association pour la certification et la qualification des équipements de la route

Notified Body N° 1826

RULES

FOR CE CERTIFICATION

FOR CONSTRUCTION PRODUCTS

Revision no. 3

Applicable
As of 23/02/2026

Certification Body -
ASsociation pour la **C**ertification et la **QU**alification des **E**quipements de la **R**oute
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Amendments Made

These rules were approved on 20/02/2026 by the General Delegate of Ascquer and replace and supersede all previous versions.

Revision No.	Application date	Amended section	Amendment made
1	14/03/2016		- Removal of IFSTTAR - Removal of “Prefabricated marking products” application - Addition of PPHM annex - Addition of system 2+ - Addition of grouped inspections - Update of ISO 9001 - Addition of taking into account SG04 and the advisory group - Update of the workflow process for inspection reports.
2	6/09/2018	Whole document	- Removal of the advisory board - Transfer of the advisory board's missions to the CE product committees (expert panel) - Addition of information relating to the preservation of due impartiality - Addition of requirements to the obligations of applicants - Amendment to the certification application process - Addition of an article regarding certificate validity - Details about monitoring and strengthening - Details about sanctions - Details about disputes - Details about calls - Details about the financial regime - Addition of an article about market information
3	23/02/2026	Article 10 and 11 Whole document	- Abandonment procedure - DoP and affixing of CE Marking - Editorial modifications - Reference to 2024 CPR

CONTENTS

Foreword:

The CE rules consist of these Certification Rules and their technical annexes.

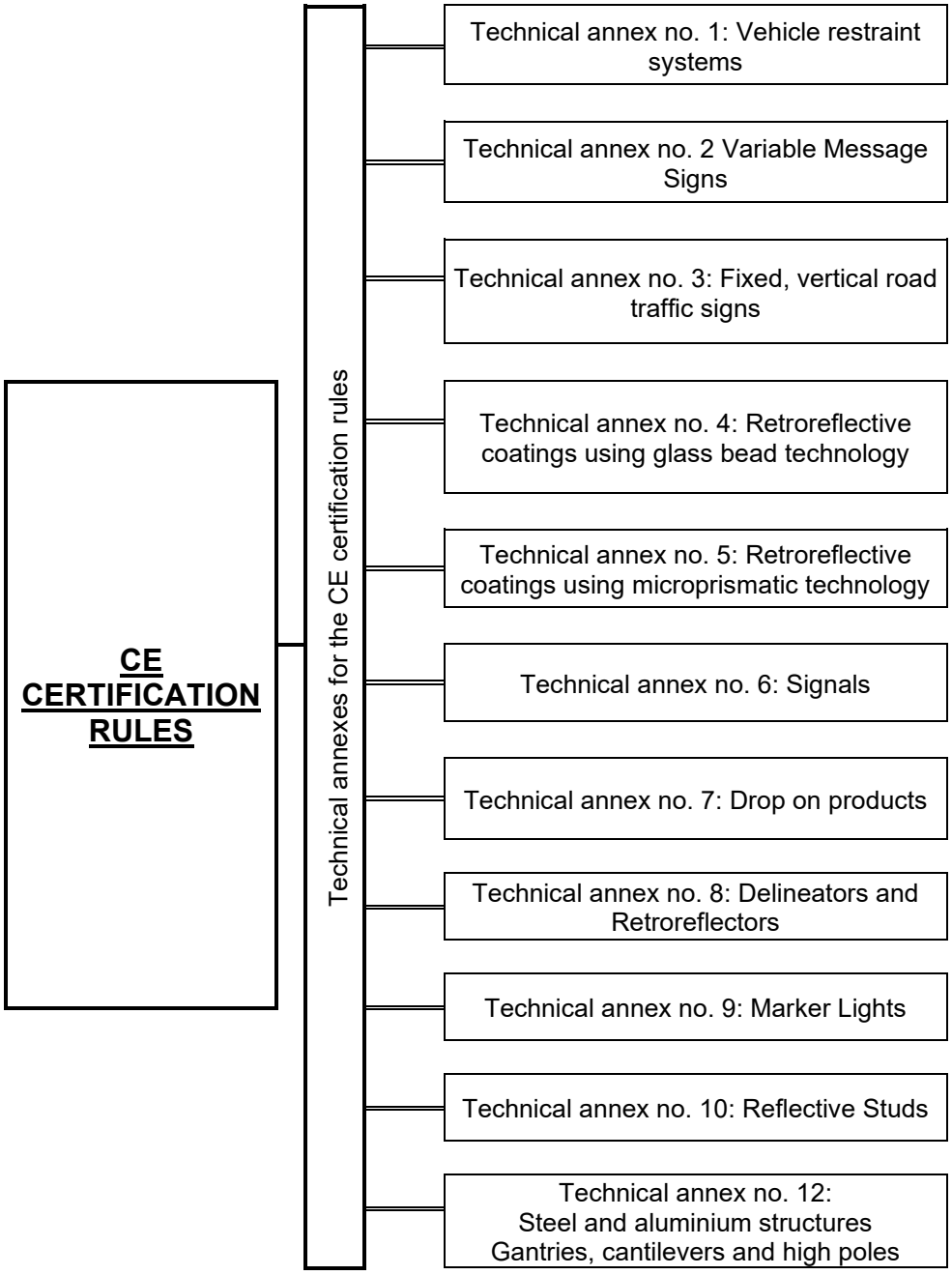
They cover the following product families:

