

RULES OF THE NATIONAL STRUCTURAL STEELWORK COMPLIANCE SCHEME

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1 OVERVIEW

1.1 Type of Scheme

The National Structural Steelwork Certification Scheme establishes the capability through audits of a steelwork fabricator to construct and erect product in accordance with the construction categories defined in standard AS/NZS 5131.

It considers the fabricators ability in terms of their:

- Management systems to control processes including quality, estimating, purchasing, resources, management of projects and the required fabrication, corrosion protection and site erection activities.
- Training and processes to get the outcomes required in the relevant Australian Standards.
- Understanding of the required Australian Standards and practical use of procedures written under these standards.

The Scheme has been developed by the Australian Steel Institute in response to market demand for such a compliance scheme to assist with minimising nonconforming product in the market place and in providing confidence to the market place as to the capabilities of fabricators covered by the Scheme.

ASI owns the intellectual property associated with the Scheme and Steelwork Compliance Australia.

1.2 Standards

The following Australian Standards and key documents are referenced:

- Structural Steel Fabrication and Erection AS/NZS 5131
- AS 4100 Steel structures
- AS/NZS 5100 Bridge design
- AS/NZS1554 suite of welding standards
- AS 1163 Structural steel hollow sections
- AS 3678 Structural steel - Hot-rolled plates, floor-plates and slabs
- AS 3679 Structural steel. Part 1: Hot-rolled bars and sections; Part 2: Welded I sections
- AS/NZS 1554 Structural steel welding
- AS/NZS 2312 Guide to the protection of structural steel against atmospheric corrosion by the use of protective coatings
- AS 1252 High strength steel bolts with associated nuts and washers for structural engineering
- Other standards and codes as referenced in the Structural Steel Fabrication and Erection AS/NZS 5131

1.3 Process

1.3.1 The Scheme operates by means of:

- An auditing system set up by Steelwork Compliance Australia (SCA) as an independent body to establish capability of the fabricator to construct product to the construction categories described in the AS/NZS 5131.
- A registration system for all steelwork fabricators wishing to participate in the scheme, declaring details about their capability.

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Market place surveillance by the SCA for structural steelwork and related feedback to members of the scheme, with the prospect of additional audits for possible non-compliant practice at the discretion of the SCA.

- 1.3.2 This scheme operates independently of quality systems certification, however ISO9001 and ISO 3834 quality management systems will be taken into account in the audit program. Third party inspection and product verification systems will also be referenced in the audit process and the use of certification to recognised schemes may reduce the time, cost and complexity of the audit.
- 1.3.3 This scheme is open to all fabricators who wish to supply structural steelwork in accordance with AS/NS 5131 and the design standards AS4100 and AS/NZS 5100.

2 PRINCIPLES AND OBJECTIVES

2.1 General

- 2.1.1 The Scheme seeks to provide reassurance to the market place and to end users that the fabricator has the capability to fabricate and erect steelwork to the construction category in which they are certified.
- 2.1.2 To ensure product quality, each process in construction needs to remain under control. The Scheme verifies the process capability of a fabricator to manage that construction category. However, the scheme does not certify project related product. The Scheme undertakes audits to ISO17067 Type 6 covering compliance capability for processes and services.
- 2.1.3 The objective of the scheme is to provide specifiers, engineers, builders and end users with the ability to select steelwork fabricators who have been independently assessed as having the capability to achieve compliance to the relevant Australian Standards required to complete the Construction Category for their project.
- 2.1.4 The SCA receives direction and guidance from the SCA Governing Committee which is independent of the ASI Board. The intellectual property of the NSSCS however is owned by the ASI.
- 2.1.5 The Governing Committee will typically comprise, but is not limited to, a representative from the ASI, a representative from Government purchasing, a representative from the engineering specifier community, a representative from the building community and a representative of steelwork fabrication. The scheme shall be funded by way of registrations into the scheme and audit fees.

2.2 Impartiality

- 2.2.1 It is necessary for SCA to be impartial, and to be perceived as impartial, in order to give confidence in our activities and outcomes.
- 2.2.2 Reference is made to the Impartiality Procedure SCA-PRO-002 and related documents.

