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## UKCA PE(S)R Scheme Rules

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### 1. Scope

- 1.1 These scheme rules set-out the obligations of manufacturers applying for UKCA marking of their equipment, as well as the responsibilities of the approved body SGS United Kingdom Limited (SGS) while carrying out their duties under the PE(S)R.

### 2. Confidentiality

- 2.1 SGS maintains confidentiality at all levels of the organisation concerning information obtained during its business. No information will be disclosed to any third part unless in response to legal process or with a prior notice and permission of the manufacturer.
- 2.2 SGS has an obligation under its PE(S)R appointment that, upon request, it shall make publicly accessible a directory of valid certificates issued. The directory shall show the name, relevant normative document, scope and geographical location (e.g. city and country) for each certified client.

### 3. General conditions

In order to obtain and retain certification according to the PE(S)R, the manufacturer shall comply with the following rules:

- 3.1 The manufacturer shall make available to SGS all documents, samples or products, drawings, specifications and other information required by the PE(S)R to complete the assessment programme and shall appoint a designated person who is authorised to maintain contact with the PE(S)R Engineer at SGS.
- 3.2 The manufacturer shall provide access for conducting scheduled and unexpected visits by SGS, that can include observers (i.e. UKAS) to manufacturing facilities, storage areas and any other relevant sites, as per the requirements of the relevant PE(S)R Conformity Assessment modules.
- 3.3 Similar access will also be provided for scheduled and unexpected visits by SGS to potential sub-contractor's manufacturing facilities, storage areas and any other relevant sites, as per the requirements of the relevant PE(S)R Conformity Assessment module/s.
- 3.4 The manufacturer shall not lodge a similar application for UKCA marking for the same equipment with another approved body.
- 3.5 SGS, if not satisfied that all certification requirements are met, shall inform the manufacturer of those aspects in which the application has failed to comply.
- 3.6 When the manufacturer can show that remedial action has been taken, within the time specified to meet all the requirements, SGS will arrange, at additional cost to the manufacturer, to repeat the necessary parts of the assessment, (this may necessitate revisiting other parts that may have already been assessed).
- 3.7 If the manufacturer fails to take acceptable remedial action within the specified time limit it may be necessary for SGS, at additional cost, to repeat the assessment in full.



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- 3.8 Identification of conformity shall refer only to the sites and/or equipment assessed as specified in PE(S)R Conformity Assessment module/s.
- 3.9 The manufacturer shall maintain a register recording all customer complaints and safety-related incidents reported by an enforcing authority or users relating to the equipment covered by the certification and shall make this available to SGS on request.
- 3.10 SGS makes its certification services available to all Organizations that request them and that undertake to comply with these scheme rules and the requirements of the reference standards, without applying discriminatory policies or procedures that prevent or limit access to the Certification.

### 4. Application for PE(S)R assessment & certification

- 4.1 On receipt of a completed application form, and acceptance of the SGS proposal the Engineer will allocate the relevant resources for ensuring that all the services are carried out in accordance with the PE(S)R.
- 4.2 Prior to or following such acceptance, SGS will communicate the following information to the client:
- A description of the initial and continuing certification activity applicable to the applied conformity assessment module.
  - Any processes for granting, refusing, maintaining, suspending, restoring, or withdrawing certification as well as increasing or reducing the scope of certification.
  - The normative requirements for certification.
  - Information regarding the fees involved with the certification process.
  - SGS's requirements to their clients to comply with the certification requirements as outlined within this document.
  - Details concerning the rights of both parties.
  - Information on the complaints and appeals process as outlined in this document.
- 4.3 The client shall notify SGS of any changes in accordance with section 8.2 of this document.
- 4.4 SGS shall notify its certified clients of any changes to the requirements of certification and, in due time, request evidence of compliance to any new requirements.

### 5. Certification & marking

- 5.1 When SGS is satisfied that the manufacturer meets all the certification requirements, it will inform the manufacturer and issue the relevant PE(S) certificate. The certificate shall remain the property of SGS and may only be used as directed by the PE(S)R.
- 5.2 The certificate will remain valid for the period stated on the certificate unless surveillance reveals that the equipment or quality system no longer satisfies the requirements of the PESR.



