

SCHEDULE 3

Amendments etc of EU tertiary legislation and consequential provision [^{F1}— Great Britain]

F1 Words in Sch. 3 heading inserted (31.12.2020 immediately before S.I. 2019/465 comes into force) by The Construction Products (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1359), regs. 1, 3(4)(a)

Part 1

Amendments and modifications of EU tertiary legislation

Modifications of Commission Decisions in relation to procedures for attesting conformity

2.—(1) The relevant Commission Decisions have effect [^{F1}, in relation to England and Wales, and Scotland,] as if—

- (a) any reference to a mandate for a harmonised standard were a reference to a standardisation mandate under the 2011 Regulation;
- (b) any Article providing that the decision is addressed to the member States were omitted;
- (c) any reference to the European standardisation bodies were a reference to a recognised standardisation body under the 2011 Regulation;
- (d) any reference to a relevant harmonised standard were a reference to a [^{F2}designated standard] prepared under Article 18A of the 2011 Regulation;
- (e) any reference to at least one member State having no legal requirement at all for a characteristic were a reference to there being no legal requirement at all for the characteristic in [^{F3}Great Britain];
- (f) any reference to the European Organisation for Technical Approval were a reference to the responsible TAB under the 2011 Regulation;
- (g) any reference to a mandate for relevant guidelines for European Technical Approval, or to the relevant guidelines themselves, were a reference to a relevant UK Assessment Document under the 2011 Regulation;
- (h) any reference to the “mandates for European technical specifications” were a reference to a relevant UK Assessment Document under the 2011 Regulation;
- (i) any reference to a requirement to indicate a procedure “in the mandates and in the technical specifications referred to in Article 4 of the Construction Products Directive” were a reference to a requirement to indicate the procedure in the standardisation mandates and the UK Assessment Documents under the 2011 Regulation and in the standards prepared under Article 18A of that Regulation;
- (j) any reference to a requirement to indicate the procedure for attesting conformity in the relevant European technical approvals were a reference to a requirement to indicate the procedure for attesting conformity in the relevant UK Assessment Documents under the 2011 Regulation;
- (k) any reference to specifying a system of attestation of conformity in the relevant European technical approval were a reference to specifying a system of attestation of conformity in the relevant UK Assessment Document under the 2011 Regulation.

(2) The “relevant Commission Decisions” are—

- (a) Commission Decision [95/467/EC](#) of 24 October 1995 implementing Article 20(2) of Council Directive [89/106/EEC](#) on construction products;
- (b) Commission Decision [96/577/EC](#) of 24 June 1996 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards fixed fire-fighting systems;
- (c) Commission Decision [96/578/EC](#) of 24 June 1996 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards sanitary appliances;
- (d) Commission Decision [96/579/EC](#) of 24 June 1996 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards circulation fixtures;
- (e) Commission Decision [96/580/EC](#) of 24 June 1996 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards curtain walling;
- (f) Commission Decision [96/582/EC](#) of 24 June 1996 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards structural sealant glazing systems and metal anchors for concrete;
- (g) Commission Decision [97/161/EC](#) of 17 February 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards metal anchors for use in concrete for fixing lightweight systems;
- (h) Commission Decision [97/176/EC](#) of 17 February 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards structural timber products and ancillaries;
- (i) Commission Decision [97/177/EC](#) of 17 February 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards metal injection anchors for use in masonry;
- (j) Commission Decision [97/462/EC](#) of 27 June 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards wood-based panels;
- (k) Commission Decision [97/463/EC](#) of 27 June 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards plastic anchors for use in concrete and masonry;
- (l) Commission Decision [97/555/EC](#) of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards cements, building limes and other hydraulic binders;
- (m) Commission Decision [97/556/EC](#) of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards external thermal insulation composite systems/kits with rendering (ETICS);
- (n) Commission Decision [97/597/EC](#) of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards reinforcing and prestressing steel for concrete;
- (o) Commission Decision [97/638/EC](#) of 19 September 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards fasteners for structural timber;
- (p) Commission Decision [97/740/EC](#) of 14 October 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards masonry and related products;

- (q) Commission Decision [97/808/EC](#) of 20 November 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards floorings;
- (r) Commission Decision [98/143/EC](#) of 3 February 1998 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards systems of mechanically fastened flexible roof waterproofing membranes;
- (s) Commission Decision [98/213/EC](#) of 9 March 1998 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards internal partition kits;
- (t) Commission Decision [98/214/EC](#) of 9 March 1998 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards structural metallic products and ancillaries;
- (u) Commission Decision [98/279/EC](#) of 5 December 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards non load-bearing permanent shuttering kits/systems based on hollow blocks or panels of insulating materials and, sometimes, concrete;
- (v) Commission Decision [98/436/EC](#) of 22 June 1998 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards roof coverings, rooflights, roof windows and ancillary products;
- (w) Commission Decision [98/437/EC](#) of 30 June 1998 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards internal and external wall and ceiling finishes;
- (x) Commission Decision [98/456/EC](#) of 3 July 1998 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards post-tensioning kits for the prestressing of structures;
- (y) Commission Decision [98/598/EC](#) of 9 October 1998 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards aggregates;
- (z) Commission Decisions [98/599/EC](#) of 12 October 1998 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards liquid applied roof waterproofing kits;
- (aa) Commission Decision [98/600/EC](#) of 12 October 1998 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards self-supporting translucent roof kits (except glass-based kits);
- (bb) Commission Decision [98/601/EC](#) of 13 October 1998 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards road construction products;
- (cc) Commission Decision [1999/ 89/ EC](#) of 25 January 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards prefabricated stair kits;
- (dd) Commission Decision [1999/90/EC](#) of 25 January 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards membranes;
- (ee) Commission Decision [1999/91/EC](#) of 25 January 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards thermal insulating products;

