UKCA/UKNI MARKING CERTIFICATION RULES

APPLICATION OF CONSTRUCTION PRODUCTS REGULATION 305/2011

LEVEL 1+, 1 AND 2+ SYSTEMS

CERTIFICATION BODY

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1. ABBREVIATIONS AND INITIALS USED

CLIENT	Generic term used for the applicant, holder, etc. of an UKCA/UKNI certificate, or for the manufacturer, dealer, agent, etc. of the product. When necessary for a good understanding of the text, these words are retained.
CPR	Construction Products Regulation
EAD	European Assessment Document
UKCA/UKNI Certificate	Certificate of Constancy of Performance according to CPR for system 1 and 1+ or Certificate of Conformity of the Factory Production Control for system 2+
EU	European Union
FPC	Factory Production Control
ITT	Initial Type Testing
SoS	Secretary of State (Ministerial authority in charge of approving UK bodies for the application of the CPR)
UKMCAB	UK Conformity Assessment Bodies
NPD	No Performance Determined
Rules	These UKCA/UKNI marking certification Rules (DAP 7)
Site	Site, unit or line (for production, manufacture, consignment, storage, etc.)
Subcontractor	Subcontractor whose supply may have an influence on the declared characteristics of the product
SupCom	Supervisory Committee boards of Efectis UK/IRELAND

2. FIELD OF APPLICATION

The Rules describe **the organisation set up by Efectis UK/IRELAND to perform and manage the issuance of UKCA/UKNI certificates for construction products**, under the levels 1+, 1 and 2+ constancy of performance systems, in accordance with Construction Products (EU Exit) Regulation (CPR) 2020 n°1359.

For each family of construction products for which Efectis UK/IRELAND is approved as a certification body, the requirements for Type testing and factory production control specified in the Technical Specification are the applicable rules.

In case of any inconsistency between these Rules and any legal or statutory provisions, the latter shall prevail.

3. APPLICABLE DOCUMENTS AND REQUIREMENTS

The products object of these Rules shall comply with:

- Construction Products (EU Exit) Regulation 2020 n°1359
- The Technical Specifications (harmonized standard or European Assessment Document) for the product under consideration and published in the Official Journal of the European Union
- The guidance documents from Group of Approved Bodies-CPR (Position paper, guidance base, Guidance document) applicable for each product family of concern.

The issuance of a UKCA/UKNI Certificate for a construction product is subject to the prior completion of the following operations:

- if necessary, and depending on the type of product: ITT (initial type testing: system 1+ and 1)
- initial inspection of site and FPC
- inspections of site surveillance and FPC
- audit testing and verification of constancy of performance (1+)

as well as to the compliance of the results with the requirements defined in the applicable documents.

ANNEX B gives precise information relating to the application of the requirements applicable to the UKCA/UKNI certification, in accordance with the technical specifications and the decisions of the Group of approved bodies.

4. BODIES INVOLVED IN THE UKCA/UKNI CERTIFICATE

The main activities of Efectis UK/IRELAND are as follows:

- testing, engineering and consultancy in the field of fire safety, most of all within the frame of its approvals by the UKAS
- inspection of product certifications
- certification of products and services, in particular the UKCA/UKNI marking of construction products

Efectis UK/IRELAND is a UK - Approved Body No 2822 issued by BEIS, and is accredited to ISO/IEC 17065:2012 by UKAS, under No 10169. As a certification body , it performs tasks related to the UKCA/UKNI certification of constancy of performance in connection with the procedures provided by Chapter VII and Annex V of the CPR and the delegated regulation (EU) N°568/2014.

In order to carry out the technical management assignments belonging to its certification activity, Efectis UK/IRELAND relies on its Certification Department which performs the technical paperwork for the applications for UKCA/UKNI certificates.

All the stakeholders in the UKCA/UKNI marking certification of constancy of performance process for construction products are bound by professional confidentiality, and have pledged to ensure that confidentiality.

4.1. EFECTIS UK/IRELAND – CERTIFICATION DEPARTMENT

The main assignments of the Certification department of Efectis UK/IRELAND are as follows:

- providing the client with all the required explanations relating to the UKCA/UKNI marking certification of constancy of performance
- processing the applicants' files for UKCA/UKNI certifications of constancy of performance
- make the appropriate decisions concerning the applicants' files
- making sure the decisions taken are implemented
- processing follow-up files for certification of constancy of performance
- ensuring a follow-up of the CPR and evolution of CPR-related technical specifications, and informing clients of modifications with a potential impact on the performances covered by the certification
- ensure communication with the SoS within the CPR, and other authorities concerned with the UKCA/UKNI certificate
- inform competent authorities about violations of the UKCA/UKNI certificates issued by Efectis UK/IRELAND
- improving the UKCA/UKNI marking certification Rules, published by Efectis UK/IRELAND.

On completion of these tasks, Efectis UK/IRELAND may issue a UKCA/UKNI certificate or not.
Efectis UK/IRELAND takes the whole responsibility for this certificate.

In the context of its exchanges with the competent authorities, the Efectis UK/IRELAND Certification Department is required by law to provide them with potentially confidential information. Where applicable, the Efectis UK/IRELAND Certification Department will first inform the customer of the information that will be shared.

4.2. INSPECTION BODIES

The bodies which carry out the inspections shall be validated by the SoS, according to the applicable conditions of the agreement between Efectis UK/IRELAND and the SoS.
In order to ensure the inspection assignments, Efectis UK/IRELAND may rely on:

- the inspectors of Efectis UK/IRELAND
- or, in well-defined cases, other inspection bodies (the list of the bodies validated by the SoS is available on request)
- or, depending on the wishes expressed by the clients, any other inspection body.

Before the inspection, Efectis UK/IRELAND shall inform the clients of the name of the body in charge of their inspection.

