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Getting Ireland Brexit Ready

Impact of Brexit on Construction

Dublin

12 March 2019

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HEAD NSAI BREXIT UNIT

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Agenda



- 13:30-14:00: Registration
- 14:00-14:20: Introduction (NSAI)
- 14:20-14:40: Construction Products Regulations and Building Standards (DHPLG)
- 14:40-15:00: Brexit impacts for importers of Construction products and steps to CE marking in Construction (NSAI)
- 15:00-15:20: Electrical Systems (Compliance Engineering Ireland)
- 15:20-15:40: Personal Protective Equipment (Satra)
- 15:40-16:00: BCAR - Brexit implications (i3pt)
- 16:00-16:20: BIM - providing creative solutions (ArcDox)
- 16:20-16:40: Brexit panel discussion
- 16:40-17:00: Q&As and wrap up



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Introduction

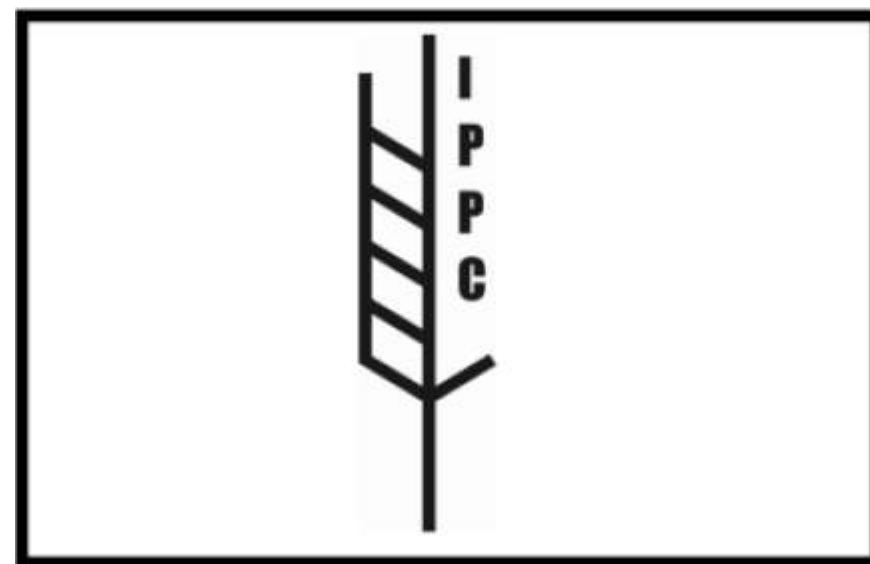
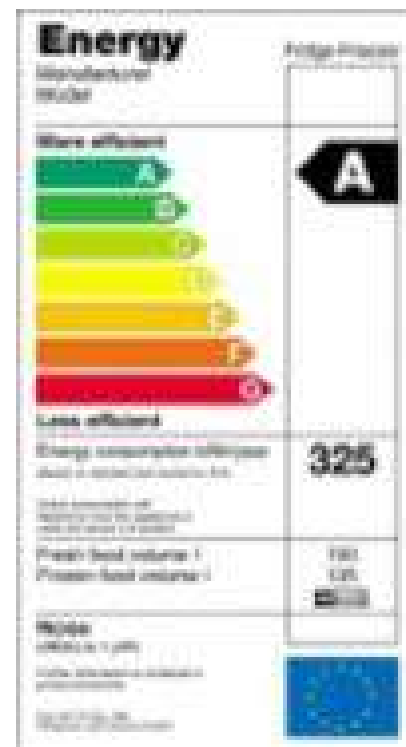
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Purpose of the European Single Market



European standards used to level the playing field

Free trade

Third party certification

Fair trade



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European Single Market



Single Market
Labour
Capital
Goods
Services
+
Customs Union



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European Single Market



Single Market

Goods



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Economic Operators



EU legislation defines **economic operators**:

- Manufacturer
- Importer
- Authorised representative
- Distributor



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Manufacturer



- The manufacturer is any natural or legal person who manufactures a product or has a product designed or manufactured and places it on the market under his own name or trademark.
- The manufacturer is responsible for the **conformity assessment of the product** and is subject to a series of obligations including traceability requirements.
- The responsibilities of a manufacturer are the same whether he is established in a Member State or outside the EU.
- If an importer or distributor modifies a product they may be considered the manufacturer and must take on the responsibilities of the manufacturer



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Importer



- The importer is the economic operator established in the EU who places a product from a third country on the EU market.
- Before placing a product on the market the importer must ensure:
 - that the appropriate conformity assessment procedure has been carried out by the manufacturer. that the manufacturer has drawn up the technical documentation,
 - affixed the relevant conformity marking (e.g. CE marking),
 - fulfilled his traceability obligations, and
 - accompanied, where relevant, the product by the instructions and safety information.
- If there is any doubt about the conformity of the product, the importer must not place it on the market or take corrective actions if the product has already been placed on the market.
- As from the withdrawal date, **a manufacturer or importer established in the United Kingdom will no longer be considered as an economic operator established in the EU.**



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Authorised Representative



- An authorised representative is appointed by a manufacturer to act on his behalf in carrying out certain tasks
- EU product legislation does not generally oblige the manufacturer to designate an authorised representative
- However, specific EU legislation does provide for the **obligation to have an authorised representative (medical devices, transportable pressure equipment or marine equipment)** or a **responsible person (cosmetic products)**.
- EU legislation requires the authorised representative or responsible person to be established in the Union.
- After Brexit **authorised representatives or responsible persons established in the UK will no longer be recognised.**
- Manufacturers are advised to take the necessary steps to ensure that their designated authorised representatives or responsible persons are established in the EU-27.

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Distributor



- The distributor is the economic operator in the supply chain, other than the manufacturer or the importer, who makes a product available on the market
- A distributor acquires products for further distribution either from a manufacturer, from an importer, or from another distributor
- Distributors are subject to specific obligations and have a key role to play in the context of market surveillance
- They must not supply products that they know or should have assumed to be in compliance with the legislation.
- If they have reasonable grounds to believe that a product is not in conformity, they have to make sure that corrective measures are taken by the manufacturer or the importer and inform the competent national authorities.
- They must cooperate with the competent authority in any actions taken



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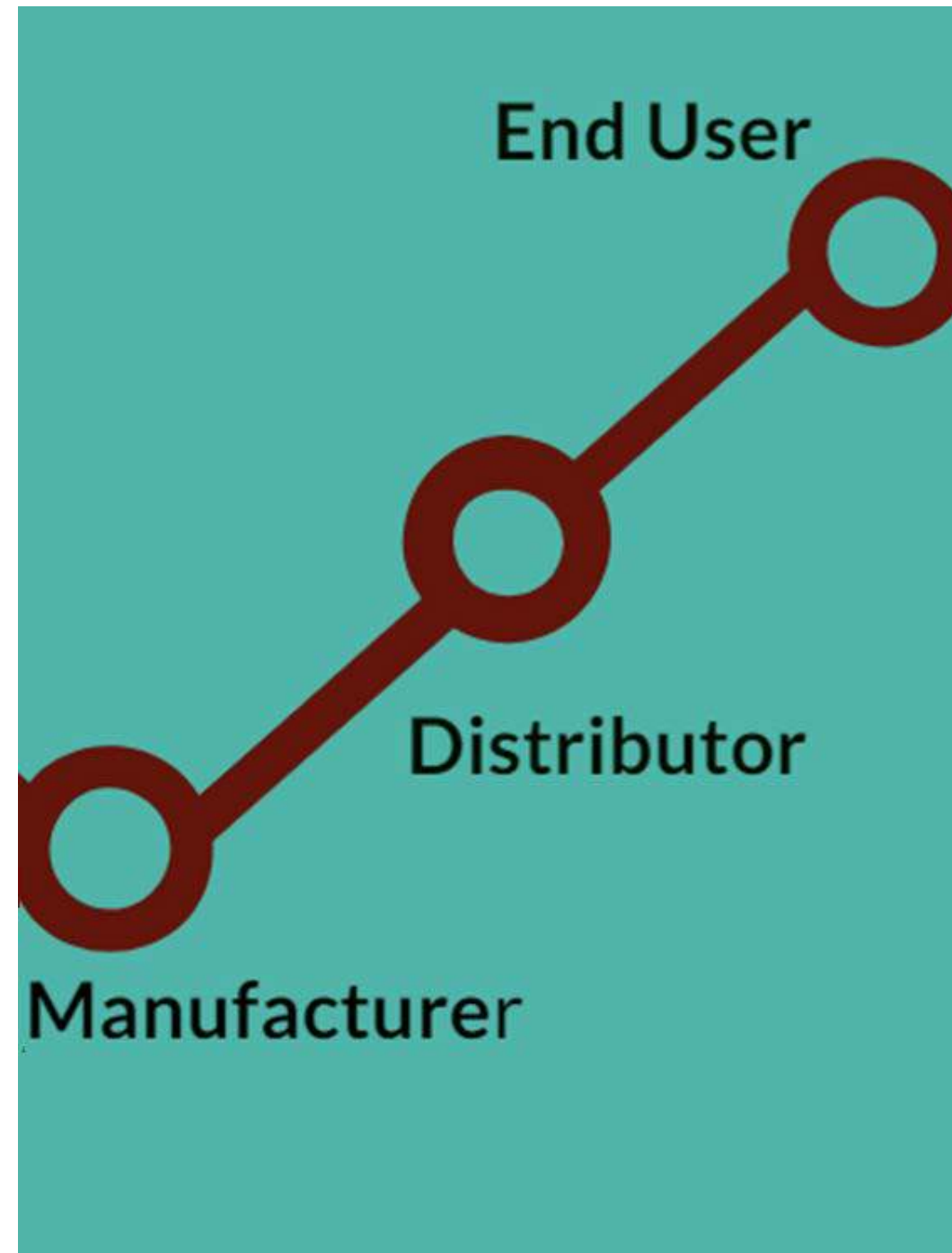


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Economic Operators' Roles



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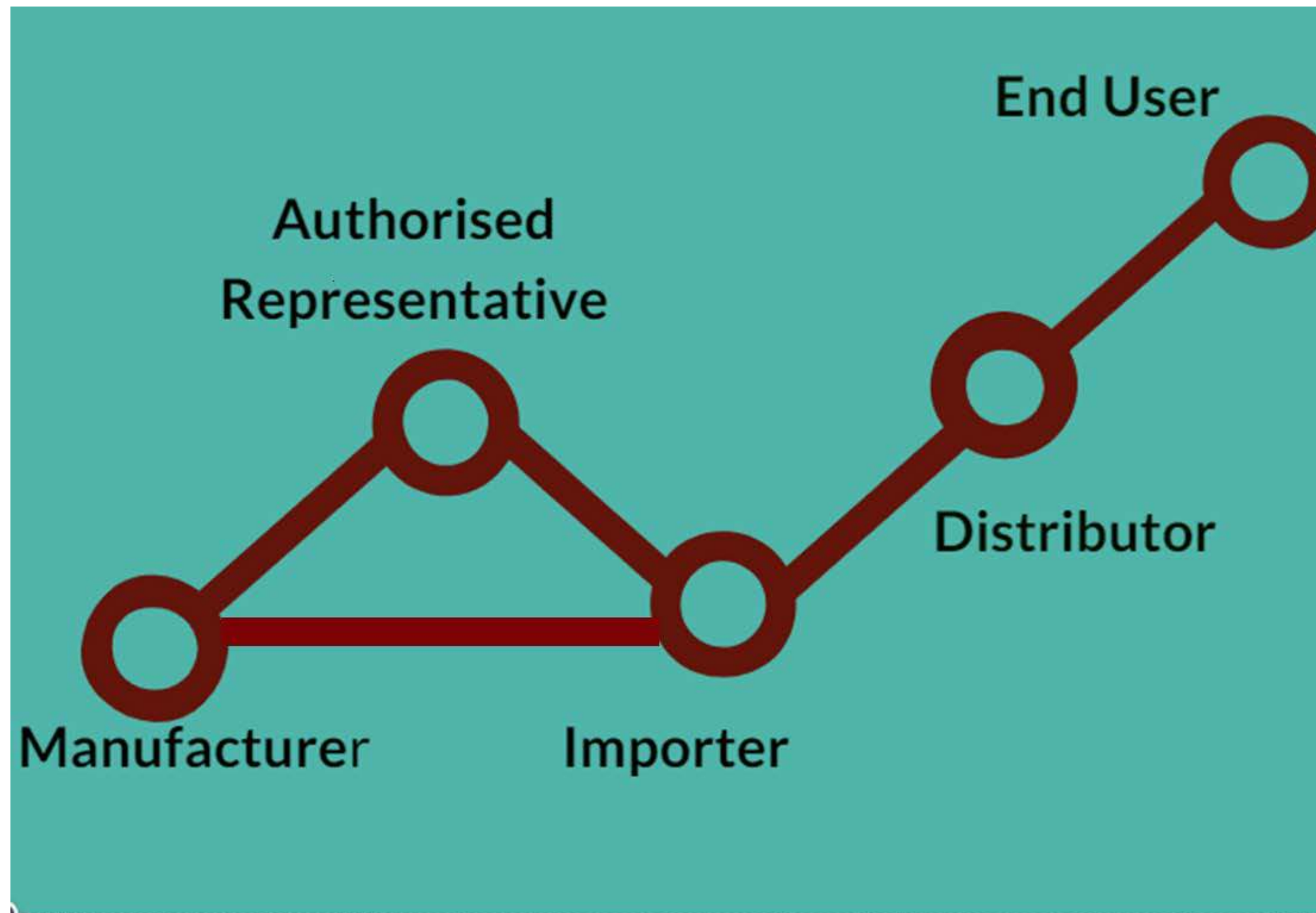


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Economic Operators' Roles



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Impact of Brexit on economic operators



- The importer is the economic operator established in the EU who places a product from a third country on the market.
- As from the withdrawal date, a manufacturer or importer established in the UK will no longer be considered as an economic operator established in the EU
- UK based companies can no longer act as an authorised representative or responsible person and an alternative arrangement will be required
- Distributors of products from the UK will become importers and will take on additional responsibilities, including fulfilling the legal role of authorised representatives



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Impact of Brexit on importers



- If the UK is designated a “third country”, importers of UK products will take on additional responsibilities and will be required to hold additional information
- They may be required to fulfil the legal role of “authorised representatives”
- If you’re importing products via the UK you will become an importer, and will take on additional responsibilities
- The Construction Products Regulations and the ‘Blue Guide’ on the implementation of EU products rules 2016 provides further information on the implementation of the "New Legislative Framework" for the marketing of products



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Impact of Brexit on exporters



- If you or one of your product suppliers rely on a UK Notified Body for certification of conformity, you will need to obtain alternatives before you can export to any EU Member State.
- For further information, please consult **The 'Blue Guide' on the implementation of EU products rules 2016**
- Post-Brexit, you may be required to provide evidence of conformity to UK national standards for products exported to the UK market



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'CE marking' within the EU



Impact of Brexit on 'CE' marking



- If you currently 'CE' mark your product under existing EU rules, you will be required to continue to do so post Brexit
- Post-Brexit, UK Notified Bodies will lose their status as EU Notified Bodies
- If you or one of your product suppliers rely on a UK Notified Body for certification of conformity for 'CE' marking purposes, you will need to obtain alternatives
- While 'CE' marking for products may no longer be a legal requirement in the UK post Brexit, the UK market will still require evidence of conformity of products



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Notified Bodies



- The primary task of a notified body is to provide conformity assessment services on the conditions set out in the applicable EU harmonisation legislation
- Notified Bodies must be accredited by the National Accreditation Body in the MS in which they are established
- Following accreditation they are notified to the EU and are listed on the EU NANDO website
- They may provide conformity assessment to a manufacturer based in any MS or in third countries
- After Brexit all UK Notified Bodies will cease to be recognised as EU NBs and will be removed from the NANDO website



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EU Notified Bodies based in Ireland



- NSAI
- Compliance Engineering Ireland
- SATRA Technology Europe
- Industrial Pressure Testing Ltd
- Appliance Engineering

Additional Irish Notified Bodies are currently being accredited or formally notified for Machinery, Personal Protective Equipment, Construction Products, Transportable Pressure Equipment, Pressure Equipment, Radio Equipment, Electromagnetic Capability and Marine Equipment.



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Impact of Brexit on Management Systems Certifications



It is expected that Certification to any of the International Standards Organisations Management Systems Standards below will not be directly impacted by Brexit.

- ISO 90010 Quality
- ISO 14001 Environmental Management System
- ISO 45001 Occupational Health and Safety
- ISO 13485 Medical Devices
- ISO 22000 Food Safety
- ISO 50001 Energy Management



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Other Brexit Impacts



Some are EU schemes:

- EMAS – Eco-Management and Audit Scheme
- Greenhouse Gas Emissions Trading scheme (GHG's)- the role of the UK based accredited verifier
- EU Eco Label scheme
- Transfrontier shipment of waste

Others are non-EU but arise from UK no longer being an EU MS

- Wood packaging materials – pallets, ISPM 15 & IPPC



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What does this mean for businesses based in both the UK and EU-27?



- Only the part of your business based in the EU-27 will be considered as an economic operator established in the EU
- Your products will still need to comply with EU legislation - you will still need to carry out conformity assessment and affix the 'CE' mark
- You will be required to use Notified Body based in the EU-27
- Your UK based business may need to formally appoint an authorised representative or a responsible person in the EU-27
- There will be increased 'red-tape' when moving raw materials, components or finished articles between the different parts of your business



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What does this mean for importing from the UK?



