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# Regulations for NSI Approved Companies Annex 8: Additional regulations relating to companies holding NSI 'Gold' and NSI 'Silver' approval for Kitchen Fire Protection Systems

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## **Annex 8 - Regulation A.8**

### **A.8.1 Certificates of Compliance and related matters**

#### **A.8.1.1 Who can issue NSI certificates?**

NSI Certificates of Compliance for Kitchen Fire Protection Systems (KFPS) can be issued only in the name of an NSI 'Kitchen Fire Protection Systems Gold' or 'Kitchen Fire Protection Systems Silver' approved company.

#### **A.8.1.2 Buying NSI certificates**

You must buy from us every NSI Certificate of Compliance you issue.

NSI Certificates of Compliance are eDirect certificates which are issued via the NSI e-commerce website.

#### **A.8.1.3 Issuing NSI Certificates of Compliance**

NSI Certificates of Compliance must be issued for any Kitchen Fire Protection System installation within a scope for which the approved company holds NSI approval on the date of issue of the certificate and in accordance with these regulations.

Before issuing any NSI Certificate of Compliance, you must make sure the KFPS installation meets the appropriate manufacture's requirements, technical specifications, codes of practice and other NSI requirements.

When issuing NSI Certificates of Compliance you must also issue the NSI Terms and Conditions for KFPS Gold or KFPS Silver Certificates of Compliance according to your approval type.

Under these regulations, the obligation to issue NSI Certificates of Compliance applies only for KFPS installations in the UK, the Channel Islands and the Isle of Man. You must not issue NSI Certificates of Compliance for installations elsewhere.

#### **A.8.1.4 Issuing NSI certificates for new installations**

If you hold 'KFPS Gold' or 'KFPS Silver' approval, you must issue your customer with an NSI Certificate of Compliance for each KFPS system you install. This applies if you hold 'KFPS Gold' or 'KFPS Silver' approval at the time the KFPS system installation can start to be used.

You must issue the NSI Certificate of Compliance as soon as the KFPS system installation can start to be used.

If there are circumstances which mean you have not issued a NSI Certificate of Compliance within 13 weeks of the date the KFPS installation was used for the first time, you must tell us, in writing, explaining those circumstances.

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**A.8.1.5 Issuing NSI certificates following a maintenance or service visit**

Following a maintenance or service visit, irrespective of whether the system has a current NSI/BAFE Certificate of Compliance, a new NSI Certificate of Compliance shall be issued to confirm the system is performing to the original design specification or, the system has been modified to suit the operational requirements of the establishment and has been amended to meet those requirements.

You must issue the NSI Certificate of Compliance within 30 days of completion of the maintenance visit.

*Modification of the Kitchen Fire Protection System is not considered to be a relevant activity as any changes to the protected areas or fire protection system will require a complete design review and the issue of a new Certificate of Compliance.*

**A.8.1.6 Making changes to NSI certificates**

You must not make any changes to a NSI Certificate of Compliance without first getting our permission in writing.

**A.8.1.7 Charges for failing to issue or deliver NSI certificates you should have issued**

We may charge you if you fail to keep to the conditions of these regulations. We may also require you to issue certificates which you should have issued. The charge will not be more than five times the total normal cost of the certificates you should have issued. Your approval may be at risk under Regulation 5 if you have failed to issue any certificate you should have issued.

**A.8.1.8 Shelf life of NSI certificates**

You are entitled to issue NSI Certificates of Compliance within three years of the date you bought them.

**A.8.1.9 Refunds**

You are not entitled to receive a refund from us of the price you paid for a NSI Certificate of Compliance you have not issued. We will not pay refunds for lost, spoiled or missing NSI certificates.

**A.8.1.10 Status of NSI certificates**

We reserve the right to change the status of a certificate to 'withdrawn' if we consider you have failed to keep any KFPS system installation to the standard for which a certificate has been issued. You will be advised of the conditions in relation to this 'withdrawn' certificate and you will not be entitled to a refund of any fees you have paid.

**A.8.1.11 'Verification' process**

Before issuing an NSI Certificate of Compliance, a 'verification' process must be completed as defined in the BAFE SP206 scheme, to check the KFPS installation meets manufacturer's requirements, any relevant Codes of Practice and BAFE SP206 scheme requirements.

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### **A.8.1.12 How to deal with 'variations'**

If, during the 'verification' process you find there are 'variations' from the quoted contract and/or system design proposal, you must bring these 'variations' to the customer's attention. The customer should then arrange for the 'variations' to be corrected or formally accept the 'variations' and allow them to be listed as 'agreed variations'. (You must add the details of all 'agreed 'variations'' to the final NSI Certificate of Compliance). If the customer does not agree to the 'variations' being corrected and does not agree to them being listed as 'agreed 'variations'', you will not be able to issue them with a final NSI Certificate of Compliance.

## **A.8.2 Maintaining KFPS system installations and correcting faults**

If you are responsible for maintaining, or have the right to claim future income from, any KFPS system installation for which a NSI Certificate of Compliance has been issued or for which it should have been issued, you must:

- maintain the KFPS system installation and carry out maintenance inspections in line with NSI requirements;
- carry out any work on the KFPS system installation that may be necessary for the installation to keep to all NSI requirements and you must fulfil your responsibilities to maintain the installation;
- make sure that the KFPS system installations are available for our representatives to inspect, and provide any information and undertakings we may require.

## **A.8.3 Customer agreements**

The conditions of regulation A.8.2 no longer apply once you have properly ended your contract with the customer.

If you are prevented from keeping to any part of the NSI and BAFE SP206 requirements relating to a KFPS installation because a customer has refused to give you permission, you will be considered to have kept to the requirements if you have either of the following on file:

- A written refusal the customer has given you; or
- Copies of correspondence between you and your customer to show that you have made every reasonable effort to get the customer's permission and to keep to the NSI requirements.

You will also need to have the following information on file:

- A copy of a notice you have given the customer to end, as soon as possible, the contract for supplying or hiring all or part of the KFPS installation, or for supplying services relating to the KFPS installation;

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- If you have had an opportunity to end the contract, evidence that you ended the contract as soon as possible;
- If you have ended the contract, evidence that you made every reasonable effort to tell the person or organisation using the premises in which the KFPS installation is installed about the fire-safety risks of not continuing with a maintenance contract for the KFPS installation.

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