4.3. TEST LABORATORIES

The laboratory performing the initial type testing and the audit testing (system 1+ only) shall be validated by the SoS, according to the applicable conditions of the agreement between Efectis UK/IRELAND and the SoS. Their lists are available on demand to the Certification Direction of Efectis UK/IRELAND.

Depending on the wishes expressed by its clients, Efectis UK/IRELAND may rely on:

- the test laboratory of Efectis UK/IRELAND
- or any laboratory approved in conformity with standard EN 17025 for the tests concerned
- .

4.4. RESEARCH DEPARTMENTS

The research departments which carry out the calculations shall be validated by the SoS, according to the applicable conditions of the agreement between Efectis UK/IRELAND and the SoS. Their lists are available on demand to the Certification Direction of Efectis UK/IRELAND

Depending on the wishes expressed by its clients, Efectis UK/IRELAND may rely on:

- the research departments of Efectis UK/IRELAND
- or any research department notified within the CPR, to carry out conformity calculations according to the technical specifications for the product under consideration.

4.5. APPEAL COMMITTEE

The Appeal Committee is an authority in charge of deciding in the case of a Client's final Recourse about a decision relating to a UKCA/UKNI marking certification of constancy of performance processed by Efectis UK/IRELAND.
It consists of at least 1 member of each of the Supervisory Committee (SupCom) boards of Efectis UK/IRELAND:

- board of experts
- board of users
- board of suppliers of UKCA/UKNI marked products

so that none of the interests prevails.
Its members are selected for their competence in the field under consideration, and none of them may have taken a part in the assessment or in the certification decision forming the object of the Recourse. They shall keep the confidentiality bound to their function within the Appeal Committee.

A representative of the executive staff of the Certification department of Efectis UK/IRELAND is the Reporting Secretary of the Appeal Committee.

5. APPLICATION FOR A UKCA/UKNI CERTIFICATE BY THE CLIENT

Before filing in an application for a UKCA/UKNI certificate, the client shall make sure that the product forming the object of the application, as well as his site(s) (including the subcontractors'), meet the conditions defined in these Rules as well as in the Technical Specification for the product under consideration.
He agrees to comply with these conditions during the whole use of the UKCA/UKNI certificate.

The documents which should be included in his application for a UKCA/UKNI certificate are listed in ANNEX A.

By filing in his application with Efectis UK/IRELAND, the client implicitly agrees to comply with the following terms:

1. not filing in - for the product forming the object of the application - another simultaneous application for a UKCA/UKNI certificate with another approved body
2. informing Efectis UK/IRELAND certification management of any advice concerning the certified product, the quality management or internal audit system he has received from another Efectis UK/IRELAND entity, an Efectis Group entity or an assessment subcontractor
3. constantly meeting the conditions specified in the Rules, and in the relevant technical specifications
4. conforming, without any restriction nor reservation, to the decisions made in application of the Rules, and of the relevant technical specifications in force at the date of the evaluation
5. making every effort to ensure the permanent constancy of performance of the product(s) in accordance with the relevant technical specifications, with the Rules in force at the date of the evaluation
6. asking for the explicit agreement of Efectis UK/IRELAND before applying any modification relating to the certified product declaring to Efectis UK/IRELAND any modification relating to the sites (including the subcontractors'), as well as to the Factory Production Control (FPC), likely to affect the constancy of performance of the product as concerns the requirements of the UKCA/UKNI marking
7. declaring to Efectis UK/IRELAND any modification relating to the name or the commercial reference of the product covered by a UKCA/UKNI certificate issued by Efectis UK/IRELAND
8. carrying out the production controls incumbent upon him under the relevant technical specifications, and under the Rules of the product covered by a UKCA/UKNI certificate
9. recording the results of the controls, submitting them on request,
10. make his manufacturing equipment, his documentation and his records (including claims concerning constancy of performance of products with the certification requirements) available and make easier the inspectors' task as part of their assignment, particularly by providing an interpreter when needed
11. make all arrangements necessary for the participation of any observers during initial or surveillance assessments
12. Keeps a record of all complaints made known to him relating to compliance with certification requirements and makes these records available to the certification body when requested. Also takes appropriate action with respect to such complaints and any deficiencies found in products that affect compliance with the requirements for certification and document the actions taken.
13. imperatively affixing the UKCA/UKNI marking, unequivocally, on the products covered by a UKCA/UKNI certificate, and on these products only, in the conditions specified in section 9 of these Rules
14. reproduce in their entirety the certification documents issued by Efectis UK/IRELAND if these are provided to a third party
15. not mentioning his certification in a way likely to be detrimental to the reputation of Efectis UK/IRELAND, and not making any statement about this certification that Efectis UK/IRELAND would consider as non-authorized or likely to be misleading
16. in case of suspension of UKCA/UKNI certificates, ceasing to affix the UKCA/UKNI marking on the products under consideration and on the promotional documents
17. in case of withdrawal of UKCA/UKNI certificates, ceasing to affix the UKCA/UKNI marking on the products under consideration and on the promotional documents
18. make all payments due under the Rules.

6. TAKING IN CERTIFICATION - TRANSFER REQUEST

When a manufacturer is willing to work with a new approved Body, Efectis UK/IRELAND can take its request under consideration as a transfer of certification.

The minimum requisites for Efectis UK/IRELAND to consider accepting the request as a transfer of certification are:

- An on-going file with another Approved Body;
- The products under consideration have not been subject to a withdrawal or a suspension of certificate at the last surveillance evaluation;
- All the available documentation: Type test reports, inspection reports and proof that the action plan proposed in a case of deviation have been approved;
- A confirmation that the products have not been modified in a way that their declared performance may have been affected, since the last inspection.