- The products will still need to comply with EU legislation
- Conformity assessment and the 'CE' mark may be required
- Will need to be done by a Notified Body based in the EU-27
- The producer is no longer be considered as an economic operator established in the EU.
- The may need to appoint an authorised representative in the EU
- As an importer you will take on additional responsibilities and will be required to hold additional information



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What can I do to minimise disruption?



- If you import goods from the UK you will:
 - be required to hold additional information on your products
 - take on additional responsibilities as an importer
 - **engage with your suppliers**
- If you have businesses based in both the UK and EU-27 consider how to reorganise business processes to minimise disruption
- If you currently use a UK based Notified Body you will have to move to another Notified Body based in the EU-27.
- Check the EU 'NANDO' website and find a NB based in an EU-27 MS
- Contact the new NB and find out what you need to do to transfer product certification



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Construction Products Regulations and Building Standards

SARAH NEARY
Department of Housing, Planning
& Local Government

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NSAI Briefing on Impacts of Brexit on the Construction Sector

Construction Products Regulation and Building Standards

March 2019

Sarah Neary
Principal Adviser Building Standards



**An Roinn Tithíochta, Pleanála,
Pobail agus Rialtais Áitiúil**
Department of Housing, Planning,
Community and Local Government

Overview

- **Construction Products Regulation**
- **Building Regulations**
- **Impacts of Brexit**

Construction Products Regulation (EU) No 305/2011

- Primary purpose is to break down technical barriers to trade to facilitate the free movement of construction products within the European Union.
- Since July 2013, **CE MARKING** of construction products covered by harmonised European Standards is **mandatory**, when that product is placed on the market.
- Obligations and responsibility rests with Manufacturers, Importers and Distributors

Free Movement of Goods

To ensure the free movement of construction products, the CPR provides for:

1. A system of harmonised technical specifications
2. An agreed system of Assessment and Verification of Constancy of Performance (AVCP)
3. A framework of notified bodies, and
4. The CE Marking label

The supply chain is simplified, clarified and strengthened by -

- Common Test Methods
- Common Technical Language
- Agreed system (AVCP) defining how products are assessed and how the constancy of the assessment results is controlled
- Reliable information about product performance (Declaration of Performance)
- Mandatory CE Marking
- Appropriate Market Surveillance

1. Harmonised Technical Specifications

Harmonised product standards (hENs)



Traditional

- Provide a technical basis to assess the performance of construction products.
- Enable manufacturers to draw up the Declaration of Performance as defined in the Construction Products Regulation, and affix the CE marking.
- Conflicting National standards (e.g. I.S. or BSs) must be withdrawn

European Assessment Documents (EADs)

- Products not covered or not fully covered by hENs
- A voluntary route to CE Marking
- At the request of the manufacturer



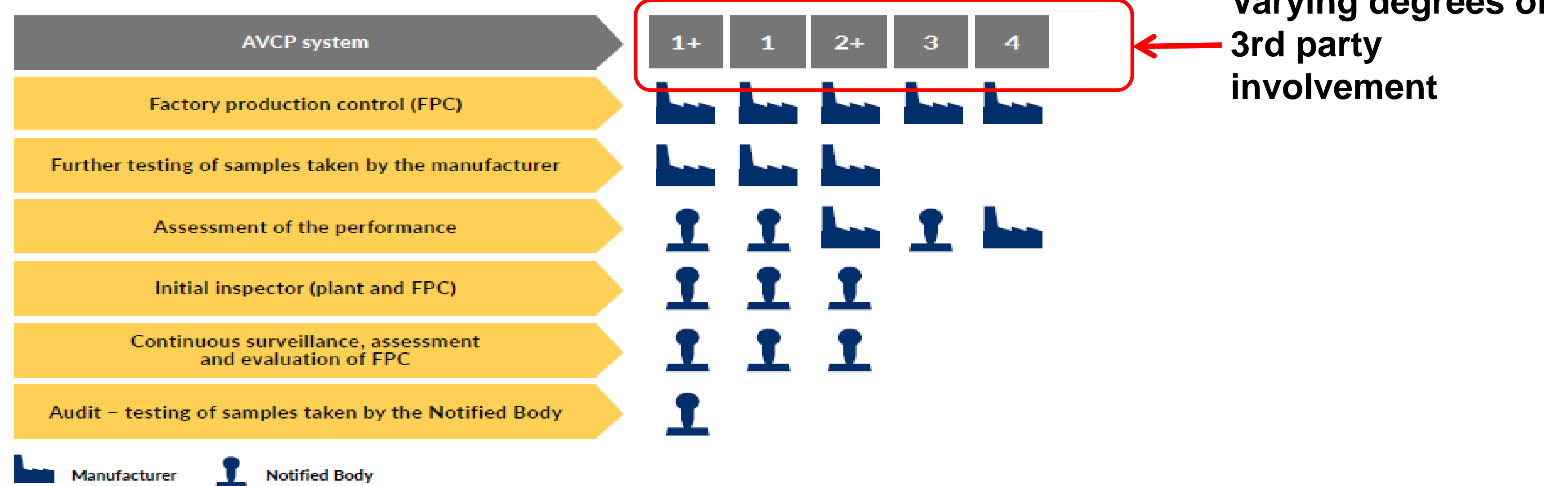
Innovative

Product Areas

CODE	PRODUCT AREA
1	PRECAST NORMAL/LIGHTWEIGHT/AUTOCLAVED AERATED CONCRETE PRODUCTS.
2	DOORS, WINDOWS, SHUTTERS, GATES AND RELATED BUILDING HARDWARE.
3	MEMBRANES, INCLUDING LIQUID APPLIED AND KITS (FOR WATER AND/OR WATER VAPOUR CONTROL).
4	THERMAL INSULATION PRODUCTS. COMPOSITE INSULATING KITS/SYSTEMS.
5	STRUCTURAL BEARINGS. PINS FOR STRUCTURAL JOINTS.
6	CHIMNEYS, FLUES AND SPECIFIC PRODUCTS.
7	GYPSUM PRODUCTS.
8	GEOTEXTILES, GEOMEMBRANES, AND RELATED PRODUCTS.
9	CURTAIN WALLING/CLADDING/STRUCTURAL SEALANT GLAZING.
10	FIXED FIRE FIGHTING EQUIPMENT (FIRE ALARM/DETECTION, FIXED FIREFIGHTING, FIRE AND SMOKE CONTROL AND EXPLOSION SUPPRESSION PRODUCT).
11	SANITARY APPLIANCES.
12	CIRCULATION FIXTURES: ROAD EQUIPMENT.
13	STRUCTURAL TIMBER PRODUCTS/ELEMENTS AND ANCILLARIES.
14	WOOD BASED PANELS AND ELEMENTS.
15	CEMENT, BUILDING LIMES AND OTHER HYDRAULIC BINDERS.
16	REINFORCING AND PRESTRESSING STEEL FOR CONCRETE (AND ANCILLARIES). POST TENSIONING KITS.
17	MASONRY AND RELATED PRODUCTS. MASONRY UNITS, MORTARS, AND ANCILLARIES.
18	WASTE WATER ENGINEERING PRODUCTS.
19	FLOORINGS.
20	STRUCTURAL METALLIC PRODUCTS AND ANCILLARIES.
21	INTERNAL & EXTERNAL WALL AND CEILING FINISHES. INTERNAL PARTITION KITS.
22	ROOF COVERINGS, ROOF LIGHTS, ROOF WINDOWS, AND ANCILLARY PRODUCTS. ROOF KITS.
23	ROAD CONSTRUCTION PRODUCTS.
24	AGGREGATES.
25	CONSTRUCTION ADHESIVES.
26	PRODUCTS RELATED TO CONCRETE, MORTAR AND GROUT.
27	SPACE HEATING APPLIANCES.
28	PIPES-TANKS AND ANCILLARIES NOT IN CONTACT WITH WATER INTENDED FOR HUMAN CONSUMPTION.
29	CONSTRUCTION PRODUCTS IN CONTACT WITH WATER INTENDED FOR HUMAN CONSUMPTION.
30	FLAT GLASS, PROFILED GLASS AND GLASS BLOCK PRODUCTS.
31	POWER, CONTROL AND COMMUNICATION CABLES.
32	SEALANTS FOR JOINTS.
33	FIXINGS.
34	BUILDING KITS, UNITS, AND PREFABRICATED ELEMENTS.
35	FIRE STOPPING, FIRE SEALING AND FIRE PROTECTIVE PRODUCTS. FIRE RETARDANT PRODUCTS.

2. AVCP and 3. Notified Bodies

2. Assessment & Verification of Constancy of Performance



3. Framework of Notified Bodies

- Product Certification Bodies
- Factory production control certification bodies
- Testing laboratories

Notified Bodies

- Department of Housing Planning and Local Government is the designated notifying authority under the CPR.
- An application for notified body status should be made to this Department in accordance with the Irish notification procedures for the purposes of the Construction Products Regulation (305/2011) – available on www.housing.gov.ie
- The Irish National Accreditation Board (INAB) undertakes accreditation and monitoring of notified bodies in Ireland.
- Bodies seeking to be notified for the purpose of the CPR should first apply to the INAB for the accreditation relevant to the services they wish to provide.

4. Declaration of Performance and CE Marking

- The Declaration of Performance provides information on the performance of a product.
- By drawing up a DoP, the manufacturer assumes **responsibility for the conformity of the construction product with the declared performance in the DoP.**
- Each construction product covered by a European harmonised standard or for which a European Technical Assessment has been issued needs this Declaration and has to be CE marked.
- The CE marking indicates that a construction product is in conformity with its declared performance and that it has been assessed according to a harmonised European standard or a European Technical Assessment has been issued for it.



**No National
Marks**

CE Marking and Declaration of Performance

Example CE Marking/ DoPs

All AVCP Systems

All AVCP Systems

AVCP System
1+,1, 2+, 3*

Voluntary route to CE Marking

Simplified procedures

Article 36 – Shared or cascaded ITT

*Article 37 - Micro Enterprises
≤10 persons
Turnover ≤ €2m/ annum



CE

14

AnyCo. Ltd, PO Box 123, Dublin 1, Ireland

Product A1234 - DoP No. 5678

EN123-5: 2009

Notified Body No. 0123

Internal & external use in walls & partitions

Essential characteristic 1: PASS

Essential characteristic 2: 50 MN

Essential characteristic n: NPD

www.anycoltd.ie/dop

Last two digits of the year in which the marking was first fixed



Article 11(6)



Recital 25

DECLARATION OF PERFORMANCE

DoP No. 5678

Unique identification code of the product-type
Product A1234

Intended use(s)
Internal & external use in walls & partitions

Manufacturer
AnyCo. Ltd, PO Box 123, Dublin 1, Ireland

Notified Body
Notified Body 0123

Declared Performances:

Essential Characteristics	Performance	AVCP	hEN
Essential Characteristic 1	PASS	3	123-5: 2009
Essential Characteristic 2	50 MN	3	123-5: 2009
Essential Characteristic n	NPD	3	123-5: 2009

Appropriate and/or Specific Technical Documentation
Document No.....

The performance of the product identified above is in conformity with the set of declared performance(s)

This Declaration of Performance is issued, in accordance with Regulation (EU) No 305/2011, under the sole responsibility of the manufacturer identified above.

Signed for and on behalf of the manufacturer by:
Mr. A.N. Other
At: PO Box 123, Dublin 1, Ireland
On: 01/07/2013
Mr. A.N. Other

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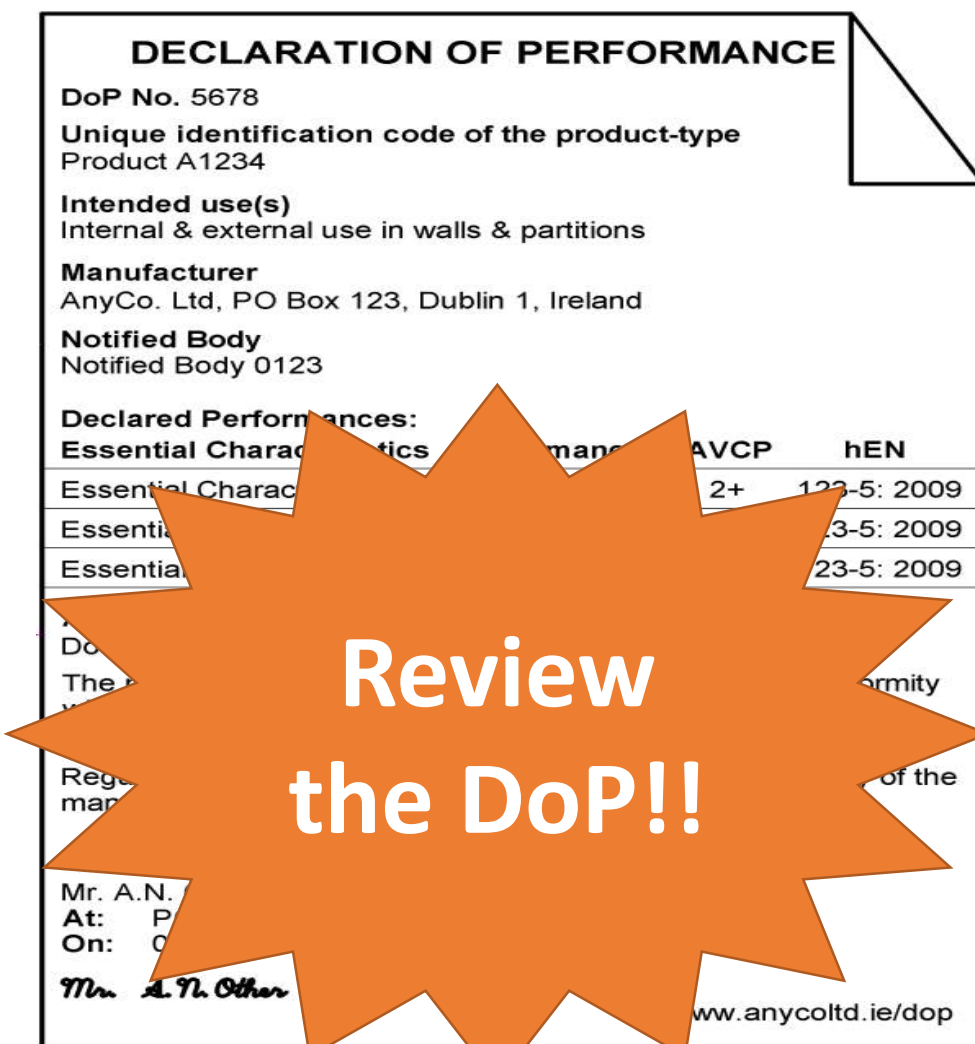
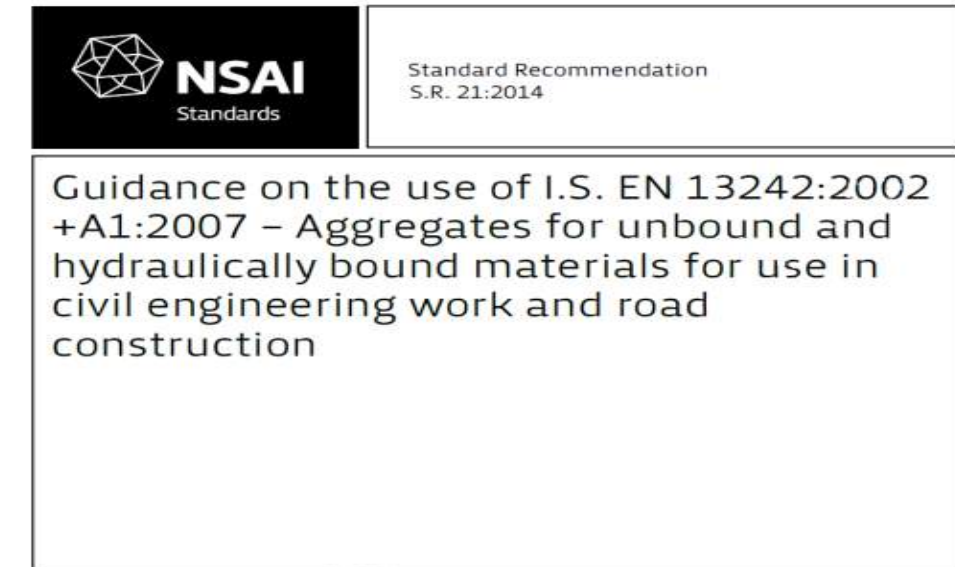
Reference to DoP on website (Optional)

Responsibilities of Economic Operators

	Manufacturers (Article 11)	Importers (Article 13)	Distributors (Article 14)
DoP & CE Mark for products covered by hENs since 1 st July 2013	X	Be satisfied that manufacturer has done all that is required	Be satisfied that product complies and all documents are available
Keep documentation for 10 years	X	X	
Ensure consistent production	X		
Monitor the product on the market, where appropriate	X	X	
Ensure the product is identifiable	X	X	X
Indicate a contact point for the product	Manufacturers details	Importers details	Manufacturers & Importers details
Provide instructions and safety information in the appropriate languages	X	X	X
Take corrective measures where necessary	X	X	X
Store and move products appropriately		X	X
Cooperate with requests from national authorities	X	X	X

Benefits of Technical Tools of the CPR

- Specifiers can better define their performance demands for the specific end use by means of reference to NSAI Standard Recommendations, National Annexes, TGDs.
- Enables end users e.g. builders to purchase the product with the prescribed performance.
- DoP may be harnessed to readily determine whether the products incorporated into the works are carried out using ***“proper materials...which are fit for the use for which they are intended and for the conditions in which they are to be used”*** to ensure compliance with the Building Regulations.



