

IMPLEMENTING DECREE
of the Ministry of Transport, Construction and Regional Development of the Slovak Republic
of 4. May 2016,
amending Implementing Decree
of the Ministry of Transport, Construction and Regional Development of the Slovak Republic
No 162/2013
establishing lists of groups of construction products and systems for assessing the performance thereof

In accordance with § 13(2) of Act No 133/2013 on construction products and on amendments to certain laws, the Ministry of Transport, Construction and Regional Development of the Slovak Republic lays down the following:

Article I

Implementing Decree of the Ministry of Transport, Construction and Regional Development of the Slovak Republic No 162/2013 establishing lists of groups of construction products and systems for assessing the performance thereof is amended as follows:

1. In § 2(1)(b), the words “paragraph (3)” are replaced by the words “paragraph (4)”.

2. § 3(1) reads as follows:

“ (1) The assessment of performance of construction products which are subject to specified standards or SK technical assessments is carried out using one or a combination of several performance assessment systems designated as systems I+, I, II+, III and IV. On the basis of assessment of performance and the related tasks applicable to the individual systems, the manufacturer shall issue an SK declaration of performance and determine the product-type. The tasks of manufacturers and authorised persons under the individual systems are as follows:

a) under system I+:

1. the manufacturer carries out

1a. factory production control,

1b. further testing of samples taken at the factory according to the prescribed test plans,

2. the person authorised for product certification shall issue the SK certificate of constancy of performance of the product on the basis of

2a. assessment of product performance on the basis of type-testing using samples taken by the authorised person, type calculation, tabulated values or descriptive documentation of the product,

2b. initial inspection of the manufacturing plant and of factory production control,

2c. continuous surveillance, assessment and evaluation of factory production control,

2d. audit-testing (including sampling),

b) under system I:

1. the manufacturer carries out

1a. factory production control,

1b. further testing of samples taken at the factory according to the prescribed test plans,

2. the person authorised for product certification shall issue the SK certificate of constancy of performance of the product on the basis of

- 2a. assessment of product performance on the basis of type-testing using samples taken by the authorised person, type calculation, tabulated values or descriptive documentation of the product,
 - 2b. initial inspection of the manufacturing plant and of factory production control,
 - 2c. continuous surveillance, assessment and evaluation of factory production control,
- c) under system II+:
- 1. the manufacturer carries out
 - 1a. factory production control,
 - 1b. assessment of product performance on the basis of type-testing using samples taken by the manufacturer, type calculation, tabulated values or descriptive documentation of the product,
 - 1c. further testing of samples taken at the factory according to the prescribed test plan,
 - 2. the person authorised for production control certification shall issue the certificate of conformity of the factory production control under the responsibility of the manufacturer (hereinafter referred to as the “SK control system certificate”) on the basis of
 - 2a. initial inspection of the manufacturing plant and of factory production control,
 - 2b. continuous surveillance, assessment and evaluation of factory production control,
- d) under system III:
- 1. the manufacturer carries out factory production control,
 - 2. the authorised testing laboratory shall carry out the assessment of product performance on the basis of type-testing (based on sampling carried out by the manufacturer), type calculation, tabulated values or descriptive documentation of the product,
- e) under system IV, the manufacturer carries out:
- 1. factory production control,
 - 2. assessment of product performance on the basis of type-testing (based on sampling carried out by the manufacturer), type calculation, tabulated values or descriptive documentation of the product.”.

3. The following paragraph (2) is inserted after § 3(1):

“(2) Authorised persons performing tasks under systems I+, I and III, as well as manufacturers performing tasks under systems II+ and IV shall consider SK technical assessments drawn up for the given construction product as assessments of performance of the product. Therefore, authorised persons and manufacturers shall not perform the tasks referred to in point 2a of (1)(a), point 2a of (1)(b), point 1b of (1)(c), point 2 of (1)(d) and point 2 of (1)(e).”.

Paragraphs (2) and (3) become paragraphs (3) and (4).

4. In § 5(2), the words “paragraph (3)” are replaced by the words “paragraph (4)”.

5. The following paragraph (3) is added in § 5:

“(3) The information to be provided together with SK declarations of performance is laid down in a specific regulation.^{6a)}”.

Footnote 6a reads as follows:

^{6a)} Articles 31 and 33 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending

Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006), as amended.”.

6. § 7a is inserted after § 7 which, including the heading, reads as follows:

“§ 7a

Transitional provisions concerning the arrangements effective from 1 July 2016

The assessment of performance of construction products subject to arrangements effective from 1 July 2016 shall be carried out in the prescribed manner by 1 January 2017.”.

7. In Annex 1, product group No 0101 reads as follows:

“

0101	Geosynthetics (membranes and textiles), geocomposites, geogrids, geomembranes and geonets used for separation, protection, drainage, filtration or soil reinforcement	For basic purposes ⁵⁾	2+
		For a purpose to which RFS apply, broken down according to the nature of RFC:	
		RFC susceptible to change during production ¹⁰⁾	1
		RFC without testing ¹²⁾	4
		RFC other than above ¹¹⁾	3

”

8. In Annex 1, product group Nos 0102 and 0103 are deleted.

9. In Annex 1, the product use area “Products for waste and surface (rain) water” reads as follows:

“Waste water engineering products”.

