



CEN/TC 33/WG 7
Burglary resistance

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CEN/TC 33 N3996 Recommendations to WGs for standardization work related to the CPR

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"Doors, windows, shutters, building hardware and curtain walling"

"Portes, fenêtres, fermetures, quincaillerie de bâtiment et façades rideaux"

"Türen, Tore, Fenster, Abschlüsse, Baubeschläge und Vorhangfassaden"

CEN/TC 33 N 3996

2020-12-04

CEN/TC 33 Recommendations to WGs for standardization work related to the CPR

Dear CEN/TC 33 members,
Dear experts,

When working on these « CEN/TC 33 Recommendations to WGs for standardization work related to the CPR », our CEN/TC 33 Group of Convenors pursued two main goals:

- Encourage experts to keep on working to deliver up-to-date standards to the market, despite the current blockage of the harmonized standardization process;
- Show the European Commission that CEN/TC 33 is a trustful and highly skilled partner for the development of harmonized technical specifications (HTS), for today and for the future.

This document offers several "routes" to WGs. None of them is ideal: you will have to assess pros and cons of each of them for each of your standards. But they are the best pragmatic approach we could find to move forward at this stage, and probably until we have a new and clear regulatory framework (e.g. a new Standardization Request) from the Commission.

Best regards,

Frédéric DUCLOYER
CEN/TC 33 Chairman

"Doors, windows, shutters, building hardware and curtain walling"

CEN/TC 33 Recommendations to WGs for standardization work related to the CPR

Synthesis with some expected:

Since the plenary meeting in April 2020, CEN/TC 33 has launched a wide discussion within WGs to find a route to continue the works on hEN, despite the blockage situation of CPR implementation process.

It is assumed that no hEN will be cited on the OJEU within the next 2 years (most optimistic), more likely not before 5 years. Commission hasn't yet confirmed whether candidate a hEN will have a chance to be cited on the OJEU before the final revision of the CPR.

CEN/TC 33 is willing to support WGs who want to provide up-to-date standards to the market, before a clear legal framework is provided by EC, but not deviating to EC's legal requirements, as far as we may understand/expect them, and as it is technically possible. The following recommendations should be understood as temporary: they will be re-considered as necessary and at the latest once the citation process will be clarified, specially a new SReq or a new regulatory framework from EC will be available. In this case all WGs will re-engage the process for citation of all draft candidate hEN.

Against this context, TC 33 Convenors Group recommends the following ROUTES to WGs. WGs are of course free to assess, standard by standard, which ROUTE is the more appropriate:

1) ROUTE 1

CEN/TC 33 will support WGs that wish to publish ENs, currently covered by a Mandate and/or introduced in the draft SReq, despite a negative assessment from the HAS consultant, under the following conditions:

- EN shall respect CEN Internal regulation and implement EC's legal requirements, CPR and Guidances
- EN should implement any content from the draft SReq, especially new essential characteristic assumed to be covered by a BWR, when technically feasible and as far as assumed by the WG to be useful and acceptable by the market.
- EN shall be published without Annex ZA (previously cited standard or new standard never cited on the OJEU) to avoid confusion on the market. A request to the BT for Decision "Removal of the link to the Construction Products Regulation (EU 305/2011) (CPR)" will be necessary.
- EN introduction (informative element) should mention, where appropriate, the existence of an earlier version cited on the OJEU.

2) ROUTE 2

CEN/TC 33 will support WGs that wish to publish test standards and all other supporting standards and/or recommendations

3) ROUTE 3

For WGs who want to prepare internal drafts of EN standards while a previous hEN is cited in the OJEU, before a new regulatory framework is provided by EC, but that want to work however on the technical improvement of EN standards, CEN/TC 33 recommends that:

- hEN shall respect CEN Internal regulation and implement EC's legal requirements, CPR and Guidances
- EN should implement any content from the draft SReq, especially new essential characteristic assumed to be covered by a BWR, when technically feasible and as far as assumed by the WG to be useful and acceptable by the market.