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- 5.3 Upon issue of the relevant certificate, the manufacturer may use the “UKCA” mark together with SGS identification number for PE(S)R of 0120. However, this number shall only be applied after all UKCA schemes assessed by SGS have been completed in a satisfactory manner.
- 5.4 UKCA mark and Approved Body Number shall only be affixed to pressure equipment which has been certified by design or unit verification or falls within the scope of the manufacturers Quality System Approval Certificate.
- 5.5 Any statements (on product packaging or alike) to indicate quality management system approval shall refer to the client (identification, brand etc.) as a certified client, the type of approved management system, the applicable standard and the certification body responsible for the quality management system approval (SGS). It shall not, under any circumstances or in any way, imply that a product, service, or process is certified through their quality management approval.
- 5.6 The certified clients of SGS as an approved body shall not under any circumstances apply the UKCA Mark or SGS United Kingdom Approved Body Number to any laboratory test, calibration or inspection reports or certificates.
- 5.7 The manufacturer understands and appreciates the certificates or approvals issued by SGS are constricted to the scope and listed sites stated on that certificate or approval document. Any activities not indicated on that document have not been certificated or approved by SGS unless listed on another certificate issued to that manufacturer.
- 5.8 Any misuse of the UKCA or Approved Body mark (including but not limited to clauses 5.1 – 5.7 of this document) will be dealt with accordingly by SGS. Actions may include request of corrective action, reduction, withdrawal or suspension of certificate and informing the Secretary of State and the relevant enforcing powers.

## 6. Surveillance

- 6.1 The manufacturer must abide by all PE(S)R requirements for using the UKCA mark and relevant certification. SGS will investigate any misuse or complaint of misuse of UKCA mark carrying its identification number and will take necessary actions as required by the relevant regulations.
- 6.2 Periodic surveillance visits shall be carried out as required by the PE(S)R. These will include scheduled and unexpected visits to manufacturer’s sites. SGS may also carry similar scheduled and unexpected visits to subcontractor’s sites as may be directed by the requirements of the PE(S)R.
- 6.3 Periodic surveillance audits shall be scheduled such that 1<sup>st</sup> surveillance is carried out within 6 months of the initial assessment and thereafter a minimum of 1 audit is carried out in a 12 month period; additional visits may be required by the engineer based on the following criteria:
- ☐ The category of the equipment,
  - ☐ The results of previous surveillance visits,
  - ☐ The need to follow-up corrective action,
  - ☐ Special conditions linked to the approval of the system,



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- ☐ Significant changes in manufacturing organisation, policy or techniques.

6.4 The manufacturer shall be informed of the results of each surveillance visit.

### 7. Certificate renewal & extension

#### 7.1 Quality modules

7.1.1 Under the provision of SGS Certification rules for the Quality Modules there is a requirement for the clients to agree to the following Certification conditions:

- i) 1st stage audit – at least 1 man day
- ii) 2nd stage audits – at least 2-man days - 2nd stage audit shall be performed within 6 months of the 1st stage audit, otherwise a new 1st stage audit is required, and the costs will be borne by the manufacturer.”
- iii) 1st and 2nd surveillance – at least 1 man day per visit
- iv) Unexpected visits at least half a day – the number of unexpected visits will depend on audit results and/or any complaints or request from market regulators, authorities, end users or any other source. The basis of these unexpected visits will incorporate factors such as, the hazard category of the pressure equipment, the results of previous visits, any special conditions to the system approval and/or any significant changes in the organisational policies, structure, or techniques. The decision to conduct unexpected visits are at the discretion of SGS, all costs incurred during these unexpected visits shall be charged back to the client.
- v) For renewals, cycle is the same man days without 1st stage audit.

All above stated man days are the minimum, **SGS is allowed to apply higher number of man days if needed.**

7.1.2 The client shall accept presence of observers from our Accreditation Body (UKAS) in audits performed by SGS.

7.1.3 The Accreditation Body (UKAS) can only Audit SGS activities and not SGS's client during such visits.

7.1.4 Auditors/Observers from Accreditation Body (UKAS) are under same confidentiality and integrity rules as SGS' auditors. No costs will be charged to clients in any circumstance due to Accreditation Body (UKAS) activities.

7.1.5 Quality module certificates are issued with a validity of 3 years and are subject to ongoing period surveillance. Renewal audits shall be carried out in the last year prior to expiry of the certificate. The new certificate shall be valid from the date of expiry of the original certificate or the date of certification decision, whichever is the later. Responsibility for timely completion of the renewal process, and hence issue of the certificate, shall be with the manufacturer.



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- 7.1.6 In order to extend the scope of a certificate to cover additional sites or equipment, the manufacturer will be required to complete a new application form.
- 7.1.7 Following a successful assessment, an amended certificate will be issued covering those aspects covered by the extension.
- 7.1.8 The manufacturer understands and appreciates that a management system approval shall not be used or marketed in a way which implies SGS has certified a product, process, or service.

