

WaterSafe Certification Trade Marks Regulations

The Trade Marks

The Certification Trade Marks referred to in these Regulations are UK Trade Mark Application / Registration Numbers 2633532 and 2633534 for WaterSafe/Water Safe and Droplet logo (Colour/B&W) respectively, hereinafter the Certification Trade Marks.

Status of the Applicant

The Applicant / Proprietor of the Certification Trade Marks is WaterSafe Installers' Scheme limited, a company registered by guarantee in England and Wales under Company number 8128904.

The Applicant / Proprietor has the following members:

AWG Group Ltd
Association of Plumbing and Heating Contractors Ltd (APHC)
Chartered Institute of Plumbing and Heating Engineering (CIPHE)
Severn Trent Water Ltd
SNIPEF Management Ltd
Thames Water Products Ltd
The Worshipful Company of Plumbers' Charitable and Educational Trust
Water Industry Approved Plumber Scheme (WIAPS)
Water Regulations Advisory Scheme Limited (WRAS)
Water UK

Content of the Regulations

1 Persons authorised to use the Certification Trade Marks

Authorisation to use the Certification Trade Marks will be granted to any business (including sole traders) who applies, provided the business wishing to use the Certification Trade Marks has met the required standards and is a member of one of the Approved Contractor Person (ACP) Schemes under Regulation 1, (2) (b) of the Water Supply (Water Fittings) Regulations 1999 and recognised by the Department for Environment, Food and Rural Affairs (DEFRA). These Regulations apply in England and Wales but approval also applies under the Water Byelaws 2000 in Scotland and the Water Supply (Water Fittings) Regulations 2009 in Northern Ireland.

The mark may also be used by those individuals employed by an authorised business provided that they meet the required qualification standards for membership of an ACP scheme:

- N/SVQ Level 2 in a mechanical engineering discipline (or an equivalent predecessor qualification such as City and Guilds Craft Certificate), plus

- A qualification, recognised by WaterSafe, in knowledge and understanding of the Water Fittings Regulations / Byelaws,

A list of Authorised Users (registered contracting businesses and their recognised qualified employees) will be maintained by WaterSafe Installers' Scheme Ltd and details may be checked on the website at <https://www.watersafe.org.uk/>.

The required standards which must be met by authorised users of the marks are set out in Annex 1.

2 Characteristics to be certified by the mark

The characteristic to be certified by the Certification Trade Marks is that where the services and / or goods to be provided by a business wishing to make use of the Certification Trade Marks comply with the requirements of the Water Supply (Water Fittings) Regulations (*or equivalent in Scotland and N. Ireland*), a certificate of compliance for those goods or services will be issued by an approved contractor for the scope of the relevant sector, to the person who commissioned the work, the certificate being recognised by a regional water supplier in accordance with regulation 7(2)(b) of the Regulations, (*or equivalent in Scotland and N. Ireland*).

The characteristics which goods and services supplied by authorised users must comply with to be certified by the Certification Trade Marks are set out in Annex 2.

3 Test of the characteristics and supervision of use of the Certification Trade Marks

The members of WaterSafe Installers' Scheme who are ACP scheme operators will adopt the following procedures for testing that an Authorised User has met the necessary requirements:

The ACP Scheme administrators will check any application form completed by a candidate business, and accompanying evidence, to ensure that the conditions for membership have been met. An application form will request details of (a) the candidate's employees' qualification or experience in plumbing, (b) evidence of employees' passing a recognised test of their knowledge of the relevant Regulations and (c) a declaration that the candidate business has cover for public liability of a minimum of £2,000,000 (two million Pounds Sterling) and employer's liability insurance (where required) with a minimum cover level of £5,000,000 (five million Pound Sterling), accompanied by copies of current certificates relating to (a) and (b).

ACP scheme operators will also carry out technical inspections of work within 12 months of a successful application to join the WaterSafe scheme and at subsequent intervals on a risk-based approach.

The WaterSafe Installers' Scheme will in turn carry out an annual audit of member ACP scheme operators to ensure the above procedures are followed.

4 Fees to be paid in connection with the operation of the mark

There will be no fee levied by WaterSafe Installers' Scheme for use of the mark. However membership of an ACP scheme, that is, a requirement for registration with

WaterSafe, may involve payment of an annual membership fee to the relevant scheme operator.

Details of the types of membership and annual membership fees to join CIPHE may be found at: <http://www.ciphe.org.uk/About-Us/Join-CIPHE/How-to-Join--Levels-of-Membership/>.

Details of the how to join APHC and the relevant application form and fees may be downloaded from: http://www.aphc.co.uk/licensed_membership.asp.

Details of the how to join SNIPEF and the relevant application form and fees may be found at: http://www.snipef.org/become_licenced/intro.htm.

5 Procedure for resolving disputes

Appeals against a refusal of WaterSafe Installers' Scheme Ltd and an authorised user (or would be authorised user) regarding a decision not to allow use of the Certification Trade Marks can be made in writing to the Company Secretary, WaterSafe Installers' Scheme Ltd. The Company Secretary will acknowledge receipt of the submission, will investigate the circumstances and will normally make a written response within 30 days of receipt of any submission. If not resolved at this level, then an authorised user (or would be authorised user) may seek independent alternative dispute resolution.

6 Conditions of use of the Certification Trade Marks

It is a condition of use that the Certification Trade Marks shall not be used in any printed advertisement or printed publicity matter without indicating that each of them is a certification mark.