

DRAFT

GOVERNMENT REGULATION

of ... 2024,

**amending Government Regulation No 163/2002 laying down technical requirements
for selected construction products, as amended**

Pursuant to § 22(1) of Act No 22/1997 on technical requirements for products and on amendments and supplements to certain acts, as amended by Act No 205/2002, Act No 34/2011 and Act No 526/2020, (hereinafter the 'Act'), the Government orders the following to implement § 11a(2), § 12 and § 13 of the Act:

Article I

Government Regulation No 163/2002 laying down technical requirements for selected construction products, as amended by Government Regulation No 312/2005 and Government Regulation No 215/2016, is amended as follows:

1. In § 2(1), the last sentence is deleted.
2. In § 2 the following paragraphs (3) to (5) are added:

'(3) On the basis of conformity assessment, the manufacturer or importer issues a declaration of conformity pursuant to § 13 and affixes the Czech conformity mark to the product; the manufacturer or importer does not need to affix the Czech conformity mark in the case of conformity assessment for unit production pursuant to § 9. The specimen of the Czech conformity mark is set out in Annex 4 to this Regulation.

(4) The Czech conformity mark must be affixed visibly, legibly and indelibly to the product. If this is not possible or justified due to the nature of the product, it shall be attached to the packaging or accompanying documentation.

(5) If the Czech conformity mark is enlarged or reduced, the proportions between its individual elements must be respected. The height of the Czech conformity mark must not be less than 10 mm.'

3. In § 13(1), a new subparagraph (f) is inserted after subparagraph (e) which reads:

'f) a complete set of declared technical characteristics of the product that may affect at least one of the essential requirements for construction listed in Annex 1 to this Regulation; these

characteristics shall be stated within the scope of the initial type test and shall be expressed in class, level, limit value or description in such a way that the structure can be properly designed and constructed;‘.

Subparagraphs (f)–(h) are renumbered subparagraphs (g)–(i).

4. In § 13(1)(h), the words ‘the characteristics of the product fulfil’ are replaced by the words ‘the product fulfils the declared characteristics of the product, fulfilling’ and the word ‘permanently’ is inserted after the word ‘which’.

5. In § 13a(1), the words ‘or Turkey’ are inserted after the word ‘area’.

6. In § 13a(2), the words ‘and § 10’ are replaced by:§ 10 and § 13‘.

7. The following Annex 4 is added:

‘Annex 4 to Government Regulation No 163/2002

Specimen of the graphical form of the Czech conformity mark



Note: The pattern is shown on an auxiliary grid that is not part of the Czech conformity mark and is used for its proportional enlargement or reduction.‘.

Article II

Transitional provisions

1. Products placed on the market before the effective date of this Government Regulation shall be subject to the legislation in effect at the time they are placed on the market.
2. Documents issued or acquired during conformity assessment prior to the effective date of this Regulation may be used as evidence of conformity assessment or as supporting documents for drawing up documents of conformity assessment pursuant to Government Regulation No 163/2002, as amended as of the effective date of this Regulation.
3. Certificates of conformity, for which the conformity assessment procedure was carried out pursuant to § 7 of Government Regulation No 163/2002, issued pursuant to

Government Regulation No 163/2002 before the effective date of this Regulation shall remain valid for the period specified therein.

4. A declaration of conformity for which the conformity assessment procedure was carried out pursuant to §§ 5 to 6, § 8 or § 9 of Government Regulation No 163/2002, issued pursuant to Government Regulation No 163/2002 prior to the effective date of this Regulation remain valid until there is a change in the circumstances under which the declaration of conformity was issued, but no later than three years after the effective date of Government Regulation No 163/2002, as amended by this Regulation.

Article III

Final provisions

This Regulation has been notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

Article IV

Effective date

This Regulation shall come into effect on 1 January 2025.

Prime Minister:

Minister for Industry and Trade: