

1. INTRODUCTION

This instruction refers to the Certificates issued by the Notified/Designated Body at TINSA Ltd. The type of the issued certificates depends on the choice of verification module by the Applicant/Employer.

The instruction shall be provided for information and compliance by the certified organization after its railway subsystem, part/stage thereof or constituent has been certified.

2. SCOPE AND SPHERE OF APPLICATION

In the field of use and reproduction of the provided certificate, TINSA Ltd. adheres to the principle that the certificate creates trust in the market, and the bodies using this certificate comply with the certification requirements or part of them for interoperability under Directive (EU) 2016/797. This principle and the rules in this document also apply to references made to the certification provided by TINSA Ltd., in its quality as a notified body/designated body under Directive (EU) 2016/797.

This document is part of the certification requirements of TINSA Ltd., and it is mandatory for persons who use the Certificates/Approvals issued by NoBo/DeBo at TINSA Ltd. and/or refer to a certification provided by TINSA Ltd.

3. DEFINITIONS

In the present document:

Notifying authority means a body, which has notified TINSA Ltd. to carry out EC conformity verification, and to certify subsystems of the railway system. For the Republic of Bulgaria, the Notifying authority is the Railway Administration Executive Agency.

Certificate means a certificate of conformity/approval issued by the Notified/Designated Body of TINSA Ltd., defining the scope of certification of the Client's subsystem.

Client means an organization to which a certificate has been issued.

Communication with the public means:

- advertising materials - ads, posters, TV commercials, promotional videos, websites, brochures, vehicles of the Client, etc.;
- stationery of the Client - documents for sales and contracts, letterheads, business cards, invoices, greeting cards, envelopes, etc.

Improper use of the Certificate means use in violation of these rules. It also means imitation, falsification and fraud related to the Certificate.

TSI means technical specifications for interoperability.

Use means a legal, authorized, permanent, limited and revocable right to use a Certificate.

NoBo – Notified body.

DeBo – Designated body.

4. RESPONSIBILITY

- All associates/collaborators shall monitor the correct use of certificates issued by NoBo/DeBo to TINSA EOOD;
- The organizations that have received a Certificate from NoBo/DeBo at TINSA Ltd. are obliged to follow the instructions and requirements of this instruction.
- The Technical Director of TINSA Ltd. or a person authorized by him is responsible for additional informing the clients about the rules and requirements for using the certificate, when such information is requested.

5. RULES FOR USE OF THE CERTIFICATE

After performing an assessment service and after a positive opinion of the Certification Decision Making Committee, NoBo/DeBo at TINSA Ltd. issues a Certificate under Ordinance 57 or Directive 2016/797. The certificate (s) is/are submitted to the Client on paper in original.

NoBo/DeBo at TINSA Ltd. do not provide the Clients with a certification mark or logo due to the nature of the service provided and the requirements of Directive 2016/797.

TINSA Ltd. is the owner of the certificate (s) issued by the NoBo/DeBo at TINSA Ltd. of the Client. TINSA Ltd. reserves the right to replace the Certificate with another at any time, without making changes to the information described in the certificate. TINSA Ltd. notifies the client.

The use of the Certificate during its period of validity (when available) is strictly limited for the Client, whose subsystem or constituent has been successfully certified by NoBo/DeBo at TINSA Ltd.

The Client has the right to decide for himself whether to use the Certificate issued by NoBo/DeBo at TINSA Ltd. When using the Certificate, the Client is notified and agrees that:

- a) will use the Certificate only in the manner described in Ordinance 57, Directive (EU) 2016/797, the applicable TSIs and other applicable documents;
- b) will use the Certificate only in the manner described in this instruction;
- c) will use the Certificate only in connection with the scope of certification;
- d) will use the Certificate in its communication with the public in a way that does not allow ambiguities regarding the scope of certification and other issues;
- e) will not use the Certificate for declaration of conformity of other products/sites, which are not certified by the Notified Body TINSA Ltd.;
- f) may use the Certificate in advertising materials, as the use must be related only to the certified subsystem (s) or constituents of the NoBo/DeBo at TINSA Ltd.;
- g) may use Certificate (s) on its website only with specific text for the scope of the certificate issued (subsystem/constituent);
- h) in the cases of suspension or revocation of Certificate (s), shall immediately stop using the Certificate (s) (on advertising materials, website, etc.) and not use a copy or imitation thereof in the future;
- i) in case of revocation of certification, the Client is obliged to return the original of the certificate to TINSA Ltd., and has no right to refer to the certification;
- j) in case of transfer of ownership or merger, for the use of Certificate /s a written permission is required from NB/DB at TINSA Ltd.;
- k) comply with these rules when referring to the Certificate in the media (documents, brochures, promotional materials).

