



STATUTORY INSTRUMENTS.

S.I. No. 669 of 2025

EUROPEAN UNION (CONSTRUCTION PRODUCTS)
REGULATIONS 2025

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REGULATIONS 2025

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S.I. No. 669 of 2025

EUROPEAN UNION (CONSTRUCTION PRODUCTS)
REGULATIONS 2025

I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purpose of giving full effect to the provisions of Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011¹, Regulation (EU) 2024/3110 of the European Parliament and of the Council of 27 November 2024² and Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019³, hereby make the following regulations:

PART 1
PRELIMINARY AND GENERAL

Citation and commencement

1. (1) These Regulations may be cited as the European Union (Construction Products) Regulations 2025.
- (2) Subject to paragraph (3), these Regulations shall come into operation on the 8th day of January 2026.
- (3) Regulation 33 shall come into operation on the date of the making of these Regulations.

Interpretation

2. (1) In these Regulations—

“Act of 2020” means the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020 (No. 23 of 2020);

“authorised officer” means a person appointed in accordance with Regulation 8 to be an authorised officer for the purpose of these Regulations;

“authorised representative”, as the case may be, shall be construed in accordance with—

- (a) Article 2 of the Construction Products Regulation 2011, or
- (b) Article 3 of the Construction Products Regulation 2024;

“building control authority” means a local authority to which section 2 of the Building Control Act 1990 (No. 3 of 1990) applies;

“Commission” means the European Commission;

¹ OJ No. L 88, 04.04.2011, p. 5.

² OJ No. L 2024/3110, 18.12.2024.

³ OJ No. L 169, 25.06.2019, p. 1.

“competent authority” means a competent authority prescribed by the Minister in Regulations made under section 133 of the Act of 2020;

“competent national authority” means a body specified under, and in accordance with, Regulation 5 and the Schedule;

“Construction Products Regulation 2011” means Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011¹ laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC;

“Construction Products Regulation 2024” means Regulation (EU) 2024/3011 of the European Parliament and of the Council of 27 November 2024² laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011;

“corrective action” means any action taken by an economic operator to bring any non-compliance to an end where required by a market surveillance authority or on the economic operator's own initiative;

“designating authority” means the single public administration body, designated in accordance with the Construction Products Regulation 2024, in charge of the designation and monitoring of Technical Assessment Bodies in a Member State;

“distributor” means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes a product available on the market, including by offering products for sale, hire or hire purchase, or displaying products to customers or installers in the course of a commercial activity, and including through distance selling, whether or not in return for payment;

“economic operator” means the manufacturer, the authorised representative, the importer, the distributor, the fulfilment service provider or any other natural or legal person who is subject to these Regulations in relation to the manufacturing or remanufacturing of products, including products to be reused, or to making those products available on the market, in accordance with the Construction Products Regulation 2011, the Construction Products Regulation 2024, the Market Surveillance Regulation or these Regulations;

“end user” means any natural or legal person residing or established in the Union, to whom a construction product has been made available either as a consumer outside of any trade, business, craft or profession or as a professional end user in the course of its industrial or professional activities;

“fulfilment service provider” means any natural or legal person offering, in the course of commercial activity, without having ownership of the construction products involved, not less than two of the following services:

- (a) warehousing;
- (b) packaging;
- (c) addressing;
- (d) dispatching;

but does not include the following services:

- (i) postal services as defined in section 6 of the Communications Regulation (Postal Services) Act 2011 (No. 21 of 2011);
- (ii) parcel delivery services as defined in point (2) of Article 2 of Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018⁴;
- (iii) any other postal services or freight transport services;

“general product information, instructions for use and safety information” shall be construed in accordance with Annex IV of the Construction Products Regulation 2024;

“information society service provider” means a provider of a service as defined in point (b) of Article 1(1) of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015⁵;

“making available on the market” means any supply of a product for distribution or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge, regardless whether in the framework of providing a service or not;

“manufacturer” means any natural or legal person who—

- (a) manufactures a construction product, or
- (b) has a construction product designed or manufactured,

and markets that product under its name or trade mark;

“market surveillance” means the activities carried out and measures taken by a market surveillance authority to ensure that construction products—

- (a) comply with the requirements set out in the Construction Products Regulation 2011 or the Construction Products Regulation 2024, and
- (b) do not endanger health, safety or any other aspect of public interest protection;

“market surveillance authority” shall be construed in accordance with Regulation 6;

“Market Surveillance Regulation” means Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019³ on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011;

“Minister” means the Minister for Housing, Local Government and Heritage;

“non-compliance” means any failure to comply with a requirement of the Construction Products Regulation 2011, the Construction Products Regulation 2024, the Market Surveillance Regulation or these Regulations;

⁴ OJ No. L 112, 02.05.2018, p. 19.

⁵ OJ No. L 241, 17.09.2015, p. 1.

“notified body” means a body notified under, and in accordance with, Article 39 of the Construction Products Regulation 2011 or Article 42 of the Construction Products Regulation 2024;

“online interface” means any software, including a website, part of a website or an application, that is operated by or on behalf of an economic operator, and which serves to give end users access to an economic operator’s construction products;

“single liaison point” means the authority designated as the focal point for contacts with the Commission and other Member States on construction product related issues;

“Technical Assessment Body” shall be construed in accordance with Chapter V of the Construction Products Regulation 2011 or Chapter V of the Construction Products Regulation 2024.

(2) A word or expression which is used in these Regulations and which is also used in the Construction Products Regulation 2011, the Construction Products Regulation 2024 or the Market Surveillance Regulation has, unless the context otherwise requires, the same meaning in these Regulations as it has in those Regulations, as the case may be.

Application

3. These Regulations shall apply to construction products to which the provisions of the Construction Products Regulation 2011 or the Construction Products Regulation 2024 apply.