- Vehicle restraint systems
- Variable Message Signs
- Fixed, vertical road traffic signs
- Retroreflective coatings using glass bead technology
- Retroreflective coatings using microprismatic technology
- Signals
- Drop on products
- Delineators and Retroreflectors
- Marker Lights
- Reflective Studs
- Steel and aluminium structures Gantries, cantilevers and high poles

The Construction Products Regulation no. 305/2011, in place since the 1st July 2013, has been revised in December 2024 by the newly published CPR 2024/3110. These two versions will coexist until 2040 to ensure a smooth transition.

Ascquer's scope of notification with regard to the CPR is specified in the NANDO database kept up to date by the European Commission and accessible at the following website address:
https://webgate.ec.europa.eu/single-market-compliance-space/notified-bodies

Certification rules and technical annexes



Certifiable products are included in the scope of application of the technical annexes in force.

Glossary:

CPR (Construction Products Regulation): European Regulation No. 305/2011 governing the placing on the EU market of a construction product covered by a harmonized standard or compliant with a European Technical Assessment. This regulation is gradually replaced by regulation No. 2024/3110.

Harmonized European Standards (hENs): Standards developed by European standardization bodies (CEN, CENELEC, ETSI) and published in the Official Journal of the European Union in response to a standardization mandate issued by the European Commission. These are one category of harmonized technical specifications provided for under the CPR.

TT (Type Testing): A complete series of tests or other procedures that determine the performance of product samples covered by a harmonized standard. This assessment is carried out by a notified body as part of AVCP activities.

AVCP (Assessment and Verification of Constancy of Performance): A set of procedures carried out by a notified body to assess the performance of essential characteristics of a product in order to issue a certificate of constancy of performance.

AVCP System: Allocation of tasks between the manufacturer and the notified body within the AVCP framework. There are 5 systems (1+, 1, 2+, 3, and 4). The system applicable to a product is imposed by the European Commission.

FPC (Factory Production Control): Permanent internal control of production carried out by the product manufacturer.

FPC System: Written procedures, inspections, evaluations, and/or regular tests whose results must be used to control raw materials and other incoming materials or components; equipment, manufacturing process, and the product.

DoP (Declaration of Performance): Document drawn up by the manufacturer under its responsibility, gathering all relevant information about the manufacturer, the product, and its performance. It is the most important document supporting CE marking and is based on AVCP results.

Manufacturer: Definition from Article 2(19) of the CPR: “manufacturer” means any natural or legal person who manufactures or has a construction product designed or manufactured, and markets it under their name or trademark.

Applicant: Manufacturer initiating a request for AVCP activities with Ascquer. This manufacturer does not have a certification contract or a certificate of constancy of performance issued by Ascquer.

Holder: Manufacturer initiating a request with Ascquer for AVCP activities. This manufacturer has a certification contract and a certificate of constancy of performance issued by Ascquer. Ascquer ensures the monitoring of the constancy of performance of certified products by conducting surveillance audits of manufacturing entities.

Significant Manufacturing Process: A process whose control is likely to have a significant influence on the conformity of the construction product whose performance has been declared.
NOTE: A significant manufacturing process cannot take place after the product has been placed on the market.

Placing on the Market: Definition from Article 2(17) of the CPR: “placing on the market” means the first making available of a construction product on the Union market.

Subcontractor: Entity performing outsourced manufacturing on behalf of the manufacturer.

Article 1 - Scope and application

These Certification Rules apply to “Road Safety Equipment”. They include the product families defined below whose essential characteristics are detailed in the corresponding technical annexes.

The Certification Rules are available to any applicant/holder whose products fall within the scope and application defined above and who is able to meet the technical requirements described in this document.

These rules and their technical annexes detail the general rules for the applicant and the notified body for awarding the certificate of constancy of performance or the certificate of conformity of factory production control in accordance with Construction Product Regulation no. 305/2011.

The assessment and verification of constancy of performance system levels 1 and 2+ are set out in Construction Product Regulation no. 305/2011: annex V, points 1.2 and 1.3.

Article 2 - CE Marking

The objective of CE Marking is to certify the performance of a product in accordance with the European or international standards relating thereto, particularly the essential requirements of European regulations. It thus enables a product to be placed on the market and facilitates the free circulation of the product in Europe.

CE Marking symbolises product certification within the meaning of Articles L.115-27 to L. 115-33 and R.115-1 to R.115.3 of the Consumer Code

Article 3 - The stakeholders in the certification process

The certification process involves the stakeholders specified below. All stakeholders in the process are subject to a confidentiality agreement.

