

Kraftfahrt-  
Bundesamt



# Rules for designation/recognition of technical services

(Category C)

Version: 23 June 2017

Type  
Approval





## Contents

	Page
<b>1 General.....</b>	<b>2</b>
<b>2 Scope of the designation .....</b>	<b>3</b>
<b>3 Responsibilities .....</b>	<b>3</b>
<b>4 Designation procedure .....</b>	<b>3</b>
<b>5 Designation, recognition, notification, acceptance in the type approval procedure of the KBA .....</b>	<b>3</b>
<b>6 Extension to the designation .....</b>	<b>4</b>
<b>7 Designation on basis of a certificate of accreditation .....</b>	<b>4</b>
<b>8 Restriction, suspension, cancellation, revocation, abandonment of the designation.....</b>	<b>5</b>
<b>9 Appeal .....</b>	<b>7</b>
<b>10 Rights and obligations of the certification body .....</b>	<b>7</b>
10.1 Rights .....	7
10.2 Obligations .....	8
<b>11 Obligations of the KBA.....</b>	<b>9</b>
<b>12 Confidentiality, discretion, privacy policy .....</b>	<b>10</b>
<b>13 Changes to the designation .....</b>	<b>10</b>
<b>14 Fees.....</b>	<b>11</b>
<b>15 Other .....</b>	<b>11</b>

### Annexes: <sup>1</sup>

Annex 1	Terms and abbreviations.....	12
Annex 2	Designation procedure.....	16
Annex 3	Obligations of certification bodies concerning approval relevant requirements.....	20
Annex 4	Basic requirements for personnel.....	25
Annex 5	Fees.....	29

---

<sup>1</sup> Binding

## Rules for designation/recognition of technical services (C)

---

### 1 General

The Kraftfahrt-Bundesamt (KBA) evaluates the competence of organizations evaluating quality management (QM) systems for approval procedures according to the Decree on re-organisation of legislation for EC approval procedures (EG-FGV). As a result, these organizations are designated as technical service (TS) category C in terms of the framework directive 2007/46/EC, **the framework regulations (EU) 167/2013 and 168/2013<sup>2,3</sup>, as well as** the UNECE agreement of 1958.

The designation will be performed according to a procedure developed by the KBA on the basis of ISO/IEC 17011, ISO/IEC 17021-1<sup>4</sup> and approval relevant regulations. The Federal Act on Fees (**Bundesgebührengesetz–BGebG**) and the Administrative Proceedings Act (**Verwaltungsverfahrensgesetz-VwVfG**) are valid.

Designation/recognition<sup>5</sup> of technical services<sup>6</sup> is aimed at documenting the competence of these bodies for evaluation of quality systems according to national and international legislation, and at promoting confidence in the certificates of these bodies. It is precondition for activities within the KBA type approval procedure.

All prospective clients have equal access to the procedures leading to the designation.

Preconditions for designation are<sup>7</sup>:

- Meeting of general criteria for the operation of certification bodies according to ISO/IEC 17021-1
- Meeting of approval relevant requirements
- Acceptance of these Rules for designation/recognition<sup>8</sup> **and the “Sanctioned interpretations” published on the internet ([www.kba.de](http://www.kba.de)).**

An applicant can only be designated as TS if it is located in the European Union or in a third country according to the framework directive 2007/46/EC article 41 paragraph 8.

---

<sup>2</sup> Or relevant replacing legal acts.

<sup>3</sup> As far as relevant, also the Regulations (EU) 167/2013 and 168/2013 as well as the UNECE agreement of 1958 are included with denomination of the framework directive 2007/46/EC, as long as it is not expressly differently represented.

<sup>4</sup> As long as it is not expressly differently represented, standards and legal acts are to be applied in their latest version.

<sup>5</sup> For better legibility, under the term “designation“ and its derivatives apart from the actual designation also the consequently resulting notification **and the recognition in accordance with the EG-FGV (with regard also to replacing EU legal acts)** are understood in the following, as long as it is not expressly differently represented.

<sup>6</sup> Here and in the following, the term “technical service” covers also applicants to become a technical service.

<sup>7</sup> Here and in all other listings, items are linked by AND relation, as long as it is not expressly differently represented.

<sup>8</sup> In the following, the term “designation rules” will be used.

## Rules for designation/recognition of technical services (C)

---

### 2 Scope of the designation

The designation is valid within the KBA type approval procedure.

### 3 Responsibilities

The KBA is responsible for the execution of the procedure which leads to designation, the designation as TS itself and the notification.

Decisions about initial designation, suspension, withdrawal etc. are taken by the KBA Designation Council. The Designation Council acts also as Appeal Committee.

The TS is responsible for the fulfilment of requirements specified in these designation rules, in particular of the obligations specified in section 10.2.

Details are described in the following sections.

### 4 Designation procedure

The process of the designation procedure is represented in Annex 2.

Further information and forms are available on the internet.

### 5 Designation, recognition, notification, acceptance in the type approval procedure of the KBA

In accordance with EU and UNECE regulatory acts, the positively evaluated organization will be designated as TS category C and recognized according to EG-FGV.

It will be designated only if all requirements of the KBA are met. It can be designated with reservations (e.g. of a successful witnessing).

As a result, the designated TS will be notified to the European Commission and the Secretariat of the UNECE. In addition, the designation will be published on the internet.

The designation is bound to positive surveillance results.

Attestations about fulfilment of approval relevant requirements and Reports on Conformity of production (CoP) of TS will be accepted in the TAP of the KBA if they

- Correspond to the requirements specified in the TAP
- Do not show deficiencies and the audits were performed according to relevant legal acts
- Fulfill the requirements as given in Annex 3
- Are signed by persons of the TS authorized for this procedure.

The KBA can specify further criteria.

### 6 Amendment of the designation

TS can apply in writing for amending the existing designation. The reason of the application must be described in detail. Necessary documents, e. g. certified copies of extracts from the trade register etc., are to be attached.

