# An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta Department of Housing, Local Government and Heritage



Circular Letter BC04-2023

Date: 15 May 2023

# European Union (Construction Products) (Amendment) Regulations 2023 S.I. No. 217 of 2023

To: The Chief Executive of each Local Authority

Director of Services for Building Control in each Local Authority

Building Control Officers in each Local Authority

National Building Control & Market Surveillance Office

## Colleagues,

I wish to advise you that the Minister for Housing, Local Government and Heritage signed the *European Union (Construction Products) (Amendment) Regulations 2023* (S.I. No. 217 of 2023) on 4 May 2023.

# These Regulations

- give further effect in Irish law to Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No. 305/2011 (known as the Market Surveillance Regulation or "the MSR")<sup>1</sup>, in so far as it relates to construction products,
- give further effect in Irish law to 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

<sup>&</sup>lt;sup>1</sup> A copy of the MSR is available on the European Commission's website at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32019R1020



*Directive 89/106/EEC* (known as the Construction Products Regulation or "the CPR")<sup>2</sup>, and

 amend the European Union (Construction Products) Regulations 2013 (S.I. No. 225 of 2013)<sup>3</sup>.

A copy of the *European Union (Construction Products) (Amendment) Regulations* 2023 (S.I. No. 217 of 2023), are attached for your information and are also available on <a href="https://www.irishstatutebook.ie/eli/statutory.html">https://www.irishstatutebook.ie/eli/statutory.html</a>.

For your convenience, an administrative consolidation of the *European Union* (Construction Products) Regulations 2013, incorporating all amendments since publication, including the Regulations the subject of this circular, is also attached.

The European Union (Construction Products) Regulations 2013, as amended, should be read in tandem with the Construction Products Regulation (CPR) and the Market Surveillance Regulation (MSR) in order to obtain a complete view of:

- the obligations on economic operators in respect of construction products,
- the requirements for the marketing of construction products covered by the CPR,
- the market surveillance procedures to be followed,
- the powers granted to Building Control Authorities and the National Building Control and Market Surveillance Office (NBCMSO<sup>4</sup>), and
- the role of National Competent Authorities.

<sup>&</sup>lt;sup>2</sup> A copy of the CPR (current version 16/07/2021), as amended by subsequent Implementing and Delegated Acts<sup>2</sup>, is available on the European Commission's website at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02011R0305-20210716

<sup>&</sup>lt;sup>3</sup> A copy of the European Union (Construction Products) Regulations 2013 (S.I. No. 225 of 2013) is available on the Irish Statute Book website at: - <a href="https://www.irishstatutebook.ie/eli/2013/si/225/made/en/print">https://www.irishstatutebook.ie/eli/2013/si/225/made/en/print</a>.

These Regulations are amended by Section 134 of the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020 (No.23 of 2020) which is available on the Irish Statute Book website at: - https://www.irishstatutebook.ie/eli/2020/act/23/section/134/enacted/en/html

<sup>&</sup>lt;sup>4</sup> While Dublin City Council is the legal entity prescribed as a market surveillance authority under S.I. No. 682 of 2020, this circular refers to the National Building Control and Market Surveillance Office (NBCMSO) as a shared service hosted by Dublin City Council.



This circular is structured into 3 Sections:

- SECTION 1. BACKGROUND This section provides an overview of the CPR, the MSR, market surveillance of construction products in Ireland and the coordination and co-operation structures that exist nationally and at European level, to set the background and context to the new Regulations European Union (Construction Products) (Amendment) Regulations 2023 (S.I. No. 217 of 2023)
- SECTION 2. MAIN PROVISIONS OF THE REGULATIONS This section sets out the main provisions of the new Regulations - European Union (Construction Products) (Amendment) Regulations 2023 (S.I. No. 217 of 2023), and
- SECTION 3. APPLICATION sets out the actions to be taken by local authorities on foot of the new Regulations - European Union (Construction Products) (Amendment) Regulations 2023 (S.I. No. 217 of 2023).