Under the above conditions, the request for taking in the certification will be considered as a surveillance service. In those conditions, the type testing will be considered and may be subject of request for complementary testing. The first inspection performed by Efectis UK/IRELAND will be considered as a surveillance inspection but may be subject of a complementary inspection in regards of the deviation that could be observed.

The request for complementary testing and/or inspection will be subject to a detailed justification from Efectis UK/IRELAND.

The reasons to refuse to take into account certain documents are, in order of consideration, the ones defined, when existing, in the following documents:

1. The CPR
2. The harmonized Technical specifications
3. The documents approved (position paper, guidance base) by the Group of Approved Bodies CPR.

If none of the above conditions exist, the refusal rules to take in a request that apply are as follows:

- The Type-testing documents do not justify declared performance;
- The inspection documents provided contain major deviations for which no action plan has been validated;
- The conditions of the current certification are not in accordance with the requirements of the CPR or the harmonized technical specification.

7. CONTROL PERFORMED BY PAR EFECTIS UK/IRELAND ON THE PRODUCTS

7.1. TYPE TESTING

Definition of a range of products
A range is defined in accordance with the applicable Technical Specifications.

If the client manufactures **only one reference of the product (one size or one model)**, only one sample is tested. The UKCA/UKNI certificate is delivered by Efectis UK/IRELAND for this unique product.

If the client manufactures a **range of products**, the tested products are defined according to the Technical specification requirements or when applicable the documents issued by the Group of Approved Bodies CPR.

In the event that the evolution of the product is likely to modify its declared performance with respect to the harmonized technical specification, the holder of the UKCA/UKNI Certificate places a request for a modification of the range and awaits the explicit agreement of Efectis UK/IRELAND before placing any modified product on the market.

Definition of the Type product
Since the 1st of July 2013 the concept of **type product** has been introduced by the CPR and is defined as follow:
"product-type' means the set of representative performance levels or classes of a construction product, in relation to its essential characteristics, produced using a given combination of raw materials or other elements in a specific production process"
The type product definition is under the responsibility of the manufacturer.

Note: For system 2+ the initial type testing is under the responsibility of the manufacturer.

7.1.1. ITT

The type testing is performed by a laboratory in accordance with the requirements of the applicable Technical Specification for the product under consideration.

7.1.2. Principle, definition of range, choice of sample for test

The Type testing concerns each product or range of product.
All batch of test covers all the performances of the product or products from the range.
The client informs Efectis UK/IRELAND of the general principles for the constitution of a product range to be certified and provides a summary description of the products in a range according to the classification criteria.

According to the description of the ranges for which the client has applied for the UKCA/UKNI Certificate, Efectis UK/IRELAND sends him a list of the products to be tested.

According to the CPR requirements, Efectis is responsible for the sampling (under system 1 and 1+) for the Type Testing.
The sampling can be performed by any third party independent from the manufacturer under the responsibility of the Certification Direction of Efectis UK/IRELAND
If - prior to the application for certification - tests have already been carried out according to the applicable harmonized Technical specification, they can be taken into account by Efectis UK/IRELAND provided that they satisfy all the requirements of the standard and any documents approved by the Group of Approved Bodies-CPR.

7.1.3. Performing the type testing

The Type Testing is performed on the product or products of the range previously defined. It takes into account or evaluates the characteristics defined in the Technical Specification applicable to the product under consideration.

The Type Testing results are satisfactory if the requirements for the product or product range - for the declared intended - are met.

7.1.4. Sharing or cascading Type testing (article 36 b and c of the CPR)

The type testing can be shared between several clients when they put on the market the same product.
It can also be tests performed by an "initial client" on behalf of a "final client".

This approach implies:

- That specific agreements for the use of Type testing results are in place between the "initial client" and the "final client" on their own initiative;
- that the conclusions of these agreements, duly signed by both parties, be attached to the application request for UKCA/UKNI marking with Efectis UK/IRELAND.

It gives rise to the issuance of a classification report by analogy from the testing laboratory.
The possible suspension or withdrawal of UKCA/UKNI certificates from the "initial client" entails the suspension or withdrawal of the corresponding UKCA/UKNI certificates for the other "Final client" associated with it.

The withdrawal of agreement for the use of Type Testing between the “initial client” and the “finale client” implies the withdrawal of the UKCA/UKNI certificates for the “final client”.

7.2. INSPECTIONS

7.2.1. Initial inspection

An initial inspection of the production site and of the FPC is performed during the processing of the first certification request.

When several production sites are concerned, the initial inspection covers each of the sites.
When relevant, it also covers any external or internal sub-contractors.
The inspection of the means of design is always necessary.

Note:
The customer must provide evidence that provision for controlling the means of production and maintaining the conformity of its products have been taken. The FPC system shall be in place for at least 2 months before the date of inspection and shall meet the requirements of the applicable Technical Specification for the product under consideration.
After issuance of the first UKCA/UKNI certificate, surveillance inspections are performed with the periodicity defined by the applicable Technical Specification.

The minimum required content of the FPC is given in annex of the present certification rules and, depending on the products concerned, in the applicable technical specification.

7.2.2. Surveillance inspections

The surveillance of the UKCA/UKNI marked product is performed by Efectis UK/IRELAND, or can be subcontracted to an inspection body, accepted and validated by EUI according to Procedure Certif 8 (Managing the Subcontractors for evaluation) and formalised with a contract based on FOR 55 (Certification subcontractor agreement). The list of subcontracting parties is registered in TAB 27 (Subcontractor evaluation list). The surveillance of the UKCA/UKNI marked product is performed upon the issuance of the UKCA/UKNI Certificate according to the frequency defined by the harmonized technical specification or applicable documents issued by the Group of Approved Bodies-CPR or, in the absence of a frequency definition in these two types of documents, at least on an annual basis. In any case, the frequency of surveillance inspections is specified to the client in the certification quotations.

