

MINISTRY OF ECONOMY

THE LAW ON CONSTRUCTION PRODUCTS

Skopje, May 2006 – November 2011

LAW ON CONSTRUCTION PRODUCTS

Published in the Official Gazette of the Republic of Macedonia No. 39/06, 86/08, 47/11 and 139/11

I. GENERAL PROVISIONS

Article 1

This Law shall regulate the conditions for placing construction products on the market, the procedures for attestation of conformity with the technical specifications, implementation of special procedures for acknowledging conformity and other issues of relevance for the construction products.

Article 2

The provisions of this Law shall apply to construction products for which there are technical specifications in accordance with the provisions of this law.

Article 3

Products can be placed on the market only if they are fit for their intended use, which implies that the works, in which the products will be incorporated, (provided that the works are designed and constructed according to the regulations for constructing works), meet the essential requirements determined by this Law.

DEFINITIONS

Article 4

The expressions used in this law shall have the following meanings:

1. **“construction product”** shall mean any product which is produced for permanent incorporation in the construction works;
2. **“construction works”** shall mean buildings and civil engineering works.
3. **“placing on the market”** shall mean availability of a construction product, whether paid or free of charge, i.e. allowing to be used, in the Republic of Macedonia for the first time;
4. **“distributor”** shall mean the manufacturer, his/her authorised representative established in the European Union or in the Republic of Macedonia, the importer i.e. another natural or legal person that has placed the product on the market;
5. **“technical specifications”** shall mean harmonised standards, European and technical approval or acknowledged national technical specifications;
6. **“acknowledged national technical specifications”** shall mean those national technical specifications for which the Commission of the European Union (hereinafter referred to as: the Commission) considers, that the products manufactured in accordance with them, enable meeting of the essential requirements for construction works and whose reference markings it publishes in the Official Journal of the European Union;
7. **“Macedonian national standard”** shall mean a standard established by the Macedonian Institute for Standardisation pursuant to the Law on Standardisation;

8. **“harmonised standard”** shall mean a standard established by the competent European Organisation for Standardisation on the basis of the requirements of the Commission and whose reference markings were published in the Official Journal of the European Union;

9. **“European technical approval”** (ETA) shall mean a favourable technical assessment of the fitness for use of a product for an intended use, based on fulfillment of the essential requirements for building works for which the product is used.

10. **“technical approval body”** shall mean a legal or natural person granting a European technical approval;

11. **“less significant construction product”** shall mean a construction product less significant for ensuring health and environmental protection;

12. **“acknowledged technical rule”** shall mean a technical provision confirmed by a number of competent experts to represent the technical condition;

13. **“certification body”** shall mean an independent body carrying out the certification procedure for conformity of the construction products, i.e. the certification procedure for conformity of the production control system and its surveillance;

14. **“inspection body”** shall mean an independent body assessing, recommending the adoption and carrying out additional assessment of the manufacturer’s quality control procedures, and selecting and evaluating the construction products at the production facilities and the construction sites or elsewhere, at sites where they are located;

15. **“testing laboratory”** shall mean a laboratory which measures, examines, tests, calibrates or otherwise determines the properties, i.e. the performance of materials or construction products;

16. **“ETAG - guidelines for European technical approval”** shall mean documents referring to a construction product or a group of construction products prepared by the European Organisation for Technical Approvals (EOTA);

17. **“EOTA - European Organisation for Technical Approvals”** shall mean an organisation which joins the national bodies for issuing technical approvals and coordinates the specific questions concerning technical approvals;

18. **“interpretative documents”** shall mean documents which give a correct interpretation of the essential requirements, and the type or degree of each requirement separately, which are necessary and are a basis for the preparation of the harmonised standards and guidelines for the European technical approvals;

19. **“technical regulation”** shall mean a document which arranges the properties of the product or the processes and the related production methods, including the valid administrative provisions with which the conformity is mandatory.