#### SECTION 1. BACKGROUND

# 1.1 Construction Products Regulation<sup>5</sup> (CPR)

The CPR sets the rules for the marketing of construction products in the EU. The CPR has direct legal application across the entire European Union since entering into force on 1 July 2013.

The primary purpose of the CPR is to break down technical barriers to trade in order to ensure the free movement of construction products across Member States within the European Union. It does this by harmonising those elements that previously led to barriers to trade. In this regard, the CPR provides for:

 a system of harmonised technical specifications (over 440 harmonised European standards for construction products (hENs) are currently in force<sup>6</sup>),

<sup>&</sup>lt;sup>5</sup> 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 EEC available at <a href="http://data.europa.eu/eli/reg/2011/305/2021-07-16">http://data.europa.eu/eli/reg/2011/305/2021-07-16</a>

<sup>&</sup>lt;sup>6</sup> 6,240 European Technical Assessments (ETAs) were also issued between 1 July 2013 and 31 December 2018.



- an agreed system of attestation of conformity and verification of constancy for each product family (as set out in the harmonised technical specifications),
- a framework of notified bodies, and
- the mandatory CE marking of construction products as a passport to the internal market.

The CPR requires that each construction product, for which a harmonised European standard (known as a hEN) exists, has a *Declaration of Performance* from the manufacturer and must be affixed with the *CE Mark* before it can be placed on the market.<sup>7</sup> In order to do so, manufacturers must test and declare the performance of their construction products using a common technical language prescribed in the hEN.

The manufacturer must also take into consideration the national provisions<sup>8</sup> in relation to the intended use or uses of the product, where the manufacturer intends the product to be made available on the market. In this regard, the National Standards Authority of Ireland (NSAI) has produced additional guidance to some hENs in the form of Standard Recommendations (SRs) which set out appropriate minimum performance levels for specific intended uses of the product in Ireland.

## 1.2 Market Surveillance Regulation<sup>9</sup> (MSR)

## The MSR:

 aims to improve how the free movement of goods principle works by strengthening market surveillance of products,

When making a construction product available on the market, manufacturers shall ensure that the product is accompanied by instructions and safety information which can be easily understood by users.

<sup>&</sup>lt;sup>8</sup> Article 6.3 (e) of the CPR states: "The declaration of performance shall in addition contain: .....(e) the performance of those essential characteristics of the construction product which are related to the intended use or uses, taking into consideration the provisions in relation to the intended use or uses where the manufacturer intends the product to be made available on the market;..."

<sup>&</sup>lt;sup>9</sup> Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No. 305/2011 2011 available at <a href="http://data.europa.eu/eli/reg/2019/1020/oj">http://data.europa.eu/eli/reg/2019/1020/oj</a>



- lays down rules and procedures for economic operators and establishes a system for their cooperation with supervisory authorities,
- establishes controls on products imported into the EU,
- deletes and replaces Articles 15 to 29 of Regulation (EC) No 765/2008 and amends other European legislation including the CPR.

The MSR came into full effect across EU member states in July 2021. The MSR applies to non-food products, covered by 70 distinct pieces of Union harmonisation legislation, one of which is the CPR.

The MSR establishes an EU wide framework for market surveillance. It strengthens the existing provisions of the CPR (and other Union harmonisation legislation)<sup>10</sup>, relating to the compliance of products, the framework for cooperation with organisations representing economic operators or end users, the market surveillance of products and controls on products entering the EU market, with a view to ensuring the free movement of compliant products within the EU.

The MSR aims to ensure products on the EU market do not endanger consumers by providing for actions such as product withdrawals and recalls, alongside enforcement action to stop the circulation of non-compliant products.

