

SCHEDULE 3

Construction products enforcement rules – Northern Ireland

PART 2

REQUIREMENTS RELATING TO CONSTRUCTION PRODUCTS

CHAPTER 1

Offences in relation to the EU Construction Products Regulation

Other breaches of the EU Construction Products Regulation

5.—(1) A person who supplies a construction product in respect of Northern Ireland in relation to which—

- (a) there has been a failure to comply with any requirement in a provision of the EU Construction Products Regulation specified in sub-paragraph (2); and
- (b) the instructions or information to which the requirement in question relates is not provided with the product at the time of supply,

shall be guilty of an offence.

(2) The provisions of the EU Construction Products Regulation referred to in sub-paragraph (1)

(a) are—

- (a) Article 11(4) (manufacturer's duty to provide product identification);
- (b) Article 11(5) (manufacturer's duty to provide contact information etc.);
- (c) Article 11(6) (manufacturer's duty to provide instructions and safety information);
- (d) Article 13(3) (importer's duty to provide contact information etc.);
- (e) Article 13(4) (importer's duty to provide instructions and safety information);
- (f) the duties in the first sub-paragraph of Article 14(2) (obligations of distributors) to ensure that a product is accompanied by instructions and safety information, and that the manufacturer and importer have complied with Articles 11(4) and (5) and 13(3) respectively; and
- (g) Article 15 (cases in which obligations of manufacturers apply to importers and distributors), insofar as it imposes duties in relation to Article 11(4) to (6).

(3) A person guilty of an offence under this paragraph shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.