

## ANNEX I

### BASIC REQUIREMENTS FOR CONSTRUCTION WORKS

Construction works as a whole and in their separate parts must be fit for their intended use, taking into account in particular the health and safety of persons involved throughout the life cycle of the works. Subject to normal maintenance, construction works must satisfy these basic requirements for construction works for an economically reasonable working life.

#### 1. Mechanical resistance and stability

The construction works must be designed and built in such a way that the loadings that are liable to act on them during their constructions and use will not lead to any of the following:

- (a) collapse of the whole or part of the work;
- (b) major deformations to an inadmissible degree;
- (c) damage to other parts of the construction works or to fittings or installed equipment as a result of major deformation of the load-bearing construction;
- (d) damage by an event to an extent disproportionate to the original cause.

#### 2. Safety in case of fire

The construction works must be designed and built in such a way that in the event of an outbreak of fire:

- (a) the load-bearing capacity of the construction can be assumed for a specific period of time;
- (b) the generation and spread of fire and smoke within the construction works are limited;
- (c) the spread of fire to neighbouring construction works is limited;
- (d) occupants can leave the construction works or be rescued by other means;
- (e) the safety of rescue teams is taken into consideration.

#### 3. Hygiene, health and the environment

The construction works must be designed and built in such a way that they will, throughout their life cycle, not be a threat to the hygiene or health and safety of workers, occupants or neighbours, nor have an exceedingly high impact, over their entire life cycle, on the environmental quality or on the climate during their construction, use and demolition, in particular as a result of any of the following:

- (a) the giving-off of toxic gas;
- (b) the emissions of dangerous substances, volatile organic compounds (VOC), greenhouse gases or dangerous particles into indoor or outdoor air;
- (c) the emission of dangerous radiation;
- (d) the release of dangerous substances into ground water, marine waters, surface waters or soil;
- (e) the release of dangerous substances into drinking water or substances which have an otherwise negative impact on drinking water;

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- (f) faulty discharge of waste water, emission of flue gases or faulty disposal of solid or liquid waste;
  - (g) dampness in parts of the construction works or on surfaces within the construction works.
4. Safety and accessibility in use

The construction works must be designed and built in such a way that they do not present unacceptable risks of accidents or damage in service or in operation such as slipping, falling, collision, burns, electrocution, injury from explosion and burglaries. In particular, construction works must be designed and built taking into consideration accessibility and use for disabled persons.

5. Protection against noise

The construction works must be designed and built in such a way that noise perceived by the occupants or people nearby is kept to a level that will not threaten their health and will allow them to sleep, rest and work in satisfactory conditions.

6. Energy economy and heat retention

The construction works and their heating, cooling, lighting and ventilation installations must be designed and built in such a way that the amount of energy they require in use shall be low, when account is taken of the occupants and of the climatic conditions of the location. Construction works must also be energy-efficient, using as little energy as possible during their construction and dismantling.

7. Sustainable use of natural resources

The construction works must be designed, built and demolished in such a way that the use of natural resources is sustainable and in particular ensure the following:

- (a) reuse or recyclability of the construction works, their materials and parts after demolition;
- (b) durability of the construction works;
- (c) use of environmentally compatible raw and secondary materials in the construction works.

## ANNEX II

### [<sup>F1</sup>PROCEDURE FOR ADOPTING A UK ASSESSMENT DOCUMENT

#### Textual Amendments

- F1** Annex 2 substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 66** (with Sch. 1 para. 70) (as amended by [S.I. 2020/1359](#), reg. 1, Sch. 1 paras. 12, **17**); 2020 c. 1, **Sch. 5 para. 1(1)**

#### 1. Request for a UK Technical Assessment

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 305/2011 of the European Parliament and of the Council. (See end of Document for details)

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When a manufacturer makes a request for a UK Technical Assessment to any TAB for a construction product, and after the manufacturer and the responsible TAB have signed an agreement of commercial secrecy and confidentiality, unless the manufacturer decides otherwise, the manufacturer must submit to the responsible TAB a technical file describing the product, its use as foreseen by the manufacturer and details of the factory production control the manufacturer intends to apply.

## 2. Requirements in relation to relevant TABs

For construction products referred to in Article 21(1)(c) for which there are other relevant TABs, the responsible TAB must within three weeks of the receipt of the technical file:

- a) agree a work programme for the development of the UK Assessment Document with the relevant TABs;
- b) establish a working group of the relevant TABs to develop the UK Assessment Document.

