
T5504 General Terms and Conditions

1. Scope of the T5504 General Terms and Conditions

1.1. The General Terms and Conditions set out in this document are the main terms and conditions of **Cemkut Cementipari Kutató-Fejlesztő Kft. (Cemkut Kft.)** the Construction Products Regulation (CPR) of the European Parliament and of the Council in accordance with the provisions of the relevant Government Decree and refers to activities based on accredited laboratory and on-site testing, sampling and sample preparation procedures.

1.2. The **areas of Cemkut Kft. with independent MIR (quality management system)** operate as an independent organizational unit within the framework of a legal entity, they perform their activities on the basis of a contract/assignment, for a fee, based on predetermined fees. For this, it does not accept any other support or financial contribution from clients, and does not receive financial support from state or non-state organizations or individuals.

1.3. The General Terms and Conditions form an annex to the contract concluded between **Cemkut Kft.**, as a designated and notified body or accredited testing laboratory, on the one hand, and the client on the other. The subject of the contract/order is the continuation of conformity assessment (certification, inspection, testing) and expertise activities carried out by the client as a 3rd party regarding construction products.

1.4. **Cemkut Kft.** and its organizational units carry out its conformity assessment activities for construction products on the basis of the designation and notification of the Government Office of the Capital City of Budapest (BFKH) and the approval of the European Commission, and its testing laboratory is accredited by NAH (National Accreditation Authority).

1.5. The **certificate of constancy and adequacy of the performance of the product** issued by **Cemkut Kft.** certifies that the construction product (hereinafter referred to as the product) complies with the requirements of the relevant technical specification. Certification shall be carried out by the implementation of the tasks detailed in the work plan annexed to the contract, based on the examination of the properties specified in the technical specification, depending on the evaluation and inspection system(s), as well as on the basis of the basic inspection and continuous supervision of the plant and the production control of the plant(s), as well as on the test results of random samples. The certificate is the document that forms the basis of the Declaration of Performance and Conformity required for the placing on the market and installation of construction products.

1.6. The **certificate of conformity** issued by **Cemkut Kft.** confirms that the **manufacturer carries out its activities in accordance with the production control documentation** and that the checks and tests carried out by the manufacturer are suitable for determining the conformity of the construction product specified in the attached application. The certification is based on the basic inspection and continuous monitoring of the plant and the factory production control, as well as the results of the tests carried out by the manufacturer, and is carried out by performing the tasks detailed in the work plan attached to the contract. The certificate is the document on which the Declaration of Performance and Conformity required for the marketing and installation of construction products is based.

1.7. The **validation report** issued by **Cemkut Kft.** confirms that the manufacturer complies with the input values, assumptions, and applicable general or product category-specific rules in its environmental sustainability assessment, and that the assessment, the procedure used to prepare the assessment, and the correct use of the appropriate software were carried out in accordance with the regulations. The audit covers a basic environmental sustainability assessment of the manufacturing plant for the purpose of validating company-specific data.

1.8. The **National Technical Assessment (NMÉ)** issued by **Cemkut Kft.** is a technical specification valid in Hungary which, in the absence of other technical specifications for the given construction product, contains the basic characteristics related to the intended use of the product to be included in the declaration by specifying levels, classes or descriptions, and also defines the assessment and verification system(s). It may be issued if it is not covered by a valid harmonized European Standard (hEN), a European Technical Assessment (ETA), a non-harmonized European Standard, a Hungarian standard, or any of these.

1.9 The **European Technical Assessment (ETA)** issued by **Cemkut Kft.** for the given construction product contains the essential characteristics to be included in the declaration for the intended use, in accordance with the relevant European Assessment Document (EAD), as well as all technical details necessary for the implementation of the assessment and verification system. The product can obtain CE marking and thus the same status as products bearing CE marking based on harmonized technical specifications, provided that the manufacturer complies with the

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specified obligations. The European Assessment Document (EAD) contains the methods and criteria for assessing the performance of products in terms of their essential characteristics.

1.10. The **product performance and conformity certificate** issued by **Cemkut Kft.** certifies that the performance assessment was carried out on the basis of tests, calculations, tabulated values or product description documentation provided by the notified testing laboratory, and that the manufacturer has correctly identified the product type and product category.

1.11. The **test report** issued by **Cemkut Kft.** is a document containing the values determined by testing a given sample or system (including sampling, sample preparation, and testing activities).

Cemkut Kft. carries out its activities based on its authorizations and professional competence, which are available on our website (cemkut.hu).

2. Conditions for issuing certificates and technical assessments

2.1. The procedure shall comply in all respects with the verification procedure applicable to the product, and **Cemkut Kft.** and the applicant, and that the product is verified to meet the requirements of the technical specification.

2.2. The manufacturer shall have production control documentation in accordance with the requirements of the relevant technical specification, which includes: the technical specification to which the product meets, the technical conditions and process of production, the production process and the production control plan of the product, the specifications for the intended use of the product, and other data relevant to the conformity assessment. The production control documentation must allow for continuous assurance and verification that the product fulfils the required product characteristics and that the production control system is functioning effectively. The factory production control documentation was submitted by the applicant to **Cemkut Kft.** The Municipality shall make it available to the Community.

2.3. The manufacturer's in-house production control system shall be capable of producing a product that satisfies the requirements on an ongoing basis, and it shall be possible to determine whether the product complies with the requirements of the relevant technical specification on the basis of the type examination or calculation of the product and the checks and inspections carried out by the manufacturer.

2.4. In the case of an **application for a European Technical Assessment (ETA)**, the body performing the technical assessment shall proceed in accordance with Annex VI of the CPR Regulation, which procedural rules the Manufacturer is obliged to familiarize itself with and accept.

2.5. If the technical assessment procedure also requires the elaboration of a **European Assessment Document (EAD)**, the contract concluded between the Manufacturer and Cemkut Kft. (as the body performing the technical assessment) shall be executed in accordance with the provisions of Chapter IV of the CPR, which the Manufacturer shall be obliged to familiarize itself with and accept.

2.6. In the case of an application for a **National Technical Assessment (NME)**, **Cemkut Kft.**, as the technical assessment body, acts on the basis of the rules governing the issuance of ETA and only requests the opinion of EOTA or the Commission when necessary.

3. Validity and validity of the certificate and technical assessment

3.1. The Certificate is valid for the manufacturing organization - the plant and the product(s) - under the conditions indicated. About the validity of the data in force of **Cemkut Kft.** make a decision based on the provisions of the relevant technical specification.

3.2. In order to maintain the validity of the Certificate, **Cemkut Kft.** and within the framework of the applicant's contract to that effect, if required, it may be based on the results of the continuous supervision of the production control of the plant.

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3.3. Technical Assessment (ETA, NMÉ) is valid until revoked.

4. Rights and obligations of the applicant for certification and technical assessment

4.1. The document(s) issued by **Cemkut Kft.** does not reduce the responsibility of the manufacturer or distributor to manufacture or supply a suitable product.

4.2. The document is the property of **Cemkut Kft.** and as such, the applicant receives the right to use it. The applicant shall provide the required information of the document(s) issued by the applicant in the Declaration of Performance and Conformity issued by the applicant or, in the case of a product placed on the market, publish the documents, but shall not make any indications or references that mislead the user into believing that the documentation also covers characteristics of the product or its use that are not the case.

4.3. In the case of the reproduction of the issued document(s) that cannot be modified, or in any way – in full – the reproduction must be marked with a clearly visible "COPY". The documentation is only valid for the product identified in it – with its data – precisely! The applicant is entitled to use the **Cemkut Kft. verification logo** (see also T5503 Information on the requirements for the application of the certification logo).

4.4. The applicant shall ensure that the particulars of the dossier are clearly indicated on the product or on the markings applied on its packaging or accompanying tag, and shall make every effort to ensure that it cannot be misused by third parties.

4.5. In the event of invalidation, suspension or revocation, any advertisement containing any reference to it shall be discontinued. The applicant shall return all documents related to the procedure that have been submitted to **Cemkut Kft.** asks for a return. The applicant may not use the documentation and its data in such a way that **Cemkut Kft.** and may not make any statements about the proceedings that may be considered misleading or worrying.

4.6. The applicant is obliged to present the product descriptions, customer information sheets and other documentation related to the procedure at the request of the representative of **Cemkut Kft.**

4.7. The applicant undertakes to handle complaints related to products with technical documentation and evaluation in a documented manner, and these records shall be processed by **Cemkut Kft.** for inspection. It is the applicant's obligation to take appropriate action in relation to such claims if it affects compliance with the requirements and to justify this action in a documented manner.

4.8. The issued certificate and technical assessment is valid for the clearly identified product. Its use for other products or production is considered unauthorised use. The condition of reservation and validity is that the product continuously complies with the relevant criteria and the relevant normatives.

4.9. If the technical plans and requirements of the product, the standards describing the conformity requirements of the product change to such an extent, or if there is such a change in the ownership, organizational structure or management of the applicant, or if any other information indicates that the given product no longer meets the requirements, a new assessment shall be carried out.

4.10. The applicant is obliged to notify **Cemkut Kft.** in writing of any changes that affect or may affect its compliance. Notification must be given if changes have been made to the product, the manufacturing process, the factory production control system regulations, if the relevant technical specifications or requirements for the product have changed, or if the results of the manufacturer's inspections are unsatisfactory. Based on these notifications, **Cemkut Kft.** will decide to what extent the changes affect the validity of the certificate and technical assessment, and whether further procedures (e.g., review) are necessary.