- (ff) Commission Decision [1999/92/EC](#) of 25 January 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards light composite wood-based beams and columns;
- (gg) Commission Decision [1999/93/EC](#) of 25 January 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards doors, windows, shutters, blinds, gates and related building hardware;
- (hh) Commission Decision [1999/94/EC](#) of 25 January 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards precast normal/lightweight/autoclaved aerated concrete products;
- (ii) Commission Decision [1999/454/EC](#) of 22 June 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards fire stopping, fire sealing and fire protective products;
- (jj) Commission Decision [1999/455/EC](#) of 22 June 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards timber frame and log prefabricated building kits;
- (kk) Commission Decision [1999/469/EC](#) of 25 June 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards products related to concrete, mortar and grout;
- (ll) Commission Decision [1999/470/EC](#) of 29 June 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards construction adhesives;
- (mm) Commission Decision [1999/471/EC](#) of 29 June 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards space heating appliances;
- (nn) Commission Decision [1999/472/EC](#) of 1 July 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards pipes, tanks and ancillaries not in contact with water intended for human consumption;
- (oo) Commission Decision [2000/245/EC](#) of 2 February 2000 on the procedure for attesting the conformity of construction products pursuant to Article 20(4) of Council Directive [89/106/EEC](#) as regards flat glass, profiled glass and glass block products;
- (pp) Commission Decision [2000/273/EC](#) of 27 March 2000 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards seven products for European Technical Approvals without Guideline;
- (qq) Commission Decision [2000/447/EC](#) of 13 June 2000 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards prefabricated wood-based load-bearing stressed skin panels and self-supporting composite lightweight panels;
- (rr) Commission Decision [2000/606/EC](#) of 26 September 2000 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards six products for European Technical Approvals without Guideline;
- (ss) Commission Decision [2001/19/EC](#) of 20 December 2000 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards expansion joints for road bridges;
- (tt) Commission Decision [2001/308/EC](#) of 31 January 2001 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards ventures;

- (uu) Commission Decision [2002/359/EC](#) of 13 May 2002 on the procedure for attesting the conformity of construction products in contact with water intended for human consumption, pursuant to Article 20(2) of Council Directive [89/106/EEC](#);
- (vv) Commission Decision [2003/639/EC](#) of 4 September 2003 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards pins for structural joints;
- (ww) Commission Decision [2003/640/EC](#) of 4 September 2003 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards kits for exterior wall claddings;
- (xx) Commission Decision [2003/655/EC](#) of 12 September 2003 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards watertight covering kits for wetroom floors and walls;
- (yy) Commission Decision [2003/656/EC](#) of 12 September 2003 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards seven products for European technical approvals without Guideline;
- (zz) Commission Decision [2003/722/EC](#) of 6 October 2003 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as liquid-applied bridge deck waterproofing kits;
- (aaa) Commission Decision [2003/728/EC](#) of 3 October 2003 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards metal frame building kits, concrete frame building kits, prefabricated building units, cold storage room kits and rock-fall protection kits;
- (bbb) Commission Decision [2005/484/EC](#) of 4 July 2005 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards cold storage building kits and cold storage building envelope kits;
- (ccc) Commission Decision 2011/19/EU of 14 January 2011 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards sealants for non-structural use in joints in buildings and pedestrian walkways;
- (ddd) Commission Decision 2011/284/EU of 12 May 2011 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive [89/106/EEC](#) as regards power, control and communication cables.

- F1** Words in Sch. 3 para. 2(1) inserted (31.12.2020 immediately before S.I. 2019/465 comes into force) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1359\)](#), regs. 1, **3(4)(c)**
- F2** Words in Sch. 3 para. 2(1)(d) substituted (31.12.2020 immediately before S.I. 2019/465 comes into force) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1359\)](#), regs. 1, **3(4)(d)**
- F3** Words in Sch. 3 para. 2(1)(e) substituted (31.12.2020 immediately before S.I. 2019/465 comes into force) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1359\)](#), regs. 1, **3(4)(e)**

Commencement Information

- II** Sch. 3 para. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Construction Products (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 2.