Benefits of Technical Tools of the CPR

- *“To ensure a proper standard of workmanship, it is essential that persons are **competent**, possessing sufficient training, experience and knowledge appropriate to the nature of the work he or she is required to perform and having particular regard to the size and complexity of such works.”*
- Under CPR, Notified bodies assess the competence of a manufacturer e.g. structural steel fabricator to ensure that he is conducting the assessment of the performance of the construction product correctly, adequately and credibly.



Market Surveillance - General Principles

- Market surveillance refers to the activities carried out and the measures taken by market surveillance authorities to ensure that construction products comply with the requirements set out in the CPR.
- Primary responsibility for demonstrating compliance rests with the manufacturer of the product.
- It is not the responsibility of a market surveillance authority to certify products.

Market Surveillance Actions

In broad terms, market surveillance under the CPR will include any actions necessary to –

- stop the circulation of construction products that do not comply with all the requirements set out in the CPR;
- require economic operators to bring their construction products into compliance; and/or
- apply sanctions to non-compliant economic operators.

Market Surveillance under the CPR

Enabling powers are provided by Articles 56 – 59 (i.e. Chapter VIII) of the CPR -

- national procedures to deal with construction products presenting a risk (Article 56);
- Union safeguard procedures (Article 57);
- compliant products that present a risk (Article 58); and
- formal non-compliances (Article 59).

Framework for Market Surveillance

- Overarching framework for the market surveillance of products that fall within the scope of Union harmonisation legislation set out in Chapter III of Regulation (EC) No. 765/2008.
- Cross-referenced in Article 56 of CPR.
- Entered into full effect on 1st January 2010.
- As with the CPR, it is directly applicable in its entirety across all Member States.

Market Surveillance - General Provisions

Regulation (EC) No. 765/2008 provides enabling powers in respect of: -

- the designation and function of market surveillance authorities;
- enforcement powers and surveillance activities;
- restrictive measures and RAPEX;
- information exchange and co-operation.

Corrective Actions

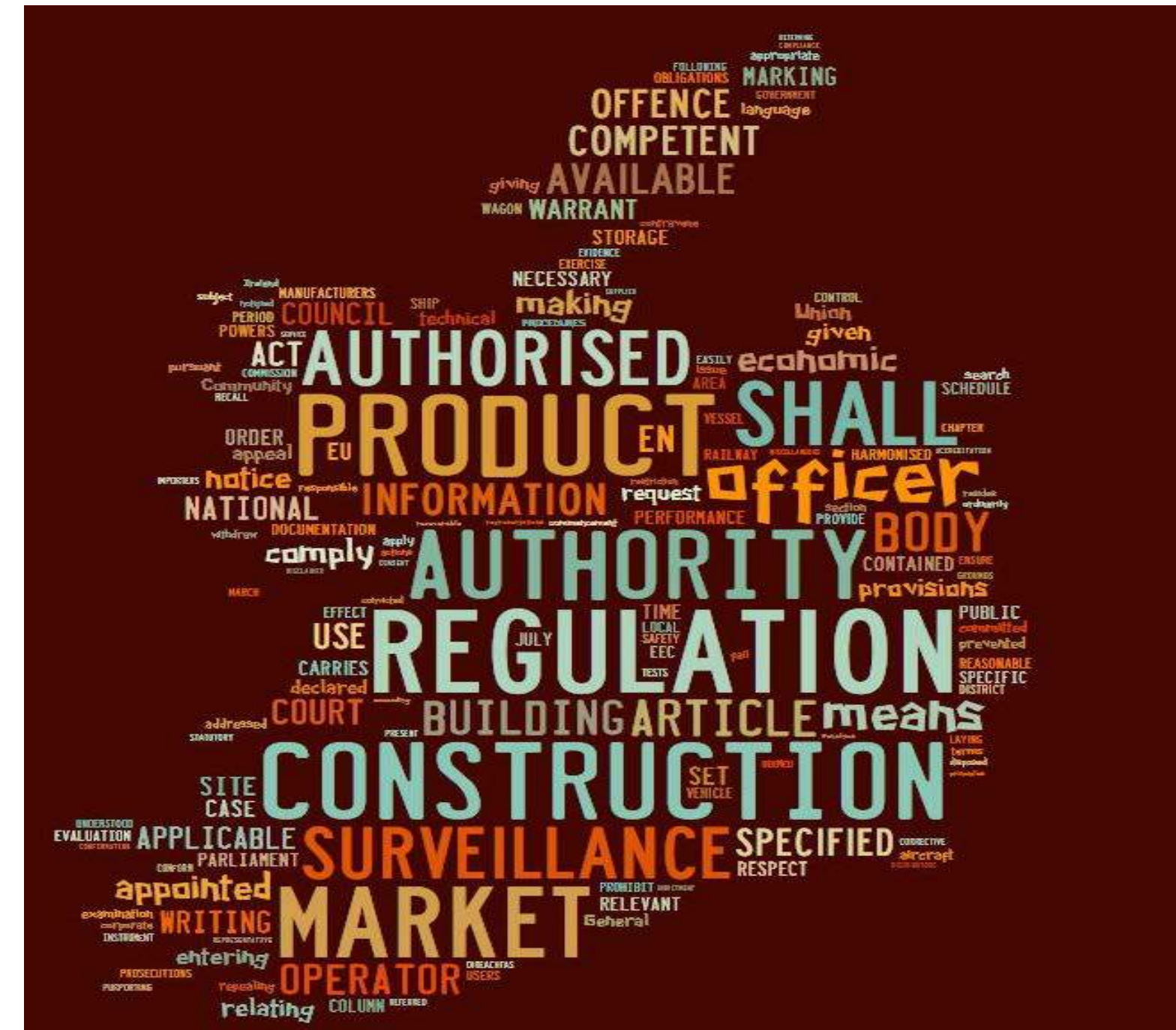
Appropriate and proportionate corrective actions: -

- notice to request technical information, explanations or clarifications;
- notice to direct an economic operator to take corrective action within a specified period; and
- notice to alert economic operator of an imminent request to the Minister to prohibit, withdraw or recall a construction product presenting a serious risk.

European Union (Construction Products) Regulations

S.I. 225 of 2013 makes provision for CE marking, obligations on economic operators, market surveillance and safeguard procedures and miscellaneous provisions, vis-à-vis: -

- designation of market surveillance authorities and appointment of authorised officers;
- powers of authorised officers and corrective actions; and
- offences, defences, penalties and prosecutions.



Marketing 'versus' Using

Construction Products Regulation (EU) 305/2011	Building Control Acts 1990 to 2014
Marketing	Using
Market Surveillance Co-ordinator: DECLG	Enforcement:
Enforcement: Market Surveillance Authority	Building Control Authority
Declared Performance <u>NOT</u> Quality	Performance suitable for end use
<div> <div> <p>Placing a construction product on the Market – Construction Products Regulation</p> <pre> graph LR A[Harmonised European Product Standard (hEN)] --> C B[European Assessment Document (EAD) (Voluntary)] --> C C["(i) Assessment of performance & (ii) Verification of factory production control"] --> D["Declaration of Performance (DOP) & CE Marking"] D --> E[On the market] F[Manufacturer/Importer/Distributor] --- C F --- D </pre> </div> <div> <p>Using a construction product in building works – Building Regulations</p> <pre> graph TD A["Construction products – fit for purpose & conditions of use – Part D"] --- B[Proper installation] A --- C[Parts A-M] A --- D[Workmanship] E[Compliance with Building Regulations] --- A F[Owner/Builder/Specifier Designer/Certifier] --- E </pre> </div> </div>	

Market Surveillance Campaigns

- Administrative Cooperative Group (AdCo-CPR)
- Previous Market Surveillance Campaigns
 - 2013 - EPS Insulation
 - 2014 - Smoke Alarms
 - 2015/ 2016 - Windows & Doors
 - **2019 – Wastewater Treatment Systems**

Market Surveillance Campaign 2015

Windows and doors within the scope of EN 14351-1:2006+A1:2010 must be CE Marked, since 1 July 2013.



Market Surveillance Campaign 2019

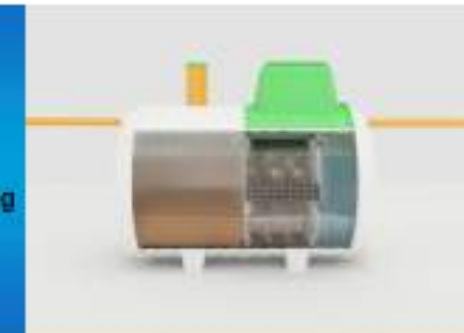
Wastewater Treatment systems within the scope of EN 12566 series must be CE Marked, since 1 July 2013.



If you are a:

- Manufacturer,
- Importer, or
- Retailer/ distributor,

of wastewater treatment units including septic tanks you should pay attention to the rules for CE Marking.



Over the coming weeks, the Market Surveillance Authority for construction products will be checking the CE Marking of wastewater treatment units including septic tanks within the scope of EN 12566 parts 1, 3 and 6.

The objective of the Market Surveillance Authority is to ensure that only products compliant with the Construction Products Regulation (EU) No 305/2011, are placed on the market.

If you receive a visit, the Market Surveillance Authority will primarily check that you have applied the CE Marking correctly and that you have all the required documentation in place (see overleaf).

The Market Surveillance Campaign 2019 is co-ordinated by the Department of the Housing, Planning and Local Government in co-operation with the Market Surveillance Authorities and the National Building Control Office. For all queries, please email: buildingstandards@housing.gov.ie



Market Surveillance Authority for construction products
checking of windows and doors, within the

The Authority is to ensure that only products compliant with the Construction Products Regulation (EU) No

The Market Surveillance Authority will primarily check that you have applied the CE Marking correctly and that you have all the required documentation in place (see overleaf).



Impacts of Brexit

- In January 2018, the EU issued a notice entitled “[Withdrawal of the United Kingdom and EU Rules in the field of industrial products](#)”
- From the withdrawal date UK Notified Bodies will lose this status.
- Post Brexit, Economic Operators need to take the necessary steps to ensure that they hold certificates under the responsibility of an EU27 NB.
 - arrange for a transfer of their files and the corresponding certificates from the UK Notified Body to an EU-27 Notified Body, or
 - apply for a new certificate with an EU-27 Notified Body.
- Authorised representatives and importers are both required to be established in the EU-27 from the withdrawal date.

Impacts of Brexit

- Builders, specifiers, designers, certifiers and others should be aware of the changes and impacts.
- Should ensure that the CE Marking/ Declaration of Performance and relevant product-related documentation is appropriate to demonstrate and ensure compliance with the Building Regulations.

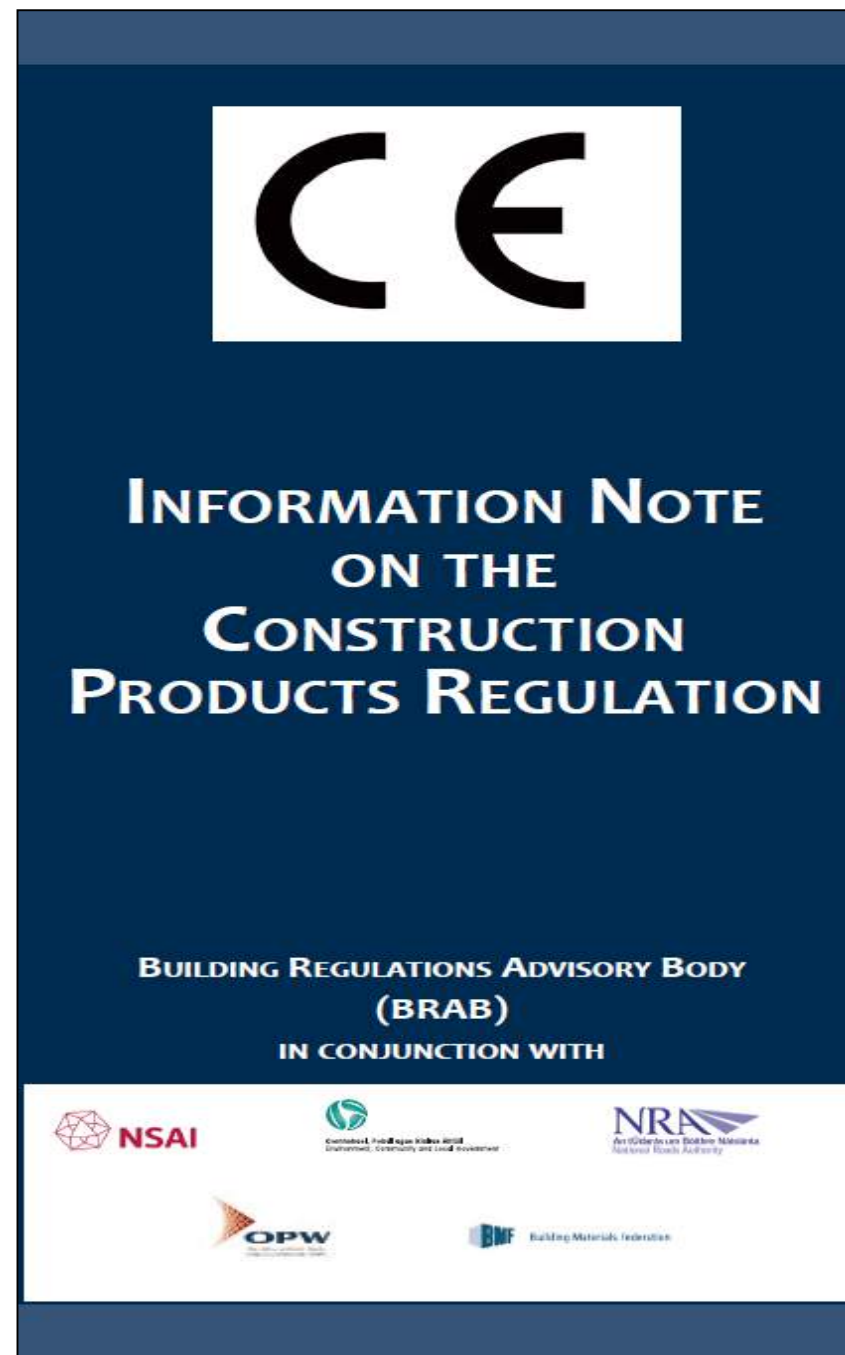
Impacts of no-deal Brexit

- On 01 February 2019, the European Commission [published *QUESTIONS AND ANSWERS RELATED TO THE UK's WITHDRAWAL FROM THE EUROPEAN UNION WITH REGARD TO INDUSTRIAL PRODUCTS.*](#)
 - CONCEPT OF GOODS PLACED ON THE UNION (EU-27) MARKET BEFORE THE WITHDRAWAL DATE
 - RESPONSIBLE PERSONS
 - IMPORTERS
 - TRANSFER OF NOTIFIED BODY CERTIFICATES
 - ACCREDITATION

Concluding Remarks

1. From the withdrawal date UK Notified Bodies will lose their legal status.
2. Economic Operators should take the necessary steps to ensure that they hold certificates under the responsibility of an EU27 NB.
3. Builders, specifiers, designers, certifiers etc., should be aware of the changes.
4. The Declaration of Performance (DoP) is a key part of the CPR providing information on the performance of a product
 - **REVIEW the DoP, and**
 - **Ensure relevant product-related documentation is appropriate to demonstrate compliance with the Building Regulations.**

Further Information



BRAB Information Note on the CPR

<http://www.housing.gov.ie/housing/building-standards/construction-products-regulation/construction-products-regulation>



CE Marking Step by Step

http://ec.europa.eu/growth/sectors/construction/product-regulation/index_en.htm

Further Information

BREXIT events <https://www.dfa.ie/brexit/events/>

FAQs on European Commission – Enterprise and Industry

http://ec.europa.eu/growth/sectors/construction/product-regulation/faq/index_en.htm

National Standards Authority of Ireland

[http://www.nsai.ie/Our-Services-\(1\)/Standardization-\(1\)/Construction/201407-NSAI-Guidance-on-Harmonised-Standards-Rev-3.aspx](http://www.nsai.ie/Our-Services-(1)/Standardization-(1)/Construction/201407-NSAI-Guidance-on-Harmonised-Standards-Rev-3.aspx)

Department of Housing, Planning, Community and Local Government

<http://www.housing.gov.ie/housing/building-standards/construction-products-regulation/construction-products-regulation-cpr>

Thank You



Brexit impacts for importers of Construction products and steps to CE marking in Construction

SEAN BALFE
Construction Product Certification
NSAI

www.gov.ie/brexit
www.nsai.ie/brexit



Rialtas na hÉireann
Government of Ireland

Contents

- About CE
- How the system works
- Responsibilities of key CPR players (importers)
- Examples
- CPR Review 2018

What CE will do.

- Enables free movement of goods throughout EU member states and beyond. Removes technical barriers to trade.
- Places responsibility with the manufacturer or importer of goods; whoever places the product on the market.
- Relates to EU Directives/Regulations
- Primarily self certification.
- Allows manufacturer to declare performance and place product on the market.

What CE marking is **NOT** for.

