject to guarantee of the privacy of the Applicant, to guarantee the necessary confidentiality on the same, ATS adopts what is prescribed by the law of 21st December 2018 n. 171 of the Republic of San Marino which reforms the law of 1 March 1983 n. 27 which regulates the computerized collection of personal data and it also adopts measures aimed at protecting data and information obtained during verification activities.

ATS does not disclose the aforementioned data and information, except where required or required by law, in any case requesting consent or producing a written notice to the Applicant concerned, extends the obligation of confidentiality to all internal personnel and external involved in the activities referred to in these Regulations and adopts appropriate control, management and conservation measures of the information conveyed on computer media, aimed at preserving also the intellectual properties of the customers.

The Applicant explicitly approves that the information and deeds relating to the activities carried out are accessible to ACCREDIA and to the ATS Certification Committee for the control activities envisaged by the reference Regulations.

### **13. Changes to the Regulation**

The continuous updating of the legislative and legislative framework applicable to the activities carried out by ATS and involved in this regulation may require the modification of one or more paragraphs thereof.

ATS makes the latest updated version of the Regulation available on its website, at its headquarters or sends a copy in electronic format upon request of the customers.

The Applicant undertakes to comply with the new conditions set by the Regulation, as indicated in par. 1. The updating of the Regulation cannot be considered just cause for withdrawal from the contract signed with ATS.

ATS will send information to customers on the issue and the new vision and regulation.

### **14. Economic and contractual conditions**

The economic conditions applied by ATS (amount required for activities, payment methods, duration and withdrawal from the contract) are shown in the Offer document prepared by ATS for the activities referred to in this regulation and are based on the information provided by the Applicant as described in par 9.1 and refer to the items in the Tariff 2, defined by the Body Management.

The feedback in the verification, of any inconsistencies with the data provided by the applicant, will result in the adoption of appropriate changes to the economic conditions that will be reported at the time of invoicing.

### **15. Withdrawal and suspension**

Without prejudice to the withdrawal conditions stated in the contract document, ATS may decide to withdraw from the contract signed with the applicant, if he does not comply with the payment of the amounts due within a period subsequent to 90 days. at its sole discretion, by the sole responsibility of the applicant, without the need for an assessment or judicial decision, as this is an express termination clause.


Alternatively ATS may decide to suspend the execution of the activities envisaged by the contract until the position is regularized, reserving the right to act, in court for the recovery of the amount due.

### **16. Use of the Accredia brand**

The customer is prohibited from using the Accredia brand

<sup>1</sup> Existence of well-founded conflicts of interest, previous unethical behavior, etc.

<sup>2</sup> The Rates list can be consulted at the headquarters of the Body following a written request by the legal representative of the applicant.

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**ANNEX A – PRIVACY INFORMATIVE**

**INFORMATION AND CONSENT TO THE SENSES**  
of the art. 8 of the law of 21st December 2018 n. 171 of the Republic of San Marino

The undersigned in his capacity as legal pro-tempore

representative of the Company

with registered office in

street\_

(following named "company") in relation to existing contractual relations with Automotive Technical Service S.r.l. with registered office in DOGANA – San Marino in Via Consiglio dei Sessanta, 99 and to the contractual relationships that will be maintained in the future declares and as far as reasonably expressly consents:

1. That the "personal data" of the company, also provided verbally in the past as well as those that will be provided in the future in the context of the management of the contractual relationship and also in the phases preceding and following it, are treated by Automotive Technical Service Srl for management, statistical, commercial, marketing, promotional, credit protection, credit management and credit transfer, prevention of over-indebtedness, through consultation, processing, comparison, interconnection, communication / dissemination and any other appropriate processing operation;
2. That the provision of the requested data is necessary for the purpose of stipulating and managing any contractual relationship;
3. That the aforementioned data may be communicated to companies, organizations, consortia or associations for the purpose of protecting credit, which may communicate the data in the context of their members, adherents, users and their assignees within the limits of their respective institutional purposes;
4. That the aforementioned data may also be communicated / disseminated - or can be given possible access - to subsidiaries, parent companies or associates, as well as to companies, institutions, consortia and associations, operating in San Marino or other countries that are members of the U.E. and members of the UN, having the commercial, market research, marketing, management, management and information systems, insurance, banking or non-banking financial intermediation, factoring, credit recovery, which in turn, they will be able to communicate the data, or grant access to them, within their members, adherents, users and their assignees for specific markets, direct marketing and promotion or sales. In relation to the processing of the aforementioned data (of which it is "Owner and Manager" Auto motive Technical Service S.r.l.) the Company has the right to obtain on request by Automotive Technical Service S.r.l. : a) The confirmation of the existence of personal data that in this regard, even if not yet recorded and the intelligible communication of the same data and their origin, as well as the logic on which the treatment is based; the request can be renewed, subject to the existence of justified reasons, with an interval of no less than ninety days; b) The cancellation, transformation into anonymous form or blocking of data processed in violation of the law, including those of which need not be kept for the purposes for which the data was collected; c) The update, the rectification or, if interested, the integration of the data; d) The attestation that the operations referred to in b) and c) have been made known, also with regard to their content, to those to whom the data have been communicated and disseminated, except in the case in which such knowledge proves impossible or involves a disproportionate use of demonstrating means with respect to the protected right. The Company has the right to know, by accessing the register referred to in art. 8 of the law 23 May 1995 n. 70, the application of the processing of the data which may be related to it and to oppose in whole or in part, for legitimate reasons, to the processing of personal data concerning him, even though pertinent to the purpose of the collection, as well as to oppose, by exercising this right free of charge, to the processing of personal data that is provided for the purpose of commercial information or the sending of direct sales advertising material or for carrying out market research and interactive commercial communication.

Place and date

Stamp and signature of the Company