



KIWA LTD.

**KIWA WATERTEC CONSTITUTION DOCUMENT TO CERTIFICATION
SCHEMES.**

GUIDANCE DOCUMENT KW001 Issue 6 (31st January 2023).

1. Scope.

1.0. This Document specifies the constitution of the Kiwa UK Certification Schemes which includes Water Supply (Water Fittings) Regulations 1999 Product Approval Scheme, Thermostatic Mixing Valve Scheme (TMV Type 2, and 3) Unvented hot water Storage Cylinders Scheme (G3) against the requirements of UK Building Regulations Part G.

The document is intended to inform the water industry, general public, and manufacturers of the aims of the schemes and to promote an active understanding of the route to product certification and the terms and conditions under which certification is granted.

2. Water Supply (Water Fittings) Regulations 1999 Scheme (Reg 4 Compliance).

2.0. From the 1st July 1999 the duty of ensuring the correct installation, commissioning, maintenance and use of water fittings for the supply of wholesome water within the boundaries of properties and their curtilages in England and Wales has been regulated by means of the Water Supply (Water Fittings) Regulations 1999 which were incorporated in law by means of the SI 1999 No 1148 and amendment SI 1999 No 1506.

2.1. These “Water Regulations” replaced the now revoked Water Supply Byelaws made in 1987 in England and Wales by the numerous water undertakings. Similarly, in Scotland, The Water Supply (Water Fittings) (Scotland) Byelaws 2014 revoked the previous Scottish Water Byelaws 2004, and the current Water Supply (Water Fittings) Regulations (Northern Ireland) 2009 revoked the previous Water Regulations (Northern Ireland) 1991. (Collectively referred to in this document as “Water Regulations”) (now been amended to take account of the UK leaving the EU)

2.2. The purpose of the Water Regulations remains, as with the previous Water Supply Byelaws, the prevention Contamination, Waste, Misuse or Undue Consumption, of water supplied by the water undertaker. The Regulations also included the prevention of erroneous measurement of water supplied by the water undertaker.



2.3. It is the statutory duty of persons installing or using a water supply which is conveyed by a water undertaker to comply with the requirements of these Water Regulations.

2.4. It is a requirement of the Water Regulations that every water fitting shall be of an “appropriate quality and standard; and be suitable for the circumstances for which it is used”. The requirements as to this regulation are considered to have been met where, amongst other methods, the water fitting complies to an “appropriate British Standard” or it “conforms to a specification approved by the Regulator”. The Specification “approved by the Regulator” is a freely available public document of testing requirements for the majority of water fittings, which is available on-line for public inspection. The “Regulator” was originally the Secretary of State for the Environment, Transport and the Regions and the National Assembly of Wales. In England it has now evolved to become the Department of the Environment, Food and Rural Affairs (DEFRA).

2.5 It is not a requirement in law that a manufacturer is necessitated to seek confirmation of a water fitting’s ability to meet the Water Supply, (Water Fittings) Regulations Criteria prior to his offering of a device for sale. It is, however, a requirement that the installer or user, having purchased such a device, satisfies themselves as to the compliance of a fitting with the appropriate Regulation(s). When water is supplied from the public water supply by the statutory Water Undertaking.

2.6 The enforcement of the Water Regulations is a statutory responsibility of the Water Undertakers, and they employ water regulations officers to offer advice or attend at site and examine water systems installed in properties so as to ensure compliance. They are empowered to visit all premises to which any undertaker has made or is to make a supply available under the meaning of the legislation and within their statutory powers.

2.7. In particular it is a requirement upon installers or users that appropriate notification is given, in writing, prior to the installation of particular fittings; and that the fittings and water systems subject to notification are not installed without consent.

2.8 A method of ensuring compliance with the Regulations, (with respect to both fittings and materials) and to ensure users or installers have confidence in a Products compliance, is for manufacturers or users of Water Fittings (connected to the water undertakings supplies) is to apply to an appropriate acceptance or certification body and for them to undertake testing to the appropriate test and acceptance criteria.

2.9 Such a Scheme is managed and operated by KIWA Watertec under the UK Water Regulations (Water Fittings) Regulations 1999 Product Approval Scheme, hereinafter called KIWA Watertec Water Regulations Scheme (KUKreg4).



Further certification schemes managed by Kiwa Watertec include the Thermostatic Mixing Valve Scheme Type 2 (domestic) and Type 3 (Healthcare), G3 unvented hot water scheme.

3. KIWA UK Certification Schemes.

3.0. As stated above, the relevant regulations require that every water fitting is of an appropriate quality and standard. A method by which this quality and standard may be assured is the KIWA Watertec Product Approval Scheme's, which is to assess products against those standards deemed acceptable by the UK Water Undertakings and other national and international Regulation enforcement agencies e.g. Building Regulations or relevant appropriate standard.

3.1. The Schemes also evaluate products presented for approval by evaluating the test results of approved laboratories. The Scheme will consider test results submitted by the following.