3.1 Certification body

Ascquer
58, Rue de l’Arcade
75384 Paris CEDEX 08

Ascquer is a notified body for carrying out constancy of performance certification tasks (system 1) or factory production control certification (system 2+). At the end of these tasks, Ascquer issues a corresponding certificate, or not.

To this end, it assumes full responsibility for the certification that it issues.

Ascquer's main missions are as follows:

- make the appropriate decisions with regard to the files submitted,
- ensure that the decisions made are implemented,
- ensure that changes to standards are monitored,
- develop relationships with European notified bodies,
- sign sub-contracting agreements with independent laboratories and audit/inspection bodies,
- ensure that laboratories and audit/inspection bodies with which Ascquer has signed sub-contracting agreements are monitored,

- approve these terms and conditions of application and their annexes,
- liaise with the department responsible for Road Safety and the other departments involved with this assessment and verification of constancy of performance certificate,
- inform the competent authorities of violations of directives of which it becomes aware.
- take into account the guides to best practices and feedback from the relevant bodies at the European Commission:
    - Advisory Group of Notified Bodies for the CPR (GNB-CPR AG),
    - Sector Group 04 (SG04),
    - Advisory Group for Construction Products (AGCP)

3.2 Audit/inspection and testing bodies

In the context of its audit/inspection and testing missions, Ascquer may be called upon to sub-contract its activities.
Testing must be conducted in accordance with NF EN ISO/IEC 17025 "General Requirements for the Competence of Testing and Calibration Laboratories".

The list of relevant bodies is available on request from Ascquer.

3.3 CE product committee

3.3.1 General

In accordance with the requirements of NF EN ISO/IEC 17065 "Conformity assessment - Requirements for bodies certifying products, processes and services," Ascquer has a structure with provisions to ensure the impartiality of its operations for CE marking.
Each product family cited and listed on page 5 of these Certification Rules has a product committee which deals with specific problems and issues.

3.3.2 Composition

Each CE product committee is composed of 8 members belonging to three colleges:

- college A: 3 "Manufacturers and/or representatives of manufacturers holding certificates issued by Ascquer designated by a representative professional body",
- college B: 3 "Users, specifiers, project managers, permanent representatives of professional engineering trade unions",
- college C: 2 "Technical bodies and qualified persons".

The composition of these committees is fixed in such a way as to respect representation between the different parties involved so that one of them does not predominate and they all have the same relevance.

The rules for appointing members and renewing mandates are available on request from Ascquer. Each committee meets at least once a year, at the initiative of Ascquer in a plenary meeting or via an electronic consultation.

3.3.3 Role

For each technical annex of the Certification Rules, the specific committee for the product family is consulted for any changes to the document.

All of these committees provide advice about the Certification Rules and their interpretation and about contentious files for their relevant fields. The operating procedures and the detailed scope for the committees are available on request from ASCQ Ascquer UER.

3.3.4 Confidentiality and impartiality

The committee members undertake to keep all information confidential including personal information that is communicated to them.

They also undertake to act impartially and not to participate in debates, proposals and/or votes for a decision concerning a body in which the member has a personal interest,

Ascquer makes specific provisions to maintain the confidentiality of folders belonging to applicants/holders presented at the committee, except where appropriate for disputes and appeals.

Article 4: Preservation of due impartiality

In accordance with the requirements of standard NF EN ISO/IEC 17065 “Conformity assessment — Requirements for bodies certifying products, processes and services,” Ascquer has a structure with arrangements ensuring the impartiality of its operations for CE marking.
An impartiality committee has been set up by Ascquer. The composition and appointment rules for members are available on request from Ascquer.

The objective of these committees is to:

- maintain impartiality,
- issue a detailed opinion on topics relating to impartiality,
- propose measures to improve provisions with regard to maintaining impartiality,
- discuss any questions which are submitted to them by a client or a co-contractor of Ascquer.

The detailed terms and conditions are available on request from the Permanent Secretariat at Ascquer.

Article 5 - Obligations of the applicant

The applicant/holder of CE marking is a legal entity that controls and assumes responsibility for compliance with the requirements defined in these rules.
It is the responsibility of the applicant/holder to ensure that the regulations applicable to its product are complied with.