II. ESSENTIAL REQUIREMENTS

Article 5

(1) The essential requirements for the construction works which must be met, if stipulated by regulations for building construction works, and which should be complied with shall be the following:

- mechanical resistance and stability,
- fire protection,
- hygiene and health protection, and protection of the environment,
- safety in use,

- protection against noise, and
- energy saving and heat retention.

(2) The Minister in charge of the state administrative body competent for economy issues (hereinafter referred to as: the Minister) shall stipulate the essential requirements for construction works from paragraph 1 of this Article.

III. PLACING CONSTRUCTION PRODUCTS ON THE MARKET

Article 6

(1) The products shall be fit for use if they enable works in which they are employed, provided the latter are properly designed and built to satisfy the essential requirements referred to in Article 5 of this law where such products bear the CE marking indicating that they satisfy all the provisions of this Law, including the conformity assessment procedures laid down in Chapter V and the procedure laid down in Chapter IV. The CE marking shall indicate:

- that they comply with the Macedonian national standards transposing the harmonized standards, references to which have been published in the Official journal;
- that they comply with a European technical approval, delivered according to the procedure of Chapter IV, or
- that they comply with the Macedonian national standards or Macedonian technical regulations referred to in Article 7 of this Law in as much as harmonized specifications do not exist.

(2) The Minister shall distribute to the European Commission (hereinafter referred to as: the Commission) the text of the Macedonian national standards or Macedonian technical regulations which he/she regards as meeting the essential requirements referred to in Article 5 of this law.

(3) Where the harmonised standards or the European technical approvals referred to in paragraph 1 of this Article do not meet the requirements referred to in Article 3 and 5 of this law, the Minister shall inform this to the Committee on Civil Engineering referred to in Article 30 of this law, stating the reasons.

Article 7

(1) If no technical specifications exist, indicated in Article 6 paragraph 1 indent 1 and 2 of this law, the construction product may be placed on the market if it complies with:

- the corresponding Macedonian national standards, or
- the Macedonian technical regulations.

(2) The construction product, which is in compliance with the requirements referred to in paragraph 1 of this Article, may also be placed on the market after the adoption of the harmonised standards, and after granting the technical approval referred to in Article 6 of this law, but only in the transitional period defined with the publication of the technical specifications referred to in the Article 6 of this law.

(3) The technical regulation referred to in paragraph 1 indent 2 of this Article shall be adopted by the Minister. With the technical regulation, the Minister shall determine the required properties of the construction product and the procedure for assessment and attestation of conformity with the stipulated requirements.

Article 8

With the adoption of the technical specifications referred to in Articles 6 and 7 of this law for placing construction products on the market, which are subject to these technical specifications, the requirements of this law shall apply exclusively.

Article 9

In the Official Gazette of the Republic of Macedonia, the Minister shall publish:

- a list of standards referred to in Articles 6 and 7 of this Law;
- a list of references for European technical approvals and a list of bodies which grant technical approvals, pursuant to Article 4 item 9 and 10 and Article 15 of this Law), and
- a list of less significant construction products covered by Article 4 item 11 and Article 11 of this Law.

Article 10

(1) The manufacturer, who has not met or has only partly met the requirements of the technical specifications referred to in Article 6 or Article 7 of this law, may place the construction product on the market and issue a declaration of conformity, and where they specify the manner of conformity assessment, pursuant to Article 18 paragraph 2 indent 1 of this law. In this case the declaration of conformity must, regardless of the required technical specifications for the conformity assessment procedure, be based on an initial type-testing of the construction product carried out by a testing laboratory as a body involved in the procedure for attestation of conformity.

(2) The products referred to in paragraph 1 of this Article shall bear the CE marking.

Article 11

(1) A less significant construction product may be placed on the market on the basis of a manufacturer's declaration of conformity with an acknowledged technical rule.

(2) The products referred to in paragraph 1 of this Article may not bear the CE marking.

Article 12

(1) The use may not be excluded of the construction products, which were placed on the market in accordance with the provisions of this law, for the purpose for which they were intended.

