
STATUTORY INSTRUMENTS

2020 No. 1359

**The Construction Products (Amendment
etc.) (EU Exit) Regulations 2020**

Interpretation

2.—(1) In these Regulations—

“the 2011 Regulation” means 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](#)(1);

“the 2019 Regulations” means the Construction Products (Amendment etc.) (EU Exit) Regulations 2019(2);

“the EU Construction Products Regulation” means 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](#)(3) as it has effect in EU law as amended from time to time;

“the RAMS Regulation” means Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93(4) as it has effect in EU law as amended from time to time;

“CE marking” means the marking presented in Annex 2 to the RAMS Regulation;

“construction product” means any product or kit which is produced and placed on the market for incorporation in a permanent manner in construction works or parts thereof and the performance of which has an effect on the performance of the construction works with respect to the basic requirements for construction works;

“EU-assessed product” means a construction product which is covered by a harmonised standard, or conforms to a European Technical Assessment which has been issued for it, where the assessment and verification of constancy of performance of the product under Article 28 of the EU Construction Products Regulation was carried out by a body based in the European Union (not including Northern Ireland);

“UK-assessed product” means a construction product which is covered by a harmonised standard, or conforms to a European Technical Assessment which has been issued for it, where the assessment and verification of constancy of performance of the product under Article 28 of the EU Construction Products Regulation was carried out by a body based in the United Kingdom;

“UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020(5).

(1) EUR 2011/305. The EU Regulation is amended by the 2019 Regulations which are amended by this instrument.

(2) [S.I. 2019/465](#).

(3) OJ L 88, 4.4.2011, p. 5–43.

(4) OJ No L 218, 13.8.2008, p.30.

(5) Paragraph 3(4) of Article 7 of the Ireland/Northern Ireland Protocol to the EU Withdrawal Agreement provides that where businesses placing goods on the market in Northern Ireland affix a CE marking on any goods based on the conformity assessment of a UK authority or body then that marking must be accompanied by a UK(NI) indication.

(2) A reference in the RAMS Regulation, as it applies to construction products, or in the EU Construction Products Regulation, to “the market surveillance authorities” shall have effect in relation to the United Kingdom in respect of Northern Ireland as a reference to “the Secretary of State or to an enforcement authority”.

(3) Any other expression used in these Regulations (except in Schedule 1) and occurring in the EU Construction Products Regulation shall have the same meaning as it has in that Regulation.