4.11. The applicant must allow the representative of **Cemkut Kft.** to (if required):

- take samples from the product as specified in the relevant technical specifications,
- conduct on-site inspections and evaluate the results of production control,
- the person responsible for providing access to the necessary documents and answering questions be available in a timely manner,

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- documents relevant to the conformity of the product and factory production control be made available for inspection and verification purposes,

4.12. If the lawful placing on the market and installation of the construction product is ETA or NME based and is replaced by a standard, the technical assessment is withdrawn and the Manufacturer is obliged to switch to the new technical specification.

5. Withdrawal of the validity of certificates and technical evaluations

5.1. The issued certificate and technical assessment are valid until revoked.

Cemkut Kft. withdraws:

- if the Client requests that
- if the Manufacturer does not allow the verification to be carried out, does not make the corrections,
- if the Manufacturer suspends the production of the product permanently (12 months),
- if the applicant fails to fulfil its obligations or if it fails to comply with its contractual obligations (e.g. fails to pay the fee for the procedure) or if the use is not lawful or misleading (e.g. in advertisements);
- if the existing circumstances change (e.g. the requirements of the relevant technical specification are not met)
- if the European technical authorisation is withdrawn by the approval body, of which it must inform the EOTA Board and the General Secretariat (which informs the EC Commission),
- subject to the relevant provisions of the relevant legislation.

5.2. Cemkut Kft. shall suspend the Certificate on the basis of a request made by the applicant, or in the event of non-compliance or lack of results experienced during the conformity assessment procedures; or if the supplier fails to comply with the deadlines undertaken by it and specified in the documents.

5.3. If there is an opportunity for unlawful or misleading use, **Cemkut Kft.** initiates the investigation of the applicant by the applicant.

5.4. If, based on the inspection or a report from interested parties, it can be established that the applicant is using the certificate or technical assessment in a misleading or unlawful manner, Cemkut Kft. may take the following measures in accordance with the contract with the applicant:

- It shall draw the applicant's attention to the unlawful use in writing and request that it be discontinued and terminated.
- If the warning is unsuccessful, Cemkut Kft. shall publish a notice regarding the unlawful use on its website and in professional publications.
- revoke the issued certificate and technical evaluation.
- if deemed necessary, initiate proceedings with the competent authority or court.

The decision on the withdrawal is made by the managing director based on the investigation of non-compliance, and the applicant will be notified of its intention in advance.

The fact of the revocation was confirmed by **Cemkut Kft.** and records it in the register.

If the Manufacturer wants to put the product on the market again, a new procedure must be carried out.

6. Modification of certificates, technical assessments

6.1. The modification of the issued certificate or technical assessment shall be requested in writing.

6.2. If the modification of the certificate or the National Technical Assessment is of an administrative nature, **Cemkut Kft.** It enters it through the documentation and issues a new certificate and technical assessment, indicating the version number and the date of issue of the new version.

6.3. Amendments to a European Technical Assessment shall be subject to the procedure for a new application, which shall be submitted to the Technical Assessment Body which issued the approval subject to the amendment. With regard to the new application, the provisions shall only apply to the items directly affected by the amendment.

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The modified certificate and technical assessment (which will be issued instead of the previous one) will be issued by **Cemkut Kft.** and records it in the register.

7. Handling of complaints and appeals

7.1. If the applicant has a complaint about the procedure, he or she may file a complaint. **Cemkut Kft.** Complaints related to the activities of **Cemkut Kft.** must be submitted in writing to Cemkut Kft. who will take direct action to assess its legality and investigate it. Cemkut **Kft.** notify the applicant in writing.

7.2. If the petitioner does not accept the result of the action taken on the basis of the complaint, he may seek legal remedy, which will be provided by **Cemkut Kft.** who is obliged to have it examined by the Certification and Technical Evaluation Committee (TMÉB). The appeal must state the subject matter of the appeal and all the grounds on which the contested decision is incorrect (with all supporting documents attached, if possible).

7.3. The deadline for the investigation of complaints, disputes and comments is **30 days**. Decisions made regarding the complaint or dispute, as well as the decisions made by **Cemkut Kft.** inform interested parties in writing of its position.

7.4. **Cemkut Kft.** If the applicant does not agree with the closure of his or her appeal under Section 6.2, the report of any complaint against the designator/notified body shall be forwarded to the designator. (BFKH - Government Office of the Capital of Budapest, <http://mkeh.gov.hu/megfeleloseg>)

8. Registration and publication of certificates and technical assessments

8.1. **Cemkut Kft.** the issued documentation, the requested copy of the Declaration of Performance and Conformity issued by the applicant, shall be kept for at least 10 years from the date of last manufacture of the construction product.

8.2. **Cemkut Kft.** keeps a register and ensures that they are published **on its website** (cemkut.hu.)

9. Entry into force of the Terms and Conditions

These General Terms and Conditions shall enter into force **on January 8, 2026** and shall remain valid until a new edition is published.

The General Terms and Conditions form an annex to the contracts concluded between **Cemkut Kft.** and the client.