#### 1.2.1 Online sales

The MSR was introduced in the context of increasingly complex supply chains and a significant increase in online sales, which have led to challenges for Market Surveillance Authorities (MSAs) across the EU. The MSR strengthens and modernises the existing market surveillance of non-food products to address these issues.

Products offered for sale online or through other means of distance sales are deemed to be made available on the market if the offer is targeted at end users in the Union. As such MSAs can perform market surveillance on these products.

Details of the Irish Market Surveillance Authorities along with their responsibilities under various pieces of EU product safety legislation are provided at the following link: <a href="https://enterprise.gov.ie/en/publications/irish-market-surveillance-authorities.html">https://enterprise.gov.ie/en/publications/irish-market-surveillance-authorities.html</a>



As a consequence, there are new obligations for certain types of economic operators in the supply chain, such as *fulfilment service providers*<sup>11</sup>. These include increased cooperation obligations on economic operators and *information society service providers*<sup>12</sup> to share information with MSAs.

## 1.2.2 Economic Operator established in the EU

The MSR requires that sellers of certain products have a designated economic operator established in the EU. This applies to construction products under the CPR.

#### 1.2.3 Custom Controls

The MSR strengthens the provisions for customs controls on products entering the EU market and allows for national MSAs to share compliance data.

## 1.2.4 Powers of Market Surveillance Authorities

The MSR also provides a set of enhanced powers for MSAs, for example the power to make test purchases under cover identity, and to require the removal of online content to ensure an effective level of market surveillance of construction products.

but does not include the following services:

- (i) postal services as defined in section 6 of the Communications Regulation (Postal Services) Act 2011 (No. 21 of 2011);
- (ii) parcel delivery services as defined in point (2) of Article 2 of Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018<sup>11</sup>;
- (iii) any other postal services or freight transport services;

<sup>&</sup>lt;sup>11</sup> 'fulfilment service provider' means any natural or legal person offering, in the course of commercial activity, without having ownership of the construction products involved, at least two of the following services:

<sup>(</sup>a) warehousing;

<sup>(</sup>b) packaging;

<sup>(</sup>c) addressing;

<sup>(</sup>d) dispatching;

<sup>&#</sup>x27;information society service provider' means a provider of a service, as defined in point (b) of Article 1(1) of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015

<sup>&#</sup>x27;service' means any Information Society service, that is to say, any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient of services.



# 1.3 <u>Implementation of Market Surveillance of Construction Products in Ireland</u>

Each Member State is responsible for regulating its own market surveillance activities in accordance with the specific requirements of the CPR and the broader overarching requirements of the MSR.

Currently under the European Union (Construction Products) Regulations 2013 as amended:

- building control authorities are designated as the principal MSAs for construction products that fall within the scope of the CPR, within their administrative areas. A summary of the role of local MSAs is set out in Appendix 1,
- in addition, Dublin City Council (via the National Building Control and Market Surveillance Office (NBCMSO)) is designated as an MSA<sup>13</sup> for construction products that fall within the scope of the CPR across the country. The overarching purpose of the NBCMSO Market Surveillance Office is to lead and co-ordinate the national delivery of market surveillance of construction products by training and supporting the local authority MSAs. A summary of the role of the NBCMSO Market Surveillance Office is set out in Appendix 2. Building control authorities should liaise with the NBCMSO to support compliance with the CPR and to determine appropriate action on enforcement matters, as they arise.

While much work has been undertaken to strengthen the regulatory framework to ensure that products comply with the provisions of the CPR, the Department acknowledges that there is more to do, particularly in the context of the findings of the recent Report of the Market Surveillance of Construction Products produced from County Donegal Quarries 2021/2022<sup>14</sup>.

In the interest of strengthening market surveillance structures for construction products further, the role of a building standards regulator, as committed to in the Programme for Government, in carrying out the market surveillance function, is being examined. However, in the interim, building control authorities are required to continue to carry out their market surveillance activities at local level, in addition to cooperating with NBCMSO.

