



The Certification Mark for Onsite
Sustainable Energy Technologies

MCS

MCS Transitional Arrangements

11th December 2009

Introduction

Earlier this year the Clear Skies list was closed off for Installers wanting to access Low Carbon Building Programme funding, which required the Installer to be on the MCS list. At the time there were insufficient products on the MCS to close off the Clear Skies product list.

Due to the positive response and hard work by the Certification Bodies and Product companies, we are now in a position to support the final transition from the Clear Skies list to MCS product list.

However, as we appreciate that not all the technologies and companies are in the same position, the final stage will be in two parts, enabling those that have experienced legitimate difficulties to use the transition period to complete their product certification.

The following information explains more of the rationale and how this will work. The transition will be on a case-by-case submission basis, as companies have approached their implementation of their MCS certification in different ways.

Company submissions will be made to the scheme administrator, Gemserv, by email (mcs@gemserv.com), explaining, how the company is complying with the minimum requirements, what the company is doing to complete their MCS certification and a brief history of why they have not been able to achieve their MCS certification so far.

To ensure that customers can maintain their confidence in those products that have not completed their MCS certification, a structured framework for the transition has been established.

This includes: -

- a minimum criteria will be met for the products and company registration (see below criteria);
- a declaration from the companies that committed them to either remediation or recompense, to customers, if their products didn't achieve the additional requirements of the MCS certification process (i.e. those elements that were additional to what they had already passed as minimum criteria) should those additional requirements be of material consequence to the customer.

Transition Timeframe

It is anticipated that the transition periods will be: -

- Close of Clear Skies 31st. December, 2009
- Transition period 1st January, 2010 through to [*a period agreed on a case by case basis by technology group] but no later than 30th June, 2010
- Only MCS certified products from [*a period agreed on a case by case basis by technology group] but no later than 1st October, 2010
- The scheme administrator will need to be notified with a statement of intent that the product manufacturer will be going through the transition period by 31st December 2009.

* As we are developing a case-by-case based approach and exceptional circumstances can be taken into consideration.

Transition Minimum Requirement Criteria

Certification Bodies and Test Laboratories (Mandatory)

- Under contract with a Certification Body and/or Test Laboratory (where testing is required)
- Contract with Certification Body (MCS EN45011 accredited, or equivalent) for the completion of MCS certification requirements; and/or
- Contract with Testing Laboratory (MCS EN17025 accredited, or equivalent, or deemed equivalent by MCS Certification Body, or route for testing agreed with Certification Body if private test facilities are being used) for the completion of MCS testing requirements.
- The company must have either a date for the certification body to carry out the product certification review and/or provide evidence that they are actively working on their MCS documentation requirements;

Additional to the above, the evaluation team will **consider** the impacts of the following (the evaluation ensures the consumer impact will be reduced to a minimum).

Safety and functioning - Completion of Safety and function testing requirements in accordance with the relevant MCS standard and those additional items in annex **table 1**

Performance - Completion of energy performance testing requirements in accordance with the relevant MCS standard and those additional items in annex **table 1**.

Environmental Impact - Completion of energy performance testing requirements in accordance with the relevant MCS standard and those additional items in annex **table 1**.

All other requirements of the MCS product and associated standards will be required for full certification.

Declaration

It will be a requirement of the transition agreement that a declaration will be signed and dated by an authorised director of the Manufacturer / Distributor Company. It is proposed that the wording reads:-

In the case where the product does not achieve its full MCS certification, then all the products installed by the company will be covered by one of the following clauses:-

1. The company undertakes to provide the customer with a disclosure, in relation to the products status as an interim MCS product [name could change] and provides the customer with accurate information at the time of sale (i.e. performance, durability, environmental impact, etc.).
2. Products with minimal material variation to those specified to the customer and continuing to be eligible for incentives such as the FIT and LCBP, will be dealt with under warranty issued by the importer/manufacture or installer guarantee. This includes significant variations to performance outputs of the product.

Products failing to meet their full MCS Certification or developing serious issues during the transition period in the eyes of the evaluation team (or will be automatically withdrawn from the transition list by the evaluation team following a 30 day consultation with the Manufacturer and Certification Body. For products that do fail their MCS Certification or have serious issues, the customer can evoke the warranty per the importer/manufacture or installer guarantee.

However, should the customer be sufficiently satisfied with the product they can accept remedial work under the warranty.

Transition Evaluation Team

As the transition arrangements are going to be decided on a case by case submission, it has been decided that a Transition Evaluation Team will be established to review and agree on the submissions for extensions received.

However, for this to function, the team reporting to the Steering Committee through the Management Panel will need to be independent and unbiased while having a competence to evaluate a particular technology's issues. Therefore it is proposed that the Evaluation Team should consist of, the chair plus two other permanent members (preferably from the Steering Group and neutral to any technologies) and a fourth member selected for the Technology being discussed (preferably from a trade association). The members of the transition team will be impartial and will have to

declare any conflicting interests as, or if, they arise and stand down for the discussion.