2.3 Confidentiality

- 2.3.1 Excepting for the information described elsewhere in these Rules all personnel representing SCA in any capacity will safeguard the confidentiality of information obtained or created during the performance of certification activities at all levels, including committees and external bodies or individuals acting on its behalf. This information will be securely maintained whether in hard copy or electronically.

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2.3.2 Information obtained by or provided to SCA as part of a complaint will equally be treated confidentiality as per the Rules.

2.3.3 Apart from other definitions in these Rules, SCA will inform the Licensee in advance, of information it intends to place in the public domain. All other information, except for information that is made publicly accessible by the Licensee, will be considered confidential. Confidential information will not be released to any third party except in the following circumstances:

- a) Where the Licensee has given express written consent that the information may be released; or
- b) Where SCA is required by law to release the information to a third party; or
- c) Where SCA is required by a relevant accreditation body to release the information to such body. (SCA will inform the Licensee before any release of confidential information to an accreditation body); or
- d) Where further described in these Rules.

2.4 Openness

2.4.1 Openness is a principle of access to, or disclosure of appropriate information.

2.4.2 SCA provides access to and disclosure of:

- Appropriate and timely information about the evaluation and certification processes.
- The Certification status of businesses and facilities (including granting, maintaining, extending or reducing the scope of, suspending, withdrawing or refusing certification)

2.5 Responsiveness to Complaints and Appeals

2.5.1 SCA is committed to the effective resolution of complaints and appeal to help protect against errors, omissions or unreasonable behaviour.

2.5.2 Reference is made to Sections 13 and 14 of this Manual.

2.6 Responsibility

2.6.1 The Client has the responsibility for fulfilling the certification requirements, not SCA.

2.6.2 SCA has the responsibility to obtain sufficient objective evidence upon which to base certification decisions.

2.7 Certification Processes

2.7.1 The certification processes are set down in more detail in Procedure SCA-PRO-001.

3 DEFINITIONS AND ABBREVIATIONS

3.1 **Applicant:** The business seeking certification to the requirements of the National Structural Steelwork Certification Scheme of their general activities and a specific fabrication facility

3.2 **ASI:** Australian Steel Institute

3.3 **Client:** An Applicant or Licensee

3.4 **Construction:** all activities performed for the physical completion of the parts of the structural steel as required under the Construction Specification and including procurement, fabrication,

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welding, mechanical fastening, transportation, surface treatment, corrosion protection, erection, and the inspection, certification, and documentation thereof.

- 3.5 **Construction Category:** The risk and complexity of a steelwork project as defined by the structural engineer from the detail in the Structural Steelwork Fabrication and Erection AS/NZS 5131 (to become AS/NZS 5131).
- 3.6 **Governing Committee:** The committee overseeing the processes and procedures of the SCA and the Certification scheme as well as authorised sub-committees including Impartiality, Appeals and Complaints, Certification Approval sub-committees.
- 3.7 **Licensee:** Refers to the Applicant who has successfully completed the certification processes and is and remains eligible to be certified and registered under the National Structural Steelwork Certification Scheme.
- 3.8 **Manager of the SCA:** The manager in charge of operations, staff and contractors, irrespective of the title of that person.
- 3.9 **NSSCS:** National Structural Steelwork Certification Scheme
- 3.10 **SCA:** A certifying authority called Steelwork Compliance Australia.
- 3.11 **AS/NZS 5131 Structural Steelwork - Fabrication and Erection Standard:** A standard for the fabrication of structures referencing relevant Australian/New Zealand Standards required in construction of a steelwork project and defining the risk and construction complexity levels as Construction Categories.
- 3.12 **The Scheme:** The National Structural Steelwork Certification Scheme