<sup>13</sup> https://www.irishstatutebook.ie/eli/2020/si/682/made/en/print

https://www.gov.ie/en/press-release/6489d-publication-of-report-of-the-market-surveillance-of-construction-products-produced-from-county-donegal-quarries/



Further information on the overall co-ordination and co-operation of market surveillance nationally and at European level is provided in Appendix 3.

#### SECTION 2. MAIN PROVISIONS OF THE REGULATIONS

The European Union (Construction Products) (Amendment) Regulations 2023 (S.I. No. 217 of 2023) amend the European Union (Construction Products) Regulation 2013 (S.I. No. 225 of 2013). The main provisions of the Regulations are as follows: -

- new definitions are included for authorised representative, corrective action, distributor, economic operator, end user, fulfilment service provider, information society provider, making available on the market, manufacturer, non-compliance, online interface and Market Surveillance Regulation;
- a new provision is included that construction products shall not be offered for sale to EU consumers without an economic operator established in the EU that is responsible for:
  - verifying that the declaration of performance and technical documentation have been drawn up in respect of the construction product concerned, keeping this at the disposal of MSAs and ensuring that the technical documentation is made available to those authorities upon request;
  - providing an MSA with relevant information and documentation following a reasoned request;
  - o informing relevant MSAs when a construction product presents a risk;
  - cooperating with MSAs;
  - making sure that corrective or mitigating action is taken to remedy any case of non-compliance;
  - ensuring his/her name and contact details are on the product, packaging or accompanying document.
- a new provision is included in relation to information sharing and cooperation with MSAs, in order to facilitate and support effective market surveillance.
- The powers of authorised officers have been revised to include:
  - o commence, on their own initiative, investigations of economic operators;
  - o require the relevant economic operator-
    - to supply the certain technical documentation or information,
    - to provide relevant information on the supply chain, the distribution network, on quantities of construction products on the market etc.,



- to produce information contained in files, or provide relevant information required for the purpose of ascertaining the ownership of websites;
- take copies of, or extracts from, or take away any records or other technical documentation or information, where necessary, for the purposes of evaluation, examination or inspection;
- require necessary explanations in relation to technical documentation, information, records or files;
- take photographs of a construction product and the place of manufacture or storage of a construction product;
- o bring other people and/or equipment with them in carrying out their role;
- acquire a sample of the construction product (including under cover identity) and carry out such evaluations, inspections, examinations, tests or reverse engineering as is necessary; and
- require, where necessary, the removal of online content relating to a construction product, the display of an online warning to end users or require information society service providers to restrict access to the online interface.
- the means of serving a notice has been clarified, which includes electronic means but only in addition to a physical copy.
- as well as being a designated MSA, Dublin City Council (carried out by NBCMSO) has also been designated as a competent national authority for the purpose of certain aspects of the CPR<sup>15</sup>. A competent national authority has the right to request information on the performance of construction products<sup>16</sup> and, by way of example, it has the right to request information on the performance of products installed in a building, in the framework of checking if the building under construction complies with the Building Regulations.

<sup>&</sup>lt;sup>15</sup> Articles 11(7), 11(8), 12(2), 13(7), 13(9), 14(4) and 14(5).

<sup>&</sup>lt;sup>16</sup> See FAQ 27 – at the following link <a href="https://single-market-economy.ec.europa.eu/sectors/construction/construction-products-regulation-cpr/frequently-asked-questions-en">https://single-market-economy.ec.europa.eu/sectors/construction/construction-products-regulation-cpr/frequently-asked-questions-en</a>



#### **SECTION 3. APPLICATION**

For market surveillance to be effective, resources must be concentrated where risks are likely to be higher or non-compliance more frequent, or where a particular interest can be identified. In this regard, it is essential that each Building Control Authority and the NBCMSO have an adequate number of competent authorised officers, who are available to respond at a local, national and international level to allegations of non-compliance in the Irish marketplace.