The procedure of amendment is analogue to that of the designation. The KBA decides about possible deviations or simplifications.

### 7 Designation on basis of a certificate of accreditation

Basis for the designation on basis of a certificate of accreditation is that the existing certificate of accreditation

- Is granted on the basis of Regulation (EC) 765/2008
- Covers at least ISO/IEC 17021-1
- The accreditation body is officially registered in the European Economic Area
- Is valid.

In this case, the evaluation generally extends only to

- Consideration in the QM system of
  - These designation rules
  - Other approval relevant requirements as for example
    - Knowledge about TAP, including relevant legal acts
    - Knowledge and application of KBA Information Sheets and Guidances as well as of the “Type-approval procedure information collection (IST)”
    - Obligations regarding information policy
    - Analysis of performance
    - Designation relevant requirements to personnel
  - etc.
- Audits on approval relevant requirements.

In all other respects the procedure is carried out as described in Annex 2.

The KBA is authorized to give on request information concerning the designation to the accreditation body, and to ask the accreditation body for information which might be relevant for designation.

The designation is bound to the validity of the laid down certificate of accreditation. In case of restriction or suspension of the accreditation, the KBA evaluates to which extent the designation is concerned.

### 8 Restriction, suspension, cancellation, revocation, abandonment of the designation

In general, restriction or suspension will be carried out in 2 stages. After initiation of the procedure in a first stage, the TS is requested to implement corrective actions. If evidence submitted in result is not sufficient, the designation will formally be restricted or suspended. During restriction or suspension, the designated body can reestablish the required for designation preconditions. If necessary by good reason, designation can be restricted or suspended directly avoiding stage 1.

A procedure for restriction or suspension of the designation will in particular be initiated

- Upon request of the designated body
- At the instigation of the KBA, if
  - Preconditions of designation as described in the application documents and/or seen during the assessments are no longer given fully or partially
  - The designation rules (in particular the obligations in accordance with section 10.2) are breached
  - Major non-conformities were identified during surveillance, if minor non-conformities were not closed in due time, or if the number of minor non-conformities indicates that the QM system has been collapsed
  - Found deficiencies were not verifiably eliminated within the agreed period
  - Surveillance measures could not be realized within the given time limit and the designated body is responsible for this
  - The designated body's activities cause qualified doubts in expertise, impartiality or creditableness
  - In case of designation on basis of a certificate of accreditation, if evidence of continuation of the accreditation is not given in due time.

The designation can be totally or partly suspended. Suspension is limited to a maximum of one year. In general, the restriction or suspension will only be repealed if efficiency of the management system is demonstrated in an on-site assessment. Further on-site assessments or other measures can become necessary for verification of sustainability of initiated corrective actions.

Among others, the designation will be terminated totally or partly

- Upon request of the designated body
- After expiration of the limitation or suspension of the designation
- With revocation or abandonment by the KBA
- If the TS ceases its business in the scope of designation
- On change of these rules, if the designated body disagrees with the change within 1 month of the change and the disagreement is not redressed
- If the change of legal requirements orders this.

## Rules for designation/recognition of technical services (C)

---

Among others, the KBA can revoke a granted designation totally or partly, if

- Preconditions of designation as described in the application documents are no longer given fully or partially and are not renewed within the given period
- The designated body continuously contravenes the requirements of the designation (breach of designation rules, of requirements of ISO/IEC 17021-1 or of approval relevant requirements)
- Despite repeated deadlines, observed deficiencies have not been settled or sufficient evidence for settlement has not been submitted.

The KBA can abandon the designation totally or partly if it is detected that the designation took place on the basis of incorrect data.

The KBA can impose conditions in connection with the restriction, suspension or termination and supervise their fulfilment.

During restriction and suspension as well as after termination, the designation may not be referred to within the area concerned. Respective documents may not be used and must be withdrawn if applicable.

Restriction, suspension, revocation or abandonment are given via official notification. The bodies specified under section 5 will be informed.<sup>9</sup>

In case of offences against these designation rules, the KBA may require that authorization for auditing of approval relevant requirements will be withdrawn from individual auditors.

---

<sup>9</sup> In case of restrictions and suspensions only in exceptional cases after discretion of the KBA.



### 9 Appeal

Appeal against the decision of the KBA is permitted. It must be submitted in writing or for record within 1 month after announcement of the decision to the KBA to:

Kraftfahrt-Bundesamt  
Dienstszitz Dresden  
Postfach 12 01 53  
01002 Dresden  
Germany

The KBA appeal committee decides about the appeal if no agreement can be reached. The decision about the appeal will be communicated in writing as official notification and is accompanied by peremptory legal remedy instructions. In general, appeal has suspensory effect.

### 10 Rights and obligations of the certification body

#### 10.1 Rights

The TS has the right to

- Access to all services of the KBA offered in connection with designation and the TAP
- Get impartial, objective and competent information about the procedure
- Equal treatment with other TS
- Well trained proficient assessors and contact persons
- Reject assessors designated by the KBA
- Confidentiality concerning internal documents and data, which the assessor received during the procedure
- Be designated and notified to the respective bodies (see section 5)
- Publication of the designation by the KBA
- Use the designation for evaluation of QM-systems in relation to ARR
- Use the certificate and the logo for designation in documents and promotional material<sup>10</sup>
- Appeal against decisions of the KBA.

---

<sup>10</sup> The following text can be used in an adequate form: “Technical service category C, designated by the Kraftfahrt-BundesamtGermany, registration number KBA-ZM-A XXXXX-XX”.