4 APPLICATION AND EVALUATION

- 4.1 An Application is required to be submitted to commence the certification process as defined on the SCA Web Site. Provided this does not indicate any reason not to proceed all applicants are required to complete the Stage 1 (Desktop) Audit.
- 4.2 For Construction Category 1, certification is available to Applicants who can demonstrate to the satisfaction of SCA:
- The management system and experience/capability of the business is capable of supporting the requirements of Structural Steelwork Fabrication and Erection AS/NZS 5131 and the relevant Australian Standards to the level required
 - It complies with the conditions of these Rules.
 - Relevant fees have been received by the SCA.
- 4.3 For Construction Categories 2, 3 and 4 Applicants are required to successfully complete the Stage 2 (Site) Audit and to demonstrate to the satisfaction of SCA that:
- The management system and experience/capability of the business is capable of supporting the requirements of the Structural Steelwork Fabrication and Erection AS/NZS 5131 and the relevant Australian Standards;
 - It can achieve and sustain the quality of the product and service so as to consistently meet the employer / Licensee's specified contractual requirements.
 - It complies with the conditions of these Rules.
 - Relevant fees have been received by the SCA.
- 4.4 The requirements for CC4 are additional to CC3. The additional requirements are not fully defined in this Standard. CC4 applies to unusual or special structures for which it is expected

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that requirements additional to those for CC3 will be defined at a project specific level or by a particular organization, agency or business.

- 4.5 It is acceptable for the fabricator to opt out of certification (and conformity) to Section 9 (Surface Preparation and Corrosion Protection) and Section 11 (Erection) of AS/NZS 5131 Structural Steelwork Fabrication and Erection, and this will be clearly noted on the Certificate of Compliance along with any other agreed exclusions.

An example of this is the requirement of the AS/NZS 5131 for welders under Construction Category 3 to be qualified in accordance with AS2980 (refer Clause 7.5.1).

- 4.6 Following completion of the Audit processes described above the Lead Auditor will evaluate all information collected, complete the Audit Report and advise the outcome of the Audit and make recommendation as to certification or otherwise under the requirements of the Scheme.

5 REVIEW

- 5.1 The Lead Auditor will complete the audit and forward this to the SCA Manager who will review all of the documentation.
- 5.2 Where the SCA Manager did not undertake the Audit, the SCA Manager will complete the review of the Certification process and endorse or otherwise the Lead Auditors recommendations (complete with justification for this review decision) and forward the audit report to the person nominated by the Governing Committee to undertake the Certification Decision.
- 5.3 Where the SCA Manager performed the Audit, the SCA Manager will complete all required documentation and forward the report to the person nominated by the Governing Committee to undertake the Review. That person will then complete the tasks described in 5.2 above.

6 DECISION

- 6.1 The Governing Committee will nominate a person to make the final decision on the award of Certification.
- 6.2 The person making the Decision will complete the section in the Report and forward this to the SCA Manager who will liaise with the Applicant to complete any outstanding matters and who will complete all subsequent administrative requirements to conclude Certification.
- 6.3 This approach will be adopted for all Audit types (certification, surveillance, re-certification, special) and any recommendations or requirements in regard to suspension, withdrawal or termination of certification.

7 CONTINUED CERTIFICATION

To maintain Certification the Licensee is required to successfully complete an annual Surveillance Audit, a Re-certification Audit every third year following the certification year and any Special Audits that may be necessary from time to time and to continue to comply with the requirements of the Scheme, these Rules and the Certification Agreement executed by SCA and the Licensee.

8 CONFORMITY AND COMPLIANCE

The Licensee shall provide evidence of its conformity to the requirements of the Scheme at each Audit stage and over time.

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Any identified shortfall in performance shall be recorded by SCA and classified as a Non-conformity of which there 2 levels (major and minor), or a Non-compliance.

Time frames for rectification shall be communicated at the time of assessment or other such time as SCA deems appropriate.