4) ADDITIONNAL: ROUTE 4

CEN/TC 33 will also support WGs that wish to split Product standard in different parts:

- One part, intended to be harmonized, dealing with regulation, containing essential characteristics (covered in M/101 or M/108 and accepted CEN/TC33 answers to the Mandates) and assessment methods
- One (or more) voluntary part/s, covering non-harmonized characteristics, and all other aspects (installation, description or design provision etc)

This route is possible according to CEN/CENELEC guidance (reference above). However, WGs have to be aware that WG could be faced with a situation that EC probably will not accept to cite a hEN based on a Mandate/Answer to the Mandate considered to be out-dated and not implementing the principle of exhaustiveness.

- [CEN-CENELEC Guide 36](#) 'Guidance on the rules for drafting and presentation of candidate harmonized product standards'
- [CEN-CENELEC guidance](#) 'Core rules for drafting harmonised standards for construction products'
- [CEN/TC 33 N 3854](#), JIS 5 documents (Joint Initiative on Standardization – Action 5 - Pilot Project – Aiding the implementation of the Construction Products Regulation (CPR) through standards)

The following Annex 1 and 2 present a first draft version of the "CEN/ TC 33 Recommendations to WGs for standardization work" that has been discussed within WGs between June and October 2020, and WGs' positions.

ANNEXE 1

CEN/TC 33 Recommendations to WGs for standardization work (2020-06-09)

The following options and the pro and contra for each are based on the EC services information given in the documents

- a) **REFINED INDICATIVE OPTIONS FOR THE REVIEW OF THE CONSTRUCTION PRODUCTS REGULATION, VERSION 2 - 08.04.2020**
- b) **AG015-05.1 Withdrawn and outdated standards**

There is additional verbal information, that the EC services give high priority to the revision of the CPR. This will have a number of consequences for the work of CEN/TC 33:

View of EC:

- a) Standards developed according to the S_{Req} may or may not comply with the new CPR developed in parallel – which raises questions on the value of following the S_{Req} approach
- b) The role of CEN in the development of future Harmonized Technical Specifications (HTS) under the new CPR is uncertain
- c) The EC services will provide few resources to support the interim CEN process
- d) Until a new CPR is in place, new versions of HTS are not cited in OJEU due to legal matters and missing formal clarifications, but they are threatening the older versions to be „de-harmonized“.

The purpose of this document is to establish a common CEN/TC 33 position on how to handle the future standardization work, assuming that:

- The most optimistic assumption – citation of the S_{Req} on OJUE – will not happen before more or less 2 years
- EC is currently leading some consultation with MS about the „Management of the Acquis“ (in which CEN could be marginalized), but most MS do not agree with the method
- CPR revision is likely to happen, but it might take several years before we have a clear vision of which route it will take.

Option A Continue to work on product standards for harmonization

Option A1 start working on product standards for harmonization after draft of S_{Req} from EC services is known

Option A2 start working on product standards for harmonization when S_{Req} is accepted by CEN

pro some product standards need updates regarding technical provisions
current product standards do not conform to EC specifications
EC threatens to de-harmonize noncompliant product standards

contra no valid legal background (mandates / S_{Req} ?)
no agreed upon set of rules for writing/assessment/harmonization
currently stated rules will lead to radically changed content of product standards
high risk of wasted time and money for experts

Option B Continue work for voluntary product standards (no harmonization expected)

Option B1 **Go to CEN publication for voluntary standards based on CEN/TC 33 Sreq proposal to EC, complying with JIS Action 5 Guidances**

Option B2 **Go to CEN publication for voluntary standards only based on market's technical requirements**

pro some product Standards need update regarding technical provisions
Standards would fulfil the markets technical requirements
Standards could be published under the CEN rules without later delays by EC

contra experts/industry have high interest in CE marking (i.e. harmonized Standards)
EC threatens to deharmonize product Standards with a CEN published successor
More confusion in the market which version of a product Standard is applicable

Question: what should we do with outdated cited hEN? (depending on the impact of the revision to Annex ZA?)

