



# EU BATT NOTIFIED BODY CERTIFICATION AGREEMENT

## INTRODUCTION

Certificates, notifications and documents are issued on the understanding that all applicants / certificate holders will comply with the following terms and conditions and regulations stipulated within the Battery Regulation (EU) 2023/1542. For clarity, wherever the terms “certificate”, “certification” or “certificate holder” appear in this Agreement, such terms shall be interpreted as including “notification letter”, “notification” and “notification holder,” unless the context explicitly requires otherwise.

## OWNERSHIP

Certificate documents issued by Intertek remain the property of Intertek and must be returned if so requested.

## MISUSE OF CERTIFICATES

The Certificate holders must ensure that certificates or reports are not used inappropriately, incorrectly or in a misleading manner.

Certification holders may make claims regarding certification only in respect of the scope for which certification has been granted.

Certificate holders must not use their certification in any manner that may bring the Notified Body into disrepute or make claims regarding their certification that may be considered misleading or unauthorised.

Upon suspension or withdrawal of certification, certificate holders must discontinue use of all advertising material and remove any public statements that contain reference to the certification or documents and return any to Intertek.

Certificate holders may use certification only to indicate that products are certified as being in conformity with the referenced Standards and Regulation.

In referring to product certification in communication media (e.g. documents, brochures or websites), the certification holder must comply with the requirements as provided from time to time by the Notified Body and stipulated this agreement.

Regulations governing the use of European Union mark of conformity such as but not limited to CE symbol are published by the responsible European authorities. Labels on products may only be marked as identified in accordance with the Battery Regulation (EU) 2023/1542

## MODIFICATIONS TO CERTIFIED PRODUCTS OR CHANGES WITHIN A COMPANY

If it is necessary to change the design of a product that is the subject of an existing Notified Body Opinion, Intertek must validate the revised design change.

Intertek must approve any documentation, drawings or other information that describes the change and further evaluation may be necessary. Written validation will take the form of a new Certificate prior to the product being placed onto the market. The Certificate holder shall immediately inform Intertek if there are any changes in the ownership, structure, production quality controls or management of a manufacturer or supplier that holds Intertek Certification.

When the attestation of conformity of production is based on the surveillance procedures as in Annex IV - Module D1 - ANNEX VIII part B, the applicant shall communicate all changes to the quality system of the production sites, before adopting them. The Notified Body shall evaluate any proposed changes and decide whether the modified quality system will continue to meet the requirements or reassessment is necessary. The Notified Body shall notify the manufacturer of its decision. The notification shall contain the conclusions of the examination and the reasoned assessment decision.



## **MODULE D1 – QUALITY ASSURANCE OF THE PRODUCTION PROCESS – REGULATION (EU) 2023/1542 ANNEX VIII PART B**

Manufacturers must implement quality controls satisfying the requirements of module D1. An ISO9001 quality management system will satisfy many of the requirements of this module, which cover Quality Management, Design, Manufacturing and Supply Chain. The Notified Bodies notified under the Battery Regulation are required to verify that Module D1 is in place and check that issues specific to the manufacturing of batteries covered by the notification are adequately covered. Upon satisfactory review of documentation in Stage I and a successful on-site audit in Stage II, the Notified Body shall issue a Notification which authorises the certificate holder to place the EU Notified Body identification number after the CE logo on the battery that meets the applicable requirements. Annual surveillance visits are performed to verify continued conformity with the requirements of Module D1. Recertification is required every three years.

## **MODULE G – CONFORMITY BASED ON UNIT VERIFICATION – REGULATION (EU) 2023/1542 ANNEX VIII PART C**

Upon satisfactory review of the applicants submitted Technical File and examination and fulfilment of the essential requirements under Article 17(1)(b)(ii), the Notified Body shall issue a Certificate which authorises the certificate holder to place the EU Notified Body identification number after the CE logo on the battery that meets the applicable requirements.

