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| Obsah obrázku text, Písmo, logo, design  Popis byl vytvořen automaticky | **Research institute for Labour and Social AffairsTesting and Certification Department**notified body 1024certification body 3068testing laboratory 1040Jeruzalémská 1283/9, 110 00 Praha 1 |

**Contract about product checks according to Module C2
in accordance with Annex VII Regulation (EU) 2016/425**

Smlouva o kontrole výrobku podle modulu C2

040/2025

concluded in accordance with Article 1724 (2) Act No. 89/2012 Coll., Civil Code , as amended

# Between / Účastníci smlouvy

|  |  |
| --- | --- |
| Client / Objednatel:Jméno, adresa, IČ, DIČ) | optrel tec agIndustriestrasse 2, CH-9630 Wattwil, SwitzerlandIČ/Id.No.: CH-320.3.026.411-4DIČ/VAT: CHE-103.509.080 |
| represented by / kterého zastupuje: | xxxxxxxxxxxxxx |
| and |  |
| Executor / Vykonavatel: | Research Institute for Labour and Social Affairs, v. v. i.Notified Body 1024Jeruzalémská 1283/9, 110 00 Praha 1, Czech RepublicId.No.: 00025950VAT: CZ00025950*registered in the Register of public research institutions maintained by the Ministry of Education, Youth and Sports* |
| represented by / kterého zastupuje: | Ing. Jiří Tilhon, Ph.D., LL.M., *based on the delegation of authority to the head of OZC 1. 2. 2019b* |

on the basis of applications registered 11. 3. 2025 under numbers no. S-046/2025 to S-050/2025 and S-052/2025 to S-055/2025

na základě žádostí zaregistrovaných dne 11. 3. 2025 pod čísly S-046/2025 až S-050/2025 a S-052/2025 až S-055/2025

**enter this contract**

uzavřeli spolu tuto smlouvu

# Subject of contract / Předmět smlouvy

The Executor shall inspect the personal protective equipment listed below for the Client, prepare a test report and an inspection report.

Vykonavatel provede pro objednavatele kontrolu dále uvedeného osobního ochranného prostředku, vyhotoví protokol o zkoušce a kontrolní zprávu.

The Executor shall proceed impartially and with due professional care, in accordance with the requirements of Regulation (EU) 2016/425 and Act No. 90/2016 Coll., and the harmonised standards and specifications listed below.

Vykonavatel bude postupovat nestranně a s náležitou odbornou péčí, v souladu s požadavky nařízení (EU) 2016/425 a zákona č. 90/2016 Sb., a dále uvedených harmonizovaných norem a specifikací.

# Identification of PPE product / Identifikační údaje o výrobku

|  |  |
| --- | --- |
| Výrobky\*:/Products\*  | **Head tops (hoods, hoods with hard hats, half masks) combined with powered filtering devices equipped with particle filters, combined filters or head tops (hoods, hoods with hard hats) combined with continuous flow compressed air line breathing apparatus****Hlavové díly (kukly, přilby, polomasky) v kombinaci s filtračními prostředky s pomocnou ventilací s filtry proti částicím, kombinovanými filtry nebo hlavové díly (kukly, přilby) v kombinaci s hadicovým dýchacím přístrojem na tlakový vzduch se stálým průtokem** |
| Výrobce:/Producer | optrel tec agIndustriestrasse 2CH-9630 WattwilSwitzerland |
| Description and determination of PPE product / Popis a určení výrobku: | The products provide the protection of respiratory organs of a user against substances and mixtures which are hazardous to health - see instruction for use.Výrobky zajišťují ochranu dýchacích orgánů uživatele před látkami a směsmi nebezpečnými pro zdraví - viz návod výrobce. |
| Category of PPE / Kategorie OOP: | III. according to Regulation (EU) 2016/425 Annex I / podle přílohy I nařízení (EU) 2016/425 |

Conformity to type based on internal production control plus supervised product checks at random intervals will be used for the product.

U výrobku bude použita kontrola podle modulu C2 nařízení (EU) 2016/425, příloha VII Shoda s typem založená na interním řízení výroby spolu s kontrolami výrobků pod dohledem v náhodně stanovených intervalech.