7.2.3. Dealing with deviation

Following the inspection (initial or surveillance), the client has one month to communicate to the inspector **AND** to Certification Direction of Efectis UK/IRELAND, the proposed action plan(s) (see details in ANNEX B – Inspection)

In the event of a deviation identified during the inspection, initial or surveillance, and after the evaluation of the explanation provided by the client, Efectis UK/IRELAND informed the client of the following:

- Procedure to close the deviation
- Eventual additional control considered necessary to close the deviation
- And the cost for this work.

8. CERTIFICATION DECISION OF EFECTIS UK/IRELAND FOLLOWING THE CLIENT'S APPLICATION

On the basis of:

- the analysis of the documents supplied by the client
- the results of the ITT (only for systems 1+ and 1)
- the results of the inspection of the sites, of the subcontractors' sites, and of the FPC
- the client's answers to the possible deviations observed during inspection, if any (see ANNEX B),
- the results of the audit testing with regard to declared performance (only for systems 1+ and 1)

Efectis UK/IRELAND shall make one of the following decisions:

- issuing of the UKCA/UKNI certificate with or without observation(s)
- justified refusal of the UKCA/UKNI certificate.

Issuing a UKCA/UKNI certificate shall in no case substitute Efectis UK/IRELAND for the client as concerns the guarantee which lies with the latter.

9. UKCA/UKNI MARKING CONDITIONS

The UKCA/UKNI marking conditions including establishing a Declaration of Performance (DoP) are specified in chapter II, chapter III, annex III of the CPR and where appropriate in the relevant harmonized technical specifications.

The list of current certificates is published on the Efectis website (www.efectis.com). The information is published as shown in the table below:

CLIENT	Addresses	Certificate number	Product category	Ranges
Example	*Street Postcode-City*	*XXXX-CPR-xxxx*	*As specified in the title of the Technical Specification*	

Note: The Certificates of Constancy of Performance issued by Efectis UK/IRELAND are in no circumstances made available on our website.

10. SURVEILLANCE EXERCISED BY EFECTIS UK/IRELAND

The surveillance process of the product with a UKCA/UKNI marking is exercised by Efectis UK/IRELAND from the moment that a UKCA/UKNI certificate has been issued in the conditions specified in the relevant technical documents.

11. DECISION OF EFECTIS UK/IRELAND WITHIN THE SCOPE OF SURVEILLANCE

On the basis of:

- the results of the periodic inspections of the sites and of those of the subcontractors, if any, and of the FPC
- the client's answers to the possible deviations observed during the inspection, if any (see ANNEX B),

Efectis UK/IRELAND shall make one of the following decisions:

- renewal of the UKCA/UKNI certificate
- renewal of the UKCA/UKNI certificate with observation(s)
- renewal of the UKCA/UKNI certificate with observation(s) with warning
- suspension of the UKCA/UKNI certificate
- withdrawal of the UKCA/UKNI certificate.

The absence of proposals for action plans and / or transmission of evidence of implementation of the actions within the deadlines defined in these rules or indicated during the transmission of decision may result in the suspension or withdrawal of certificates.

The decisions are notified to the client by Efectis UK/IRELAND, and come into effect as from their notification.

In the case of withdrawal of the UKCA/UKNI certificate issued by Efectis UK/IRELAND:

- if the withdrawal follows a sanction (see section 17), Efectis UK/IRELAND shall inform the SoS and justify its decision,
- in all cases, and if the client wishes to do so, the latter shall file in a new application for a UKCA/UKNI certificate for the products under consideration.

12. MODIFICATION OF OBTAINING CONDITIONS OF THE UKCA/UKNI CERTIFICATE

Any modification of the initial conditions having led to the issuance of the UKCA/UKNI certificate (legal modification, modification of the company's name, change or redevelopment of the site, modification of products...) shall be declared in writing by the client to the Certification department of Efectis UK/IRELAND.

The Certification department takes all necessary steps to ensure that the information intended for the public, the SoS, etc. corresponds to the reality of the certificates issued.

The most usual modifications are processed as follows:

12.1. MODIFICATION OF THE PRODUCT

Any modification of a characteristic of a UKCA/UKNI marked product or supplier of a component or raw material that affects declared performance is examined by Efectis UK/IRELAND, in collaboration with experts if needed, in order to assess its influence on the declared performances of the product.

When the manufacture of a UKCA/UKNI marked product is definitely stopped, the client shall specify the time needed to exhaust the stock of products under consideration. After that time, the decision of withdrawal of the UKCA/UKNI certificate of this product shall be issued by Efectis UK/IRELAND.

12.2. MODIFICATION OF THE HOLDER OF THE UKCA/UKNI CERTIFICATE

Any legal modification of the holder or any modification in the company's name are examined, and, if required by the modifications, Efectis UK/IRELAND reserves the right to pronounce the withdrawal of the UKCA/UKNI certificate.

Otherwise, Efectis UK/IRELAND shall issue to the client, at the customer's expense, a new UKCA/UKNI certificate taking the declared modifications into account.

12.3. MODIFICATION OF THE SITE

The partial or total relocation of a site shall lead to the withdrawal of the UKCA/UKNI certificate.

The redevelopment of a site shall be examined by Efectis UK/IRELAND, and may lead to the suspension or the withdrawal of the UKCA/UKNI certificate.

In all cases, the site shall be submitted, at the client's expense, to a new initial inspection which may result:

- in the case of a withdrawal, in the issuance of a new UKCA/UKNI certificate,
- in the case of a suspension, in the ending of the suspension.

12.4. MODIFICATION OF THE FPC SYSTEM

Any modification – even temporary - relating to the FPC system and likely to affect the constancy of performance as per the requirements of the reference documents, shall be examined by Efectis UK/IRELAND, and may lead to the suspension or the withdrawal of the UKCA/UKNI certificate.

