



MINISTERIO
DE INDUSTRIA
Y TURISMO

REGULATORY IMPACT ANALYSIS REPORT ON THE
DRAFT ROYAL DECREE ESTABLISHING
PROVISIONS RELATING TO CONSTRUCTION
PRODUCTS

26 August 2025



TABLE OF CONTENTS

REGULATORY IMPACT ANALYSIS REPORT

EXECUTIVE SUMMARY SHEET.....	3
1. TIMELINESS OF THE PROPOSAL.....	7
a) Rationale.....	7
b) Objectives.....	8
c) Analysis of alternatives.....	9
d) Compliance with the principles of good regulation.....	10
e) Inclusion in the Annual Regulatory Plan.....	11
2. CONTENT.....	11
3. LEGAL ANALYSIS.....	15
a) Legal basis.....	15
b) Regulatory status.....	15
c) Linking in with national and European Union law.....	16
1. Spanish legal system.....	16
2. Legal system of the European Union.....	16
d) Repeal of regulations.....	17
e) Entry into force.....	19
4. ADAPTATION OF THE REGULATION TO THE ORDER OF DISTRIBUTION OF POWERS...19	
5. DESCRIPTION OF THE PROCESS.....	20
5.1 PROCEDURES CONDUCTED.....	20
5.2 NEXT PROCEDURAL STEPS.....	22
6. IMPACT ANALYSIS.....	22
6.1 Overall economic impact.....	23
6.2 Impact on competition.....	24
6.3 Impact on market unity.....	24
6.4 Impact on SMEs.....	24
6.5 Budgetary impact.....	25
6.6 Impact of administrative burdens.....	25
6.7 Gender impact.....	27
6.8 Impact on children and adolescents.....	27
6.9 Impact on family.....	27
6.10 Impact in terms of climate change and the energy transition.....	27
7. EX POST ASSESSMENT.....	28



EXECUTIVE SUMMARY SHEET

Proposing Ministry/Body	Ministry of Industry and Tourism.	Date	26/8/2025
Title of the Regulation	DRAFT ROYAL DECREE ESTABLISHING PROVISIONS RELATING TO CONSTRUCTION PRODUCTS		
Type of report	☒ Normal ☐ Abbreviated		
TIMELINESS OF THE PROPOSAL			
Subject	The purpose of this royal decree is to develop certain aspects necessary for the implementation of Regulation (EU) 2024/3110 of the European Parliament and of the Council, of 27 November 2024, laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011 (hereinafter referred to as the European Construction Products Regulation or CPR). In addition, this draft royal decree also updates various related national regulations.		
Objectives	- Objective 1: Develop certain aspects of the new Regulation (EU) No. 2024/3110 of the European Parliament and of the Council, of 27 November 2024, laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No. 305/2011. This regulation will replace the current Regulation (EU) No 305/2011 of the European Parliament and of the Council, of 9 March 2011, laying down harmonised conditions for the marketing of construction products. - Objective 2: Update various national regulations on construction products that have become obsolete.		
Main alternatives considered	Three possible alternatives have been considered: 1. Limit the royal decree to the development of the new European Construction Products Regulation. 2. In addition to that which was indicated in the previous point, the royal decree should include any necessary amendments to national regulations related to construction products. 3. Take no action. From the alternatives, option 2 is chosen.		



CONTENT AND LEGAL ANALYSIS	
Type of regulation	Royal Decree.
Structure of the regulation	The draft royal decree consists of a preamble, ten articles, two additional provisions, two transitional provisions, one repealing provision, seven final provisions and two annexes.
Reports collected	During processing, the following reports must be collected: - Report of the Office of Coordination and Regulatory Quality (OCCN). - Report of the General Technical Secretariat of the Ministry of Industry, Trade and Tourism. - Report of the General Technical Secretariat of the Ministry of Transport and Sustainable Mobility. - Report of the General Technical Secretariat of the Ministry of Housing and Urban Agenda. - Report of the General Technical Secretariat of the Ministry of Health. - Report of the General Technical Secretariat of the Ministry for Ecological Transition and the Demographic Challenge. - Report of the General Technical Secretariat of the Ministry of Economy, Trade and Business. - Report of the General Technical Secretariat of the Ministry of Social Rights, Consumer Affairs and 2030 Agenda. - Report of the Subdirectorate-General of International Relations and Cooperation. - Report of the Ministry of Territorial Policy regarding compliance with the constitutional order of distribution of powers. - Report of the Industrial Safety Coordination Council. - Prior approval by the Ministry for Digital Transformation and the Civil Service. - Expert Opinion of the Council of State.
Prior consultation	A previous public consultation was carried out to prepare the text in accordance with Article 26(2) of Law 50/1997, of 27 November, of the Government. The time period for submitting comments was from Tuesday 30 April 2024 to Monday 20 May 2024.
Hearing process	The draft was published on the website of the Ministry of Industry and Tourism, in order to give the interested parties a hearing in accordance with Article 26(6) of Law 50/1997, of 27 November. The time limit for submitting arguments was from Thursday 19 December 2024 to Friday 24 January 2025.



IMPACT ANALYSIS				
COMPLIANCE WITH THE DISTRIBUTION OF POWERS	This provision is issued under the provisions of Article 149(1)(13) of the Spanish Constitution, which confers on the State the competence to determine the basis and coordination of the general planning of economic activities.			
ECONOMIC AND BUDGETARY IMPACT	General impact on the economy.	Not significant.		
	With regard to competition	☒ The regulation has no significant impact on competition. ☐ The regulation has a positive impact on competition. ☐ The regulation has negative impacts on competition.		
	With respect to administrative burdens	☐ The regulation entails a reduction in administrative burdens. Estimated quantification: _____ ☐ Incorporates new administrative burdens. Estimated quantification: _____ ☒ Does not affect administrative burdens.		
	From the point of view of budgets, the regulation: ☐ Affects the budgets of the State Administration. ☐ Affects the budgets of other Territorial Administrations.	☒ Does not imply an increase in spending. ☒ Does not imply an income.		
GENDER IMPACT	The regulation has the following gender impact	☐ Negative	☒ None	☐ Positive
IMPACT ON CHILDREN AND ADOLESCENTS	The regulation has the following impact on childhood and adolescence	☐ Negative	☒ None	☐ Positive
IMPACT ON FAMILY	The regulation has the following	☐ Negative	☒ None	☐ Positive



	impact on families			
OTHER IMPACTS CONSIDERED	The impact on SMEs is deemed non-existent. The competitive impact is deemed non-existent. The impact due to climate change and the energy transition is deemed non-existent.			
OTHER CONSIDERATIONS	None.			



1. TIMELINESS OF THE PROPOSAL

a) Rationale

The purpose of this draft royal decree is to develop certain aspects necessary for the implementation of **Regulation (EU) 2024/3110 of the European Parliament and of the Council, of 27 November 2024, laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011** (hereinafter referred to as the European Construction Products Regulation or CPR).

This European Regulation replaces current Regulation (EU) No. 305/2011 of the European Parliament and of the Council of 9 March 2011, laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC.

Both the new CPR and the previous European Regulation of 2011, which it replaces, regulate the CE marking of certain **construction products**.

It should be remembered that European regulations do not require transposition into national legislation, as they are directly applicable in the Member States from their date of entry into force. Thus, this royal decree does not seek to transpose the European Regulation in its entirety, but is approved with the aim of developing various specific aspects that require national development.

Specifically, this royal decree develops aspects of the CPR such as the treatment of construction products in building codes, installation regulations and any other national regulations that govern aspects related to construction works or installations. In addition, other aspects are also developed, such as the registration process of notified bodies and technical assessment bodies, the competent authorities or the sanctioning regime, as provided for in Law 21/1992, of 16 July, on Industry.

At the same time, this draft royal decree also updates various **national regulations** related to construction products, as explained in the following paragraphs. Since this royal decree covers construction products regulated at European level, it is understood that this provision is also suitable for covering these other products regulated at national level, all them being grouped together under the same legislative provision, creating a simpler and more coherent legal framework.

A number of royal decrees regulating specific products that previously established rules for their **approval** are repealed and replaced. It should be highlighted that, over the years and with the progressive development of European regulations, the number of products not yet covered by these regulations has decreased considerably, with only a small number of products currently remaining in this group. In addition, with the entry into force of Royal Decree 2200/1995, of 28 December, approving the Regulation on Industrial Quality and Safety Infrastructure, the previous product approvals were replaced by **certifications** of conformity with the regulatory requirements. Thus, for this group of products, this royal decree updates and unifies its requirements into a single legislative



provision, repealing the various previous royal decrees and rewriting the requirements in a single text, thus achieving clearer and more efficient legislation.

Royal Decree 842/2013, of 31 October, adopting the classification of construction products and building elements according to their **fire reaction and resistance properties** is also repealed and replaced. This royal decree regulated the classification of these products according to their fire reaction and resistance properties, repealing the previous Royal Decree 312/2005, of 18 March.

Along with the above changes, another provision that must be amended to update part of its technical content is Royal Decree 605/2006, of 19 May, approving the procedures for the application of the UNE-EN 197-2:2000 standard to **cements** not subject to CE marking and to the distribution centres of any type of cement. The changes made consist of updating the references to the UNE standards and the procedures that are developed, in coordination with the changes introduced in this royal decree for these products.

In addition, this royal decree also introduces amendments or developments to other provisions that are explained in the following paragraphs.

A provision is introduced concerning the implementation of the European marking of **materials that come into contact with water for human consumption**, set out in Article 44 of Royal Decree 3/2023 of 10 January, establishing the technical and sanitary criteria for the quality of drinking water, its control and supply. This royal decree is a transposition of Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption. As indicated therein, a European marking has been developed through several acts of the European Commission. This marking will apply to products in contact with drinking water (mainly construction products) that form part of the installations for the collection, treatment, storage or distribution of water intended for human consumption (including supply pipes, valves, pumps, meters, tapware, etc.). With regard to these, this royal decree introduces the necessary considerations to be able to implement such marking in our country, thus complementing what is already provided for in Royal Decree 3/2023, of 10 January.

Finally, modifications are introduced in Royal Decree 1644/2008, of 10 October, establishing the standards for the **marketing and commissioning of machinery**. These amendments to Royal Decree 1644/2008, of 10 October, are necessary to adapt this provision to the new Regulation (EU) 2023/1230 of the European Parliament and of the Council of 14 June 2023, on machinery.

b) Objectives

The main objectives pursued by this provision are as follows:



- **Objective 1:** Develop various aspects of the new European Construction Products Regulation, adopted in 2024, which will replace the current Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products.

Aspects to be developed include the sanctioning regime, the process for notifying organisations and the rules to be applied for the construction products that are not subject to the European regulation.

- **Objective 2:** Update various national regulations on construction products that have become obsolete.

The aim is to amend various national regulations relating to construction products whose content has become partially obsolete and which, therefore, must be revised, updated or, where appropriate, repealed, in order to adapt to current testing methods, as well as to add a greater degree of detail to the certification process, the information and documentation that must accompany the products, and other related aspects.

c) Analysis of alternatives

Three possible alternatives have been considered.

The alternatives are as follows:

1. Limit the royal decree to the development of the new European Construction Products Regulation.
2. In addition to that which was indicated in the previous point, the royal decree should include any necessary amendments to national regulations related to construction products.
3. Take no action.

Option 2 has been chosen from the alternatives studied.

The reasons for choosing option 2 are as follows: on the one hand, certain aspects need to be addressed in the national regulations for the development of the new CPR. Similarly, there are various national regulations for some construction products that have become obsolete and should be updated or, where appropriate, repealed. In this way, it is chosen to prepare a single draft royal decree that addresses both topics together, encompassing them under the term 'construction products', thus grouping all these products in a single regulatory provision and creating a simpler and more coherent framework.



d) Compliance with the principles of good regulation

This regulation has been drawn up in consideration of the principles for good regulation set out in Article 129 of Law 39/2015, of 1 October 2015, on the Administrative Procedures of Public Administrations.

In particular, the principles of necessity and effectiveness are complied with by considering that the adoption of this royal decree is the necessary and appropriate instrument to achieve the objectives pursued.

This draft royal decree is necessary because it develops aspects of the CPR such as the use of construction products in construction codes and installation regulations, as well as the process of registration of notified bodies and technical assessment bodies, competent authorities or the sanctioning regime, all of which will allow for a more comprehensive legal system. In addition, it is necessary to update various national regulations for certain construction products that have become obsolete.

In drafting this draft royal decree, every effort has been made to ensure that it is as appropriate and effective as possible in achieving the objectives pursued, i.e. to create an optimal legal framework for construction products, taking into account the particular characteristics of each category of products, trying to avoid requirements that may be disproportionate or unjustified, and at the same time ensuring that products reaching end users and consumers do not present risks and fulfil their function properly.

The principle of proportionality is deemed to have been observed since the royal decree contains the regulations necessary to achieve its purpose.

The principle of legal certainty is guaranteed since this regulation is consistent with the rest of the legal system, and efforts were made to ensure that it is clear and that it facilitates action and decision-making for individuals and companies.

As regards transparency, all the mandatory reports were requested during its drafting process and published on the website of the Ministry of Industry and Tourism, in order to enable potential target groups to participate actively in the aforementioned process. Furthermore, in this same regard, prior to the drafting of this royal decree, a public consultation was held, as indicated in Article 26(2) of Law 50/1997, of 27 November, of the Government.

Finally, with regard to the principle of efficiency, unnecessary administrative burdens have been avoided.



e) Inclusion in the Annual Regulatory Plan

This royal decree is not included in the Annual Regulatory Plan of the General State Administration for 2025. This is due to the fact that its processing is not expected to be completed before 31 December of this year. It is nevertheless expected to be included in the Plan for the coming years.

2. CONTENT

The draft royal decree consists of a preamble, ten chapters, two additional provisions, two transitional provisions, one repealing provision, seven final provisions and two annexes.

