

# Sanctioned Interpretations

## SERMI Scheme version 2023-02-03



SERMI Sanctioned Interpretations 8<sup>th</sup> Edition, published on **8 October 2024**.

The SERMI Scheme is a living document and is updated as needed with relevant information and the experience obtained from its application. Between publications of full revisions of the SERMI Scheme, sanctioned interpretations are published as needed to update or clarify the Scheme Document. All organizations using the SERMI Scheme Document must apply both the current Scheme Document and the current sanctioned interpretations.

NUMBER	SERMI Scheme reference	SANCTIONED INTERPRETATION
1	Chapter 6.2.3	<p>Since the remote check is a <u>paper-based check</u>, it will be sufficient for the desk-inspector to have <u>less experience</u> than the colleague carrying out on-site inspections. This because the online application process allows for the inspector to deal with and any (potential) issues in the office at their own pace and gather the necessary experience to become an on-site inspector if so desired. For the <u>on-site inspection</u> however, the inspector <u>must fulfil the minimum experience levels</u> to be able to perform this inspection.</p> <p>The minimum requirements for the desk-inspector who is carrying out the check is:</p> <ul style="list-style-type: none"><li>Is capable to do administrative work</li><li>Has a proven record that the inspector is trained by the CAB to be able to evaluate the required documents that are required for the remote check.</li></ul>
2	Chapter 6.3.1	<p>On-site inspections:</p> <p>The address where an employee is contracted must be inspected. The employee does not have to be available during the onsite inspection. Nevertheless the IO must be able to show the requested information (valid copies can be used).</p> <p>If the IO has employees working on different locations, the on-site inspection must take place at all locations from which the IO has declared the use of SERMI.</p>
3	Chapter 6.3.4 UC CA9	<p>Renewal IO employee:</p> <p>The renewal of the authorisation of an employee is a remote check to be carried out by a desk-inspector.</p>

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4	Chapter 6.3.5	<p>For Sweden it will be required: Whether the IO/RSS has a liability insurance with a minimum amount of coverage of 10 million Swedish krona for bodily injury and 5 million Swedish krona for property damage.</p>
5	Chapter 6.3.5 & 6.3.7	<p>Check of clean criminal record: The validity of a clean criminal record is 6 months. For remote check: IO and IO employee must upload the document where the official signs and checks are clearly visible (e.g. validity date, number, logo, hologram) For on-site check: The original document must be available, and the authenticity will be checked</p> <p>Check employment agreement: For remote check: a proof of employment contract should be attached to the application. For on-site check: the valid agreement must be available including signatures of both parties.</p>
6	Chapter 6.4.1	<p>Training requirements of the IO employee: The mechanic should have more than 2 years of experience as an automotive mechanic <u>or</u> have successfully followed the following (national) training:</p> <ul style="list-style-type: none"> <li>• Austria/Germany: <i>KFZ Techniker/KFZ Mechatroniker Lehrabschlussprüfung</i></li> <li>• Belgium: <i>Onderhoudsmechanica Auto</i></li> <li>• Denmark: Education for the mechanical area: <i>Mekaniker</i>; Education for the body repair area: <i>Karrosseritekniker or Pladesmed</i></li> <li>• France: <i>Niveau de qualification 4: = Niveau Bac / Bac Pro</i></li> <li>• Ireland: <i>Level 6 on the national framework</i></li> <li>• Italy: <i>Diploma ad indirizzo tecnologico di scuola secondaria di secondo grado; CSR – Accordo 12 luglio 2018, n. 124 sugli standard minimi dei corsi di qualificazione professionale per Responsabile tecnico delle attività di Carrozzeria e Gommista</i></li> <li>• Sweden: <i>Fordons- och transportprogrammet Grade A or Ämne - Personbilar - service och underhållsteknik (Gymnasieskolan) – Skolverket Grade C</i></li> <li>• The Netherlands: <i>Autotechnicus niveau 2; Glass repair: Module ADAS (Werken met Advanced Driver Assistance Systems); Body Repair: Module DTC Carr (Auto Elektronica)</i></li> </ul>

