

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 (Text with EEA relevance)

CHAPTER III

OBLIGATIONS OF ECONOMIC OPERATORS

^{F1}Article 16A

Obligations on a manufacturer which are met by complying with obligations in the EU Construction Products Regulation

- 1 Paragraph 2 applies where:
 - a a construction product is covered by a standard which:
 - i) is designated under Article 18B(1)(b); or
 - ii) becomes a designated standard under Article 18B(2); and
 - b before the product is placed on the market, the manufacturer:
 - i) carries out the assessment and the verification of constancy of performance required by the EU Construction Products Regulation;
 - ii) complies with Chapter 6 of the EU Construction Products Regulation in relation to the use, if any, of simplified procedures;
 - iii) draws up a declaration of performance for the product in accordance with Articles 4 and 6 of the EU Construction Products Regulation;
 - iv) provides the information referred to in Article 6(4) of the EU Construction Products Regulation with the declaration of performance;
 - v) draws up the technical documentation referred to in Article 11(1) of the EU Construction Products Regulation; and
 - vi) affixes or has affixed a CE marking in accordance with Articles 8 and 9 of the EU Construction Products Regulation or, in the case of a product to which regulation 4(2)(b) of the Construction Products (Amendment etc.) (EU Exit) Regulations 2020 applies, a CE marking accompanied by the UK(NI) indication in accordance with Articles 8 and 9 of the EU Construction Products Regulation.
- 2 Where this paragraph applies:
 - a the requirements on the manufacturer in the following provisions are to be treated as satisfied:
 - i) Article 4(1);
 - ii) Article 6;
 - iii) Article 8(1);
 - iv) Article 9;
 - v) Article 11(1);
 - vi) Article 28(1);
 - b Article 8(3) has effect as if there were substituted:

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 305/2011 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- 3 By affixing or having affixed the CE marking or CE marking accompanied by the UK(NI) indication, manufacturers indicate that they take responsibility for the conformity of the construction product with the declared performance as well as the compliance with all applicable requirements laid down in this Regulation and in other enactments allowing for the affixing of the CE marking or CE marking accompanied by the UK(NI) indication in satisfaction of a requirement to affix the UK marking.;
- c the following provisions have effect subject to the modifications in paragraph 3:
- i) Article 4(2) and (3);
 - ii) Article 7;
 - iii) Article 11(2) to (8);
 - iv) Article 12;
 - v) Article 15;
- d Chapter 6 and Article 59 do not apply.
- 3 The modifications are that:
- a any reference to technical documentation is to be read as a reference to the technical documentation referred to in the second subparagraph of Article 11(1) of the EU Construction Products Regulation;
 - b any reference to a declaration of performance is to be read as a reference to the declaration of performance drawn up by the manufacturer in accordance with Articles 4 and 6 of the EU Construction Products Regulation;
 - c any reference to the UK marking is to be read as a reference to the CE marking or, as the case may be, CE marking accompanied by the UK(NI) indication.]

Textual Amendments

- F1** Arts. 16A-16C inserted (31.12.2020) by [The Construction Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/465\)](#), reg. 1, **Sch. 1 para. 17** (with Sch. 1 para. 70) (as amended by [S.I. 2020/1359](#), reg. 1, Sch. 1 paras. 9, **17**); 2020 c. 1, **Sch. 5 para. 1(1)**

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 2(21) word omitted by [S.I. 2019/465 Sch. 1 para. 3\(11\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 para. 3(11) substituted immediately before it comes into force by S.I. 2020/1359, reg. 1, Sch. 1 para. 5(c))
- Art. 2(21) words inserted by [S.I. 2019/465 Sch. 1 para. 3\(11\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 para. 3(11) substituted immediately before it comes into force by S.I. 2020/1359, reg. 1, Sch. 1 para. 5(c))
- Art. 2(21) words substituted by [S.I. 2019/465 Sch. 1 para. 3\(11\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 para. 3(11) substituted immediately before it comes into force by S.I. 2020/1359, reg. 1, Sch. 1 para. 5(c))
- Art. 2(29) inserted by [S.I. 2024/504 reg. 16\(2\)](#)
- Art. 19(1A) inserted by [S.I. 2024/504 reg. 16\(3\)](#)
- Art. 21(1B) inserted by [S.I. 2024/504 reg. 16\(4\)](#)
- Art. 30(2A) inserted by [S.I. 2024/504 reg. 16\(6\)](#)