

Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (Text with EEA relevance)

CHAPTER III

OBLIGATIONS OF ECONOMIC OPERATORS

Article 11

Obligations of manufacturers

1 Manufacturers shall draw up a declaration of performance in accordance with Articles 4 and 6, and affix the [F1UK] marking in accordance with Articles 8 and 9.

Manufacturers shall, as the basis for the declaration of performance, draw up technical documentation describing all the relevant elements related to the required system of assessment and verification of constancy of performance.

2 Manufacturers shall keep the technical documentation and the declaration of performance for a period of 10 years after the construction product has been placed on the market.

Where appropriate, the [F2Secretary of State] may, by [F3regulations] in accordance with Article 60, amend that period for families of construction products on the basis of the expected life or part played by the construction product in the construction works.

3 Manufacturers shall ensure that procedures are in place to ensure that series production maintains the declared performance. Changes in the product-type and in the applicable harmonised technical specifications shall be adequately taken into account.

Manufacturers shall, where deemed appropriate with regard to ensuring the accuracy, reliability and stability of the declared performance of a construction product, carry out sample testing of construction products placed or made available on the market, investigate, and, if necessary, keep a register of complaints, of non-conforming products and of product recalls, and keep distributors informed of any such monitoring.

4 Manufacturers shall ensure that their construction products bear a type, batch or serial number or any other element allowing their identification, or, where the size or nature of the product does not allow it, that the required information is provided on the packaging or in a document accompanying the construction product.

5 Manufacturers shall indicate on the construction product or, where that is not possible, on its packaging or in a document accompanying it, their name, registered trade name or registered trade mark and their contact address. The address shall indicate a single point at which the manufacturer can be contacted.

6 When making a construction product available on the market, manufacturers shall ensure that the product is accompanied by instructions and safety information in [F4English].

7 Manufacturers who consider or have reason to believe that a construction product which they have placed on the market is not in conformity with the declaration of performance

Changes to legislation: This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on legislation.gov.uk. (See end of Document for details)

or not in compliance with other applicable requirements in this Regulation, shall immediately take the necessary corrective measures to bring that construction product into conformity, or, if appropriate, to withdraw or recall it. Furthermore, where the product presents a risk, manufacturers shall immediately inform [^{F5}a competent authority] to that effect, giving details, in particular, of the non-compliance and of any corrective measures taken.

8 Manufacturers shall, further to a reasoned request from a competent ^{F6}... authority, provide it with all the information and documentation necessary to demonstrate the conformity of the construction product with the declaration of performance and compliance with other applicable requirements in this Regulation, in [^{F7}English]. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by construction products which they have placed on the market.

Textual Amendments

- F1** Word in Art. 11(1) substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 13(2)** (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)
- F2** Words in Art. 11(2) substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 13(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)
- F3** Word in Art. 11(2) substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 13(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)
- F4** Word in Art. 11(6) substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 13(4)** (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** Words in Art. 11(7) substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 13(5)** (with Sch. 1 paras. 70, 72) (as amended by [S.I. 2020/1359](#), reg. 1, Sch. 1 para. 17); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Word in Art. 11(8) omitted (31.12.2020) by virtue of [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 13(6)(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)
- F7** Word in Art. 11(8) substituted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 13(6)(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)

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