7	Chapter 6.3.5 & 6.3.7	<p>Check if there are relevant judgements in the Criminal Record. For specific countries you should request the following documents:</p> <p>France: Casier judiciaire: Extrait B3</p> <p>Finland: A clean criminal record may be checked based on the IOs/RSSs and IO/RSS employee's own declaration until national legislation on the disclosure of criminal records for this purpose is in force</p> <p>Netherlands: VOG request nr. 11, 12, 13, 41, 61</p> <p>Sweden: Utdrag för arbete med försäkringsdistribution</p>
8	Chapter 6.3.5	<p>The IO/RSS must be able to handover a clean criminal record for themselves as well as for the IO/RSS employee. When adding a new employee the clean criminal record of this employee must be attached to the request.</p>
9	Chapter 5.1	<p>CAB's may conduct SERMI inspections in other countries (cross-border inspections) provided they demonstrate knowledge of the local legislation and have physical locations in those countries. Upon request the CAB can provide a full demonstration of inspection in those countries.</p> <p>The countries must be included in the accreditation scope of the CAB.</p> <p>For the CABs who already are accredited, there will be a transition period of 6 months. This transition period will begin on February 1<sup>st</sup> 2024.</p>
10	Chapter 6.3.1	<p><del>5. CABs that refuse to approve an IO/RSS or authorize of an IO/RSS employee shall communicate the inspection results concerning the IO/RSS or that employee to the TC</del></p> <p>Point 5 will be deleted in the next update of the SERMI scheme</p>
11	Chapter 6.3.4 UC CA2	<p>If an IO has multiple locations and the employees have a contract with the main IO location, this IO with multiple locations will be seen as one (1) individual IO. The IO has to declare to the CAB all locations where the employees are performing the SERMI-activities.</p> <p>The IO is responsible to manage the declared locations and will inform the CAB in case of changes.</p> <p>How to perform the on-site visits for multiple locations, check No. 2 of this document.</p>
12	3.1.13 independent Operator (IO)	<p>If an IO wants to become an IO and an RSS, this is only possible if these requests are registered as separate companies and separation of duties are ensured through sufficient safeguards within the organisation to prevent conflict of interest. It may not be possible to become an IO and an RSS with the same VAT number. Also, the on-site visits may not be combined. It is prohibited to request a chain authorisation if the IO and RSS are situated on the same address. The company can apply for one role only. If</p>

		they want to apply for both, the applications must contain two different VAT-numbers for these two separate business entities.
13	6.3.1 Responsibilities and requirements point 11.	If the IO can demonstrate within 15 days that he/she has requested the document and the waiting time for this document is more than 15 days, this is considered to be within the set limits (the IO has no influence on this). If the IO cannot prove this, the request may be closed and rejected. An extension of 15 days is not covered by the scheme. If the first submission is incorrect, I expect you to let the IO know what the desired and required information is that you expect to receive. If this is clear and the IO cannot or will not comply, no additional extension is necessary.
14	6.3.1 Responsibilities and requirements point 13	Renewal of the approval. There must be one on-site check at the IO/RSS 6 months before authorisation is due to expire. This on-site check must be carried out within the last 6 month prior to expiration.
15	UC CA3. CAB checks IO/RSS on-site	Abuse of certificate employee. If the employee has passed the certificate to another colleague, they are abusing the certificate, and the certificate of the employee will be revoked. If this has happened on multiple occasions and with multiple employees, then we speak of a trend and at that moment the revocation of the IO could be in place.
<b>16 (New)</b>	<b>UC CA2. CAB inspects IO/RSS for approval</b>	<b>Public Authorities:</b> <b>Due to unavailable VAT numbers and liability insurances at Public Authorities, the full requirements for admission cannot always be met.</b> <b>In such cases, a national identification number or an official statement from the national or local Ministry/Authority/Official outlining the delegated responsibilities from the Government, may be provided as a substitute for a VAT/Business number, subject to acceptance by the CAB.</b> <b>The liability insurance as mentioned under “d” of point 4.3.3. of Appendix 3 of Annex X to Regulation (EU) 2018/858, must be confirmed as covered by the national or local Government, with supporting documentation or statements, if required.</b> <b>A public authority may only request a SERMI approval (certificate) as an IO/IOE.</b>

(Records and text in **bold** are new or updated)

The following sanctioned interpretations were reviewed by the EA/SERMI Task Force Group and approved by SERMI. Unless otherwise indicated, sanctioned interpretations are applicable upon publication.