PART 2

LANGUAGE AND COMPETENT NATIONAL AUTHORITIES

Language used in documentation

4. Where a construction product is made available, or is proposed to be made available, in the State, then for the purposes of—

- (a) Article 7(4), 11(6) and (8), 13(4) and (9) or 14(2) and (5) of the Construction Products Regulation 2011, and
- (b) Article 16(4), 22(6), 24(3) or 25(2)(c) of the Construction Products Regulation 2024,

all documentation accompanying the product including—

- (i) instructions and safety information, documentation necessary, documents required, and information and documentation necessary, within the meaning of the Construction Products Regulation 2011, or

- (ii) general product information, instructions for use and safety information, within the meaning of Annex IV to the Construction Products Regulation 2024,

shall include a version in the English language and may include a version in another official language of the State.

Competent national authorities

5. For the purposes of—

- (a) Article 11(7) and (8), 12(2), 13(7) and (9) or 14(4) and (5) of the Construction Products Regulation 2011, and
- (b) Article 20(3), (4) and (6), 22 (11) and (12), 23(2), 24(5) and (8), 25(4) and (6), 27(5), 28(1), 44(5), 46(11), 53(2) or 56(1) to (3) of the Construction Products Regulation 2024,

a body specified in column (2) of the Table in the Schedule shall be a competent national authority in respect of, as the case may be—

- (i) an Area Code, within the meaning of the Construction Products Regulation 2011, or
- (ii) a Code, within the meaning of the Construction Products Regulation 2024,

specified in column (3) or (4) opposite a reference number in column (1) of the Table—

- (I) in respect of the geographical area specified in column (5), and
- (II) subject to the exclusions, if any, set out in column (6),

opposite that reference number.

PART 3

MARKET SURVEILLANCE AND SAFEGUARD PROCEDURES

Market surveillance authorities

6. (1) Notwithstanding Regulation 8, for the purposes of the Construction Products Regulation 2011, the Construction Products Regulation 2024 or the Market Surveillance Regulation, a market surveillance authority shall be—

- (a) a building control authority in respect of construction products, within the scope of the Construction Products Regulation 2011 or the Construction Products Regulation 2024, placed on the market, or as the case may be, made available on the market, within its administrative area,
- (b) a competent authority, or
- (c) the Minister for the purpose of a direction in writing under, and in accordance with, Regulation 11(4).

(2) A market surveillance authority, in accordance with the procedures set out in the Construction Products Regulation 2024 or the Market Surveillance Regulation, as the case may be—

- (a) under paragraph (1)(a), shall be responsible for the market surveillance of construction products, within the scope of the Construction Products Regulation 2011 or the Construction Products Regulation 2024, placed on the market or, as the case may be, made available on the market, within its administrative area and shall take such steps as are necessary for this purpose, and
- (b) which is a competent authority, shall be responsible for the market surveillance of construction products, within the scope of the Construction Products Regulation 2011 or the Construction Products Regulation 2024, or such construction products as the Minister has prescribed, or may prescribe, under section 133 of the Act of 2020, placed on the market, or as the case may be, made available on the market, in the State and shall take such steps as are necessary for this purpose.

Information sharing and cooperation with market surveillance authorities

7. (1) In order to facilitate and support the effective market surveillance of construction products placed, or made available, on the market and subject to paragraph (3), a market surveillance authority—

- (a) may share with, or obtain from, as the case may be—
 - (i) other market surveillance authorities,
 - (ii) market surveillance authorities of other Member States,
 - (iii) the single liaison point,
 - (iv) members of the public, or
 - (v) notified bodies,

information collected (including information collected by the authority's duly-appointed authorised officers) during the course of market surveillance activities for the purpose of its obligations under the Construction Products Regulation 2024, the Market Surveillance Regulation or these Regulations, and

- (b) shall cooperate, with—
 - (i) other market surveillance authorities,
 - (ii) market surveillance authorities of other Member States,
 - (iii) the single liaison point, or
 - (iv) notified bodies,

in accordance with the Construction Products Regulation 2024, the Market Surveillance Regulation, or these Regulations, as the case may be.

(2) In sharing information with, or obtaining information from the persons and entities mentioned in clauses (i) to (v) of paragraph (1)(a) in accordance with

Chapter VIII of the Construction Products Regulation 2024, the Market Surveillance Regulation or these Regulations, as the case may be, a market surveillance authority shall—

- (a) ensure that the information to be shared has been collected on construction products to which the provisions of the Construction Products Regulation 2011 or the Construction Products Regulation 2024 apply, and
- (b) ensure that the information to be shared has been collected during the course of its market surveillance activities by one, or more, of the following methods:
 - (i) a desktop study;
 - (ii) an inspection at the place of manufacture, storage or distribution in the State of any construction product;
 - (iii) an inspection of any online interface;
 - (iv) an inspection of any ship or other vessel, aircraft, railway wagon or other vehicle in the State, or the means of storage contained therein, for the transport of any construction product in the State;
 - (v) a request, requirement, or from copies taken or taken away (including extracts therefrom), or a photograph taken, or from samples selected and acquired, under Regulation 9(3);
 - (vi) any evaluations, examinations or tests carried out under Regulation 9(1) or (3);
 - (vii) a notice under, and in accordance with, Regulation 35;
 - (viii) by any other lawful means of obtaining information, including under Article 64 of the Construction Products Regulation 2024.

(3) A competent national authority may share information with, or obtain information from, market surveillance authorities in the State for the purposes of facilitating and supporting the effective market surveillance of construction products placed, or made available, on the market in accordance with these Regulations.