The articles of the royal decree are grouped into the following five chapters:

CHAPTER I. *General provisions.* Includes the following articles:

- **Article 1** includes the purpose and scope of application of the royal decree. It refers, on the one hand, to construction products included in the European Construction Products Regulation (products with CE marking). On the other hand, it refers to certain products with national requirements (without CE marking under the CPR), where this is necessary, for those products to which European regulations do not apply.
- **Article 2** includes references to definitions.

CHAPTER II. *Product requirements and documentation.* Includes the following articles:

- **Article 3** includes the references to the requirements for construction products. Firstly, we consider the case of construction products to which the European Construction Products Regulation applies. For these products the requirements will be those set out in this regulation and they must bear the corresponding CE marking. On the other hand, it also includes certain products not subject to the CPR, which are outside the CE marking of the CPR, and for which national requirements can be established where necessary.
- **Article 4** establishes rules on the characteristics and performance of the products, based on the provisions of the CPR. Likewise, these rules should serve to guide the mandators or the recipients of the products (designers, engineers, construction companies, installation companies, etc.) regarding which products to choose in each case, what product documentation to check, and how to install them correctly.
- **Article 5** includes exceptions to the preparation of a declaration of performance and conformity, based on the possibilities provided for in the CPR itself. In particular, it establishes rules on when such exceptions may be used and how they should be applied.



- **Article 6** addresses products subject to national requirements. This article develops the rules relating to products subject to national requirements, to which the CPR does not apply, for cases where such requirements are requested in Annex I to the royal decree.

Therefore, this article does not apply to all products, but only to the categories of products listed in Annex I. This Article establishes rules for such products regarding, for example, the information and labelling of such products or their certification procedure, in the cases required by Annex I.

CHAPTER III. Notified bodies and technical assessment bodies: Includes **Articles 6 and 7** on Notified Bodies and Technical Assessment Bodies.

These bodies operate in the field of the CPR and the European regulation itself defines their main requirements as well as their operating rules. However, it is for each Member State to assess them and to notify/designate them to the European institutions, so that national rules, aligned with what is laid down in the CPR, must be established in order to carry out this process.

CHAPTER IV. Market monitoring: Includes **Article 9** on product control.

CHAPTER V. Sanctioning regime: Includes **Article 10** on infringements and sanctions.

The following additional provisions are subsequently included:

The **first additional provision** addresses mutual recognition, based on Regulation (EU) 2019/515 of the European Parliament and of the Council of 19 March 2019, on the mutual recognition of goods lawfully marketed in another Member State.

The **second additional provision**. *Aspects relating to the implementation of the European marking of products that come into contact with water intended for human consumption, in accordance with Article 44 of Royal Decree 3/2023, of 10 January, establishing the technical-sanitary criteria for the quality of water for consumption, its control and supply.*

This provision outlines the necessary aspects for the implementation of this recently created European marking. This marking will apply to products in contact with drinking water (mainly construction products) that form part of the installations for the collection, treatment, storage or distribution of water intended for human consumption, including supply pipes, valves, pumps, meters, tapware, etc.



The **transitional provisions** are then included. It should be noted that the CPR itself already has several transitional provisions, so this royal decree only includes transitional provisions that are not covered by the European regulation:

- **First transitional provision.** *Implementation regime for products covered by Annex I.*

This provision lays down a time limit for the adaptation of these products to the new requirements, for products subject to national requirements in Annex I.

- **Second transitional provision.** *Bodies authorised prior to the entry into force of this royal decree to certify products in Annex I and update existing product certificates.*

This provision establishes a deadline for the adaptation of these bodies, as well as setting a system to facilitate the updating of former certificates for products subject to national requirements (Annex I) that were already certified previously on the basis of the previous regulations.

The **single repealing provision** is then inserted with the list of provisions to be repealed, indicating that any provisions of equal or lower rank that contradict the provisions of this royal decree are also repealed.

On the products that were regulated in these provisions, whose royal decrees are now repealed, it can be verified that most of them will now be covered by the new Annex I to this royal decree, except for some cases where the former text is repealed and such product is not included in Annex I, because it is not considered necessary. For example, **sanitary equipment** is not included in Annex I because those products are currently already covered by the CPR and therefore do not need to be regulated at national level. Similarly, in the case of **galvanised** coatings, the decision is also made to repeal the previous royal decree and not to include them in Annex I because it is understood that these coatings are included within the construction products to which the CPR applies, or in their absence, in their respective specific legislation for cases where it is necessary. The aforementioned royal decree is therefore no longer necessary and can be repealed.

Subsequently, the **final provisions** are included in the royal decree, and are as follows:

- **First final provision.** *Amendment of Royal Decree 605/2006, of 19 May 2006, approving procedures for application of standard UNE EN 197-2:2000 to cements that are not subject to the EC marking and to distribution centres of any type of cement.*



This provision amends Royal Decree 605/2006, of 19 May, to update and adapt it to the provisions of this royal decree, with regard to cements. The changes included are aligned with the provisions of Annex I to this Royal Decree on certain types of cement.

- **Second final provision.** *Amendment to Royal Decree 1644/2008, of 10 October, establishing the rules for the marketing and commissioning of machinery.*

This provision includes the amendments to Royal Decree 1644/2008, of 10 October, which are necessary to adapt said provision to the new Regulation (EU) 2023/1230 of the European Parliament and of the Council, of 14 June 2023, on machinery.

- **Third final provision.** *Basic character and jurisdictional powers.* States that this royal decree constitutes a regulatory standard of industrial safety, which is issued under the provisions of Article 149(1)(13) of the Spanish Constitution.
- **Fourth final provision.** *Regulatory powers.* Enables the holder of the Ministry of Industry, Trade and Tourism to dictate the necessary provisions for the development and compliance of this Royal Decree.
- **Fifth final provision.** *Application measures.* It empowers the Directorate-General to prepare a non-binding technical guide to facilitate the practical implementation of the royal decree.
- **Sixth final provision.** *UNE and other internationally recognised standards.* The fourth final provision refers to the technical standards (UNE and other internationally recognised standards) that will be cited later in Annex I, and provides that the list of standards can be updated in order to facilitate adaptation to the state of the art at any given time.
- **Seventh final provision.** *Entry into force.* Establishes the entry into force of the royal decree, giving a sufficient period of time between the publication of the text in the Spanish Official State Gazette and its entry into force, which allows preparation of the adaptation that may be necessary to the new text, before it enters into force.

Thus, it is established that the royal decree will enter into force **six months after its publication in the “Official State Gazette”**, except for the second final provision, for which another date of entry into force is established, as will be explained later in the corresponding section of this document.

Finally, the annexes to the royal decree are inserted:

Annex I. PRODUCTS SUBJECT TO NATIONAL REQUIREMENTS. This annex covers the following categories of products, in the absence of current European regulations for them:



1. Certain categories of cements
2. Smooth and corrugated drawn wire
3. Active steel reinforcement for prestressed concrete
4. Welded steel pipes
5. Carbon monoxide and other gas detectors
6. Sanitary tapware
7. Construction products and building elements with fire-resistant properties

Annex II. PRODUCT DECLARATION TEMPLATE. It includes a declaration template applicable to the products collected according to Article 6 of the Royal Decree. This should not be confused with the *Declaration of Performance and Conformity* provided for in the CPR, which applies to products with CE marking from the CPR. On the contrary, this declaration template in Annex II applies only to the products listed in Annex I to this royal decree, which are not currently covered by the CPR.

3. LEGAL ANALYSIS

a) Legal basis

The proposal falls within the scope of Law 21/1992, of 16 July, on Industry, Article 1 of which states that: “The purpose of this Law is to establish the bases for the organisation of the industrial sector, as well as the criteria for coordination among public administrations, pursuant to Article 149(1). (1) and (13) of the Spanish Constitution”. Article 2 also provides that: “The purpose expressed in the previous article will be specified as the pursuit of the following objectives: (...) 3. Industrial safety and quality (...)”.

Article 12(5) of Law 21/1992, of 16 July, establishes that the Industrial Safety Regulations at state level are to be approved by the Government of the Nation, without prejudice to the fact that autonomous communities with legislative jurisdiction over industry may introduce additional requirements, where they relate to installations located within their territory.

b) Regulatory status

Regarding the status of the proposal, it is considered that a regulatory draft with the status of a royal decree is the appropriate instrument.

The royal decree is covered by Article 97 of the Constitution, concerning the attribution of the Government for the exercise of regulatory powers, specified in Article 5(h) of Law 50/1997, of 27 November, in favour of the Council of Ministers.



The status provided for in the standard (royal decree, approved by the Council of Ministers) is thus correct, since Article 24 of Law 50/1997, of 27 November, states that the decisions of the bodies governed by this law review, inter alia, the forms of royal decrees approved in Councils of Ministers, which adopt regulations governing competition.

The status of the draft regulation is equal to or greater than that of the legal provisions being amended.

In addition, there is no material or formal reservation of law in this matter requiring it to be regulated by means of a legal provision: approval by royal decree is sufficient.

Finally, since the draft contains provisions of a markedly technical nature, the law is not the ideal instrument for its regulation.

c) Linking in with national and European Union law

1. Spanish legal system

This royal decree has its legal coverage in Law 21/1992, of 16 July, Article 12(5) of which establishes that the Industrial Safety Regulations at state level are to be approved by the Government of the Nation, without prejudice to the fact that autonomous communities with legislative jurisdiction over industry may introduce additional requirements, where they relate to installations located within their territory. The royal decree is covered by Article 97 of the Constitution, concerning the attribution of the Government for the exercise of regulatory powers, specified in Article 5(h) of Law 50/1997, of 27 November, in favour of the Council of Ministers. The status provided for in the standard (royal decree, approved by the Council of Ministers) is thus correct, since Article 24 of Law 50/1997, of 27 November, states that the decisions of the bodies governed by this law review, inter alia, the forms of royal decrees approved in Councils of Ministers, which adopt regulations governing competition.

It therefore follows that the proposed standard, of a technical nature, has a legal basis in the aforementioned laws.

2. Legal system of the European Union

The relationship of this royal decree with the EU legal system can be studied in two differentiated parts:

1. Part of this royal decree implements certain aspects of the CPR that must be developed at national level.



It should be recalled that European regulations (unlike directives) do not require transposition into national legislation, since they are directly applicable in the Member States. Therefore, this royal decree does not seek to transpose the European regulation in its entirety, but only addresses some specific aspects that require national development.

Specifically, this royal decree develops aspects of the CPR such as those relating to the processes involved in the registration of notified bodies and technical assessment bodies, the competent authorities and the sanctioning regime, as provided for in Law 21/1992, of 16 July, on Industry.

2. On the other hand, another part of this royal decree regulates aspects of some products not covered by European regulations.

In this case, for these products, as European legislation does not apply to them, Member States are empowered to establish specific national legislation for them. With regard to these products, this royal decree updates the existing national legislation that previously existed for them, unifying it into a single provision.

d) Repeal of regulations

As explained in the previous section of this document concerning the content of the draft royal decree, several provisions are repealed, which are listed below.

In drawing up the list of provisions to be repealed, consideration has been given to which aspects of those provisions will now be included in this royal decree and which are no longer necessary, as well as to the positions and opinions of the various individuals and sectors concerned.

The following provisions are repealed:

- a) Fifth additional provision and fourth transitional provision of the Regulations on Infrastructure for Quality and Industrial Safety, approved by Royal Decree 2200/1995, of 28 December.
- b) Royal Decree 1313/1988, of 28 October, declaring the approval of cements for the manufacture of concretes and mortars for all types of works and prefabricated products to be compulsory.
- c) Order of 17 January 1989, establishing the certification of conformity with standards as an alternative to the approval of cements for the manufacture of concretes and mortars for all types of works and prefabricated products.



d) Royal Decree 2702/1985, of 18 December, approving smooth and corrugated drawn wires used in the manufacture of welded meshes and semi-resistant reinforced concrete beams (lattice beams) by the Ministry of Industry and Energy.

e) Order of 8 March 1994, establishing certification of conformity to standards as an alternative to the approval of smooth and corrugated drawn wires used in the manufacture of electro-welded mesh and semi-resistant reinforced concrete beams.

f) Royal Decree 2365/1985, of 20 November, approving active steel reinforcements for prestressed concrete by the Ministry of Industry and Energy.

g) Order of 8 March 1994, establishing the certification of conformity to standards as an alternative to the approval of active steel reinforcements for prestressed concrete.

h) Royal Decree 2704/1985, of 27 December, declaring compliance with the technical specifications annexed to this royal decree for welded steel pipes, with nominal diameters between 8mm and 220mm and their derived profiles, intended for fluid conduction, mechanical, structural and other uses, both black and galvanised and their approval by the Ministry of Industry and Energy.

i) Order of 8 March 1994, establishing the certification of conformity to standards as an alternative to the type-approval of welded steel pipes.

j) Royal Decree 2367/1985, of 20 November, laying down the subjection to technical specifications of carbon monoxide concentration detection equipment.

k) Royal Decree 358/1985, of 23 January, establishing the subjection to technical standards of sanitary tapware for use in body hygiene facilities, kitchens and laundry facilities and their type-approval by the Ministry of Industry and Energy.

l) Order of 15 April 1985, on technical standards for sanitary tapware to be used in personal hygiene facilities, kitchens and laundry facilities and their type-approval by the Ministry of Industry and Energy.

m) Order of 12 June 1989, establishing the certification of conformity to standards as an alternative to the type-approval of sanitary tapware for use in personal hygiene facilities, kitchens and laundry facilities.

n) Royal Decree 2531/1985, of 18 December, declaring compliance with the technical specifications of hot galvanised coatings on various products, parts and articles constructed or manufactured from steel or other ferrous materials and their type-approval by the Ministry of Industry and Energy.