A representative from each relevant TAB must participate in the working group established by the responsible TAB.

## 3. Contract

For construction products referred to in Article 21(1)(c), within 1 month from the receipt of the technical file, a contract must be concluded between the manufacturer and the responsible TAB for the production of the UK Technical Assessment, defining the work programme for drawing up the UK Assessment Document, including:

- the organisation of work between any relevant TABs,
- if applicable, the composition of the working group referred to in section 2.

## 4. Work programme

After the conclusion of the contract with the manufacturer, the responsible TAB must inform the Secretary of State of the work programme for drawing up the UK Assessment Document and the schedule for its execution and indicate the assessment programme. This communication must take place within 3 months of receipt of the request for a UK Technical Assessment.

## 5. The draft UK Assessment Document

The responsible TAB must finalise a draft UK Assessment Document with the working group referred to in section 2 and must share this draft with the parties concerned within 6 months of the date the Secretary of State was informed of the work programme.

## 6. Secretary of State participation

The Secretary of State may participate, as an observer, in all the parts of the execution of the work programme.

## 7. Extension and delay

Any delay in relation to the time limits set in sections 1 to 5 in this Annex must be reported by the responsible TAB to the Secretary of State.

If an extension of the time limits for developing the UK Assessment Document can be justified, notably by the absence of a Secretary of State decision on the applicable system of assessment and verification of constancy of performance for the construction product or by the need to develop a new test method, the Secretary of State is to set an extended time limit.

## 8. Amendments and adoption of a UK Assessment Document

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 305/2011 of the European Parliament and of the Council. (See end of Document for details)

The responsible TAB must communicate the draft UK Assessment Document to the manufacturer. The manufacturer has 21 days to provide representations to the responsible TAB. Thereafter, the responsible TAB must:

- a) consider any representations from the manufacturer with the working group referred to in section 2 and agree any changes to the draft UK Assessment Document with that group;
- b) if applicable, inform the manufacturer as to how the manufacturer's reactions have been taken into account;
- c) adopt the draft UK Assessment Document; and
- d) send a copy to the Secretary of State.

If, within 21 days of receipt, the Secretary of State provides observations to the responsible TAB on the draft UK Assessment Document, the responsible TAB, after it and any relevant TABs have been given the opportunity to comment, must amend the draft accordingly and must send a copy of the adopted UK Assessment Document to the manufacturer and to the Secretary of State.

9. Final UK Assessment Document to be published

As soon as the first UK Technical Assessment is issued by the responsible TAB on the basis of the adopted UK Assessment Document, the responsible TAB must adjust the UK Assessment Document, if appropriate, based on experiences gained and with the agreement of any relevant TABs.

The responsible TAB must adopt the final UK Assessment Document and must send a copy of it to the Secretary of State for publication of its reference.

As soon as the UK mark is affixed to the product, the responsible TAB must inform any relevant TABs and all the relevant TABs (including the responsible TAB) must keep the UK Assessment Document publicly available by electronic means.

10. Use of final UK Assessment Document

Once the reference to the final UK Assessment Document is published by the Secretary of State under Article 22, it may be used by any relevant TAB for the purpose of issuing UK Technical Assessments.]

[<sup>F2</sup> ANNEX III

DECLARATION OF PERFORMANCE

No .....

<b>Textual Amendments</b>	
<b>F2</b>	Substituted by <a href="#">Commission Delegated Regulation (EU) No 574/2014 of 21 February 2014 amending Annex III to Regulation (EU) No 305/2011 of the European Parliament and of the Council on the model to be used for drawing up a declaration of performance on construction products.</a>

- 1. Unique identification code of the product-type: .....
- 2. Intended use/es: .....

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3. Manufacturer: . . . . .
4. Authorised representative: . . . . .
5. System/s of AVCP: . . . . .
- 6a. [<sup>F3</sup>Designated] standard: . . . . .  
     [<sup>F4</sup>Approved] body/ies: . . . . .
- 6b. [<sup>F5</sup>UK] Assessment Document: . . . . .  
     [<sup>F5</sup>UK] Technical Assessment: . . . . .  
     Technical Assessment Body: . . . . .  
     [<sup>F6</sup>Approved] body/ies: . . . . .
7. Declared performance/s: . . . . .
8. Appropriate Technical Documentation and/or Specific Technical Documentation: . . . . .

