



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

- 3rd 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

- **e-mail: entr-constr-pressure-equ-metrology@ec.europa.eu**
- **http://ec.europa.eu/enterprise/construction/index_en.htm**
- **http://ec.europa.eu/enterprise/construction/cpdrevision/cpd_revision_intro_en.htm**