Department *Circular LG 06-2019 Guidelines Local Authorities 2019-2024 Preparation of Corporate Plans* emphasises the importance of the Building Control function to ensure safe and sustainable buildings in urban and rural areas and highlights the key responsibilities for Building Control, including monitoring compliance with Building Regulations, Building Control Regulations, the Construction Products Regulation and the Energy Performance of Buildings Directive.

Raising awareness and visibility of MSAs will ultimately lead to greater compliance among relevant economic operators. In this regard, the Department requests that each building control authority and NBCMSO take or re-affirm the following key actions: -

- Ensure that adequate resources are made available for market surveillance activities.
- Re-appoint an adequate number of competent authorised officers under Regulation 11 of the European Union (Construction Products) Regulations 2013, as amended.
- Advise the NBCMSO (by email to <a href="mailto:support@nbco.gov.ie">support@nbco.gov.ie</a>) of the name/contact details for each authorised officer.
- Undertake risk based, proactive and reactive market surveillance of construction products, as is necessary.
- Liaise and co-operate with NBCMSO on the implementation of the National Market Surveillance Strategy<sup>17</sup>, training, enforcement actions and collection of activity data.
- work closely with NBCMSO and Revenue's Customs Service for the control of imported products from third countries.

<sup>&</sup>lt;sup>17</sup> The current strategy focuses on the extractive industries sector and commits to performing risk assessments of selected quarrying and pit operations, follow-up inspections, sampling and testing as appropriate to ensure compliance with the CPR.



- Ensure material on the CPR on your organisation's website is up to date, including contact details for authorised officers and contact details for NBCMSO (support@nbco.gov.ie).
- Raise awareness of the CPR with relevant economic operators within your functional area.

Given the commercial sensitivities that may be involved, it is incumbent on all building control authorities and NBCMSO to take reasonable measures to guarantee the confidentiality of the technical documentation and such other information as may be supplied by an economic operator under these Regulations in support of a product's compliance. In this regard, all building control authorities and NBCMSO should use the electronic system developed by the European Commission for information exchange known as the Information and Communication System for Market Surveillance or 'ICSMS'<sup>18</sup>.

The Department is committed to continuing to support the NBCMSO and the MSAs with the implementation of the National Market Surveillance Strategy and the implementation of adequate controls on a risk-assessment basis to contribute to a safer market place which ensures a high level of protection of public interests.

# **ENQUIRIES**

Further enquires about this circular should be addressed to Maeve O'Brien (Tel: 01 888 2666) or to <a href="mailto:buildingstandards@housing.gov.ie">buildingstandards@housing.gov.ie</a>

Yours sincerely,

Sarah Neary

Principal Adviser

**Building Standards Advisory Unit** 

<sup>18</sup> https://webgate.ec.europa.eu/icsms/



### Appendix 1

## Role of local authority MSAs for construction products under the CPR

Local authority – MSA roles includes:

- Ensure that adequate resources are made available for market surveillance activities
- Ensure the appointment of competent Authorised Officers by the relevant body and that staff appointed as Authorised Officers:
  - i. are appropriately experienced and trained to undertake inspections and investigations, and have received suitable legal training, as they may be required to testify in court in circumstances where legal proceedings are taken against an economic operator.
  - ii. adhere to the Guidelines for Market Surveillance Authorities published by the County and City Management Association<sup>19</sup> to assist MSAs in carrying out their functions under CPR.
  - iii. adhere to the Good Practice for Market Surveillance Authorities published by the European Commission (January 2017)<sup>20</sup> in so far as it is relevant to the CPR.
  - iv. adhere to relevant Circular Letters issued by the Department of Housing, Local Government and Heritage.
- Carry out market surveillance activity e.g. inspection, testing, enforcement and use the Information and Communication System on Market Surveillance (ICSMS) to record inspections and exchange of information among MSAs.<sup>21</sup>
- Engage, liaise and co-operate with NBCMSO in respect of contact details of authorised officers, training, market surveillance activity, implementation of the National Market Surveillance Strategy, campaigns, work programme, audits, to determine appropriate action on enforcement matters etc.