(2) The use of the products referred to in paragraph 1 of this Article, for the purposes for which they are intended, shall not be impeded by rules or conditions imposed by public legal bodies or legal entities acting as public organisations or public legal bodies on the basis of a monopoly position.

(3) If the technical specifications determined by this law distinguish between different classes corresponding to different levels of meeting the requirements, the technical regulations for building works provide the levels of meeting the requirements in a manner of using all or some classes or only one of the classes adopted at European Union level.

IV. EUROPEAN TECHNICAL APPROVAL

Article 13

- (1) European technical approval may only be granted to a construction product:
- for which there are neither harmonised standards nor a mandate for their construction, and for which the Commission considers that a harmonised standard could not, or not yet, be constructed, or
 - which significantly differs from the harmonised standards.
- (2) The provision referred to in the paragraph 1 indent 1 of this Article does not exclude granting of European technical approval for the product for which a mandate is given for construction of a harmonised standard until the entrance into force.
- (3) As an exception, from paragraph 1 indent 1 of this Article, the Commission may authorise the issue of European technical approval, after consulting the Committee referred to in Article 30 of this Law, for products for which there is a mandate for the issuing of a harmonised standard, or for which the Commission has established that a harmonised standard can be prepared. The authorisation shall specify its period of validity.
- (4) The European technical approval shall as a rule be granted for a five-year period. Its validity may be extended.

Article 14

- (1) The European technical approval for the construction product must be based on examinations, tests and estimations on the basis of the interpretative documents and the corresponding guidelines for European technical approval.
- (2) Where guidelines referred to in paragraph 1 of this Article do not exist, the European technical approval may be granted by reference to the relevant essential requirements for construction works and the interpretative documents where the assessment of the construction product is accepted by the technical approval bodies acting jointly in the European organisation for technical approval. If the approval bodies can not agree, the matter shall be referred to the committee referred to in Article 30.
- (3) European technical approval for a product shall be issued in accordance with the procedure laid down in Article 16 of this law at the request of the manufacturer or his authorised representative founded in the European Union.
- (4) The guidelines for European technical approval for a product or group of products, prepared by the European Organisation for Technical Approvals on mandate by the Commission, shall be issued as a separate publication and its availability shall be ensured to the public.

Article 15

- (1) European technical approval for construction products may be issued by a body authorised for technical approval established in the Republic of Macedonia or other countries members of the European Union.
- (2) A legal or natural person may be an authorised body for granting technical approval with decision from the Minister if he/she is able to:
- assess the correspondence for use of the new construction products on the basis of scientific and practical knowledge,
 - make decisions which are impartial in relation to the interests of different manufacturers or their representatives, and

– take into account and balance the interests of all interested parties.

(3) On the basis of the issued decision referred to in paragraph 2 of this Article, the Minister shall notify the European Commission and the Member States of the European Union of the body which he/she authorised.

(4) The list of bodies granting approvals as well as any amendments to that list, shall be published in the “C” series of the Official Journal of the European Union.

(5) The authorisation for issuing European technical approval can be limited in time, or be valid until revoked. The technical approval body must permanently meet the conditions for obtaining a licence. If during the validity of the licence the body ceases to meet the conditions, the authorisation shall be revoked with a decision.

(6) An appeal against the decision referred to in paragraph 5 of this Article can be submitted to the Commission of the Government of the Republic of Macedonia for settling administrative affairs in the second level, in the area of economy and finances.

(7) The appeal against the decision referred to in paragraph 6 of this Article shall not delay its execution.

(8) The Minister shall publish the decision for authorisation of the technical approval body in the Official Gazette of the Republic of Macedonia, i.e. the decision with which the authorisation is revoked.

Article 16

(1) The request for granting European technical approval for a construction product shall be submitted by its manufacturer, i.e. his authorised representative. When submitting the request the applicant must submit a statement that there is no same request submitted on his behalf with another technical approval body and that all expenses for the procedure will be defrayed.

