

<p><b>GNB-CPR</b></p> <p><b>GNB-AG</b></p>	<p><b>Co-ordination of the Group of Notified Bodies for the Construction Products Regulation (EU) 305/2011</b></p>	<p><b>NB-CPR/20/838</b>  Issued: 21 February 2020</p> <p><b>Informative</b></p>
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## **Explanatory note regarding the draft agenda of the 47<sup>th</sup> GNB-AG meeting**

To facilitate discussions at the 47<sup>th</sup> GNB-AG meeting, this paper is intended to provide background information for the draft agenda.

The numbering of the items in the document follows the numbering on the draft agenda.

This paper is not intended to obtain any particular status.

In this revised document, new items are highlighted using “track changes”.

### **6A Effects on NB work - New Market Surveillance Regulation, Regulation (EU) 1020/2019**

On 20 July 2019, regulation No (EU) 1020/2019, on market surveillance was published amending several existing pieces of European legislation, including the CPR.

In the meeting, oral reporting is expected regarding the effects, if any, of that regulation on the work of notified bodies for the CPR.

### **6B Competence of notified bodies – Status of initiative**

Oral reporting is expected about the status of the ongoing work.

### **6C Notified Bodies not represented in the GNB Advisory Group**

Oral reporting is foreseen regarding developments since the 46<sup>th</sup> meeting.

The document NB-CPR 20/834 has been sent to the notifying authorities of Member States whose NBs were not represented at the 46<sup>th</sup> GNB-AG meeting.

### **6D Accreditation and notification issues**

Reporting and discussion are foreseen on the developments since 46<sup>th</sup> meeting,

Reporting and discussion is expected to cover:

- the exchange with European Accreditation regarding reissuance of test reports,
- input regarding the EA document No. 2/17 on accreditation as basis for notification.
- Observations discussed at 46<sup>th</sup> meeting regarding NANDO.

## 7 Development of AG guidance and agreed viewpoint

Under this item, a number of documents are uploaded for discussion and comments.

Members are invited to send comments to TechSec before the meeting.

For the submission of comments, members are kindly asked to use the standard comment form NB-CPR/ALL/15-137 (see link: [NB-CPR ALL 15-137 Template for comments regarding GNB-CPR documents uploaded for comments.docx](#)). The standard comment form is found in the "Templates and Forms" folder in the library of GNB-CPR on CIRCABC.

GNB-AG Members are kindly asked to submit comments on behalf of the notified bodies in their member states. Comments should be submitted preferably 2 weeks before the meeting, i.e. 17 March 2020, and in no circumstances later than 1 week before the meeting, i.e. 24 March 2020.

**Only members of the GNB-AG** are supposed to send comments to TechSec.

Notified bodies wishing to give comments on the documents uploaded are kindly requested to address their comments to their national representative in GNB-AG. Comments submitted by individual NBs may not be taken into account.

### 7A Draft revised terms of reference for the GNB Advisory Group (NB-CPR IR/2) NB-CPR 20/835

A minor revision of the terms of reference for the GNB Advisory Group is proposed. The proposed revision comprises 3 matters:

- 1) In section 4.1, an additional pin should be added to the role of the president.
  - o "- represent the Group of Notified Bodies for the CPR in communications with other stakeholders (e.g. Commission Services, notifying authorities, EA, EOTA, CEN)".

The reason for the proposal is that it has been identified that the current edition of the internal rules do not foresee the President to issue written communications to other stakeholders.

At the 46<sup>th</sup> meeting it was decided that the President should send letters to as well European Accreditation as to the notifying authorities of Member States whose notified bodies have not been represented in the GNB-AG.

Hence, the proposal is intended to consolidate the current practice.

- 2) For the purpose of enhanced efficiency of GNB-AG meetings, the following modifications are proposed to section 7.2, document procedures for GNB-CPR Advisory Group meetings
  - o Proposals for the agenda to be submitted **8 weeks** in advance
  - o Draft agenda and documents subject to decision at the meeting to be available on CIRCABC **7 weeks** before the meeting
  - o Objections regarding documents subject to decision to be submitted **2 weeks** before the meeting.
  - o TechSec to report **1 week** before the meeting about comments/objections submitted
  - o Fundamental objections regarding documents subject to decisions cannot be raised orally in the meeting, unless the objections have been submitted in writing 2 weeks before the meeting.

The reason for the above proposals is to enhance the efficiency of the GNB-AG meetings and to avoid too lengthy discussions in the meetings. At the 46<sup>th</sup> GNB-AG meeting, many fundamental comments were raised in the meeting, and some members had to leave before the meeting ended

- 3) Two new sub-clauses are proposed to section 8.8 regarding the GNB-AG document approval process.

TechSec has received questions regarding the rules for the withdrawal of position papers. As no written rules have been defined so far, the below is proposed.