ñ) Order of 13 January 1999, partially amending the requirements set out in the Annex to Royal Decree 2531/1985, of 18 December, concerning the technical specifications of hot-dip galvanised coatings on various products, parts and articles, constructed or manufactured from steel or other ferrous materials, and their type-approval by the Ministry of Industry and Energy.

o) Order of 14 May 1986 declaring mandatory compliance with the technical specifications for ceramic sanitary appliances for use in personal hygiene facilities, kitchens and laundry rooms for type-approval by the Ministry of Industry and Energy.



p) Order of 14 January 1991, establishing the certification of conformity to standards, as an alternative to the type-approval, for ceramic sanitary appliances for use in personal hygiene facilities, kitchens and laundry rooms.

q) Royal Decree 842/2013, of 31 October, approving the classification of construction products and building elements according to their reaction and fire resistance properties.

Likewise, any provisions of equal or lower rank that contradict the provisions of this Royal Decree are repealed.

e) Entry into force

This royal decree will enter into force **six months** after its publication in the Official State Gazette.

However, the **second final provision**, referring to the amendment of Royal Decree 1644/2008, of 10 October, will enter into force in accordance with the following deadlines: Sections one to four, six and seven on 14 January 2027 and section five on the day following its publication in the “Official State Gazette”.

Once it enters into force, the royal decree will remain in force indefinitely.

For the purposes of Article 23 of Law 50/1997, of 27 November, of the Government, it should be pointed out that it has been decided to set the date of entry into force of this Royal Decree at a total of **six months** from the date of its publication in the Official State Gazette, which is being done with the aim of ensuring that there is a sufficient period between the time at which the royal decree is published and the time at which it enters into force. This is because, given the technical nature of the content of the royal decree, the date of entry into force contemplated is deemed appropriate to facilitate the adaptation of the same. In addition to the above, for certain particular situations additional transitional periods are provided for in the transitional provisions, in cases where it is deemed appropriate to give a longer period.

On the other hand, for the **second final provision** a different period for entry into force has been established to bring it into line with the provisions of Regulation (EU) 2023/1230 of the European Parliament and of the Council, of 14 June 2023, on machinery, and repealing Directive 2006/42/EC of the European Parliament and of the Council and Council Directive 73/361/EEC, which is the subject of said final provision.



4. ADAPTATION OF THE REGULATION TO THE ORDER OF DISTRIBUTION OF POWERS

This royal decree is issued under the provisions of Article 149(1)(13) of the Spanish Constitution, which grants the State exclusive competence over basic rules and coordination of general economic planning.

It should be pointed out that Law 21/1992 of 16 July 1992 on Industry, Title III, “Industrial safety and quality”. Specifically, Article 12(5) of said Law provides that: ‘Industrial Safety regulations at State level will be approved by the Government of the Nation, without prejudice to the fact that the autonomous communities, having legislative competence over industry, may introduce additional requirements in the same matters when it comes to facilities located within their territory’.

The central section of the regulation included in the draft royal decree is, for the purposes of jurisdiction, brought back within the scope of ‘Industry’ and, in particular, that of ‘industrial safety’. Although the aforementioned field of ‘Industry’ is not explicitly mentioned in Articles 148 and 149 of the Constitution, State powers in this matter derive from those generally granted to the State under Article 149(1). (13) of the Constitution over the “basic rules and coordination of general economic planning”.

For their part, the autonomous communities have regulatory powers of development and implementation in the field of industry, without prejudice to what is determined by State regulations for reasons of security, health or military interest and regulations relating to industries subject to the legislation on mines, hydrocarbons and nuclear energy.

The Constitutional Court, in STC 203/1992, stated that *'in the fundamental core of the field of "industry" include, among others, activities aimed at the management of industrial sectors, the regulation of industrial or manufacturing processes and, more precisely in the sub-matter of industrial safety, activities related to the safety of industrial facilities and establishments and the industrial processes and the products produced therein'*.

5. DESCRIPTION OF THE PROCESS

In accordance with Article 26 of Law 50/1997, of 27 November, of the Government, the following procedures are required:

5.1 PROCEDURES CONDUCTED

1. **Initial authorisation** from the Secretary of State for Industry, granted on 26 April 2024.



2. A **previous public consultation** was carried out to prepare the text in accordance with Article 26(2) of Law 50/1997, of 27 November, of the Government.

The content of the consultation set out the current situation, the reasons for the possible elaboration of a future royal decree, its necessity, timeliness, objectives and the different alternatives.

The time period for submitting comments was from Tuesday 30 April 2024 to Monday 20 May 2024.

All information about the consultation was published on the Ministry's website, via the following link:

https://industria.gob.es/es-es/participacion_publica/Paginas/DetalleParticipacionPublica.aspx?k=666

Approximately 10 responses were received, mostly from associations or entities related to the construction sector. A list of these is shown in the **Annex I** of this document.

3. The draft was published on the website of the Ministry of Industry and Tourism (MINTUR), in order to give the interested parties a hearing in accordance with Article 26(6) of Law 50/1997, of 27 November. The time limit for submitting arguments was from Thursday 19 December 2024 to Friday 24 January 2025.

The website with the details of the **hearing and public information** can be found at the following link:

https://industria.gob.es/es-es/participacion_publica/Paginas/DetalleParticipacionPublica.aspx?k=691

The following have been specifically notified: the Directorates-General responsible for Industry of the different autonomous communities and the cities of Ceuta and Melilla, the main associations in the field of industrial safety that are in contact with the proposing Sub-Directorate and the professional associations.

Around 15 response letters were received with comments, from both the main associations and organisations related to the sector, as well as from public administrations, professional associations and companies.

The submissions received were studied and evaluated, and the relevant changes were made to the text. After assessing the submissions received, the initial proposal was revised by



making changes to the text of the draft royal decree, mainly in response to the comments received.

Annex II of this document provides a summary of the submissions received together with their corresponding assessment.

5.2 NEXT PROCEDURAL STEPS

During the processing, the following reports are expected to be requested:

- Report of the Office of Coordination and Regulatory Quality (OCCN).
- Report of the General Technical Secretariat of the Ministry of Industry, Trade and Tourism.
- Report of the General Technical Secretariat of the Ministry of Transport and Sustainable Mobility.
- Report of the General Technical Secretariat of the Ministry of Housing and Urban Agenda.
- Report of the General Technical Secretariat of the Ministry of Health.
- Report of the General Technical Secretariat of the Ministry for Ecological Transition and the Demographic Challenge.
- Report of the General Technical Secretariat of the Ministry of Economy, Trade and Business.
- Report of the General Technical Secretariat of the Ministry of Social Rights, Consumer Affairs and 2030 Agenda.
- Report of the Subdirectorate-General of International Relations and Cooperation.
- Report of the Ministry of Territorial Policy regarding compliance with the constitutional order of distribution of powers.
- Report of the Industrial Safety Coordination Council.
- Prior approval by the Ministry for Digital Transformation and the Civil Service.
- Expert Opinion of the Council of State.

6. IMPACT ANALYSIS

By way of preamble to this chapter on *impact analysis*, it should first be noted that the draft Royal Decree has **three large differentiated parts**:

1. On the one hand, the royal decree develops some aspects that are necessary to implement the **CPR** in Spain, for the construction products covered by this European Regulation.



In this regard, it should be noted that the European regulation has its own analysis, carried out by the European Commission. The following documents can be consulted: The impact assessment report is contained in document “SWD(2022) 88 final”, available via the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022SC0088>. Executive summary of the impact assessment report, “SWD(2022) 89 final” in Spanish: <https://eur-lex.europa.eu/legal-content/ES/TXT/HTML/?uri=CELEX:52022SC0089&from=EN>.

The purpose of this MAIN is not to re-examine the CPR, just as this royal decree is not intended to transpose the European regulation (since European regulations are directly applicable in all Member States, without the need for transposition). Therefore, the analysis of this MAIN is limited to analysing the impact of the royal decree itself.

2. On the other hand, **Annex I** of this royal decree includes national requirements for certain products not covered by the CPR.

In general, the content of this annex corresponds to the content of other former royal decrees that are repealed (see section on repeals), the content of which should be updated and unified in the same place. In carrying out this updating work, efforts have been made to maintain, as far as possible, the level of requirements for those product categories that are understood to be necessary to guarantee an adequate level of safety, reliability and functionality of the same. At the same time, the particular characteristics of each product category have been taken into account so that the text is as consistent and appropriate as possible, trying to avoid requirements that may be disproportionate or unjustified, and at the same time seeking to ensure that the products reaching the end users and consumers fulfil their function properly and do not present risks.

3. Finally, some **final provisions** of the royal decree develop or modify other regulatory provisions, as explained above. In general, what is included in these final provisions is either related to the matters concerning construction products that are developed in this royal decree, it therefore being appropriate to make such modifications or developments simultaneously, or they are specific modifications of minor significance.

6.1 Overall economic impact

The purpose of this analysis is to study the impact on the economic aspects derived from the draft royal decree.

This legal provision has a marked technical nature, and the changes that are introduced in it to the current legislation are mainly intended to adapt it to the progress of the technique and the



regulatory framework of the European Union and Spain. Its approval will not have any significant economic impact on the Spanish economy as a whole.

It should be remembered that this draft royal decree is not a transposition of the European Construction Products Regulation, but rather a development of some aspects of it. The aforementioned European regulation has its own analysis, carried out by the European Commission, which can be consulted via the links noted above.

6.2 Impact on competition

This royal decree will not have any significant impacts on competition, since it merely updates the current regulation on this issue, to adapt it to technical advances and changes in the regulatory framework and make it better suited to what is established in the regulatory framework. No restrictions on competition are introduced in any of its major aspects: number of market players, ability and incentives for competing.

6.3 Impact on market unity

This royal decree complies with the principle of market unity avoiding any fragmentation in the Spanish market so it can be said that it complies with the provisions of Law 20/2013 of 9 December, on the guarantee of market unity.

This is achieved by establishing clear rules applicable throughout the Spanish territory, unifying the minimum criteria to be met by all operators on the market.

6.4 Impact on SMEs

The study of the impact that the regulations may have on SMEs is particularly important in Spain, where Small and Medium-sized Enterprises represent the vast majority of the Spanish business fabric.

In order to assess the impact on SMEs, the indications of the Methodological Guide for the preparation of the report on the regulatory impact analysis have been taken as a reference, notably those in paragraph 3(a) "General economic impact".

To the extent that this proposal for a royal decree develops aspects of the CPR without imposing any additional burden or requirement on SMEs, it is understood that the SME Test is not necessary.



For its part, with regard to the product requirements of Annex I, as explained above, their content replaces, updates and unifies the content of other royal decrees that are repealed. This annex was developed together with the main associations of manufacturers of these products to develop a text that takes into account, as far as possible, the particular characteristics of each product category, avoiding disproportionate or unjustified requirements. In any case, during the hearing process, the main associations with which this unit has contact have been notified, and their comments are set out in Annex II to this MAIN, along with the rest of the submissions received.

6.5 Budgetary impact

This measure has no budgetary impact, as the draft is expected to have no effects on public expenditure and revenue, either financial or non-financial.

6.6 Impact of administrative burdens

For the purposes of studying the impact of administrative burdens, the new draft royal decree does not incorporate substantial changes to the requirements set out in the previous regulations, but rather limits itself, on the one hand, to reflecting the provisions of European regulations and, on the other hand, to updating various national regulations that had become obsolete.

Below, we analyse some relevant aspects of this matter:

1. First, it should be noted that the part of the draft royal decree developing aspects of the CPR is limited to implementing the topics set out in the European regulation itself.

Specifically, Articles 3(1) and 4 of the draft royal decree refer to the need for the manufacturer to draw up a *declaration of performance and conformity* and to affix the CE marking to the product. This requirement is not established by this royal decree, but by the European regulation itself (Article 13 of the CPR) in the same way that the CPR also establishes certain obligations for importers, distributors or authorised representatives (Chapter III of the CPR). On this matter, as indicated above, the European Commission's impact assessment report on the European regulation can be consulted.

It should also be remembered that these obligations established by the CPR for the manufacturer to draw up a *declaration* and affix the CE marking to construction products, as well as the obligations for importers, distributors, etc. are not new requirements established by the CPR of 2024, but were all already required previously in the previous Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 and before that in Council Directive 89/106/EEC. To this end, the CPR has replaced the previous European regulation from 2011 in order to address its



shortcomings and to improve and adapt its content to the current and future challenges and needs of the construction sector.

Therefore, in summary, the CE marking requirements are not introduced by this draft royal decree, but derive from the CPR, which, in turn, replaces the previous European regulation from 2011, and before that, the 1989 directive. The existence of this European legislation is justified by the need for the products incorporated in construction projects to be reliable and safe, providing sufficient guarantees for the recipients of the products and, ultimately, for people using buildings, roads, bridges, etc. At the same time, it seeks to allow product manufacturers to market their products freely throughout European territory, so that the single market can be successfully implemented in the EU, guaranteeing the free movement of goods.

2. On the other hand, there is a section of the draft royal decree that sets out national requirements for certain products not subject to the CPR. This is mainly reflected in Article 3(2), Article 6 and Annex I of the draft.

These sections of the draft royal decree do not develop the CPR, but rather seek to establish requirements for certain products that, at present, are not yet covered by European regulations (CE marking) and that, given their use and relevance in construction works and safety, need to be regulated in order to provide adequate guarantees of proper functioning.

However, it should be noted that the products covered here, in general, already had to comply with national regulations that required them to comply with requirements similar to those provided for in this draft royal decree. Therefore, the provisions of the draft are not new requirements, but rather an update of the previously existing legislation.

In this way, this part of the draft royal decree updates and unifies into a single regulatory provision the content of several previous royal decrees that already established similar requirements for certain products, but whose content had become obsolete, both in formal aspects (product documentation) and in technical aspects (cited standards, tests, etc.). With this, several former royal decrees are repealed and replaced by a single clearer and updated text.