# Technická dokumentace výrobku/Technical documentation

The client shall provide or confirm the Executor with all the technical documentation within the scope of the requirements of Regulation (EU) 2016/425 Annex III:

Objednavatel dodá nebo potvrdí vykonavateli veškerou technickou dokumentaci potřebnou k ověření shody v rozsahu požadavků nařízení (EU) 2016/425 přílohy č. III:

|  |
| --- |
| 1. a complete description of the PPE and of its intended use
 |
| 1. an assessment of the risks against which the PPE is intended to protect
 |
| 1. a list of the essential health and safety requirements that are applicable to the PPE;
 |
| 1. design and manufacturing drawings and schemes of the PPE and of its components, sub-assemblies and circuits;
 |
| 1. the descriptions and explanations necessary for the understanding of the drawings and schemes referred to in point (d) and of the operation of the PPE;
 |
| 1. the references of the harmonised standards referred to in Article 14 that have been applied for the design and manufacture of the PPE. In the event of partial application of harmonised standards, the documentation shall specify the parts which have been applied;
 |
| 1. where harmonised standards have not been applied or have been only partially applied, descriptions of the other technical specifications that have been applied in order to satisfy the applicable essential health and safety requirements;
 |
| 1. the results of the design calculations, inspections and examinations carried out to verify the conformity of the PPE with the applicable essential health and safety requirements;
 |
| 1. reports on the tests carried out to verify the conformity of the PPE with the applicable essential health and safety requirements and, where appropriate, to establish the relevant protection class;
 |
| 1. a description of the means used by the manufacturer during the production of the PPE to ensure the conformity of the PPE produced with the design specifications;
 |
| 1. a copy of the manufacturer's instructions and information set out in point 1.4 of Annex II;
 |
| 1. for PPE produced as a single unit to fit an individual user, all the necessary instructions for manufacturing such PPE on the basis of the approved basic model;
 |
| 1. for PPE produced in series where each item is adapted to fit an individual user, a description of the measures to be taken by the manufacturer during the fitting and production process to ensure that each item of PPE complies with the approved type and with the applicable essential health and safety requirements.
 |

Note: Without the documentation provided under (a), (b), (c), (f) and (k), the EU type examination will not be initiated. Documentation under step g), i) and m) is required only in the cases described, they are not common.

Pozn.: Bez dodání dokumentace podle bodů a), b), c), f) a k) nebude EU přezkoušení typu zahájeno. Dokumentace podle bodů g), i) a m) je požadována jen v popsaných případech, které nejsou běžné.

# Regulations and Standards / Předpisy a normy

List of Czech technical harmonized standards or other technical specifications that will be used for testing and evaluation

Seznam českých technických harmonizovaných norem nebo jiných technických specifikací, které budou použity pro zkoušky a hodnocení:

EN 12941:1998, EN 12941:1998/A1:2003, EN 12941:1998/A2:2008 Respiratory protective devices. Powered filtering devices incorporating a helmet or a hood. Requirements, testing, marking. /

ČSN EN 12941:1999, Změna A1:2004, Změna A2:2009 Ochranné prostředky dýchacích orgánů. Filtrační prostředky s pomocnou ventilací připojené k přilbě nebo ke kukle. Požadavky, zkoušení a značení.

EN 12942:1998, EN 12942:1998/A1:2002, EN 12942:1998/A2:2008 Respiratory protective devices. Power assisted filtering devices incorporating full face masks, half masks or quarter masks. Requirements, testing, marking. /

ČSN EN 12942:1999, Změna A1:2003, Změna A2:2009 Ochranné prostředky dýchacích orgánů. Filtrační prostředky s pomocnou ventilací připojené k masce, polomasce a čtvrtmasce. Požadavky, zkoušení a značení

EN 14594:2018 Respiratory protective devices. Continuous flow compressed air line breathing apparatus. Requirements, testing, marking. /

ČSN EN 14594:2019 Ochranné prostředky dýchacích orgánů. Hadicové dýchací přístroje na tlakový vzduch se stálým průtokem. Požadavky, zkoušení a značení.

# Samples / Zkušební vzorky

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The client will allow the Executor to take samples in the agreed quantity at the agreed place and within the agreed time.