### 7.2 Type approvals

- 7.2.1 Type approvals issued under PE(S)R shall have a 10-year validity and may be renewable upon application by the manufacturer. Responsibility for identifying type approvals which are reaching the expiry date and for initiating the renewal process in a timely manner lies with the manufacturer.
- 7.2.2 The manufacturer shall submit a PE(S)R application for each existing approval for which renewal is being sought. Each application is to be accompanied by documentation covering any changes to codes/standards used as the basis for conformity to PE(S)R ESR's, any changes to design/materials/manufacturing methods/inspections/tests made by the manufacturer and a comparison between original and new requirements for all changes identified.
- 7.2.3 SGS will assess the application and if satisfied that the original approval is still valid, prepare and issue a new type approval certificate or otherwise request further information to enable certification to be issued.
- 7.2.4 All costs incurred by SGS in reviewing renewal applications will be charged to the manufacturer.

## 8. Modification to approve design/type or quality system

- 8.1 The manufacturer shall inform SGS, in writing, of all modifications to the equipment type, design, manufacturing processes or quality system. SGS will determine whether the notified changes require additional assessment. Failure to notify SGS of any intended modification to the approved design/type or quality system may result in suspension of certification.
- 8.2 The manufacturer shall also inform SGS of any matters which affect the capability of an approved management system to continue to fulfil the requirements of the standard used for certification/quality approval. These factors can include:
- The legal, commercial, or organisational status or ownership of the manufacturer
  - Organization of key personnel and management
  - Main addresses or manufacturing sites
  - Scope of operations under the certificate or quality management approval
  - Any major changes to the management system and its processes.
- 8.3 All costs incurred by SGS in reviewing the modifications will be charged to the manufacturer.



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### 9. Publicity by manufacturer

- 9.1 A manufacturer may refer in the media that its equipment carries the “UKCA” mark. The manufacturer may not apply the “UKCA” mark to its equipment unless it has completed certification as per the Assessment Module/s of the PE(S)R.
- 9.2 In every case, the manufacturer shall ensure that in its publications and advertising material, no confusion arises between certified and non-certified equipment. The manufacturer shall not make any claim that could mislead third parties to believe that certain equipment has been certified when, in fact, it has not.
- 9.3 Where the manufacturer provides copies of the certification documents to others, the documents shall be reproduced in their entirety
- 9.4 The manufacturer shall not use or exploit its certification in a way which endangers the reputation of SGS or bring the SGS into disrepute and cause a loss of public trust.

### 10. Misuse of certificate & mark

- 10.1 SGS shall take suitable actions, at the expense of the manufacturer, to deal with incorrect or misleading reference to registration or use of certification and “UKCA” mark. These include suspension or withdrawal of certificate, legal action and/or publication of the transgression.

### 11. Suspension of certificate

- 11.1 A certificate may be suspended by SGS for a limited period in cases such as the following:
- If a Corrective Action has not been satisfactorily complied with within the designated time limited;
  - If a case of misuse is not corrected by suitable retractions or other appropriate remedial measures by the clients;
  - If there has been any contravention of the proposal, application, PE(S)R conditions for certification or Scheme Rules; or
  - If equipment is being placed on the market in an unsafe or non-conforming condition.
- 11.2 The Manufacturer shall not identify itself as certified and shall not use any “UKCA” mark on any equipment that has been offered under a suspended certificate. During the suspension period, the manufacturer understands their management system certification is not valid.
- SGS will confirm in writing to the manufacturer the suspension of a certificate. At the same time, SGS shall indicate under which conditions the suspension will be removed. At the end of the suspension period, an investigation will be carried out to determine whether the indicated conditions of restarting the certificate have been fulfilled. On fulfilment of these conditions the suspension shall be lifted, and the manufacturer notified of the certificate reinstatement. If the conditions are not fulfilled the certificate shall be withdrawn.
- 11.3 SGS has an obligation as an approved body to inform the notifying the Secretary of State and any other enforcement authorities deemed necessary of suspension of a certificate.



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11.4 All costs incurred by SGS in suspending and reinstating a certificate will be charged to the manufacturer.

11.5 The manufacturer may give notice of appeal.

### **12. Withdrawal of certificate**

12.1 SGS has the right to withdraw certification by informing the manufacturer in writing when any of the PE(S)R requirements is not satisfied.

12.2 SGS also has the right to withdraw certification in the following cases:

- The manufacturer takes inadequate measures in case of suspension or goes out of business;
- In the case of equipment certification, the equipment does not conform to the PE(S)R or are no longer offered; or
- The manufacturer terminates its contract with SGS.
- Failure to submit to a PE(S)R surveillance visit

12.3 The Manufacturer shall not identify itself as certified in any marketing or advertising material and shall not use any “UKCA” mark on any equipment that has been offered under a withdrawn certificate.