(4) A market surveillance authority, a competent national authority, notifying authority or a designating authority, where necessary and proportionate for the performance of its functions under these Regulations, shall process personal data, other than special categories of personal data, in accordance with the General Data Protection Regulation.

(5) In this Regulation, “General Data Protection Regulation” means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016⁶ on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

⁶ OJ No. L 119, 04.05.2016, p. 1.

Appointment of authorised officers

8. (1) For the purpose of the investigation, prevention, detection or prosecution of offences under these Regulations—

- (a) a building control authority or a market surveillance authority shall appoint officers to be authorised officers for the purpose of these Regulations, and
- (b) a competent authority shall, other than where the competent authority is an individual, appoint officers to be authorised officers, and where the competent authority is an individual that person shall be an authorised officer, for the purposes of these Regulations.

(2) An authorised officer shall be furnished with a warrant of his or her appointment as an authorised officer and, when exercising any power conferred on him or her by these Regulations, shall, if requested by any person affected, produce the warrant to that person.

Powers of authorised officers

9. (1) An authorised officer shall, on request, obtain access to—

- (a) the place of manufacture or storage in the State of any construction product and to the technical documentation or information referred to in—
 - (i) Article 4 to 9, 11 to 14, 16 or 36 to 38 of the Construction Products Regulation 2011,
 - (ii) Chapter II or V of the Market Surveillance Regulation, or
 - (iii) Article 13 to 18, 20, 22 to 29, 59 to 61 or 75 to 79 of the Construction Products Regulation 2024, or
- (b) any ship or other vessel, aircraft, railway wagon or other vehicle in the State, or the means of storage contained therein, in which he or she has reasonable grounds for believing that a construction product is being transported for the purpose of making it available on the market,

and there, or at any other place, make such evaluation, examination, tests or inspections as he or she may consider appropriate for the purpose of these Regulations.

(2) An authorised officer shall not, other than with the consent of the occupier, enter into a private dwelling under this Regulation unless he or she has obtained a warrant from the District Court under Regulation 10 authorising such entry.

(3) An authorised officer appointed by a market surveillance authority under Regulation 8 may, for the purpose of the investigation or enforcement regime, including the sharing, or exchanging, of information, and cooperation, with other market surveillance authorities under Regulation 7, under any provision of these Regulations—

- (a) commence an investigation of an economic operator on his or her own initiative, including carrying out unannounced on-site inspections and physical checks of construction products in order to identify non-compliances and bring them to an end,
- (b) request the relevant economic operator to supply the technical documentation or information referred to in—
 - (i) Article 4 to 9, 11 to 14, 16 or 36 to 38 of the Construction Products Regulation 2011,
 - (ii) Chapter II or V of the Market Surveillance Regulation, or
 - (iii) Article 13 to 18, 20, 22 to 29, 59 to 61 or 75 to 79 of the Construction Products Regulation 2024,

on demand or within such period of time as may be specified by the authorised officer,

- (c) require the economic operator to provide relevant information on the supply chain, on the details of the distribution network, on quantities of construction products on the market and on other construction product models that have the same technical characteristics as the construction product in question, where relevant for compliance with the applicable requirements of the Construction Products Regulation 2011, the Construction Products Regulation 2024, the Market Surveillance Regulation or these Regulations, on demand or within such period of time as may be specified by the authorised officer,
- (d) take copies of, or extracts from, or take away, if considered necessary for the purposes of evaluation, examination or inspection, any records or other technical documentation or information as the authorised officer considers appropriate for the purpose of these Regulations,
- (e) require a person in charge, or an employee, of an economic operator concerned, to produce, in a legible form, information contained in files, paper or on computer, or provide relevant information required for the purpose of ascertaining the ownership of websites, on demand or within such period of time as may be specified by the authorised officer,
- (f) require a person in charge, or an employee, of an economic operator concerned, to provide such explanations as that authorised officer considers necessary in relation to technical documentation, information, records or files, on demand or within such period of time as may be specified by the authorised officer,
- (g) select and, other than where acquired under a cover identity, acquire without payment, such samples of the construction product, including under a cover identity, as that authorised officer may reasonably require and carry out, or arrange to have carried out, on such samples, there or elsewhere, such evaluations, inspections, examinations, tests or reverse engineering as that authorised officer considers necessary,

- (h) bring such persons and equipment as that authorised officer considers appropriate for the purpose of these Regulations,
- (i) take photographs of a construction product and the place of manufacture or storage of a construction product in the State, and
- (j) where no other effective means are available to eliminate a serious risk—
 - (i) to require the removal, and where required such persons shall remove, from its online interface content referring to the related construction product which is non-compliant or to require the explicit display of, and where required such persons shall display, a warning to end users when they access an online interface, or
 - (ii) where a requirement under clause (i) has not been complied with, to require information society service providers to restrict access to the online interface mentioned in that clause, including by requesting a relevant third party to implement such measures.

(4) An authorised officer shall take reasonable measures to guarantee the confidentiality of the technical documentation and such other information as may be supplied to him or her under paragraph (3).

(5) Where a construction product is taken away for evaluation, examination and testing under, and in accordance with, paragraph (3)(g) and such evaluation, examination or tests confirms that the construction product does not conform with the declared performance or does not comply with other applicable requirements in the Construction Products Regulation 2011 or the Construction Products Regulation 2024, the costs incurred in, or in connection with, such evaluation, examination or testing may be recoverable, pursuant to Article 15 of the Market Surveillance Regulation or Article 69 of the Construction Products Regulation 2024, as the case may be, by the market surveillance authority, as a simple contract debt in any court of competent jurisdiction from the relevant economic operator.