By applying for CE marking, the applicant undertakes to:

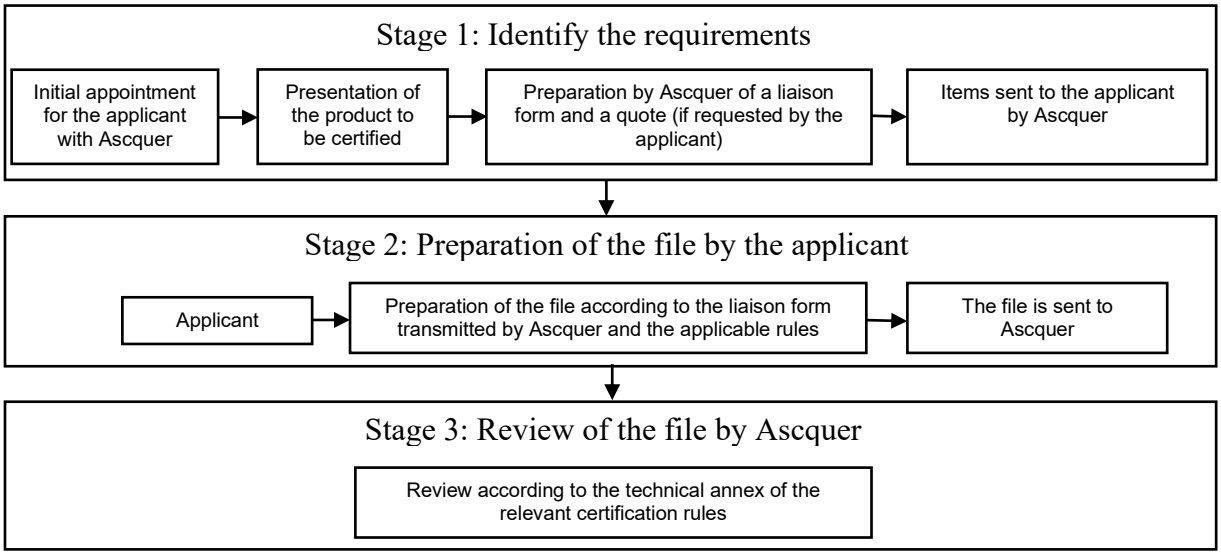
- respect these certification rules and their annexes in force,
- continuously comply with the certification requirements, including the implementation of relevant changes communicated by Ascquer,
- ensure that the certified product continues to comply with the product requirements when the certification applies to mass production,
- make all the provisions necessary to:
    - conduct the initial inspection and the monitoring inspection such as providing items with a view to their examination (documentation, records), as well as access to equipment, the manufacturing site, staff and any sub-contractors,
    - manage complaints,
    - accept the possible participation of Cofrac observers or assessors,
- make statements about certification in keeping with their scope,
- not use the certification of their products in a way that could harm Ascquer, nor make any statements about the certification of their products that Ascquer could consider to be misleading or unauthorised,

- in the event that the certificate is suspended or withdrawn, stop using all means of communication which make reference to it and fulfil all the requirements laid down by the certification programme and fulfil any other measure required,
- reproduce in full the certification documents in the case of copies as the certificate accompanied by its technical file,
- conform with the requirements of Ascquer and the specifications in the certification rules when referring to the certification of their products in communication materials, such as documents, brochures or advertising,
- conform with all the requirements that may be prescribed in the product certification rules and in the technical annexes relating to the use of marking and information relating to the product,
- keep records of all complaints and make them available for Ascquer, and:
    - take any appropriate action to deal with these complaints and the imperfections identified in the products which will affect their conformity with the certification requirements.
    - document the actions undertaken,
- inform Ascquer immediately of any changes that might affect their ability to conform with the certification requirements, such as the ownership or the legal status of their company, key staff changes, changes made to the product and to the factory production control, contact details for the point of contact and production sites,
- inform Ascquer if any product affected by CE marking is permanently discontinued,
- respect the decisions made in accordance with article 13 of this document,
- pay the fees that are charged by Ascquer for services carried out in accordance with these rules,
- make no use of the Ascquer brand and its logo, without the prior express authorisation of Ascquer.

Article 6 - Application for a certificate of constancy of performance

6.1 Certification application process

The application process is as follows:



6.1.1 Definition of the requirements: preparing the liaison form

Before submitting any file, the applicant must contact the Permanent Secretariat at Ascquer to inform them of their certification project.
The applicant must specify the subject of the application to Ascquer.
The Permanent Secretariat at Ascquer analyses this application with the applicant and defines the requirements for the relevant certification. To this end, Ascquer prepares a liaison form which launches the certification process. A quotation is established by Ascquer upon request of the client.

In the case of a new applicant, the issuance of the shuttle sheet is conditional upon the client's approval of the quotation issued by Ascquer, as well as the signing of a certification contract.

This liaison form lists the minimum items to be incorporated in the file by the applicant and it is sent to the applicant by e-mail or post. Each liaison form is specific to each application and therefore used only once.

ASCQUER reserves the right to request additional information and items when examining the file.

6.1.2 Preparation of the application file

Before submitting a file, the applicant must ensure that it fulfils the conditions defined by these terms and conditions of application, including annexes, relating to their product and their manufacturing entity or entities, their sub-contractors and their suppliers.
They must undertake to respect the same conditions for as long as they use the constancy of performance certification.
Under no circumstances is it possible to refer to CE marking before obtaining the certificate.

The applicant creates their file in accordance with the certification rules and the relevant technical annex in force. They use the liaison form which has been sent to them by Ascquer to identify the items to be provided.