Objednavatel umožní vykonavateli odběr vzorků v dohodnutém množství na dohodnutém místě a v dohodnutém termínu.

The cost of the samples and their delivery to the test site is borne by the client.

Náklady za vzorky a jejich dodání na místo zkoušek nese objednavatel.

The method of sampling is determined by the Executor.

Způsob výběru vzorků stanoví vykonavatel.

Test samples that the Client does not take over within 30 calendar days after the submission of the documentation on the tests performed will be destroyed by the Executor.

Zkušební vzorky, které si objednavatel nepřevezme do 30 kalendářních dnů po předání dokumentace o provedených zkouškách, budou vykonavatelem zlikvidovány.

# Seznam zkoušek a požadavků

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The following samples were taken:

Byly odebrány následující vzorky:

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| **Druh a název zástupce výrobku / Type nad name of product representative** |
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The Executor will review the submitted documents and their compliance with the requirements of Regulation (EU) 2016/425 and the harmonized standards.

Vykonavatel provede kontrolu předložených dokumentů a jejich soulad s požadavky vyplývajícími z nařízení (EU) 2016/425 a z harmonizovaných norem

The Executor also checks the non-homogeneity of production by the procedure chosen by the customer. In this case, it is: Once per year, carry out on-site review of company production and test records

Vykonavatel rovněž provede kontrolu nehomogenity výroby postupem, který si zvolil objednavatel. V tomto případě se jedná o každoroční přezkoumání výroby a záznamů o zkouškách na místě.

The Executor shall prepare a final inspection report (test report) on the results in accordance with the requirements of Regulation (EU) 2016/425, Annex VII, Article 5.

O výsledcích zpracuje vykonavatel závěrečnou kontrolní zprávu (protokol o zkoušce) ve smyslu požadavků nařízení (EU) 2016/425, příloha VII čl. 5.

# Terms / Termíny

The Executor shall perform the tests and prepare the test report and inspection report within 3 months and after the following conditions have been met:

Vykonavatel provede zkoušky a zpracuje protokol o zkoušce a kontrolní zprávu v termínu do 3 měsíců a po splnění těchto podmínek:

* delivery of documentation pursuant to Part IV. of this contract / dodání dokumentace podle části IV. této smlouvy
* sampling pursuant to Part VI. of this contract / odběru vzorků podle části VI. této smlouvy
* the Executor shall receive payment pursuant to Part IX. of this contract / vykonavatel obdrží platbu podle části IX. této smlouvy.

No later than after the expiry of the above-mentioned deadlines and payment of the total price pursuant to Part IX. of this contract, the Contractor shall submit the inspection documentation to the Client.

Nejpozději po uplynutí výše uvedených termínů a proplacení celkové ceny podle části IX. této smlouvy předá vykonavatel objednavateli dokumentaci o kontrole.

# Payment conditions / Platební podmínky

|  |  |
| --- | --- |
| Product testing / Přezkoušení výrobku |  |
| Assessment of results including Test report:/ Vyhodnocení výsledků a zpracování kontrolní zprávy (protokolu o zkoušce)  |  |
| Total price / Cena celkem: | **3400,- EUR** |

Prices are without VAT / Ceny jsou uvedeny bez DPH.

The price may be increased by the cost of sampling. / Cena může být zvýšena o náklady na odebrání vzorků.

If the costs of certification exceed the agreed price, the customer is only obliged to pay them if they have given their consent in advance or subsequently.

Pokud náklady na certifikaci převýší dohodnutou cenu, vzniká objednavateli povinnost k jejich úhradě jen tehdy, dal-li k jejich vynaložení předem nebo následně souhlas.

