

CE Marking of Fabricated items

Purpose of this document

This document has been produced to provide guidance for duty holders within the Access, Safety and related Compliance industries to assist them and to ensure they are meeting their legal obligations, specifically;

- To establish why fabricated accessories to buildings require CE marking?
- To establish who is responsible to ensure products are CE compliant.
- To identify the legislation behind the requirement for CE marking.



1.0 Why Fabricated accessories to buildings require CE marking?

From the 1st July 2013 it became a legal requirement that any construction product which is covered under a harmonised standard i.e. BS / EN / ISO is CE marked.¹

2.0 What this means for Duty Holders.

The Duty Holder has a responsibility to ensure, that any product used, which is covered by a British Standard is required to be CE marked and have a consistent Declaration of Performance (DoP)¹

2.1 What this means for the Access & Safety Industry.

The vast majority of products which the Access & Safety Industry specify, design, manufacture & install are covered by British / European Standards (Harmonised standards), for instance;

- BS 4211:2005 Specification for permanently fixed ladders (+A1:2008)
- BS EN ISO 14122-4:2016 Safety of machinery. Permanent means of access to machinery – Fixed ladders
- BS EN 516:2006 Prefabricated accessories for roofing – Installations for roof access – Walkways, treads and steps
- EN 795:2012 Personal fall protection equipment. Anchor devices
- BS 8610:2017 Personal fall protection equipment. Anchor systems. Specification

This means that it is a legal requirement to ensure that any product covered under these standards is CE marked.



3.0 What legislation reinforces this?

The UK construction industry is directed by Government passed legislation.

The Construction Products regulations (CPR) is one such directive.

“The Construction Products Regulation aims to ensure the reliability of information on the performance of construction products, information which is of interest to designers, constructors, public authorities and consumers. This is achieved through harmonised European product standards...”¹

The Construction Products regulations include requirements for construction product to have CE marking and to be accompanied by a declaration of performance (DoP) and other information if it is to be placed on the market in the European Economic Area and it is covered by a harmonised standard.

3.1 What is a harmonised Product standard?

We are all familiar with the abbreviation BS. The double pre-fix “BS EN ISO” means this is the UK version in English of a European / International harmonised standard.

Harmonised standards provide a technical basis to assess the performance of construction products. They enable manufacturers to draw up the Declaration of Performance as defined in the Construction Products Regulation and affix the CE marking.

3.2 Does CE marking still apply since Brexit?

Yes. The government made legislation in March 2019 which came into effect on 1 January 2021 to make arrangements for the regulation of construction products after EU Exit. Since then, we have made further changes to take into account the effect of the Withdrawal Agreement and Northern Ireland Protocol. Those changes also came into effect on 1 January 2021.

All existing harmonised European standards became UK ‘designated standards’. This means that immediately after the end of the transition period, harmonised European standards and UK designated standards will be identical.

The government has published, and will maintain, a list of these designated standards on GOV.UK.

Under the terms of the Withdrawal Agreement, goods lawfully marked with the CE mark and placed on the EU market before the end of the transition period can continue to circulate until they reach their end user, whether they are in the UK or the EU.

This includes requirements that they:

- are covered by a harmonised European standard, which is the same as a UK designated standard (as noted above)
- are affixed with CE marking
- are accompanied by a manufacturer’s declaration of performance

It will be up to any economic operator, relying on this provision, to prove that the goods were placed on the market before the end of the transition period.

The UK has powers to carry out market surveillance and enforcement (Trading Standards in GB and Environmental Health Officers in NI) to ensure that non-compliant products can be removed from the UK market. The government is developing UK databases to support this work.

Source; <https://www.gov.uk/guidance/using-the-ukca-marking>

EU Construction Products Regulation and CE marking, including UK product contact point for construction products

How to place CE marking on your product, how to identify UK requirements relating to construction products, and how to apply to be a UK Notified Body or Technical Assessment Body.

The EU Construction Products Regulation 305/2011 (PDF 1MB) ('the CPR') seeks to remove technical barriers to the trade of construction products in the European single market. It places obligations on manufacturers, distributors and importers of construction products when these products are placed on the market.

The CPR aims to ensure the reliability of information on the performance of construction products, information which is of interest to designers, constructors, public authorities and consumers. This is achieved through harmonised European product standards and European Technical Assessments using a common technical language and uniform assessment methods.

This page is the UK's 'Product Contact Point for Construction' required by the CPR. It outlines the requirements of the CPR, and how these apply when construction products are placed on the market in the UK.

Industry trade associations including the Construction Products Association have produced a variety of guidance on the CPR.

EU Construction Products Regulation

The CPR includes requirements for construction product to have CE marking and to be accompanied by a declaration of performance (DoP) and other information if it is to be placed on the market in the European Economic Area and it is covered by

- a harmonised European product standard
- or
- a European Technical Assessment (These are used by manufacturers of products which are not covered by a harmonised European standard but who still wish their products to be CE marked.)

The European Commission provides the text of the Regulation, the Delegated Acts including those which amended its Annexes, information including FAQs, and a list of the harmonised European product standards on the European Commission's Europa website.

A construction product cannot be CE marked under the EU-CPR unless it is covered by a harmonised European standard (hEN) or, otherwise, the manufacturer has had a European Technical Assessment drawn up for it.

The manufacturer of a product that is not covered or not fully covered by a harmonised European product standard (some innovative products, for example) can apply for a European Technical Assessment as a route to CE marking. European Technical Assessments are based on European Assessment Documents (EAD). Both of these documents are prepared by Technical Assessment Bodies (TABs).

References

¹ - <https://www.gov.uk/guidance/eu-construction-products-regulation-and-ce-marking-including-uk-product-contact-point-for-construction-products>
<https://www.gov.uk/guidance/using-the-ukca-marking#:~:text=The%20circumstances%20in%20which%20you,same%20for%20the%20UKCA%20marking.>



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