

Public consultation of the European Commission “Roadmap Review of the Construction Products Regulation (CPR)” 19 June 2017

Opinion of the Federal Chamber of German Architects and the Federal Chamber of German Engineers, July 2017

The Federal Chamber of German Architects (BAK) is the federal association of the 16 Chambers of Architects of the German Länder. It represents the interests of Germany’s architects, landscape architects, interior architects and urban planners in politics and society (133,000 members).

The Federal Chamber of German Engineers (BIngK) is the federal association of the 16 Chambers of Engineers of the German Länder. It represents the common interests of its member chambers at a German and European level and formulates the views of the profession, especially consulting engineers, vis-à-vis the general public.

The goal of a uniform European internal market for construction products is a desirable one. The EU Construction Products Regulation creates the legal framework required for this and reinforces a common language. However, the form of the Construction Products Regulation needs to be further developed and improved. This concerns, in particular, standardisation serving as the basis for the EU Construction Products Regulation as well as Article 6 of the EU Construction Products Regulation with the heading “Content of the declaration of performance” in conjunction with Annex I.

In order to achieve a European internal market for construction products, a complete, harmonised European construction products standard is required aimed at the safe usability of construction products and the basic requirements of buildings and structures in accordance with Annex I. This is currently not the case. There is a lack of performance characteristics in broad sections of the standard that need to be added and performance categories need to be defined for the essential performance characteristics which reflect the different protection requirements, climatic conditions and construction methods in the individual Member States. Although checking and guaranteeing these is the responsibility of those using the construction products, it is currently very difficult and causes considerable unnecessary expense, especially in the service sector – planners, construction and real estate business.

It is currently not possible, as a rule, to prove compliance with the basic requirements of buildings and structures with construction products bearing the CE marking. For example, not one of the harmonised European construction products standards contains performance characteristics relating to basic requirement 3 “Hygiene, health and protection of the environment”. Furthermore, essential performance characteristics for complying with the basic requirements of “Mechanical strength and stability” as well as “Fire protection” are lacking in a large number of European construction products standards.

The frost resistance of masonry products and smouldering performance of mineral fibre insulating materials are unregulated, for example. When using construction products bearing the CE marking, there must be a guarantee, in addition to the free movement of goods, that the life and health of users

and the environment are not endangered.

The following activities relating to the form of the Construction Products Regulation are particularly pressing:

- The mandates need to be updated and supplemented.
- It must be ensured that the appropriate testing standards and test criteria exist.
- The procedure must be structured in a transparent manner and the responsibilities clearly allocated in the process.
- Member States must have the possibility to introduce their technical classifications to enable interfaces to be established with national rules of application.

Proposal for further action:

The procedural processes associated with the Construction Products Regulation, especially with regard to the standardisation and definition of interfaces with national rules of application, need to be improved or completed. It must be ensured that all requirements/performance/test characteristics have been introduced by the Commission as harmonised hEN standards.

As long as this is not the case, national requirements of construction products should be possible – where special, national interests exist for the use of construction products. This would mean that national requirements and annexes have to be allowed for a certain period of time and a revision of the Construction Products Regulation could be refrained from.

If the European Commission were to decide on a revision of the Construction Products Regulation, the following would be helpful:

Under Article 6 “Content of the declaration of performance” and Annex III concerning the declaration of performance, the manufacturer of a construction product is only obliged to specify one single performance characteristic in the declaration of performance. This means that construction products bearing the CE marking do not guarantee compliance with the basic requirements of buildings and structures which, in the final analysis, prevents a uniform European internal market for construction products as the Member States are obliged under Article 8 to prevent the marketing and use of those construction products that can jeopardise the safety of buildings and structures.

A complete declaration of performance as well as an adjustment of Article 6 and Annex III with regard to the requirements listed in Annex I would be desirable.

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