The Client is entitled to:

- publish in the media messages about the certification of a subsystem or constituent, as well as allow them to photograph the original copy of the Certificate.
- maintain controlled copies of the original Certificate and place and display them in appropriate places in the organization, as well as in other appropriate places, during its public appearances;
- use the Certificate (s) on its website and promotional materials;
- issue a declaration in accordance with Ordinance 57 or Directive (EU) 2016/797.

The Client has no right to:

- use or allow to be used a Certificate or parts thereof in a misleading manner;
- use or allow to use the Certificate in a way that may damage the good reputation of TINSA Ltd. and compromise the public trust in it;
- use or refer to the certificate outside the scope specified in it;



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- make or allow to be made misleading declarations relating to the certification of a subsystem or constituent;
- to make statements regarding the issued Certificates or the certified subsystems/constituents, for which statements NoBo/DeBo at TINSA Ltd. consider to be misleading or unauthorized;
- transfer its rights to use the Certificate (s) to other organizations, unless it receives explicit permission from TINSA Ltd.

When using the Certificate (s), the Client shall comply with the following rules:

- the certificates shall not be processed in a way that will change the information in it;
- the certificate is published/copied in its integrity, including the appendix to it (when available);
- parts of the certificate shall not be used in advertising materials, protocols or other commercial documents;
- when referring to a Certificate, at least its number shall be indicated;
- when publishing or copying Certificate (s), clarity and legibility of the information in it shall be ensured.

The use of the Certificate (s) does not release the Client from responsibilities imposed by the legislation on the implementation and maintenance of the certified railway subsystem or constituent.

NB/DB at TINSA Ltd. reserves the right to verify the use of the issued Certificates during inspections and audits, and the Client will be informed in advance.

6. SANCTIONS AND APPEALS

In case of incorrect use of Certificate/s, NoBo/DeBo at TINSA Ltd. has the right to immediately terminate or revoke the certification. The client can appeal the decision in accordance with the procedure for complaints and objections, which will be provided by TINSA Ltd. upon request.

7. CONFIDENTIALITY

Unless with the consent for observance of other conditions to TINSA Ltd., the Client is obliged to keep the confidentiality of the documents received from NoBo/DeBo at TINSA Ltd., except for the Certificate and its appendix.

8. AMENDMENTS IN THE LEGISLATION AND STANDARDS

NoBo/DeBo at TINSA Ltd. is subject to all national and international laws, regulations and standards concerning the right to use a Certificate, as well as the conditions for possession of the rights. NoBo/DeBo will inform the Client about the changes affecting the use of Certificate/s, and the latter is obliged to make updates in accordance with the specified amendments.

9. TECHNICAL DETAILS

The Client may copy the provided Certificate (s) in colour or black and white.

In documents with more than one colour or one predominant colour, the Certificate may also be placed on a coloured background if it remains clearly visible.



An electronic copy of the Certificate may be enlarged and reduced, provided that the text remains legible.

When using the Certificate its form shall not be breached. It may be enlarged or reduced, but the proportionality of the horizontal and vertical dimensions shall not be disturbed.

10. DOCUMENTING AND APPENDICES

Nº	Document	Form	Period for conserving/ keeping the records	Place for conserving/ keeping the records	Responsible for the record or update

11. APPROVAL

	Name, surname	Position	Version	Date	Signature
Prepared	Dipl. Eng. E. Petrov	Quality Manager	05	13.04.2021	
Approved	Dipl. Eng. Y. Kostadinov	Technical Director	05	13.04.2021	

Paper controlled copy Nº ____

Signature of QM: _____