



# CPD revision

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European Commission,  
Directorate-General Enterprise and Industry  
Unit I5: Construction, pressure equipment and metrology

# Revised Lisbon Strategy

**Industrial Policy**

**Better Regulation**

**Construction**

**INTERNAL  
MARKET**

**INNOVATION**



**growth and jobs**  
working together for Europe's future



# Better Regulation

- Regulating for a reason
- Consultation
- Impact Assessment
- Internal Market for construction products
- Through common technical language



# Use of construction products

- Intermediate products
- Responsibility for actors:
  - architects, ingenieurs, constructors ...
- Focus on performance of products



# Common technical language

- Means for assessing performance
  - in relation to essential characteristics
- Harmonised technical specifications
  - standards (hEN)
  - more individualised solutions

# What is wrong with CPD ?

Large-scale open consultation 2006:

- confusion on basics
- CE marking
- ETAs...
- complex & time-consuming procedures
- effects on SMEs ?
- credibility of the system ?



# Objectives for the revision

**Clarification** : definitions, concepts, obligations ...

**Simplification** : testing, micro-enterprises, procedures,  
individual products

**Credibility** : tighter schedules,  
stricter requirements for administrative  
bodies



# NA/NLF...: Or not ?

- **New Legislative Framework “adopted“ Feb 2008**
- **Sector specificities**
  - Products for works
  - Different uses, no product harmonisation
  - Specific meaning of CE marking
  - Experience under CPD
- **Notified bodies & Market surveillance from NLF**

# Why Regulation ?

- **Effectiveness of CPD**
  - Internal Market objectives
  - Confusion on basics
- **Direct applicability**
- **Challenges for**
  - Subsidiarity
  - Proportionality
  - **Clarity**



# MS & EU competences

Member States

EU

Rules on construction  
**works**

Internal Market for  
construction  
**products**

National regulations

Harmonised technical  
specifications



# Role of standards

- Main harmonisation tool
  - Harmonising assessment methods (not products)
- Also MS to use when regulating (BWRs)
  - From BWRs to Mandates to hENs
  - Use of classes & levels
- Clear rules on complaints

# EAD & ETA

- Instead of ETAGs / CUAPs, **EADs**
  - Function comparable to standards
  - Drafted through collaboration of TABs
  - Always based on the manufacturer's initiative
- On the base of EAD, European Technical Assessment (ETA)
  - Function adjusted from CPD-European technical approvals
  - Applicable also when hEN exists

# Declaration of performance

- In accordance with hENs / EADS
  - product-type
  - essential characteristics & levels/classes for them
- Expressing the performance accurately & reliably
  - when done correctly, MSs to presume this
- Supplied with each product
  - eventually by electronic means

# Manufacturer's choice

Between "floor" & "ceiling" : according to needs

**Minimum** = obligation

When hEN/ETA and requirements in place

For the required characteristics

**Maximum** = opportunity

When hEN/ETA and requirements in place

For all available characteristics

Dictated mainly (?) by **the market**

# CE marking

Clarifications on use:

When declaration of performance, always

But also only then

Every manufacturer & importer will know

Responsibility for the declaration

Sole marking for this purpose

MS to respect: not "to impede"

Link to NLF general principles

# Simplification practices

- WT / WFT
- Sharing TT / TC
- Cascading TT / TC
- All through STD
- STD = Specific Technical Documentation
  - Part of the declaration + documents
  - Demonstrating that the conditions for these procedures exist
- Causing no risks to safety

# Other uses of STD

- Micro-enterprises
  - Demonstrating the compliance with requirements
  - Safety clause also here
- Individually manufactured products
  - Demonstrating the compliance with requirements
  - Safety clause also here

# Notified bodies

- 3<sup>rd</sup> party tasks in assessment systems
  - Certification bodies
  - Inspection bodies
  - Testing laboratories
- Requirements from NLF
  - However, "systems" instead of "modules"
- Thrust for increased credibility

# Market surveillance

- In general accordance with NLF
  - For all construction products
- Safeguard procedure available
- Instances of non-compliance listed clearly

# Comitology

- Areas necessitating ComDecs
  - Regulatory procedure with scrutiny
- Standing Committee to be formed
  - For consultative (non-regulatory) issues, no reason to regulate
  - Commencing before the general applicability



## For more information

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