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 [<sup>F7</sup>as it has effect in the United Kingdom in respect of Great Britain], under the sole responsibility of the manufacturer identified above.

Signed for and on behalf of the manufacturer by:

[ *name* ] . . . . .

At [ *place* ] . . . . . on [ *date of issue* ] . . . . .

[ *signature* ] . . . . .

#### Textual Amendments

- F3** Word in Annex 3 Point 6a substituted (31.12.2020) by The Construction Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/465), reg. 1, Sch. 1 para. 67(2)(a) (with Sch. 1 para. 70) (as amended by S.I. 2020/1359, reg. 1, Sch. 1 para. 17); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in Annex 3 Point 6a substituted (31.12.2020) by The Construction Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/465), reg. 1, Sch. 1 para. 67(2)(b) (with Sch. 1 para. 70) (as amended by S.I. 2020/1359, reg. 1, Sch. 1 para. 17); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Word in Annex 3 Point 6b substituted (31.12.2020) by The Construction Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/465), reg. 1, Sch. 1 para. 67(3)(a) (with Sch. 1 para. 70) (as amended by S.I. 2020/1359, reg. 1, Sch. 1 para. 17); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Word in Annex 3 Point 6b substituted (31.12.2020) by The Construction Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/465), reg. 1, Sch. 1 para. 67(3)(b) (with Sch. 1 para. 70) (as amended by S.I. 2020/1359, reg. 1, Sch. 1 para. 17); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Annex 3 Point 8 inserted (31.12.2020) by The Construction Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/465), reg. 1, Sch. 1 para. 67(4) (with Sch. 1 para. 70) (as amended by S.I. 2020/1359, reg. 1, Sch. 1 paras. 13, 17); 2020 c. 1, Sch. 5 para. 1(1)

#### Instructions for drawing up the declaration of performance

1. GENERAL

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 305/2011 of the European Parliament and of the Council. (See end of Document for details)

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These instructions aim at guiding the manufacturers when drawing up a declaration of performance compliant with Regulation (EU) No 305/2011 [<sup>F8</sup>as it has effect in the United Kingdom in respect of Great Britain], following the model of this Annex (hereinafter referred to as ‘the model’).

#### Textual Amendments

**F8** Words in Annex 3 para. 1 inserted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 67(5)(a)** (with Sch. 1 para. 70) (as amended by [S.I. 2020/1359](#), reg. 1, Sch. 1 paras. 13, 17); 2020 c. 1, **Sch. 5 para. 1(1)**

These instructions are not part of the declarations of performance to be issued by manufacturers and should not be enclosed to these declarations of performance.

When drawing up a declaration of performance, the manufacturer shall:

- (1) reproduce the texts and the headlines of the model which are not indicated between square brackets;
- (2) replace the blank spaces and square brackets by inserting the necessary information.

Manufacturers may also include in the declaration of performance the reference to the website where the copy of the declaration of performance is made available in accordance with Article 7(3) of Regulation (EU) No 305/2011. This may be included after point 8 or in another place where it does not affect the readability and clarity of the mandatory information.

## 2. FLEXIBILITY

Providing that the mandatory information required by Article 6 of Regulation (EU) No 305/2011 is provided in a clear, complete and coherent manner, when drawing up a declaration of performance, it is possible to:

- (1) use a different layout as in the model;
- (2) combine the points of the model by presenting some of them together;
- (3) present the points of the model in a different order or using one or more tables;
- (4) omit some points of the model which are not relevant for the product for which a declaration of performance is drawn up. For example, this is the case since the declaration of performance may be based either on a [<sup>F9</sup>designated] standard or on a [<sup>F10</sup>UK] Technical Assessment issued for the product, rendering the other alternative not applicable. These omissions could also concern the points on the authorised representative or on the use of Appropriate Technical Documentation and the Specific Technical Documentation;
- (5) present the points without numbering them.