(6) Where a market surveillance authority is investigating non-compliance of a construction product that it suspects, based on reasonable grounds, presents a risk under Chapter V of the Market Surveillance Regulation or Chapter VIII of the Construction Products Regulation 2024, an authorised officer appointed by the authority concerned, may, by notice in writing under, and in accordance with, Regulation 35, direct the relevant economic operator to take such corrective actions, within such period of time as may be specified by the authorised officer in the notice, as are necessary for the purpose of complying with all applicable requirements of the Construction Products Regulation 2011 or the Construction Products Regulation 2024.

Warrant to enter and search

10. (1) Where an authorised officer in the exercise of his or her powers under these Regulations is prevented from entering any building or any part of a building in the State, or is prevented from entering any site or any part of a site

in the State, or is prevented from entering any ship or other vessel, aircraft, railway wagon or other vehicle in the State, or the means of storage contained therein, or if he or she has reason to believe that evidence related to a suspected offence under these Regulations may be present in any building or any part of a building in the State, or may be present in any site or any part of a site in the State, or may be present in any ship or other vessel, aircraft, railway wagon or other vehicle in the State, or in the means of storage contained therein, and that the evidence may be removed therefrom or destroyed, the authorised officer or the market surveillance authority by whom he or she was appointed may apply to the District Court for a warrant under this paragraph authorising the entry by the authorised officer onto or into the building or any part of the building in the State, or onto the site or any part of the site in the State, or onto or into any ship or other vessel, aircraft, railway wagon or other vehicle in the State, or into the means of storage contained therein.

(2) If, on application being made to the District Court under paragraph (1), the District Court is satisfied, on the sworn information of an authorised officer that he or she has been prevented from entering a building or any part of a building, or is prevented from entering any site or any part of a site in the State, or is prevented from entering any ship or other vessel, aircraft, railway wagon or other vehicle in the State, or the means of storage contained therein, the Court may issue a warrant authorising that authorised officer, accompanied, if the Court deems it appropriate by another authorised officer or a member of the Garda Síochána, as may be specified in the warrant, at any time or times within one month from the date of the issue of the warrant, on production if so requested of the warrant, to enter, if need be by force, and search the building or any part of the building in the State, or the site or any part of the site in the State, or the ship or other vessel, aircraft, railway wagon or other vehicle in the State, or the means of storage contained therein, or any other place specified in the warrant and—

- (a) to seize any construction product found there which in his or her opinion could not, without contravening the Construction Products Regulation 2011, the Construction Products Regulation 2024 or these Regulations, be made available on the market, and
- (b) to require any person found there to give to the authorised officer his or her name and address and any other information in his or her possession in relation to any construction product referred to in subparagraph (a).

(3) An application under paragraph (1) for the issue of a warrant shall be made by the authorised officer or the market surveillance authority, as the case may be, to the District Court in which district the building or part of the building, or the site or any part of the site in the State, or the ship or other vessel, aircraft, railway wagon or other vehicle, or the means of storage contained therein, or any other place to which the application relates is situated at the time the authorised officer of that authority was prevented entry.

Corrective actions

11. (1) Where a market surveillance authority forms an opinion, based on reasonable grounds, that a construction product—

- (a) does not comply with the applicable requirements of the Construction Products Regulation 2011 or the Construction Products Regulation 2024, or
- (b) presents a risk under the Construction Products Regulation 2024 or the Market Surveillance Regulation,

that authority shall, by notice given in writing, direct the relevant economic operator to take such corrective action, within such period of time as may be specified by that authority in the notice, as are necessary for the purpose of complying with all applicable requirements of the Construction Products Regulation 2011 or the Construction Products Regulation 2024.

(2) Where an economic operator fails to comply with a notice in writing under paragraph (1), the market surveillance authority shall, by notice given in writing, inform the economic operator—

- (a) that it intends, after the expiry of the period of not greater than 14 days commencing on the date of the subsequent notification, to request the Minister to issue a direction in writing under paragraph (4),
- (b) of the terms of the direction it intends to request the Minister to make, including in particular the exact grounds for that direction,
- (c) that it will consider any representations on the matter made by the economic operator within the period specified in subparagraph (a), and
- (d) of the appeal procedure under paragraph (10).

(3) After considering any representations made pursuant to paragraph (2)(c), a market surveillance authority—

- (a) may request the Minister to prohibit or restrict the construction product from being made available on the market, to withdraw it from the market or to recall it, or to make its use subject to special conditions, and
- (b) shall forward to the Minister the reasons for its request, any representations received and the comments of that authority thereon.

(4) Subject to paragraph (14), where the Minister is of the opinion, based on reasonable grounds, after consideration of—

- (a) evidence of an imminent danger to health and safety arising from the use, or likely to arise from a prospective use, of a construction product, or
- (b) the request from a market surveillance authority pursuant to paragraph (3), including the items specified in subparagraph (b) of that paragraph,

that a construction product does not comply with the requirements of the Construction Products Regulation 2011 or the Construction Products Regulation 2024, he or she shall, or where appropriate on consideration of subparagraphs (a) or (b) that the market surveillance authority shall, by direction given in writing—

- (i) prohibit or restrict the construction product from being made available on the market,
- (ii) withdraw, or recall, the construction product from the market in the State, or
- (iii) make the use of the construction product subject to special conditions,

and the economic operator concerned shall comply with the requirements of the direction of the Minister or the market surveillance authority, as the case may be.

(5) Where the Minister receives information from the Commission or a relevant authority in another Member State, in connection with Article 65(6) to (8), 66(1) or (2) or 67(4) or (5) of the Construction Products Regulation 2024 or the Market Surveillance Regulation, the Minister may request a market surveillance authority to take appropriate restrictive measures, including the issue of a direction, given in writing, to the economic operator concerned to—

- (a) prohibit or restrict the construction product from being made available on the market in the State,
- (b) withdraw, or recall, the construction product from the market in the State, or
- (c) make the use of the construction product subject to special conditions,

and, where so directed, the economic operator concerned shall comply with the requirements of the direction.