8.1 Non-Conformity

There are 2 levels of non-conformity:

- a) Minor: An identified shortfall in performance that indicates a minor risk to the Licensee not meeting the requirements of the Scheme. A Minor Non Conformity will typically be required to be corrected by the next Surveillance Audit. Documentary evidence of rectification is required.
- b) Major: A shortfall in performance that, when assessed in relation to other audit outcomes, and in the sole opinion of SCA, represents a significant risk of the Licensee not complying with the requirements of the Scheme. These are required to be corrected in a short period of time as determined by the SCA Manager at the time of the audit. Documentary evidence of rectification is required. SCA, at its sole discretion, may decide that an additional site assessment is required to verify that a major non-conformance has been corrected, and any related additional assessments shall be to the Licensee's account.
- c) Should any minor nonconformity not be corrected within the stipulated period, the level of Non-conformance shall be raised to the next level: minor to major, major to noncompliance

8.2 Non-compliance

Non-compliance shall result in suspension of certification and the Licensee will be subject to a review of its Certification that may result in possible withdrawal or cancellation of its certification.

9 RESPONSIBILITIES OF THE LICENSEE

The Licensee shall:

- a) Comply with these Rules at all times.
- b) Provide all necessary and requested information to allow for the Audit processes to accurately reflect the activities and operations of the business.
- c) Maintain effective control of their management system.
- d) Notify SCA of significant changes, that may affect the operations of the Licensee including but not limited to changes affecting:
 - Ownership or company title
 - The management organisation
 - The management representative(s)
 - Works and/or office location and facilities
 - Certification scope
- e) Provide safe access for the SCA Scheme Manager, SCA auditors and observers to Licensee offices, workshops, sub-contractors' and suppliers' facilities and construction/erection sites covered by the scope of the certification.

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- f) Provide access to the Licensee's:
- Management systems manuals and procedures;
 - Documentation, records, materials, product conformity certification, personnel qualifications and certification and internal audit results;
 - Records of all communications and action taken in relation to the requirements of the management system standards or other normative documents;
 - Major non-conformities (internal and external) including customer and other complaints;
 - Facilities, equipment and software;
 - Materials, processes, assemblies and products;
 - Methods of examinations, inspection and testing;
 - Process instrumentation, inspection and testing equipment, and
 - Storage areas.
- g) Provide appropriate personal protective equipment to the SCA Scheme Manager, SCA auditors and observers during audits and other visits when required.
- h) Advise SCA in writing in advance of any visit of any hazardous materials or hazardous practices which the SCA's employees (including auditors, consultants and observers) may encounter in performing the services. SCA shall have no obligation to perform services in the affected areas until such affected areas are rendered harmless.
- i) Advise its customers of the Status and Scope of Certification when required.
- j) Make use of the Certificate of Compliance and the Certification Mark for promotional and display purposes in accordance with Section 25 of these Rules.
- k) Provide suitable amenities and facilities to enable auditors and any technical experts to complete their auditing activities
- l) Provide a Declaration of Conformity to the purchaser in accordance with Section 10 of these Rules.

10 DECLARATION OF CONFORMITY

- 10.1 The Licensee is required to provide the purchaser a Declaration of Conformity that all product meets the requirements of the Construction Specification and relevant Australian Standards when the AS/NZS 5131 or related Construction Category is referenced or required in the contract or Construction Specification. Regardless, the Licensee is encouraged to issue a Declaration of Conformity for all work performed.
- 10.2 Where the Licensee wishes to divert from the format of this document, the Licensee shall get written approval from the SCA Manager to do so.

11 LICENSEE SUBCONTRACTING OR OUTSOURCING OF ACTIVITIES

- 11.1 Certification is provided only for the facility nominated on the Certificate of Conformity.
- 11.2 Where the Licensee has multiple facilities located domestically or internationally, each facility needs to receive independent certification under the NSSCS.
- 11.3 The NSSCS does contemplate that parts of a package of fabricated structural steelwork may be subcontracted or outsourced by the Licensee.