#### Textual Amendments

**F9** Word in [Annex 3 para. 2\(4\)](#) substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 67(5)(b)(i)** (with Sch. 1 para. 70) (as amended by [S.I. 2020/1359](#), reg. 1, Sch. 1 para. 17); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 305/2011 of the European Parliament and of the Council. (See end of Document for details)

**F10** Word in Annex 3 para. 2(4) substituted (31.12.2020) by The Construction Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/465), reg. 1, Sch. 1 para. 67(5)(b)(ii) (with Sch. 1 para. 70) (as amended by S.I. 2020/1359, reg. 1, Sch. 1 para. 17); 2020 c. 1, Sch. 5 para. 1(1)

If a manufacturer wishes to issue a single declaration of performance covering different variations of a product-type, at least the following elements need to be listed separately and clearly for every product variation: the number of the declaration of performance, the identification code under point 1 and the declared performances/s under point 7.

### 3. INSTRUCTION FOR THE COMPLETION OF THE FORM

Point of the model	Instruction
Number of the declaration of performance	<p>This is the reference number of the declaration of performance foreseen in Article 9(2) of Regulation (EU) No 305/2011.</p> <p>The choice of the number is left to the manufacturer.</p> <p>This number may be the same as the unique identification code of the product-type indicated under point 1 of the model.</p>
Point 1	<p>Indicate the unique identification code of the product-type referred to in Article 6(2)(a) of Regulation (EU) No 305/2011.</p> <p>In Article 9(2) of Regulation (EU) No 305/2011, the unique identification code determined by the manufacturer to follow the [F11UK] marking is linked to the product-type and thus to the set of performance levels or classes of a construction product, as brought forward in the declaration of performance drawn up for it. Moreover, for the recipients of construction products, in particular for their final end users, it is necessary to be able to unequivocally identify this set of performance levels or classes for any given product. Therefore, every construction product, for which a declaration of performance has been drawn up, should be linked by its manufacturer to the respective product-type and a given set of performance levels or classes by the unique identification code, which acts also as the reference mentioned in Article 6(2)(a) of Regulation (EU) No 305/2011.</p>
Point 2	<p>Indicate the intended use, or list the intended uses, as appropriate, of the construction product as foreseen by the manufacturer, in accordance with the applicable harmonised technical specification.</p>

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Point 3	Indicate the name, the registered trade name or registered trade mark and the contact address of the manufacturer, as required pursuant to Article 11(5) of Regulation (EU) No 305/2011.
Point 4	This point shall be included and filled in only in case an authorised representative has been designated. In such case, indicate the name and the contact address of the authorised representative whose mandate covers the tasks specified in Article 12(2) of Regulation (EU) No 305/2011.
Point 5	Indicate the number of the applicable system or systems of assessment and verification of constancy of performance (AVCP) of the construction product as set out in Annex V to Regulation (EU) No 305/2011. If there are multiple systems, each of them shall be declared.
Points 6a and 6b	<p>Since a manufacturer can draw up a declaration of performance based on either a [F12designated] standard or a [F13UK] Technical Assessment issued for the product, these two different situations presented under points 6a and 6b should be treated as alternative, with only one of them to be applied and filled in in a declaration of performance.</p> <p>In case of point 6a, i.e. when a declaration of performance is based on a [F12designated] standard, indicate all the following:</p> <ul style="list-style-type: none"> <li>(a) the reference number of the [F12designated] standard and its date of issue (dated reference); and</li> <li>(b) the identification number of the [F14approved] body/ies. When providing the name of the [F14approved] body/ies, it is essential that the name is provided in its original language, without translation to other languages.</li> </ul> <p>In case of point 6b, i.e. when a declaration of performance is based on a [F13UK] Technical Assessment issued for the product, indicate all the following:</p> <ul style="list-style-type: none"> <li>(a) the number of the [F13UK] Assessment Document and its date of issue;</li> </ul>



**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 305/2011 of the European Parliament and of the Council. (See end of Document for details)

	<ul style="list-style-type: none"> <li>(b) the number of the [F13UK] Technical Assessment and its date of issue;</li> <li>(c) the name of the Technical Assessment Body; and</li> <li>(d) the identification number of the [F14approved] body/ies.</li> </ul>
Point 7	<p>Under this point, the declaration of performance shall indicate:</p> <ul style="list-style-type: none"> <li>(a) the list of essential characteristics, as determined in the harmonised technical specifications for the intended use or uses indicated under point 2; and</li> <li>(b) for each essential characteristic, the declared performance, by level or class, or in a description, in relation to this characteristic or, for characteristics for which no performance is declared, the letters ‘NPD’ (No Performance Determined).</li> </ul> <p>This point may be filled up with the use of a table which brings forward the links between the harmonised technical specifications and the systems of assessment and verification of constancy of performance applied respectively to each essential characteristic of the product, as well as the performance in relation to each essential characteristic. The performance shall be declared in a clear and explicit manner. Therefore, the performance cannot be described in the declaration of performance solely by inserting a calculation formula to be applied by the recipients. Furthermore, the levels or classes of performance presented in reference documents shall be reproduced in the declaration of performance itself and thus cannot be expressed solely by inserting references to these documents into the declaration of performance. However, the performance notably of structural behaviour of a construction product may be expressed by referring to the respective production documentation or structural design calculations. In this case, the relevant documents shall be attached to the declaration of performance.</p>
Point 8	This point shall only be included and filled in in a declaration of performance if