This change will entail advantages both for manufacturers, by having a clearer and more effective up-to-date technical regulation, as well as advantages for the recipients of the products and users thereof, by highlighting the importance of ensuring that the products used in the construction works are safe and reliable.

3. Finally, with regard to the remaining provisions of the royal decree, neither do they introduce any significant burdens.



Thus, ultimately, when considered as a whole, this draft royal decree does not introduce any significant new administrative burdens compared to the previous regulations. At the same time, there is also no significant reduction in burdens compared to the previous regulations. However, as has already been explained, this draft royal decree will bring a number of advantages, both for product manufacturers and for recipients and users of products, and represents, in general terms, an update of the regulations already existing in the field of products and the construction sector.

- a) Increase in administrative burdens: No significant administrative burdens are introduced.
- b) Reduction of administrative burdens: No significant administrative burdens are reduced.

6.7 Gender impact

Pursuant to Article 26(3)(f) of Law 50/1997, of 27 November, of the Government, it is stated that this royal decree, in terms of its form and content, has no gender impact whatsoever and does not contain any provision that might encourage situations of gender-based discrimination. From this point of view the impact is non-existent, since the regulation deals exclusively with technical issues and does not have direct legal effects on individuals.

6.8 Impact on children and adolescents

In accordance with the provisions of Article 22(d) of Organic Law 1/1996, of 15 January, on the Legal Protection of Minors, partially amending the Civil Code and the Civil Procedure Act, as amended by Law 26/2015, of 28 July, amending the protection system for children and adolescents, the draft legislation has no impact on children and adolescents as it exclusively addresses technical issues relating to installations and does not have any direct legal effects on natural persons.

6.9 Impact on family

In accordance with the provisions of the 10th additional provision of Law 40/2003, of 18 November, on the protection of large families, introduced by the fifth final provision of Law 26/2015, of 28 July, amending the protection system for children and adolescents, the draft legislation has no impact on the family as it mainly addresses technical issues relating to installations and does not have any direct legal effects on natural persons.



6.10 Impact in terms of climate change and the energy transition

The fifth final provision of Law 7/2021, of 20 May, on climate change and energy transition has introduced this impact and amended Article 26.3 of Law 50/1997, of 27 November.

In this regard, it is noted that the proposed royal decree does not include any relevant changes in this matter compared to the legislation previously in force. The draft royal decree has no impact on climate change and the energy transition.

However, it should be noted that the European regulation being developed (CPR) does provide for new sustainability aspects that the previous European regulation did not provide for, with the aim of promoting a higher level of sustainability in the construction products market.

7. EX POST ASSESSMENT

There is no requirement for ex post assessment of the effectiveness, sustainability and results of the standard, within the meaning of Article 3.2 of Royal Decree 286/2017, of 24 March, regulating the Regulatory Annual Plan and the Regulatory Annual Evaluation Report of the General State Administration and establishing the Regulatory Planning and Evaluation Board.

MAIN ANNEXES

ANNEX I
PRIOR PUBLIC CONSULTATION

The entities that have responded to the prior public consultation are listed below:

No	PERSON/BODY
1	AGRIVAL, Asociación Nacional de Fabricantes de Grifería y Valvulería (National Association of Tapware and Valve Manufacturers)
2	Calidad Siderúrgica S.L.
3	ATEG, Asociación Técnica Española de Galvanización (Spanish Technical Association for Galvanisation)
4	CGATE, Consejo General de la Arquitectura Técnica de España (General Council of Technical Architecture in Spain)
5	IECA, Instituto Español del Cemento y sus Aplicaciones (Spanish Institute of Cement and its Applications)
6	ANDECE, Asociación Nacional de la Industria del Prefabricado de Hormigón (National Association of the Prefabricated Concrete Industry)
7	ASEFAVE, Asociación Española de Fabricantes de Fachadas Ligeras y Ventanas (Spanish Association of Manufacturers of Light Façades and Windows)
8	ANFACESA, Asociación Nacional de Fabricantes de Cerámica Sanitaria (National Association of Fertiliser Manufacturers)
9	FdA, Federación de Áridos (Aggregates Federation)
10	LGAI-Appius
11	AEA, Asociación Española del Aluminio y Tratamientos de Superficie (Spanish Association for Aluminium and Surface Treatment)

ANNEX II

HEARING AND PUBLIC INFORMATION

The following table contains a summary list of the submissions received during the hearing process and public information, including the section of the RD to which they refer, the entity (or individual) issuing them, and the corresponding assessment. The following letter codes are used to perform the valuation: **A (Accepted)**, **PA (Partially Accepted)**, **R (Rejected)**, **C (Comment without specific proposals)**.

In the case of submissions sent several times by several people with repeated content on the same subject, these are shown only once in the table (usually they are associated with the person who sent them chronologically in the first place), the assessment included in the table being applicable to all of them.

On the other hand, it is recalled that the references to numbers of articles, paragraphs or tables that appear here correspond to the order contained in the draft royal decree at the time of the hearing, which was subsequently subject to change in its later versions as a result of the alterations made during the processing.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
1	CSCAE	Preliminary aspects As this draft royal decree is an attempt to improve information on construction products in their application to construction works, it should be noted that, in addition to the products regulated by the CPR, there are many other products and equipment that come to form an integral part of the building. These products, which must bear the CE marking due to various requirements, are regulated by the transposition of multiple European Directives into Spanish legislation. The variety of decrees laying down the essential requirements for these products: machinery, installations, pressure equipment, electromagnetic compatibility,	It is required and requested that all the information on these products that form an integral and permanent part of the buildings can be consulted jointly, as is currently the case for those regulated by the CPR. This would allow the users of these products (designers, mandators, builders, construction managers, etc.) a clear and precise understanding of the obligations of CE marking and the advantages of its use in construction.	R. It is not appropriate to change the text of the proposal. The information and documentation requirements for each type of product, depending on each regulation, are indicated in the regulation itself.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
		etc., makes it very difficult for the technician to delineate the obligatory nature and the scope of this CE marking.		
2	CSCAE	Explanatory memorandum/Preamble (Paragraph 3) In particular, Council Directive 89/106/EEC, of 21 December 1988, on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products was transposed into our legal system by Royal Decree 1630/1992, of 29 December, which establishes provisions for the free movement of construction products. That Directive was subsequently repealed and replaced by Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011, laying down harmonised conditions for the marketing of construction products. Finally, Regulation (EU) No 305/2011 has been annulled and replaced by the recently adopted Regulation (EU) 2024/3110 of the European Parliament and of the Council of 27 November 2024, laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011 (hereinafter the European Construction Products Regulation, CPR).	Explanatory memorandum/Preamble (Paragraph 3) (grammatical changes) Specifically, Council Directive 89/106/EEC, of 21 December 1988, on the approximation of the laws, regulations and administrative provisions of the Member States relating to construction products was transposed into our legal system by Royal Decree 1630/1992, of 29 December, laying down provisions for the free movement of construction products. Subsequently, that Directive <u>was replaced</u> by Regulation (EU) No 305/2011 of the European Parliament and of the Council, of 9 March 2011, laying down harmonised conditions for the marketing of construction products. Finally, Regulation (EU) No 305/2011 has been annulled and replaced by the recently adopted Regulation (EU) 2024/3110 of the European Parliament and of the Council, of 27 November 2024, laying down harmonised rules for the marketing of construction products and <u>partially</u> repealing Regulation (EU) No 305/2011 (hereinafter the European Construction Products Regulation, CPR).	PA. The word “annulled” is changed/removed as proposed. On the other hand, with regard to the title of Regulation (EU) 2024/3110, the text that is there is the correct title of this and therefore nothing should be changed.
3	CSCAE	Explanatory Memorandum/Preamble (Paragraph 4) In addition, with the new Regulation, construction products with CE marking must be accompanied by a new “Declaration of Performance and Conformity” template that will replace the “Declaration of Performance” of the previous regulation.	Explanatory Memorandum/Preamble (Paragraph 4) In addition, with the new Regulation, construction products with CE marking must be accompanied by a new of “Declaration of Performance and Conformity” template that will replace the “Declaration of Performance” of the previous regulation on a mandatory basis from the dates established in Article 94 thereof.	R. It is not appropriate to include references to specific articles here. In addition, this reference would not be correct as it does not take into account the transitional provisions.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
4	CGATE	Article 2 Definitions	It is considered necessary to add the following definitions for later use in the document: “construction product” means any shaped or unshaped physical item, including its packaging and instructions for use, or a kit or assembly combining such items, placed on the market or produced for incorporation in a permanent manner in construction works or parts thereof within the Union, with the exception of articles that are must first of all be integrated into an assembly, kit or other construction product before being permanently incorporated into construction works; “kit” means a product placed on the market by a single economic operator as a combination of at least two separate items, neither of which need necessarily be a product in itself, intended to be incorporated together in construction works; “assembly” means a combination of at least two separate items, one of which must be a product; “direct installation” means the installation of a product on a customer’s construction site without prior marketing or the installation of a single-family home regulated by this regulation, regardless of whether or not they are carried out within the framework of a service provision.	R. The definitions are already included in the CPR. It is not necessary to copy them here in their entirety, nor is it appropriate to include other definitions that differ from those contained in the CPR.
5	CSCAE	Article 4. Characteristics and performance of the products. 1. For products covered by the European Construction Products Regulation, these products must have declared in their Declaration of Performance and Conformity those essential characteristics and performances that are established as mandatory at European level in accordance with the European Regulation itself and the delegated and implementing acts that develop it.	Article 4. Characteristics and performance of the products. 1. For products covered by the European Construction Products Regulation, they must have declared in their Declaration of Performance or Declaration of Performance and Conformity on a mandatory basis from the dates established in Article 94 , those essential characteristics and performance that are established as mandatory at European level according to the European Regulation itself and the delegated and implementing acts that develop it.	R. It is not appropriate to refer here to the documentation of the 2011 CPR as it is going to be repealed. With regard to the proposal to cite Article 94, this reference would not be correct as it does not take into account the transitional provisions, meaning that the actual dates for updating this documentation are not those that appear in that article.
6	CSCAE	Article 4. Characteristics and performance of the products	Throughout the wording of the Construction Products Regulation (Regulation (EU) 2024/3110), there is no	A. The wording is amended to make it clearer. Users (or designers, etc.) are not

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
		2. For products covered by the European Construction Products Regulation that must possess certain characteristics or minimum performance levels, <u>the mandators, recipients and end users of the products (such as designers, stakeholders involved in the construction process or installation and maintenance companies) must verify, prior to their installation or use, that the products comply with these characteristics and performance levels.</u> <u>The product documentation will be checked before proceeding with its installation or use, verifying in the Declaration of Performance and Conformity that the use of the product, its essential characteristics, its declared performance and the rest of the information relating to it, is appropriate.</u> Similarly, general information about the product, instructions for use, safety information and any other information contained in the CPR supplied with the product will be taken into account.	mention of either designers or mandators within the meaning of Article 4. The definition of "economic operator" (Article 3, Definitions), refers exclusively to manufacturers, their representatives, and all those involved in the marketing of the products. The aforementioned (designers, mandators) cannot verify and check compliance with product characteristics when the same regulation establishes complex verification mechanisms involving technical assessment bodies (TAB), whose obligations and capacities far exceed those of the project designers and mandators who, as stated below, can verify the suitability of the characteristics declared on said products against those required by regulatory compliance and those mandated in construction and building projects. On the other hand, in the same sense, it should be kept in mind that according to Article 13 of the CPR (Regulation (EU) 2024/3110), this verification must be carried out by the manufacturer: (...) It should also be recalled that the building process is regulated by the Building Regulations Act (Law 38/1999), which defines the legal status of the stakeholders involved in the process, establishing their obligations and responsibilities, as well as the guarantees necessary for its proper development, in order to ensure quality through compliance with basic building requirements and the adequate protection of the interests of users. Among the stakeholders involved and for whom the LOE defines obligations and responsibilities are, among others, the designer, the builder, the construction manager, the project manager, the building quality control entities and laboratories, and the suppliers of the products. Similarly, the LOE stipulates that <u>the draft law</u> (Art. 4) is the set of documents by means of which the technical requirements of the works covered by its scope of application are defined and determined. The draft law must technically justify the proposed solutions in accordance with the specifications required by the	expected to test the products (or, in general, to perform any task that corresponds to the manufacturers), but only to read the product documentation and verify that the product is suitable for use.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			applicable technical regulations. This is the Technical Building Code (RD 314/2006) - a regulation that develops the LOE in terms of the basic requirements that buildings must meet - in its article 6. <i>Project conditions</i> develop the content and detail of the project definition so that it can be verified that the proposed solutions comply with the basic requirements of the TBC and other applicable regulations. In particular: Article 6. Conditions of the draft law.(...) Article 7. Conditions for the execution of the construction works(...) In the light of the foregoing, it is necessary to modify the wording of Article 4, point 2 in the sense of eliminating the mandators, recipients and end users of the products (such as designers, operators involved in the building process or installation and maintenance undertakings) from the obligation <u>to verify compliance with certain characteristics</u> of the products, when their task is to verify the suitability of the characteristics declared by the manufacturer on those products with the necessary characteristics already mandated in the draft law or other technical documentation. In any case, any reference to the responsibilities and obligations of the stakeholders involved in the building process must be made under the LOE, the Building Regulations Act and the Technical Building Code.	
7	CSCAE	Article 4. Characteristics and performance of the products. 2. For products covered by the European Construction Products Regulation, which must possess certain characteristics or minimum performance levels, the mandators, recipients and end users of the products (such as designers, stakeholders involved in the construction process or installation and maintenance companies) must verify, prior to their installation or use, that the products comply with these characteristics and performance levels.	Article 4. Characteristics and performance of the products. 2. For products covered by the European Construction Products Regulation that have been mandated in the draft with certain characteristics or minimum performance requirements, the mandators, recipients and intended users of the products (such as designers and among the agents involved during the construction process, the project management team or the installation and maintenance companies) must verify, prior to installation or use, that the products have the characteristics and performance indicated or mandated in the draft law.	PA. The wording has been changed to make it clearer, but not all of the text proposed in this comment has been incorporated, as it is not considered necessary to provide so many details (see also responses to previous comments on this same topic).