The applicant must complete the sections of the liaison form that apply to them.
Before sending the file to Ascquer, the applicant must check that all of the items requested are present in the file by checking the corresponding boxes on the liaison form.

The applicant sends the complete certification application file with the associated liaison form to Ascquer under the form of a single copy in digital format.

The certification application file must be written in French or English.
Ascquer reserves the right to request a French translation of part or all of the documents annexed to the original documents. The cost of the translation will be charged to the applicant.

6.1.3 Receipt of the file by Ascquer

Upon receipt of the certification application file and associated liaison form, Ascquer will verify within 15 days that the items listed are present in the application file.
This verification is administrative and not technical. The technical verification of information and items is carried out later.
In the event that items are missing without valid justification, the file will be returned to the applicant and will not be processed by Ascquer.
If the dossier is complete, an acknowledgement of receipt is issued by Ascquer

6.1.4 File admissibility check by Ascquer

The processes followed for a new product with a new applicant or with a holder who is already known are described in the relevant technical annexes.

When the application is received, Ascquer determines its admissibility according to these Certification Rules and the relevant technical annex.
Compliance with the requirements of the standards subject to constancy of performance certification is assessed and verified.
The initiation of the tests and audits required by the certification rules may be conditioned by the admissibility of the application file, under the conditions set out in the applicable technical annexes.

The following 3 situations may arise.

- When the file is found to be admissible, Ascquer notifies the client and continues to examine the application in accordance with the technical annex of the relevant certification rules.
- If the file is incomplete or information is missing, a request for additional information is addressed to the applicant. Ascquer reserves the right to request additional information and supporting documents about the nature of technical links relating to CE certification existing between the applicant, the manufacturing entity and/or any sub-contractor(s). If the additional information is not received within a maximum period of 3 months, and in any event before the tests are carried out, the file is closed without further action.
- When the file is not deemed to be admissible, Ascquer informs the applicant of the non-admissibility of the application and gives the reasons for this rejection.

In any event, Ascquer sends an email to the applicant to formalise the admissibility check.

6.1.5 inspection audit

There are two types of inspection audit:

- the initial inspection,
- the monitoring inspection
- Additional inspection

6.1.5.1 How the inspection works

6.1.5.1.a Choice of inspection

If an inspection is carried out, there are two options:

- option A concerns non-certified applicants according to the most recent version of EN ISO 9001,
- option B concerns certified applicants according to the most recent version of EN ISO 9001.

The applicant has, on the date of the inspection, a valid and up to date ISO 9001 certificate:

- including the relevant sites and activities in its scope,
- issued by a certification body accredited by Cofrac or by a member of the EA (European Co-operation for Accreditation),

is inspected according to option B.

During the inspection, the auditor must ensure that the certificate is valid according to the criteria mentioned above. The auditor will be called upon to check the relevant audit report.

The option B type inspection has simplified management processes and human resources.

6.1.5.1.b Inspection planning and implementation

Ascquer appoints an auditor and informs the applicant, who can challenge this (with written justification).
Ascquer sends the application to the auditor, along with the file.

The auditor is subject to a confidentiality, impartiality and conflict of interest agreement. The auditor declares to Ascquer any association that may pose a risk to the impartiality of the service (design of certified products or consulting work for the applicant).

The auditor makes contact with the applicant to plan the relevant inspection. They may be called upon to request additional information relating to the inspection both before and after the inspection.

The inspection audit generally takes one day but this can vary depending on the nature of the products, the organisation of the manufacturing entities and any sub-contracting.
The provisions for the duration and grouping of inspections are available on request from Ascquer.

An inspection plan is sent to the applicant before the audit.

If non-conformance reports are issued, the applicant returns the completed reports with their responses to the non-conformance to the auditor within a period of two weeks.

The auditor sends Ascquer the inspection report, including the non-conformance reports completed by the auditee and their comments on the relevance of the corrective actions, within a period of 4 calendar weeks from the audit visit.

Ascquer analyses the inspection report and where applicable, requests additional information about the comments and/or non-conformances specified in the audit report. Where applicable, the response of the applicant is examined together with the auditor.

Ascquer sends the inspection report to the applicant in a digital or paper version as applicable.

6.1.5.1.c Initial inspection

The auditor inspects the manufacturing plant and checks the conformity of the factory production control with the certification rules and the relevant technical annex.
The auditor checks that all the requirements relating to the certification requested are in place. The absence of manufacturing does not preclude the audit taking place.

6.1.6 Type testing

The relevant technical annexes define the type tests.

If Ascquer finds that a product submitted for certification is not consistent with the evaluation principle and the expected use, Ascquer shall inform the manufacturer and refuse to carry out the evaluation.

6.1.7 Decision

Given the results of the assessment (file admissibility, audit(s), test(s)), Ascquer may, as appropriate:

- ask for answers or corrective actions following the non-conformances identified,
- ask for an additional test or audit to be carried out.
- stop the remaining assessments while waiting for corrective actions and/or test results/additional inspection

Depending on the results of the file review, the audit, the tests and/or the results of additional tests/audit, Ascquer decides to agree or refuse the certificate of constancy of performance,

The applicant may contest the decision taken in accordance with these certification rules.