(2) If the right to grant in accordance with paragraph 1 of this Article is given to two or more bodies for issuing technical approvals, the Minister shall designate one of them as a representative in the European organisation for technical approval.

(3) In the framework of the organisation referred to in paragraph 2 of this Article, the body granting approval cooperates with bodies – members of the European Organisation for Technical Approval and they shall mutually provide all necessary support.

(4) The body for granting technical approval shall notify the other bodies granting technical approval on the granted approval. At the request of the other authorised bodies, a set of all supporting documents for the approval which has been granted shall be forwarded for their information.

(5) The Minister shall stipulate in detail the procedure for granting, extending, amending and revoking the European technical approval in accordance with the general rules adopted by the Commission.

V. ASSESSMENT AND ATTESTATION OF CONFORMITY WITH THE TECHNICAL SPECIFICATIONS REQUIREMENTS

Article 17

The manufacturer, or his authorised representative in the Republic of Macedonia or in the European Union, shall be responsible for attestation of the conformity of the construction

product in accordance with the requirements of the technical specifications referred to in Article 6 and 7 of this law.

Article 18

(1) The products considered to be in conformity with the technical specifications pursuant to in Article 6 and 7 of this law shall be subject to attestation of conformity.

(2) The systems for attestation of conformity of the construction product shall be based on:

- production control system introduced by the manufacturer of the construction product, which will ensure that the production conforms to the relevant technical specifications, or
- except for the introduced system for control of the production, the certification body, indicated in the relevant technical specifications, shall be involved in the assessment and surveillance of the production control or the product itself for a particular construction product.

(3) The system for attestation referred to in paragraph 2 of this Article shall depend on:

- the importance of the construction product concerning the essential requirements for construction works, in particular those relating to health and safety,
- the type of the construction product,
- the effects of the variability of the construction product's properties on its serviceability, and
- the susceptibility to defects in the product manufacture;.

(4) When complying with the safety requirements, a procedure which is least burdening should be determined for the manufacturer.

(5) In the case of individual (non-series) production, unless otherwise provided by the technical specifications for construction products which have essential influence on health and safety, a declaration of conformity, submitted on the basis of the initial type-testing of the construction product and the production control, shall suffice.

Article 19

(1) The implemented procedures for attestation of conformity shall be the basis for:

- a declaration of conformity submitted by the manufacturer or his authorised representative, if the procedure referred to in Article 18, paragraph 2, indent 1 of this Law is laid down, i.e.:

- a certificate of conformity for a system of production control and surveillance or the construction product itself, issued by the certification body in accordance with Article 18, paragraph 2, indent 2 of this Law.

(2) The declaration of conformity of the product or the certificate of conformity shall authorise the manufacturer or his authorised representative registered in the European Union to affix the corresponding CE marking on the product itself, on the label attached to it, on its packaging or on the accompanying commercial documents.

(3) The certificate and declaration of conformity are issued in Macedonian language.

(4) The Minister shall stipulate the contents of the documents for conformity referred to in paragraph 1 of this Article and the procedures for attestation of conformity referred to in Article 18 of this Law.

Article 20

(1) For assessment of the conformity of construction products in the technical specifications, the following methods must be applied:

- initial type-testing of the construction product carried out by the manufacturer or the body involved in the attestation of conformity,
- testing of samples taken at the production facilities in accordance with a stipulated examination plan by the manufacturer or the body involved in the attestation of conformity,
- control-examination of samples taken at the production facilities, on the market or on a construction site, carried out by the manufacturer or the body involved in the attestation of conformity,
- testing of samples from a batch which is ready for delivery, or has already been delivered to the customer, carried out by the manufacturer or the body involved in the attestation of conformity;
- production control,
- initial inspection of production facilities and of production control, carried out by the body involved in the attestation of conformity, and
- continuous surveillance, evaluation and assessment of the production control, carried out by the body involved in the attestation of conformity.