10. In Annex 1, product group Nos 0703 to 0715 read as follows:

“

0703	Tubes and fittings for sewage systems in buildings	For basic purposes ⁵⁾	4
0704	Manholes and inspection chambers of drain systems	For a purpose to which RFS apply, broken down according to the nature of RFC:	
0705	Step irons, ladders and handrails for manholes and inspection chambers	RFC susceptible to change during production ¹⁰⁾	1
0706	Air admittance valves of ventilating pipework for sewage systems in buildings	RFC without testing ¹²⁾	4
0707	Traps and separators for waste water from buildings and engineering structures	RFC other than above ¹¹⁾	3

0708	Waste water pumping station systems and effluent lifting plants	For basic purposes ⁵⁾	3
0709	Systems and elements of domestic waste water treatment plants and on-site treatment equipment	For a purpose to which RFS apply, broken down according to the nature of RFC:	
0710	Septic tanks	RFC susceptible to change during production ¹⁰⁾	1
0711	Prefabricated drainage channels (gutters) for roads	RFC without testing ¹²⁾	4
		RFC other than above ¹¹⁾	3
0712	Manhole covers and gully tops for roads	For basic purposes ⁵⁾	I
		For a purpose to which RFS apply, broken down according to the nature of RFC:	
		RFC susceptible to change during production ¹⁰⁾	I
		RFC without testing ¹²⁾	IV
		RFC other than above ¹¹⁾	III
0713	Cesspool tanks	For basic purposes ⁵⁾	III
		For a purpose to which RFS apply, broken down according to the nature of RFC:	
		RFC susceptible to change during production ¹⁰⁾	I
		RFC without testing ¹²⁾	IV
		RFC other than above ¹¹⁾	III
0714	Floor drains	For basic purposes ⁵⁾	IV
		For a purpose to which RFS apply, broken down according to the nature of RFC:	
		RFC susceptible to change during production ¹⁰⁾	I
		RFC without testing ¹²⁾	IV
		RFC other than above ¹¹⁾	III
0715	Concrete box culverts ³⁾	According to purpose:	
		Load-bearing ^{b)} – large culverts	2+
		Non-bearing – small culverts	4

”

11. In Annex 1, product group No 1104 reads as follows:

1104	Factory-produced mortar for masonry work and other materials for masonry work	According to type:	
		proposed mortar ^{h)}	2+
		mortar of a prescribed composition ^{h)}	4
		other materials	III

”.

12. In Annex 1, the name of product group No 1606 reads as follows:

“Concrete panels^{c)} with or without supports for railways and tramways”.

13. In Annex 1, the name of product group No 1901 reads as follows:

“Thermal insulation systems for external thermal protection of walls (ETICS) based on mechanically fastened or glued insulation boards and covered with one or more layers of mortar”.

14. In Annex 1, the name of product group No 1903 reads as follows:

“Thermal insulation products in the form of boards, mats, rolled belts or some other form intended for buildings”.

15. In Annex 1, the name of product group No 1904 reads as follows:

“Thermal insulation products formed or applied on the spot of loose, air-injected or foam materials intended for buildings”.

16. In Annex 1, the name of product group No 3308 reads as follows:

“Plastic and other anchors for concrete and masonry for use in systems, such as façade systems, including thermal insulation, in order to fasten or brace the elements contributing to the stability of these systems”.

17. In Annex 1, new product group Nos 4613 and 4614 are added in the product use area “Special products” and read as follows:

“

4613	Waterproofing and thermal insulation systems intended for the construction and reconstruction of balconies, loggias and terraces	For basic purposes ⁵⁾	III
		For a purpose to which RFS apply, broken down according to the nature of RFC:	
		RFC susceptible to change during production ¹⁰⁾	I
		RFC without testing ¹²⁾	IV
		RFC other than above ¹¹⁾	III
4614	Ventilation piping and tubes used for ventilation of structures	For basic purposes ⁵⁾	III
		For a purpose to which RFS apply, broken down according to the nature of RFC:	

		RFC susceptible to change during production ¹⁰⁾	I
		RFC without testing ¹²⁾	IV
		RFC other than above ¹¹⁾	III

”.

18. In explanatory note ^{a)} in Annex 1, the words “paragraph (3)” are replaced by the words “paragraph (4)”.

19. Explanatory note ^{g)} in Annex 1 is deleted.

20. In Annex 1, explanatory note ^{h)} reads as follows:

“The composition and method of production of the proposed mortar are chosen in order to achieve the specified properties (the quality concept). Mortar with a prescribed composition is produced in accordance with a prescribed formula (the formula concept) (technical standard).¹⁸⁾”.

Footnote 18 reads as follows:

“¹⁸⁾ STN EN 998-2 Specification for mortar for masonry. Part 2: Masonry mortar (72 2430).”.

Article II

This Implementing Decree shall enter into force on 1 July 2016.

Roman Breceľ, m. p.