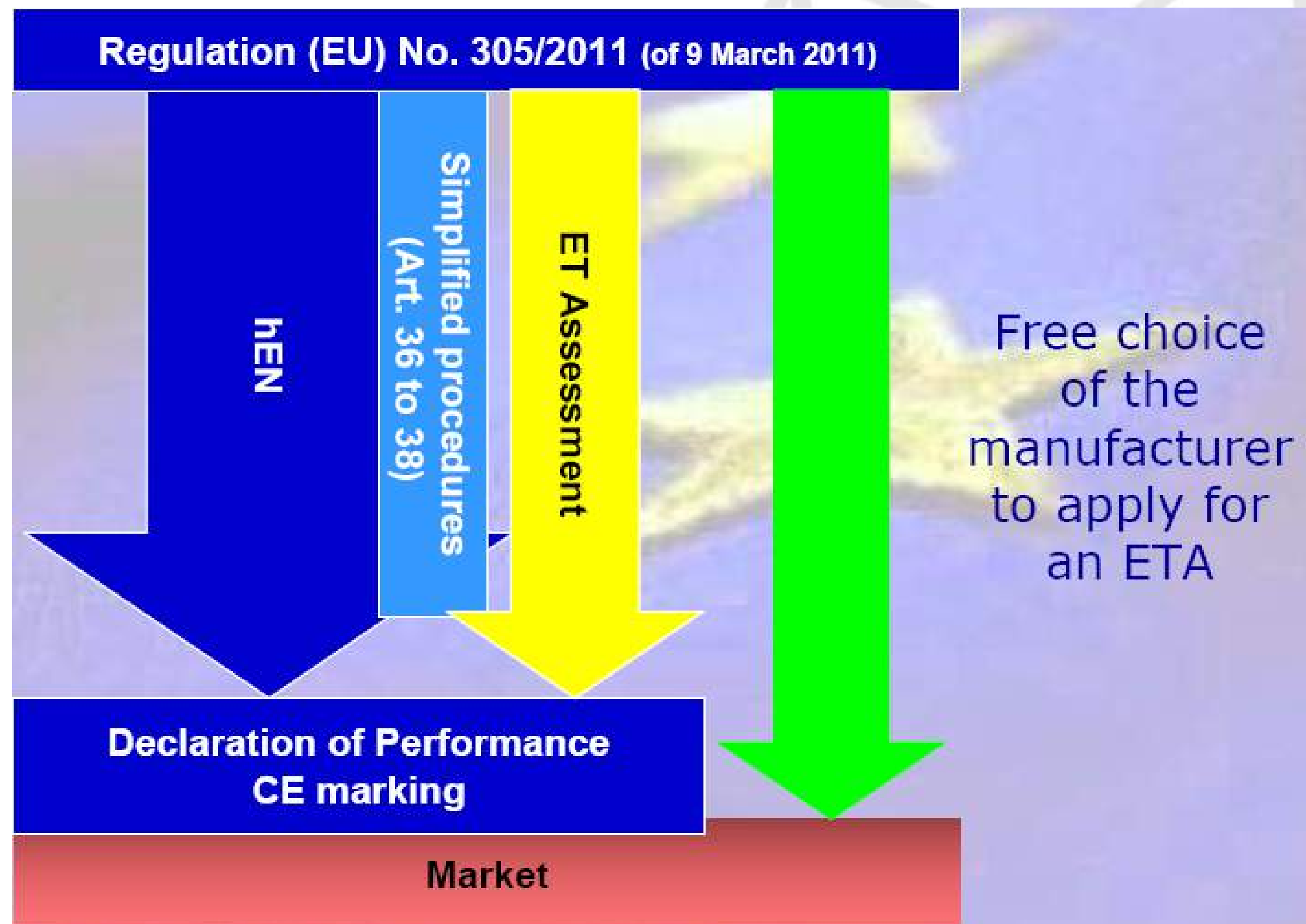
- Not evidence of compliance in itself.
It is a declaration by the manufacturer.
- Not a quality mark.
- Does not prove compliance with national building regulations.
- Does not necessarily indicate that product satisfied any pass/fail criteria.



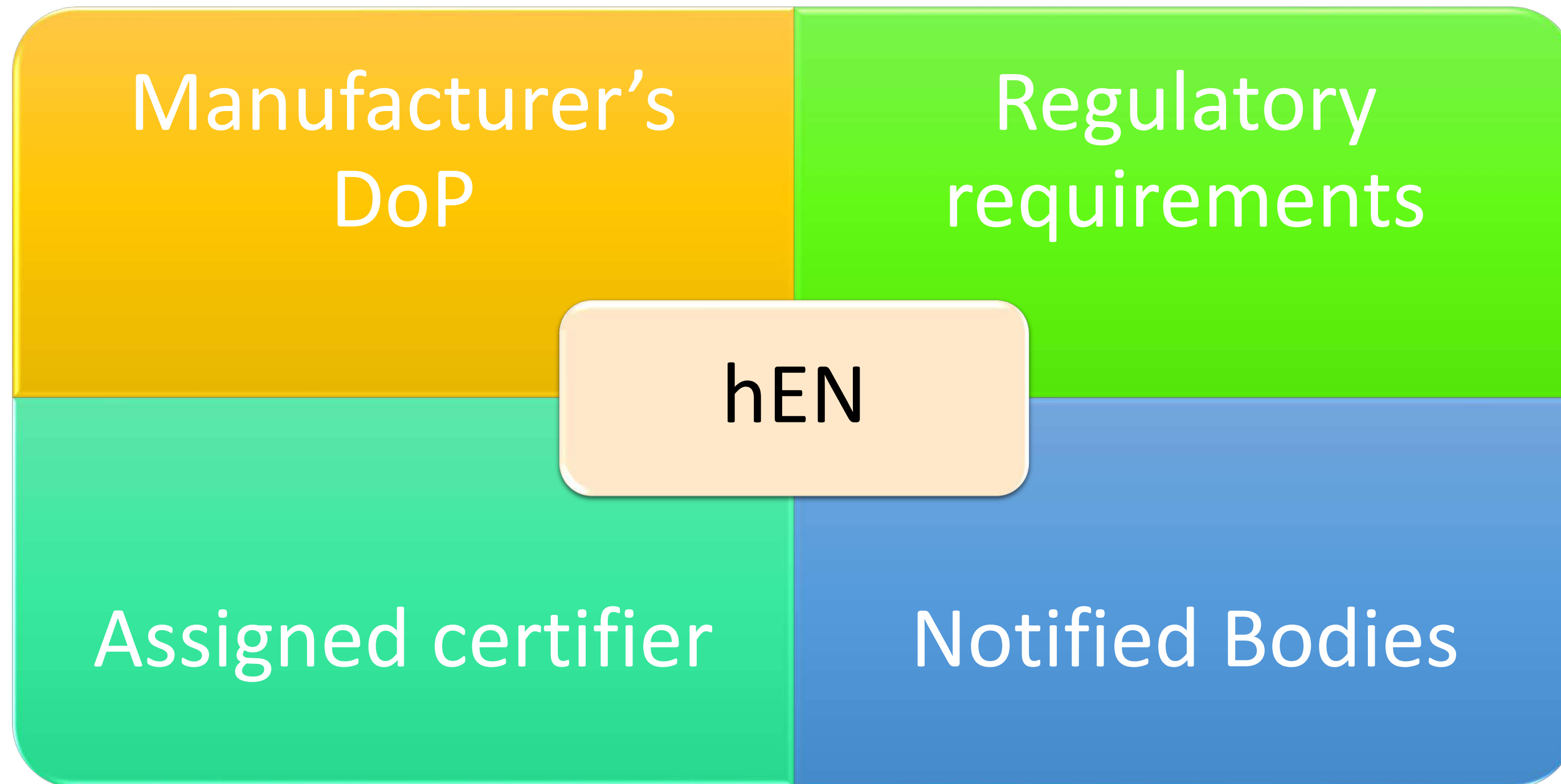
How the system works



Paths to Market



Central Role of Harmonised Standard



Agreed system of assessment and verification of constancy of performance (AVCP).

- Harmonised requirements in member states for third party involvement in evaluation of conformity:

	AVCP System
Notified Product Certification	1 + /1
Notified FPC certification Body	2 +
Notified Test Laboratory	3
Manufacturer's tasks only	4

Responsibility of Importer/Distributor

- Satisfy themselves that the manufacturer has complied with CPR.
- Ensure their name and contact details appear on the product.
- Ensure instructions and safety information is provided in appropriate language.
- Ensure product is stored or moved under correct conditions.
- Monitor product on market.
- Take corrective measures where necessary.
- If importer places product on the market then he may be treated as the manufacturer.
- “Place on the market” v “Make available on the market”



6 Steps to CE Marking (hEN Route).

1. Identify Directives and hEN applicable to your product.
2. Verify Essential Characteristics.
3. Determine if a NB is required.
4. Test the product
5. Draft Declaration of Performance
6. Affix CE mark.



Structural Steel (EN 10025-1)

HOT ROLLED STEEL



Windows and Doors (EN 14351-1, AVCP 3)

Basic soda lime silicate glass (EN 572-9), Coated Glass (EN 1096-4), Toughened Glass (EN 12150-2)
Heat Strengthened Glass (EN 1863-2), Laminated Safety Glass (EN 14449), Insulating Glass Units (EN 1279-5)

For domestic and commercial buildings, conforming to the product requirements of BS EN 14351-1:2006+A1:2010 Annex ZA

Essential Characteristics	Performance	Test Standards	Name, Address and Notified Body No of Test Laboratory	Test report reference and issue date
Watertightness	NPD	BS EN 1027	N/A	N/A
Dangerous substances	None	BS EN 14351-1:2006+A1:2010	N/A	Safety Data Sheet Issue 06/05/09
Resistance to wind load	NPD	BS EN 12211	N/A	N/A
Load-bearing capacity of safety devices	350N	BS EN 948	British Board of Agreement EXOVA	2173 310901
Acoustic performance	NPD	BS EN ISO 140-3	N/A	N/A
Thermal transmittance	< 1.6 W/m ² K	EN ISO 10077-1 & EN ISO 10077-2 (or EN ISO 12567-1 and EN 12567-2)	Linlar Windows Flamstead House Denby Hall Business Park Denby Derbyshire DE5 8JX BFRC Approved Simulator 018	SIM 002388 SIM 002393 SIM 002389 SIM 002495
Radiation properties	NPD	EN 410	N/A	N/A
Air permeability	NPD	BS EN 1026	N/A	N/A

Non Harmonised Standards

Reinforcing Steel I.S. EN 10080
Concrete I.S. EN 206



Compression Fittings I.S. EN 1254-2

Review of CPR in 2018.

- CPR benefited large to medium companies
- Insufficient and ineffective market surveillance and enforcement
- Improvement on information provided to end users
- CPR has been, to some extent, effective
- Regulatory and administrative costs have increased
- Is relevant to needs of internal market for construction
- Repeal of CPR would not be beneficial to construction products sector

Thank you.

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Search "NSAI"



Electrical Systems

JOHN McAULEY
Compliance Engineering
Ireland

www.gov.ie/brexit
www.nsai.ie/brexit



Rialtas na hÉireann
Government of Ireland



Compliance Engineering



Notified Body

EMC

Radio Equipment Directive

John McAuley



CE Marking and European Harmonisation

- The European Union (EU) developed CE marking to harmonize product safety and marking and health concerns in order to promote trade within the EU.
- Before CE marking, manufacturers had to comply with multiple, and often inconsistent, national product compliance systems.
- In the past each country used to have its own separate approvals, but with the CE mark, it provides companies with the chance to distribute their product freely throughout the EU.



The EU Commission Stance

- Many products do not need a Notified Body TEC so those UK manufacturers should experience minimum impact of Brexit (from a regulatory point of view)
- In some product areas, the EU legislation requires the intervention of a qualified third party, known as Notified Body, in the conformity assessment procedure.



UK NoBo

- From March 29th 2019, UK Notified Bodies will lose their status as EU Notified Bodies and will be removed from the Commission's information system on notified organisations.
- Economic operators are advised to take the necessary steps to ensure that, where the applicable conformity assessment procedures require the intervention of a Notified Body, they will hold certificates issued by an EU Notified Body.
- As a consequence, a number of UK NBs applying to INAB and other EU accreditation bodies
- HPiVS - UK Notified Body for PED and RCD now based at Compliance Engineering Ireland



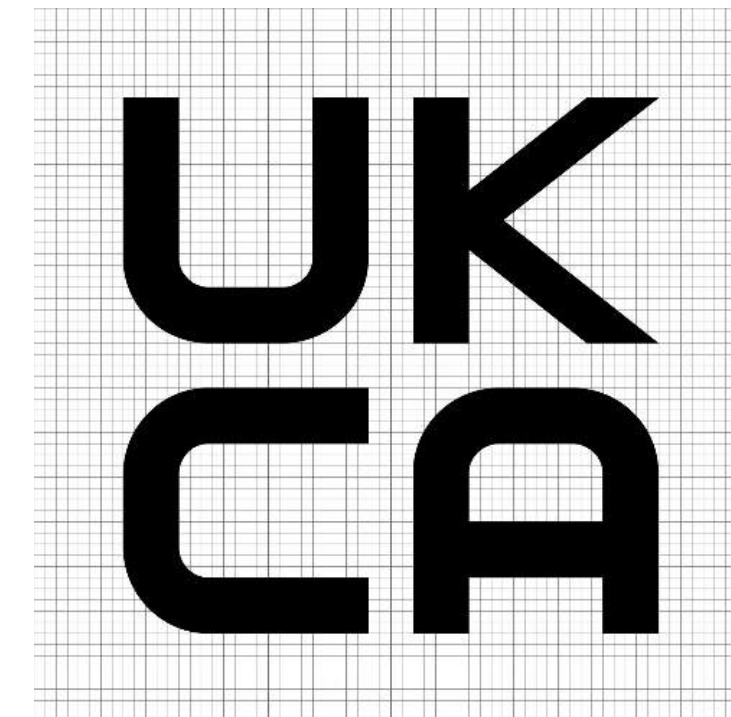
No Deal?

- Following withdrawal on the 29th March, the UK intends for all current UK notified bodies to be granted with new UK “Approved Body” Status
- Approved Bodies will be able to assess products for the UK markets to UK requirements which will be the same as the EU requirements
- It is proposed that the UK “Conformity Assessed” mark will be adopted. Rules for the affixing the UK mark will mirror that of the CE marking process



Brexit - UK Manufacturers

- Europe – UK manufacturers will become importers and will need EU representation
- Imports to UK – business as usual, for the meantime
- Future UK national mark to replace CE mark if “no deal” Brexit





Experience with Turkey

- To imagine a worst case scenario, we could look at Turkey
- Turkey is not in the EU, but is in the customs union.
- Over the past number of years, huge delays have been reported at the main EU/Turkish border post in Bulgaria
- Along with customs documentation it is imperative to have the correct declaration of conformity (DOC) in place
- Experience from one of our client companies
 - *“..... We have until Monday to present an updated CE Declaration of Conformity to the **Turkish** customs authorities. ”*
 - *“.....We have a shipment that has been sitting at a **Turkish** customs authorities warehouse for three months pending the verification.”*
 - *“.....We are paying warehouse fees”*



EU Declaration of Conformity

Product model / product:

Product Radio Product
Model/type Super 77
Serial nos. 00120 - 01000

This declaration is issued under the sole responsibility of the manufacturer.