If the certification is refused, the applicant can submit a new application (return to paragraph 5.1) and, possibly, benefit from a simplified test procedure.
The simplified test procedure applies when the amendments made by the applicant to the product do not require all the tests provided for by the standard(s) to be renewed, in the respect of the requirements set out by applicable standards and the concerned technical annex.

It is the responsibility of Ascquer, after opinion from the testing body, to determine if a simplified test procedure can apply and to define the tests to be carried out. A test order is prepared and sent to the body responsible for the tests.

The issuance of a certificate of constancy of performance shall in no way substitute Ascquer’s responsibility for that assumed by the manufacturer, in particular when the manufacturer affixes or has affixed the CE marking, or when placing on the market a product covered by a declaration of performance.

Article 7 - Validity of CE certificates

CE certificates issued by Ascquer do not feature a validity date. However, the results of follow-up assessments determine whether certificates are maintained.
The numbers of valid certificates are posted on Ascquer's website (www.ascquer.fr).

Article 8 - Amendments to files in the process of obtaining CE marking

A written request to amend a file under review may be submitted by an applicant. Ascquer examines each modification request on a case-by-case basis.
Any amendment resulting in a new file examination will be subject to additional billing.

Article 9 - Amendments to the conditions for obtaining CE marking

Any amendments to the conditions for obtaining a certificate of constancy of performance must be reported in writing to Ascquer by the holder in accordance with the relevant technical annexes.

The terms and conditions for dealing with these amendments are given in the relevant technical annexes.

Ascquer may require where appropriate:

- a new inspection of the manufacturing entity,
- additional tests,
- a modelling study of the amended system (such as road restraint systems).

Article 10 - Cessation of production, request for abandonment

Any permanent cessation of production, or any temporary cessation exceeding one year, of a manufacturing site or a product must be reported to Ascquer.

Ascquer may receive an request for abandonment, temporary or permanent.

The owner of the application may at any time inform Ascquer of their desire to abandon the EC certificate for one or some of the submitted products, or to cease production in one or several manufacturing plant.

A request for temporary abandonment results in the suspension or restriction of the relevant certificates for a maximum period of one year. The suspension may be lifted at the holder's request. Ascquer may require a new inspection before reissuing the certificate.

A request for permanent withdrawal must be accompanied by a declaration of stocks of CE-marked products, along with a proposed estimate of the time required for their clearance. Upon receipt of a withdrawal request, Ascquer determines the monitoring operations to be implemented during the stock clearance period, as well as the methods for verifying clearance. Certificates are withdrawn after the stocks have been cleared.

The manufacturer may propose alternative measures (removal of CE marking, destruction, etc.).

It is the holder's responsibility to inform its customers of the discontinuation of production of the permanently withdrawn product.

Article 11 - Declaration of performance

For any product placed on the market, the applicant must prepare a declaration of performance (DoP) in accordance with the requirements of Construction Product Regulation no. 305/2011. A model is given in annex III of Regulation no. 305/2011

If a declaration of performance has not been drawn up by the manufacturer, the CE marking is not affixed. The rules for CE marking are set out in the Construction Products Regulation No. 305/2011.

The affixing of the CE marking and the declaration of performance are under the sole responsibility of the holder. The tasks of notified bodies do not include the assessment or validation of the manufacturer's DoP, CE marking, or other product declarations/markings. However, the activities carried out by the notified body may require consultation of the DoP.

If Ascquer becomes aware of any error or omission, of any kind, in the DoP or CE marking, it will inform the manufacturer.
The correction of these errors or omissions in the declaration of performance or CE marking is the sole responsibility of the manufacturer and is not a prerequisite for the issuance or maintenance of the certificate.

Furthermore, if Ascquer becomes aware of misleading information or references abusively linked to certification, the manufacturer will be required to remove such misleading references by any means deemed necessary by Ascquer.

The DoP may be made available by any appropriate means (including in electronic form).

The requirements relating to the affixing of the CE marking are defined in European Regulations 765/2008 and 305/2011.

Article 12 - Monitoring carried out by Ascquer

12.1 General information

The monitoring of products with a CE certificate, is carried out through periodic annual inspections of the holder's manufacturing entities and, if necessary, sub-contractors.

Ascquer prepares the monitoring schedule every year depending on:

- the requirements of the rules,
- the results of previous monitoring.

The provisions for the duration and grouping of inspections are available on request from Ascquer.

12.2 Carrying out the inspection

The inspection is carried out in accordance with points 6.1.5.1.a and 6.1.5.1.b

The manufacturing site were the significant manufacturing processes (likely to have an influence on the product's performance) are performed is always audited. If an inspection has been carried out at a sub-contractor's and/or supplier's in the context of the initial request, the monitoring inspection will be carried out in accordance with the frequency specified in the technical annexes.