12.5. MODIFICATION OF APPLICABLE TECHNICAL SPECIFICATIONS

The client shall take account and analyse the modification introduced into the applicable technical specifications: Efectis UK/IRELAND's certification rules, technical specifications, standard referred to in the ones referred to in those specifications. When the modifications can have an influence on the declared performances for the product, the client shall set up the necessary actions in order to maintain the declared performances and shall inform Efectis UK/IRELAND of the actions set up.

13. CLIENT'S REQUEST FOR STOPPING THE CERTIFICATION PROCESS

When the holder does not wish to pursue the certification of his products with Efectis UK/IRELAND, he shall inform the Certification department of Efectis UK/IRELAND by means of an email, at least three months before the anniversary of the UKCA/UKNI certificates.

14. COMPLAINT – PROTEST - APPEAL

14.1. COMPLAINT

Any claim in writing relating to the issuance, suspension or withdrawal of a UKCA/UKNI certificate by Efectis UK/IRELAND or to the use of products with a UKCA/UKNI certificate issued by Efectis UK/IRELAND, shall be answered by Efectis UK/IRELAND.
Yearly information shall be reported to the SoS.

The SoS shall be informed by Efectis UK/IRELAND about any claim relating to the use of the UKCA/UKNI marking issued by another body, within 15 working days.

14.2. PROTEST

If the client is not satisfied with the decision made by Efectis UK/IRELAND following his claim, he may dispute it in writing within 15 calendar days and request for a re-examination of his claim.
The protest shall be sent to Efectis UK/IRELAND in writing and be argued.
It shall have no suspensive effect on the decision made by Efectis UK/IRELAND.
Efectis UK/IRELAND shall inform the client about its decision by means of an email.

14.3. APPEAL

If the disagreement persists about the decision made by Efectis UK/IRELAND following the protest, the client may introduce a recourse (see also section 4.5), within 15 calendar days.
This recourse shall be sent in writing to Efectis UK/IRELAND and be argued.
The client may be invited to be heard about his application. He shall leave the room during the Appeal Committee's deliberations.

The recourse shall have no suspensive effect on the decision made by Efectis UK/IRELAND.
Efectis UK/IRELAND shall inform the client in writing about the Appeal Committee's decision by means of an email.
This decision shall be final.

15. MISUSE OF THE UKCA/UKNI CERTIFICATE

Efectis UK/IRELAND considers as misuses the cases where a UKCA/UKNI certificate is mentioned:

- for a product not having formed the object of an application for a UKCA/UKNI certificate
- for a product for which the initial application is still pending
- for ranges of products or on documents, when all the products are not covered by a UKCA/UKNI certificate
- for other products than the product covered by the UKCA/UKNI certificate.
- when the UKCA/UKNI 2822 (approval body Nr) marking is affixed on products or packaging, or on documents, without possession of a UKCA/UKNI certificate issued by Efectis UK/IRELAND.

Efectis UK/IRELAND reserves the right to bring any legal action deemed appropriate against anyone who will improperly claim UKCA/UKNI certificates issued by Efectis UK/IRELAND.

Note: The market surveillance comes within the exclusive competence of the SoS or market surveillance authorities. As a consequence, any claim relating to the product shall be sent to the SoS.

16. TERMINATION OF THE MARKING OF UKCA/UKNI MARKED PRODUCTS

Any suspension or withdrawal of a UKCA/UKNI certificate following a decision made by Efectis UK/IRELAND in case of failure to meet the requirements of the certification, shall entail the interdiction to use the UKCA/UKNI marking on the products under consideration, their packaging, the documents, the promotional documents or any other material from the holder.

The withdrawal or a UKCA/UKNI certificate following the client's request shall have the same consequences.

17. INCURRED SANCTIONS

By filing in an application for a UKCA/UKNI marking, all clients agree to comply with the conditions specified in these Rules. Any failure to comply shall entail sanctions ranging from a simple observation up to the withdrawal of the UKCA/UKNI certificate.
The sanctions are defined as follows:

- **Observation:**
  Simple observation with formal notice to put an end to the observed breach(es) within a time agreed between Efectis UK/IRELAND and the client, and that the latter agrees to honour.
  If the breach(es) persist(s), an observation with a warning shall be issued.

- **Observation with a warning:**
  Observation (see previous paragraph) with additional controls.
  If serious breaches persist, the UKCA/UKNI certificate shall be suspended.

- **Suspension of the** UKCA/UKNI **certificate:**
  Suspension of the UKCA/UKNI certificate for a given period of time with formal notice to put an end to the observed breach(es).
  At the close of the suspension time, the holder of the UKCA/UKNI certificate shall be subjected to new controls that must prove satisfactory to recover the use of the UKCA/UKNI certificate.
  If serious breaches persist, the UKCA/UKNI certificate shall be withdrawn.

- **Withdrawal of the** UKCA/UKNI **certificate:**
  This sanction shall be pronounced, in particular, in the case of a failure to comply with the yearly control, of a UKCA/UKNI certificate holder's refusal to be controlled, or of failure to pay the due amounts.