Object of the declaration:

Product Short Range Radio

The object of the declaration described above is conformity with the relevant Union harmonisation legislation:

2014/53/EU	Radio Equipment Directive
2014/30/EU	The Electromagnetic Compatibility Directive
2011/65/EU	The Restriction of Hazardous Substances Directive

References to the relevant harmonised standards used or references to the other technical specifications in relation to which conformity is declared:

- EN 300 220-2 V3.1.1 2017 Short Range Devices (SRD) operating in the frequency range 25 MHz to 1 000 MHz
- EN 301 489-1 V2.2.0 2017 ElectroMagnetic Compatibility (EMC) standard for radio equipment and services; Part 1: Common technical requirements
- **Signed for and on behalf of:**



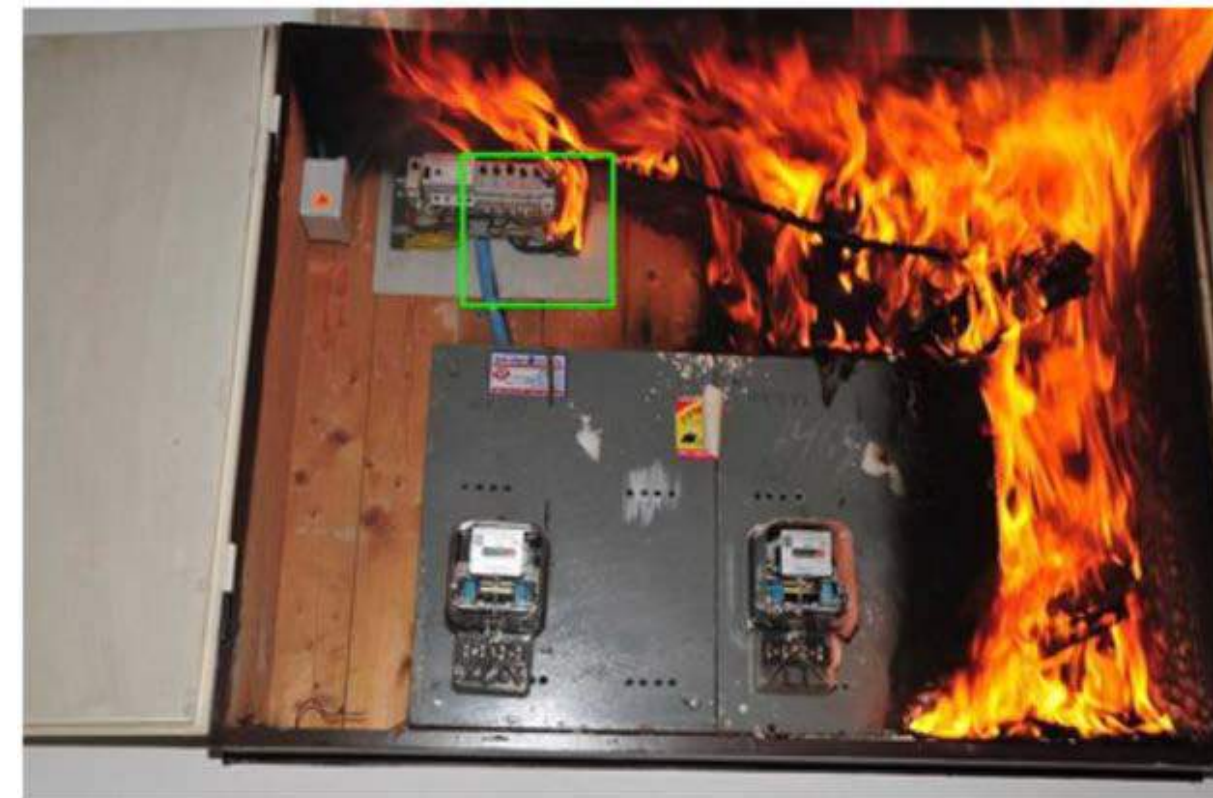
I.S. 10101 Wiring Rules

- Commission for Regulation of Utilities (CRU)
- Register of Electrical Contractors - RECI
- Safety Inspectorate - SAFELECTRIC
- ET101 will become I.S. 10101



What's New?

- RCDs in lighting circuits
- Arc Fault Detection Devices recommended (locations with particular risk)
- EMC Directive 2014/30/EU - fixed wiring and switchgear
- Cables standards improved to ensure the absence of burning droplets, smoke etc
- Non combustible distribution boards
- Surge Protection Devices
- Electric vehicle charging
- Energy efficiency





You still have time to comment

- Public Consultation until March 15th 2019
www.nsai.ie
- Published mid 2019
- Implemented by 2020



EMC Impacts

- Impacts more complex buildings with control or communications systems
- Currents due to:
 - lightning
 - switching operations
 - overvoltages and electromagnetic interference



Some sources of EMI

- Electric motors
- Variable Speed Drives
- Power correction devices
- Lifts
- Transformers
- Switchgear
- Power distribution panels

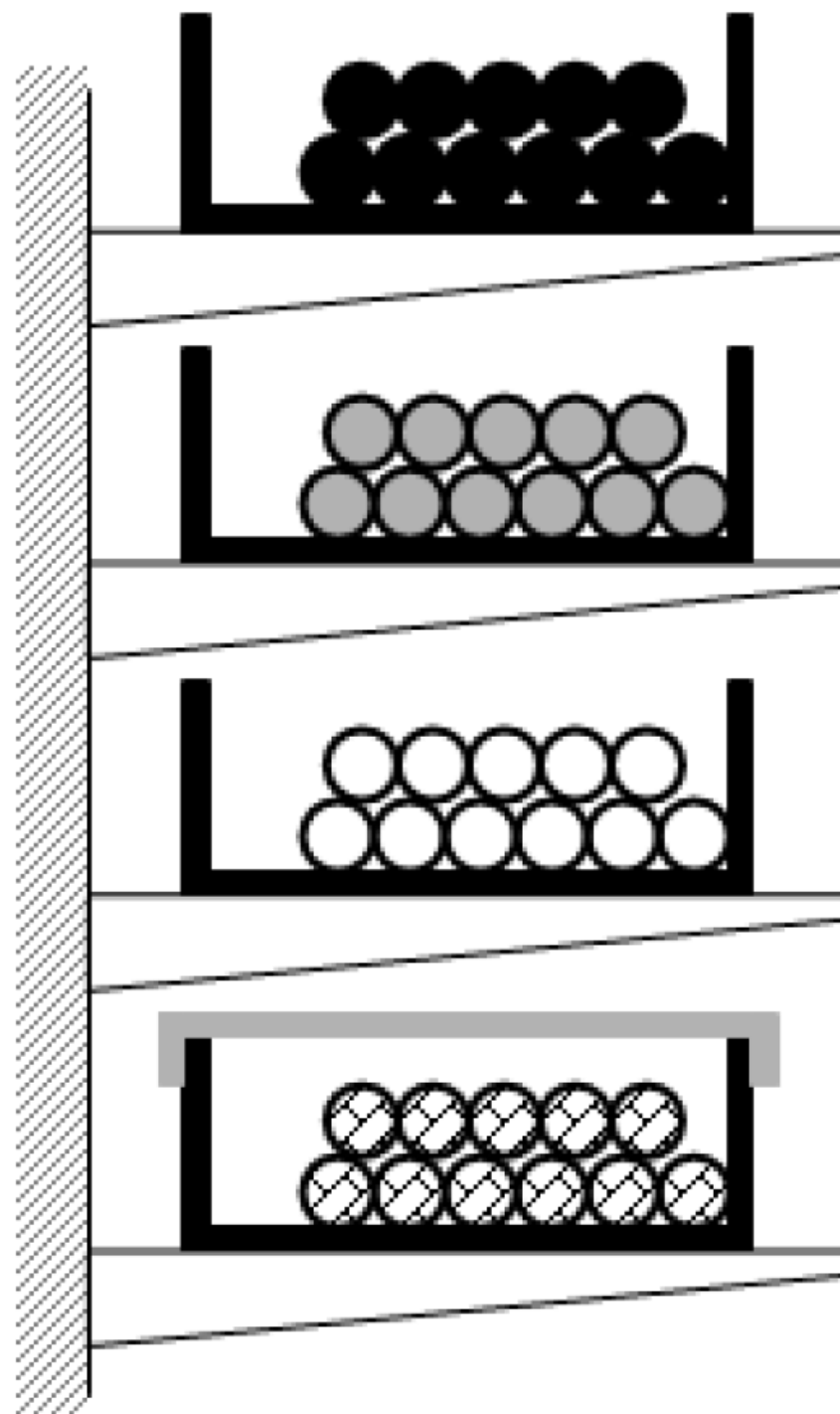


Solutions

- Only electrical equipment, which meets the requirements in the appropriate EMC standards
- Does $CE + CE = CE$?
- Segregation of circuits
- Shielded cables
- Shielding of cable trays
- Consideration of fault current paths



Segregation

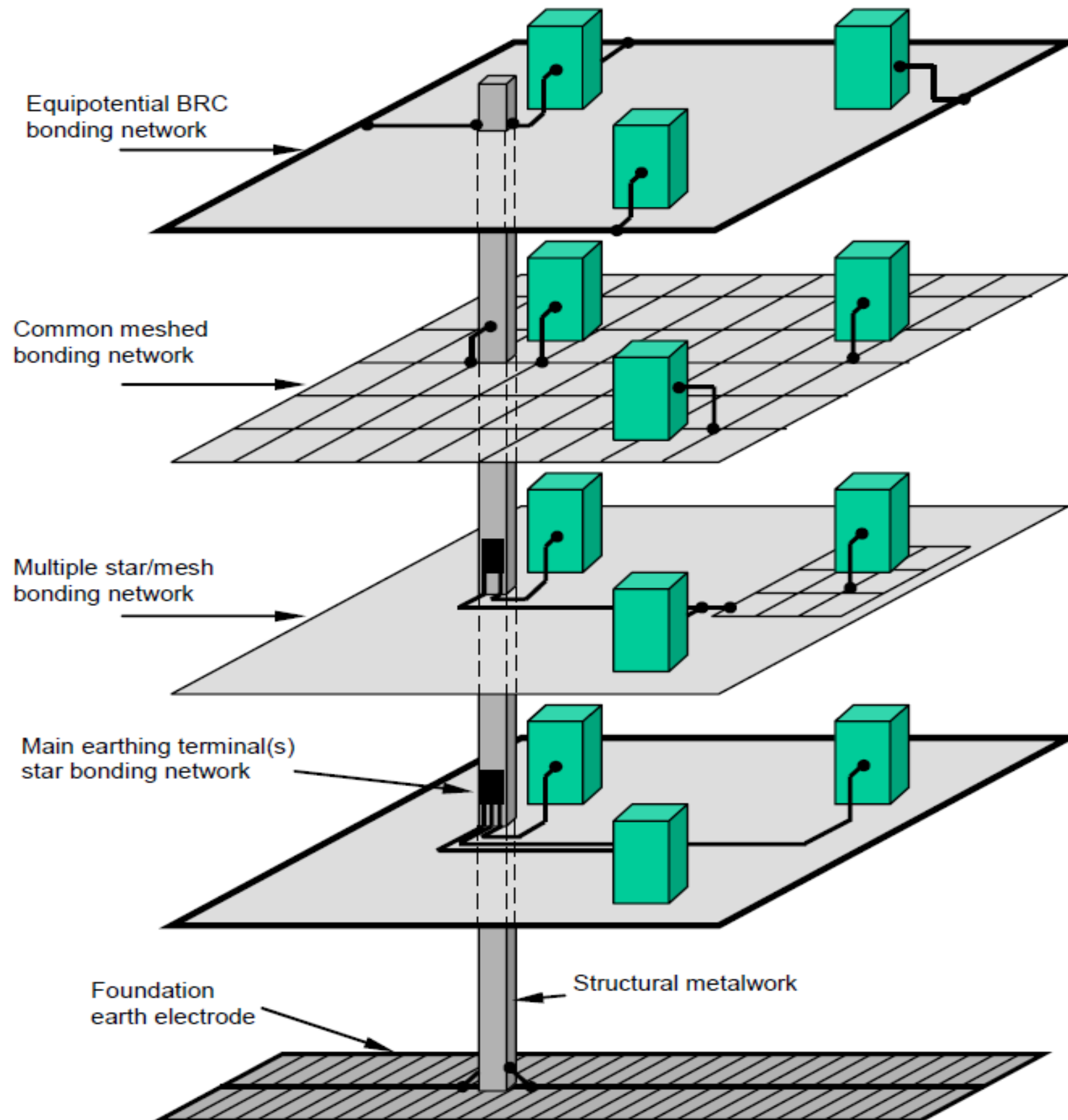


High current circuits

Alarm cables, door openers etc

Ethernet, signal cables etc

Sensitive circuits in shielded cable tray





Conclusions

- Customs rules are straight forward – pay the Customs Duty
- Regulatory requirements can be a major hold up at customs posts
- It is critical that manufacturers have the correct directives and standards listed on the DoC
- New wiring rules require formal consideration of EMC – specialised expertise needed!



Thank you for your attention

Dunshaughlin, Co Meath
Tel: 01 8017000
www.cei-compliance.com

Personal Protective Equipment

GEOFF GRAHAM
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Your premier technical partner

SATRA's Certification Services

- SATRA opened SATRA Technology Europe Ltd in Bracetown Business Park, County Meath
- Certification scope all PPE including; footwear, gloves, fall arrest products, acoustic etc.
- On 21st May 2018 appointed by the government of the Republic of Ireland as a Notified Body for Personal Protective Equipment (PPE) Regulation (EU) 2016/425
- Issued Notified Body Number 2777
- Holders of existing certificates can now choose to transfer them to the Irish Notified Body
- New applications are processed through SATRA Technology Europe Limited.

SATRA's Certification Services

- Construction Products Regulation 305/2011 – System 1
- Resilient, textile and laminate floor coverings – Essential characteristics EN 14041
- Surfaces for sports areas – indoor surfaces for multi-sports use EN 14904
- SATRA Technology Centre Ltd (UK NB 0321)
- UKCA Mark

Current PPE industry situation

- EU published PPE regulation (EU) 2016/425 on 31 March 2016
- Replaced PPE directive 89/686/EEC on 21 April 2018
- 21 April 2019 ends the transition period
- European Notified Bodies accredited against PPE Regulation (14 in the UK)
- PPE suppliers currently recertifying products

Current PPE industry situation

- Economic Operators
- “State of the Art”
- Expanding Scope
- Product Category changes – Cat II to Cat III
- Module C2 / Module D
- Declaration of Conformity
- Validity of Certificates

SATRA's PPE Testing Services

- UK's decision to withdraw from the EU will not affect the validity of existing or future test reports issued from SATRA in the UK
- Test reports will be accepted for certification purposes by SATRA Technology Europe Limited and other PPE Notified Bodies
- Accredited to ISO/IEC 17025:2017 – 'General requirements for the competence of testing and calibration laboratories'
- SATRA's continued involvement with CEN standardization committee

Geoff Graham
General Manager
SATRA Technology Europe Limited
(Notified body number 2777)
Geoff.Graham@satra.com



Your premier technical partner

BCAR - Brexit implications

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www.nsai.ie/brexit





STANDARDS, CERTIFICATION AND A NO-DEAL BREXIT

The Challenges for Project
planning

i3PT
CERTIFICATION



Who are we?



- i3PT are the largest Independent Certifier of buildings in the Irish market
- Est. 2011 – Pre-BC(a)R
- ISO 17065 - Background in Quality assurance
- Multi-disciplinary inspection and oversight
- Certification body for building systems
- Independent tester.
- design review specialists
- Trades based inspection team
- In-house software development CertCentral.

independent
3rd party
testing

- Certify Buildings and systems.
- Technical Advisory role for D+B projects
- Inspect and review construction and design to assure quality and reduce risk.
- Founded in 2011 – 54 employees in 2019
- Outcome focused –

“We think a lot about the people who are going to own, operate, live and work in these buildings every day.”

Eoin Leonard, CEO

i3PT
CERTIFICATION

QUALITY CONTROL
CERTIFICATION
ASSURANCE

Implications of no-deal BREXIT for Certifiers

NSAI workshop 12 March



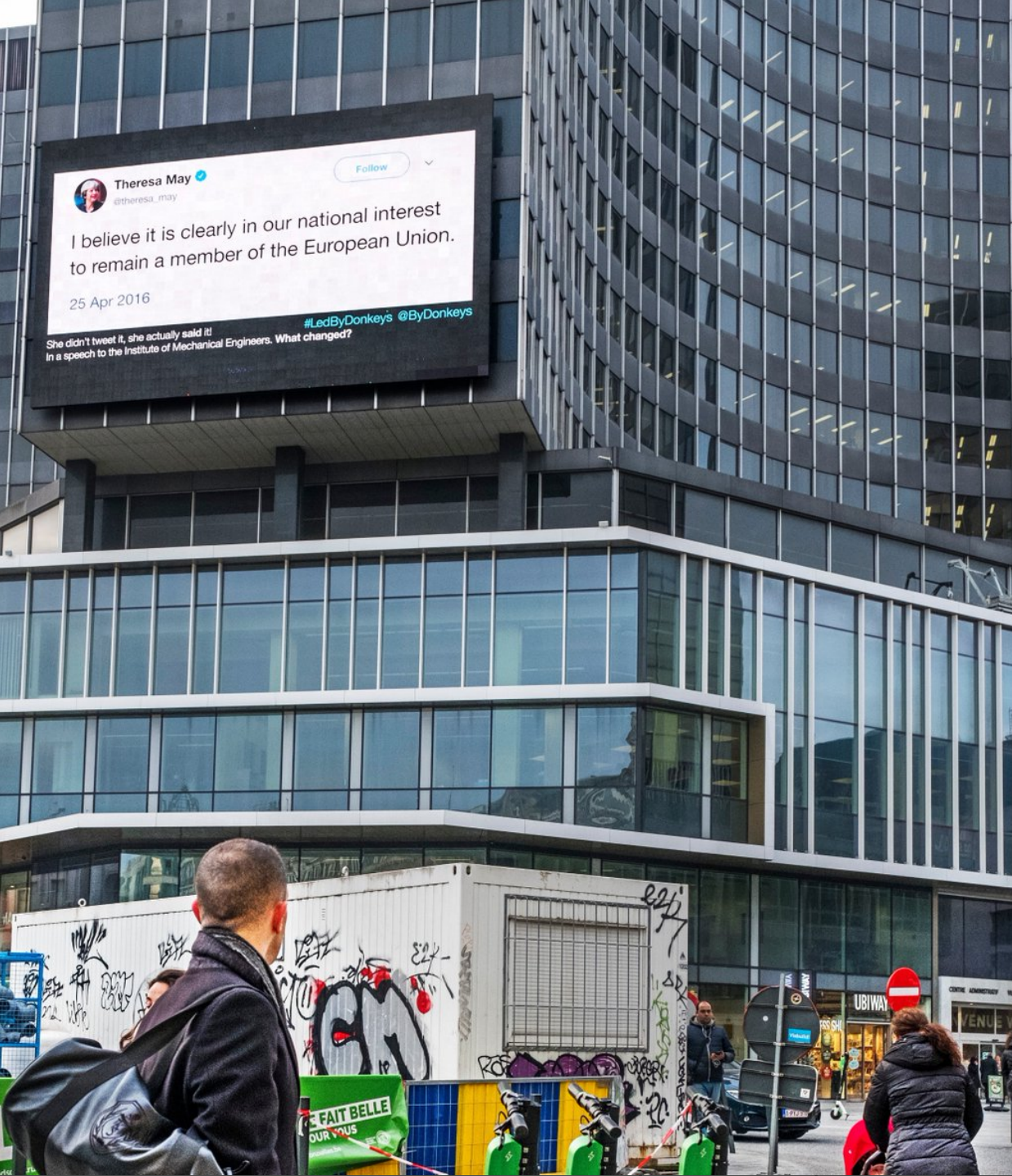
Exploring the implications of a no-deal BREXIT scenario on mission critical Construction Projects.