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			Verification of the characteristics and the minimum performance requirements of the products to ensure that they are covered by the European Construction Products Regulation must be carried out by the product manufacturer or the company supplying them to the construction site.	
8	CSCAE	The product documentation will be checked before proceeding with its installation or use, verifying in the Declaration of Performance and Conformity that the use of the product, its essential characteristics, its declared performance and the rest of the information relating to it, is appropriate. Similarly, general information about the product, instructions for use, safety information and any other information contained in the CPR supplied with the product will be taken into account.	The product documentation must be checked before proceeding with installation or use, verifying in the Declaration of Performance or Declaration of Performance and Conformity, in a mandatory way from the dates established in Article 94 , that the use of the product, its essential characteristics, its declared performance and all other information relating to it, is appropriate in accordance with the product specified in the draft law . Similarly, general information about the product, instructions for use, safety information and any other information contained in the CPR supplied with the product will be taken into account.	R. It is not appropriate to refer here to the documentation of the 2011 CPR as it is going to be repealed. With regard to the proposal to cite Article 94, this reference would not be correct as it does not take into account the transitional provisions, meaning that the actual dates for updating this documentation are not those that appear in that article. Neither is it necessary to mention the draft law.
9	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Article 4, Section 2, <i>"... will verify, prior to installation or use, that the products comply with said characteristics and performance requirements."</i>	According to this wording, users would be obliged to verify the characteristics and performance of products, an obligation that the European Construction Products Regulation (hereinafter the CPR) places on the manufacturer. The following wording is proposed: <i>"... will verify with documentation, prior to their installation or use, that the products comply with these characteristics and performance."</i>	A. The wording is amended to make it clearer. Users are not expected to test the products, but only to read the product documentation and verify that it is suitable for their use.
10	CSCAE	3. For other products, which are not covered by the CPR and are included in this royal decree, the procedure will be similar to that indicated in Section 2, verifying their respective information and documentation.	3. For other products that are not covered by the CPR and are included in this royal decree, the procedure will be similar to that indicated in Section 2. The verification of the characteristics and the minimum performance of the products for ensuring that they are covered by this royal decree must be carried out by the product manufacturer or the company supplying them to the construction site.	R. It is not necessary here to state the responsibilities of the manufacturer. Users (or designers, etc.) are not expected to test the products (or, in general, to perform any task that corresponds to the manufacturers), but only to read the product documentation and verify that the product is suitable for use.
11	CSCAE	It is proposed to include a point 4 in Article 4.	4. Priority will be given to products covered by the European Construction Products Regulation that also	R. The environmental aspects of the products will be part of the CE marking

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
		It is proposed to include a point 5 in Article 4.	have a declaration or technical assessment certifying compliance with the requirements of the CTE and other state regulations, or other products not covered by the CPR included in this royal decree that comply with state regulations and are suitable for use at national level. 5. In order to provide transparency and understand the environmental implications of what is to be installed or used, the existence of an Environmental Product Declaration will be verified and positively assessed among the documentation provided.	of the products. This text does not need to be added.
12	CGATE	Article 5 Exemptions from the application of the European Construction Products Regulation	Necessary clarification on exceptions for manufacturers to draw up a Declaration of Performance if: a) the product is manufactured individually or made to measure, but not using 3D printing or existing moulds, in a non-serial process and in response to a specific order, and is installed in a single construction work that is identified by a manufacturer who is also responsible for the safe incorporation of the product into the construction work in accordance with applicable national rules and under the supervision of those who have been designated responsible for the safe execution of the construction works in accordance with applicable national rules; clarification is requested as to whether this would include prefabricated houses and industrialised construction products. b) the product is manufactured on site, but not using 3D printing or existing moulds, in a non-serial process for incorporation into the relevant construction work in accordance with applicable national rules and under the supervision of those designated as responsible for the safe execution of construction works in accordance with applicable national rules; clarification and delimitation of this definition is necessary, as well as whether it is being considered that the work execution units are construction products, since they are not products to be placed on the market or marketed. Therefore, as has been the case until now, the raw materials used in their manufacture, for	PA. The wording of Article 5 was changed to make it more precise. On the other hand, the following should be noted: This article reflects the cases covered by the CPR. The cases cited in this commentary (prefabricated houses, etc.) do not necessarily fall within these categories. These are different concepts from those used in the CPR. Prefabricated dwellings and similar cases must comply with all the regulations applicable to them (both the CPR – the products that make up it, where applicable – and the construction codes and the rest of the applicable regulations, with the requirements that are established in each case). On the other hand, in the case of concrete manufactured on site, for example, it is the Structural Code that establishes the details regarding this.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			example, concrete, should be subject to the control. We consider it of the utmost importance that, the royal decree clarifies this aspect specifically since it does not apply to commercially available construction products, but rather to the execution of works units, an aspect which is already regulated in the Spanish State. In Spain, the person responsible is the construction manager or the technical construction manager in single-management projects. In this regard, it is important to clarify whether this type of product manufactured on site will then be exempt from Declaration of Performance and whether the final responsibility lies with the construction manager. We propose that the national royal decree exclude this product manufactured on site from the application of the regulation since in our Member State it is a matter of the execution of work units, with specific regulations, not the manufacture of products on site.	
13	CSCAE	Article 5. Exceptions to the application of the European Construction Products Regulation. 2. Products introduced into outermost regions.	Article 5. Exceptions to the application of the European Construction Products Regulation. 2. Products introduced into outermost regions. Point 2 of this Article deals with products introduced in the “outermost regions”. No explanation of the meaning of “outermost region” has been found in either Article 3 on “Definitions” of Regulation (EU) 2024/3110 or in the draft royal decree under consideration. It is proposed to include the definition.	R. It is not necessary to add this definition. This article only establishes general guidelines, aligned with the CPR, to contemplate possible cases in the event that in the future it is decided to apply this case in a specific place, something that would have to be regulated in the future, indicating at that time which place it applies to.
14	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Article 5, Section 1.1, “Where specific national regulations do not expressly provide for this possibility, such products may not apply this exception...”	This wording would render ineffective the exception of Article 14 of the CPR itself, its application in Spain unless it is explicitly provided for in a national regulation.	PA. The wording of Article 5 was changed to make it more precise. It should be noted that the exception is not being revoked. This exception may be used when stipulated by national building codes, with clear requirements. In some cases it may be used and in others it may not, depending on the specific situation, since otherwise it could pose a risk to the constructions

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
				and their occupants.
15	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Article 5 Section 1.1 “... unless they are products of minor importance that have no impact on construction requirements, nor affect their safety, performance or operation.”	This wording is very vague and therefore represents a source of controversy and future conflicts over its interpretation. It is proposed to eliminate it, as it is considered unnecessary.	R. is not an indeterminate wording, but must be read in conjunction with the building codes, which are where the requirements for constructions, works and buildings are defined. There are certain products that have no relevance whatsoever (e.g. some decorative products) that could fit with the provisions of this sentence.
16	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Article 6, Section 2.h, “...a declaration signed by the manufacturer that...”	According to Section (a), the declaration may also be signed by an authorised representative and the following wording of Section (h) is proposed: <i>(h) declaration signed by the manufacturer or authorised representative that the product supplied complies with the applicable regulations (this royal decree) and that all the data provided are correct, according to the template in Annex II.</i> Since Article 2 of this royal decree takes over the definitions of the CPR for products with national regulations, the obligations of manufacturers, importers and distributors should be detailed or refer to the same system of obligations under the CPR or Regulation (EU) 2019/1020 on market surveillance (hereinafter ‘MS’).	R. As required by the CPR with the Declaration of Performance and Conformity, the declaration must be issued and signed by the manufacturer (i.e., whoever assumes legal responsibility as the manufacturer for the purposes of this regulation). With regard to the responsibilities of manufacturers, distributors, etc., it is understood that it is not necessary to go into further detail here, as the CPR and the Industry Act itself already cover these matters.
17	ENAC	Article 6, point 3(b)(iii): Certificates of conformity will be issued after the initial product assessment and the initial verification (initial audit) of the production control have been carried out, and will be updated after the periodic follow-up audits, with the same regularity as these same, to annex the information of the last visit carried out and the period until the next one.	Comment: Given that the information that is important to appear on the certificates is that relating to the performance of follow-up assessments, it is proposed to request that the certificates be amended once the control body has decided to maintain the certification and to include this in point 4(h) of Article 6 (see proposal in point 4(h)). The proposal for this point would be: <i>Certificates of conformity will be issued after the initial product assessment and the initial verification (initial audit) of production control have been carried out, and will be updated after the decision to maintain the certification corresponding to the regular follow-up</i>	PA. The wording has been changed to make it clearer, although it is not fully adapted to the proposal in this comment.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			audits in order to <u>include the information on the date of the last follow-up visit</u> and the timeframe until the next one.	
18	ENAC	Article 6, point 4(h) ...expiry date of the certificate (its term of validity, indicating the date until the next renewal of the certification). <u>In addition, the data from the last periodic monitoring carried out</u> and the timeframe until the next one must also be attached. All of the above, as indicated in Section 3(b)(iii) of this article.	In line with the above, the following amendment proposal is made: ...expiry date of the certificate (its period of validity, indicating the date until the next renewal of the certification), <u>date of the last follow-up audit</u> and the period until the next one. All of the above, as indicated in Section 3(b)(iii) of this article.	PA. The wording has been changed to make it clearer, although it is not fully adapted to the proposal in this comment.
19	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Article 6, Section 8, "In the event of disagreement with the decision of said body, you may lodge a complaint expressing your disagreement with the competent industry services of the autonomous community that authorised said body, for the purposes of the provisions of Article 16(2) of Law 21/1992, of 16 July."	The paragraph should not indicate "...in matters of industry...", since this encroaches on the competences of the autonomous communities for their self-organisation. The following wording is proposed: "In the event of disagreement with the decision of said body, it may complain to the competent authorities of the autonomous community that authorised that body, within the meaning of Article 16(2) of Law 21/1992, of 16 July."	A. The text has been changed.
20	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Article 7, Section 1, "Such authorisation as control bodies will be granted by the competent administration in matters of industry of the corresponding autonomous community, which will subsequently send the documentation to the Directorate-General for Industrial Strategy and Small and Medium-sized Enterprises, in order to transmit their notification request to the European institutions."	The paragraph should not indicate "...in matters of industry...", since this encroaches on the competences of the autonomous communities for their self-organisation. The following wording is proposed: "Such authorisation as control bodies will be made to the competent administration of the corresponding autonomous community, which will subsequently send the documentation to the Directorate-General for Industrial Strategy and Small and Medium-Sized Enterprises, in order to forward the notification request to the European institutions."	A. The text has been changed.
21	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND	Article 8, Section 1, "To this end, they must meet the requirements set out in Article 40 of the European Construction Products Regulation, as well as the other obligations arising from Chapter V and other sections	The paragraph should not indicate "... in matters of industry...", as this encroaches on the powers of the autonomous communities for their self-organisation. Its removal is proposed, as in the previous submissions.	A. The text has been changed.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
	MINES	<i>of the aforementioned regulation that may apply to them, and must submit an application for designation. Such an application will be made to the competent industry authority of the corresponding autonomous community which..."</i>		
22	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Article 8, Section 2, <i>"The technical competence of the body and the other applicable requirements set out in the European Construction Products Regulation, as well as their subsequent monitoring, will be assessed and verified through the competent administration for industry of the corresponding autonomous community."</i>	The paragraph should not indicate "... in matters of industry...", as this encroaches on the powers of the autonomous communities for their self-organisation. Its removal is proposed, as in the previous submissions.	A. The text has been changed.
23	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Article 9, Section 1, <i>"1. The provisions for market surveillance of the products covered by the European Construction Products Regulation are contained therein, with the competent surveillance authority being the competent industry body of the corresponding autonomous community, which will act in accordance with the European provisions and Article 14 of Law 21/1992, of 16 July, on Industry."</i>	The paragraph should not indicate "... in matters of industry...", as this encroaches on the powers of the autonomous communities for their self-organisation. Its removal is proposed, as in the previous submissions. In addition to the above, there are construction products that are marketed to consumers and users (e.g. sanitary appliances, hot air generators for heating, awnings, doors and windows, etc.). It should therefore also be provided that the market surveillance authorities will act on the basis of Royal Legislative Decree 1/2007, of 16 November, approving the consolidated text of the General Law for the Protection of Consumers and Users and other complementary laws. The following wording is proposed: <i>"1. The provisions for market surveillance of products covered by the European Construction Products Regulation are set out therein, with the competent authority for market surveillance acting in accordance with European provisions, Law 21/1992, of 16 July, on Industry, and Royal Legislative Decree 1/2007, of 16 November, approving the revised text of the General Law for the Protection of Consumers and Users and other complementary laws, as applicable."</i>	PA. The text has been changed to delete the reference to "in matters of industry". On the other hand, with regard to consumer legislation, it is understood that it is not necessary to cite it here.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
24	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Article 9, Section 2, “2. For the rest of the products included in this royal decree, not covered by the European Construction Products Regulation, the product control will be carried out in accordance with Article 14 of Law 21/1992, of 16 July, on Industry, ...’	For domestic products, there are products that are marketed to consumers and users (e.g. CO or domestic fuel gas detectors, sanitary tapware), so the control will have to be carried out in accordance with the legislation that protects these interests. The following wording is proposed: “2. For the remaining the products covered by this royal decree, not covered by the European Construction Products Regulation, product control will be carried out in accordance with Law 21/1992, of 16 July, on Industry, or Royal Legislative Decree 1/2007, of 16 November, approving the revised text of the General Law for the Protection of Consumers and Users and other complementary laws, as applicable.”	A. It is understood that the original wording is preferable to the proposed wording. With regard to consumer legislation, it is understood that it is not necessary to cite it here.
25	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Article 9(2) “If, as a result of the checks on products on the market established in this section, non-compliance with the requirements laid down in this royal decree is established, the manufacturer, importer, distributor or body involved in their certification, whose non-compliances have been revealed, will be penalised in accordance with the resulting responsibilities, pursuant to the provisions of Title V of Law 21/1992, of 16 July, on Industry.”	For domestic products, there are products that are marketed to consumers and users (e.g. CO or domestic fuel gas detectors, sanitary tapware), so the control will have to be carried out in accordance with the legislation that protects these interests. The following wording is proposed: “If, as a result of the control of products on the market set out in this section, non-compliance with the requirements laid down in this royal decree is observed, the manufacturer, importer, distributor or body involved in its certification, the non-compliance of which has been revealed, will be sanctioned in accordance with the responsibilities arising therefrom, pursuant to the provisions of Title V of Law 21/1992, of 16 July, on Industry, or Title IV of Book One of Royal Legislative Decree 1/2007, of 16 November, approving the consolidated text of the General Law for the Protection of Consumers and Users and other complementary laws, as appropriate.”	A. It is understood that the original wording is preferable to the proposed wording. With regard to consumer legislation, it is understood that it is not necessary to cite it here.
26	CSCAE	Article 10. Infringements and sanctions.	Article 10 on infringements and sanctions will be renamed Article 16.	A. It is not necessary to change the numbering. (In any case, after the hearing, the entire text is reviewed to verify that the numbering is correct).
27	REGIONAL	Article 10 “Infringements to the provisions	It is repetitive with regard to the wording of Article 9	A. It is understood that the original

