

Legal Duties

If you are involved in the supply chain of *'placing of a construction product on the market'* you have the following legal duties depending on your role. The following lists the duties of the different persons who would be involved in the supply of a construction product. Additional guidance is also provided in the form of useful website links.

You should familiarise yourself with your legal duties and be able to demonstrate compliance should you be requested to by an officer from your local council.

Manufacturer / First Importer / Legal representative must:

- Ensure products are compliant with hEN's or EAD's (Voluntary) if applicable.
- Carry out an assessment of performance and verification of factory production control i.e. technical documentation to support declaration of performance (DOP) and CE mark (keep copy for 10 years).
- Draw up / attain a declaration of performance and obtain any certificates needed for the CE marking, apply the CE mark and forward the DOP with the product.
- Ensure that the construction products bear a type, batch or serial number or any other element allowing their identification.
- Ensure the company's name, registered trade name or registered trademark and the address of the manufacturer's/ importer's contact point is included on packaging or in a document accompanying it, and the product is accompanied by instructions and safety information.
- Follow up on any complaints, defective products and product recalls and, if necessary, keep a register.

As a **Supplier / Distributor / Installer**, you have an obligation to ensure the products you supply meet the above-mentioned regulation, you must

- Ensure that the products, where required, bears the CE marking and is accompanied by the correct documentation, instructions and safety information. These should be passed onto the customer. In order to do this you should make contact with your suppliers and request the Declaration of Performance for each of the construction products that you supply, and keep these on file.

- **Clients, specifiers, designers, architects and builders should** ensure that the products they use/specify performance for are suitable for the intended use i.e. compliance with Building Regulations (NI) 2012.
- When drawing up specification, refer to the harmonised technical specifications and specifically to requirements of individual characteristics when necessary and use CE marked products.
- When choosing the products most suitable for their intended use in construction works, review the manufacturer's declaration of performance.
- Check National Annexes or Standard Recommendations which give guidance on appropriate minimum performance levels for specific intended uses of the product.
- Ensure compliance with the Building Regulations (NI) 2012 which sets out requirements on the performance of building works.
- Keep abreast of the introduction of Harmonised standards/European assessment documents, and amendments to Building Regulations and their supporting documents, such as technical booklets, BS Code of Practices and other linked documentation.

Additional information is available from the links below:

http://ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/construction-products/index_en.htm

<http://ec.europa.eu/enterprise/sectors/construction/faq/indexen.htm>

http://ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/construction-products/index_en.htm