# Clients declaration / Prohlášení objednavatele

The Client declares that:

Objednavatel prohlašuje, že:

* it will follow always complies with the relevant EU type-examination requirements;

bude dodržovat příslušné požadavky související s EU přezkoušením typu;

* has taken all measures necessary for the EU type-examination for the purposes of the examination, including the possibility of examining the documentation and accessing all premises, records and personnel;

přijal pro účely EU přezkoušení typu veškerá opatření nezbytná k jeho provedení, včetně možnosti prostudování dokumentace a přístupu do všech prostorů, k záznamům a k pracovníkům;

* will assert claims regarding the certification only to the extent for which the certificate was granted;

bude uplatňovat nároky, pokud jde o certifikaci, pouze v rozsahu, pro který byl certifikát udělen;

* will not use its product certification in a way that could jeopardise the reputation of the notified body and will not make any statements on the part of its product certification that the notified body could consider misleading or unjustified;

nebude používat svou certifikaci výrobku způsobem, který by mohl ohrozit pověst oznámeného subjektu a nebude činit žádná vyjádření stran své certifikace výrobku, která by mohl oznámený subjekt považovat za zavádějící nebo neoprávněná;

* when suspending or withdrawing the certificate, it shall cease to use all promotional material containing any reference to the EU type-examination and shall return all certification documents requested by the notified body;

při pozastavení nebo zrušení certifikátu přestane používat veškerý propagační materiál obsahující jakýkoli odkaz na EU přezkoušení typu a vrátí všechny certifikační dokumenty, které si oznámený subjekt vyžádá;

* it shall use the certification only to state that the certified products are in conformity with the specified standards;

bude využívat certifikaci pouze k vyjádření toho, že certifikované výrobky jsou ve shodě se specifikovanými normami;

* it shall endeavour to ensure that no certificate or report, or any part thereof, is used in a misleading manner;

bude se snažit zajistit, aby žádný certifikát nebo zpráva ani jakákoli jejich část nebyly používány zavádějícím způsobem;

* it shall comply with the requirements of the notified body when referring to its certification in the media, such as documents, brochures or advertising.

při odkazování na svou certifikaci ve sdělovacích prostředcích, jako např. v dokumentech, brožurách nebo v reklamě, vyhoví požadavkům oznámeného subjektu.

* it shall keep records of complaints and of all corrective actions taken in relation to the certified product, where a certificate has been granted. It shall make these records available to the contractor for inspection as part of the surveillance of the certificate, at the request of the contractor.

v případě udělení certifikátu povede záznamy o stížnostech a o všech opatřeních k nápravě, které se týkají certifikovaného výrobku. Tyto záznamy na žádost vykonavatele předloží ke kontrole v rámci dozoru nad certifikátem.

* it shall inform the contractor of any changes that significantly affect the design or specification of the product which could indicate that the product no longer complies with the requirements of the certification system. This is, for example, an intended modification of a product, production process or quality system that affects the conformity of the product.

bude informovat vykonavatele o všech změnách, které významně ovlivní provedení nebo specifikaci výrobku, z nichž by mohlo vyplývat, že výrobek již nevyhovuje požadavkům certifikačního systému. Jedná se například o zamýšlenou modifikaci výrobku, výrobního procesu nebo systému jakosti, který má vliv na shodu výrobku.

# Final provisions / Závěrečná ustanovení

This Contract has 10 pages and there have been two copies - for Client and for Executor. Both copies shall be valid as the original of the contract.

Tato smlouva má 10 stran a je vyhotovena ve dvou výtiscích – pro objednatele a vykonavatele. Obě vyhotovení mají platnost originálu smlouvy.

Any disputes that may arise shall be settled by partners’ authorized representatives.

Pokud se objeví případné nejasnosti, budou řešeny zástupci obou stran.

The present Contract can be modified and/or amended on demand of either party in writing on the basis of mutual understanding. Otherwise, they shall not be taken into account.

Tato smlouva může být změněna nebo opravena na základě požadavku jedné ze stran pouze písemně na základě souhlasu obou stran. Jinak se k nim nepřihlíží.

This contract will be published in the register of contracts pursuant to Act No. 340/2015 Coll.

Tato smlouva bude uveřejněna v registru smluv podle zákona č. 340/2015 Sb.

The contracting parties declare that they have concluded this contract according to their free decision, not under duress or in distress.

Smluvní strany prohlašují, že tuto smlouvu uzavřely podle svého svobodného rozhodnutí, nikoli pod nátlakem nebo v tísni.

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| Place: Wattwil | Date 23. 5. 2025 |  | Place: Prag | date 23. 5. 2025 |
| Stamp |  | Razítko |
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| Client / Objednavatel |  | Contractor / Vykonavatel Ing. Jiří Tilhon, Ph.D., LL.M.  |
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| sign |  | sign |