



Ministry of Housing,
Communities &
Local Government

Clive Betts MP
Chair, HCLG Select Committee
House of Commons
London
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Rt Hon Christopher Pincher MP
Minister of State for Housing

**Ministry of Housing, Communities and Local
Government**

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18th

October 2020

Dear Oliver

On 15th October, we will lay the following instrument:

- **Construction Products (Amendment etc.) (EU Exit) Regulations 2020.**

This affirmative instrument is of a technical nature, containing only those provisions required to ensure our construction products legislation complies with the Northern Ireland (NI) Protocol. As you are Chair of the Housing, Communities and Local Government Committee, I wanted to inform you of its contents before it is laid before Parliament.

In 2019 we laid regulations to implement the EU regulatory framework for construction products in UK law, enabling it to operate in the UK following our departure from the EU. These regulations are due to come into force at the end of the year.

Since laying these original regulations, the UK Government agreed to the NI Protocol. For construction products, the NI Protocol means that in Northern Ireland, products placed on the market must comply with the EU Construction Products Regulation (CPR) and bear either a CE mark or a CE mark with an accompanying UK(NI) indication.

Our 2019 EU Exit regulations are not consistent with this, as they apply a UK-wide enforcement regime to both Great Britain and Northern Ireland, and do not provide for the use of the UK(NI) indication.

The instrument we are laying amends our 2019 regulations by making them compatible with the NI Protocol, namely through

- allowing recognition of the UK(NI) indication; and
- reapplying the 2013 EU Construction Products Regulation (CPR) in Northern Ireland only (allowing regulators in NI to enforce the EU regime).

Furthermore, the instrument changes references of "EU Exit Day" to "IP completion day", ensuring it is clear to all that the regulations come into force at 11:00pm 31st December 2020.

The UK will be in breach of the NI Protocol if we do not amend our current regulations through this instrument. Regulators in Northern Ireland will lack powers to enforce the EU regulations, and manufacturers will not be able to place construction products with the UK(NI) indication on the market.

I hope you will agree that this instrument is of utmost importance in ensuring our construction products regulations are both operational after the implementation period, and consistent with the NI Protocol.

A handwritten signature in black ink, appearing to read 'John En Chur'. The signature is fluid and cursive, with the first name 'John' and the last name 'Chur' being clearly distinguishable.

RT HON CHRISTOPHER PINCHER MP

A handwritten flourish or underline in black ink, starting from the end of the name 'PINCHER' and extending to the right, ending in a small hook.