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- 11.4 The Licensee acknowledges that they retain total responsibility for the quality of all product or services subcontracted or procured. The Licensee is required to:
- a) Provide the subcontractor or supplier all information necessary to enable them to meet the requirements of the Construction Specification;
 - b) Ensure that the subcontractor or supplier can comply with the quality requirements as specified;
 - c) Ensure that the subcontractor or supplier provides the Licensee with such records and documentation of their work as may be required of and specified by the Licensee.
 - d) Ensure that the subcontractor or supplier works under the order and responsibility of the Licensee and fully complies with the requirements of the Construction Specification and/or the Structural Steelwork Fabrication and Erection AS/NZS 5131.
- 11.5 It is not acceptable for the Licensee to be passive in the control of subcontracted product and to simply rely on the documentation or Quality Management System of the supplier or subcontractor.
- 11.6 In order to reduce any concerns in this regard it would be preferable for the Licensee to subcontract any work to another constructor Certified by the SCA.
- 11.7 It is not intended that the Licensee outsources or subcontracts the majority of structural steelwork in a given package of work. Rather, the norm would be for the Licensee to undertake the majority of the work at their own facility covered by the Certification under the Scheme and to have demonstrated and direct control of construction of the total package of work.
- 11.8 Any work subcontracted would preferably be undertaken local to the Licensee's nominated facility to enable appropriate and regular monitoring of the subcontractors or suppliers activities.
- 11.9 Further, and for the sake of clarity, if the Licensee's business model or project model is to provide product from construction activities outside of Australia or to subcontract fabrication to international or overseas facilities, such facilities will need to be Certified as part of the NSSCS to enable any part of the work package being undertaken by the Licensee to be covered by a Certificate of Compliance awarded under the NSSCS by the SCA.
- 11.10 The Licensee needs to take all steps necessary to ensure that the SCA Certificate of Conformity and use of the Certification Mark and Declaration of Conformity is applicable to the work undertaken and in particular where subcontracting of product or services is involved.
- 11.11 A Declaration of Conformity applies to product and services, all of which have been uniformly produced in accordance with the same Construction Specification, the Structural Steel Fabrication & Erection AS/NZS 5131, and in accordance with Australian Standards from material produced to Australian Standards.
- 11.12 The Declaration of Conformity must not be utilised for items not produced under the control of the Licensee.
- 11.13 If there are any concerns in this regard the Licensee is advised to make contact with the SCA Manager to seek guidance on the particular circumstances.

12 RESPONSIBILITIES OF THE SCA AND THE GOVERNING COMMITTEE OF THE CERTIFICATION SCHEME

- 12.1 SCA is required to undertake its activities in accordance with the requirements of ISO17065 and to provide impartiality in all of its activities, to keep confidential information provided and to

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act with competence, openness, be non-discriminatory and responsive to any complaints and appeals.

- 12.2 The Governing Committee is composed of members representing stakeholders and interested parties such as Contractors, Customers, Trade Associations and Government Departments.
- 12.3 SCA shall award a Certificate of Compliance to a Construction Category when audit requirements are satisfied, and after a Licensee has demonstrated through the audit process that their business satisfies the compliance capability requirements of the Structural Steel Fabrication and Erection Standard AS/NZS 5131 and related standards.
- 12.4 Conditions relating to the award of a Certificate of Compliance shall be determined by the SCA Manager with the authority of the Governing Committee and communicated to the Licensee.
- 12.5 The Certificate of Compliance shall be confirmed by an annual Surveillance Audit programme, structured to cover all the functional activities necessary to satisfy the requirements of the Structural Steelwork Fabrication and Erection AS/NZS 5131 and the relevant Australian standards / normative documents applicable and defined in this document for all appropriate locations, a re-cert.
- 12.6 When the required Surveillance or re-Certification Audit cannot be performed before the certification lapses, SCA may formally extend the certification period until such time as the required Audit can be undertaken.
- 12.7 SCA shall notify the Licensee of any changes to the Structural Steel Fabrication and Erection AS/NZS 5131 or these Rules, and allow such time as is reasonable in the opinion of the Governing Committee, to adjust its processes and relevant procedures to meet the revised requirements.
- 12.8 The Governing Committee provides approval for the operation of a number of sub-committees to manage:
- Impartiality
 - Appeals and Complaints
 - Certification and suspension or withdrawal of Certification
- 12.9 SCA has an Appeals Procedure as defined in Document SCA-PRO-006 and available on the SCA web site (www.scacompliance.com).
- 12.10 SCA has a Complaints Procedure as defined in document SCA-PRO-005 and available on the SCA website (www.scacompliance.com).
- 12.11 The SCA shall maintain a Register of Certificate Holders document which will contain the details of all Certificate Holders, the Construction Category Certified to, any exclusions relating to the Certification and some general information indicative of the capacity capability of the Licensee (in regard to the specific facility certified). Refer Section 23 of these Rules.
- 12.12 The formal Register of Certificate Holders will be included on the web site and will include some details about the company, the facility certified, and the certification scope and include a copy of the Certificate of Compliance.
- 12.12 The SCA shall provide a web site (www.scacompliance.com.au) for the purposes of facilitating Application to the Scheme, payment of fees, information about the Scheme, the Register of Certificate Holders and other information of interest to stakeholders and steel industry participants.

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13 COMPLAINTS

- 13.1 Complaints are made, registered and managed in accordance with the Complaints Procedure SCA-PRO-005. Refer Attachment 1 to these Rules.
- 13.2 The Complaints Procedure will be made available on the SCA web site.

14 APPEALS

- 14.1 The Licensee may appeal a refusal by SCA to grant or renew certification under the Scheme.
- 14.2 Any appeal by the Licensee against refusal, withdrawal or suspension shall be in accordance with the procedure SCA-PRO-006

15 FEES AND CHARGES

- 15.1 The Licensee, whether seeking to achieve or retain certification by the SCA, shall pay the required fees and charges as determined by the Governing Committee as follows:
- A fee associated with any Application and the associated initial review time of each application;
 - A fixed fee associated with the Stage 1 Audit and the associated initial review time of each Stage 1 (desk top) Audit;
 - A fee for the Stage 2 (site) audit plus any associated travel costs, accommodation and general disbursements;
 - An annual fee for the Surveillance Audit or re-Certification Audit which is undertaken every third year (the yearly sequence being certification audit, surveillance audit, surveillance audit, re-certification audit) plus any associated travel costs, accommodation and general disbursements.
 - A fee for any Special Audits or audits associated with a complaint
 - Any pre-agreed additional costs incurred by the Scheme.
- 15.2 Fees payable shall be those in force at the date they become payable. Details of the current fees and charges can be found on the SCA website (www.scacompliance.com) as per SCA-F-010 or can be requested directly through the SCA Manager.
- 15.3 Should the Licensee not receive Certification to the level required or decide to not continue with the Scheme, any fees paid to that time will not be refunded.

16 FORMAL WARNING NOTICE

- 16.1 If the Licensee is unable to comply with the requirements of these Rules, fails to demonstrate ongoing conformity to a Construction Category or is subject to a serious complaint or series of complaints, the Governing Committee may issue a formal warning notice.
- 16.2 The warning notice will advise the Licensee that the Certificate of Registration is withdrawn until the SCA Manager is satisfied that the necessary corrective actions have been satisfactorily implemented and full compliance with the conditions of Certification have been restored and within the specified period.

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17 SUSPENSION, CANCELLATION OR WITHDRAWAL OF CERTIFICATION

- 17.1 The Governing Committee, on advice from the SCA Manager may, subject to the Rules for Appeal:
- a) Reduce, suspend, withdraw or cancel the scope of certification;
 - b) Refuse to grant or renew the Certification or extend the scope of certification.
- 17.2 Such decisions shall be considered in the following circumstances:
- a) Failure to comply with these Rules;
 - b) Significant failure to comply with the requirements of a relevant national or international Standard or normative document;
 - c) External complaints caused by a verifiable failure of the management system;
 - d) Changes to management, ownership or scope of work contrary to the conditions and scope of Certification;
 - e) Failure to pay promptly for all SCA certification, re-certification and surveillance services plus any other fees determined by the Governing Committee;
 - f) If the Licensee becomes insolvent (that is, it makes any arrangement or composition with 'its' creditors, enters into liquidation whether compulsory or voluntary (but not including liquidation for the purpose of reconstruction), has an administrator or administrative receiver of its business appointed, or is convicted of an offence tending to discredit the Licensee's reputation and good faith as a trader.
 - g) If the Licensee is deemed to be Noncompliant (refer Section 6) with the requirements of the Scheme in which case the SCA may at its sole discretion terminate or refuse to grant or renew certification and require the Licensee to cease the use of the Certification Mark or any claim of compliance or association with the Scheme with immediate effect.
- 17.3 Any Licensee having its certification relinquished or withdrawn shall be listed on the Register of Certificate Holders with a note stating the reason for withdrawal (i.e. voluntary withdrawal, temporary suspension or terminated for noncompliance).
- 17.4 SCA may also make public statement and communications as it deems necessary in regard to any change of status.

