

GNB-CPR AG	Co-ordination of the Group of Notified Bodies for the Construction Products Regulation (EU) No. 305/2011	NB-CPR/15/660r6 04 July 2017 Revised Guidance
-----------------------------	---	---

REVISED POSITION PAPER: Application of guidance from GNB-CPR

1 SCOPE

The Construction Products Regulation (CPR) has defined requirements for notified bodies regarding the application of guidance from the group of notified bodies.

This paper aims at providing clarity regarding the application of guidance from GNB-CPR, the various types of documents, their scopes and status.

2 LEGAL BASIS

CPR Article 43(11):

A notified body shall participate in, or ensure that its assessment personnel is informed of, the relevant standardisation activities and the activities of the notified body coordination group established under this Regulation and shall apply as general guidance the administrative decisions and documents produced as a work result of that group.

CPR Article 55:

The Commission shall ensure that appropriate coordination and cooperation between bodies notified pursuant to Article 39 are put into place and properly operated in the form of a group of notified bodies.

Member States shall ensure that the bodies notified by them participate in the work of that group, directly or by means of designated representatives, or shall ensure that the representatives of notified bodies are informed thereof.

GNB-CPR is “the notified body coordination group” referred to in CPR Article 43(11). Its organisation and procedures are found in the Internal Rules of GNB-CPR.

3 TYPES AND SCOPE OF GUIDANCE

3.1 Types of guidance

The administrative decisions and documents to apply as general guidance, generally referred to as “Guidance”, are:

- Administrative decisions (taken by GNB-CPR Advisory Group) primarily related to, but not limited to, NB procedures.

- Position papers:
 - o Horizontal position papers (GNB-CPR Advisory Group position papers);
 - o Vertical position papers (Sector Group position papers) related to specific products or product families
 - o Specific horizontal position papers (horizontal sector group position papers) related to specific technical issues.
- Questions and answers found in the GNB-CPR Guidance Base

NOTE: Consideration should also be given to “Historical Guidance” (see 3.4).

3.2 Scope of guidance

The purpose of GNB-CPR guidance is to help NBs work on common understanding basis and equivalent practices.

GNB-CPR Guidance may include:

- Direct guidance that notified bodies are supposed to follow
- Information considered useful for notified bodies. This may include but is not limited to issues for which notified bodies have no direct responsibilities but for which notified bodies are expected to have a common understanding.

3.3 General limitations

Guidance from GNB-CPR is only directed at notified bodies and cannot:

- contradict European legislation, namely CPR,
- contradict harmonised technical specifications unless the harmonised technical specification itself is considered contrary to applicable legal requirements or in case of generally recognised¹ errors in the harmonised technical specification,
- extend the scope of the work and role of notified bodies beyond the AVCP systems defined by CPR,
- define direct requirements on the manufacturers.

NOTE: In some cases, guidance may have derived impacts on manufacturers.

NOTE: If a notified body finds that any GNB guidance other than Historical Guidance is not respecting the above general limitations it should raise the matter with TechSec and/or its

¹ As “generally recognised errors” are considered errors recognised by the body responsible for drawing up the harmonised specification, i.e. the relevant CEN/TC or the relevant part of EOTA.

national representative(s) in the GNB Advisory Group and/or the relevant SG chairman and inform its notifying authority about how it will proceed.

3.4 Historical Guidance

Notified bodies are expected to consider and follow historical guidance when not in contradiction with CPR, the current harmonised specification and more recent guidance from GNB-CPR.

As historical guidance is considered:

- Guidance developed and approved within the CPD framework and which have not been withdrawn or updated.
- Guidance developed with reference to superseded harmonised technical specifications and not withdrawn or updated.
- Historical guidance are informative documents expressing the consensus of GNB on their subjects at the time the guidance was issued.

Normally, historical guidance will have the prefix “NB-CPD” in its document number.

4 IMPLEMENTATION

4.1 General

As of its date of issuance, approved guidance is applicable to all assessment and verification activities conducted by notified bodies.

Notified bodies shall implement guidance within a reasonable time avoiding unnecessary delays.

When immediate implementation of new or revised guidance is not possible, notified bodies shall define and document a plan for the implementation. On request, the plan shall be made available to the notifying authority.

4.2 Principle of proportionality

The principle of proportionality² shall apply to the application of guidance from GNB-CPR.

² See CPR Article 52(2)

4.3 New and changed guidance

Issuance of new or changed guidance does not invalidate assessments and verifications previously carried out and will normally not require notified bodies to review work already done or to reissue reports or certificates.

5 ENFORCEMENT AND MONITORING

Notified bodies are monitored by Member States by which they are notified.

Hence, notified bodies may expect their notifying authorities to verify that they actually do apply guidance from GNB-CPR and that failure to apply guidance from GNB-CPR may be subject to sanctions by the notifying authorities.

GNB-CPR does not conduct any monitoring of notified bodies.