353640 "Doors, windows, shutters, building harware and curtain walling"

Nationale secretaris: **Stap Annemarie Mrs**

Europese verordening bouwproducten (CPR) - toelichtende presentatie

Type document	Gerelateerde inhoud	Datum document	Verwachte actie
Algemeen / Ander		2022-07-20	**INFORMATIE**

Beschrijving

Deze presentatie bevat toelichting door de Europese Commissie op vragen die ze over de CPR voorstellen hebben gekregen.

New Construction Products Regulation

On 14 June 2022, we held an online Q&A session. These slides show some complementary information about changes envisaged by the Commission proposal for the CPR.

Unit GROW H.1 – Construction

European Commission

Timeline CPR revision

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Why the new CPR?

Major shortcomings of the current CPR

- underperforming standardisation process
- incomplete addressing of MS regulatory needs
- remaining national barriers
- weak market surveillance
- unclear provisions + incoherence with other EU legislation
- No consistent approach for inherent product safety
- non-implementation of SME measures

Address the sustainability performance of construction products

Vision of the new CPR

Functioning of Single Market

- unlock the construction sector's growth and jobs potential
- improve the competitiveness of the sector
- digital transition of the construction ecosystem

Environmental Sustainability

- green transition of the manufacturing processes
- overall sustainability of the built environment
- efficient use of natural resources by facilitating reuse and recycling

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Governance & harmonised zone

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Governance structure of new CPR

Goals

- Satisfy MS regulatory needs
- Regulate the internal market
- Respect the subsidiarity principle

Means

- Extended responsibilities to MS
- MS to guide COM
- Better exchange and coordination between MS (and COM)

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Harmonised zone – *Art. 3(38), Art. 7, Art 93(6)*

Concept reflects past CPD/CPR court judgements

Smaller than scope

Horizontal: Covers the products for which there are harmonised technical specifications and COM acts (IA/DA) under the new CPR

Vertical: Presumed to cover all product aspects, but exemption procedure for unaddressed MS needs

Requires better MS + COM exchange/coordination

ESPR & CPR

Ecodesign for Sustainable Products Regulation

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Circular Economy Spring Package

Package providing the necessary tools to address environmental challenges

CPR to implement ESPR measures to construction products

ESPR also as safety net in case sectoral legislation does not sufficiently address environmental sustainability goals

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EU Regulatory framework

Ecodesign for Sustainable Products Regulation
Setting performance and information requirements for products placed on the Single Market

Construction Products Regulation
Delivery of environmental information from construction products and implementation of requirements

Level(s) methodology
Sustainability assessment of buildings

Taxonomy
Sustainable activities
EPBD
Sustainable buildings
EED
Public procurement of buildings

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National Regulatory framework

Ecodesign for Sustainable Products Regulation
Setting performance and information requirements for products placed on the Single Market

Construction Products Regulation
Delivery of environmental information from construction products and implementation of requirements

Level(s) methodology
Sustainability assessment of buildings

National approach
Environmental building assessment
Product Public procurement

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ESPR framework

Regulation defines general framework (objectives, scope, procedures, etc.)

Product-specific delegated acts to define mandatory performance and info requirements

Other product legislation can regulate sustainability of its products instead of ESPR to achieve these goals ▶
as CPR for construction products

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Standardisation

Harmonised technical specifications

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Standardisation in the new CPR

Objective: Improvement of the current system

- Modification of the current standardisation process (main route) including a fall-back option
  Art. 4
- Complemented by product and information requirements
  Art. 5
- Alternative EOTA route maintained
  Art. 35 to 42

Standardisation in the new CPR

New definition of harmonised technical specifications – EAD not included

Art 3(46)

Legal issues of standards (translations, affordability, chains of references)

Art 34

Core system

The core regulatory system remains unchanged:

- Request aligned to the standardisation regulation
- Harmonised technical documents developed within the standardisation system but rendered mandatory
- Performance is declared in the DoP in connection with the CE marking
- Additional rules on documentation hosting

e.g. Declaration of the compressive strength of a product

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Environmental Performance

e.g. Declaration of the climate change effects (CO_2 emissions) associated to the life cycle of the product

Additional environmental provisions:

- Environmental performance covered by standardisation requests
- DoP to provide the declaration including mandatory Global Warming potential
- The final goal is an accurate assessment at construction works level

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Information requirements

Product information related to safety and environment not expressed as a performance is provided:

- Provisions to be defined in the standards
- In case the standard do not contain them, they are directly applicable

e.g. sharp edges to be manipulated with security gloves

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Standardisation issues

If standards are not available or do not satisfy the request or the legal provisions:

- They can be cited with limitations/corrections
- An alternative approach through a delegated act is possible but limited to extreme situations

Standardisation Technical Committees unable to deliver the requested standard

Fall back option

Objectives

- Prevent system failures
- Faster response to Member States' regulatory needs

Procedure

- Citation including limitations and corrections
- Delegated acts

Application

- Only when standardisation does not deliver citable standards
- Limited to cases listed in Art. 4(3)

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Conformity requirements

When necessary, non **performance-based requirements** can be established:

- Related to safety, functioning or environment
- They follow the usual compliance approach
- Standards are voluntary i.e. alternative compliance methods can be applied
- Implementation directly through delegated acts is also possible
- Consistency with the mandatory route is granted as the declarations are merged and by the application of the same approach to third party tasks and CE marking

e.g. presence of an auto-reverse system in a door

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Summary

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Summary

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Transitional provisions

Current and new CPR application

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Timeline transition process

CPR acquis process may result in standards developed before the entry into force of the new CPR but according to the new CPR provisions

Products covered by these standards will be in the harmonized zone since the entry into force of the new CPR

Timeline transition process

Products excluded from the scope of the new CPR will not enter into the harmonised zone

Current CPR will apply until they are withdrawn from the OJEU or 2045

Timeline transition process

Current CPR
New CPR
Mutual recognition

Date to be fixed
New CPR
Entry into force

January 2045
Repeal

20XX 20XX 20XX 20XX 20XX 2045

Harmonised technical specification developed under the new CPR – Art. 93(5)&(6)

Citation OJEU
New CPR applicable

5 years
NB certificates or test reports and ETA under current CPR no longer valid

10 years
Products placed on the market according to current CPR certificates, test reports and ETA not allowed anymore

Standards under the current CPR will apply until a standard according to the new CPR will be cited.

Coexistence period of one year is established

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Timeline transition process

Different product groups will have different timeframes

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Timeline transition process

EAD issued before 1 year after entry into force will remain valid until 3 years after entry into force

Products placed on the market on the basis of these may be further made available on the market for another five years

CPR acquis preparatory work

Implemented by harmonised standards to be cited in the Official Journal
Level playing field for construction products (no barriers to trade)
Regulatory consistency to guarantee healthy internal market

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