

SCHEDULE 1

Grounds for service of notices in relation to the 2008 Regulation and the 2011 Regulation

2. This paragraph applies where the service of such a notice is appropriate because there has been a failure to comply with any requirement under any of the following provisions of the 2011 Regulation—

- (a) Article 11(2) (duty of manufacturer of construction product to keep technical documentation and declaration of performance for 10 years, or such period as amended, after the product is placed on the market);
- (b) Article 11(8) (duty of manufacturer of construction product to provide information and documentation to demonstrate conformity with declaration of performance and compliance with other applicable requirements of the 2011 Regulation of the product to the competent national authority, and to cooperate with that authority on action to eliminate risks posed by the product);
- (c) Article 12(2) (duty of manufacturer's authorised representative to keep technical documentation and declaration of performance available for the period referred to in Article 11(2), to provide information and documentation to demonstrate conformity with declaration of performance and compliance with other applicable requirements of the 2011 Regulation of the product to the competent national authority, and to cooperate with that authority on action to eliminate risks posed by the product);
- (d) Article 13(8) (duty of importer of construction product to keep technical documentation and declaration of performance available for the period referred to in Article 11(2));
- (e) Article 13(9) (duty of importer of construction product to provide information and documentation to demonstrate conformity with declaration of performance and compliance with other applicable requirements of the 2011 Regulation of the product to the competent national authority, and to cooperate with that authority on action to eliminate risks posed by the product);
- (f) Article 14(5) (duty of distributor who of construction product to provide information and documentation to demonstrate conformity with declaration of performance and compliance with other applicable requirements of the 2011 Regulation of the product to the competent national authority, and to cooperate with that authority on action to eliminate risks posed by the product); or
- (g) insofar as it imposes duties in relation to Article 11(2) and (8), Article 15 (duties of importer and distributor to comply with Article 11 as if a manufacturer where the importer or distributor places a construction product on the market under its own name or trademark, or modifies a product already on the market in such a way that conformity with the declaration of performance may be affected).