## Rules for designation/recognition of technical services (C)

---

### 10.2 Obligations

The designated certification body has to

- Fulfil ISO/IEC 17021-1 and approval relevant requirements
- Accept and fulfill these designation rules<sup>11</sup>
- Fulfill the standards of the KBA concerning the type approval procedure<sup>12</sup>
- **Unsolicited update internal procedures so that they permanently reflect applicable automotive legislation, designation rules and other published KBA requirements**
- **Offer procedures for evaluation of approval relevant requirements only in connection with own certification or verification procedures<sup>13</sup>**
- Organize annually at least one exchange of experiences/training related to approval relevant requirements
- Use only auditors which are competent for evaluation of relevant processes and other competent personnel (see Annex 4)
- **Based on internal evaluation and risk analysis to carry out regular measures to assure the quality of audits**
- **Only in exceptional cases, and only after individual prior acceptance by the KBA subcontract activities regarding ARR**
- Take actively part in any form of exchange of experience, trainings, and workshops
- Identify together with the KBA causes of deficiencies and **to remedy deficiencies**
- Offer all necessary co-operation to the KBA, in particular to give assessors access to all business facilities and information as far as this is relevant to the designation (including documents and records giving information **about the level of independence from related bodies, about impartiality, and about performance of the TS**, as well as documents regarding planned or carried out audits)
- Enable witness-assessments; this includes that manufacturers<sup>14</sup> will be obligated to enable the attendance of a witness-assessor
- Communicate immediately and without being asked to the KBA planned changes in relation to the documents relevant for the designation e. g.
  - Legal, commercial, organizational and ownership status
  - Contact details
  - Organisation, top and key management
  - Basic regulations
  - Autonomous branches<sup>15</sup>
  - Other affairs, which are related to the designation

---

<sup>11</sup> This includes the obligation to fulfill all relevant requirements of the KBA. TS will be informed according to section 11. Further information will be published on the internet.

<sup>12</sup> See Annex 3 and information given by the KBA Type approval department on the internet and through other channels.

<sup>13</sup> The KBA decides about exceptions.

<sup>14</sup> The term “manufacturer” is used for all approval holders and other organizations which are subject to attestation of fulfilment of approval relevant requirements.

<sup>15</sup> For definition see Annex 1.

## Rules for designation/recognition of technical services (C)

---

- Inform the KBA promptly, and wherever possible before the occurrence of the event, if preconditions for the designation become void or restricted
- Inform the KBA as required in Annex 3 section 6
- In case of designation on basis of a certificate of accreditation
  - To inform the KBA about changes and other important aspects in connection with the basis accreditation (e.g. change of scope, validity)
  - To provide assessment results of the accreditation body on request
  - Not to give the impression that the certificate of accreditation relates to specifics of TAP in the content of the designation
- Avoid any statements concerning their designation that can be understood as mistakable or unjustified
- Make certain that no attestation, Report on CoP, audit report or the like created in connection with the designation or a part of them are used in a misleading way
- Use the designation only in the scope for which it has been granted<sup>16</sup>
- Fulfill any requirements of the KBA when making reference to its designation in communication media such as the internet, documents, brochures, advertising
- Use the assigned logo according to the rules for its usage<sup>17</sup> and only in connection with services, which are enclosed expressly within the designation
- Not use the designation in a way harming the reputation of the KBA
- Pay fees as given in section 14.

Fulfillment of these obligations as well as quality of assessments concerning ARR must be evaluated at least once within 12 months. Internal **and witness audits**<sup>18</sup> must be carried out for this purpose in appropriate intervals.

### 11 Obligations of the KBA

The KBA has to

- Carry out a designation procedure in the content of these designation rules
- Guarantee the rights of the TS
- Inform the TS sufficiently and promptly about changes in the procedure and changes of the designation rules **as well as about sanctioned interpretations of regulatory acts relevant for the KBA TAP, designation rules etc.**<sup>19</sup>
- Follow up on complaints about the TS if these are directly addressed to the KBA.

---

<sup>16</sup> In particular, the TS must not offer any service confirming the fulfillment of one of the accreditation standards (e. g. ISO/IEC 17021-1) as long as it acts as designated technical service.

<sup>17</sup> To be downloaded from the internet.

<sup>18</sup> See also Annex 4.

<sup>19</sup> Such information can be given during an exchange of experiences, on the internet ([www.kba.de](http://www.kba.de)) or by other means.

### **12 Confidentiality, discretion, privacy policy**

Personnel of the KBA as well as external persons acting on behalf of the KBA deal confidentially with all information obtained in connection with the designation of the body concerned and analyze it only for the agreed purpose. Documentation or information provided by the TS as well as other information from the designation procedure will not be forwarded to third parties without explicit consent of the TS, except where the law, ISO/IEC 17011 or these designation rules require such documentation or information to be disclosed without explicit consent.

The following data will be published in context with notification and publication of the designation on [www.kba.de](http://www.kba.de) as well as on request:

- Name and address of the technical service
- Contact data of the technical service.

In context of notification, other data can be provided to relevant bodies of EU, UNECE and the German Federal Ministry being in charge of the KBA.

Personal data concerning contact persons and key personnel will digitally and in other form be stored in the KBA for organizational purpose in accordance with the Federal Data Protection Act (Bundesdatenschutzgesetz). In addition, procedure-relevant data is stored digitally and in other form. Privacy and data security is guaranteed. The data is deleted and/or destroyed at the latest 5 years after termination of the designation. Personal data is deleted/destroyed at the latest 5 years after information that the person has left the position.

### **13 Changes to the designation**

The designation will be altered only on special request of the TS. Thereupon, the KBA informs the TS about measures to be initiated and imposes conditions if applicable.

## Rules for designation/recognition of technical services (C)

---

### **14 Fees**

Liability to fees originates with the application and independently of the result of the procedure. The amount of fee depends on the Federal Act on Fees (BGebG) and related decrees in the amendment valid at the time of service provision.

The sliding-scale fees are specified in Annex 5. The fees indicated there can be adapted within the given limits according to the trend of costs.

Fees to be expected can be raised as advance payment.

Fees and traveling expenses (transport, hotel, daily allowance and other) as well as other disbursement will be raised by invoice. Possible bank charges which are due (e. g. with transfers from abroad) are to be paid by the TS.

