GNB-CPR GNB-AG	Co-ordination of the Group of Notified Bodies for the Construction Products Regulation (EU) 305/2011	NB-CPR/19/815r1 Issued: 01 October 2019 **Informative**

Revised Explanatory note regarding the draft agenda of the 46th GNB-AG meeting

To facilitate discussions at the 46th 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 Competence of notified bodies – Status of initiative

Previously, the information has been provided that the Commission is very supportive. At the meeting, oral information is expected about possibilities for funding.

6B Report from Task Group on rebranding of construction products

Oral reporting is expected about the status of the ongoing work.
A draft position paper is tabled at the meeting – see item 7E – Document No. NB-CPR 19/813.

6C Notified Bodies not represented in the GNB Advisory Group

Over the last years, it has been noticed that the notified bodies of a number of countries have not been represented in the GNB Advisory Group.

It has been suggested to address the notifying authorities of the countries concerned.

6D Effects of delegated acts establishing classes of performance of products covered by existing harmonised standards and ETAs

Over the last years, a number of delegated acts have been adopted by the Commission establishing classes of performance.

As of the entrance into force of such delegated acts, typically 20 days after their publication, the classes defined by them shall apply to all products being placed on the market.

If the classes defined by a new delegated act differ from the classes already defined by existing harmonised standards or EADs, the delegated act shall prevail. This means that the assessment of performance of must be redone in order to have the performance expressed by means of the classes defined by the new delegated act.
This would of course not necessitate any repetition of the testing or the calculation forming basis for the assessment of performance; only the results would need translation into the new classification.

A discussion is expected on how to ensure the awareness of notified bodies that they have to use the classes established by delegated acts and that the delegated acts prevail over the harmonised standards.

6E Accreditation and notification issues - NB-CPR 19/816 and 19/817

Accreditation

European Accreditation is working to revise the document EA-2/17 - EA Document on Accreditation for Notification Purposes.

GNB-CPR has informed EA that comments on the draft will be forwarded after the GNB-AG meeting.

The draft revised EA document has been uploaded under the number NB-CPR 19/817.

On the basis of previous discussions in the GNB-AG on the document EA-2/17, TechSec has drawn up a proposal for comments to be forwarded to EA – see document NB-CPR 19/816.

Members are invited to consider the proposal and suggest improvements.

Notification

TechSec has been made aware of a number of peculiarities in the NANDO database.

1) In some cases, notified bodies seem to be listed as designated under CPR Article 46 for harmonised standards in AVCP 2+; this is for instance the case for EN 1090-1 (see LINK)

2) For some harmonised standards in AVCP 4, NANDO seem to list notified bodies. See for instance EN 681-1 (LINK) and EN 1340 (LINK)

3) In NANDO, some previous versions of harmonised standards are still listed as harmonised standards even though their OJEU references have been replaced by references to more recent versions. This is for instance the case for EN 12101-3:2002/AC:2005, which since 08. April 2017 has not been has been replaced by EN 12101-3:2015.

4) For some harmonised standards, it seems the TABs are indicated as notified bodies. This is for instance the case for EN 14647:2005 (see LINK) and EN 14351-1:2006+A2:2016 (See LINK).

5) For some harmonised standards consisting of an original "core standard" and a subsequent amendment, NANDO the lists of notified bodies seem not to be identical. This is for instance the case for EN 771-1:2011 (see LINK) and EN 771-1:2011+A1;2015 (see LINK). Some notified bodies seem to be indicated as notified bodies only for EN 771-1:2011, which cannot be used without A1:2015.

Members are invited to collect and forward other examples to be handed over to the Commission and the notifying authorities of the Member States.

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. 08 October 2019, and in no circumstances later than 1 week before the meeting, i.e. 15 October 2019.

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 Coverage of harmonised standards NB-CPR 19/793r1

On the basis of the discussions at the 45th GNB-AG meeting, a revised draft position paper has been worked out. The revised draft has been worked out using input from the French and Slovenian representatives.

7B Use of historical assessment data NB-CPR 19/792r1

On the basis of the discussions at the 45th GNB-AG meeting, a revised draft position paper has been worked out. The revised draft has been worked out using input from the French and Slovenian representatives.

7C Revised positions paper (informative) on the conversion of ETAGs into EADs NB-CPR 16/695r5.

As agreed at the 45th GNB-AG meeting, the informative position paper on the conversion of ETAGs into EADs has been updated. The revised draft takes into account that all ETApprovals have expired, that since 01 July 2018 no new ETAs are supposed to be issued on the basis of ETAGs, and that notifying authorities cannot anymore encode notifications to ETAGs into the NANDO-Input system.

7D Transfer of certificates NB-CPR 19/812.

Over the years, the principles for the transfer of certificates has been subject to discussions. At the CPR Advisory Group meeting on 1st and 2nd of July, 2019, the Commission highlighted the independency requirements for notified bodies, particularly in relation to transfer of activities from notified bodies to their subsidiaries.

