

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c.16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular paragraphs (a), (b), (c), (f) and (g) of section 8(2)) arising from the withdrawal of the UK from the European Union.

These Regulations amend retained EU law in relation to the marketing of construction products.

Schedule 1 amends 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 (“the 2011 Regulation”). It also makes transitional and saving provision.

Schedule 2 amends the Construction Products Regulations (S.I. 2013/1387).

Schedule 3 amends and modifies EU tertiary legislation made under the 2011 Regulation and Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products (which was repealed by Article 65 of the 2011 Regulation). It also makes consequential amendments to Chapter 21 of Part 2 of Annex 2 to the EEA agreement.

An impact assessment has not been produced for this instrument as no significant impact on the private or voluntary sector is foreseen.