(2) The choice and combination of methods referred to in paragraph 1 of this Article that create a system for attestation of conformity of construction products, depend on the technical requirements for the particular construction product or group of construction products depending on the type of the construction product.

(3) Factory production control means permanent internal production control exercised by the manufacturer. All the necessary documentation is documented by the manufacturer in a systematic manner with defined form and procedures. This documentation system for documentation of production control shall guarantee quality and enable the achievement of the required product properties as well as control of the effectiveness of the functioning of the production control system.

(4) The Minister shall stipulate in detail the systems for conformity assessment referred to in paragraph 2 of this Article.

VI. CE MARKING

Article 21

(1) The CE marking signifies that the products meet the requirements of Articles 6 and 9 of this Law. Affixing the CE marking on the product itself, on the label attached to it, on its packaging or on the accompanying commercial documents is an obligation of the manufacturer or his authorised representative registered in the European Union.

(2) The marking of the products or their packaging with markings which are likely to lead to confusion as to the meaning and form of the CE marking is prohibited. Any other marking may be affixed on the construction products, on the label affixed to the construction product packaging or on the accompanying commercial documents in such a manner in which the visibility and legibility is not thereby reduced.

(3) In the cases when for the products exist other regulations transposing the European directives into the Macedonian legislation concerning other aspects, the CE marking on conformity, (hereinafter referred to as: CE marking), referred to in Article 6 paragraph 1 of this Law demonstrates that the requirements from these regulations are met in these cases.

(4) When certain regulations allow the manufacturer, during a transitional period, to choose which arrangements to apply, the CE marking shall indicate conformity only to the regulations applied by the manufacturer.

. In this case all data required by the accepted regulations must be laid down in the documents which accompany the product.

(5) The Minister shall stipulate the manner of affixing the CE marking on construction products, its shape and form, as well as the conditions of its usage.

VII. BODIES

Article 22

(1) The body involved in the attestation of conformity has the status of a certification body, inspection body or testing laboratory, which can be a legal or natural person as well as a public legal body.

(2) The manufacturer of the construction product may, during the procedure for attestation of conformity, in accordance with Article 18, paragraph 2, indent 2 of this Law, involve the certification body which is not established in the Republic of Macedonia and of which the Commission has been notified.

(3) If the certification body is established in the Republic of Macedonia, the manufacturer of the construction product may involve it in the attestation of conformity, in accordance with Article 18, paragraph 2, indent 2 of this Law, only if the certification body has been issued a licence by the Minister for carrying out certain tasks in this procedure in accordance with Article 23 of this Law. The licence should indicate the construction products within the competence of the certification body and the nature of tasks entrusted to it.

Article 23

(1) The Minister shall issue a decision for designation of certification bodies involved in the procedure of attestation of conformity established in the Republic of Macedonia in accordance with Article 22 paragraph 1, provided that they meet the following requirements:

- Availability of personnel and of the necessary means and equipment;
- Availability of personnel and of the necessary means and equipment
- Technical competence and professional integrity of personnel;
- Impartiality, in carrying out the tests, preparing the reports, issuing the certificates and performing the surveillance provided for in the Directive, of staff and technical personnel in relation to all circles, groups or persons directly or indirectly concerned with construction products
- Maintenance of professional secrecy,
- Subscription of a civil liability insurance unless that liability is covered by the State under national law

Fulfilment of the conditions under 1 and 2 shall be verified at intervals by the competent authorities of Member States.

(2) The authorised bodies within the meaning of the technical specifications referred to in Article 6 of this Law shall be notified by the Minister to the European Commission. The notification shall indicate the products and tasks for which the body is authorised.

VIII. SURVEILLANCE

Article 24

The surveillance over the carrying out of the provisions of this Law and its regulations shall be done by the Ministry which is competent for the economy affairs.

Article 25

(1) The inspection surveillance over meeting the requirements from this Law and its regulations, about the construction products that are placed on the market shall be done by the State Market Inspectorate.