### **15 Other**

Special agreements are to be documented in writing.

The transfer of the designation to another legal entity is not allowed.

If regulations of the designation rules should not be totally or partly legally effective or not feasible or lose their legal force or feasibility at a later date, then the validity of the remaining regulations is not affected. In place of the ineffective or infeasible regulations or for filling out a possible gap, an appropriate regulation shall be valid which, so far legally possible, is as close as possible to intended sense and purpose of these designation rules.

Claim for compensation in relation to the KBA is impossible, except in cases of intent, with rough negligence or with breach of substantial obligations as given in these designation rules. The TS has to indemnify the Federal Republic of Germany and federal states from all claims of third parties because of damage which is caused by activities in connection with the designation.

### Terms and abbreviations

<b>Accreditation</b>	Formal confirmation by an accreditation body in accordance with regulation (EC) 765/2008 that the certification body, using a QM system according to ISO/IEC 17021-1, is competent to evaluate QM systems of other organizations regarding their compliance with a certain standard.
<b>Appeal Committee</b>	The Appeal Committee decides in case of appeal and complaints if no agreement can be reached between designation body and TS. There is no need to involve the Appeal committee in case of ordinary complaints
<b>Assessment</b>	On-site examination of a TS where the KBA evaluates whether designation criteria are fulfilled.
<b>Branch, autonomous</b>	Organization (however called), independently carrying out key activities <sup>20</sup> or parts of them, and acting under the single QM system of the TS.
<b>Designation (Recognition)</b>	Authorization to perform as TS category C evaluations of the QM system which can be recognized in the KBA TAP.
<b>Designation Council</b>	The Designation Council decide about essential elements of designation procedures (see also Appeal Committee)
<b>Designation procedure</b>	Initial evaluation and evaluation as surveillance  <u>Full procedure</u> Fulfilment of requirements of the ISO standard as well as of designation relevant requirements will be completely evaluated by the KBA.  <u>Procedure on basis of a certificate of accreditation</u> The KBA evaluates the fulfilment of all requirements, not covered by the accreditation, and the certificate of accreditation itself.
<b>Headquarters</b>	Part of the TS, which is responsible for realization of rights and obligations resulting from designation as well as of central QM functions of the TS.

---

<sup>20</sup> E. g. definition of fundamental regulations, design and development, contract review, auditing and decision about results of the audit.

## Rules for designation/recognition of technical services (C)

---

<b>Major non-conformity</b>	<p>Non-conformity, which concerns at least one of the following points:</p> <ul style="list-style-type: none"><li>• Missing or insufficient implementation of requirements of the designation basis</li><li>• Substantial impairment of confidence in an effective QM system as required by the designation rules</li><li>• Substantial doubts about the quality of audits and certification decisions</li><li>• A major or minor non-conformity from the preceding assessment, which has not been effectively corrected.</li></ul> <p>A major non-conformity normally leads to a suspension procedure or blocks the designation.</p>
<b>Minor non-conformity</b>	<p>Lack of fulfillment of demands of the designation base; the confidence in an effective QM system and in correct evaluation of approval relevant requirements is not questioned. Minor non-conformities block the initial designation. They lead to a suspension procedure if they are not settled in due time or if in case of the number of minor non-conformities the conclusion about malfunction of the QM system must be drawn.</p>
<b>Notification</b>	<p>Report to the European Commission and the Secretariat of the UNECE.</p>
<b>Restriction</b>	<p>Temporary or permanent reduction of the scope of designation (see section 8)</p>
<b>Revocation</b>	<p>Invalidation (totally or partly) of a legal decision with effect on the future (see § 49 VwVfG).</p>
<b>Surveillance</b>	<p>Verification of the initial evaluation in terms of 2007/46/EC, Article 42</p> <ul style="list-style-type: none"><li>• <u>Surveillance with re-assessment (ÜW)</u>: Assessment similar to the initial assessment considering experience gained during previous evaluations (in general every 5 years, alternating with Ü)</li><li>• <u>Surveillance after 2.5 years (Ü)</u>: On-site assessment similar to ÜW but in general less comprehensive (in general every 5 years, alternating with ÜW)</li><li>• <u>Continuing surveillance</u>: Continuing evaluation of fulfillment of obligations resulting from designation and of other information about the TS' activities.</li></ul> <p>Additional actions will be initiated at the discretion of the KBA.</p>
<b>Suspension</b>	<p>Limited partial or complete de-recognition of the rights connected with the designation.</p>

## Rules for designation/recognition of technical services (C)

---

<b>Termination</b>	Definite complete de-recognition of rights as given by designation (see section 8)
<b>Withdrawal</b>	Cancellation (totally or partly) of an illegal administrative act with effect on the past and/or future (see § 48 VwVfG).
<b>Witness-Assessment</b>	Monitoring of an audit by KBA staff to evaluate the following: <ul style="list-style-type: none"><li>• <b>Appropriate auditing of approval relevant requirements</b></li><li>• Expertise of auditors</li><li>• <b>Realization of other requirements of these designation rules</b></li><li>• <b>Implementation of the TS' internal processes.</b></li></ul>



## Rules for designation/recognition of technical services (C)

---

ARR	Approval relevant requirements
BGebG	Federal Act on Fees (Bundesgebührengesetz)
CoP	Conformity of Production (with approved characteristics)
EC	European Community
EG-FGV	Decree on re-organisation of legislation for EC type approval procedures (Verordnung über die EG-Genehmigung für Kraftfahrzeuge und ihre Anhänger sowie für Systeme, Bauteile und selbstständige technische Einheiten für diese Fahrzeuge)
EU	European Union
IAF	International Accreditation Forum
KBA	Kraftfahrt-Bundesamt
MD	Mandatory document
QM	Quality management
TAP	Type approval procedure
TS	Technical service
Ü	On-site surveillance assessment after 2.5 years
ÜW	On-site assessment (re-assessment)
UNECE	United Nations Economic Commission for Europe
VwVfG	Administrative Proceedings Act (Verwaltungsverfahrensgesetz)

### Designation procedure

#### Application

Applications for designation must be submitted in writing to:

Krafftahrt-Bundesamt  
Dienststz Dresden  
Postfach 12 01 53  
01002 Dresden  
GERMANY

They can also be submitted by fax +49 351 47385-36. Additional documents according to the annex of the application form can be submitted by email or other if not expressly differently required.