(6) Where a market surveillance authority issues a notice or direction in writing under, and in accordance with, paragraph (1), or under, and in accordance with, paragraph (2), (4) or (5), that authority shall have regard to all applicable requirements of Article 65, 66 or 67, as the case may be, of the Construction Products Regulation 2024.

(7) A direction under paragraph (4) or (5) may, as appropriate, be stated to apply to construction products representative of the product (whether it is of the same design, part of the same consignment or batch or otherwise) which is the subject of the direction.

(8) The Minister or a market surveillance authority, as the case may be, may withdraw—

- (a) a direction given by the Minister under paragraph (4),
- (b) a direction of the market surveillance authority issued under paragraph (4), or
- (c) a request, including a request to issue a direction, made by the Minister to a market surveillance authority under paragraph (5),

where he or she, or the market surveillance authority, as the case may be, considers that the prohibition, restriction of use, withdrawal or recall from the market, as the case may be, is no longer justified.

(9) An authorised officer may require the person to whom a direction is given under paragraph (4) or (5) to furnish any information to establish the whereabouts of any construction product subject to the direction.

(10) An economic operator who is affected by a direction given under paragraph (4) or (5) may, not later than 14 days after the date of receipt by that person of that direction, appeal to the High Court against the direction on the following grounds:

- (a) that the economic operator is not the person on whom the suspension or termination should have been served;
- (b) any substantive or procedural non-compliance with the evaluation carried out under the Construction Products Regulation 2024, the Market Surveillance Regulation or these Regulations.

(11) In determining an appeal under paragraph (10) the judge may, if he or she is satisfied that it is reasonable to do so, annul, vary or confirm the direction given under paragraph (4) or (5).

(12) An economic operator who appeals under paragraph (10) shall at the same time notify the relevant market surveillance authority and the Minister of the appeal and the grounds for the appeal and that market surveillance authority shall be entitled to appear, be heard and adduce evidence on the hearing of the appeal.

(13) A document purporting to be a direction given by—

- (a) the Minister or a market surveillance authority under paragraph (4), or
- (b) a market surveillance authority under paragraph (5)

and so signed by the Minister or a duly-authorised authorised officer of the authority, as the case may be, shall be received in evidence and deemed to be such a direction without further proof, unless the contrary is shown.

(14) The Minister may, if he or she thinks fit, consult any person or body before giving a direction under paragraph (4).

PART 4

OFFENCES

Chapter 1

Offences under Chapter II of Construction Products Regulation 2024

Offences under Article 13 of Construction Products Regulation 2024

12. A person that fails to comply with paragraph (1) or the second subparagraph of paragraph (2) of Article 13 of the Construction Products Regulation 2024 commits an offence.

Offences under Article 15 or 16 of Construction Products Regulation 2024

13. (1) A person that fails to comply with—

- (a) the first or second subparagraph of paragraph (1),
- (b) the first or second subparagraph of paragraph (2),
- (c) the first or second subparagraph of paragraph (3),
- (d) paragraph (4), or
- (e) paragraph (6),

of Article 15 of the Construction Products Regulation 2024 commits an offence.

(2) A person that fails to comply with paragraph (1) or (4) of Article 16 of the Construction Products Regulation 2024 commits an offence.

Offences under Article 17 or 18 of Construction Products Regulation 2024

14. (1) A person that fails to comply with paragraph (2) of Article 17 of the Construction Products Regulation 2024 commits an offence.

(2) A person that fails to comply with paragraph (1), (2) or (3) of Article 18 of the Construction Products Regulation 2024 commits an offence.

Offences under Article 19 of Construction Products Regulation 2024

15. A person that fails to comply with paragraph (1), (2), (3) or (4) of Article 19 of the Construction Products Regulation 2024 commits an offence.

Chapter 2

Offences under Chapter III of Construction Products Regulation 2024

Offences under Article 20 of Construction Products Regulation 2024

16. A person that contravenes—

- (a) paragraph (2), (3), (4) or (6), or
- (b) the second subparagraph of paragraph (5),

of Article 20 of the Construction Products Regulation 2024 commits an offence.

Offences under Article 22 of Construction Products Regulation 2024

17. A person that contravenes—

- (a) paragraph (1), (2), (3), (4), (5), (6), (7), (11) or (12), or
- (b) the third subparagraph of paragraph (8),

of Article 22 of the Construction Products Regulation 2024 commits an offence.

Offences under Article 23 of Construction Products Regulation 2024

18. A person that contravenes paragraph (1), (2), (3) or (4) of Article 23 of the Construction Products Regulation 2024 commits an offence.

Offences under Article 24 of Construction Products Regulation 2024

19. A person that—

- (a) contravenes paragraph (1), (2), (3), (4), (6), (7), (8) or (9), or
- (b) fails to comply with paragraph (5),

of Article 24 of the Construction Products Regulation 2024 commits an offence.

Offences under Article 25 of Construction Products Regulation 2024

20. A person that—

- (a) contravenes paragraph (1), (2), (3), (5) or (6), or
- (b) fails to comply with paragraph (4),

of Article 25 of the Construction Products Regulation 2024 commits an offence.

Offences under Article 26 of Construction Products Regulation 2024

21. A person that contravenes paragraph (1) or (4) of Article 26 of the Construction Products Regulation 2024 commits an offence.

Offences under Article 27 of Construction Products Regulation 2024

22. A person that—

- (a) contravenes paragraph (1), (2), (3) or (4), or
- (b) fails to comply with paragraph (5),

of Article 27 of the Construction Products Regulation 2024 commits an offence.