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
	GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	of this regulation will be classified and sanctioned in accordance with the provisions of Title V of Law 21/1992, of 16 July, on Industry.”	Section 2. Its deletion is proposed, or, as there are products that are marketed to consumers and users (e.g. CO or domestic combustible gas detectors, sanitary tapware), if it is not deleted, the following wording is proposed: “Infringements of the provisions of this regulation will be classified and sanctioned in accordance with the provisions of Title V of Law 21/1992, of 16 July, on Industry, or Title IV of Book 1 of Royal Legislative Decree 1/2007, of 16 November, approving the consolidated text of the General Law for the Protection of Consumers and Users and other complementary laws, as appropriate.”	wording is preferable to the proposed wording. Article 9 refers to product control, while Article 10 is broader and covers more areas (e.g. notified bodies, etc.). With regard to consumer legislation, it is understood that it is not necessary to cite it here.
28	CSCAE	It is proposed to include a new Article 11 related to the digitalisation of the construction sector.	Article 11. Digitalisation of the documentation. 1. As indicated in the new Regulation (EU) 2024/3110 of the European Parliament and of the Council of 27 November 2024, laying down harmonised rules for the marketing of construction products, all information on products will be made available digitally, increasing transparency for the benefit of product safety and the protection of the environment and human health, and reducing administrative burdens and costs for economic operators. 2. A computer tool will be enabled where: All digitised information will be available: construction products regulated by European legislation, construction products subject to national requirements not covered by the CPR indicating when they do and when they do not establish the need for a declaration of these characteristics and performance, harmonised rules for the marketing of construction products, ETA, EAD, and products with a CE marking with their Declaration of Performance and Conformity and direct access to the updated UNE Standards. The tool will enable both construction professionals and construction and installation companies to quickly and easily verify that products meet the characteristics required in the project and are suitable for use or	R. It is not necessary to add this text proposal. The digital product passport will be implemented at the European level. Access to information on each product must be provided next to the product, in accordance with the details specified by the CPR, or in the case of products without a CE marking, as established in their corresponding regulations. Similarly, the list of notified bodies for the CPR appears on a European website. There is also a section on the MINTUR website with all the relevant information on the different regulations. In general, all aspects that can be included are already included in the CPR itself and/or in this draft RD.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			installation. The tool will contain a classification of construction products based on their optimal environmental sustainability features, allowing for their quick identification and priority use and application. This classification will assess the existence of the Environmental Product Declaration (EPD) referred to in Article 4(4) as a mechanism to identify environmentally friendly products. List of the information that the manufacturer must provide on products subject to national requirements according to Annex I, Article 6(2) and list of the documentation to be collected by the recipient of the product. List of the control bodies that issue certificates of conformity for products that require it in Annex I, with the minimum data that these certificates must contain in accordance with Art. 6.4. A declaration of responsibility template will be provided for the cases established in Provision Title I. A template will be available for the declaration referred to in Article 6 Section 2 of this royal decree, applicable to the products listed in Annex I, with the content referred to in Annex II. The registration process of notified bodies and technical assessment bodies regulated in accordance with the requirements laid down in Articles 7 and 8 of Chapter III will be enabled. There will be direct access to European, state and regional regulations related to construction products. All legal provisions that are repealed by the entry into force of this royal decree will be specified. The possibility of applying all the derogations permitted by the regulations, such as for certain categories of products in the outermost regions, will be specified and enabled, also indicating the consequences arising from the application of said exemptions. The competent authority for industry of the autonomous	

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			community will have access to the tool to streamline procedures related to market monitoring both for products covered and not covered by the CPR. 3. In line with the desire to facilitate the entire process of verifying the installation of construction products, registration and access to the tool will be simple, with users registering by way of a username, password and the name of their qualification or company to justify and enable use of the platform by the technical domain that manages it. 4. The information to be entered will be linked to the digital passport, the requirements of which are defined and regulated in Chapter III of Regulation (EU) 2024/1781.	
29	CSCAE	It is proposed to include a new Article 12 related to the digitalisation of the construction sector.	Article 12. Design and development of the tool. A working committee will be created for the design and development of the IT tool referred to in Article 11. Said committee will include several stakeholders related to the world of construction, highlighting the presence of the technical areas of different professional associations as key representatives in providing information from the affected sectors.	R. It is understood that it is not necessary to create any committee (see previous submission).
30	CSCAE	It is proposed to include a new Article 13 related to the training of the stakeholders involved.	Article 13. Training of the stakeholders involved. A continuous training channel will be set up to train the stakeholders involved in the requirements arising from Regulation (EU) 2024/3110 and the draft royal decree under consideration. Training will be provided through various means, including digital, face-to-face, or physical resources such as guides and manuals. In addition to the Ministry of Industry and Tourism, professional associations and companies and manufacturers in the construction sector will also collaborate in the training. All existing training will be presented on the IT platform defined in Article 11 so that only this medium can be used to share and display it.	R. The purpose of this royal decree is not to regulate the training that persons must have, nor to regulate training courses or anything similar. In any case, all relevant information about this royal decree and the CPR will be added to the MINTUR website so that people can be sufficiently informed about the regulations, as is done with other industry regulations.
31	CSCAE	It is proposed to include a new Article 14	Article 14. One-stop shops.	R. Information on the regulations is

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
		related to the disclosure of information to the public about existing products and their characteristics.	In order to raise awareness beyond the parties involved and to promote smoother communication between all parties, one-stop shops will be set up for anyone outside the construction sector or the general public who wishes to obtain information on construction products or their classification, with particular emphasis on those that are environmentally sustainable, and the advantages that may be gained from choosing one product over another.	currently available on the MINTUR website. The same applies in other ministries with their respective regulations. On the other hand, for sending queries, each administration has its own registries or query portals.
32	CSCAE	It is proposed to include an Article 15 referring to economic incentives in accordance with the following aspects: The recently adopted Regulation (EU) 2024/3110, as clarified by this draft royal decree, is a step forward in aspects such as the environmental sustainability of the products. There are many articles that address this topic, however, we would like to emphasise Article 15 (which coincides in number with this Article 15 that is requested to be incorporated into the royal decree), where it refers to the declaration of performance and conformity, which must include <i>"the environmental sustainability performance of the product throughout its life cycle with respect to the predetermined essential environmental characteristics listed in Annex II for the declared characteristics"</i> .	The wording of this proposed Article 15 is not developed; only the following references are provided in order to draft it: The economic incentives that may be obtained will be for the category of products defined in Article 82 with reference to Article 5(5) and Article 22(9) of Regulation (EU) 2024/3110. Chapter XII of the new regulation refers to these incentives and the regulation is directly applicable to the Member States. However, it is conditional on the States deciding it, indicating <i>"Where the Member States offer incentives for a category of products..."</i> , which proposes that these incentives are mandatory in all cases.	R. It is not considered necessary to add this text. On the Declaration of Performance and Conformity of the products and the environmental characteristics that it must contain, this is regulated in the CPR (Article 15) and it is not appropriate to add anything more in this royal decree. On the other hand, with regard to Article 82 of the CPR, this royal decree does not seek to address issues of incentives, public purchases or public contracting.
33	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	First transitional provision, Section 1, "1. Manufacturers and distributors of products listed in Annex I will have a maximum period of two years, from the date of entry into force of this royal decree, to comply with the new requirements, as regards the products they manufacture or distribute."	This royal decree has obligations for both manufacturers, importers and distributors, therefore all of them should be mentioned in the transitional provision, the following wording is proposed: "1. Manufacturers, importers and distributors of products listed in Annex I will have a maximum period of two years, from the date of entry into force of this royal decree, to comply with the new requirements, as regards the products they manufacture, import or distribute."	A. The text has been changed.
34	REGIONAL	Second transitional provision, Section 1,	If the actions taken by the bodies during the 18-month	A. This matter has already been

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
	GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	<i>“...During this transitional period, these previously existing control bodies may carry out tasks on the basis of this royal decree, provided that they demonstrate that they are in the process of adapting their authorisation to this royal decree and that these tasks are subject to the successful completion of this process before the set period of 18 months.”</i>	period to adapt their authorisation are conditional on their successful completion, what happens if this is not the case? Would all products certified within that period have to be withdrawn from the market because their actions were not valid during that period? The following wording is proposed: <i>“For the duration of this transitional period, these previously existing control bodies may carry out tasks on the basis of this royal decree, provided that they demonstrate that they are in the process of adapting their authorisation to this royal decree.”</i>	examined in other provisions in the past and is a compromise text. It has been drafted in this way, on the one hand, to allow this transitional option to exist and, on the other hand, to prevent its misuse. If the organisation ultimately does not complete the process, the conditional task ceases to be valid and must therefore be repeated by another entity that does meet all the requirements. However, this situation would be highly unlikely.
35	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Second final provision. Amendment to Royal Decree 1644/2008, of 10 October, laying down standards for the marketing and commissioning of machinery, Section Two, <i>“1. The purpose of this royal decree is to lay down the requirements relating to the marketing and commissioning of machinery in accordance with Regulation (EU) 2023/1230 of the European Parliament and of the Council of 14 June 2023, on machinery, and repealing Directive 2006/42/EC of the European Parliament and of the Council and Council Directive 73/361/EEC.”</i>	The marketing requirements are laid down in the European Regulation, not in the amended royal decree. Bearing in mind that, with the new wording, the royal decree establishes provisions for the application of the European Regulation, and that the marketing requirements are actually included in the European Regulation, the proposed wording of this article is incorrect and it would be accurate and more consistent to use the formula used in the draft royal decree itself, in Article 1, for construction products: <i>“1. The purpose of this royal decree is to lay down the provisions necessary for the implementation and application of Regulation (EU) 2023/1230 of the European Parliament and of the Council, of 14 June 2023, on machinery and repealing Directive 2006/42/EC of the European Parliament and of the Council and Council Directive 73/361/EEC.”</i>	A. The text has been changed
36	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Second final provision. Amendment to Royal Decree 1644/2008, of 10 October, laying down standards for the marketing and commissioning of machinery, Section Two, <i>“3. The competent bodies of the autonomous communities and the cities of Ceuta and Melilla will establish or designate the competent authorities to control the conformity of machinery and quasi machinery with the provisions of</i>	In accordance with the new terminology of the European Regulation, machinery would have to be replaced by <i>“machinery and related products”</i> . The following new wording is proposed: <i>“3. The competent bodies of the autonomous communities and the cities of Ceuta and Melilla will establish or designate the competent authorities to control the conformity of machinery, related products and quasi machinery with the provisions of Sections 1 and 2, defining their tasks, organisation and powers.”</i>	A. The text has been changed