The application must be signed by a representative of the body responsible for the organization to be designated, if such exists.<sup>21</sup> The documentation must be submitted in German or English.

The application documentation must be plausible. The statements in the Catalogue of requirements must document the fulfillment of the requirements from the standard and/or other regulatory act<sup>22, 23</sup>.

Well prepared application documents and active support of the KBA in all stages guarantee a rapid progress of the procedure.

These designation rules become binding with submission of the application.

The application can be rejected, because

- The applicant cannot be designated as TS<sup>24</sup>
- The application does not refer to KBA business
- The demands of the applicant are not feasible by the KBA
- Of no agreement about the service to be generated and fees.

---

<sup>21</sup> Otherwise, a representative of the body to be designated signs.

<sup>22</sup> The edited version of the standard's requirements in the questionnaire is possibly not sufficient to be understood comprehensively. As such it is recommended to check the original text of the standard.

<sup>23</sup> A separate Catalogue of requirements is to be used for designation on basis of a certificate of accreditation.

<sup>24</sup> See section 1.

## Rules for designation/recognition of technical services (C)

---

### Evaluation

The lead assessor defines which documents and records must be submitted prior to the assessment for evaluation<sup>25</sup>. Unless otherwise agreed, this documentation must be available in the KBA 1 month prior to the assessment.

Before the assessment, the assessors evaluate all applicable documents and records of the TS as well as, so far applicable, records from earlier measures in the context of the designation. The body to be evaluated will be informed about non-conformities found during the document review. The assessment can depend on the settlement of these non-conformities.

The assessor team and the assessment itself will be agreed between the KBA and the TS<sup>26</sup>. Upon request, the TS can get information about the employer of the assessors if they are not employees of the KBA.

The assessment is carried out according to the relevant regulatory acts as well as the designation rules. It includes for the headquarters and for all autonomous branches at least

- The evaluation, to what extent the demands of the ISO/IEC 17021-1<sup>27</sup>, these designation rules and other applicable approval relevant requirements are implemented
- The witnessing of an audit that evaluates approval relevant requirements. The selection of audit takes place upon discretion of the KBA.

Competent personnel of the TS shall give the assessors all required information and documentation. In particular, effective co-operation of all parties involved is expected during preparation and execution of witness-assessments.

Findings are communicated to the TS during the assessments. In witness-assessments, an interim analysis is given only on express request of the auditor. The evaluated organization and the body responsible for the organization to be designated get the opportunity to ask questions concerning findings and to comment on the assessment. The result of the assessment is summarized in an assessment report. If no objections have been submitted within 2 weeks after receiving, the report is deemed to be approved.

For non-conformities, a root cause analysis as well as corrections and corrective actions are to be communicated, and the agreed evidence for settlement are to be submitted by the defined deadline. If necessary, a follow-up on-site assessment will be carried out.

If not otherwise agreed, submitted documentation after their evaluation will be filed in the KBA or destroyed in case that they are not needed any more at the KBA.

---

<sup>25</sup> In case of initial evaluation, generally documentation according to the application form.

<sup>26</sup> The lead assessor decides about content and procedure of the assessment.

<sup>27</sup> Generally, not in case of designation on basis of a certificate of accreditation.

## Rules for designation/recognition of technical services (C)

---

### Decision

Precondition for the designation is that requirements resulting from the designation procedure are met (no open non-conformities).

After granting the designation, the applicant gets a certificate of designation.

### Surveillance

Certification bodies are classified into categories depending on the number of their procedures with regard to the type approval procedure<sup>28</sup>:

Category	Procedures
Z1	up to 20
Z2	21 - 50
Z3	51 - 100
Z4	more than 100

At the moment of initial designation, the TS is preliminarily classified in category Z1. It will be re-classified with effect for the future if this is necessary considering the number of procedures.

The on-site surveillance regularly consists of

- An office assessment in the headquarters after 2.5 years (QM system and files)
- Random assessments of autonomous branches (QM system and files)<sup>29</sup>
- Witness assessments in the following frequency:

Category	Witness assessments in 5 years
Z1	2
Z2	3
Z3	4
Z4	6

If the designation covers autonomous branches, further witness assessments can become necessary for audits which are organized by these branches.

---

<sup>28</sup> See Annex 3 section 5.1; for this purpose, sub-certificates are seen as separate procedures.

<sup>29</sup> If relevant; in general autonomous branches are assessed at least once every 2.5 years.

## Rules for designation/recognition of technical services (C)

---

The selection of audits takes place upon discretion of the KBA. As far as possible, audits are chosen on the basis of the following criteria for witnessing:

- Changing and distinctive specifics regarding approval relevant requirements
- Evaluation of different, if applicable also new auditors
- Requirements to the auditor (requirements on planning and execution of the audit, foreign language<sup>30</sup> etc.)
- Appropriateness for evidence of effectiveness of corrective actions after previous non-conformities

If the procedure of verification is included in the designation, at least 1 verification audit is to be assessed within 5 years.

In general, on-site assessments (Ü or ÜW) must be finished by the end of the surveillance period (2.5 years). In justified exceptional cases and in agreement with the designation body, the procedure may be finished 3 months later.

Among others, surveillance includes also

- Check of Reports on CoP
- Evaluation of files leading to decisions regarding fulfilment of ARR
- Evaluation of results of participation in activities recommended by the KBA
- Evaluation of further information about the TS.

After initial designation pending further notice, all essential documentation for initial decisions in the scope of designation must be submitted to the KBA for checking.<sup>31</sup>

Further witness-assessments and other surveillance activities can be specified upon the discretion of the KBA, in order to ensure the necessary confidence in the designation or to determine whether the TS has introduced effective measures after fundamentals of the designation have been changed or after non-conformities.

As a result of the surveillance, a decision about the continuance of the designation will be taken.

---

<sup>30</sup> “Foreign language” in general at least once in 5 years.

<sup>31</sup> In general, audit plan, audit report, Report on CoP, records for the decision-making process, certificate/attestation

### Obligations of certification bodies concerning approval relevant requirements

#### 1 Information of the approval holder by the TS<sup>32</sup>

- 1.1 Contacting the approval holder and prior to any audit, the TS shall clarify which approvals the client (in particular at the KBA) has got or if he intends to apply for an approval in the foreseeable future.
- 1.2 The approval holder shall be informed about rights and duties of an approval holder and of the approval authority. It must be explained to him that these rights and duties are valid independently of the certification.
- 1.3 The approval holder shall be informed that the KBA is authorized at any time to request for audit reports, quality records and other documents relevant for the type approval.

#### 2 Additional requirements to the manufacturer in the framework of certification or verification

In addition to the general obligations of an approval holder, the following requirements become effective to the manufacturer

- 2.1 If the manufacturer has several approval objects, he creates a program for periodical testing of approved characteristics. Type of testing, interval and sample size are well-founded. Records are kept and archived for an appropriate period, which document the implementation of the program.
- 2.2 The approval holder performs internal audits in appropriate intervals, where he evaluates the fulfillment of approval relevant requirements. A related analysis is part of the management review.

---

<sup>32</sup> For the entire Annex 3: see footnote 14.

## Rules for designation/recognition of technical services (C)

---

### 3 Evaluation of the QM system on the client's premises

3.1 The KBA recommends to plan the following time for the audit of approval relevant requirements **on the approval holders premises to be audited:**

Initial and re-audit            10 % of the time as given in IAF MD5, but in general not less than 4 and not more than 16 hours

Surveillance audit            5 % of the time as given in IAF MD5, but in general not less than 4 and not more than 8 hours

3.2 At least 1 person from the audit team must be authorized as an auditor for approval relevant requirements. This person is to be used for all substantial audit phases concerning the approval procedure. The lead auditor is responsible that all other auditors have a general understanding of the KBA requirements to the QM system of the company and consider them in the audit.

3.3 Each audit must on-site cover all processes relevant for the "Report on procedures guaranteeing Conformity of Production" (Report on CoP). Approval objects to be audited must be chosen as required by the explanations given in the Examples to the Report on CoP. **The program must be fixed at least for one full certification period.**<sup>33</sup>

Based on an analysis of risks regarding

- Critical or approval relevant product characteristics
- Process parameters
- Fulfillment of specific requirements from regulatory act, approval, TAP,

the audit must be planned and carried out process orientated as well as specific concerning company and approval object.

3.4 Additionally to general requirements of automotive legislation, the auditor with authorization according to these designation rules must know further approval relevant requirements and must on-site check their implementation in the client's organization.

3.5 Additionally to the systematic evaluation of the QM system, the audit on the client's premises must at least for the chosen samples also cover the check if approval data (not only such data which relates directly to the product) is up-to-date. It must also include the assessment if applicable legislative documents are up-to-date and available.

---

<sup>33</sup> **The program must be recorded. Clustering of approval objects, which are similar in essential characteristics, is acceptable.** The aim must be that during one certification period all types of approval objects, and during a longer period all approval objects, will be audited.

## Rules for designation/recognition of technical services (C)

---

- 3.6 If a company has several locations, it is not required that approval relevant requirements are annually assessed at all relevant locations. It is sufficient to audit this topic only in those locations, where, according to the audit program (site sampling), the ISO-audit is carried out. In general within 3 years all approval relevant locations must be assessed.
- 3.7 If the approval holder (A) manufactures to be approved/approved products or substantial parts of them in other legally independent companies (B), it is to be evaluated, to what extent the approval holder follows his obligations arising from the approval concerning production at B. In general for the KBA type approval procedure, it is sufficient to evaluate the interface to B. In these cases, an auditing of B is usually not necessary.
- 3.8 A "Report on CoP" must be created after each on-site audit. If due to objective reasons some of the approval relevant processes could not be evaluated, "ne" (not evaluated) is to be filled in the appropriate sections. This "ne" shall be commented.

### 4 Evaluation of observations

- 4.1 The classification of the results is to be done in accordance with requirements of ISO/IEC 17021-1.

A major nonconformity is additionally defined as follows:

- There is a risk that
    - A product is brought into market with an approval sign although it has not been approved or that the product otherwise appears as approved or
    - A non-compliant to the approval product can be brought into the market or
    - Malfunctioning products cannot be recalled.
  - The approval holder does not comply with the stipulations given in the approval and does not immediately implement adequate corrections and corrective actions
  - Other serious violations of approval relevant requirements.
- 4.2 An ARR auditor of the team checks the settlement of approval relevant requirements related non-conformities. If this cannot be realised in an appropriate timeframe, the check can be realised by another ARR auditor together with the team leader.



## Rules for designation/recognition of technical services (C)

---

### 5 Decisions about fulfillment of approval relevant requirements

- 5.1 After positive evaluation, the TS issue an attestation about fulfillment of approval relevant requirements. **Open major non-conformities block the release of the attestation.**

The attestation, which shall be submitted by the manufacturer for the approval procedure must include the following data:

- “The quality management system meets the approval relevant requirements.”
- Sufficiently general description of the type of approval object
- Registration number of the KBA-designation and/or designation logo.

**In case that the fulfillment of all approval relevant requirements to a manufacturer cannot be completely evaluated, and a separate attestation shall be issued for that organization, exclusions must be clearly described.<sup>34</sup>**

In general, only those types of approval objects may be included into the attestation where at least one product was checked regarding application of the system requirements.<sup>35</sup>

The attestation must be bound to a certificate for ISO 9001<sup>36, 37</sup> **of the own certification** body. It may refer only to those objects, which are included in the scope of the main certificate.

