

III. CHAPTER

Construction product not covered by a harmonised technical specification.

Article 10

Marketing and the performance of a construction product.

A producer or its authorised representative, importer, or distributor shall ensure that a sufficient account is given of the performance of a construction product pursuant to the provisions of this chapter, before the product is placed on the market or used in construction works.

A declaration of performance shall describe the performance of a construction product with respect to the following characteristics or aspects:

1. Reaction to fire.
2. Resistance to fire.
3. The load-bearing capacity and the strength of the matter.
4. Insulation value.
5. Sound insulation and other aspects relating to sound.
6. Airtightness.
7. Tightness against heavy rain.
8. Heat-resistance.
9. Frost resistance.
10. Chemical resistance.
11. Steam tightness.
12. That the product does not spoil the quality of water intended for human consumption (e.g. deposition of heavy metals) .
13. Evaporation/emission of pollutant chemicals.

14. If the content of a chemical falls under Article 57 of the Regulation of the European Parliament and the Council (EC) No. 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), cf. Regulation No. 750/2008 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH).

A declaration of performance that contains the characteristics or aspects laid down in paragraph 2 shall be made available on paper when the construction product is delivered or be accessible at the web page of the producer, importer, and/or distributor. The declaration shall be in Icelandic, English or a Scandinavian language other than Finnish. The Minister may however, in a regulation, decide that a declaration on certain products or product categories shall be in Icelandic, considering the product's field of performance and its essential characteristics which relate to the basic requirements for construction works, cf. the third paragraph of Article 4. The declaration may not contain information that is incorrect or may be misinterpreted regarding the characteristics or the performance of a product.

The characteristics or aspects of paragraph 2 must be declared that relate to the intended use of the the construction product in construction works. Other characteristics or aspects shall be specified in the declaration of performance that could affect the use of the product and on which no declaration of performance is made.

The Icelandic Construction Authority may require documents regarding other characteristics or aspects than those specified in paragraph 2 when necessary to ensure safe usage of the product in construction works.

The identification, confirmation and declaration of characteristics and aspects of a construction product pursuant to this Article shall be based on recognised design and testing standards, as well as on other recognised standards intended for such identification and registration.

The Minister may, in regulations, stipulate that a declaration of performance should describe more characteristics and aspects of a construction product than laid down in paragraph 2.

Article 11

Factory production control and type-testing.

A construction product covered by this chapter shall be manufactured under a documented and constant inner factory production control that ensures the constancy of the production so that it has specified characteristics and fulfils a required performance.

An independent body, pursuant to Article 12, may require a type-testing of a construction product in accordance with its nature having regard to the applicability of the product and its importance with regard to essential requirements.

Article 12

The requirement of obtaining a confirmation from an independent body.

The producer or its authorised representative shall obtain a confirmation, from the Icelandic Construction Authority or from another body recognised by the Minister, of the performance of a construction product with regard to resistance to fire and burning behaviour of the construction product cf. points 1 and 2 of paragraph 2 of Article 10.

The producer or its authorised representative shall obtain a confirmation, from the Icelandic Innovation Centre or from another body recognised by the Minister, of the performance of a construction product with regard to the characteristics and aspects subject to paragraph 2 of Article 10, excluding point 1 and 2 of paragraph 5 of Article 10.

Upon confirmation, including a decision of type-testing pursuant to paragraph 2 of Article 11, reference shall be had to the requirements laid down in the decisions of the Commission of the European Union on the role of a producer and notified body when confirming compliance with requirements, but if no resolutions from the European Commission exist on individual categories of products reference shall be had to decisions regarding substitutable products.

Article 13

Declaration of performance etc.

Construction products covered by this chapter shall be accompanied with a document containing the following information:

1. Name and address of the producer and the party responsible if it is not the producer.
2. Description and identification of the product, such as type, number, applicability, and so forth.
3. Declared characteristics and aspects of the product, cf. Article 10, with reference to the standards, tests, and and other things relied on to examine the characteristics of the product.
4. Reference to the quality system of the producer.
5. Terms regarding the use of the product.
6. Name and address of the body that confirms the performance of the product, cf. Article 12.
7. Name and position of the signer of the declaration on behalf of the party responsible.

When a construction product is placed on the market, producers, importers, and distributors shall ensure that the product is accompanied with guidelines for usage and information about safety in Icelandic or English. The Minister may however, in a regulation, decide that guidelines for usage or information about safety regarding certain products or product categories shall be in Icelandic, considering the product's field of performance and its essential characteristics which relate to the basic requirements for construction works, cf. the third paragraph of Article 4.

Article 14

Mutual recognition.

Documents from authorised parties in the European Economic Area for testing construction products and surveillance shall be deemed equally valid in Iceland as documents from the Icelandic Construction Authority, Innovation Centre Iceland, or other bodies that the Minister recognises pursuant to Article 12, as they would contain a confirmation that the product is suitable for the intended usage. If the documents do not contain a confirmation of the performance of the product under Icelandic circumstances, such a confirmation shall be obtained pursuant to Article 12. The product shall always be accompanied with documents and confirmations that correlate to those specified in this chapter.