### **COMPLAINTS AND APPEALS**

All appeals shall be conducted in accordance with ISO/IEC 17065 clause 7.13, whereby the Applicant or a Certificate holder has the right to appeal with respect to decisions made by Intertek. Intertek operates an appeals and disputes process that can be initiated in the event of a dispute. The Applicant or Certificate holder can submit an appeal in writing. The appeal in writing is submitted to the local Country Quality Manager.

### **WITHDRAWAL, SUSPENSION AND TERMINATION**

The Certificate holder has the right to terminate certification at any time, if the Certificate holder discontinues manufacturing of the product, they are obliged to inform the Certificate issuing body of this request, the issuing body shall terminate certification immediately.

The Certificate holder shall cease to claim that products manufactured are certified, failure to do so may result in legal action taken by Intertek.

Intertek shall be entitled to withdraw certification for the following reasons:

- Non - payment of fees
- Misuse of the Notified Body PID where applicable
- Non - approved modifications
- Failure to inform Intertek of complaints from the field
- Non - conforming product placed onto the market
- Presence of major non-conformities during an audit that make the product non-compliant with the essential requirements in the Regulation.
- No possibility for Intertek to access the applicant's production site to carry out the necessary surveillance activities
- Failure to implement corrective actions

The Notified body shall withdraw the Certification with immediate effect if any of the causes for withdrawal mentioned above are not resolved within the specific time frame detailed by the Notified Body.

### **APPLICANT REQUIREMENTS (FROM ISO/IEC 17065)**

Applicants for Product Certification and holders of product certification must:

- a) Always comply with the relevant provisions of the certification program
- b) Make all necessary arrangements for the conduct of the evaluation, including provision for examining documentation and access to all areas, records (including internal audit reports) and personnel for the purposes of evaluation (e.g. Testing, inspection, assessment, surveillance, reassessment) and resolution of complaints.
- c) Make claims regarding certification only in respect of the scope for which certification has been granted.
- d) Not use their product certification in such a manner as to bring Intertek into disrepute. And not make any statement regarding its product certification which Intertek may consider misleading or unauthorized.



- e) Upon suspension or cancellation of certification, discontinue its use of all advertising matter that contains reference thereto and promptly return any certification documents as required by Intertek.
- f) Use certification only to indicate that products are certified as being in conformity with specified standards.

Applicants for Product Certification and holders of product Certification shall:

- g) Immediately inform Intertek about any change or intended modification to a product, manufacturing process, or, if relevant, to their quality system, which affect the conformity of the product. Intertek will determine whether the announced changes require further investigations. If such is the case, the Applicants or Certification holder will not be allowed to release certified products resulting from such changes until Intertek notifies the Applicant or Certification holder accordingly.

Applicants for Product Certification and holders of product Certification shall:

- h) Immediately notify Intertek in the event of: Changes in the ownership, structure or management of the supplier, if relevant, or in the case of any other information indicating that the product may not comply with the requirements of the certification system.

Applicants for Product Certification and holders of product Certification shall:

- i) Keep a record of all complaints made known to the Applicant or Certification holder relating to a products compliance with the requirements of the relevant standard and must make these records available to the certification body when requested.
- j) Take appropriate action with respect to such complaints and any deficiencies found in products of services that affect compliance with the requirements for certification.
- k) Document the actions taken.

**LEGAL ENTITIES CONCERNED ON SIGNING UP TO THIS AGREEMENT:**

Intertek Semko AB, Torshamnsgatan 43, Box 1103, 164 22 Kista, SWEDEN. Org. No. 556024-0599.

Intertek Standard Terms and Conditions of Service and Intertek General Terms and Condition for Product Conformity Assessment Services apply to this Certification Agreement. The Applicant and Certificate holder can access these documents by using this link: <https://www.intertek.se/om-oss/etikpolicy-och-avtal>

By executing this Certification Agreement, the Applicant or any Certificate Holder acknowledges that they have read, understand and unconditionally accept all terms and conditions of this Certification Agreement.

<b>Name:</b>	
<b>Position at Company:</b>	
<b>Date:</b>	
<b>Signature:</b>	