18 SERVING NOTICE UNDER THE RULES

18.1 By SCA

- 18.1.1 Any notice issued to the Licensee by SCA shall be in writing and signed by or on behalf of SCA and may be served by:
- a) Email to the address on file of the Licensee's nominated representative and/or;
 - b) Leaving it or sending it by prepaid recorded delivery or registered post at or to its address for the time being (registered office where applicable).
- 18.1.2 General statements regarding the Scheme for public information are deemed to be served when uploaded to the SCA website at www.scacompliance.com and all effected and registered Licensees notified.

18.2 By the Licensee

- 18.2.1 Any notice issued by the Licensee to SCA shall be in writing, sending it by prepaid recorded delivery, or registered post to its address at Ground Floor, 25 Ryde Road, Pymble, NSW, 2073.

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19 ALTERATIONS TO RULES

- 19.1 These Rules may be altered by the Governing Committee.
- 19.2 No such alterations shall affect the right of any Licensee's use of the Scheme's accreditation Certification Mark or claim to be certified unless, or until, it shall have been given notice in writing of such alterations.
- 19.3 SCA will notify the Licensee of the date by which changes to the Rules become effective. This will primarily be done via the SCA Website and the Licensee shall be obligated to apply those changes.

20 CHANGES TO THE SCOPE AS/NZS 5131 OR THE RULES

- 20.1 These Rules may be altered by the Governing Committee.
- 20.2 The requirements of AS/NZS 5131 may be amended by Standards Australia from time to time, as may other referenced Standards.
- 20.3 No such alterations shall affect the right of any Licensee's use of the Scheme's accreditation Certification Mark or claim to be certified unless, or until, it shall have been given notice in writing of such alterations.
- 20.4 If the requirements of AS/NZS 5131 or the Rules applying to this Agreement are modified, the Certification Body shall within a reasonable time and with reasonable notice inform the Licensee stating at what date the modified requirements will become effective, and advising the Licensee of any need for a supplementary examination of the products which are subject to this Agreement.
- 20.5 Within an agreed period of time after receipt of the above notification described in paragraph 20.4, the Licensee shall inform the Certification Body by registered letter (or confirmed equivalent means) that it accepts the modifications. If the Licensee gives confirmation within the specified period of acceptance of the modification and provided the result of any supplementary examination is favourable, a supplementary licence will be issued or other modifications of the certification body's records will be made.
- 20.6 If the Licensee advises the Certification Body that it is not prepared to accept the modification within the time specified in accordance with 20.4, or if the Licensee allows the terms for acceptance to lapse, or if the result of any supplementary examination is not favourable, the Certificate of Compliance covering the audited compliance capability shall with agreement of the Governing Committee be withdrawn on a date after the modified specifications become effective to the Certification Body, and provided in writing to the Licensee.

21 FORCE MAJEURE

- 21.1 Both the Licensee and the SCA shall be relieved from liability each by the other if and to the extent that either becomes unable to carry out all or any of its obligations as a result of any event or matter beyond its reasonable control which occurs after the date of application and which was not reasonably to be foreseen as likely to occur and which the parties could not have taken steps to avoid.
- 21.2 The Licensee and SCA will each inform the other as soon as it becomes aware that any such event or matter has occurred or is likely to occur.