7E Guidance to notified certification bodies providing services in relation to rebranded construction products in AVCP systems 1+, 1, and 2+ NB-CPR 19/813

The task group on rebranding of construction product has been active for several years developing consensus regarding the work of notified bodes serving rebranding manufacturers.

At the 45th GNB-AG meeting, it was decided that TechSec should draw up a draft position paper in dialogue with the task group and taking into account the viewpoints of the task group members.

The document NB-CPR 19/813 has been drawn up in accordance with that decision.

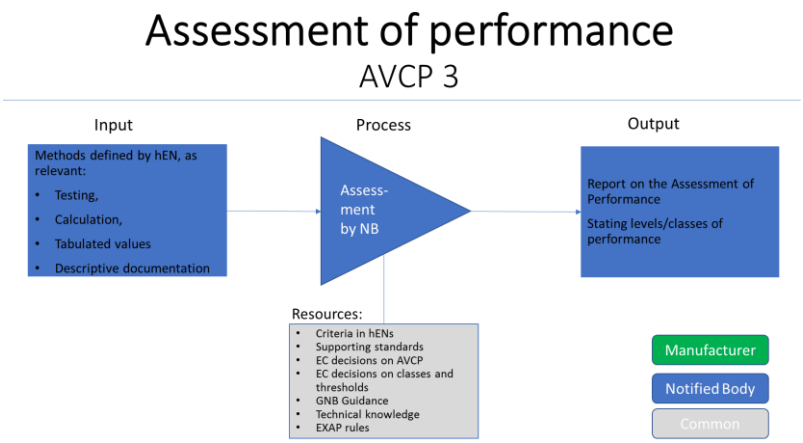
7F Issuance of Assessments of Performance Reports in AVCP system 3, and proposal for revised guidance on assessment of Performance NB-CPR 19/810 and NB-CPR 19/814

At the 45th GNB-AG meeting, in connection with the discussions on "reissuance of test reports" it was discussed that a common format for reporting the assessment of performance in AVCP system 3 might be helpful.

It was agreed that TechSec should make a proposal for a template for the reporting of the assessment of performance.

In pursuance of that decision, TechSec has drawn up a proposal based on the same principle as the exiting guidance on the issuance of certificates. See document NB-CPR 19/813.

The proposal is based on a clear distinction between the *assessment of performance* and the testing, calculation etc. on which the assessment is based, which is illustrated by the below figure:



However, as the current guidance (found in the document NB-CPR 17/722 section 7) does not distinguish as clearly between the assessment of performance and the basis for it, and as the current guidance does not facilitate the common Assessment of Performance Report, the introduction of a common format would require changes to the current guidance.

As it is recognised that the proposed changes might involve substantial changes to the current practises of notified laboratories it is consider necessary to have an open process for the decision leaving the notified laboratories time to familiarise themselves with the new guidance and to implement the Assessment of Performance Report.
Therefore, the two documents are presented for discussion at the 46th GNB-AG meeting; not for approval.

It is expected that input from the national mirror groups will serve as input for revised drafts to be tabled for approval at the 47th GNB-AG meeting, which is scheduled on 31 March 2020.

7G Minor revision to the general guidance on AVCP - NB-CPR 17/722r7

At the 45th GNB-AG meeting, it was agreed to state in NB-CPR 17/722 that *multisite sampling* shall be applied only if catered for by an approved SG position paper. This has been added to section 11.4.

In a sector group, the question was raised about at which location(s) continuing surveillance should take place in systems 1+, 1 and 2+.
TechSec suggests to make section 11.2 more precise by stating that the continuing surveillance visits have to take place *"at the locations where significant manufacturing processes physically take place"*.

7H GNB-CPR Guidance Base – New items

A new version of the GuidanceBase – Proposed Items are 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

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, only one request has been received. More are expected.

On behalf of the French notified bodies, a request has been forwarded regarding the activities of NBs in abroad regions(countries) which are classified as "at risk" from a geopolitical point of view (e.g. Libya, Syria, Iraq …). NBs are responsible for their auditors, their safety.

The French diplomacy is delivering recommendations depending on the regions, based on their own classification system from green (low risk), yellow, orange and red (high risk, strongly advised against access except for high "strategic or politic" reason/goal).

See website: https://www.diplomatie.gouv.fr/fr/conseils-aux-voyageurs/

It would be interesting to know if there is any similar approach or system at EU level, or to get the point of view of the EC on that issue."

Would be nice to get info from the EC but also manage a tour de table investigating the "rules/practices" in the different countries.

On behalf of the UK notified bodies, the below question has been forwarded:

> *When a notified testing laboratory is de-designated, do the type test reports issued to a manufacturer under AVCP system 3 remain valid evidence for the manufacturer to use in support of their affixing of the CE mark or will it be necessary for the manufacturer to retest the product using suitably designated notified test laboratory?*

De-designation might occur as a result of the notified test laboratory ceasing to trade, loose of their accreditation or simply decides not to supply a testing service.

Members are invited to express their views. However, TechSec would consider that GNB-CPR would not be in a position to provide an authoritative answer to the question.

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 in OJEU.
- Review of CPR
  - Information on the ongoing process is expected.