- 5.2 If possible, persons taking the decision about the attestation must not have taken part in the audit.

---

<sup>34</sup> E.g. “The quality management system meets the approval relevant requirements to a producer without type approval”.

<sup>35</sup> Exceptions (e.g. in case of several different types of approval objects) must be agreed with the KBA.

<sup>36</sup> Or a similar standard like e.g. VDA 6.1, IATF 16949

<sup>37</sup> Except Confirmation of verification

## Rules for designation/recognition of technical services (C)

---

### 6 Information to the approval authority

- 6.1 The Report on CoP shall be completely filled in and, after check by an authorized person of the TS, immediately be submitted via E-Typ to the KBA, Dresden office.<sup>38</sup>
- 6.2 At least on 30 June and 30 December of the year, the list of procedures under KBA designation must be adjusted with the list kept in the KBA.

This report shall contain:

- Registration number of the attestation
  - Name, place and country of the evaluated company
  - Type of procedure
    - Z - Certification for TAP
    - V - Verification for TAP
    - T – Certification or verification without relevance to the TAP
  - Time of validity of the attestation
- 6.3 Independently of the duty of the approval holder to supply information, the TS must promptly inform the KBA among others in the following cases:
- ARR relevant non-conformities in the audited company if the organization does not effectively implement immediate and adequate corrections and corrective actions.<sup>39</sup>
  - **Final denial of an attestation regarding fulfillment of ARR**
  - Invalidation, restriction or suspension of the validity of the attestation about fulfillment of approval relevant requirements, as well as with current proceedings in this regard.

### 7 Further obligations of the TS

- 7.1 Certification files regarding approval relevant requirements and single information out of such files can be used only if the issuing technical service was designated by the KBA as technical service at the time when the certificate/the attestation was valid.
- 7.2 Further requirements and details are given in the Catalogue “Requirements - Evaluation of certification bodies” issued by the designation body.

---

<sup>38</sup> Not required in case of certification/verification procedures under KBA-designation, which shall not be used for approval purpose.

<sup>39</sup> See section 4.1 of this annex.

### Basic requirements for personnel

#### 1 General

Personnel working for the TS, including contractually bound external auditors, must meet the requirements of ISO/IEC 17021-1 and at least the following approval relevant requirements.

The process of authorization, maintenance and surveillance for/of the scope “Approval relevant requirements” as well as of technical expertise is to be defined by the TS in due consideration of these rules. The process must be documented. For all personnel involved in the scope of designation<sup>40</sup>, as a minimum must be defined regarding knowledge, capabilities and skills:

- Required competence
- Competence criteria
- Ways to obtain the required competence
- Kind of initial evaluation of competence and of evaluation of continuing competence
- Recording of evidence.

Evidence of meeting the criteria and of realized activities shall be retained at least for the duration of the current plus one full certification/verification cycle.

The TS may take the evaluation by other designated by the KBA TS into account, but not solely rely on it.

In justified individual cases, the KBA can permit deviations.

---

<sup>40</sup> E.g. auditors, persons authorized to take decisions/veto-persons, administrative staff.

## Rules for designation/recognition of technical services (C)

### 2 Criteria of acceptance

	Before appointment	After appointment
Head of the TS, other persons authorized to take decisions and their deputies <sup>41</sup>	<ul style="list-style-type: none"> <li>– Graduation from a university, college of higher education or similar</li> <li>– General knowledge of approval relevant requirements</li> </ul>	<ul style="list-style-type: none"> <li>- Regular involvement in designation relevant procedures<sup>42</sup></li> </ul>
Auditors	<ul style="list-style-type: none"> <li>– Relevant to the scope to be audited graduation from a university, college of higher education or similar</li> <li>– Successfully passed examination as QM auditor at an accredited certification body for personnel and valid authorization as auditor for QM systems in accordance with ISO 9001<sup>36</sup> by the TS</li> <li>– Meeting the criteria fixed by the TS for proof of expertise</li> </ul>	<ul style="list-style-type: none"> <li>– Employment at a minimum of one audit under KBA designation in the relevant scope within 12 months<sup>43</sup></li> <li>– Yearly active participation in the internal exchange of experiences/internal training of auditors (see also section 4 of this annex)</li> <li>– Additionally for verification auditors: At least one verification audit within 36 months (instead of the other audit of approval relevant requirements)</li> </ul>

<sup>41</sup> In case that the head, other persons authorized to take decisions or their deputies do not meet these requirements, the requirements are addressed to veto-persons. In this case, these veto-persons mandatorily must be involved in the appointment process of auditors and in the decision process of certification procedures. Their decisions must not be altered in favour of the applicant.

<sup>42</sup> At least 1 decision or audit per year.

<sup>43</sup> The interval between two audits under KBA designation can amount to max. 24 months if the expertise of the auditor concerning approval relevant requirements is verifiably confirmed before or during the audit.

## Rules for designation/recognition of technical services (C)

	Before appointment	After appointment
	<ul style="list-style-type: none"> <li>– Up-to-date knowledge of approval relevant requirements, proven through a valid confirmation of the successful participation in a training program for ARR. This training must not be older than 36 months<sup>44</sup>.</li> <li>– Successful monitoring of an audit for evaluation of fulfilment of approval relevant requirements<sup>45</sup></li> <li>– Additionally for verification auditors: Knowledge of the verification guidelines</li> </ul>	–
Authorized for monitoring persons Veto persons	<ul style="list-style-type: none"> <li>– Appointment as lead auditor for approval relevant requirements</li> <li>– Minimum 3 audits for assessment of approval relevant requirements</li> </ul>	– Appointment as lead auditor for approval relevant requirements

<sup>44</sup> Such training will be carried out by the KBA or in accordance with an approved by the KBA program. This training is not required for auditors, which are already authorized by a technical service designated by the KBA to sign test reports.

