

IMCO DRAFT REPORT ON REVISED CPR: A GOOD FIRST STEP IN THE RIGHT DIRECTION

JOINT STATEMENT ON THE DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION (10 NOVEMBER 2022) ON THE EUROPEAN COMMISSION'S PROPOSAL FOR A REVISED CONSTRUCTION PRODUCTS REGULATION (CPR)

Brussels, 29 November 2022 – Following today's consideration of the draft report in the European Parliament committee responsible for the proposal for a revised Construction Products Regulation (CPR), and ahead of the future discussions in the EU institutions on the proposal, the European Construction Industry Federation (FIEC), Construction Products Europe, the European Builders Confederation (EBC) and Small Business Standards (SBS) are publishing a joint statement in support of the general direction of the report.

Today, the draft report on the proposal for a revised CPR of rapporteur Christian Doleschal (EPP/Germany) - which was published on 15 November - was discussed in the European Parliament's *Committee on the Internal Market and Consumer Protection* (IMCO). The proposal for a Regulation laying down harmonised conditions for the marketing of construction products, amending Regulation (EU) 2019/1020 and repealing the existing Construction Products Regulation (EU) 305/2011, was unveiled by the European Commission earlier this year. It aims to address the main shortcomings of Regulation 305/2011 (underperformance of the standardisation process, general complexity of the legal framework, inability of the CPR to deliver on the green and digital transitions, etc.).

While the industry had welcomed the intention of the Commission to improve the overall functioning of the Single Market for construction products in the weeks following the proposal's publication, **FIEC, Construction Products Europe, EBC and SBS had immediately expressed concerns as to whether the proposal sufficiently addresses the abovementioned problems**, its ability to create a user-friendly framework for all actors of the construction value chain, and its ability to enable the sector to live up to its key role in contributing to the completion of the EU's transition objectives.

Following a first analysis of the rapporteur's report, **FIEC, Construction Products Europe, EBC and SBS welcome the fact that it contains various encouraging elements and thus could lead the way towards a realistic EU framework for construction products**. The four organisations particularly welcome the rapporteur's apparent prime objective to:

- Reduce the proposal's overall complexity by reducing bureaucratic burden for economic actors throughout the value chain and by deleting provisions that represent a risk of regulatory overreach;
- Clarify that the revised CPR should continue to apply to the sale and marketing of construction products that are placed on the market but not to works contracts and services;

- Clarify the relationship of the CPR to national building regulations and to Member States' competence to regulate public procurement, and specify that Member States remain responsible for the safety of construction works while the CPR only deals with matters relating to products;
- Streamline the standardisation procedure by introducing clear response deadlines, measures to improve the information flow between the Commission and the European Committee for Standardisation (CEN), and binding criteria for the quality of standards, and ensure that EADs/ETAs have the same legal status as harmonised standards;
- Clarify the meaning and value of the CE-marking as sufficient proof of the performance and conformity of a product with the characteristics and requirements of the CPR;
- Limit the delegated powers conferred on the Commission, and only foresee the possibility to supplement the CPR by means of delegated acts where this is absolutely necessary;
- Create legal and planning security for the transition period, by (a) introducing a shorter period whereby Regulation 305/2011 is repealed and (b) by introducing an appropriate mechanism that would allow managing the transition transparently and effectively and in which Member States and the industry would be closely involved;
- Create better conditions for the promotion of digital solutions in the sector by clearly stating that all product documentation should be provided via electronic means and in machine-readable formats.

FIEC, Construction Products Europe, EBC and SBS now hope that the IMCO report can provide key impetus for the discussions on the CPR not only in the European Parliament, but also in the Council under the current Czech Presidency and the upcoming Swedish Presidency. They stress that, at a time of already great uncertainty in the sector, it is of vital importance that the future CPR framework is enforceable by all actors of the value chain.

Commenting on the rapporteur's report, Domenico Campogrande, Director-General of FIEC, says:

"From the point of view of contractors, the European Parliament's draft report clearly is a step in the right direction. Including contractors into the scope of application of the new CPR and subjecting them to the same obligations as product manufacturers would have a considerable negative impact on the day-to-day business of construction companies, especially smaller ones".

Christophe Sykes, Director-General of Construction Products Europe, says:

"Construction Products Europe welcomes the simplification and clarification offered by the IMCO draft report. The EU Single Market is and will always be at the core of our industry. We have always advocated for a reinforced CE marking of construction products, including circularity principles and environmental sustainability objectives, with standardisation at the core of our legal framework".

Fernando Sigchos Jiménez, Secretary General of the European Builders Confederation, says:

"SMEs need a clear and stable legislative framework that creates certainty in the market. EBC supports the rapporteur's aim to simplify the regulation, making it easier to implement for the industry and reducing the bureaucratic burden, but more work is still needed to make this

important piece of legislation even more SME-friendly, given the importance of microenterprises and small companies in the construction sector”.

Maitane Olabarria Uzquiano, Secretary General of Small Business Standards, concludes by saying:

“The discussion in the European Parliament is off to a positive start towards an efficient and streamlined standardisation system. SMEs and microenterprises welcome the development of guidelines to secure a stable, inclusive, and transparent standardisation process and SBS is committed to examining proposals that apply to SMEs’ interests”.

About the organisations

Founded in 1905, the **European Construction Industry Federation (FIEC)** represents via its 32 national member federations in 27 countries (24 EU & Norway, Switzerland and Ukraine) construction enterprises of all sizes, i.e., small and medium-sized enterprises (SMEs) as well as “global players”, carrying out all forms of building and civil engineering activities. – www.fiec.eu

Founded in 1988, **Construction Products Europe** is a Brussels-based international non-profit-making association. The association is made up of national and European associations that represent SMEs and world-leading companies. Construction Products Europe aims to promote the European construction industry, to share information on EU legislation and standardisation and to provide input in all European construction-related initiatives. – www.construction-products.eu

Founded in 1990, the **European Builders Confederation (EBC)** is the European umbrella organisation representing national associations of crafts, micro, and small and medium-sized enterprises working in the construction sector. EBC is a member of SMEunited (the European association of microenterprises and SMEs). – www.ebc-construction.eu

Founded in 2013, **Small Business Standards (SBS)** is the European association that represents and defends SMEs’ interests in the standardisation process at European and international levels. SBS is co-financed by the European Union and EFTA. – www.sbs-sme.eu