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
		<i>Sections 1 and 2, defining their tasks, organisation and powers."</i>		
37	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Second final provision. Amendment of Royal Decree 1644/2008, of 10 October, laying down standards for the marketing and commissioning of machines, Section Five, <i>"... Such authorisation as control bodies will be carried out before the competent administration of the relevant autonomous community, which will subsequently send the documentation to the Directorate-General for Industrial Strategy and Small and Medium-sized Enterprises, in order to transmit their notification request to the European institutions."</i>	The text <i>"...in matters of industry..."</i> should not be included in the paragraph, as this encroaches on the powers of the autonomous communities to organise themselves. Its removal is proposed, as in the previous submissions.	A. The text has been changed.
38	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	Second final provision. Amendment of Royal Decree 1644/2008, of 10 October, laying down standards for the placing on the market and putting into service of machinery, Section Six, <i>"Article 15. Installation and use of machinery. The provisions of this royal decree will be without prejudice to the power of the administration, in compliance with Community law, to establish the requirements deemed necessary to ensure the protection of persons and, in particular, workers, during the installation and use of machinery or related products, provided that this does not involve the modification of such machinery in a manner not indicated in this royal decree."</i>	In accordance with the new terminology of the European Machinery Regulation, it is proposed to adapt the wording as follows, also taking into account that the requirements are laid down in Regulation (EU) 2023/1230 and not in this royal decree: <i>"Article 15. Installation and use of machines or related products. The provisions of this royal decree will be without prejudice to the power of the administration, in compliance with Community law, to establish the requirements considered necessary to ensure the protection of persons and, in particular, workers, during the installation and use of machinery or related products, provided that this does not involve the modification of such machinery or related products in a way not indicated in Regulation (EU) 2023/1230."</i>	A. The text has been changed.
39	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND	Second final provision. Amendment of Royal Decree 1644/2008, of 10 October, laying down standards for the placing on the market and putting into service of machinery, Section Seven, <i>"Article 21.</i>	This article could be deleted in its entirety, or if it is not deleted, given the many machines and products related to sales for consumers and users, the power to impose sanctions based on consumer and user law should be expanded. The following wording is proposed:	A. It is understood that the original wording is preferable to the proposed wording. With regard to consumer legislation, it is understood that it is not necessary to cite it here.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
	MINES	<i>Infringements and sanctions. The infringements of the provisions of Regulation (EU) 2023/1230 of the European Parliament and of the Council of 14 June 2023, will be classified and sanctioned in accordance with the provisions of Title V of Law 21/1992, of 16 July, on Industry."</i>	<i>"Article 21. Infringements and sanctions. Infringements of the provisions of Regulation (EU) 2023/1230 of the European Parliament and of the Council of 14 June 2023, will be classified and sanctioned in accordance with the provisions of Title V of Law 21/1992, of 16 July, on Industry, or Title IV of the first book of Royal Legislative Decree 1/2007, of 16 November, approving the consolidated text of the General Law for the Protection of Consumers and Users and other complementary laws, as appropriate."</i>	
40	CSCAE	Seventh final provision. UNE and other internationally recognised standards 1. Annex 1 includes lists of UNE standards or other internationally recognised standards, collected in whole or in part, with a view to facilitating adaptation to the state of the art at any given time. These standards are identified by their titles and numbering, including the year of publication.	Seventh final provision. UNE and other internationally recognised standards 1. Annex 1 includes lists of UNE standards or other internationally recognised standards, collected in whole or in part, with a view to facilitating adaptation to the state of the art at any given time. These standards are identified by their titles and numbering, including the year of publication and will be accessible free of charge.	A. The proposed text is similar to that found in other industrial safety regulations and has a predefined content. It is not appropriate to add other aspects here.
41	CSCAE	2. When one or more regulations vary in their year of publication or subsequent amendments are made to them or new regulations are published, they must be updated in the list of regulations, by decision of the person in charge of the Ministry of Industry and Tourism, which must state the date from which the use of the former edition of the standard will cease to have regulatory effect.	2. When one or more regulations vary in their year of publication or subsequent amendments are made to them or new regulations are published, they must be updated in the list of regulations, by decision of the person in charge of the Ministry of Industry and Tourism, which must state the date from which the use of the former edition of the standard will cease to have regulatory effect. Likewise, any state regulations that refer to UNE standards, in the event of possible modifications or new publications of these, must comply with the updated list of standards mentioned in this point.	A. The proposed text is similar to that found in other industrial safety regulations and has a predefined content. It is not appropriate to add other aspects here.
42	GRUPO CELSA	Add new additional provision. XX additional provision. Green Public Procurement.	Addition of a new XX additional provision. Green Public Procurement. 1. In tenders for works carried out by the General State Administration, without prejudice to what is also indicated in the European Construction Products Regulation or other applicable European regulations, an	A. Provisions on public procurement or public contracting are not considered for inclusion in this royal decree.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			increasing percentage of construction materials and products identified as priorities by the European Commission, such as iron, steel or aluminium, will be required to be low carbon. 2. The technical specifications will include the products and materials affected by the provisions of the preceding paragraph and the threshold for considering the material to be low in carbon. These thresholds will be determined, in a transparent and objective manner, by reference to the CO2 content per unit of measurement of the corresponding material. 3. In addition, within 6 months of the entry into force of this royal decree, the Government will draw up a catalogue of environmentally sustainable materials and industrial products whose promotion should be a priority for green public procurement. This catalogue will incorporate the priority products in accordance with the provisions of Section 1. 4. The responsible Interministerial Commission will annually update the catalogue referred to in the previous paragraph, aligning it with technological advances, nationally identified sustainability priorities and European Union guidelines. Justification: The draft royal decree laying down provisions relating to construction products marks a key step towards national harmonisation in terms of sustainability, industrial safety and quality of products used in construction. Given the importance of integrating environmental criteria throughout the life cycle of products, promoting the circular economy and the transition to climate neutrality, and without prejudice to the provisions of Regulation (EU) 2024/3110 on Construction Products (CPR), Member States should signal their willingness to adopt more ambitious measures and within a shorter timeframe than that of the European regulatory dynamic. These should prioritise both the decarbonisation of the industry and	

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			that of the construction sector, favouring products that meet specific environmental sustainability requirements. Without prejudice to the fact that Article 83(1) of the CPR foresees that the European Commission will adopt delegated acts to establish mandatory minimum environmental sustainability requirements for construction products, it is essential that, at national level, progress is made as soon as possible towards the incorporation of minimum sustainability requirements in Green Public Procurement (GPP). This is an opportunity to position Spain as a European leader in this field. Therefore, the framework of this royal decree presents itself as an opportunity to move towards this objective. The GPP is one of the key tools that allows public administrations to lead this transformation, as they have a driving role in the adoption of sustainable standards, not only as regulators, but also as strategic consumers. This approach is consistent with the priorities of the European Green Deal and, at national level, with the Circular Economy Action Plan, which promote procurement that values the environmental performance of products and their impact on the fight against climate change.	
43	CSCAE	ANNEX I. Products subject to national requirements 1. Certain categories of cements. 1.1. Cements that do not have CE marking in accordance with the European Construction Products Regulation because they are not yet covered by it; that are used for the manufacture of concretes and mortars intended for any type of work or prefabricated product, as well as other applications under construction, will comply with the technical specifications set out in Section 1.6, or, where appropriate, in Section 1.7., all without prejudice to the criteria established for their use in the	ANNEX I. Products subject to national requirements 1. Certain categories of cements. 1.1. Cements that do not have CE marking in accordance with the European Construction Products Regulation because they are not yet covered by it; that are used for the manufacture of concretes and mortars intended for any type of work or prefabricated product, as well as other applications under construction, will comply with the technical specifications set out in Section 1.6, or, where appropriate, in Section 1.7., all without prejudice to the criteria established for their use in the specific regulations in force applicable in each case. The use of the cements listed in Sections 1.6 and 1.7 that are not covered by specific regulations will be the responsibility of the designer who includes their use or of the project	A. Since it is understood that the original paragraph is correct, it does not require any changes.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
		specific regulations in force applicable in each case. The use of cements listed in Sections 1.6 and 1.7 that are not covered by specific regulations will be the responsibility of the designer who includes their use or the project management team for the construction work in which these materials are used.	management team for the construction work in which these materials are used.	
44	CALIDAD SIDERURGICA, S.L.	Annex I, 4. Steel pipes, Section 4.5, "Technical specifications that these products must meet."	The specifications in Section 4.5 are not in line with those set out in the product standards. It is proposed: To include in the sentence of this section a reference to the corresponding product standards (as a preferred option). <i>"4.5. Technical specifications that these products must meet. The steel pipes must comply with the provisions of the applicable product standards. If no such standards exist, they must comply with the following specifications."</i> Include standard UNE-EN 10305-3:2024 in 4.5.3.5 and 4.5.4. <i>"4.5.3.5. Measurements: The diameters, wall thicknesses, masses and corresponding tolerances of the pipes will be adjusted to the values indicated in the following standards: UNE-EN 10220, UNE 19050 and UNE-EN 10305-3."</i> <i>"4.5.4. Applicable standards. Table 1.4.3. List of applicable standards for welded steel pipes UNE-EN 10305-3:2024 Steel pipes for precision applications. Technical delivery conditions. Part 3: Cold calibrated welded pipes."</i>	A. The section is rewritten and reordered. The table of standards is updated. These standards are directly referenced and in this way part of the text of the section can be deleted, thereby removing technical aspects that are already covered by those standards.
45	CALIDAD SIDERURGICA, S.L.	Annex I, 4. Steel pipes	The specifications in Section 4.5 do not comply with those established in product standards UNE-EN 10305-3 and UNE 19050. These standards include all specifications and test methods that these products must comply with in each case.	A. The section is rewritten and reordered. The table of standards is updated. These standards are directly referenced and in this way part of the text of the section can be deleted,

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			Section 4(1) establishes that the pipes are those intended for mechanical applications and other related uses, but Section 4(5)(1) also includes those intended for conduction. Conduit pipes conforming to UNE-EN 10255 or UNE-EN 10224 standards require CE marking. It is proposed to simplify Section 4 so that reference is made to product standards, as these establish the required technical specifications and testing standards, and to remove the subsections of Section 4.5. Proposed text: <i>4.1 Welded steel pipes and their corresponding derived profiles intended for mechanical applications and other related uses, both black and galvanised, will comply with the technical specifications set out in Section 4.5. This includes pipes for use in street furniture, posts or railings, among other items, insofar as these products are not subject to CE marking under the CPR or other equivalent regulations.</i> <i>4.2 The technical specifications referred to in the previous section must be observed for the different types of welded steel pipes. Stainless steel pipes and their corresponding derived profiles, as well as any type of tube covered by the CE marking of the European Construction Products Regulation or by other equivalent regulations, are excluded from this scope.</i> <i>4.3 These products will be subject to certification of conformity with regulatory requirements, as provided for in Article 6 of this royal decree.</i> <i>4.4 Production control audits, both initial and follow-up, will be carried out. Production control follow-up audits will be carried out on an annual basis, and must verify that the same conditions used as the basis for certification continue to be maintained, including sample testing. The certification will be renewed every 5 years.</i> <i>4.5 Technical specifications that these products must meet. Steel pipes must comply with the provisions of</i>	thereby removing technical aspects that are already covered by those standards.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			<i>product standards UNE 19050 or UNE-EN 10305-3, as applicable.</i>	
46	TECNIFUEGO	ANNEX I. 4.5.3.2. Aptitude for bending: Black conduction pipes up to a nominal diameter of 50 millimetres (2") will be able to withstand cold bending under the conditions described.	This indication contradicts the previous sections, by limiting the use of steel pipes to thicknesses suitable for bending. When these welded steel pipes are used for the conduction of fluids under pressure, cold bending on site is not common; instead, accessories (elbows) are used. In our opinion, the appropriate paragraph could be "Aptitude for bending: When the black conduction pipes are to be bent on site, they must be able to withstand cold bending under the conditions described."	A. The section is rewritten and reordered. In this way, the section no longer refers simply to <i>bending</i> .
47	AFME	ANNEX I Section 5. Carbon monoxide and other gas detectors Subsection 5.4 Text: <i>"5.4. Production control audits, both initial and follow-up, must be carried out. Production control follow-up audits will be carried out every two years and must verify that the same conditions used as the basis for certification continue to be maintained. No additional testing will be required during these follow-up audits. Full certification renewal will be carried out every 6 years."</i>	The proposed amendment to Subsection 5.4 of Annex I is aligned with the requirements for gas detectors at European level, so a renewal of certification would only be necessary in the event of significant changes in the safety aspects of the corresponding standards. Since production control follow-up audits already guarantee compliance. Proposed amendment: <i>"5.4. Production control audits, both initial and follow-up, must be carried out. Production control follow-up audits will be carried out every two years and must verify that the same conditions used as the basis for certification continue to be maintained. No additional testing will be required during these follow-up audits. Certification will only be renewed, repeating the initial assessment of the product (including sampling, testing, etc.), in the event of significant changes to the safety aspects of the relevant standards."</i>	PA. The renewal period is changed from 6 years to 10 years, bringing it closer to what is requested in this comment for this product category. However, it would not make sense to eliminate this renewal completely in this case, as requested (furthermore, repeating tests is not requested in follow-up audits, so it is appropriate to set a renewal frequency where the tests are repeated, so that there is a proper control that the product continues to comply with the requirements over time).
48	AFME	ANNEX I Section 5. Carbon monoxide and other gas detectors Subsection 5.5 Detector categories Table 1.5.1 Detector category <i>Detectors designed in accordance with</i>	The UNE 23300:1984 standard was repealed on 15/08/2014. Replaced by standard UNE-EN 50545-1:2012 at European level, which contains requirements and tests that guarantee the necessary safety in car parks and garages. When regulatory bodies update or create new	A. Table 1.5.1 lists different types of detectors (referencing various UNE/EN standards), each with specific characteristics. This table was written after listening to several associations and manufacturers of these products

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
		<i>standard UNE 23300</i>	legislation, they base their decisions on the need to adapt it to current safety and efficiency standards. For this reason, if reference is exceptionally made to an annulled standard, this should be properly justified, clearly explaining the technical or historical reasons for its use, as well as the specific context in which it is relevant and justifying why it is not feasible or necessary to adopt the current standard. It is essential to bear in mind that current standards reflect the latest advances in technology, knowledge and best practices. Therefore, reference to a replaced regulation could generate confusion or even legal implications if this is not properly contextualised. Wherever possible, priority should be given to the application of the current regulations, bearing in mind the evolution towards better safety and compliance standards. Proposal to remove row 1 from Table 1.5.1. Categories of detectors (Remove from the table any detectors designed on the basis of standard UNE 23300).	and assessing the situation of these products. Specifically, we chose to include both standard UNE 23300 and UNE-EN 50545-1 in the table, since the products covered are not identical. In this way, users will be able to choose between one type of detector or another depending on their needs. It should be noted that the UNE 23300 standard is the one referred to in the previous royal decree 2367/1985 and, despite being older, it has been decided to maintain it since it is understood that this type of detector is still used and the content of the standard is still technically appropriate. Removing the standard from the table would mean prohibiting them, which it would not be appropriate to do at the moment.
49	AGRIVAL	Annex 1, Section 6.3 Sanitary tapware (page 38 of the draft royal decree establishing provisions relating to construction products dated 18 December 2024)	Eliminate all quality control audits and increase control testing. Initial product tests and follow-up product tests will be carried out every 5 years.	A. The text has been changed. The deadlines for certifications for this product are being reorganised.
50	AGRIVAL	Annex 1, Section 6.4.1 Terminology (page 38 of the draft royal decree establishing provisions relating to construction products dated 18 December 2024)	Remove Section a) from the reference to the UNE 19702 terminology standard.	A. The text has been changed.
51	AGRIVAL	Annex 1, Section 6.4.2 Required characteristics (page 39 of the draft royal decree establishing provisions relating to construction products dated 18 December 2024)	Delete standard UNE 19703 and include the following European standards: UNE-EN 200 Single taps UNE-EN 817 Mixer taps UNE-EN 816 Self-closing taps UNE-EN 1111 Thermostatic taps UNE-EN 15091 Electronic taps	A. The text has been changed. The references to the standards have been changed.
52	AGRIVAL	Annex 1, Section 6.4.3 Test methods and	Remove standard UNE 19703 and include the European	A. The text has been changed. The