Offences under Article 28 of Construction Products Regulation 2024

23. A person that contravenes paragraph (1) or (3) of Article 28 of the Construction Products Regulation 2024 commits an offence.

Offences under Article 29 of Construction Products Regulation 2024

24. A person that contravenes paragraph (2) or (3) of Article 29 of the Construction Products Regulation 2024 commits an offence.

Chapter 3

Offences under Chapter VIII of Construction Products Regulation 2024

Offences under Article 65 of Construction Products Regulation 2024

25. A person that fails to comply with paragraph (3), subparagraph (1) or (2) of paragraph (4) or paragraph (5) of Article 65 of the Construction Products Regulation 2024 commits an offence.

Offence under Article 67 of Construction Products Regulation 2024

26. A person that fails to comply with paragraph (2) of Article 67 of the Construction Products Regulation 2024 commits an offence.

Chapter 4

Offence under Chapter X of Construction Products Regulation 2024

Offence under Article 77 of Construction Products Regulation 2024

27. A person that fails to comply with paragraph (3) of Article 77 of the Construction Products Regulation 2024 commits an offence.

Chapter 5

Other offences

Offences under these Regulations

28. A person that—

- (a) fails to comply with a finding made by a market surveillance authority under, and in accordance with, Article 65, 66 or 67 of the Construction Products Regulation 2024,
- (b) obstructs or interferes with an authorised officer in the exercise of his or her powers under, and in accordance with, Regulation 9,
- (c) contravenes or fails to comply with a requirement specified in Regulation 9(3)(j)(i) or (ii),
- (d) obstructs or interferes with an authorised officer or member of the Garda Síochána in the exercise of his or her powers under, and in accordance with, Regulation 10(2)(a) or to refuse to give information required under, and in accordance with, Regulation 10(2)(b),
- (e) contravenes, or fails to comply with, the terms of a notice given under, and in accordance with, Regulation 11(1),

- (f) contravenes, or fails to comply with, the terms of a direction given under, and in accordance with, Regulation 11(4) or (5),
- (g) fails to comply with a requirement under Regulation 11(9),
- (h) discloses or uses for business or commercial purposes or any other purpose (other than in connection with the prosecution of an offence under these Regulations) any information relating to a construction product in the possession of a notified body or a Technical Assessment Body in the discharge of its functions under these Regulations without the written consent of that body, or
- (i) contravenes a provision or requirement of, or under—
 - (i) Article 4, 5 or 7 of the Market Surveillance Regulation,
 - (ii) Article 4 to 9, 11 to 14, 15, 16, or 36 to 38 of the Construction Products Regulation 2011, or
 - (iii) Regulation 9, 10 or 11,

commits an offence.

PART 5

PENALTIES AND DEFENCES

Penalties

29. (1) A person that commits an offence under Regulation 12, 13(1) or (2), 14(1) or (2), 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 or 28 is liable—

- (a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 3 months, or to both, or
- (b) on conviction on indictment, to a fine not exceeding €500,000 or to imprisonment for a term not exceeding 12 months, or to both.

(2) Notwithstanding section 10(4) of the Petty Sessions (Ireland) Act 1851 proceedings for a summary offence under these Regulations may be instituted at any time within one year from the date on which the offence was committed.

Defences

30. In criminal proceedings against any person—

- (a) for a contravention of Regulation 5 or 8A (as inserted by Regulation 5 of the European Union (Construction Products) (Amendment) Regulations 2023 (S.I. No. 217 of 2023)) of the European Union (Construction Products) Regulations 2013 (S.I. No. 225 of 2013),
- (b) for failing to comply with—
 - (i) paragraph (1), or

(ii) the second subparagraph of paragraph (2),
 of Article 13 of the Construction Products Regulation 2024,

(c) for failing to comply with—
 (i) the first or second subparagraph of paragraph (1),
 (ii) the first or second subparagraph of paragraph (2),
 (iii) the first or second subparagraph of paragraph (3),
 (iv) paragraph (4), or
 (v) paragraph (6),
 of Article 15 of the Construction Products Regulation 2024,

(d) for failing to comply with paragraph (1) or (4) of Article 16 of the Construction Products Regulation 2024,
 (e) for failing to comply with paragraph (2) of Article 17 of the Construction Products Regulation 2024,
 (f) for failing to comply with paragraph (1), (2) or (3) of Article 18 of the Construction Products Regulation 2024,
 (g) for a contravention of Articles 4, 5, 6, 7, 8 or 9, or a requirement of those Articles, of the Construction Products Regulation 2011,
 (h) for a contravention of a provision or requirement of Article 4 or 7 of the Market Surveillance Regulation,
 (i) for failing to comply with the terms of a notice given under, and in accordance with, Regulation 11(1), or
 (j) for failing to comply with a direction given under, and in accordance with, Regulation 11(4) or (5),

it shall be a defence for the person (not being the manufacturer or his or her authorised representative) to show that he or she took all reasonable steps and exercised all due diligence to avoid any such contravention or failure to comply.

Prosecutions

31. An offence under these Regulations may be prosecuted summarily by a market surveillance authority specified in subparagraph (a) or (b) of Regulation 6(1).

Offences by bodies corporate or unincorporated or related persons

32. Where an offence under these Regulations is committed by a body corporate, or by an unincorporated body of persons, or by a person purporting to act on behalf of a body corporate or on behalf of an unincorporated body of persons, and is proved to have been so committed with the consent, connivance or approval of or to have been attributable to the neglect on the part of any person, being a director, manager, secretary or other officer or member of the body corporate or unincorporated body of persons, or a person who was purporting to act in any such capacity, that person, as well as the body corporate

or unincorporated body of persons, commits an offence and is liable to be proceeded against and punished as if he or she committed the first-mentioned offence.

