

Information

for the foreign firms applying for the authorization by UDT for the manufacturing of materials and components used in construction, repair or modernization of the technical devices

In pursuance of the provisions of Art. 9 of the Law of December 21, 2000 on technical inspection (The Official Journal of Law 2019, item 667) Urząd Dozoru Technicznego (hereinafter referred to as UDT) kindly informs that unless otherwise provided in specific regulations, technical devices as well as materials and components used in their manufacture, repair or modernization may be manufactured, repaired or modernized by the manufacturer, repairer or modernizer, authorized for their manufacturing, repair or modernization in the form of the administrative decision.

The authorization referred to above for manufacturing of materials and components used in manufacturing, repair or modernization of the technical devices are not applicable to:

- 1) materials and components used in manufacturing of the technical devices covered by the EU directives,
- 2) materials and components used in repair or modernization of the technical devices that had been:
 - a) produced or placed in commercial traffic according to the law in other member state of the European Union or the Republic of Turkey,
 - b) produced according to the law in the member state of the European Free Association (EFTA) the said being a party to the Agreement on the European Economic Area.

Upon the receipt of the application from the manufacturer of materials and components used in their construction, or repairers or modernizers, UDT issues the authorization certificate after having ascertained that the said manufacturer satisfies the requirements pertaining to the manufacture of materials and components and in particular:

- has implemented an appropriate technology of manufacture,
- possesses the facilities making it possible to manufacture, in accordance with the technology referred to in subparagraph 1),
- employs the staff with suitable qualifications determined in separate regulations,
- has an organized quality control services,
- may carry out nondestructive and destructive examination of manufactured materials and components in own laboratory.

Authorization of the manufacturer to manufacturing of materials and components used in construction, repair or modernization of the technical devices

1. Authorization procedure may commence after receiving by UDT the completed application form with proposed date of UDT audit.
2. The original application should be submitted to UDT, i.e. sent to:
 - a) traditionally in paper form with the name and original handwritten signature of the person authorized to represent the applicant and incur financial obligations on his behalf, or
 - b) electronically with the name and qualified signature of a person authorized to represent the applicant and incur financial liabilities on its behalf).

Documents confirming the authorization of the person signing the application (eg registration documents, power of attorney) should be attached to the application.

3. Application submitted to the UDT should be in Polish or translated into Polish.

4. If the application contains formal defects, the applicant is requested to rectify them.
5. If the application is not supplemented, it is left without examination, of which the applicant is notified by sending a notice that the application has not been examined.
6. According to Art. 40 § 4 and 5 of the Code of Administrative Procedure A party who has no place of residence or habitual residence or seat in the Republic of Poland, another Member State of the European Union, the Swiss Confederation or a member state of the European Free Trade Association (EFTA) - party to the Agreement on the European Economic Area if it has not appointed a representative to conduct the case residing in the Republic of Poland and does not act through a consul of the Republic of Poland, is obliged to indicate a representative for service in the Republic of Poland, or submit an application or consent in writing to the service of letters in the form of an electronic document by means of electronic communication , indicating the e-mail address to which the letters are to be delivered.

However, in accordance with the content of Art. 33 § 1 and 2 of the Code of Administrative Procedure, a party's attorney may be a natural person with legal capacity, and the power of attorney should be granted in writing, in the form of an electronic document or reported to the record.

If the representative for service is not indicated, the letters intended for this party shall be left in the case files with the effect of service.

7. The procedure is carried out by the two person commission.
8. According to Regulation of the Minister of Economy of 26 November 2010 on the amount of fees for technical supervision UDT (Official Journal of Law from 2011 No 229, item 1502; No 294, item 1736, from 2014 item 735 and from 2014 item 1675) - for the activities of UDT commission charges are collected:
 - a) fee for issuing authorization documents which depends on the number of persons engaged in the production of materials and/or its components,
 - b) fee for the work of UDT commission,
 - c) visa fee repayment (if a visa is demanded).
9. The applicant covers the UDT commission's travelling and accommodation costs.
10. In the case of remote audit, you should take into account the possibility of additional costs related to the comparative tests of samples, which are performed by the Centralne Laboratorium Dozoru Technicznego.
11. The fees given in Clause 8 do not cover any changes in the authorization documents (e.g.: change of the firm's name, address, conditions of authorization, etc.). The fee for the issue of new documents - according to Clause 8 item a).
12. The duration of the audit depends on the scope of the authorization (usually up to 5 working days).
13. On the basis of the submitted application, the costs related to the entitlement are estimated and upon receipt of the applicant's obligation to cover them, a pro-forma advance payment is issued to cover costs.
14. The prepayment will be credited towards the receivables for the activities related to the authorization.
15. After receiving the confirmation of payment of the amount due, the commission proceeds to the next steps.
16. The authorization procedure at the manufacturer of materials and/or its components includes the audit of the plant and In the case of remote audit check on the quality of the materials and/or components according to a pre-agreed program.
17. In the course of audit UDT commission inspects the following:
 - a) correctness of the scope of authorization being applied for (conformity with the actual assortment of production),
 - b) conformity of the manufacturing process for separate steel products and/or components with the technological instructions,
 - c) material stock management,
 - d) machinery and equipment used in the production,
 - e) organization and activities of the Quality control,
 - f) qualification and competences of the quality control staff,
 - g) scope and kind of in-production inspection and testing,

- h) equipment and activities of the plant laboratory.
18. The tests as referred to under Clause 16 hereof are carried out on the specimens selected from the materials and/or components either actually in production or on the stock. The tests are witnessed by the UDT commission.
 19. In the end of the audit the UDT commission make up the final report and informs the plant's representatives about the results of authorization procedure.
 20. Within two weeks from the completion of the audit, UDT sends an invoice for the authorization procedure.
 21. The authorization documents will be sent to the manufacturer within 4 weeks after the invoice has been paid. The authorization documents are written in Polish.
 22. The authorization is valid for two years. At the request of the entrepreneur, UDT may extend the authorization for the next 2 years, after checking that the conditions for the authorization are met.
 23. The application of prolongation of the authorization should be delivered to UDT one month before the expiration of authorization.
 24. Further prolongation of the authorization for the period of next 2 years (after four years of validity) requires the plant to be re-audited and materials and/or components to be retested within the scope as per Clause 16-17 hereof with due consideration being given to possible changes in the scope of authorization, in production technology, equipment, inspection and testing methods etc.
 25. The application of prolongation of the authorization should be delivered to UDT one month before the expiration of the authorization.
 26. The costs of prolongation of the authorization are those given in Clause 8-10 according to the fees valid in the year of prolongation.
 27. During the validity of authorization, on the manufacturer's application UDT may extend the scope of authorization. Such extension, in principle, requires a new audit of the plant.
 28. The costs of the extension are those given in Clause 8-10 according to the fees valid in the year of extension.
 29. Specific events that are not submitted herein will be investigated separately by UDT.