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
		conditions (page 39 of the draft royal decree establishing provisions relating to construction products dated 18 December 2024)	standards. Adjust the tests and checks to the type of tapware and applicable standard, focusing on the important safety tests.	section is restructured.
53	AGRIVAL	Annex 1, Section 6.4.4 Products to be tested (page 40 of the draft royal decree establishing provisions relating to construction products dated 18 December 2024)	See adjustments depending on the tests defined in Section 6.4.3.	A. The text has been changed. The section is restructured.
54	AGRIVAL	Annex 1, Section 6.4.7 Applicable standards (page 41 of the draft royal decree laying down provisions relating to construction products dated 18 December 2024)	Change the list of Spanish standards to European standards, namely: UNE-EN 200 Single taps UNE-EN 817 Mixer taps UNE-EN 816 Self-closing taps UNE-EN 1111 Thermostatic taps UNE-EN 15091 Electronic taps	A. The text has been changed. The references to the standards have been changed.
55	ENAC	Annex I, Section 7.4 In the case of product families from the same manufacturer, consisting of products with identical properties but with minor variations that do not affect their performance, it may be accepted that a single sample may be tested provided that it is documented that it is representative and that the tests are carried out under the most unfavourable conditions. <u>This study must be carried out by an accredited laboratory, with subsequent verification and validation by the control body.</u>	The accreditation of testing laboratories relates only to their testing activity. Therefore, the study referred to in this point cannot be covered by the accreditation. This is not the case with a control body, whose technical competence for this type of activity can be assessed. Therefore, in order to ensure that the control body can rely on the laboratories while ensuring that responsibilities remain clear, the following wording is proposed with regard to the underlined text: <i>The definition of families must be assessed and validated by the control body, which may rely on the knowledge and experience of the laboratory.</i>	A. The text has been changed.
56	ENAC	Annex I, Section 7.5 For classification, where necessary, reports extending the application of the results of standard-based tests (EN EXAP) may be used. <u>Where these do not exist, they must be based on an assessment by the laboratory, subsequently verified and validated by the control body.</u> The	It can be risky to open the door to extension reports that are not based on standards and are not covered by the accreditation of the testing laboratories. Each laboratory could apply the rules it deems appropriate. Proposed alternative text: For classification, where necessary, reports extending the application of the results of standard-based tests (EN EXAP) may be used. When these do not exist, they could	The wording of this paragraph is reviewed to make it more precise.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
		laboratory performing these reports and assessments must be the same as the laboratory that originally performed the test. The use of these methodologies must be documented and indicated in the certificate of conformity issued by the control body and in the instructions and information that accompany the product.	be based on a laboratory assessment, subsequently verified and validated by the control body, <u>which will assume ultimate responsibility for their acceptance</u> . The laboratory performing these reports and assessments must be the same as the laboratory that originally performed the test. The use of these methodologies must be documented and indicated in the certificate of conformity issued by the control body and in the instructions and information that accompany the product.	
57	ANDIMAT	Annex I, Sections 7.5 and 7.6.	The draft royal decree submitted for public consultation establishes, for systems consisting of several individual components, the obligation of periodic audits by a control body. This new method appears to be disproportionate for several reasons: On the one hand, we have no evidence that the current procedure is causing problems in the market. In addition, it increases bureaucracy and costs for manufacturers without bringing a real benefit to the end consumer. Insofar as this new procedure could give rise to a comparative disadvantage in relation to other European countries: On the one hand, we understand that it would be possible for the systems of other EU countries to access the Spanish market with procedures that do not require the intervention of a control body. Their manufacturing costs would therefore be lower. In addition, this could lead to the “leakage” of tests currently carried out in Spain to other countries where the requirement does not exist. Systems from other countries that are not subject to this requirement, even though they are marketed in Spain, would have a very significant competitive advantage. In addition, if one of the components of the complete system comes from outside Spain, the requirement for its manufacturer to carry out periodic audits in order to place the system on the market here may be burdensome and commercially problematic. The feasibility of implementing this requirement may be highly dependent on the volume of	PA. The text is being revised to make it clearer and to better define these issues. The entire text of Annex I on this topic is being reviewed. However, it should be noted, on the one hand, that certain similar products covered by the CPR do have initial/periodic audits (depending on the specific product category), and on the other hand, for products without CE marking, it should be noted that the <i>principle of mutual recognition</i> should not be seen as a way to import products that are unsafe (see provision relating to mutual recognition). Therefore, the text that is intended to be adopted is consistent with European regulations and with the needs of each specific product category.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			the complete system manufacturer, which would disadvantage smaller companies. The requirements for the systems must be checked by the competent authority regardless of the origin of their manufacture and type-approval, otherwise the legal conditions would be violated by putting barriers in the way of domestic manufacturers. We do not consider the introduction of control bodies to be appropriate, but if they are ultimately included, it must be borne in mind that, in order for these control bodies to be able to carry out proper assessments, they must be duly qualified in fire engineering. This entails a training cost for these entities that would be passed on through the value chain. We consider that it is not appropriate for a control body that does not have the adequate technical training on the system that it is tasked with assessing is able to decide which variations of the individual components are relevant. As a result of the above, there is a risk of industrial relocation and loss of business for national laboratories.	
58	ENAC	Annex I, Section 7.6, second paragraph There must be a production control covering at least all relevant components of the construction system whose variability or complexity in manufacture may influence the classification results. For these purposes, these relevant components <u>will be determined by the laboratory conducting the tests, with subsequent validation by the control body.</u>	The accreditation of testing laboratories relates only to their testing activity. The decision of which components of a construction system are relevant is therefore outside the scope of any accreditation of a laboratory. This is not the case with a control body, whose technical competence for this type of activity can be assessed. Therefore, in order to ensure that the control body can rely on the laboratories while ensuring that responsibilities remain clear, the following wording is proposed with regard to the underlined text: <i>For these purposes, the relevant components will be determined by <u>the control body, which may rely on the knowledge and experience of the laboratory carrying out the tests.</u></i>	A. The text has been changed.
59	TECNALIA RESEARCH & INNOVATION	Annex 1, Section 7.	Construction products covered by a technical suitability assessment (DIT [Technical Suitability Document], DAU [Document of Suitability for Use], TC [Technical Conformity Report], innovative products without CE	R. This section is only applicable to products not covered by the CPR. In this case, Section 7 replaces RD 842/2013, and the products included here must

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			marking, are subjected to an assessment process similar to or more demanding to that set out in Article 1, verifying in all cases compliance with the requirements of the national regulations (including, if applicable, fire resistance, reaction to fire or other fire protection characteristics). The actual content of these suitability documents already refers to the sections which, according to Annex I, Section 7.7 of the proposed royal decree, must include the certificates of conformity. The maintenance of these documents is conditional on regular production control checks (minimum annual frequency) and periodic reviews (every 5 years). It is therefore considered that a product for which one of these documents has been produced would meet the certification requirements applicable to it as defined in Annex 1. Section 7. In the event that a manufacturer chooses to demonstrate compliance with the CTE through a technical suitability assessment, and these are not recognised as certifications of compliance with the requirements of Annex 1, Section 7, the tasks and assessments relating to the characteristics will be duplicated, with the consequent burden on the manufacturer. Therefore, it is proposed that an additional subsection be added to Annex 1, section 7: <i>7.10 Technical suitability assessments issued by bodies authorised by the competent Public Administrations and included in the General Register of Authorised Bodies of the CTE will be considered as certificates of conformity with regard to fire characteristics.</i>	comply with it, just as they previously had to comply with the aforementioned RD of 2013. The voluntary national certifications that these products may have do not exempt them from complying with this Section 7, just as they were not previously exempt from complying with the RD of 2013. Entities that wish to certify these characteristics on the basis of this Section 7 may do so in compliance with the requirements set out in this RD (which does not prevent them from continuing to issue additional voluntary certificates, or from assessing other aspects of the product, in addition to those considered here). On the other hand, in the case of products covered by the CPR (CE marking), these characteristics will be included in the CE marking itself and therefore this Section 7 will not apply. It should be recalled that most products are currently already covered by harmonised standards (CE marking of the CPR), so this section and any other national certification would not apply to them and that those that are not yet covered can also choose to use the alternative routes offered by the CPR (voluntary route of the EADs to obtain the CE marking) and in that case would also not have to apply what is described in this section.
60	FACEL	1. Page 71 Section 6. (Annex I. Section 7) 2. Page 75. (Annex I. Table 1.7.3)	1. The classifications and the classification and testing standards for fire protection cables and systems for cabling systems are indicated. The indicated classification standard EN 13501-3 is currently at the draft stage at the European level, and the published version does not contain cables. Please note that this	A. An explanatory text is added to clarify this situation and avoid confusion.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
			draft revision is experiencing delays due to issues related to the possible misalignment with Delegated Regulation 2024/1681 concerning the other products (ventilation ducts and doors) and the publication date is unknown. If this RD is published as the citation of the regulation is now, it will create an undetermined situation in the understanding of this royal decree. 2. Reference is made to the latest published UNE version, UNE-EN 13501-3:2007+A1:2010, which does not include cables. It contains only ventilation ducts and fire doors.	
61	ANEFHOP	1. Add a new point (8) to Annex 1 "8.- Concrete manufactured at a plant" 2. Proposed new content in point 8 of Annex 1 The ready-mixed concrete manufacturing plant will hold the Certificate of Compliance with Royal Decree 163/2019, which guarantees that all types of concrete manufactured comply with the requirements of the aforementioned Royal Decree and, therefore, also comply with the requirements regulated in Royal Decree 470/2021, which approves the Structural Code. The control bodies will keep a publicly accessible up-to-date list of the certified plants with the list of products or groups of products manufactured in each plant. Distinguishing types or groupings of mass concrete from those intended for reinforced concrete elements. In accordance with the provisions of Article 6 of this royal decree 3. Audits by accredited control bodies will	1. Royal Decree 163/2019 of 22 March, Official State Gazette of 10 April 2019, approving the Technical Instruction for carrying out the production control of factory-made concrete. In the introduction, paragraph 9: "The principles of necessity and effectiveness (...) have been ensured." In Section 2(b), it is defined as 'Factory production control: (...)'. Second final provision. "References made in other provisions to the Order of the Ministry of Science and Technology of 21 November 2001, will be understood as made to this Royal Decree" Thus, in Royal Decree 470/2021, of 29 June 2021, Official State Gazette of 10 August 2021, approving the Structural Code. Section 51.2.3 Dosing facilities, first paragraph: "In ready-mixed concrete plants, dosing facilities will comply with the requirements laid down in the regulations in force concerning the production control of factory-made concrete. 2. The production control of ready-mixed concrete is regulated by the Technical Instruction for the production control of factory-made concrete, approved by Royal Decree 163/2019, of 22 March, (Official State Gazette of 10 April 2019), which supplements the specifications contained in the Structural Code approved by RD	A. These products are currently covered by RD 163/2019, which is currently in force. It is not necessary to include them in Annex I of this RD. Furthermore, aspects such as information, documentation, inspections or audits of these products are covered in the aforementioned royal decree of 2019, so it is not necessary to include in this royal decree matters that are already regulated in that royal decree. In the medium term, it will be necessary to wait and see whether in the future these products will be covered by the CPR (CE marking) as and when it is implemented, and at that point, we will have to reassess the situation of the royal decree of 2019. In any case, it is not necessary to indicate anything about said royal decree in this Annex I.

No	PERSON/BODY	SECTION OF THE RD	COMMENTS	ASSESSMENT (A/PA/R/C)
		be carried out each year and the date of validity will be indicated on the certificate itself. The withdrawal of the certificate must be immediately updated on the publicly accessible list for possible consultation by consumers and interested parties.	470/2021, of 29 June (Official State Gazette of 10 August 2021). The aforementioned Technical Instruction, in point 11. Production control; it is stated: <i>Without prejudice to any checks that may be carried out by the competent industrial authorities, in accordance with Article 14 of Law 21/1992, of 16 July, on Industry, compliance with the criteria will be checked at least every four years (...)</i> 3. A 4-year implementation period has allowed everyone to work more comfortably, both manufacturers and control bodies. It is now time to reduce the control period to avoid lax compliance over long periods of time.	
62	REGIONAL GOVERNMENT OF ANDALUSIA – S.G. OF INDUSTRY AND MINES	ANNEX II Product Declaration Template, “1. Manufacturer’s details...” Signed by and on behalf of the manufacturer by:”	As instruction (1) indicates that if the manufacturer is not established in the EU and does not appoint an authorised representative, it should be the importer who assumes the responsibility of the manufacturer and this will have to be considered in the template. It is proposed: “1. Details of the manufacturer/importer...” “Signed by and on behalf of the manufacturer/importer by:”	R. The document must be signed by the manufacturer (whoever assumes the role of manufacturer), just as in the CPR. If the importer assumes the responsibility of the manufacturer, it then becomes a manufacturer for the purposes of this royal decree, and must appear as such.