

Rialtas na hÉireann
Government of Ireland

Brexit Series Construction

EU-UK Trade and Cooperation Agreement

Accessing the GB Market

The UK Government has published a number of notices concerning the new UK regulatory system that replaced the EU system previously in place. This new regulatory system came into operation on the 1 January 2021.

UK regulations

Construction products placed on the UK market are now subject to the Construction Products (Amendment etc.) (EU Exit) Regulations 2019 which transcribes the EU's Construction Products Regulation into UK Law. The regulations require:

- products requiring conformity assessment to have this carried out by a UK approved body
- be marked with the UKCA mark
- be accompanied by a UK Declaration of Performance.

Until 31 December 2021 CE marked construction products will still be allowed to be placed on the UK market.

Border controls

The UK Government has confirmed that from July 2021, construction products from the EU will be subject to full safety and security declarations at the border and any relevant tariffs. This will mean traders will have to submit customs declarations and be liable to goods checks.

Prepare for border controls by making sure you have an Economic Operator Registration and Identification (EORI) number and also look into how you will make declarations, including using a customs agent. Further information on customs procedures can be found on the Revenue Commissioner's website. (www.revenue.ie)

Information

Your UK customers are 'importers' under UK law and they are required to be able to access a copy of your products technical file.

Further information is available from the UK Government website (<https://www.gov.uk/guidance/construction-products-regulation-from-1-january-2021>).

About NSAI

NSAI is an EU Notified Body for certification of construction products, medical devices, motor vehicles and measuring instruments. It also carries out market surveillance on packaged goods and measuring devices. NSAI aims to inspire consumer confidence and create the infrastructure for products and services to be recognised and relied on.

Contact Us



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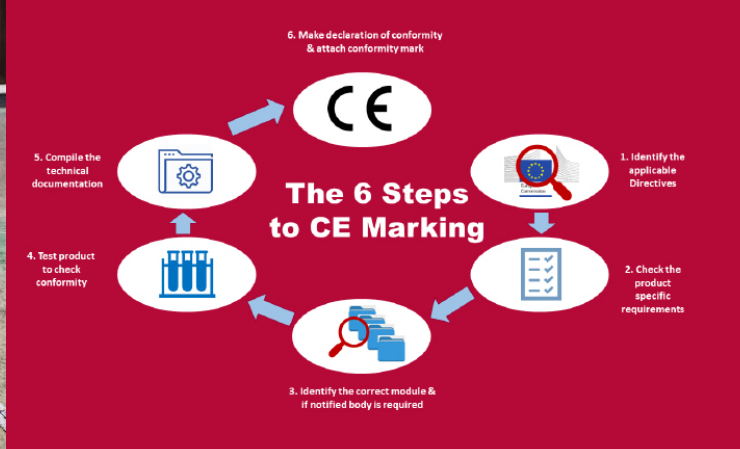
Further Information

The Irish Government has a number of supports to help businesses across all sectors to prepare for Brexit. Further information is available on the following websites:

- Government of Ireland: gov.ie
- Department of Enterprise, Trade and Employment: enterprise.gov.ie
- Department of Housing, Local Government and Heritage: housing.gov.ie



February 2021



Do you import Construction Products from the UK?

If you source products from Great Britain you are now an importer under EU law. You have additional responsibilities under article 13 of the Construction Products Regulation and you should become familiar with these as soon as possible.

Look at your supply chain.

- Find out the additional responsibilities you will be taking on
- Engage with the manufacturers of the products you import
- Ensure that you will be able to get the information and assurances you need
- Ensure that your details are included in packaging and product information leaflets
- Ensure that the products are marked with the CE mark and, where necessary, have been certified by an EU notified body or a technical assessment body
- Ensure that the EU Declaration of Performance is up to date.

Agrément Certification

NSAI Agrément assesses, specifies testing, and where appropriate, issues Agrément certificates confirming that new building products, materials, techniques and equipment are safe and fit for purpose in accordance with the Irish Building Regulations and with the terms of the certificate. Such Agrément certificates may be in addition to, but not conflict with, CE marking and will not be affected by the outcome of Brexit.

Similarly, the status of British Board of Agrément (BBA) certificates for use in the UK, are not affected by implementation of the EU-UK Trade & Cooperation Agreement.

Certification of Construction Products

Since 1 January 2021 EU law, including the Construction Products Regulation (CPR) and the Regulation on Accreditation and Market Surveillance, no longer apply in the UK. This means that UK notified bodies and Technical Assessment Bodies (TABs) are no longer recognised for EU conformity assessment tasks and any manufacturer using them will not be able to CE mark their products or place them on the EU market.

If you previously used a UK notified body or TAB you now have to use a notified body or TAB accredited in an EU or EEA Member State. The EU Commission has updated the EU NANDO (ec.europa.eu/growth/tools-databases/nando/) website to remove UK notified bodies and TABs. The site provides a list of notified bodies and TABs that can be used for the purposes of conformity assessment tasks under the CPR.

If you want to eliminate any uncertainty concerning UK accredited test certificates, you should consider moving any testing to a facility accredited by an EU or EEA Member State.

Product Contact Point for Construction

The Product Contact Point for Construction provides information on the national rules and regulations applicable to the incorporation, assembly or installation of products in construction works. The Product Contact Point can provide information on:

- the technical rules applicable to a specific type of product and information as to whether that type of product requires prior authorisation,
- the contact details of the competent authorities, the remedies generally available in the event of a dispute.

The Product Contact Point can be found on the Dept of Housing, Local Government and Heritage website (housing.gov.ie) or contacted by email (pcp@housing.gov.ie).

Trading with Northern Ireland

The Protocol on Ireland-Northern Ireland came into effect on 1 January 2021. It is designed to ensure that people and goods can continue to move freely in all parts of the island of Ireland. Northern Ireland will remain aligned with the EU for manufactured goods.

Selling to NI

- You are able to place products on the market in NI using your existing CE marking and Declaration of Performance.
- You are **not** required to provide any additional information to your customers.
- You do **not** require an EORI number or have to complete customs declarations.

Buying from NI

- To place goods onto the Single Market, including in Ireland, it must be certified by an EU notified body. Certificates issued by notified bodies in Northern Ireland are only valid in Northern Ireland.
- You remain a distributor under EU law.
- You do **not** need to hold additional information from the manufacturer.
- You do **not** need to put your name and contact details on the imported products.
- You do **not** require an EORI number or have to complete customs declarations.

'CE UK(NI)' mark

The Protocol allows goods to be certified by UK bodies for the NI market. They must follow EU standards and rules and be marked with the 'CE UK(NI)' mark.

Construction products bearing the 'CE UK(NI)' mark cannot be placed on the EU (Irish) market.