12.4 In cases of the withdrawal no reimbursement of assessment fees shall be given.

12.5 SGS has an obligation as an approved body to inform the notifying the Secretary of State and any other enforcement authorities deemed necessary of withdrawal of a certificate.

12.6 The manufacturer may give notice of appeal.

### **13. Cancellation of certification**

13.1 A Certificate will be cancelled if the manufacturer advises SGS in writing that it does not wish to renew the relevant certificate or no longer offers the equipment.

13.2 In cases of cancellation a close out audit may be required. All costs incurred by SGS in carrying out the close out audit will be charged to the manufacturer.

13.3 The Manufacturer shall not identify itself as certified and shall not use any “UKCA” mark on any equipment that has been offered under a cancelled certificate.

13.4 SGS shall inform the Secretary of State and any other enforcement authorities deemed necessary of any certificate cancellations.





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### **14. Recognition of accreditation to a harmonised standard**

SGS will generally recognise the registration of other accredited organisations to a harmonised standard where this does not compromise the integrity of the quality management system or equipment as dictated by the PE(S)R assessment modules.

### **15. Appeals**

- 15.1 If, for any reason, notification is given which may result in a certificate not being issued, suspended or being withdrawn, the manufacturer has the right to appeal.
- 15.2 Notification of the intention to appeal must be made in writing and received by SGS within seven days of receipt of notification of the non-issue, suspension, or withdrawal of the certificate. The notification should be addressed to the Technical Manager at the address given on the PE(S)R application form.
- 15.3 The manufacturer will be required to support his appeal by relevant facts and data for consideration during the appeal procedure.
- 15.4 In instances where the appeal has been successful and the Certificate issued or reinstated, no claim can be made against SGS for reimbursement of costs, or any other losses incurred as a result of the withholding, suspension or withdrawal notification.

### **16. Complaints**

- 16.1 If a manufacturer, end user or other sources have cause to complain regarding the conduct of employees of SGS, SGS operational practises or quality of a certificated product under the authority of SGS, the complaint shall be made in writing, without delay and addressed to the Business Manager, Industrial Services at the address given on the application form. If the complaint is made against the Business Manager, the letter of complaint shall be addressed to the Managing Director.
- 16.2 Where complaints are received by the certified client regarding the compliance with certification requirements the manufacturer shall keep a record of these, make these available to SGS upon request, take appropriate actions to resolve these complaints and document any actions taken regarding such complaints.

### **17. Reduction to Certificate Scope**

- 17.1 SGS has the right to reduce certification scope by informing the manufacturer in writing when any of the PE(S)R requirements are not satisfied.
- 17.2 SGS also has the right to reduce certification scope in the following cases:
  - SGS feels as though certain aspects of the client's certification scope are no longer in conformity determined by means of monitoring or surveillance audits etc.
  - The manufacturer submits a request to SGS United Kingdom to reduce their certification scope.





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- Where SGS has requested the manufacturer to take corrective action and the manufacturer has failed to take such measures, or the corrective measures have not had the required effect.
- Changes in regulatory requirements deem a manufacturer now non-compliant with the evidence of conformity made available to SGS.

17.3 If a reduction to scope is instigated for whatever reason, this shall be reflected within the clients marketing material to avoid any misinterpretation of the client's certification status.

17.4 SGS has an obligation as an approved body to inform the notifying the Secretary of State and any other enforcement authorities deemed necessary of reduction of a certificate scope.

17.5 All costs incurred during the process of reducing certificate scope will be chargeable to the manufacturer.

17.6 The manufacturer has the right to appeal.

### 18. Recertification

18.1 A stage 1 Audit is considered where significant changes to the management system are determined.

18.2 SGS may recommend recertification where recertification activities are successfully complete prior to the Certificate expiry date.

18.3 Recertification or certificate extension cannot be recommended where the recertification audit or closure of any major non-conformities action effectiveness cannot be verified prior to the current Certificate's expiry date. In such circumstances the client shall be informed, and consequences explained.

18.4 Certification may be restored within a period not exceeding 6 months providing that all outstanding certification activities are successfully completed.

18.5 At least a stage 2 Audit will be completed where outstanding certification activities are not completed within 6 months of the existing certification expiry date. In such circumstances the effective Certificate date shall be on or after the recertification decision date and the expiry date based on the previous certification cycle.

**THE INSPECTION BODY RESERVES THE RIGHT TO ADD TO, DELETE OR CHANGE THESE SCHEME RULES WITHOUT PRIOR NOTIFICATION.**

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