The following table lists the incurred sanctions according to the observed failures:

Nature of the failure	***Incurred sanction***
Minor failure to comply with the conditions specified in the reference documents	Observation
Equivocal use of the UKCA/UKNI marking on the products and any document	Observation
Failure to implement the means required to ensure permanent constancy of performance of the UKCA/UKNI marked products	Observation with warning
Use of the UKCA/UKNI marking for a product for which the application is pending	Observation with warning
Failure to declare any modification such as defined in chapter 12	Observation with warning
Implementation of modifications to a marked product without a prior agreement of Efectis UK/IRELAND	Observation with warning
Untruthful use of the UKCA/UKNI marking on products and documents	Observation with warning
Failure to transmit the action plan(s) within the period defined in these rules (c.f. § B.2)	Suspension of the certificate
Failure to transmit evidence of implementation of actions proposed in the action plan within the defined deadlines	Suspension of the certificate
Refusal of inspectors' controls as part of their duties	Suspension of the certificate
Issuance of forged certificates without commercialization of a product	Suspension of the certificate
Actions failing to comply with the decisions made in application of the requirements	Suspension of the certificate
Failure or refusal to perform the compulsory yearly surveillance controls	Withdrawal of the certificate
Issuance of forged certificates with commercialization of a product	Withdrawal of the certificate
Failure to pay the amounts due for the certification services provided by Efectis UK/IRELAND	Withdrawal of the certificate

18. RATES

The information relating to the rates of services are itemized in the Rules.

The price grids applicable for the product under consideration are revised annually. They are gathered in a separate document and can be sent on request.

19. APPROVAL/REVISION OF THE RULES

The Rules were validated by the Supervisory Committee on ***20th January 2023*** and approved by the Certification Technical Director of Efectis UK/IRELAND on ***17th February 2023*** .

They may be subjected to revisions, particularly in the case of modifications of the conditions of application (e.g. modification of the technical specifications about items likely to affect the assessment of the products).

The holders of a UKCA/UKNI 2822 (approval body Nr) certificate shall receive the revisions of these Rules.

These Rules shall become enforceable

- At the date of approval by the Technical Certification Director for initial certification applications
- within fifteen (15) working days as from the date of their approval by the Technical Certification Director i.e. on ***10th March 2023*** for certification files in process at the date of approval

See Annexes A, B and C attached

ANNEX A. CONTENTS OF THE APPLICANT'S FILE FOR A UKCA/UKNI CERTIFICATE

The first application for a UKCA/UKNI certificate shall include the following technical documents:

1. Address, location map and access map of the site(s)
2. Organisation of the company (organisation chart, etc.)
3. Description and characteristics of the products
4. For products coming under the Level 1 system, and if testing or calculations have already been performed: copy of the relevant report(s) applicable, and a non-subsequent modification commitment for the product(s) under consideration
5. Product marking procedures (with samples of labels, attached/enclosed documents, etc)
6. **FPC manual** (see details hereafter)
7. **FPC system** (see details hereafter)
8. If applicable:
   - UKCA/UKNI certificates of constancy of performance held by the client (all systems)
   - the ISO 9001 certificate (or any other type of quality certificate).

For Distributors[1], the application must also include:

9. authorization to use the UKCA/UKNI marking data, by the manufacturer of the product which it distributes under its own name: tests and inspection (proof of maintenance of this authorization must be provided for each period of surveillance)
10. the classification report making reference to the distributor and clearly indicating the commercial reference given to the product by the distributor.

For Manufacturers making use of shared test procedures or cascade tests (article 36 of the CPR), the application must also include:

11. authorization to use the UKCA/UKNI marking test data, by the manufacturer owning such data (proof of maintenance of this authorization provided for each period of surveillance).

1. FPC MANUAL

For each site under consideration, a manual shall describe the following.
For Distributors, this manual must detail at least the points shown below in violet.

a) Organisation:

- **Responsibility and authority:** the responsibilities, authorities and relationships of all the members of the staff who supervise, achieve and control the constancy of performance shall be defined.
  - Staff who, inside the company, have the liberty and authority to take measures likely to prevent failures of conformity of the product
  - Staff who, inside the company, have the liberty and authority to take measures likely to identify and record failures of conformity.
- **Representative of the management as concerns FPC:** The client shall appoint a representative of the management who - regardless of his/her other authorities - shall have the required authority and responsibility to guarantee that the requirements of the relevant technical specifications for the products are applied and maintained.
- **Management's reviews:** The FPC shall be reviewed by the management at regular intervals and in conformity with the established system, in order to guarantee its validity and efficiency. The records of the reviews shall be kept for at least 5 years.

[1] *This is the Manufacturer in the sense of the Construction Product Regulation (application of article 15): Distributor who markets the product under its own name and with its own commercial reference. The term Distributor is used for an easier understanding of the text.*

b) Control system - Staff - Documents

- **Control system**: The client shall establish and update a documented system to guarantee that the product satisfies the requirements of the technical specifications relating to the products under consideration.
- **Staff:** The client shall appoint staff having received an appropriate training for the operation and the inspections of all production equipment.
- **Documents:** The client's documents and procedures shall correspond to the FPC and to the processes for the product under consideration, and they shall be precisely described in a manual.

c) The manual shall also include:

- the organisation chart, the responsibilities and authorities of the management as concerns the constancy of performance of the product
- the specification and control procedures for incoming materials
- the manufacture, the production control and other systematic techniques, processes and measurements applied
- the inspections performed prior to production, the inspections and tests during and after production as well as their frequencies
- the required records of inspections, tests or calculations
- for Distributors only: the procedure for ordering from the manufacturer including product-related requirements
- for Distributors only: the product labelling procedure
- for Distributors only: the procedure for inspection and verification of products before marketing
- the records of the situations of failures of conformity requiring a corrective action and the measures taken for that purpose
- the records that have to be kept for at least one year following the manufacture of the product.

d) Test equipment: The calibration of the test equipment required for the FPC shall be documented.

e) Controls and testing: according to the requirements of the relevant technical specification.

- **Control:** The client shall establish and update a documented system to guarantee that the product satisfies the requirements of the technical specifications relating to the products under consideration.
- **Staff:** The client shall appoint staff having received an appropriate training for the operation and the inspections of all production and test equipment.
- **Documents:** The client's documents and procedures shall correspond to the FPC and to the processes for the product under consideration, and they shall be precisely described in a manual.

f) UKCA/UKNI marking:

- The client shall establish, document and update the marking procedures for the products.
- The product shall be marked in conformity with the established documents.
- For traceability requirements, the client shall establish and update the records required by the relevant technical specification or the documents issued by the Group of notified bodies.

