

Department of the Environment Transport and the Regions

Building Regulations Division

Construction Products Directive

Introduction

These pages explain the background to the Construction Products Directive, report on progress on implementation and give contact names and addresses for the key players in the UK. They will be updated on a regular basis. You will find:

[Commonly Asked Questions \(CAQ\)](#) - This gives details of the Directive, the reasons for the Directive, how it is being implemented and what manufacturers need to do to meet its requirements. Questions can be accessed individually, or the full text may be viewed.

[Mandates](#) - A full listing, in chronological order, of mandates agreed at the Standing Committee on Construction and passed to the European standards organisations is given here. This list will be updated as further mandates are agreed.

[Standing Committee on Construction](#) - The Standing Committee is the key decision making forum for the Directive, and generally meets quarterly. The UK delegation to the Committee regularly produces informal summaries of Committee meetings. These are included on this page.

[Contacts](#) - Details of key Government and industry officials are given on this page. Initial enquiries should be directed to the UK Focal Point at DETR on 0171-890 5727.

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These notes update information previously published in April 1995, as a supplement to the Construction Monitor, distributed with Building magazine, answering commonly asked questions about the Construction Products Directive (CPD) . For more specific information, please see the [contacts list](#).

In some cases it is not possible to provide complete answers because some procedures are not yet complete. Also, interpretation of legislation is ultimately a matter for the courts, and these notes remain for guidance only.

The notes can be read in their entirety or, for specific information, by clicking on the relevant question below.

View the [full text](#).

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BR: CPD (a) (br12ab.htm)

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BR: CPD (a) (br12ad.htm)

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1. What is the CPD?

The CPD is one of the "New Approach" Directives, which seek to remove technical barriers to trade within the European Economic Area (EEA) as part of the move to complete the Single Market. The EEA comprises the European Community and those states in the European Free Trade Association (other than Switzerland).

The intention of the CPD is to replace existing national standards and technical approvals with a single set of European-wide "technical specifications" for construction products. Any manufacturer whose products are specified according to European technical specifications cannot have his product refused entry to EEA markets on technical grounds. Under the CPD, a product bearing the CE marking will be presumed to meet the requirements of these specifications.

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2. How will the CPD be implemented?

In the UK, the CPD was implemented by the Construction Products Regulations, which came into force on 27 December 1991.

In 1994, the CPD was amended by the "CE marking" Directive . This Directive was implemented in the UK by the Construction Products (Amendment) Regulations . They came into force on 1 January 1995.

The Regulations lay down requirements for construction products to be legally placed on the UK market, and the conditions for products to bear the CE marking.

Ultimate responsibility for implementation of the Directive rests with the European Commission. The Commission is responsible, for example, for ensuring that European technical specifications are drawn up, and meet the requirements of the Directive. It is also responsible for ensuring that Member States have made adequate domestic provisions to implement the Directive. The Commission generally acts on the advice of the Standing Committee on Construction (SCC), which comprises representatives from each Member State. The UK is currently represented on the SCC by Roy Window and Tariq Nawaz from the Building Regulations Division of DETR, and Anthony Davies of the National Council of Building Materials Producers.

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3. How do the Regulations apply in the UK?

The Regulations apply to products which are "produced for incorporation in a permanent manner in works". "Works" include buildings, roads, bridges and other civil engineering works. The Regulations do not apply to construction products:

- which will have no implications for health, safety or energy efficiency of construction works,
- where the construction works are not subject to regulation, or
- where the product was legally supplied in the UK before 27 December 1991 (ie when the Regulations came into force).

Products covered by the Regulations can be legally placed on the market if they can be demonstrated to have the characteristics (eg tensile strength, resistance to water penetration) necessary to allow the construction works to meet the requirements of regulations (eg, the Building Regulations). Where products bear the CE marking, it will be presumed that they meet the requirements of European technical specifications.

Domestically, enforcement of the Regulations lies with trading standards officers, except in Northern Ireland, where enforcement falls to environmental health officers. The Secretary of State also has enforcement powers. Failure to comply with the Regulations may lead to prohibition on the supply of products and prosecution.

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4. I export to other Member States - what does the CPD mean for me?

As noted above, the fundamental principle of the CPD is to ensure that products which are fit for their intended use can be freely traded across the EEA. This applies both to products produced within the Community and those imported from countries outside the Community.

Currently, the technical requirements of Member States for particular products may differ. A manufacturer whose product is considered perfectly safe in the UK might find that another Member State may not consider that it is safe, and refuse it entry to its market. Additionally, products which do meet the safety standards of another Member State may still be refused entry because they have not been tested and certified by a standards organisation in that Member State. These are what we mean by technical barriers to trade.

The CPD seeks to remove these barriers by establishing a single, agreed, standard for demonstrating the performance of particular products, and a system of certification and test bodies which are recognised throughout the Community.

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5. So, if I meet a European "standard", can I sell my product anywhere in Europe?

Unfortunately, this will not necessarily be the case, for two reasons.

Firstly, most Member States will require you to demonstrate compliance with European specifications by affixing the CE marking to your product - there are certain rules about affixing the marking.

Secondly, even though a broad performance standard might be agreed, account must inevitably be taken of differing geographic and climatic conditions within Europe. An externally fitted product, for example, may be fit for use in the drier, sunnier climes of the South, but may be entirely unsuited to the more inclement weather conditions of the North.

For these reasons, each Member State will be allowed to establish "levels and classes" of performance of products to reflect these different conditions. These will be discussed more fully below.

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6. What is a European technical specification?

European technical specifications are of two types - harmonised European standards (hENs) , and European Technical Approvals (ETAs). Manufacturers who wish to take advantage of the Single Market will, in most cases, need to ensure their products meet the requirements of one or the other.

Many European standards already exist - any standard which is prefixed "BS/EN", for example, is a European standard. The "harmonised" parts of European standards are those parts of standards which address regulations in the Member States. It is the harmonised part of a standard which manufacturers must meet in order to be able to affix the CE marking.

Where harmonised standards cannot be written - for example, where there are no recognised existing national standards to build on - manufacturers may apply for a European Technical Approval (ETA) to be issued against their product. ETAs are assessments of products' likely performance, normally based on guidelines issued by the European Organisation for Technical Approvals (EOTA).

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7. Where do European specifications come from?

Standards are written by CEN, the European standards organisation, on the basis of a mandate (a contracted instruction) from the Commission. For products with an electric or electronic dimension, standards will be written by CENELEC. Equally, ETA guidelines are drawn up by EOTA on the basis of a similar mandate. Standards and ETAs detail the performance characteristics required of products to allow works to meet the essential requirements of the CPD. The six essential requirements set out in very broad terms the minimum safety requirements of construction works. These broad definitions were elaborated further in a suite of interpretative documents (IDs), published by the Commission in 1994.

Standards and guidelines will also set out the testing regime and the participation of third party certification or test bodies in order to demonstrate products meet the required standard - ie the systems of attestation of conformity.

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