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	<p>Appropriate Technical Documentation and/or Specific Technical Documentation has been used, in accordance with Articles 36 to 38 of Regulation (EU) No 305/2011, in order to indicate the requirements with which the product complies.</p> <p>In such a case, under this point the declaration of performance shall indicate:</p> <p>(a) the reference number of the Specific and/or Appropriate Technical Documentation used, and</p> <p>(b) the requirements with which the product complies.</p>
Signature	Replace the spaces indicated between square brackets by the information indicated and the signature.]

#### Textual Amendments

- F11** Word in Annex 3 para. 3 table substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 67(5)(c)(i)** (with Sch. 1 para. 70) (as amended by [S.I. 2020/1359](#), reg. 1, **Sch. 1 para. 17**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F12** Word in Annex 3 para. 3 table substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 67(5)(c)(ii)(aa)** (with Sch. 1 para. 70) (as amended by [S.I. 2020/1359](#), reg. 1, **Sch. 1 para. 17**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F13** Word in Annex 3 para. 3 table substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 67(5)(c)(ii)(bb)** (with Sch. 1 para. 70) (as amended by [S.I. 2020/1359](#), reg. 1, **Sch. 1 para. 17**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F14** Word in Annex 3 para. 3 table substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 67(5)(c)(ii)(cc)** (with Sch. 1 para. 70) (as amended by [S.I. 2020/1359](#), reg. 1, **Sch. 1 para. 17**); 2020 c. 1, **Sch. 5 para. 1(1)**

## ANNEX IV

### PRODUCT AREAS AND REQUIREMENTS FOR TABS

Table 1 —

#### PRODUCT AREAS

AREA CODE	PRODUCT AREA
1	PRECAST NORMAL/LIGHTWEIGHT/AUTOCLAVED AERATED CONCRETE PRODUCTS.
2	DOORS, WINDOWS, SHUTTERS, GATES AND RELATED BUILDING HARDWARE.

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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.

**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 305/2011 of the European Parliament and of the Council. (See end of Document for details)

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.

**Table 2 —**

**REQUIREMENTS FOR TABS**

<b>Competence</b>	<b>Description of competence</b>	<b>Requirement</b>
1. Analysing risks	Identify the possible risks and benefits for the use of innovative construction products in the absence of established/ consolidated technical information regarding their	A TAB shall be established under national law and have legal personality. It shall be independent from the stakeholders and from any particular interests. In addition, a TAB shall have staff with:

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		performance when installed in construction works.	(a)	objectivity and sound technical judgement;
2.	Setting technical criteria	Transform the outcome of the risk analysis into technical criteria for evaluating behaviour and performance of the construction products regarding the fulfilment of applicable national requirements; provide the technical information needed by those participating in the building process as potential users of the construction products (manufacturers, designers, contractors, installers).	(b)	detailed knowledge of the regulatory provisions and other requirements in force in [ <sup>F15</sup> Great Britain], concerning product areas for which it is to be designated;
			(c)	general understanding of construction practice and detailed technical knowledge, concerning product areas for which it is to be designated;
3.	Setting assessment methods	Design and validate appropriate methods (tests or calculations) to assess performance for essential characteristics of construction products, taking into account the current state of the article.	(d)	detailed knowledge of specific risks involved and the technical aspects of the construction process;
			(e)	detailed knowledge of the existing [ <sup>F16</sup> designated] standards and test methods within the product areas for which it is to be designated;
			(f)	appropriate linguistic skills. The remuneration of the TAB personnel shall not depend on the number of the assessments carried out or on the results of such assessments.
4.	Determining the specific factory production control	Understand and evaluate the manufacturing process of the specific product in order to identify appropriate measures ensuring product constancy through the given manufacturing process.		A TAB shall have staff with appropriate knowledge of the relationship between the manufacturing processes and product characteristics related to factory production control.