<sup>45</sup> The audit examination can be realized within the first 3 audits, if there has been carried out a sufficient, practical examination of the competence (including abilities and skills) prior to the (preliminary) authorization.

## Rules for designation/recognition of technical services (C)

---

### 3 Monitoring of competence

The TS is obliged to monitor each ARR auditor in the designated scope regularly. The CB must be able to justify why the chosen interval is acceptable.<sup>46, 47</sup>

The monitoring shall cover also audit preparation and follow-up activities. In addition to general requirements to qualification of auditors, in particular it is to be evaluated:

- Knowledge of the KBA type approval procedure
- Knowledge of approval relevant regulations (in particular requirements concerning CoP)
- Knowledge about the approval object (including approval relevant risks in the production process)
- Specific regarding company and approval object auditing of approval relevant requirements<sup>48</sup>, in particular concerning
  - Ensuring approval-conform production
  - Planning, performing and analysis of tests of approval relevant product characteristics
  - Requirements in case of production in external production sites
  - Feasibility of recall of nonconforming products
  - Flow of approval relevant information.

In addition to on-site monitoring, a sufficient number of audit documentation samples must be checked as well. These samples shall cover initial, re- and surveillance audits.

At least once in 3 years, the TS shall evaluate auditors the knowledge of auditors regarding approval relevant requirements and core audit aspects. Knowledge of other key staff is to be evaluated at least once in 3 years using internal audits or other respective activities.

The monitoring and its results must be recorded.

### 4 Exchange of experiences/training

The TS must provide at least one exchange of experiences/training per year for approval relevant requirements (e.g. discussion of audit situations) and technical issues.

The KBA reserves the right to dictate topics and to attend exchanges of experiences/training. In this case fees in accordance with Annex 5 will be raised.

---

<sup>46</sup> In justified exceptional cases a monitoring in other technical scopes will be accepted, if it is completed by a practical examination of knowledge, abilities and skills regarding approval relevant requirements.

<sup>47</sup> Monitoring by the co-auditor is acceptable. In this case, at least those audit parts, which are essential for evaluation of approval relevant requirements, but not less than 50 % of the overall audit time, must be monitored.

<sup>48</sup> See "Report on CoP".

## Rules for designation/recognition of technical services (C)

Annex 5

### Fees

	Procedure	All categories
Designation (full procedure)	Initial assessment	€9870
	Ü	€2730
	ÜW	€4120
Designation on basis of a certificate of accreditation	Initial assessment	€7560
	Ü	€1800
	ÜW	€3150

Assessments of branches as well as witness assessments (including breaks) are calculated according to expenditure on the basis of the hourly rate.<sup>49</sup> Additionally to the time in external premises, in general 5 hours for preparation and post-processing respectively of the assessment are calculated.

Any expenses exceeding the minimum<sup>50</sup> will be charged in hourly rates.

### Procedures for restriction, suspension, cancellation of the designation

For a procedure for restriction, suspension, cancellation of the designation initiated by the KBA, independently of the result a processing fee of at least 5 hourly rates will be charged. Additional expenditures and assessments will be charged separately.

### Supplements

A supplement<sup>51</sup> is calculated at €120.

If an additional assessment is necessary for the supplement, the fee is calculated according to the expenditure as for witness assessments.

<sup>49</sup> According to the Scale of fees for measures in road traffic (GebOST) in the amendment valid at the time of service provision; at the moment of publication of these rules: €97.10; rounded up to full hours.

<sup>50</sup> For assessments, 5 hours will be taken as minimum for preparation and post-processing respectively.

<sup>51</sup> E.g. change of administrative data, such like name, address, logo, number of the basic accreditation.

## Rules for designation/recognition of technical services (C)

---

### Certificates

1 certificate A4 German	Free
1 certificate A4 English (only on request)	Free
Further 1st pages	
• A4, each	€10.00
• A3, each	€15.00
Following pages, per page	€1.00
Languages other than German/English	
• Non-recurring extra charge	€5.00
• Translation	according to costs

### Travelling expenses

The real travelling time will be taken for calculation, but not more than the following<sup>52</sup>:

Region Germany	5 hours per assessor/expert and direction
Region Europe <sup>53</sup>	8 hours per assessor/expert and direction

For other destinations, fees will be raised in accordance with the real travelling time.

Travelling expenses and reimbursements will be charged according to the effective outlays as given by the Federal law about travelling expenses.

---

<sup>52</sup> According to the Scale of fees for measures in road traffic (GebOST) in the amendment valid at the time of service provision; at the moment of publication of these rules: €61.40

<sup>53</sup> Mainland and Great Britain, Ireland, Malta, Cyprus.



## Rules for designation/recognition of technical services (C)

---

### Other

The fee includes the recognition, designation and notification as technical service category C.

Fees and costs for the annual exchange of experiences between KBA and TS are also included<sup>54</sup>.

Further activities are calculated according to expenditure on the basis of the hourly rate. Information meetings on the premises of the KBA are not charged for.

No value-added tax is charged on these fees.

---

<sup>54</sup> Except travelling expenses and lunch.

## Legal notice

Publisher:  
Kraftfahrt-Bundesamt  
Postfach 12 01 53  
01002 Dresden  
Germany

Internet: [www.kba.de](http://www.kba.de)

### Special information and advice:

Phone: +49 351 47385-0  
Fax: +49 351 47385-36

Issued in June 2017  
Version: 23 June 2017 (Revision 05) (Corr.: Page 29)

Printing: KBA

Picture Source: KBA

All rights reserved. Reproduction and dissemination of this publication, including in parts or in digital form, is permitted provided the Kraftfahrt-Bundesamt - Federal Motor Transport Authority - is acknowledged as its source. This includes the dissemination of contents of this publication that have been obtained indirectly.

Binding is only the German version.

© Kraftfahrt-Bundesamt

 We score with road safety!