What are the implications for designers, specifiers, contractors and suppliers procuring or providing services or products from the UK Market to the EU-27 market procured after March 29th.

How will Certifiers interpret building standards, tested systems, competence accreditation and product verifications post BREXIT.

How will Surveillance bodies and Local authority Building Control interpret accreditations and certificates with invalid accreditation after March 29th 2019.

How can you guard against delays and escalations on Projects, what steps can you take now.



Three Scenarios

What is likely to happen on March 29th and 23:01



DEAL

Withdrawal Agreement ratified by both EU and UK Governments. transition period until Jan 2021 allows for migration of all test and standards



Extend Article 50

Deadline date moved for 3 months or 1 year, allowing for more time to plan an orderly Brexit



No Deal

Britain becomes a 3rd Country and its testing houses and accreditation bodies are no longer recognised after March 29th

Days left until Brexit:

11pm 29 March

014

Days

13

Hours

27

Minutes

48

Seconds

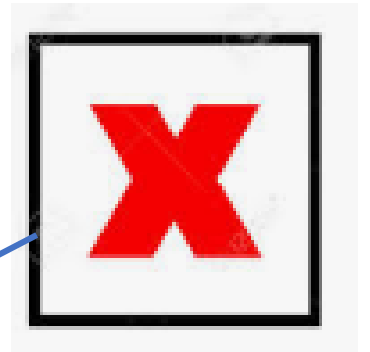
Status of products covered by harmonised standard (hEN) accredited by UK Notified Body Certs after March 29th?

Acceptable



MARCH						
M	T	W	T	F	S	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Un-Acceptable ?



Risk based approach

- Standards – EN standards will continue to apply, no issue – BS regulatory test methodologies need to be reviewed .
- Construction Product declarations and CE marking from UK notified bodies will be invalid
- 3rd party conformity assessment by UKAS used for EU regulatory compliance can not be relied upon.
- Migrating UK certificates, standards and tests (BRE Ireland, BSi Netherlands contingency), will bring 70-80% of CE marked product into compliance.
- Trade implication and tariff's may impact on – project delivery and substitution of approved products.
- Contracts – preliminaries and clauses required particularly for projects crossing the threshold.
- Particular challenge with services equipment, with testing done by supplier.



A. Building Regulations

BCAR

B. Proper Materials

PART D TGD

C. Fitness of Materials for intended use

Tested Performance

D. Primary – harmonised standards

European Standards

E. Secondary - other means of
establishing fitness

National Standards

F. Performance in Use

Experiencial route

G. Professional Judgement

Functional

**Materials and
Workmanship**



Comhshaoil, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government

D

**Building
Regulations
2013**

**Technical
Guidance
Document**



Purpose of B Regs

- Building Regulations are made for specific purposes, e.g. to provide, in relation to buildings, for the health, safety and welfare of persons
- Intended to protect peoples safety. Health and welfare, in and around Buildings.
- Compliance is via the technical Guidance documents as well as alternative compliance paths.

i3PT
CERTIFICATION

Proper Materials

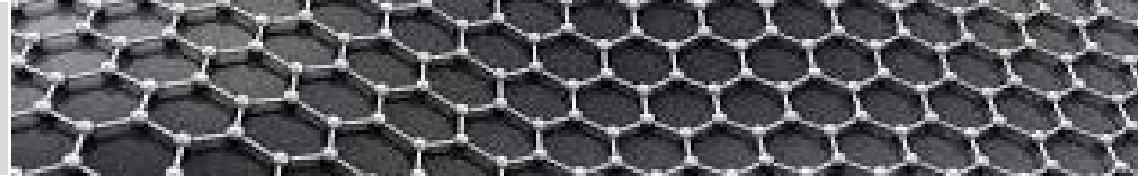


Proper materials means **fit for the use for which they are intended** and for the conditions in which they are to be used, having regard to durability, safety, and local climatic conditions.

“proper materials” includes materials which:

- (a) Bear a CE Marking in accordance with the provisions of the Construction Products Regulation. (CPR).**
- (b) Comply with an appropriate harmonised standard or European Technical Assessment as per CPR**
- (c) Comply with an appropriate Irish Standard or Irish Agrément Certificate.**





- The **primary route** for establishing the fitness of a material for its intended use is through the **recognised standardisation** procedures.
- These procedures **certify** that the material **complies** with the requirements of a recognised document and indicates it is suitable for its intended purpose and use through
 - (a) Independent certification schemes by approved bodies e.g. (NSAI).
 - (b) Tests and calculations carried out by an accredited laboratory,
Accreditation by a member of the European cooperation for Accreditation (EA)
 - UKAS will no longer meet EA membership criteria post Brexit, test houses accereditated by UKAS can no longer be used for EU regulatory certificates.
 - (c) Performance in use,
 - That the material can be shown compliant by experience,
 - Used in a substantially similar way in an existing building,
 - Capable of enabling the building to satisfy the relevant functional requirements of the Building Regulations.



Standardisation

Where a product is covered by a harmonised standard i.e EN standards.

Manufacturer must apply a CE mark when dispatching product to market.

Declare the performance of essential characteristics listed in the EN standard.

Fire door tests moving from BS 476 to EN 16034 for doorsets applies from Sept 2019

i3PT
CERTIFICATION

CE marking

CE marking provides basic information on the manufacturer, the product itself, and any third party involved in the assessment.

- Includes the reference number of the DoP.
- The harmonised standard hEN applied and the performance declared.
- CE marking is found on the product, its label, the packaging or accompanying documents.

Declaration of Performance

The DoP for the product contains more detailed information on the product.

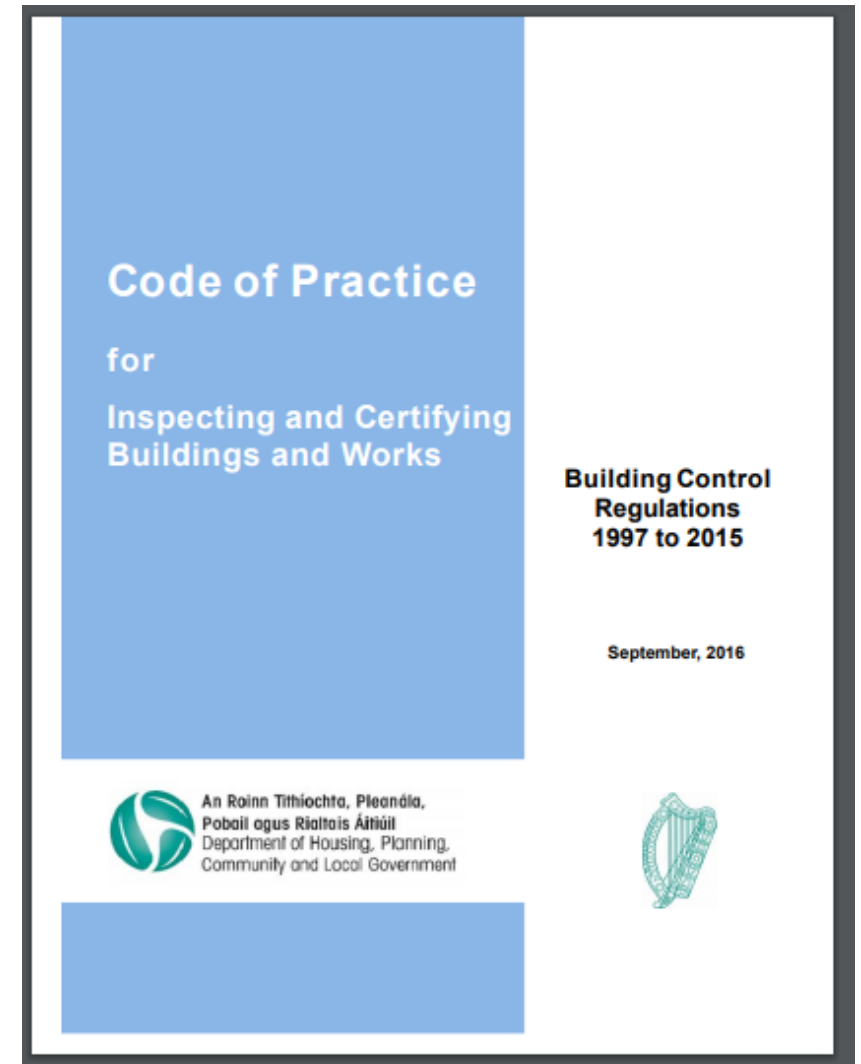
- performance and those responsible for the various assessment tasks.
- DoP is drawn up by the manufacturer, who, in doing so, assumes responsibility for the conformity of the product with the declared performances.

Responsibility for Materials (BCAR)

3.3 Builder's Role

The Builder (company or sole trader) should:

(f) ensure that materials which they select and for which they are responsible, comply with the requirements of the Building Regulations.

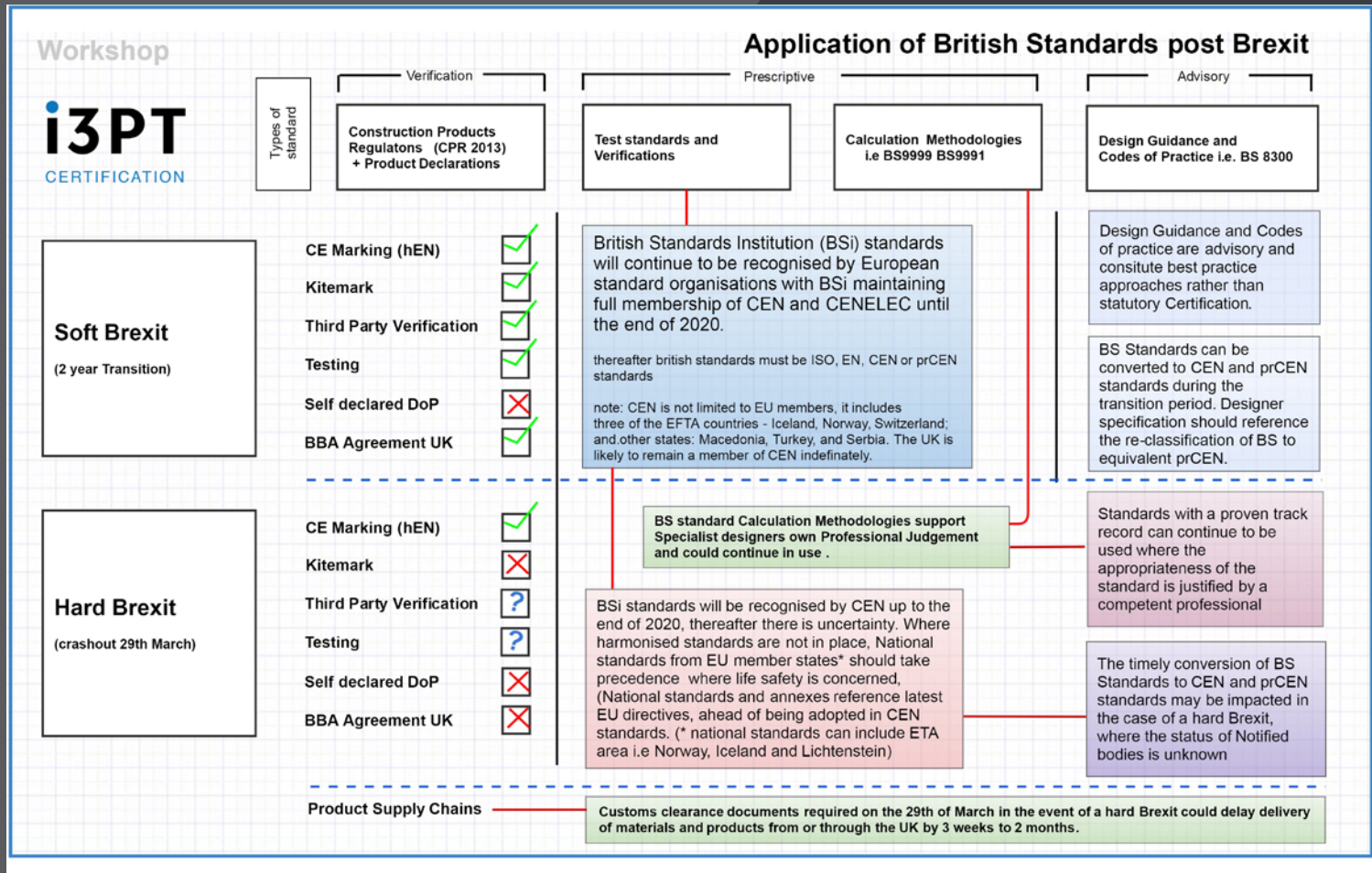


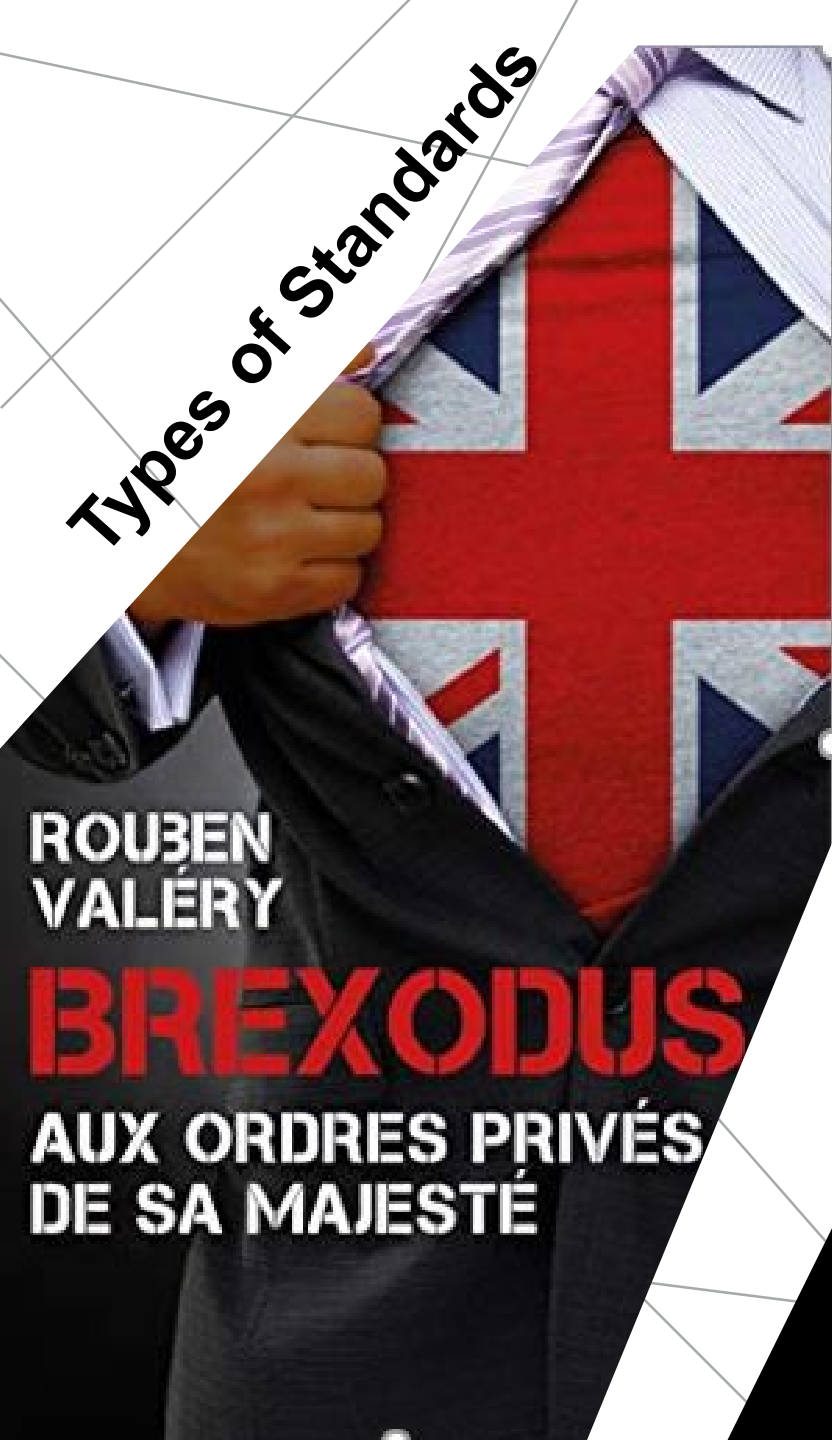
Specification

What will withdrawal mean for specified products if procured after Brexit date?

In a prescriptive specification, there is a contractual obligation to deliver the precise performance characteristics of the specified product, Design specifications should be reviewed to address the relevance of accreditations

- the product accreditation may no longer valid, in EU -27
- New EN standards may supercede referenced BS standards
- the price has escalated due to trade tariff's
- or is delayed due to inadequate paperwork and licences.