PART 6
CONSEQUENTIAL AMENDMENTS

Amendments to Act of 2020

33. Part 22 of the Act of 2020 is amended—

(a) in section 132—

(i) by the insertion of the following definitions:

“ ‘Construction Products Regulation 2024’ means Regulation (EU) 2024/3110 of the European Parliament and of the Council of 27 November 2024⁷ laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011;

‘harmonised technical specification’ means—

(a) a harmonised technical specification or a European technical assessment within the meaning of Article 2 of the Construction Products Regulation 2011, or

(b) a harmonised technical specification or a European technical assessment within the meaning of Article 3 of the Construction Products Regulation 2024;

‘Regulations of 2025’ means the European Union (Construction Products) Regulations 2025;”,

(ii) by the substitution of the following definition for the definition of Construction Products Regulation:

“ ‘Construction Products Regulation 2011’ means Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011⁸ laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC;”,

(iii) by the substitution of the following definition for the definition of “market surveillance”:

“ ‘market surveillance’ means the activities carried out and measures taken by a market surveillance authority to ensure that construction products—

⁷ OJ No. L 2024/3110, 18.12.2024.

⁸ OJ No. L 88, 04.04.2011, p. 5.

- (a) comply with the requirements set out in the Construction Products Regulation 2011 or the Construction Products Regulation 2024, and
- (b) do not endanger health, safety or any other aspect of public interest protection;”,
- (iv) in the definition of market surveillance authority—
 - (I) in paragraph (b), by the substitution of “2013,” for “2013, and”, and
 - (II) by the insertion of the following paragraphs after paragraph (c):
 - “(d) a building control authority under Regulation 6(1)(a) of the Regulations of 2025, and
 - (e) a competent authority under Regulation 6(1)(b) of the Regulations of 2025, or the Minister under Regulation 6(1)(c) of the Regulations of 2025,”, and
- (v) by the substitution of the following definition for the definition of Market Surveillance Regulation:

“ ‘Market Surveillance Regulation’ means Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019⁹ on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011;”, and
- (b) in section 133—
 - (i) in subsection (1)—
 - (I) by the substitution of “effect to the Construction Products Regulation 2011, the Construction Products Regulation 2024 or” for “effect to the Construction Products Regulation or”,
 - (II) by the substitution of “Regulations of 2013 or the Regulations of 2025” for “Regulations of 2013”, and
 - (III) by the substitution of “which the Construction Products Regulation 2011 or the Construction Products Regulation 2024 apply” for “which the Construction Products Regulation applies”,
 - (ii) in subsection (2)—
 - (I) by the substitution of “including the Construction Products Regulation 2011, the Construction Products Regulation 2024” for “including the Construction Products Regulation”, and

⁹ OJ No. L 169, 25.06.2019, p. 1.

- (II) by the substitution of “to which the Construction Products Regulation 2011 or the Construction Products Regulation 2024 apply” for “to which the Construction Products Regulation applies”,
- (iii) in subsection (3), by the substitution of “Regulations of 2013 or the Regulations of 2025” for “Regulations of 2013”, and
- (iv) in subsection (4), by the substitution of “Regulations of 2013 or the Regulations of 2025” for “Regulations of 2013”.

PART 7
FINAL PROVISIONS

Forfeiture

34. (1) Where a person is convicted on indictment of an offence under Regulation 23 or paragraph (a), (b), (c), (d) or (e) of Regulation 28, the court by which he or she is convicted may order (in this Regulation, referred to as a forfeiture order) any construction product in respect of which the offence was committed to be forfeited to the market surveillance authority and either destroyed, or otherwise disposed of, in such manner as the court may determine.

(2) Where a forfeiture order is made under paragraph (1), a market surveillance authority may for the purpose of giving effect to it seize and detain the construction product in respect of which the offence was committed where it has not already been detained.

(3) A person aggrieved by the making of a forfeiture order may appeal against that order to the High Court.

(4) Where a forfeiture order has been made, it may contain such provision as appears to the court to be appropriate for delaying the coming into force of the order pending the making and determination of any appeal that may be made under, and in accordance with, paragraph (3).

(5) Where a construction product is forfeited under a forfeiture order it shall be destroyed, or otherwise disposed of, in accordance with such directions as the court may give.

(6) Subject to a forfeiture order under paragraph (1), the costs of destruction or disposal of the construction product may be recoverable by the market surveillance authority specified in subparagraph (a) or (b) of Regulation 6(1), as a simple contract debt in any court of competent jurisdiction from the person concerned.

Service of notices

35. (1) Where a direction, notice, document, construction product or other matter (referred to in this Regulation as a notice) is required by these Regulations

to be sent or given to a person, it shall be sent or given to the person in one of the following ways:

- (a) by delivering it to the person;
- (b) by leaving it at the address at which the person ordinarily carries on business;
- (c) by sending it by pre-paid registered post addressed to the person at the address at which the person ordinarily carries on business;
- (d) if an address for the service of notices has been furnished by the person, by leaving it at, or sending it by pre-paid registered post addressed to that person at that address;
- (e) by sending it by means of electronic mail or a facsimile machine, to a device or facility for the reception of electronic mail or facsimiles located at the address at which the person concerned carries on business or, if an electronic address or facsimile number address for the service of notices has been furnished by the person concerned, that electronic address or facsimile machine, but only if—
 - (i) the recipient's facility for the reception of electronic mail generates a message confirming a receipt of the electronic mail, or
 - (ii) the sender's facsimile machine generates a message confirming successful delivery of the total number of pages of the notice or direction;

and it is also given in one of the other ways mentioned in paragraphs (a) to (d).