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5.	Assessing the product	Assess the performance for essential characteristics of construction products on the basis of harmonised methods against harmonised criteria.	In addition to the requirements listed in points 1, 2 and 3, a TAB shall have access to the necessary means and equipment for the assessment of the performance for essential characteristics of construction products within the product areas for which it is to be designated.
6.	General management	Ensure consistency, reliability, objectivity and traceability through the constant application of appropriate management methods.	A TAB shall have: <ul style="list-style-type: none"> <li>(a) a proven record of respect of good administrative behaviour;</li> <li>(b) a policy and the supporting procedures to ensure confidentiality of sensitive information within the TAB and all its partners;</li> <li>(c) a document control system to ensure registration, traceability, maintenance and archiving of all relevant documents;</li> <li>(d) a mechanism for internal audit and management review to ensure the regular monitoring of the compliance with appropriate management methods;</li> <li>(e) a procedure to deal objectively with appeals and complaints.</li> </ul>

#### Textual Amendments

**F15** Word in Annex 4 substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 68(a)** (with Sch. 1 para. 70) (as amended by [S.I. 2020/1359](#), reg. 1, Sch. 1 paras. 14, 17); 2020 c. 1, **Sch. 5 para. 1(1)**

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 305/2011 of the European Parliament and of the Council. (See end of Document for details)

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**F16** Word in Annex 4 substituted (31.12.2020) by The Construction Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/465), reg. 1, **Sch. 1 para. 68(b)** (with Sch. 1 para. 70) (as amended by S.I. 2020/1359, reg. 1, Sch. 1 para. 17); 2020 c. 1, Sch. 5 para. 1(1)

## [<sup>F17</sup>ANNEX V

### ASSESSMENT AND VERIFICATION OF CONSTANCY OF PERFORMANCE

#### Textual Amendments

**F17** Substituted by Commission Delegated Regulation (EU) No 568/2014 of 18 February 2014 amending Annex V to Regulation (EU) No 305/2011 of the European Parliament and of the Council as regards the assessment and verification of constancy of performance of construction products.

#### 1. SYSTEMS OF ASSESSMENT AND VERIFICATION OF CONSTANCY OF PERFORMANCE

The manufacturer shall draw up the declaration of performance and determine the product-type on the basis of the assessments and verifications of constancy of performance carried out under the following systems:

##### 1.1. System 1+

- (a) The manufacturer shall carry out:
- (i) factory production control;
  - (ii) further testing of samples taken at the manufacturing plant by the manufacturer in accordance with the prescribed test plan.
- (b) The [<sup>F18</sup>approved] product certification body shall decide on the issuing, restriction, suspension or withdrawal of the certificate of constancy of performance of the construction product on the basis of the outcome of the following assessments and verifications carried out by that body:
- (i) an assessment of the performance of the construction product carried out on the basis of testing (including sampling), calculation, tabulated values or descriptive documentation of the product;
  - (ii) initial inspection of the manufacturing plant and of factory production control;
  - (iii) continuing surveillance, assessment and evaluation of factory production control;
  - (iv) audit — testing of samples taken by the [<sup>F18</sup>approved] product certification body at the manufacturing plant or at the manufacturer's storage facilities.

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 305/2011 of the European Parliament and of the Council. (See end of Document for details)

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### Textual Amendments

**F18** Word in Annex 5 Point 1 substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 69(2)** (with Sch. 1 paras. 70, 75) (as amended by S.I. 2020/1359, reg. 1, Sch. 1 paras. 16, 17); 2020 c. 1, **Sch. 5 para. 1(1)**

#### 1.2. System 1

- (a) The manufacturer shall carry out:
- (i) factory production control;
  - (ii) further testing of samples taken at the manufacturing plant by the manufacturer in accordance with the prescribed test plan.
- (b) The [<sup>F18</sup>approved] product certification body shall decide on the issuing, restriction, suspension or withdrawal of the certificate of constancy of performance of the construction product on the basis of the outcome of the following assessments and verifications carried out by that body:
- (i) an assessment of the performance of the construction product carried out on the basis of testing (including sampling), calculation, tabulated values or descriptive documentation of the product;
  - (ii) initial inspection of the manufacturing plant and of factory production control;
  - (iii) continuing surveillance, assessment and evaluation of factory production control.