BS

National Standard in the UK – BS standards for testing and methodologies can be associated with UK testing and notification bodies which will be invalid in EU 27 post Brexit.



EN

European Standard or European Normative-technical standards accredited by CEN (European Committee for standardisation)



BS EN

BS EN is a British adoption of an EN standard. Bsi are obliged to withdraw their National Standard where it conflicts with the European Standard (EN)



hEN

A Harmonised Standard is a European Standard developed by a recognised European Standards Organisation, CEN, CENELC or ETSI. These are transnational standards and will not be affected by Brexit

Specification check - housing project NBS specification check for BS standards

“All products and systems used are to have current CE mark, DoP Cert, Agrément Cert, or equivalent and have a Declaration of Performance that is equal to or exceeds performance criteria set out below.”

– extract from specification

“CE certs and Agrément Certs, and DoP’s are to be issued to the Employers Representative & Assigned Certifier during the course of the work to establish compliance with the Building Regulations.

British Standards Referenced in Dublin Housing Scheme due to start in late 2019

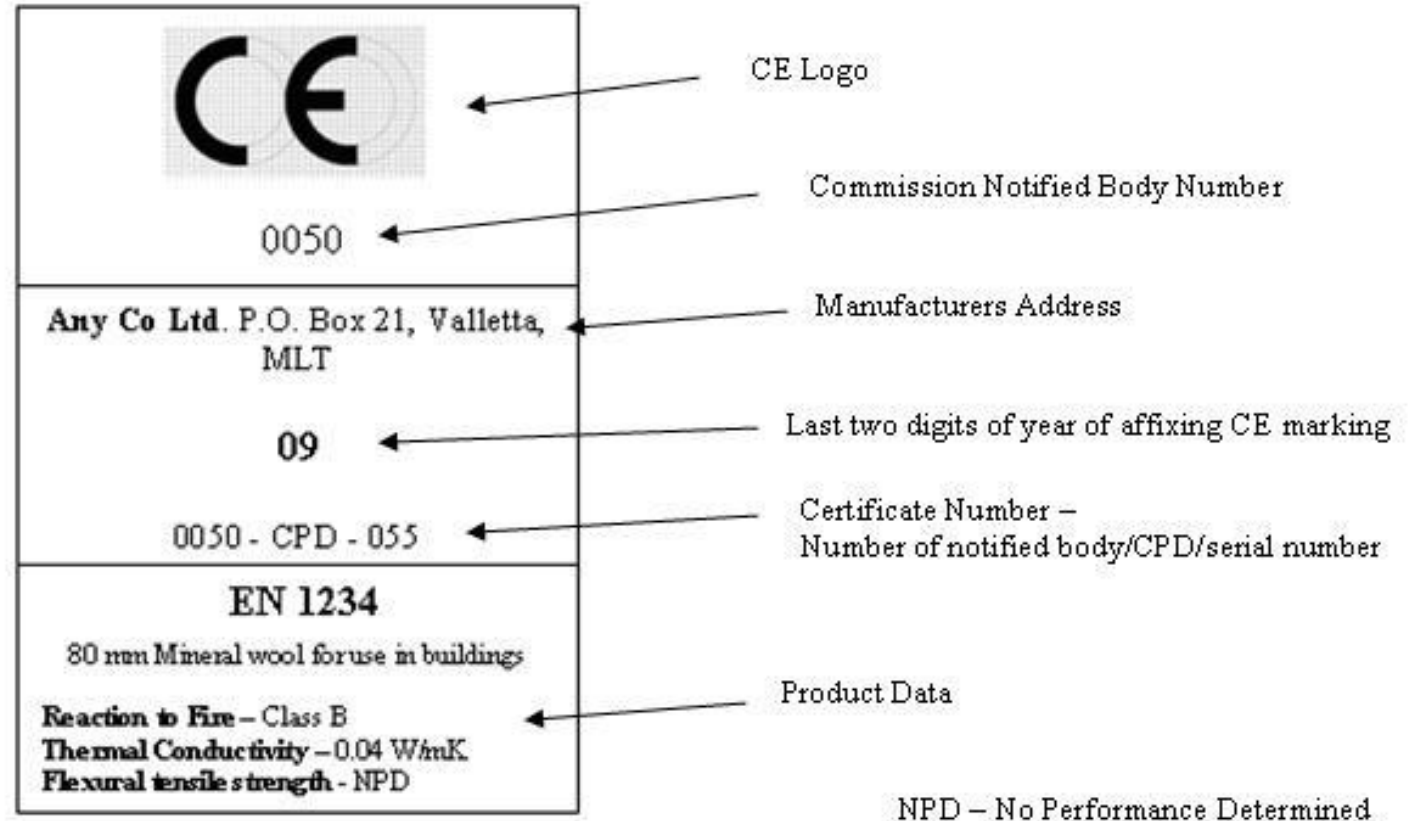
Concrete ad-mixtures	BS 8204-1, test standard	Plywood	BS 1088
Cement	BS 8204-1 Classification	Fire Doors	BS 476-22
Timber	BS 1186-3. test standard	Ironmongery	BS 3621 and Kitemarked
Block Accessories	BS 8500-2 test standard	Fire Barriers	BS 476-4.
Insulation	BS 8104 Classification	Hazardous materials	BS 6150.
Bricks	BS 493 Specification	Primers and paints	BS 6150
Precast	BS 8500-2 Classification	Sanitary ware	BS 6465:2
Reinforcement	BS 4482 test standard	Drainage pipes	BS 8500-2. BS 4660

Designers have a duty to review the standards referenced in specifications to check if they require testing by laboratories that are UKAS accredited, or are being superseded by EN standards.

CE Marking

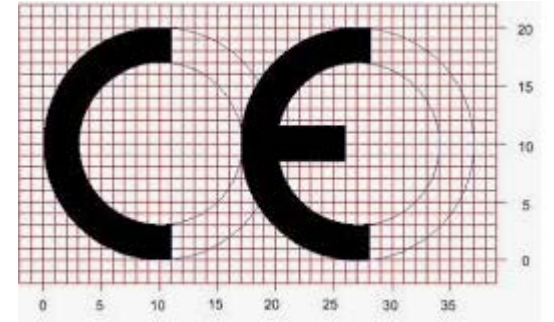
What happens to products accredited for use if Certified by a UK testing body

In the event of a no deal, products CE marked by a UK Notified body or Agreement Certs from UK 3rd party conformity assessment bodies will be invalid when procured after March 29th, unless migrated to an EU 27 body



Declaration of Performance (DOP)

- Determination of the tested characteristics of a product
 - Based on test reports, test certificates and calculations
 - Product specific, level of 3rd party intervention depends on consequence class.
 - Labelled with a CE mark when dispatched to market.



Role of third party bodies.

CE-Mark based on AVCP:

Fire resistance :	System 3
Reaction to fire:	System 1
Hazardous Substances:	System 3
Mechanical char.:	System 4

- High Risk systems need Independent verification.
- CE-Mark based on accreditation class AVCP:
- Life safety and contribution to fire require external certification (system 1 or 2)
- Mechanical systems can be tested in-house

Migration of testing and accreditation houses

UK Notified bodies moving jurisdiction

i3PT
CERTIFICATION



Bsi – NL
EXOVA – NL
BRE – IRL
BBA – IRL
BBA Agrément – IRL
SATRA – IRL

bre



bsi.

kiwa



Chiltern
BM Trada
Warrington





0815

(number(s) of notified bodies)

Any Co

12345 Any City

or his authorized representative in the EU

13

Reference number: AB-123456
(equal for DoP and CE marking)

EN 14782:2006

self-supporting wall covering

corrugated profile made of aluminium (alloy)

Type: XYZ

Thickness

x,xx mm, class 1-3

Durability

organic coating:
Side A: XX µm, type
Side B: YY µm, type
*Hint: At steel, details to the
corrosion protection system
as appropriate: corrosivity resistance class
RC 2 or better*

Reaction to fire

A1 to F or NPD



Related DoP:

www.homepage.de/dop

Type or Reference number:

XYZ or AB-123456

Check notified
body number

Reference number the
same for DoP and
CE-mark

Check fire test lab
Accreditation and
notified body
number



Declaration of Performance (DoP)
WCP14843
Precast Concrete Stairs



ACVP accreditation classification

Notified Body reference number

1. Unique identification code of product type:

Precast Concrete Stairs

2. Type, batch or series number or any other method of identification of product type:

See article number of the product

3. Intended use of the products are in accordance with its technical specification for use in area's specified by the manufacturer:

Precast Concrete Stairs (for housing, commercial and civil works)

4. Name, registered trade name or registered trade mark and contact address details of the manufacturer:

Wright Concrete Products, Achint Bridge, Carrickmacross, Co. Monaghan

5. The method of approving and verification of the performance of the product, mentioned in annex V:

System 2+

6. The performance statement as related to a product which has to meet our production standards:

The official agency CONSTRUCTION PRODUCTS CERTIFICATION, number 1333, has performed the initial inspection of the production facilities in accordance to system 2+. The agency oversees, inspects and evaluates constantly the production inspection in the factory. It has issued a certificate of conformity for the production inspection.

7. Indicated Performance

Essential characteristic in table ZA.1	Performance	Standards
Compressive Strength	C40/50	EN 14843:2007 inclusive of potential amendments and corrections
Ultimate tensile and tensile yield strength (of steel)	ftk = 540N/mm ² fyk = 500N/mm ²	
Acoustic Properties	NPD	
Mechanical Strength (Method 1)	For geometric details & durability; see technical data sheets	
Fire Resistance (Method 1)	To obtain contact; info@wright.ie	
Durability against Corrosion		
Detailing		

Notification

Found : 1

Body :

THE QUALITY SCHEME FOR READY MIXED CONCRETE (also t/a Construction Products Certification)

1 Mount Mews, High Street
Hampton Middlesex TW12 2SH
Country : United Kingdom

Phone : +44 (0)20 8941 0273
Fax : +44 (0)20 8979 4558

Email : Colin.Head@qsrmc.co.uk
Website : www.qsrmc.co.uk

Notified Body number : 1333

Relevant standard – “Precast standard
Stairs – Performance standard.

i3PT
CERTIFICATION

Viewpoints on UK Notified Certs and Accreditations



The Specifier



- “It is inconceivable that a product which was deemed fit-for purpose on the 28th of March is no longer fit-for purpose on the 30th of March.
- It would be unreasonable to not have an industrywide understanding of the difficulties in putting a full stop on accredited products dispatched after a particular date
- A period of grace or transition would have to apply until the situation is regularised.
- Professional judgment can be exercised to determine if the product is fit for purpose”.

Building Control (DCC)



- If the product is non-compliant or the DOP is invalid the product cannot be placed on the single market.
- The CPR will be treated separately from the building regulations but as things stand there is still immense uncertainty as to what actions may or may not be necessary.
- Building Control suggest putting queries to the manufacturers of such products in terms of whether or not they intend to supply them to the single market post Brexit and how will they manage certification.
- Many companies have already made arrangements for certification to be transposed for issue by notified bodies within the system

The Department



“We actively work with the professionals who are specifying products, and who sign off on the materials which are incorporated into the construction works.

Those products quality and fitness for purpose are of interest. In terms of the dynamic that exists between the certification of buildings and the placing of products on the market, we have, through our regulatory system, **placed a value on the declaration of performance**, which is a key output from the construction products regulation (CPR).

It is the **obligation on the manufacturer** to declare what a product can and cannot do in terms of common technical language that is readily understood by everyone involved.

We emphasise to **end users**, that they ask their supply chain, for the declaration of performance and make sure that they are prepared for eventualities because it is a **declaration of performance** which they **will rely upon to sign off** on building works. It is quite an important legal document.

Department of Housing



- › What will happen to Declarations of Performance accredited by UK bodies, in the event of a hard Brexit at the end of March?
- › “That is something we are putting to the Commission in terms of a transition arrangement, separate from the withdrawal agreement. There is a precedent for this in that when the construction products directive, CPD, became a regulation in 2013, there was a similar cut-off point, and, from 1 July 2013, a new set of rules was put in place for construction products. At that time the Commission specified that if one's product did not change and the standards relating to it did not change, then one could continue to put that product on the market up until the time of one's next audit or next batch of the product.
- › **We are inquiring of the Commission at the moment as to what kind of transition arrangement may apply in the event of a hard Brexit.”**

European Commission



- The Commission has clarified the situation for a no-deal scenario. In summary, UK notified bodies will lose their status as notified bodies once the UK leaves the UK. The q and a' s in the attached document are quite detailed.
- https://ec.europa.eu/info/sites/info/files/qa_brexit_industrial_products_en.pdf
- "It will not be possible to continue to use the UK Notified Body number until the end of the validity of the original certificate issued by it."
- "Builders, specifiers, designers, certifiers etc., should be aware of the changes above. They should ensure that the CE Marking/ Declaration of Performance and relevant product-related documentation is appropriate to demonstrate and ensure compliance with the Building Regulations"

European Commission



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY,
ENTREPRENEURSHIP AND SMES

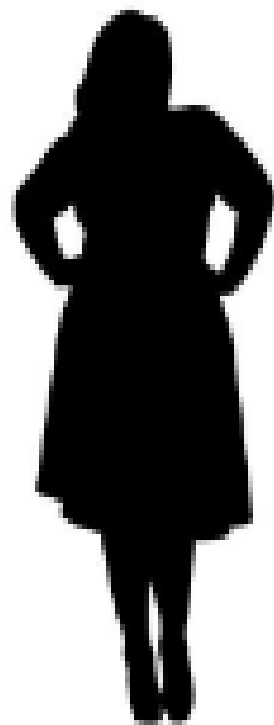
Brussels, 1 February 2019

QUESTIONS AND ANSWERS RELATED TO THE UNITED KINGDOM'S WITHDRAWAL FROM THE EUROPEAN UNION WITH REGARD TO INDUSTRIAL PRODUCTS

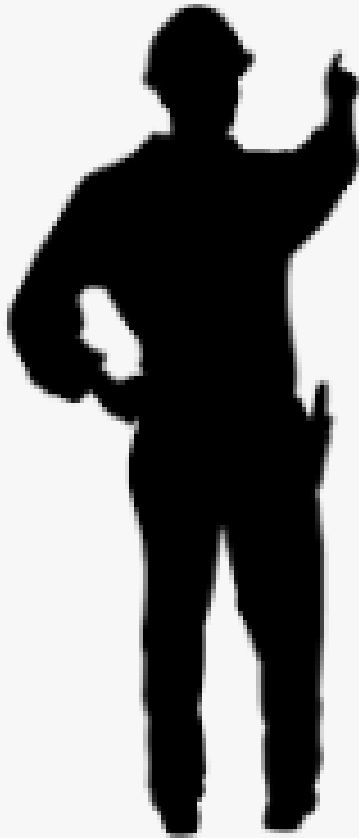
Accreditation is an attestation issued by a national accreditation body that a conformity assessment body meets the applicable requirements to carry out a specific conformity assessment activity. Accreditation is the preferred means of demonstrating the technical competence of Notified Bodies, unless Union product legislation provides otherwise. Regulation No 765/2008⁵ sets out the legal framework for the organisation and operation of the European accreditation system.

- 1. What is the legal status under Union law, as from the withdrawal date, of accreditation certificates delivered by the UK Accreditation Service (UKAS)?**

The UK Accreditation Service will cease to be a national accreditation body within the meaning and for the purposes of Regulation No 765/2008 as from the withdrawal date. As a consequence, its accreditation certificates will no longer be considered as 'accreditation' within the meaning of Regulation No 765/2008 and no longer valid or recognised in the EU-27 pursuant to that Regulation as of the withdrawal date.⁶



Contractors Representative Body (CIF)



- Manufacturers, distributors, importers and authorised representatives of construction products will need to take the necessary steps to ensure that they hold certificates under the responsibility of an EU27 Notified Body
- You should liaise with your design and construction teams to ensure that all relevant construction products, can be procured from an entity with a certificate under the responsibility of an EU27 Notified Body; and
- You should also liaise with your direct suppliers to ensure that they only supply you with products where they hold certificates under the responsibility of an EU27 Notified Body.

Distributers (Fire Doors)



- We rely on our door blank suppliers to provide us with certified products.
- Our suppliers Halspan doors are certified by Chiltern in the UK
- Halspan provide all relevant certificates

Suppliers (UK Manufacturer)



- We rely on our testers and certifiers to ensure that product supplied is covered by relevant product test certificates and system accreditation.
- We will enquire with Warrington Fire as what measures are required to ensure our product can continue to be used outside the UK.

Notified bodies (testing body)



- All our Certificates from our UK Notified body Warrington Fire owned by Exova Element are being transferred to our affiliate testing body which is accredited in the Netherlands.
- “In the case of “No Deal” at the end of March 2019 we will be in the position to re-issue/release CE,) and ETA certificates from the Element Amsterdam office.

Building Certifier?



- Carries primary responsibility for inspecting and certifying works in accordance with the Building Regulations
- Relies on the ancillary certificates by competent parties to confirm compliance of the elements of the building for design or works under their scope.
- Coordinate and collate all compliance documentation and oversee implementation
- Act as the point of contact with; and seek advise on compliance matters from Building Control.



Assigned Certifier?