2. FPC SYSTEM: BRIEFING DOCUMENTS

'Briefing documents' means supplied procedures, instructions or forms which are up-to-date (paper or electronic), mastered and applied within the unit.
Examples of briefing documents:

- control processes performed on reception, on manufacture, and on assembling
- results of the controls
- acceptance criteria
- details about sampling and control periodicity
- control processes performed on the finished product.

ANNEX B. CONTROLS FOR THE CERTIFICATION OF A PRODUCT

1. ITT

The requirements regarding ITT are described in the Harmonised Technical Specification applicable to the product under consideration and where appropriate, complemented by the documents issued by the Group of Approved Bodies-CPR.

2. INSPECTIONS

An initial inspection of the site and on the FCP is carried out during the processing of the first application.
When several sites are involved, the initial inspection will be performed at each site.
If need be, it will also be carried out at external or internal subcontractors, if any to the extent that the component / raw material they provide has an influence on the performance declared and whose monitoring cannot be verified elsewhere.
The inspection of the design facilities is always required.

Note: The client shall bring evidence that provisions for mastering the production means and maintaining the constancy of performance of his products have been taken. The FPC system shall be established at least 2 months prior to the date of the inspection, and it shall meet the requirements of the relevant reference documents mentioned in these rules. The details and the control processes may be given on request.

After the first UKCA/UKNI certificate has been issued, FPC surveillance inspections are performed according to the periodicity required by the relevant technical specification.

Dissatisfaction degrees

During the inspection, one level of dissatisfaction may be declared:

- **Deviation:** A deviation may be a nonconformity against the assessment criteria (e.g. designated standard / UK Assessment Document) including the manufacturer's own management system requirements.
  A deviation affects product conformity, constancy of performance, reliability of FPC results, or suitability of the FPC system.
  A deviation may entail an additional partial or full inspection.

In the case of a deviation not answered by the demonstration of satisfactory evidence, the suspension or the withdrawal of the UKCA/UKNI certificates may be pronounced.

Sensitive issues

During the inspection, can be identified as:

- **Comments:** Sensitive issues not presenting effective risk toward the FPC if corrective actions are engaged into a limited period.

Corrective actions

After any inspection (initial or surveillance), the inspector shall issue to the client an inspection report for the inspected production site, including a list of identified deviations, if any.

Each deviation, if any, is identified in the conclusion table of the report. During the closing meeting following the inspection, the description of deviation shall be filled in by the inspector, then the client can agree or not with the described deviation and mention his own comments, if any.

Process of activity	Deviation n°	Description of deviation	Assessment criteria (clause of the standard, certification rules, etc…)	Agreement of the manufacturer	
				Yes	No
Organization and management	Dx/--	-		☐	☐
Production	Dx/--	-		☐	☐
Production control	Dx/--	-		☐	☐
Personnel	Dx/--	-		☐	☐
Metrology	Dx/--	-		☐	☐
Design, compliance of the product	Dx/--	-		☐	☐
Records, documentation of the quality system	Dx/--	-		☐	☐
Products' preservation	Dx/--	-		☐	☐
Purchasing, subcontracting	Dx/--	-		☐	☐
Claims and non-compliances	Dx/--	-		☐	☐
Specific information	Dx/--	-		☐	☐
Total number of deviations	***xxxx***				

Manufacturer's comments on deviations: xxx.

The inspector shall then send to the client the full inspection report.

Within a time period not exceeding 3 weeks after the date of inspection or according to the time frame indicated in the eventual reminder sent, the client shall return, to the inspector, his detailed action plan for each identified deviation.

The action plan shall include:

- the corrective actions the client's agrees to implement in order to correct the observed deviation
- the time period after which the planned corrective actions will have been implemented
- the date, full name, position and signature of the client.

The answer to the **deviation**s might require another immediate on-site inspection (complementary) if the inspection body decides so. Every deviation shall be solved (answer submitted by the client, efficiency of the applied actions verified by the inspection body and control of the situation proved) prior to the edition of the certificates.

Deviations raised during surveillance inspection might result in the suspension or withdrawal of the certificates until the efficiency of the applied actions is verified by the inspection body and the **control of the situation is proved**.

Deviation n°	ACTION PLAN					EVALUATION OF THE EVIDENCE				CONTROL OF THE SITUATION PROVED	
	Action plan received		Proposed action(s) by the manufacturer	Satisfactory action plan		Evidence(s) of action received		Evidence(s) provided by the manufacturer	Satisfactory evidence(s)		
	Yes	No		Yes	No	Yes	No		Yes	No	Yes	No
D1	☐	☐	• Xxxxx • xxxxx	☐	☐	☐	☐	• Xxxxx • xxxxxx	☐	☐	☐	☐
D2	☐	☐		☐	☐	☐	☐		☐	☐	☐	☐
Dn	☐	☐		☐	☐	☐	☐		☐	☐	☐	☐

The inspection report is then sent to the certification department of Efectis UK/Ireland.

ANNEX C. CERTIFICATES, STATEMENTS OF CONFORMITY, AND UKCA/UKNI CONFORMITY MARKING

1. UKCA/UKNI CERTIFICATE

The contents of the UKCA/UKNI certificate issued by EFECTIS UK/IRELAND is based on the document issued by the Group of Approved Bodies-CPR and always mentions the holder's name and personal information.
The certificate always contains an annex specifying the filed covered by the certificate (for example: short description of the product, dimensions, validated accessories, etc.).