- A new clause 8.8.1 regarding the withdrawal of documents developed under the responsibility of the GNB Advisory Group
- A new clause 8.8.2 regarding the withdrawal of documents developed under the responsibility of sector groups.

The proposed new sub-clauses are intended to consolidate the practices applied up to now and provide clarity; not to introduce any particular changes.

## **7B Draft informative position paper: Assessment of performance in system 3**

### **NB-CPR 19/810r1**

On the basis of the discussions at the 46<sup>th</sup> meeting, a revised proposal has been worked out.

- An analysis carried out by TechSec concluding that in AVCP system 3, the role of the notified body would cover the assessment of performance in its entirety, including as well communicating to the manufacturer the result of the assessment as the underlying activities forming basis for the assessment of performance, i.e. the testing (based on sampling carried out by the manufacturer), calculation, tabulated values or descriptive documentation of the construction product. However, the responsibility of the notified body does not cover the *determination of product-type*, which is the responsibility of the manufacturer.
- Some notified bodies have indicated a wish to apply on a voluntary basis the template for the Assessment of Performance Report.
- CPE has indicated its support
- Input from Construction Products Europe has pointed out the need to avoid that the Assessment of Performance Report would be used as a sort of product certificate to accompany the product and account for all the declared performances of the products. Such documents would be considered contrary to the principles of CPR.

The main differences between the proposal discussed at the 46<sup>th</sup> meeting and the new proposal are:

- New introductory text including explaining the possibility of using a test or classification report to express the results of the assessment of performance.
- The document “downgraded” to informative make it voluntary to use the template
- Introduction of a disclaimer to avoid the use of Assessment of Performance Reports as a sort of product certificates.

## **7C Revised draft position paper: Transfer of certificates - NB-CPR 19/812.**

On the basis of the discussions at the 46<sup>th</sup> meeting, a revised proposal has been worked out.

The main differences between the first proposal and the current revised proposal are:

- Less emphasis to the underlying considerations, which appeared to be contentious.
- It goes more straight to the direct guidance for notified certification bodies requested to take over certificates, fully or partially on the basis of evidence provided by the issuing notified certification body.
- It gives more emphasis to the responsibility of the accepting notified certification body for the assessment of performance without implying that subcontracting agreements would be required to avoid repetition of the assessment of performance.

## **7D Draft position paper: Interlaboratory comparisons for notified bodies NB-CPR 20/836**

In several sector groups, different kinds of schemes for interlaboratory comparisons have been discussed and applied. However, the status of these schemes has not been clearly defined. Neither has it been clearly defined to what extent notified bodies would be expected to participate in such schemes or to whom information should be provided outcomes of the comparisons.

Previously, under the CPD, it was a widespread understanding that interlaboratory comparisons would be outside the scope of the GNB coordination.

Recently, a study has been presented to SG06, has indicated that notified laboratories may measure the thermal transmittance of roof windows quite differently. Hence the study indicates a need for interlaboratory comparisons.

The aim of the draft position paper is first and foremost to indicate that interlaboratory comparisons may fall within the scope of GNB coordination, and also to define some overall guidelines to observe. The draft position paper does not go into technical matter as such matters would be better dealt with by the sector groups.

## **7E GNB-CPR Guidance Base – New items**

A new version of the GuidanceBase – Proposed Items is expected to be available at the time of the meeting for subsequent commenting and approval.

## **8 Sector Group Matters**

Sector Group chairmen are invited to forward to TechSec requests for the attention of the GNB Advisory Group.

Sector Group 06 has requested the below matter on the agenda:

*EN 16034 (cl. 5.4.2) refers to undated EN 12605 for cycling tests. It means that the latest version of the standard must be used. EN 12605:2000 has been withdrawn and superseded by EN 12604:2017, that merged EN 12604 and 12605. The problem is that EN 12604:2017 doesn't describe the cycling test and only manual doors are covered by its scope.*

SG06 is requesting the GNB-AG to indicate its position regarding which supporting standard to apply.

## 9 National mirror Group matters

The national mirror groups are invited to forward to TechSec requests for the attention of the GNB Advisory Group.

Up to now, no request has been received.

## 10 Report on SCC, Commission and other matters

Item 10 is intended only for information and exchange of viewpoints. No decisions are expected.

The oral reporting is expected to cover the below matters:

- Reporting on SCC, CPR-AG etc.
  - A CPR-AG meeting was held on 12 November 2019.
  - Link to latest version of Roadmap for the implementation of the Construction Products Regulation:  
<https://ec.europa.eu/docsroom/documents/24901/attachments/1/translations/en/renditions/native>
- Expected citations of standards in OJEU
  - If available, information to be provided about the coming citations of harmonised standards and EADs in OJEU.
- Review of CPR
  - Information on the ongoing process is expected.