- Certifier takes a Risk based approach to identify critical materials that could impact on project delivery.
- As certification body i3PT can carry out FMCA* analysis of products and systems to establish fitness for use.
- Multi-disciplinary team and evaluation tools allow for detailed assessment to cover Performance in use declarations

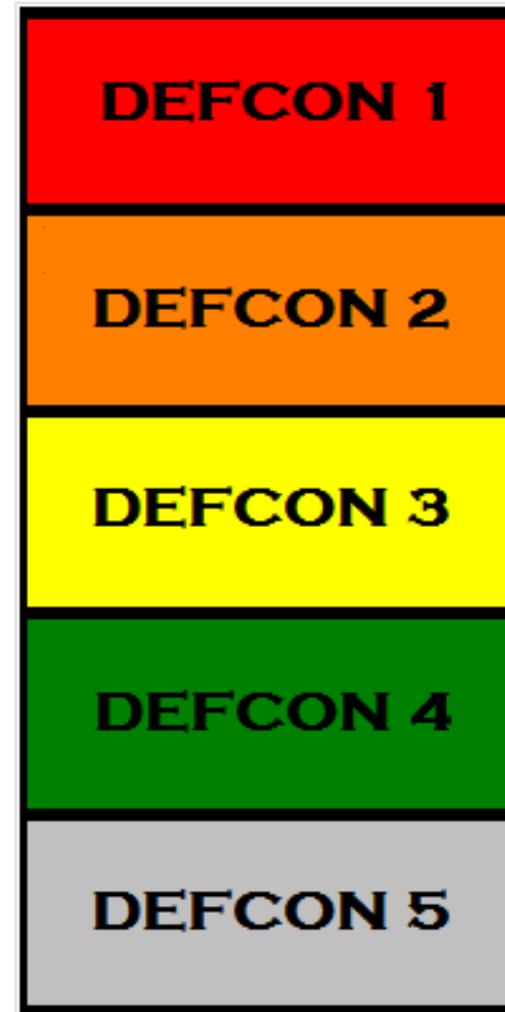
* Failure Mode & Effects Analysis |

Be Prepared

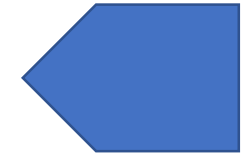
In the event of a no-deal Brexit on March 29th, there is a risk that these issues will only come to the surface in late April or May.

By setting out some principles at this stage, there is an opportunity for:

- Contractors to engage with their supply chains, and;
- Designers to check product accreditation with their preferred suppliers.



Alert Status



Project Health Check



1. Add a section to project progress minutes for Brexit risk. For projects not yet on site add a note to preliminaries
2. Under BC(a)R code of practice, (separate to the CPR), the Contractor has primary responsibility for ensuring all materials and products arriving on site are compliant.

Project Health Check



3. Request the Contractor makes a list of all key products sourced from the UK or testing by UK accreditation bodies and updates this schedule weekly.
4. Request designers review their specifications to identify BS test standards that may require further scrutiny. Check that products specified descriptively coming from UK suppliers. Can they be procured with EU-27 Notified body Declarations of Performance. Also check Agrément Certs.

Project Health Check



5. Ensure Contractor is aware of CIF Guidance

“liaise with your direct suppliers to ensure that they only supply you with products, where they hold certificates under the responsibility of an EU27 Notified Body.”

6. Make cost managers aware that tariffs and logistical costs from UK suppliers, could put the project at risk of delays, alternative substitution of products and potential cost escalation.

DIGITAL TRANSITION OF CONSTRUCTION

BIM (Building Information Modelling)

RALPH MONTAGUE BArch MRIAI

**Chair NSAI Technical Mirror Committee for BIM
Standards**

Managing Partner, ArcDox BIM Consultants

www.gov.ie/brexit
www.nsai.ie/brexit



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BREXIT & CONSTRUCTION

“BUSINESS AS USUAL” IS NOT GOOD ENOUGH ANYMORE



- Global Markets
- Resilience
- Competitiveness
- Productivity
- Global Challenges
- Urbanisation
- Sustainability
- Digitalisation



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BUILDING INFORMATION MODELLING

BIM = DIGITALISATION FOR CONSTRUCTION



- From "Paper" to "Data"
- Smart Economy
- Smart Cities & Towns
- Smart Buildings
- Digital Information
- Savings*
- 13-21% in Design/Construction
- 10-17% in Operations

(*Boston Consulting Group Report 2016 "Transformative Power of BIM")



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BUILDING INFORMATION MODELLING

THE “DIGITAL TWIN” – PHYSICAL & DIGITAL PRODUCTS

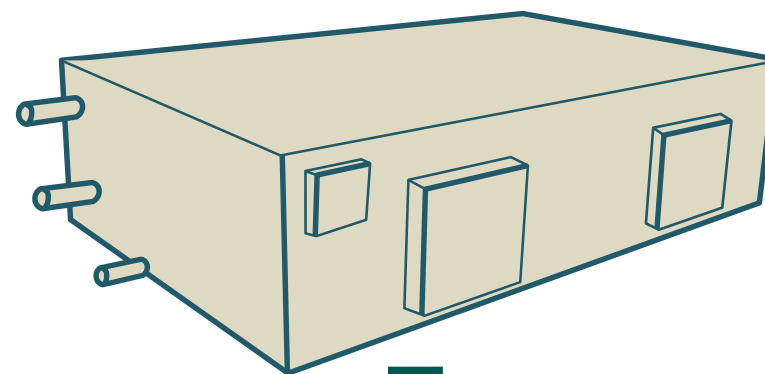
Physical Assets

eg. Air Handling Unit



Graphical Data

3D OBJECT (LOD)
Geometry (size/shape)
Location
Connections

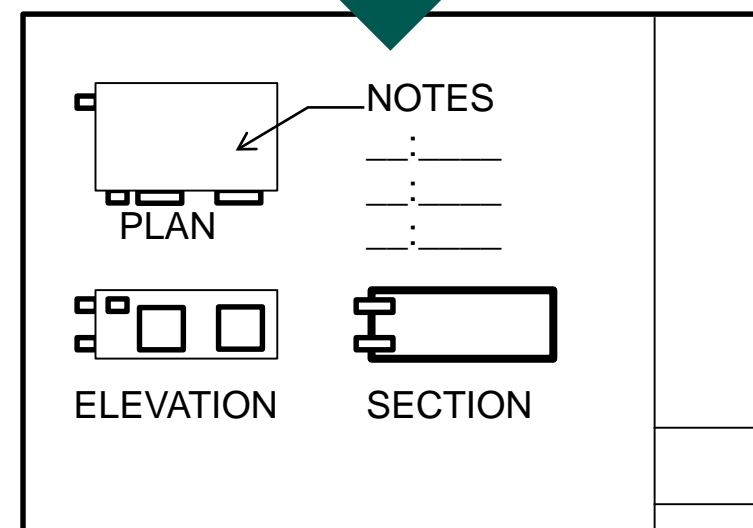


Non-Graphical Data

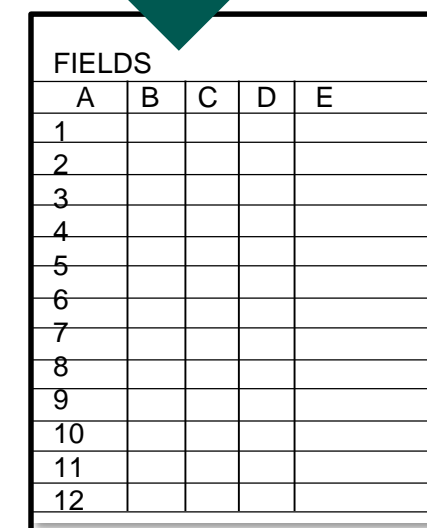
ATTRIBUTES (LOI)
Uniclass: Pr_60_65_03_87
Make: _____
Model: _____
Rating: _____
_____: _____
_____: _____
_____: _____
_____: _____
_____: _____
_____: _____

Documents

Drawings
Schedules
Specifications
Bill of Quantities
Product Data Sheet
Commissioning Certs
Technical Submissions
Operators Manual
Records
etc



DRAWINGS



FIELDS					
	A	B	C	D	E
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					

SCHEDULES

- **3D** Coordination (clash detection)
- **4D** Sequencing (logistics, safety)
- **5D** Quantity Extraction (cost, carbon)
- **6D** Analysis (structural, energy, etc)
- **7D** Operations/FM
etc



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GLOBAL CONTEXT

DIGITALISATION OF CONSTRUCTION



World Economic Forum Report

Boston Consulting Group Report

McKinsey Report



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EUROPEAN CONTEXT

DIGITALISATION OF CONSTRUCTION



EU Commission – “Industry 4.0”

EU BIM Task Group

Strengthening
leadership through
partnerships &

EU BIM Standards (CEN)
International Standards (ISO)

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CONSTRUCTION PRODUCTS EUROPE SMART CE MARKING



A graphic illustrating the Smart CE Marking process. At the top, five blue icons represent different needs: regulatory (map of Europe), market (BIM crane), industrial (factory), future (excavator), and consumer (hand holding a phone). Below these is a smartphone displaying a QR code and a checkmark. To the right, a laptop screen shows an XML declaration of performance for "AnyCo Ltd." with fields for unique codes, manufacturer details, and notified body information. The laptop base features the "SMART CE" logo. The bottom left corner contains the Construction Products Europe logo and the tagline "LET'S BUILD AN EFFICIENT EUROPE".

<https://www.construction-products.eu/services-jobs/smart-ce-marking>

Search "NSAI"

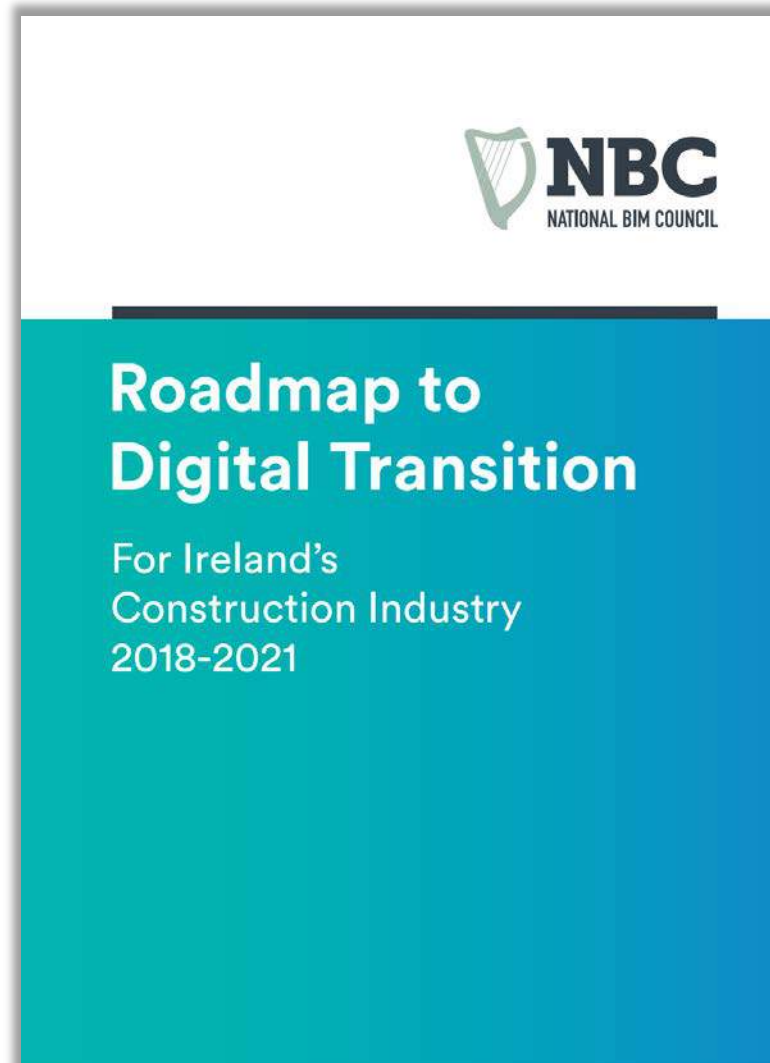


www.gov.ie/brexit
www.nsai.ie/brexit

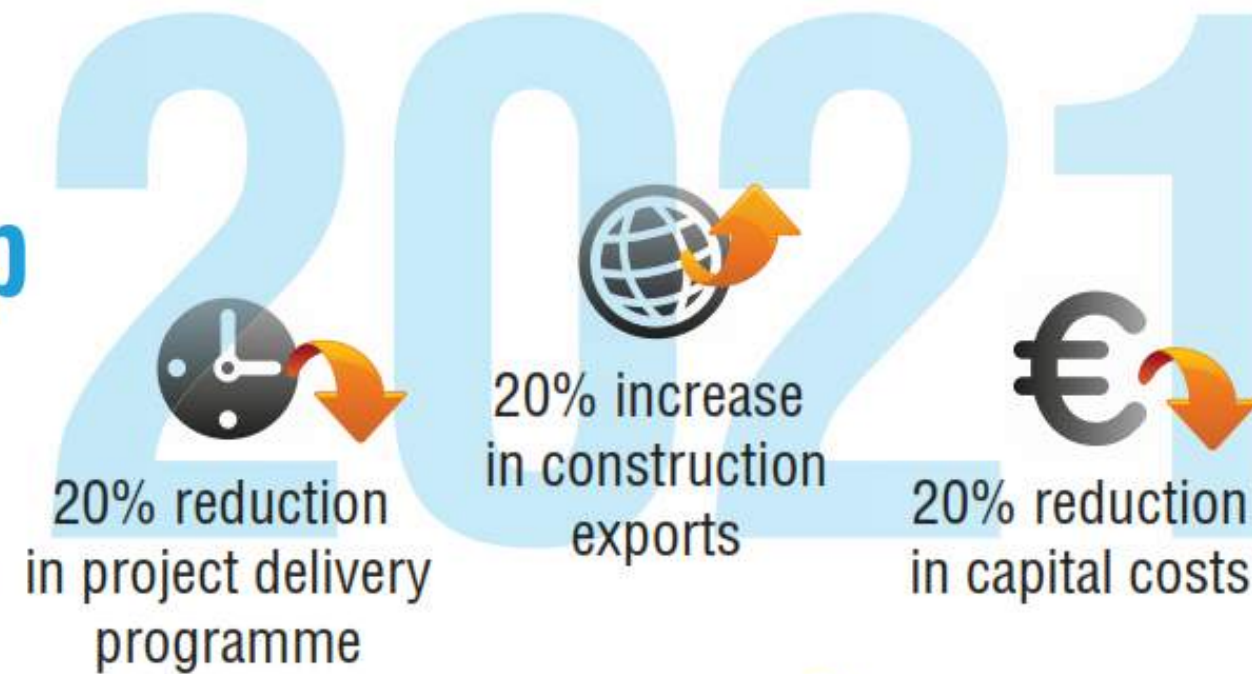


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ROADMAP TO DIGITAL TRANSITION NATIONAL BIM COUNCIL OF IRELAND



Digital Roadmap Construction Sector



- Leadership
- Standards
- Education/Training
- Procurement



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DIGITAL TRANSITION OF CONSTRUCTION

PEOPLE, PROCESS, TECHNOLOGY



■ A "Digital" Process Requires....

- Capable People
- Collaboration
- Defined Process
- Standards
- Responsibility



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DIGITAL TRANSITION OF CONSTRUCTION

BIM (Building Information Modelling)

THANK YOU

RALPH MONTAGUE BArch MRIAI

Chair NSAI Technical Mirror Committee for BIM Standards

Managing Partner, ArcDox BIM Consultants

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Panel Discussion

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Panel Discussion



- **Fergal O'Byrne** – NSAI Head of Brexit Unit
- **Keith Gordon** – Kilsaran Concrete
- **Noel Clarke** - ESB
- **Susan McGarry** - Ecocem



Q&As

www.gov.ie/brexit
www.nsai.ie/brexit



Looking for further information?



Organisation	Website
NSAI	https://www.nsai.ie/brexit/
Government of Ireland	https://www.gov.ie/brexit/
Department of Foreign Affairs and Trade	https://www.dfa.ie/brexit/
Department of Business, Enterprise and Innovation	https://dbei.gov.ie/en/What-We-Do/EU-Internal-Market/Brexit/
EU Commission NANDO website	http://ec.europa.eu/growth/tools-databases/nando/
EU Commission Information on Brexit	https://ec.europa.eu/info/brexit_en
Selling products in the EU	https://europa.eu/youreurope/business/selling-in-eu/selling-goods-services/selling-products-eu/index_en.htm
EU Commission Brexit Preparedness	https://ec.europa.eu/info/brexit/brexit-preparedness/preparedness-notices_en
'Blue Guide' on the implementation of EU product rules	https://ec.europa.eu/growth/content/%E2%80%98blue-guide%E2%80%99-implementation-eu-product-rules-0_en

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Looking for further supports?



Organisation	Website
Enterprise Ireland	https://www.prepareforbrexit.com/
InterTrade Ireland	https://intertradeireland.com/brexit/
IBEC	https://www.ibec.ie/Ibec/Brexit.nsf/vPages/Home~brexit?OpenDocument
Strategic Banking Corporation of Ireland	https://sbci.gov.ie/
Bord Bia Brexit Barometer	https://www.bordbia.ie/corporate/press/pages/brexitbarometer2018.aspx
Revenue Commissioners	https://www.revenue.ie/en/customs-traders-and-agents/brexit/index.aspx
Local Enterprise Office	https://www.localenterprise.ie/Discover-Business-Supports/Brexit-Information/



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Thank you

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