

# Brexit Series Construction Are you ready? 1.1.21

## Accessing the GB Market

The UK Government has published a number of notices concerning the new regulatory system that will be put in place in the UK to replace the EU system currently operating there. This new regulatory system will come into operation on the 1 January 2021.

### UK regulations

Construction products placed on the UK market will be 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 products will still be allowed to be placed on the UK market.

### Border controls

The UK Government has confirmed plans to introduce import controls on EU goods at the border after the transition period ends on 31 December 2020. 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.

### Information

Your UK customers will become 'importers' under UK law and they will be 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. 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

 [brexitunit@nsai.ie](mailto:brexitunit@nsai.ie)  [nsai.ie/Brexit](https://nsai.ie/Brexit)

 [/NSAIstandards](https://www.facebook.com/NSAIstandards)  [/NationalStandards Authority](https://www.linkedin.com/company/NationalStandardsAuthority)

 [@NSAI\\_Standards](https://twitter.com/NSAI_Standards)  01 807 3800

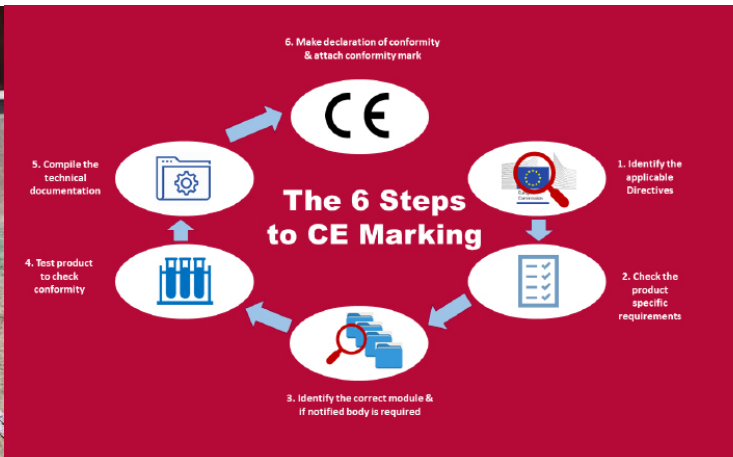
### Further Information

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](https://www.gov.ie)
- NSAI: [NSAI.ie](https://www.nsa.ie)
- Department of Business, Enterprise & innovation: [DBEI.ie](https://www.dbel.ie)
- Department of Housing, Planning and Local Government: [housing.gov.ie](https://www.housing.gov.ie)





## Do you import Construction Products from the UK?

If you currently source products from UK suppliers, at the end of the transition period you will become an importer. You will take on 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 will be 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, will not be affected by the outcomes of Brexit.

## Certification of Construction Products

From 1 January 2021 EU law, including the Construction Products Regulation, will no longer apply in the UK. UK notified bodies will no longer be recognised for EU conformity assessment tasks.

This means that any manufacturer using a UK notified body will not be able to CE mark their products or place them on the EU market. If you use a UK notified body you must move your conformity assessment to a notified body in an EU-27 Member State.

If you use a UK Technical Assessment Bodies (TABs) to assess construction products on the basis of European assessment documents you must move to a TAB based in an EU-27 Member State. To eliminate any uncertainty concerning UK accredited test certificates, you should move any testing to a test facility accredited in an EU-27 Member State.

A list of notified bodies and TABs can be found on the EU NANDO website ([ec.europa.eu/growth/tools-databases/nando/](http://ec.europa.eu/growth/tools-databases/nando/))

## If I rely on a UK Notified Body...

- Ask your UK NB if it is moving to an EU-27 Member State
- If they are, transfer your certification to the new EU-27 NB
- If not moving, check the EU 'NANDO' website for a new EU-27 NB
- Engage with your new NB about what you need to do
- Place products CE marked using UK NB on EU market by 31 December 2020
- Check if you have to carry out testing in an EU accredited test facility
- If yes, move your testing from the UK to an EU-27 accredited test facility.

## Trading with Northern Ireland

The Protocol on Ireland-Northern Ireland will apply 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 will be able to place products on the market in NI using your existing CE marking and Declaration of Performance.
- You will **not** be required to provide any additional information to your customers.
- You will **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 have been certified by an EU Notifying Body. Certificates issued by notifying bodies in Northern Ireland are only valid in Northern Ireland.
- You will remain a distributor under EU law.
- You will **not** need to hold additional information from the manufacturer.
- You will **not** need to put your name and contact details on the imported products.
- You will **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 market.