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22 LIABILITY

22.1 SCA shall have no liability towards the Licensee for any claim for damage, loss or expense arising out of or in connection with any service provided under the Scheme or by SCA.

23 REGISTER OF CERTIFICATE HOLDERS

23.1 The Register of Certificate Holders is maintained by SCA and is open to inspection by the public on the SCA Web Site (www.scacompliance.com) or by request to the SCA Manager.

23.2 The Register identifies the Licensee, the company name, address and location of the facility subject to the certification, contact details, the Construction Category certified to, any exclusions or qualifications and general information in regard to the capacity of the facility.

24 ISSUING OF A CERTIFICATE

24.1 The Certificate shall at all times remain the property of the Authority and shall be returned to SCA immediately upon request, together with any and all copies of that Certificate made by the Licensee.

25 USE OF SCA CERTIFICATE AND CERTIFICATION MARKS AND SYMBOLS

25.1 Before being provided with the Certificate of Compliance and the Certification Mark, the Licensee is required to execute the Certification Agreement

Licensees issued with a Certificate of Compliance are authorised to use the SCA accredited Certification Mark as a declaration of conformity of the relevant management systems and the associated working practices to the respective Structural Steelwork Fabrication and Erection AS/NZS 5131, Australian standards and the declared scope of registration.

25.2 Licensees shall use the SCA Certification Mark in accordance with the following conditions:

- a) The SCA Certification Mark shall only be used where a valid Certificate of Compliance has been issued and only in conjunction with the certified Licensee's name.
- b) The SCA Certification Mark may be used on stationery, advertising and promotional material but only in connection with the scope of the certification system.
- c) The Certification Mark provided for use will carry the date by which certification will lapse if the Licensee has not continued to comply with the requirements of the Scheme. This will typically be the date of the next Surveillance Audit.
- d) The Licensee is not entitled to use the Certification Mark passed the expiry date indicated on the Certification Mark.
- e) The Certification Mark will indicate the Construction Category covered by the Licensee's Certification.
- f) Certification Mark can be used and displayed by the Licensee on the Licensee's promotional material or website but only in accordance with the requirements of these Rules.
- g) The SCA Certification Mark must not be used in a context to suggest that a building, structure, or specific structural element or component has been certified.
- h) The SCA Certification Mark cannot be applied to laboratory test, calibration or inspection reports.

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- i) Entitlement to use the SCA Certification Mark is applicable only to the Licensee facility address(es) and location(s) quoted on the Certificate.
- j) If a use of the SCA Certification Mark is considered to be unacceptable by the SCA Manager and ratified by the Governing Committee, the Licensee shall undertake to discontinue that use. Use of the Certification Mark must be terminated immediately upon receipt of written notice from the SCA. If there is a dispute, the Appeals procedure referenced in these Rules will apply.
- k) On withdrawal of a Certificate of Conformity the Licensee undertakes to discontinue the use of the SCA Certification Mark immediately and to destroy within a month all stock of corporate material on which it appears.
- l) All advertising matter is to be amended if the scope of certification is reduced and old advertising material depicting certification to a construction category must be destroyed.
- m) The SCA Certification Mark must not be used to imply certification applies to activities outside the scope of certification.
- n) The certification is not to be used in such a manner that would bring SCA or the management system into disrepute and lose public trust. In this instance the Governing Committee reserves the right to terminate registration.
- o) Licensees are not permitted to make misleading statements about their certification. Licensees are not permitted to use the certification document (or any part of) in a misleading manner.
- p) Any misuse of the SCA Certification Mark will be taken seriously by the Certification Board and, if considered to be necessary, legal action will be taken against the offending party.
- q) The Licensee may only represent that it is either:
 - Certified by SCA for the Construction Category that is the subject of the Certificate, or that;
 - The business is not certified by SCA
- r) The use of the Certification Mark does not exonerate the Licensee from any liability imposed by law regarding the performance of its services and the performance, design, construction, shipment, sale or distribution of its product.
- s) The Licensee may display the Certification Mark on its website, provided the Certification Mark is displayed as a hypertext link from its website to the URL of the SCA website, www.scacompliance.com.au