<sup>&</sup>lt;sup>19</sup> Under review by NBCMSO

<sup>&</sup>lt;sup>20</sup> Developed by market surveillance experts who are members or Chairpersons of various Administrative Cooperation (AdCo) groups - reflects good practice in the field of market surveillance and aims to contribute to a better understanding and consistent application of EU rules on market surveillance of non-food products across different sectors.

<sup>&</sup>lt;sup>21</sup> https://webgate.ec.europa.eu/icsms/



- Raise awareness of and provide information on the CPR e.g. material on website.
- $\circ\quad$  Incorporate market surveillance function into corporate plans.



### Appendix 2

# Role of National Building Control and Market Surveillance Office (NBCMSO) in relation to market surveillance of construction products under the CPR<sup>22</sup>

#### Main role of the office includes:

- Ensure that adequate resources are made available for market surveillance activities.
- Ensure the appointment of competent authorised officers by Dublin City
  Council and that staff appointed as authorised officers:
  - i. are appropriately experienced and trained to undertake inspections and investigations, and have received suitable legal training, as they may be required to testify in court in circumstances where legal proceedings are taken against an economic operator.
  - ii. adhere to the Guidelines for Market Surveillance Authorities published by the County and City Management Association to assist MSAs in carrying out their functions under the CPR.<sup>23</sup>
  - iii. adhere to the Good Practice for Market Surveillance Authorities published by the European Commission (January 2017)<sup>24</sup> in so far as it is relevant to the CPR.
  - iv. adhere to relevant Circular Letters issued by the Department of Housing, Local Government and Heritage.

<sup>&</sup>lt;sup>22</sup> The "Business Case for the Restructuring of Market Surveillance of Construction Products" was approved at LGMA Board Meeting of the 26th of November 2020.

<sup>&</sup>lt;sup>23</sup> Under review by NBCMSO.

<sup>&</sup>lt;sup>24</sup> Developed by market surveillance experts who are members or Chairpersons of various Administrative Cooperation (AdCo) groups - reflects good practice in the field of market surveillance and aims to contribute to a better understanding and consistent application of EU rules on market surveillance of non-food products across different sectors.



- Leading, rolling out & co-ordinating the National Market Surveillance Strategy in conjunction with local authority MSAs, National Competent Authorities and other technical expertise<sup>25</sup>, when necessary.
- Investigate cases and follow up, as appropriate, with economic operators to ensure that any legislative non-compliances are identified and noncompliant economic operators are appropriately dealt with (up to and including enforcement action);
- Liaising with and supporting local authority MSAs and carrying out active inspections, product testing, enforcement etc.
- Leading specific market surveillance campaigns.
- Using the Information and Communication System on Market Surveillance (ICSMS) to record inspections and exchange of information among market surveillance authorities.
- Responding in a timely and appropriate manner to notifications received from Revenue regarding consignments of construction products passing through Customs.
- Responding in a timely and appropriate manner to information or market surveillance alerts (RAPEX Notifications) to/from other Member States.
- Develop, maintain and implement efficient and effective business processes and procedures for market surveillance activities undertaken including planning, desk-based research, fieldwork and reporting for example updating the Guidelines for Market Surveillance Authorities
- Training of local authority MSAs Market Surveillance Authority Guidelines,
  Information and Communication System on Market Surveillance (ICSMS),
  regional upskilling of authorised officers in Local Authorities.
- o Raising awareness and provide information on the CPR and MSR.
- Liaising with the Department of Housing, Local Government and Heritage,
  EU Market Surveillance Authorities, Revenue Commissioners, Customs
  Authorities and other national authorities as required.