The inspection focuses in particular on:

- verifying compliance with the requirements of these certification rules, the relevant technical annex and the standard(s) specified in this technical annex,

- verifying via the regular records of the industrialist that product conformity is maintained with regard to the technical file, to type testing and with regard to the characteristics set out in annex ZA of the relevant product,
- amendments made if applicable to the organisation of the manufacturing entity and control since the previous inspection,
- verifying compliance with the marking requirements defined in the relevant technical annexes.

The auditor assesses the adequacy of the declared manufacturing control system and ensures that the minimum controls imposed by the relevant standard and technical annex have been carried out by the holder.

All means (premises, facilities, equipment) enabling the auditor to carry out their mission must be placed at their disposal.
Otherwise, Ascquer may be called upon to apply sanctions (increased monitoring, warning, withdrawal etc.)

12.3 Increased monitoring

If Ascquer deems the non-conformances identified during the inspection to be significant, Ascquer may apply increased monitoring. This consists of reducing the time between inspections with or without increased controls for the holder.

Increased monitoring is maintained for as long as the reasons behind the sanction continue to exist. This increase may translate into 2 inspections being carried out per year.
The holder is informed of the increase and associated conditions.
The holder may contest this decision in accordance with these rules.

12.4 Processing the results

Ascquer examines the inspection report, in accordance with the requirements laid down in the rules.

Depending on the results of this assessment, Ascquer makes one of the following decisions:

1. maintain the CE certificate,
2. request additional information with a given deadline,
3. warning with formal notice to correct the non-conformity or non-conformities identified within a given deadline,
4. reinforced surveillance
5. suspension,
6. Restriction of the CE certificate,
7. withdrawal of the CE certificate.

In case no. 1, the CE certificate is tacitly renewed.
In case no. 2, the request may be made by e-mail. The response to this request determines whether the CE certificate is maintained.
In cases nos. 3 to 7, the decisions are sent to the holder immediately by letter or e-mail. The terms and conditions for lifting this warning are indicated in this letter.
In the event of major non-conformity that could jeopardise the safety of users, Ascquer reserves the right to decide the on withdrawal of a certificate.

Article 13 – Sanctions

13.1 General

The sanctions applicable are imposed in the context of monitoring CE certified products.
Any failure on the part of the holder or the audited site to comply with the requirements of the harmonised technical specifications (harmonised standards or European Assessment Documents) and these rules, are liable to the following sanctions:

- warning,
- reinforced surveillance,
- restriction of the CE certificate,
- suspension of the CE certificate,
- withdrawal of the CE certificate.

The holder of the CE certificate may contest or appeal the sanction whose terms and conditions are defined in this document

13.2 Warning

A warning is the sanction taken against a CE certificate holder to ask them to correct a non-conformance within a given deadline.
Ascquer sends a registered letter with acknowledgement of receipt to the CE certificate holder.
Several types of warnings can be issued:

- warning or formal notice to bring to an end within a given deadline the anomalies or inadequacies identified and to send Ascquer a description of corrective actions accompanied by documentary evidence, if applicable,
- warning or formal notice to bring to an end within a given deadline the anomalies or inadequacies identified with an additional assessment of conformity of factory production control to be paid for by the manufacturer,

These reasoned decisions are notified to the interested party by registered letter with acknowledgement of receipt, confirming the date when said decision takes effect. The nature of the decision depends on the severity level of the failure(s) identified.

Ascquer may lift the warning if the items are received within the set deadlines and if they provide sufficient evidence of the non-conformance being resolved.
If the elements requested are not received or the non-conformance is not resolved within the set deadline, Ascquer imposes a suspension or a withdrawal decision.

13.3 Suspension or restriction of the CE certificate

Suspension or restriction is the sanction imposed on a CE certificate holder for a specified duration as the result of a significant non-conformance jeopardising the performance of a product or a renewed non-conformance. During the suspension period the CE certificate is cancelled.

When non-conformities concern only part of the scope of the certificate, the restriction of the certificate consists in excluding from the certificate the scope found to be non-compliant (manufacturing entity, performance, etc.).

These reasoned decisions are notified to the interested party by registered letter with acknowledgement of receipt, confirming the date when said decision takes effect.
The terms and conditions for lifting a suspension or restriction are specified by Ascquer.

If no action is taken to lift the suspension or restriction in the specified deadline, a withdrawal decision is notified by Ascquer.
Suspension does not constitute a breach of contract (continued visits, payment of the annual fee).

Any restriction or suspension decisions is communicated to the notifying authority, including a description of the reasons for the decision.

13.4 Withdrawal of the CE certificate
Withdrawal is a sanction which cancels the CE certificate for a product.
The severity of the non-conformance identified may cause Ascquer to demand the withdrawal of the CE certificate. Withdrawal impacts at the very least future production as well as communication materials.

The manufacturer is required to take the necessary actions following the withdrawal of the CE certificate.

The holder is notified of the withdrawal of the CE certificate and informed of the reasons for the withdrawal. The decision becomes enforceable upon notification.