(2) Besides the competencies and measures that are coming out of certain regulations and are referring to their work, on the basis of this Law, the State market inspectors shall also have the following competencies:

- shall ask for all the necessary data from the distributor and shall perform an insight in the issued documents for conformity as well as the technical documentation of the construction products,

- shall make the appropriate checkups and testing of the construction products for their conformity with technical specifications,

- shall take samples of the construction products and deliver them for conformity assessment,

- shall determine withdrawal of the conformity documents for the construction products that are not in conformity with the regulations,

(3) If the state market inspector determines that a violation of the provisions of this Law has been made, a decision shall be brought by which he/she shall:

- order for removal of the determined non-conformities and determine a time limit for the removal,

- order to label the construction products with conformity markings, i.e. order for removal of conformity markings that are not allowed,

- prohibit placing on the market of construction products that are not in conformity, limit the turnover and order withdrawal from the market and enforcing measures, guarantying that the prohibition shall be respected,

- temporarily prohibit any delivery, offers for delivery or exposing the construction products in a period necessary to perform different checkups and testing, as soon as a reasonable doubt is raised that those construction products are not in conformity with the regulations.

(4) In view of inspection surveillance, the State Market Inspectorate may entrust the necessary check-up or testing to a competent (accredited) institution.

Article 26

(1) The inspection surveillance costs that refer to analysis expenses in case of an unfavourable end for the obligated party, shall be attributed to the obligated party.

(2) Against the decision of the State Market Inspectorate, issued for execution of the competencies referred to in paragraph 2 of Article 24, an appeal to the Minister is allowed, however this shall not postpone the execution.

Article 27

The Government of the Republic of Macedonia shall stipulate the way of notifying other States, i.e. international entities, about the measures taken by the state authorities in order to

limit placing the construction products on the market, i.e. their withdrawal from the market, in view of protecting the public interest.

IX. SPECIAL PROCEDURES

Article 28

(1) Where for a construction product no technical specifications of Article 6 of this Law exist, the Republic of Macedonia shall, as the importing State, on request of the importer, consider the construction product to be in conformity, according to the current Macedonian regulations, when confirmed by tests and inspections carried out by a body involved in the attestation of conformity within the producing State, a member of the European Union (hereinafter: the producing State), and adopt them according to the methods in force in the Republic of Macedonia, or methods recognised by it as equivalent.

(2) In order to determine whether an equivalent level of conformity of the construction product is achieved, the Republic of Macedonia may ask for additional information on the body involved in the attestation of conformity, which the producing State intends to designate for that purpose. In case of doubt on a certain body, the Republic of Macedonia shall deliver an opinion substantiated with facts and shall notify the Commission thereof.

(3) Authorised bodies shall afford one another all necessary assistance.

(4) Where the Minister establishes that the authorised body is not carrying out tests and inspections properly in accordance with the national provisions, he shall notify the Member State wherein this body is authorised within a reasonable time limit. The Member State shall notify the Minister who submitted the notification of the action that has been taken. If the Minister who submitted the notification does not consider the action taken to be sufficient, he can prohibit the placing on the market and the use of the product in question, or make it subject to special conditions. The Minister notifies the Member State and the Commission thereof.

(5) The Republic of Macedonia shall attach the same value to every report and conformity certificate, issued in the producing State in accordance with this Article, as it does to reports and conformity certificates issued by bodies involved in the procedure for attestation of conformity established in its territory.

X. SAFEGUARD CLAUSE

Article 29

(1) Where determined that a product declared to be in conformity with the requirements of this Law does not meet the requirements of Article 5 and 6, paragraph 1 of this Law, all appropriate measures will be taken to withdraw this product from the market, prohibit the placing thereof on the market or limit free movement thereof.

(2) The Minister shall notify the Commission of any such decision of paragraph 1 of this Article, indicating the reasons for it as well as whether the non-conformity is due to:

- product non-conformity with technical specifications;
- incorrect application of technical specifications; or
- shortcomings in the technical specifications.