<sup>&</sup>lt;sup>25</sup> Includes: Geological Survey Ireland, Transport Infrastructure Ireland, Department of Transport, Department of Housing, Local Government and Heritage, local authorities and other independent experts.



- Representing the national position at EU and domestic meetings e.g.
  Administrative Co-operation Group for the market surveillance for construction products, market surveillance forum/single liaison office.
- Regular reporting and co-ordination of national market surveillance activity and statistics.

In their capacity as a competent national authority under the Construction Products Regulation, the NBCMSO can exercise the right to request information from economic operators, for example, verifying the performance of construction products installed in a building, in the context of checking if the building under construction complies with the Building Regulations.



### Appendix 3

# Co-ordination & co-operation of market surveillance nationally and at European level

## Single Liaison Office (SLO)

The Department of Enterprise, Trade and Employment is the Single Liaison Office under Article 10 of MSR. As part of this role it coordinates and produces the National Market Surveillance Strategy in line with Article 13 of Regulation (EU) 2019/1020 which requires Member States to draw up an overarching national market surveillance strategy, at least every four years. In relation to construction products under the CPR, the current strategy focuses on the extractive industries sector and commits to performing risk assessments of selected quarrying and pit operations, follow-up inspections, sampling and testing as appropriate to ensure compliance with the CPR.

## Market Surveillance Forum (MSF)

The Department of Enterprise, Trade and Employment established the national Market Surveillance Forum (MSF). The MSF comprises representatives of Government Departments responsible for Union harmonisation legislation, MSAs, Revenue's Customs Service, and the Irish National Accreditation Board (INAB). The MSF brings a centralised focus to the issue of market surveillance in Ireland and is a significant and useful platform. It provides co-ordination of the individual separate sectors within one platform and allows for important debate and communication between authorities on common issues. The NBCMSO are the lead representative with respect to matters related to the market surveillance of construction products.

#### Administrative Cooperation Groups (AdCo)

European cooperation on market surveillance takes place through sectoral groups of market surveillance authorities, called Administrative Cooperation Groups (ADCOs).

## ADCOs have the following tasks:

- a) to facilitate the uniform application of Union harmonisation legislation within their area of competence with a view to increasing the efficiency of market surveillance throughout the internal market;
- b) to promote communication between market surveillance authorities and the Network and develop mutual confidence between market surveillance authorities:



- c) to establish and coordinate common projects, such as cross-border joint market surveillance activities;
- d) to develop common practices and methodologies for effective market surveillance;
- e) to inform each other of national market surveillance methods and activities and to develop and promote best practices;
- to identify issues of shared interest relating to market surveillance and suggest common approaches to be adopted;
- g) to facilitate sector-specific evaluations of products, including risk assessments, test methods and results, recent scientific developments

The NBCMSO represent Ireland on the ADCO-CPR.

## **EU Product Compliance Network (EUPCN)**

The MSR provides for the establishment of an EU Product Compliance Network (EUPCN). The EUPCN develops cooperation between the surveillance authorities and the Commission and organises a range of activities to improve market surveillance across the EU. The network is composed of representatives from each EU country, including a representative of each single liaison office and an optional national expert, the chairs of the ADCOs and representatives from the European Commission.

The Department of Enterprise Trade and Employment represent Ireland on the EUPCN.

# **Product Contact Point for Construction (PCP Construction)**

In accordance with the CPR and MSR, Member States should establish Product Contact Points to provide information and guidance on the national rules and regulations applicable.

The Department of Housing, Local Government and Heritage hosts Ireland's Product Contact Point for Construction<sup>26</sup>. This provides economic operators, at their request and free of charge, information on national implementation of the CPR in Ireland and the national rules and regulations applicable to the incorporation, assembly or installation of products in construction works.

<sup>&</sup>lt;sup>26</sup> https://www.gov.ie/en/publication/0fd41-product-contact-point-for-construction/