

# 7. Construction Products Regulation

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The Construction Products Regulations came into force on 1st July 2013 and require that over 400+ Building Products must carry the CE Mark. The CE Mark is a declaration of performance of the product, with a correct CE Mark demonstrating the following information:

- Company Contact details
- Certified Bodies Issue Number
- The European Standard it has been checked against
- The product's designation (type of product)
- The product's performance criteria

Additional requirements are in place in relation to structural steel products, where fabricated structural steelwork must show evidence that the fabricator has 3rd Party certification for Factory Production Control Certificate (FPC) under IS EN 1090-1 & 2. These requirements came into force on 1st July 2014. In order for a steelwork contractor to demonstrate their right to CE Mark their products, they must provide the following three documents:

- Factory Production Control Certificate
- Welding Certificate
- Declaration of Performance

The Construction Products Regulation forms part of the Building Regulations 2007-2013 under the Building Regulations (Part D Amendment) Regulations 2013, which requires that works be carried out with proper materials and in a workmanlike manner. The definition of "proper materials" is set out as:

"... materials which are fit for the use for which they are intended and for the conditions in which they are to be used, and includes materials which:

- (a) bear a CE Marking in accordance with the provisions of the Construction Products Regulation;
- (b) comply with an appropriate harmonised standard or European Technical Assessment in accordance with the provisions of the Construction Products Regulation; or
- (c) comply with an appropriate Irish Standard or Irish Agrément Certificate or with an alternative national technical specification of any State which is a contracting party to the Agreement on the European Economic Area, which provides in use an equivalent level of safety and suitability."

Materials include products, fittings, items of equipment and backfilling for excavations. Materials should be of a suitable nature and quality in relation to their purposes and conditions of their use, should be adequately mixed or prepared, and should be applied, used or fixed so as to perform adequately the functions for which they are intended.

The Construction Products Regulation requires that construction products covered by a harmonised standard have a Declaration of Performance and CE Mark as outlined above. Where a construction product is not covered or not fully covered by a harmonised standard, a product can be CE Marked where a European Technical Assessment is obtained for the product on the basis of a European Assessment Document.

In Ireland, all EU standards are given the status of national standards. The NSAI has produced additional national guidance for some harmonised and non-harmonised EU Standards, which provide guidance on the appropriate minimum performance levels for specific intended uses of the products in Ireland. Where a construction product is covered by such guidance, compliance with the National Annex/Standard Recommendation in so far as it relates to the product may be used to demonstrate that the product, when incorporated into the construction works, is fit for the use for which it is intended. In the absence of such guidance, it is essential that the declared performance of a product is fit for the use for which it is intended.