
Changes to legislation: There are outstanding changes not yet made to Commission Decision of 17 January 1994 on common procedural rules for European technical approval (94/23/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX

COMMON PROCEDURAL RULES FOR REQUESTING, PREPARING AND THE GRANTING OF EUROPEAN TECHNICAL APPROVALS

2. Rules relating to the application for an ETA

- 2.1. An application for a European technical approval may be made by a manufacturer, or an agent established in the Community, hereafter referred to as the applicant. The agent must be specifically nominated by the manufacturer to act on his behalf.
- 2.2. The application must be made to anyone of the EOTA bodies, which are responsible for the relevant area; however, it is not allowed to direct an application for the same construction product to more than one body.
- 2.3. By his application according to this rule the applicant authorizes the approval body to whom he has directed his application to inform the EC Commission, the other EOTA bodies and the Secretariat of EOTA of the content of the application.
- 2.4. Before submitting his application the applicant shall — on his request — receive, after supplying such information as is required by the approval body, information concerning:
 - the approval procedure,
 - the estimate of the time schedule necessary for the approval body to complete the approval procedure for the specific product,
 - an estimate of the cost for the handling of the approval procedure and the payment modalities.

In the event that the subject area has not already been approved as suitable for ETAs, or in the case of a product which differs significantly from harmonized standards or recognized national standards, the above information will only be given to the applicant after a decision on the possibility of issuing an ETA taken according to the procedure described in 3.2.

The applicant will be informed of the decision.

- 2.5. The application must be submitted in a standard format (see Appendix 1) in the language of the Member State where the approval body is located unless agreed otherwise by the approval body.
- 2.6. The application shall be accompanied by a description of the construction product, specifications, drawings and test reports, explaining in detail the subject under application and its intended use.
- 2.7. In the application from the applicant shall announce all the places of manufacture. He has to ensure that these places can be visited by the approval body or its representative during working hours, in view of the issuing of the ETA.
- 2.8. The approval body has to, within two months, acknowledge receipt of the application and confirm that it will initiate the procedures (see standard format Appendix 2).

If the application is not accepted, the approval body must give the reasons. The applicant may then apply to another approval body.

- 2.9. The approval body has to inform the applicant which documents, test results, calculations, etc he has to deliver to enable the approval body to assess the fitness for use of the product for the intended use.

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It is the duty of the applicant to supply the approval body with the necessary documents and to support the approval body in its assessment task.

- 2.10. The EOTA bodies shall take the necessary measures to ensure confidentiality of all critical information which, in the course of their activities, comes to their knowledge.
- 2.11. The applicant has to declare, in a legally binding way, that he will pay all the costs arising from the approval procedure and the establishment of the supporting documents in accordance with national rules.
- 2.12. If the applicant does not meet his obligations as defined in this document, the approval body may, after a reasonable period of time, cancel the application.

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Changes and effects yet to be applied to :

- Decision excluded by [S.I. 2019/465 Sch. 3 para. 1\(a\)](#)