Example of UKCA/UKNI certificate

Efectis UK/Ireland

Efectis UK / Ireland Limited
Firesert Centre Ulster University
Jordanstown Campus, Block 27
Shore Road, Newtownabbey
BT37 0QB Northern Ireland
www.efectis.com

CERTIFICATE OF CONSTANCY OF PERFORMANCE

CERTIFICATE OF CONSTANCY OF PERFORMANCE **N° 2822-UKCA-CPR-XXXX**

In compliance with Regulation 2020 N°1359 of The construction Products (EU exit) Regulation 2020, it was established that the construction product:

Product	**xxxx**
Reference of the product	**xxxx**
Placed on the market by or for	**NAME** **Adress**
and produced in the manufacturing plant located in	**xxxx**

is submitted by the manufacturer to a factory production control, and that the approved certification body EFECTIS UK/Ireland, has performed the initial type-testing for the relevant characteristics of the product, the initial inspection of the factory and of the factory production control and performs the continuous surveillance, assessment and approval of factory production control.

This certificate attests that all provisions concerning the assessment and verification of constancy of performance and the performance, described in Annex ZA of the standard **BS EN numYear** under system 1 are applied, and that the product(s) fulfill(s) all the prescribed requirements set out above.

This certificate, first issued on **dd month, yyyy**, remains valid as long as the test methods and/or factory production control requirements included in the harmonised standard, used to assess the performance of the declared characteristics, do not change, and the product and the manufacturing conditions in the plant are not modified significantly.

This certificate allows the manufacturer, its mandatories or its distributors, stated in the United Kingdom Economic Area, to affix the UKCA/UKNI marking.

Certificate established at Belfast on: **dd month 20yy.**

By delegation of the Technical Certification Director,

Daniel JOYEUX Technical Certification Director

UKAS PRODUCT CERTIFICATION
10169

Approved body
Nr 2822

Only the entire reproduction of this certificate N° 2822-UKCA-CPR-XXXX - **Revision xxx**, with all its annexes, is allowed. FOR 52 C Page 1 / 3

2. UKCA/UKNI DECLARATION OF PERFORMANCE (DOP)

The holder shall establish and make available a declaration of performance for each type product covered by a UKCA/UKNI certificate.

It shall be written on the holder's headed writing paper and shall include, such as defined in annex III of CPR, the following information:

No …
1. Single identification code of the product-type: …

2. Intended use(s) of the construction product, according to the applicable harmonized technical specification, as stated by the manufacturer:
…

3. Name, corporate name or registered trade mark and contact address of the manufacturer, according to section 11, paragraph 5 of the CPR:
…

4. If applicable, name and contact address of the agent whose mandate covers the tasks concerned by section 12, paragraph 2 of the CPR:
…

5. The assessment and verification system(s) of the constancy of performance of construction products, in conformity with annex V:
…

6-a. When the declaration of performance relates to a construction product covered by a harmonized standard:
…
Dated reference to the standard
(name and identification number of the approved body, if applicable)
has carried out … according to the system …
(description of the tasks to be carried out by a third party in conformity with annex V of the CPR)
has issued …
(the certificate of constancy of performance, the certificate of conformity for the factory production control, the test reports/calculations – when applicable)

6-b. When the declaration of performances relates to a construction product for which a European technical assessment was issued:
…
Dated reference to the UK Technical Assessment
(name and identification number of the technical assessment body, if relevant)
has issued …
(reference number of the UK technical assessment)
on the basis of …,
(reference number of the UK assessment document)
has carried out … according to the system …
(description of the tasks to be carried out by a third party in conformity with annex V of the CPR)
has issued …
(the certificate of constancy of performance, the certificate of conformity for the factory production control, the test reports/calculations – when applicable)

7. Declared performances

Essential characteristics	Performances	Harmonized technical specifications
List of the essential characteristics defined in the harmonized technical specifications for the intended use(s) mentioned in item 2 above.	*For each essential characteristic listed in column 1 and in conformity with the requirements of Section 6 of the CPR, list the declared performances, expressed by level or class or by means of a description, corresponding to the respective essential characteristics.* *The characters "NPD" (No Performance Determined) are used when the performances are not declared.*	*For each essential characteristic listed in column 1, list:* *a) a dated reference to the corresponding harmonized standard and, where applicable, the reference number of the specific or relevant technical documents used;* *OR* *b) a dated reference to the corresponding European assessment document, if applicable, and the reference number of the European technical assessment used.* *When, in conformity with section 37 or 38 of the CPR, the specific technical documents were used, indicate the requirements met by the product:* *…*

8. Appropriate technical documentation and/or specific technical documentation

The performances of the product identified in item 1 are in conformity with the declared performances stated in item 7.
This declaration of performances is established under the sole responsibility of the manufacturer identified in item 3.
Signed by authority and on behalf of the manufacturer:
…
(name and qualification)
… …
(date and location of issuance) (signature)

3. UKCA/UKNI CONFORMITY MARKING

The UKCA/UKNI marking and the accompanying information shall be affixed in one of the following locations (with the exception of special rules specific to a family of products and otherwise defined):

- either on the product itself
- or on a label affixed on the product
- or on the packaging of the product
- or on the accompanying commercial documents

and shall include the following information:

- the UKCA/UKNI symbol (specified shape)
- the identification number of Efectis UK/IRELAND 2822 (approved body Nr)
- the holder's name or identification mark
- the address of the holder's registered office
- the last two digits of the year in which the marking was affixed
- the Declaration of Performance reference / number
- the number of the UKCA/UKNI certificate
- the reference of the relevant technical specification

- the description of the product and its intended use (name and code number of the product or of its components)
- the characteristics required by the relevant technical specification for the product (with the mention NPD where applicable). These characteristics specific to the product under consideration are detailed in the technical specifications.

The UKCA/UKNI symbol

The colour of the UKCA/UKNI symbol is not specified, but the symbol shall be perfectly legible on the selected material.