(2) For the purpose of this Regulation, a company within the meaning of the Companies Acts, or the Companies Act 2014, is deemed to be ordinarily resident at its registered office, and every corporate body and every unincorporated body of persons is deemed to be ordinarily resident at its principal office or place of business.

Transitional provisions

36. (1) Notwithstanding the revocation of the European Union (Construction Products) Regulations 2013 by Regulation 37, where there is ongoing market surveillance or an investigation under those Regulations, that surveillance or investigation, as the case may be, shall continue to be dealt with and determined in accordance with those Regulations as if they had not been revoked.

(2) Notwithstanding the revocation of the European Union (Construction Products) Regulations 2013 by Regulation 37, any notice or direction given under those Regulations shall remain valid and in full effect.

Revocations

37. The following Regulations are revoked:

- (a) the European Union (Construction Products) Regulations 2013 (S.I. No. 225 of 2013);
- (b) the European Union (Construction Products) (Amendment) Regulations 2023 (S.I. No. 217 of 2023).

SCHEDULE

Regulation 5

COMPETENT NATIONAL AUTHORITIES

TABLE

Reference number (1)	Competent National Authority (2)	Area Code CPR 2011 (3)	Code CPR 2024 (4)	Geographical Area (5)	Exclusions (6)
	BUILDING CONTROL AUTHORITIES				
1	Carlow County Council	1 to 35	1 to 36	Administrative Area	
2	Cavan County Council	1 to 35	1 to 36	Administrative Area	
3	Clare County Council	1 to 35	1 to 36	Administrative Area	
4	Cork City Council	1 to 35	1 to 36	Administrative Area	
5	Cork County Council	1 to 35	1 to 36	Administrative Area	
6	Donegal County Council	1 to 35	1 to 36	Administrative Area	
7	Dublin City Council	1 to 35	1 to 36	Administrative Area or, where required by law, Nationwide	
8	Dún Laoghaire-Rathdown County Council	1 to 35	1 to 36	Administrative Area	
9	Fingal County Council	1 to 35	1 to 36	Administrative Area	
10	Galway City Council	1 to 35	1 to 36	Administrative Area	
11	Galway County Council	1 to 35	1 to 36	Administrative Area	
12	Kerry County Council	1 to 35	1 to 36	Administrative Area	
13	Kildare County Council	1 to 35	1 to 36	Administrative Area	

14	Kilkenny County Council	1 to 35	1 to 36	Administrative Area	
15	Laois County Council	1 to 35	1 to 36	Administrative Area	
16	Leitrim County Council	1 to 35	1 to 36	Administrative Area	
17	Limerick City & County Council	1 to 35	1 to 36	Administrative Area	
18	Longford County Council	1 to 35	1 to 36	Administrative Area	
19	Louth County Council	1 to 35	1 to 36	Administrative Area	
20	Mayo County Council	1 to 35	1 to 36	Administrative Area	
21	Meath County Council	1 to 35	1 to 36	Administrative Area	
22	Monaghan County Council	1 to 35	1 to 36	Administrative Area	
23	Offaly County Council	1 to 35	1 to 36	Administrative Area	
24	Roscommon County Council	1 to 35	1 to 36	Administrative Area	
25	Sligo County Council	1 to 35	1 to 36	Administrative Area	
26	South Dublin County Council	1 to 35	1 to 36	Administrative Area	
27	Tipperary County Council	1 to 35	1 to 36	Administrative Area	
28	Waterford City & County Council	1 to 35	1 to 36	Administrative Area	
29	Westmeath County Council	1 to 35	1 to 36	Administrative Area	
30	Wexford County Council	1 to 35	1 to 36	Administrative Area	
31	Wicklow County Council	1 to 35	1 to 36	Administrative Area	
	OTHER AUTHORITIES				
32	The Minister for Climate, Energy and the Environment	24	24	Nationwide	
33	National Roads Authority	12	12	Nationwide	CPR 2011 only: EN 12676-1 EN 1423 EN 12352 EN 12368 EN 12899-2 EN 12899-3
34	National Roads Authority	23	23	Nationwide	CPR 2011 only: EN 14188-1 EN 14188-2 EN 14188-3 EN 13877-3 EN 15322 EN 14695

35	National Roads Authority	24	24	Nationwide	CPR 2011 only: EN 13139 EN 13055-1 EN 13055-2 EN 13450 EN 13383-1
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In this Schedule, “CPR 2011” and “CPR 2024” mean the Construction Products Regulation 2011 and the Construction Products Regulation 2024 respectively.

L.S.

GIVEN under my Official Seal,
23 December, 2025.

JAMES BROWNE,
Minister for Housing, Local Government and Heritage.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations give full effect to the provisions of the following:

- (a) Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011;
- (b) Regulation (EU) 2024/3110 of the European Parliament and of the Council of 27 November 2024;
- (c) in respect of construction products covered by Regulation (EU) No 305/2011 and Regulation (EU) 2024/3110, Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019.

Part 1 of these Regulations provides for the coming into operation of the Regulations on 8 January 2026.

Part 2 of these Regulations makes provision for the language to be used in documentation, and sets out the Competent National Authorities.

Part 3 of these Regulations provides for the market surveillance and safeguard procedures of construction products having regard to the requirements of Chapter VIII of Regulation (EU) No. 2024/3110. This part also provides for information sharing and cooperation with market surveillance authorities, appointment of, and powers of Authorised Officers, including warrant to enter and search, and corrective actions.

Part 4 of these Regulations provides for offences.

Part 5 of these Regulations provides for penalties, defences and prosecutions.

Part 6 of these Regulations makes provisions for consequential amendments to the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020 (No. 23 of 2020).

Part 7 of these Regulations provides for final provisions, which include forfeiture, service of notices, transitional provisions, and revocations.

BAILE ÁTHA CLIATH
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