

Issuer:	Minister of Economic Affairs and Communications
Type:	regulation
In force from:	02.08.2013
In force until:	28.01.2018
Translation published:	10.02.2015

Requirements to the building materials and construction products, and procedure for attestation of conformity

Passed 26.07.2013 No. 49

The regulation is established based on § 5 (4) of the Product Conformity Act and § 1 (1) 3) and (2) of Regulation no. 123 "Granting of authorisation to the product for establishment of procedure of requirements and conformity assessment and appointment of the market supervisory authority" of 26 August 2010 of the Government of the Republic.

§ 1. Scope of application

(1) The regulation establishes the requirements for the list of mandatory declared characteristics and conformity assessment procedure for building materials and construction products (hereinafter together referred to as construction product).

(2) The regulation does not apply to the construction products used in the road management works performed based on the Roads Act.

(3) System of assessment and verification of constancy of performance means the conformity assessment systems provided for in Annex 5 of the Regulation (EU) No 305/2011 of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (ELT L 88, 04.04.2011, p. 5–43).

(4) An institution accredited for relevant activity can perform the tasks of the notified body indicated in the system of assessment and verification of the constancy of performance in the non-harmonized area.

§ 2. Documentation of the construction products

(1) The construction product must be accompanied by information about its characteristics, area of application and use, e.g. user and installation manuals.

(2) Declaration of performance according to § 1 (3) of the specified Regulation (EU) No. 305/2011 of the European Parliament and of the Council and information enclosed with the construction product is provided in Estonian.

§ 3. Penetration seal and joint filler material

Conformity assessment of the penetration seal and joint filler material which must conform to the fire resistance requirements is conducted according to the system 1 of the assessment and verification of the constancy of performance.

§ 4. Structural passive fire protection and fire wall

(1) Structural passive fire protection is a fire protection system consisting of various components including frames or tie bars, door leaf or window frame, roller shutters and other similar for closing of permanent openings in the structure for which the fire resistance characteristics are foreseen.

(2) Glazed non-load bearing fire wall is a vertically installed fire restraining element containing of glazing, glazing system and framework.

(3) Conformance assessment of the fire resistance of the structural passive fire protections conducted according to the system 1 of the assessment and verification of the constancy of performance.

(4) Conformance assessment of the fire resistance of the glazed non-load bearing fire wall is conducted according to the system 3 of the assessment and verification of the constancy of performance.

(5) If the conformance assessment of the structural passive fire protection and the glazed non-load bearing fire wall is conducted according to Annex 1 of this Regulation, it is presumed that the conformity is certified.

§ 5. Fillings of openings in the structure and curtain walling

(1) For the purpose of this Regulation, the doors, windows and shutters are the construction products indicated in clauses 1-4 of Annex 2.

(2) If the doors, windows, shutters and the curtain walling have the characteristics established and declared in Annex 2 of this Regulation, it is presumed that they conform to the requirements.

§ 6. Fire retardant paint, varnish and mastic

Conformance assessment of the fire retardant paint, varnish and mastic is conducted according to the system 1 of the assessment and verification of the constancy of performance.

§ 7. Concrete mix

(1) For the purpose of this regulation, concrete mix is a ready-mixed concrete supplied by the person who is not the user of the concrete mix.

(2) Conformity assessment of the concrete mix is conducted according to system 2+ of the assessment and verification of the constancy of performance.

§ 8. Filler

(1) If the safety requirements of the area of application of the filler, including concrete or mortar filler are significant, like in manufacturing of load bearing structures, the conformance assessment of the filling material is conducted according to system 2+ of the assessment and verification of the constancy of performance.

(2) In cases not indicated in subsection 1 of this chapter, the conformance assessment of the filler is conducted according to system 4 of the assessment and verification of the constancy of performance.

§ 9. Masonry unit

(1) Only the category I masonry units can be used in load bearing structures.

(2) If the masonry unit has the characteristics established and declared in clause 6 of Annex 2 of this Regulation, it is presumed that the masonry unit conforms to the requirement.

§ 10. Contact point of the products of construction industry

According to § 10 (2) of the Product Conformity Act, the Ministry of the Economic Affairs and Communications performs the contact point tasks of the construction industry.

§ 11. Market supervisory authority

Technical Surveillance Authority performs state supervision over following of the requirements of this Regulation.

§ 12. Implementing provision

(1) Annex 3 of this Regulation shall be valid until 31 December 2013.

(2) Conformity of the construction product can also be attested according to Annex 3 of this Regulation until 31 December 2013.

Jürgen Ligi
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[Annex 1](#) Conformity of structural passive fire protection and glazed non-load bearing fire walls

[Annex 2](#) List of declared characteristics of construction products

[Annex 3](#) Procedure for attestation of conformity and conformity assessment procedures