(3) In the cases referred to in paragraph 1 of this Article, The Minister shall take appropriate action against whomsoever issued the declaration of conformity and shall notify the Commission and the other Member States thereof.

XI. STANDING COMMITTEE ON CIVIL ENGINEERING

Article 30

The Minister shall appoint two permanent members to the Standing Committee on Construction set up by the European Commission.

XII. PENALTY PROVISIONS

Article 31

(1) A fine of 80,000.00 to 250,000.00 denars shall be imposed on the legal person for an offence, if:

- placing a construction product on the market contrary to the Article 6, Article 7 and Article 10 of this Law;
- issuing a declaration of conformity for a construction product contrary to the Article 11 of this Law;
- granting a European technical approval in contrary to the Article 13, 14, 15 and 16 of this Law;
- not marking the construction product in accordance with Article 21, paragraph 1 of this Law;
- involving certification bodies in the attestation of conformity contrary to the Article 22 of this Law;
- carrying out the task of the body, involved in the attestation of conformity, without the decision referred to in Article 22, paragraph 1 of this Law;
- contrary to the Article 24 of this Law, not acting in accordance with the decisions of the State market Inspectorate.

(2) A fine of 15,000.00 to 45,000.00 denars shall be imposed on the person in charge of the legal person for an offence referred to in the previous paragraph.

In addition to the fine referred to in paragraph 1 of this Article, a safety measure - prohibition on conducting activities in a period of one to three years, shall be imposed on the legal person.

In addition to the fine referred to in paragraph 2 of this Article, a safety measure - prohibition on conducting activities in a period of six months to one year, shall be imposed on the person in charge.

Article 32

For offences referred to in Article 31 of this Law, a fine of 1.000.00 to 50,000.00 denars shall be imposed on the natural person.

XII. TRANSITIONAL AND FINAL PROVISIONS

Article 33

The Minister shall adopt the by-laws referred to in Article 5, paragraph 3, Article 18 paragraph 6, Article 19, paragraph 4, and Article 21, paragraph 5 of this Law within six months upon entering into force of this Law.

Article 34

(1) Pending the adoption of technical specifications according to the provisions of this Law, i.e. pending the adoption of special regulations referred to in Article 2 of this Law, the technical regulations for construction products in force in the Republic of Macedonia shall apply.

(2) The requirements of the special regulations for placing the construction products on the market, that are subject to their regulation, shall cease to apply after the transitional period that is published in the Official Gazette of the Republic of Macedonia..

Article 35

Upon the date of entering into force of this Law, authorisations issued according to the orders for mandatory attestation of construction products in force in the Republic of Macedonia, shall cease to apply.

Article 36

(1) Upon the date of accession of the Republic of Macedonia to the European Union, or upon signing the **PECA** protocol, the following provisions of this Law shall begin to apply: Article 6 paragraphs 2 and 3, Article 13, Article 14, Article 15, Article 16, Article 21, Article 23 paragraph 2, Article 27, Article 28, Article 29 and Article 30 of this Law.

(2) Upon the date of accession of the Republic of Macedonia to the European Union, or upon signing the **PECA** protocol, the term “authorised representative established in the European Community” shall mean “authorised representative established in the European Community or the Republic of Macedonia”.

(3) The duties of the Republic of Macedonia towards the European Commission and the EU Member States resulting from this Law, and the provisions relating to the CE marking shall start to apply upon the accession of the Republic of Macedonia to the EU, or upon signing the **PECA Protocol. PECA Protocol – (Protocol of the Europe agreement on conformity assesment and acceptance of industrial products)** is a protocol for conformity assessment and the acceptability of the industrial products. The purpose of this protocol is removal of the technical barriers in the trade between the Member States of the European Union and the Candidate Country.

Article 37

This Law shall enter into force on the eighth day following its publication in the Official Gazette of the Republic of Macedonia.