



7<sup>th</sup> July 2016

## Construction Products Regulation (CPR)

### ***British Cables Association public announcement***

The practical implications of bringing cables within the Construction Products Regulation (EU 305/2011), came into effect on 10<sup>th</sup> June 2016. This date, known as the Date of Applicability (DoA), was confirmed via listing in the OJEU (ref 2016/C 209/03)<sup>a)</sup>.

From this date, manufacturers of cables with requirements for **Reaction to Fire**, meaning flame spread/propagation, heat release, evolution of smoke and acidic/corrosive gases, and restriction on flaming droplets, **may** make a Declaration of Performance (DoP) for their product against the harmonised European Standard (hEN 50575) and apply CE marking under the CPR.

NOTE: There is a second category of requirements for cables under CPR, namely **Resistance to Fire**, meaning retention of functionality during a fire. The necessary work to admit such cables has yet to be completed.

Under CPR, the manufacturer is the person who places the product on the market in the EU. It may be the actual manufacturer, an importer or a distributor placing the product on the market under his own name but in all cases the responsibilities in respect of DoP and CE marking apply.

The recent listing in OJEU gives a second date, namely 1<sup>st</sup> July 2017. This is the end of the so-called co-existence period. After this co-existence period the manufacturer, importer or distributor **must** make a DoP and apply CE marking.

The CPR lists “Power, control and communication cables” as those to which the regulation applies, and it defines a construction product as:

*“Any product or kit which is produced and placed on the market for incorporation in a permanent manner in construction works or parts thereof and the performance of which has an effect on the performance of the construction works with respect to the basic requirements for construction works”*

Whilst the definition embraces a wide variety of cables, it does not say specifically whether a particular cable type is included or excluded. From the time of the DoA manufacturers will begin to ensure that potentially relevant cables are put on the market with a Declaration of Performance. It will not, however, be their responsibility to decide if cables are to be installed in a permanent manner in the construction and therefore need to comply with the regulation.

It is important to be aware that for cables there are seven classes of reaction to fire, ranging from A<sub>ca</sub> down to F<sub>ca</sub>. These are detailed in the recently updated listing in the OJEU of the Delegated Regulation (EU) 2016/364 (ref L68/4 of 15 March 2016)<sup>b)</sup>. The use and designation of a particular class of cable within a construction works is the responsibility of the Member State.

The UK government has not issued any such requirements, for instance via Building Regulations, and has said that it does not intend to do so. Therefore, for UK usage, the selection of the particular class for a given installation will derive from the commissioning authority, for instance local council or hospital trust, or the building designer. Here an installer or contractor retains a general obligation to purchase and use construction products that are 'fit for purpose' under whatever regulatory system is allowed. In time BS 7671 (the Wiring Regulations), which is a de facto regulation for low voltage installation, will be updated to give guidance in this respect.

As a note of caution, all parties should be aware that it may not be until some weeks after 10<sup>th</sup> June 2016 that a manufacturer is able to offer cable with the relevant DoP. Due caution should be exercised in this early period.

Any queries as to the suitability of particular cables to satisfy requirements under CPR should be addressed to the manufacturer or the supplier. BCA will be pleased to assist with any general queries – please contact Peter Smeeth on 020 8946 6978/07973 636688 or email [peter.smeeth@btconnect.com](mailto:peter.smeeth@btconnect.com). Further information about the BCA is available at - <http://bcauk.org/>

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- a) [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0610\(04\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0610(04)&from=EN)
- b) <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0364&from=EN>

**Disclaimer:** All the above information reflects our understanding of the current position and is, to the best of our knowledge and belief, correct and reliable. The Construction Products Regulation (CPR) is the ultimate source of the requirements, and though other documents will offer additional information and interpretations the Regulation itself must be followed. CPR for cables is new and understandings may change as the requirement/documents change. In case of doubt consult the Regulations and seek their own advice regarding the interpretation of these Regulations.