- (a) A laboratory which has in place a quality assurance scheme that is ISO/IEC 17025 accredited by the United Kingdom Accreditation Service (UKAS) or an overseas laboratory operating to a multilateral agreement accepted by the European co-operation for accreditation (EA), the International Accreditation Forum (IAF) or the International Laboratory Accreditation Co-operation (ILAC).
- (b) A Test Certificate produced by a recognised European or other national Accreditation Body, which is testing to an appropriate British or European Standard accepted by the UK water undertakers as meeting the requirements of the Water Regulations, and in addition is accepted by the Scheme.
- (c) Where manufacturers undertake testing by means of an appropriate test facility acceptable to the Scheme.

3.2. The operation of the Schemes and the acceptance of products presented for test will be conducted in accordance with the Scheme's current criteria (as stated in the relevant Product Evaluation Guidelines and these documents take precedence).

3.3. The Schemes will only accept applications submitted in accordance with the KIWA Watertec's current Application Form and it's supporting literature. The Application Form(s) may be submitted by Manufacturers, their Agents or Factors. The Scheme will allow manufacturers to submit Schedules of Materials generated by their internal work systems or other approval bodies which satisfy the requirements of the KIWA Application criteria.



3.4. All materials (non-metallic) shall comply with the Regulator's Specification.

3.5. The results of the material and mechanical testing will be considered by appropriate Kiwa Watertec personnel who will then be responsible for making the certification decision. Approval and Certificates will then be issued stating that the product(s) meet(s) the requirements of the individual Watertec certification schemes and the Regulator's Criteria. Certificates and approvals will also be published on-line via the Kiwa Watertec website.

3.6. The certificates of approval will be time valid depending on the type of Certification Scheme selected by the applicant.

For Level 1+ the certificates have no expiry date as long as the on-site audits are maintained.

For Level 3 the certificates are valid for a period of five years from the issue date of the certificate. Failure to re-apply and renew the approval will result in the automatic deletion of the product listing.

3.7. The operation of the Schemes and the issuing of the certificates of approval will be overseen by an independent Kiwa Expert Group which will look at different aspects of certification including Impartiality, technical acceptance of products, and interpretation of UK regulations when required.

a. Impartiality.

To review and ensure requirements of impartiality are met to both BS EN ISO-IEC 17025 (Testing Laboratory) and ISO-IEC 17065 (Certification Company)

To allow manufacturers to present in confidence of confidentiality products/designs or ideas to establish (in the opinion of the committee) if their proposals would not conflict with the requirements of UK Water and /or Building Regulations.

To allow manufacturers/interested parties an opportunity to comment upon the policies and principles relating to the impartiality of its certification activities

b. Other issues.

To ensure all aspects of 17065 certification are met.

To review and accept the Kiwa UK Evaluation Guidelines.

To allow manufacturers a route of appeal under 17065 certification schemes (as defined in the Kiwa Rules of Certification).

To allow manufacturers/interested parties an opportunity to comment upon the policies and principles relating to the certification activities



3.8. The Structure of both the Kiwa Expert Group will consist of interested parties and recognised industry experts, including those experts in the testing of water products to the Regulator's Criteria, experts who are familiar with the Water Supply (Water Fittings) Regulations and the Water Supply (Water Quality) Regulations and Building Regulations, or representatives of appropriate trade bodies concerned in the manufacture and installation of water fittings and materials. The Committee Members are required to comply with the requirements of current Competition Law.

3.9. Any appropriate trade body can apply for membership of the Kiwa Expert Group; the Scheme also welcomes participation by Representatives of the Water Undertakings and by National Consumer organisations, appropriate government organisations etc. The Kiwa Expert Group will hold responsibility for acceptance of new members but shall not un-necessarily withhold such membership.

3.10. All Kiwa Expert Group meets must have a quorum of 50% of members at the meeting for any decisions to be confirmed.

3.12. Manufacturers or their agents, factors or representatives may only attend formal meetings at the invitation of the Kiwa Expert Group and only for that part of the meeting which is to discuss their product.

3.13. All members of the Kiwa Expert Group, excluding KIWA Watertec Employees and the Secretary shall have voting powers.

3.14. The Chair shall be elected from the membership and will have the casting vote in the event of a tie. The Chair will temporarily stand down and a Vice-Chair be elected where the meeting considers matters where a declaration of conflicting interest arises.

3.15. The Scheme's overseeing committee's will employ a secretary whose duties will be:

- To advise the Committee's on technical issues relating to the testing of products.
- To advise the Committee's as to the proposed agenda and to take notes of and to produce the minutes of meetings.

3.16. The Scheme committees will be required to meet at least annually, its duties will be:

- To consider and advise **KIWA Watertec** on any matters presented to either committee for consideration.



To review biennially the appointment of the Chair, Vice Chair and Secretary of the Committee's. The Chair, Vice Chair and Secretary are appointed for a two-year term and then reviewed.