Technology Update

It was decided that those products that were deemed to be so new or innovative that it would be difficult to meet the transition deadlines, would not be included as transition products and will follow the standard MCS Certification process.

The following is a quick appraisal of the RE sectors discussed. An annex to this document is provided in Transitional Arrangements Criteria - Annex table 1 demonstrating the criteria (where necessary) under which the technologies are recognised as in transition and what additional requirements will be needed to comply with the MCS standards.

Population of the criteria will need to be carried out in consultation with industry. Certain elements will be constant across all technologies, such as, the minimum thresholds for engaging with Certification Bodies; however a consistent and balanced approach to the criteria will be required.

Heat Pumps

The product standards are established. The main issue for the industry has been the late conclusion of what constitutes a product family and a definition for that. This was agreed at the Steering Group meeting on the 27th. October, 2009. As the heat pumps are the most populated technology in MCS, it is felt that only product companies that can demonstrate they had specific issues due to the lack of a product family should be considered and therefore the case by case basis works for the industry. There are 2 test houses believed to be accredited for heat pumps in the UK, BRE and BSRIA.

Solar PV

The standards are established for standard modules, but not for BIPV.

There should be no requirements for a transition period for Standard PV modules. When it comes to BIPV the issue is different as there are no tests available for the products currently in ISO or CEN and as the produces are so variable and small volume the costs would outweigh the investment.

The PV WG have been asked to look at whether there is a possibility to provide material performance standards for a model size product, in a defined test frame and use this as a way of demonstrating performance.

Utilising this material performance and having statements with regards to performance of the final size and shaped products by allow a standard to be developed quickly. The industry already provides clients with performance data. If this is achieved then a transition period will need to be agreed based on the capacity of test houses to service the testing.

Wind

The standards are established. The issue is with getting through testing which may take some time, such as durability tests. The wind industry has laid out their case for a transition period, based on the lengthy requirements of testing. However, the industry is confident that they can provide a good volume in the market given a transition period to September 2010. Investigation needs to be carried out to see if the market volumes could be achieved for a July 1st. Deadline.

To put the issue in context, the industry anticipate that 8-10 products can be tested per year and currently there are 40 on clear skies.

Solar Thermal

The standards are established.

There is not perceived to be an issue requiring a transition period, however, if the issue did arise a case by case basis would work.

Biomass

The standards are established.

There is not perceived to be an issue requiring a transition period, however, if the issue did arise a case by case basis would work

Transitional Arrangements Criteria - Annex table 1

Technology	Criteria / Indicator	Evidence of Compliance
General (for all Submissions)	<p>Only manufacturers who have begun the Certification process by 31st December may enter the MCS transition.</p> <p>Contract with Certification Body (MCS EN45011 accredited, or equivalent) for the completion of MCS certification requirements; and/or</p> <p>The company must have either a date for the certification body to carry out the product certification review and/or provide evidence that they are actively working on their MCS documentation requirements;</p> <p>Contract with Testing Laboratory (MCS EN17025 accredited, or equivalent, or deemed equivalent by MCS Certification Body) for the completion of MCS testing requirements.</p>	<p>Order Placed on Test Lab</p> <p>Order Placed on Certification Body</p>
Wind	<p>Completion of Safety and function testing requirements in accordance with MCS006 and Section 4.3 and 4.4 of the BWEA Small Wind Turbine Safety and Performance Standard</p> <p>Completion of power performance testing requirements in accordance with MCS006 Section 2 of the BWEA Small Wind Turbine Safety and Performance Standard</p>	

Heat Pumps	<p>In order to determine whether the manufacturer has begun the process by 31st December it must demonstrate:</p> <p>Contact has been made with a Certification Body</p> <ul style="list-style-type: none"> • Manufacturer shall have test data for products entering the transition period (in house test data may qualify under the product family rule) <p>A list of products for certification has been provided stating the product parent and children</p> <ul style="list-style-type: none"> • There is a commitment to certify once agreement is reached with regards product family issues (this may be a deposit fee paid, written contract or schedule of work to be completed by the Certification Body – including the FPC audit) • Witness testing or equivalent requirements are within any written schedule of works supporting the certification commitment 	
Solar Thermal	Type Test Reports required, and all to EN12975, however these will be reviewed on a case by case basis.	
Solar BIPV	<p>Performance testing with a warranty for the life of the product.</p> <p>BIPV already on the Clear skies list.</p> <p>BIPV will have the same production factory as the traditional PV Panel production - it is a way of ensuring the products are made in a factory that uses processes that achieve IEC standards under ISO 9001 (It is not unusual for companies to sell products under their Brand name when they are made by a third party or they have a JV with another company, these companies may or may not be operating to IEC / ISO standards).</p>	
Biomass	Type Test Reports required, and all either to EN303-5 or relevant biomass standards; however these will be reviewed on a case by case basis.	