NOTIFICATION

Revision

The following notification is being circulated in accordance with Article 10.6.

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| **1.** | **Notifying Member:** LITHUANIA**If applicable, name of local government involved (Articles 3.2 and 7.2):**  |
| **2.** | **Agency responsible:** Ministry of Environment of the Republic of LithuaniaA. Jakšto str. 4, LT-01105 Vilnius, LithuaniaTel.: +370 706 63661, Fax: +370 5 2663663E-mail: lina.lekunaite@am.lt**Name and address (including telephone and fax numbers, email and website addresses, if available) of** **agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** National WTO TBT Enquiry pointLithuanian Standards BoardAlgirdo street 31, 03219 Vilnius, LithuaniaTelephone: (+370) 5 279 1152; mobile: (+370) 6 58 60308E-mail: aurelija.jeleniauskaite@lsd.lt(cc: enquiry@lsd.lt) |
| **3.** | **Notified under Article 2.9.2 [****], 2.10.1 [****X], 5.6.2 [****], 5.7.1 [****], 3.2 [****], 7.2 [****], other****:**  |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Construction products. |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft Order of the Minister of Environment of the Republic of Lithuania "On Exceptional Requirements Applicable to the Market of the Republic of Lithuania for the Supply of Construction Products Listed in the List of Regulated Construction Products" (1 pages, in Lithuanian).In revised version, it is now Draft Order of the Minister of Environment of the Republic of Lithuania "On Exceptional Requirements Applicable to the Market of the Republic of Lithuania for the Supply of Construction Products Listed in the List of Regulated Construction Products" (2 pages, in Lithuanian). |
| **6.** | **Description of content:** The draft order specifies the access of the construction products of the non-harmonized area specified in Item 1 of the draft order to the market of the Republic of Lithuania. The specified construction products that do not have harmonized technical specifications may be placed on the market of the Republic of Lithuania without being certified by a certification body established in the Republic of Lithuania until 1 January 2023 and until 1 June 2023 may be used in construction, but:- when supplying the specified construction products to the market of the Republic of Lithuania, the manufacturer or distributor of the construction product shall ensure that these construction products are certified in at least one certification body designated or accredited by the European Union countries or the European Free Trade Association;- submit a declaration of performance, which must contain the information specified in sub-paragraph 3.2 of the draft order;- the manufacturer evaluates the essential characteristics of these construction products according to the purpose of use of the construction product in accordance with the Order No. of 24 January 2022 of the Minister of Environment of the Republic of Lithuania. D1-15 Information on the Approval of the List of Regulated Construction Products in the Approved Annex, Sub-paragraphs 19.2, 19.4 (Column 4);- by signing the declaration of performance, the manufacturer assumes responsibility for the compliance of the construction product with the declared performance.The amendment to the order was adopted in view of the fact that the Russian Federation was carrying out a military attack on Ukraine, which is in line with military aggression under international law, and the Republic of Belarus involvement in the attack, and due to Council Regulation (EU) 2022/355 of 2 March 2022 amending Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus and Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, to ensure that these countries are not directly or indirectly financed by the Republic of Lithuania and the European Union, state enterprise Construction Products Certification Center suspended validity of certificates of constancy of performance of construction products, certificates of conformity of (internal) production control of construction products (hereinafter - certificates). Therefore The Ministry of Environment has prepared an order considering the problems and proposals raised by market participants, which facilitates the access of non-harmonized construction products to the market of the Republic of Lithuania during the transition period.Given the urgency and complexity of the situation, legislation should be assessed as a matter of urgency. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** The draft order has been prepared in order to liberalize the supply of non-harmonized construction products to the market of the Republic of Lithuania.  |
| **8.** | **Relevant documents:** The Law on Construction of the Republic of Lithuania, the List of Construction Products Subject to Regulation approved on 24 January 2022 by the Order No. D1-15 of the Minister of the Environment of the Republic of Lithuania, The Law on Construction of the Republic of Lithuania, Technical Construction Regulation STR 1.01.04:2015 "Assessment, verification of constancy of performance of construction products for which there are no harmonized technical specifications and declaration of performance of such products. Designation of testing laboratories and certification bodies. National Technical Assessments and designation and notification of Technical Assessment Bodies". |
| **9.** | **Proposed date of adoption:** 20 May 2022**Proposed date of entry into force:** 20 May 2022 |
| **10.** | **Final date for comments:** 3 days from notification |
| **11.** | **Texts available from: National enquiry point [****] or address, telephone or fax numbers and email and website addresses, if available, of other body:** National WTO TBT Enquiry pointLithuanian Standards BoardAlgirdo street 31, 03219 Vilnius, LithuaniaTelephone: (+370) 5 279 1152; mobile: (+370) 6 58 60308E-mail: aurelija.jeleniauskaite@lsd.lt(cc: enquiry@lsd.lt) |