#### 1.3. System 2+

- (a) The manufacturer shall carry out:
- (i) an assessment of the performance of the construction product on the basis of testing (including sampling), calculation, tabulated values or descriptive documentation of that product;
  - (ii) factory production control;
  - (iii) testing of samples taken at the manufacturing plant by the manufacturer in accordance with the prescribed test plan.
- (b) The [<sup>F18</sup>approved] factory production control certification body shall decide on the issuing, restriction, suspension or withdrawal of the certificate of conformity of the factory production control on the basis of the outcome of the following assessments and verifications carried out by that body:
- (i) initial inspection of the manufacturing plant and of factory production control;
  - (ii) continuing surveillance, assessment and evaluation of factory production control.

#### 1.4. System 3

- (a) The manufacturer shall carry out factory production control.



**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 305/2011 of the European Parliament and of the Council. (See end of Document for details)

- (b) The [F18 approved] laboratory shall assess the performance on the basis of testing (based on sampling carried out by the manufacturer), calculation, tabulated values or descriptive documentation of the construction product.

#### 1.5. System 4

- (a) The manufacturer shall carry out:
- (i) an assessment of the performance of the construction product on the basis of testing, calculation, tabulated values or descriptive documentation of that product;
  - (ii) factory production control.
- (b) No tasks require the intervention of [F18 approved] bodies.

#### 1.6. Construction products for which a [F19 UK] Technical Assessment has been issued

[F20 Approved] bodies undertaking tasks under Systems 1+, 1 and 3 as well as manufacturers undertaking tasks under Systems 2+ and 4 shall consider the [F19 UK] Technical Assessment issued for the construction product in question as the assessment of the performance of that product. [F20 Approved] bodies and manufacturers shall therefore not undertake the tasks referred to in points 1.1.(b)(i), 1.2.(b)(i), 1.3.(a)(i), 1.4.(b) and 1.5.(a)(i) respectively.

##### Textual Amendments

**F20** Word in Annex 5 Point 1.6 substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 69(3)(b)** (with Sch. 1 paras. 70, 75) (as amended by [S.I. 2020/1359](#), reg. 1, Sch. 1 paras. 16, 17); 2020 c. 1, **Sch. 5 para. 1(1)**

##### Textual Amendments

**F19** Word in Annex 5 Point 1.6 substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 69(3)(a)** (with Sch. 1 paras. 70, 75) (as amended by [S.I. 2020/1359](#), reg. 1, Sch. 1 paras. 16, 17); 2020 c. 1, **Sch. 5 para. 1(1)**

## 2. BODIES INVOLVED IN THE ASSESSMENT AND VERIFICATION OF CONSTANCY OF PERFORMANCE

With respect to the function of [F21 approved] bodies involved in the assessment and verification of constancy of performance for construction products, distinction shall be made between:

- (1) product certification body: a body [F21 approved], in accordance with Chapter VII, to carry out constancy of performance certification;
- (2) factory production control certification body: a body [F21 approved], in accordance with Chapter VII, to carry out factory production control certification;
- (3) laboratory: a body [F21 approved], in accordance with Chapter VII, to measure, examine, test, calculate or otherwise assess the performance of construction products.

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 305/2011 of the European Parliament and of the Council. (See end of Document for details)

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#### Textual Amendments

**F21** Word in Annex 5 Point 2 substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 69(4)** (with Sch. 1 paras. 70, 75) (as amended by S.I. 2020/1359, reg. 1, Sch. 1 paras. 16, 17); 2020 c. 1, **Sch. 5 para. 1(1)**

3. HORIZONTAL [<sup>F22</sup>APPROVALS]: CASES OF ESSENTIAL CHARACTERISTICS WHERE REFERENCE TO A RELEVANT HARMONISED TECHNICAL SPECIFICATION IS NOT REQUIRED
1. Reaction to fire
  2. Resistance to fire
  3. External fire performance
  4. Acoustic performance
  5. Emissions of dangerous substances.]

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#### Textual Amendments

**F22** Word in Annex 5 Point 3 substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 69(5)** (with Sch. 1 paras. 70, 75) (as amended by S.I. 2020/1359, reg. 1, Sch. 1 paras. 16, 17); 2020 c. 1, **Sch. 5 para. 1(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) No 305/2011 of the European Parliament and of the Council.