If the holder wishes to obtain a new certification for the products concerned, they must submit a new certification request in accordance with Article 6.

Any withdrawal is communicated to the notifying authority, including a description of the reasons for the decision.

Ascquer checks that the sanction is observed by collecting information gathered by the auditors or information from the market.
A new request to obtain a CE certificate for this product will be subject to the complete procedure for obtaining CE marking.

Article 14 - Complaints

Ascquer searches, if necessary, for additional information from applicants/holders, sub-contractors or any organisation involved with the complaint in order to analyse it.

The complaint analysis may require corrective actions to be put in place (an inspection, a sample or an additional test to be carried out).

Ascquer sends a response to the organisation having filed the complaint by registered mail with acknowledgement of receipt and specifies in their response letter the actions adopted.

Ascquer informs the organisation of the adopted actions carried out to provide a satisfactory response to the complaint.

For any other complaint concerning the application of a CE certificate issued by another notified body, Ascquer sends the information directly to the public authorities.

Article 15 - Challenging a warning

Within fifteen days of receiving the sanction notification, the holder can, based on valid justification, challenge the decision relating to them and request a new review of their file by Ascquer.
This challenge does not have a suspensive effect on the CE certificate. The sanction initially imposed therefore remains applicable during this time.

Ascquer proceeds to examine the challenge as follows:

- Ascquer receives the challenge and issues an acknowledgement of receipt,
- examination of file case including, where appropriate, with sub-contractors,
- possible consultation with the relevant committee for an opinion,
- response to the applicant with confirmation, amendment or cancellation of the contested decision,

The procedure relating to complaint management is available on request from Ascquer.

Article 16 - Appeals

Any request submitted by the applicant/holder to the certification body to reconsider a previously made decision (withdrawal, suspension, restriction, application of sanctions — reinforced surveillance, additional tests, etc.) is considered to be an appeal.
The appeal request must be addressed to the President of Ascquer within a period of 15 days following the decision notification.
Appeals are non-suspensive. The sanction initially imposed therefore remains applicable during the processing time.
The President of Ascquer reviews the appeal and/or asks the Ascquer committee or the impartiality committee for the relevant product for an opinion in the two months following receipt of the appeal request.
Ascquer's decisions taken in response to an appeal are irrevocable.
The procedure relating to appeal management is available on request from Ascquer.

Article 17 - Improper use of CE certification

Applying CE marking without authorisation from a certification body on products or packaging, technical, commercial or advertising documents is considered to be improper use.

Ascquer will apply the provisions referred to in article 13.1.

In all cases (whether the improper use relates to Ascquer or not), the public authorities are informed.

Ascquer reserves the right to prosecute anyone who makes improper use of CE certification issued by its departments, with any legal action that it deems appropriate and which all applicants who consider themselves wronged can join.

Article 18 - Complaints to the CE certificate holder

These rules provide, in the section concerning the monitoring carried out by the CE certificate holder, that the latter must:

- identify and keep any complaint relating to the characteristics of the products covered by the EC certificate
- deal with the complaints and keep a record of this process.

Article 19 - Approval of the rules

The draft rules are distributed to interested parties identified in Ascquer's quality control system for validation. Interested parties have a deadline within which they can issue their comments. These comments are taken into account by Ascquer who amends the draft rules accordingly.
When the draft rules are approved by the interested parties within the consultation period, they are then approved by the General Delegate of Ascquer and an implementation deadline is set.

Article 20 - Publication of the rules

As soon as they are validated and approved, Ascquer sends the rules to the interested parties by email. The rules are placed on line on the www.ascquer.fr website and sent to CE marking holders and applicants.
Amendments to the rules are identified in the "Amendments made" table.

Article 21 - Financial regime

The financial regime is updated annually on the basis of price changes proposed by the sub-contractors and voted by Ascquer's General Meeting.
The prices and terms of payment are available on request from Ascquer.

The applicant must pay the invoiced amounts in the prescribed conditions. In the event that the initial formal notice sent does not, within a period of one month, result in the payment of all sums due, Ascquer may give notice of the sanctions provided for in these rules for all the products submitted by the holder (suspension, certificate restriction, withdrawal) or stop examining the files until the amounts due are paid.

Non-payment of invoices will prevent Ascquer from exercising its responsibilities in terms of control and intervention which it must fulfil in respect of these certification rules.

Registration fees and examination costs for files are payable when the files are opened. Costs relating to testing, inspections and control are payable as soon as the results of the latter are communicated to the applicant. CE certificate fees are payable as soon as the latter is awarded and annually.

Article 22- Information about notifying authorities

Ascquer sends the French State a statement of the constancy of performance certifications that it has issued, refused or withdrawn during the previous year.
A notification agreement is established between Ascquer and the French State specifying the rights and duties of both parties.

Article 23- Market information

Ascquer makes available to the market on its web site information related to certified products (at a minimum: admission number, product designation, company, admission date, modification date if applicable).

Any additional information made available to the public is listed in the technical annexes to the reference framework.