- Ask for withdrawal from citation on the OJEU to avoid confusion on the market
- Live with both an outdated cited hEN for CE marking and an up-to-date EN voluntary standard

Option C Work on Test Standards only

pro revision of test Standards is required under all scenarios
revised test Standards would still be applicable under a new CPR
content can be developed under the CEN rules without interference from EC

contra relevance of test Standards is depending on harmonization of characteristics
test Standards relate to provisions in product Standards (specimen size)
working on test Standards is not attractive for a number of CEN stakeholders

Note: For a number of characteristics CEN/TC 33 has developed separate classification Standards. It should be discussed, if these classifications should be part of the test Standards in order to keep them in a context when only test standards are referenced.

Proposal from CEN/TC 33 Convenors Group

Either:

1. Start with Option B1, as long as we don't have any proposal of Sreq from EC
2. Go to Option A1, when an acceptable/feasible proposal of Sreq from EC is known

Or:

1. Option A1, when an acceptable/feasible proposal of Sreq from EC is known

ANNEXE 2

WGs positions

<p>WG 1</p> <p>After a discussion between WG1 members, it was decided that CEN/TC 33/WG 1 should follow the following option:</p> <ol style="list-style-type: none"> 1. Start with Option C*, as long as we don't have any proposal of Sreq from EC 2. Go to Option A1, when an acceptable/feasible proposal of Sreq from EC is known <i>Regarding - EN14351-1rev (after Enquiry – no further work on the document)</i>
<p>WG 3</p> <p>After a discussion between WG3 members, it was decided that CEN/TC 33/WG 3 should follow the following option:</p> <ol style="list-style-type: none"> 1. Start with Option B1, as long as we don't have any proposal of Sreq from EC 2. Go to Option A1, when an acceptable/feasible proposal of Sreq from EC is known <p>Participants also concluded that, for the time being, there is no immediate need to revise the product standards covered by WG 3.</p>
<p>WG 4</p> <p>As long as there are no proposal of SReq from EC</p> <p>Option B1: Go to CEN publication for voluntary standards based on CEN/TC 33 Sreq proposal to EC, complying with JIS Action 5 Guidance and CEN Documents</p> <p>or</p> <p>Wait until an acceptable/feasible proposal of Sreq from EC is known</p> <p>Option A1: Start working on product standards for harmonization after draft of Sreq from EC services is known</p>
<p>WG 5</p> <p>Experts of WG 5 agreed on the following position:</p> <ul style="list-style-type: none"> • to continue work on product standards as a preparation for future harmonization; • as soon as Sreq – as proposed to EC – is agreed, these product standards shall be harmonized.
<p>WG 9</p> <p>Experts of WG 9 agreed on option A2 with a modification:</p> <ul style="list-style-type: none"> • Option A2: start working on product standards for harmonization when Sreq is accepted by the Commission or CEN
<p>WG 6</p> <p>After discussion with the experts the way to proceed for WG6 could be:</p> <ul style="list-style-type: none"> • Option A1 for the product standard EN 13830:2020; • In the meantime, that might be very long (2-3 years or at least 2025), option C, having some standards in the enquiry/voting process, others under revision and also new projects to be launched.
<p>WG 7</p> <p>Not concerned</p>
<p>*To WG1:</p> <p>Revising Test and Classification standards:</p>

- prEN 1529, CEN ENQ should start soon
- EN 12046-1:2020, Published
- EN 13115:2020, Published
- EN 17213:2020, Published in 2020, but needs speedy adaption to revised EN 15804
- PWI prEN 1191 rev
- PWI prEN 13049 rev
- PWI prEN 13123-1 rev
- PWI prEN 13123-2 rev
- PWI prEN 13124-1 rev
- PWI prEN 13124-2 rev
- EN 1522/EN 1523 (prEN 1063:2019 by CEN/TC 129/WG 14), Revision to be expected
- EN 1121rev
- EN 12219 rev