

# BREXIT FACTSHEET: CONSTRUCTION

## ***What does Brexit mean for construction certification?***

### **Products Certification**

Post-Brexit, all UK based Notified Bodies will no longer be recognised by the EU and the construction products they certified will not be able to be placed on the EU market.



If you import or distribute products from the UK, there will be implications due to Brexit. Manufacturers or suppliers who currently rely on a UK Notified Body for certification of conformity to support their product declaration for 'CE' marking purposes will need to transfer to an EU 27 Notified Body to continue to place their products on the EU market from the withdrawal date.

Existing EU requirements will continue to apply in Ireland. The relevant EU regulation for Construction Products is the [Regulation \(EU\) No 305/2011 - Construction products \('CPR'\)](#). CE marking will remain compulsory for any construction product covered by harmonised European Standards which is placed on the EU market.

## ***What are the implications for economic operators?***

Where a harmonised standard exists for a product, the 'CPR' places legal responsibility on manufacturers, distributors and importers of that product when it is placed on the market. The obligations of manufacturers, authorised representatives, importers and disturbers are laid out in Articles 11-14 of the CPR.

- By affixing a CE Marking – the manufacturer indicates that he is responsible for conformity of the construction product with the declaration of performance, compliance with all applicable requirements laid down in the CPR and compliance with other relevant European legislation.
- Importers must fulfil several functions including ensuring compliance by the manufacturer, product labelling and monitoring and interacting with national authorities. If an importer believes that the construction product is not in conformity with the declaration of performance or any other mandatory applicable requirements in the CPR, they shall not place the construction product on the market.
- Distributors have a similar duty of care under 'CPR' as importers. It should be noted that if a distributor places a product on the market under his trade name or modifies a product, then he will be treated as the manufacturer.
- Failure to comply with any provision of the 'CPR' would be considered a breach of the Regulation and may give rise to a prosecution.

The ['Blue Guide on the implementation of EU product rules 2016'](#) provides further information on EU measures governing the conditions for placing products on the EU market including 'CE marking'. It offers further details on economics operators such as manufacturer, authorised representative, importer, distributor and their obligations.

The UK Government have indicated that CE marking can continue to be used to access the UK market. However, this is intended to be a time-limited measure and at some date to be determined by the UK Government, Irish manufacturers will no longer be able to access the UK market using their EU conformity assessment. They will then be required to use a UK approved body for conformity assessment and affix the new UK conformity marking before placing a product on the UK market.

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## ***What are the implications for standards?***

The relationship between standards and regulations will remain unchanged, while international (ISO) and European standards (such as IS EN) will be unaffected. For goods that the use of a harmonised standard is required (hENs), you be required to continue to use a harmonised standard from an EU 27 Member State.

Mutual recognition for non-harmonised products will no longer apply to British standards.

## ***What are the impacts for Agrément certificates?***

The validity of Agrément certificates underpinned by UK accreditation (i.e. the United Kingdom Accreditation Service [UKAS]) remains unclear.

## **Management System Certification**

It is expected that certification to any of the International Standards Organisations Management Systems Standards such as ISO 9001 Quality, ISO 14001 Environment or ISO 45001 Occupational Health and Safety will not be directly affected by Brexit.

For Irish businesses under European Accreditation, the status of British based certification to international standards may in time be impacted.

## **What you need to do next?**

**If you currently use a UK based Notified Body, you will have to move an EU-27 Notified Body.**

**Check the EU 'NANDO' website for a Notified Body based in the EU-27.**

**Contact the new Notified Body and find out what you need to do to transfer product certification.**

**If you import from the UK, you will be required to hold additional information. Engage with your UK supplier to obtain this information as soon as possible.**

**If you have businesses based in both the UK and EU-27 consider how to reorganise your processes to minimise disruption.**

## ***Looking for further information?***

NSAI have developed a range of Brexit factsheets across the following sectors: Construction, Medical Devices, Food/Agri, Chemicals/Petroleum, Pharma, Automotive and Green Procurement.

Contact the NSAI Brexit Unit at [BrexitUnit@NSAI.ie](mailto:BrexitUnit@NSAI.ie) for any queries on standards and certification.

## **Further information**

**NSAI:** <https://www.n sai.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 NANDO website:** <http://ec.europa.eu/growth/tools-databases/nando/>

**EU Brexit information:** [https://ec.europa.eu/info/brexit\\_en](https://ec.europa.eu/info/brexit_en)

**EU Preparedness Notices:**

[https://ec.europa.eu/info/brexit/brexit-preparedness/preparedness-notices\\_en](https://ec.europa.eu/info/brexit/brexit-preparedness/preparedness-notices_en)

**Enterprise Ireland:** <https://www.prepareforbrexit.com/>

**InterTradeIreland:** <https://intertradeireland.com/brexit/>



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