

Open public consultation as part of the Fitness Check for the Construction Sector - Questionnaire for public authorities

Fields marked with * are mandatory.

Open public consultation as part of the Fitness Check for the Construction Sector

Questionnaire for public authorities

Thank you for taking part to this open public consultation.

You are invited to regularly save your contribution (button Save as draft at the end of the questionnaire).

I. Information about the public authority

- * 1. Please specify which category best describes the public authority you work for / answer on behalf of from the list below.
- ☒ a. National public authority
 - ☐ b. Regional / Local public authority
 - ☐ c. Other

If other, please specify:

- * 2. Does this public authority primarily deal with the construction sector?
- ☒ a. Yes
 - ☐ b. No
- * 3. Please indicate the principal country of establishment of the public authority you work for / answer on behalf of
- ☐ Austria
 - ☐ Belgium
 - ☐ Bulgaria

- ☐ Cyprus
- ☐ Czech Republic
- ☐ Germany
- ☐ Denmark
- ☐ Estonia
- ☐ Greece
- ☐ Spain
- ☐ Finland
- ☐ France
- ☐ Hungary
- ☐ Croatia
- ☐ Ireland
- ☐ Italy
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Latvia
- ☐ Malta
- ☒ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Sweden
- ☐ Slovenia
- ☐ Slovak Republic
- ☐ United Kingdom
- ☐ non-EU country

If non-EU country, please specify

* 4. Please enter the full name of the public authority you work for / answer on behalf of:

Ministry of the Interior and Kingdom relations in cooperation with the Ministry of Infrastructure and Environment, Ministry of Social Affairs and Employment and the Ministry of Economic Affairs.

* 5. Is this public authority registered in the EU Transparency Register? (If not, you may register [here](#), although you do not have to be registered to reply to this consultation)

- ☒ a. Yes
- ☐ b. No

If yes, please indicate your ID number:

Dutch law as well as European law (Eurowob) require transparency if it is been asked by citizens.

*

6. How would you prefer your contribution to be published on the Commission website, if at all?

Note that, whatever option chosen, your answers may be subject to a request for public access to documents under Regulation (EC) N°1049/2001

- ☐ a. **My contribution can be directly published with my personal information:** I consent the publication of all information in my contribution in whole or in part including my name, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication.
- ☒ b. **My contribution can be directly published provided that I remain anonymous:** I consent to the publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication.
- ☐ c. **My contribution cannot be directly published but may be included within statistical data:** I understand that my contribution will not be directly published, but that my anonymised responses may be included in published statistical data, for example, to show general trends in the response to this consultation.

Please explain your objection to publication

This contribution is a cooperation of multiple civil servants.

II. Questionnaire on Internal market and energy efficiency

II.1 Questions on EU legislation related to the activity of construction businesses and professionals

This first section asks questions on the implications on the construction sector of the following Directives: Professional Qualifications Directive, Services Directive and Late Payments Directive.

• **Services Directive** (Directive 2006/123/EC on services in the Internal Market)

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32006L0123>

The Services Directive aims at realising the full potential of the internal market, facilitating the establishment and cross-border operations of service providers. To this effect, it requires Member States to simplify the procedures for the permanent or temporary provision of service activities and to eliminate authorisation schemes that are discriminatory, disproportionate or not justified by overriding public interest considerations. This is accompanied by measures aimed at strengthening the rights of service users and at promoting the high quality of services. The Directive adopts a very broad definition of services, which includes construction and related professional services as well as real estate services.

• **Professional Qualifications Directive** (Directive 2005/36/EC on the recognition of professional qualifications)

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02005L0036-20140117>

The Professional Qualification Directive aims at facilitating the mobility of members of regulated professions (such as architects, engineers, plumbers, electricians and energy auditors) across the EU. This objective is pursued primarily through the establishment of mechanisms for the recognition

of qualifications based on training or experience (automatic recognition, mutual recognition). This is accompanied by specific measures intended to ease the provision of professional services on a temporary basis and the setting of certain minimum requirements and obligations for professionals operating across borders.

• **Late Payments Directive** (Directive 2011/7/EU on combating late payment in commercial transactions)

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0007>

The Late Payment Directive aims at combating late payments in commercial transactions in order to contribute to the proper functioning of the internal market and to foster the competitiveness of undertakings, particularly small and medium-sized enterprises. This is done by setting time limits for the payment of invoices and by imposing penalties for late payments.

II.1.a Simplification of administrative procedures

EU legislation (in particular the Services Directive) requires national authorities to simplify administrative procedures, including those related to the construction and renovation of buildings. This is intended to lower the administrative burden, with a reduction in applicable procedures (including due to elimination of time or territorial validity limitations) or procedural steps, complexity of application forms, documents to be submitted, administrative fees charged and/or other out-of-pocket costs and/or workload (staff time) time required to handle administrative procedures, including availability of information online, submission of simple-form documents, e-procedure availability and tacit approval.

- ★ 7. Have you provided a permit for construction works and/or the provision of services related to construction works in the period 2004-2014?

The following permits are envisaged under this section: building permit for new construction; building permit for renovation work; operational permit (e.g. permit for scaffolding) required during construction works; and use permit (e.g. a permit necessary upon completion of construction works)

- ☐ a. I granted one or more permits for construction works and/or the provision of services related to the construction works
- ☐ b. I acted as a representative or intermediary in the permit process for construction works
- ☒ c. No

- ★ 8. Do you want to respond to questions on permits for construction works and/or the provision of services related to construction works?

☒ Yes, **see remarks (end of questionnaire)**

☐ No - you can go to question 14

9. If you have chosen to reply to to respond to questions on permits for construction works and/or the provision of services related to construction works - have you noted or perceived any changes in dealing with any of the following administrative procedures?

	More complexity	No change	Simplification	No opinion
Granting a building permit for new construction	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Granting a building permit for renovation work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Granting an operational permit (e.g. permit for scaffolding) required during construction works	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Granting a use permit (e.g. a permit necessary upon completion of construction works)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

10. If you have noted changes related to building permits for new constructions - do those changes relate to the duration of the process, the requirements to submit the permit request (e.g. online submission) and/or the cost related to the permit?

	Duration	Requirements	Cost	No opinion
Granting a general permit for new construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. If you have noted changes related to building permits for renovation works - do those changes relate to the duration of the process, the requirements to submit the permit request (e.g. online submission) and/or the cost related to the permit?

	Duration	Requirements	Cost	No opinion
Granting a building permit for renovation work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. If you have noted changes related to the granting of operational permits required during construction works (e.g. permit for scaffolding) - do those changes relate to the duration of the process, the requirements to submit the permit request (e.g. online submission) and/or the cost related to the permit?

	Duration	Requirements	Cost	No opinion
Granting an operational permit (e.g. permit for scaffolding) required during construction works	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

13. If you have noted changes related to the granting of use permits (e.g. a permit necessary upon completion of construction works) - do those changes relate to the duration of the process, the requirements to submit the permit request (e.g. online submission) and/or the cost related to the permits?

	Duration	Requirements	Cost	No opinion
Granting a use permit (e.g. a permit necessary upon completion of construction works)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

II.1.b Cross-border operations

This module investigates the influence of EU legislation (in particular the Professional Qualifications Directive) on cross border operations, both outbound (i.e. the influence on the investee's operations abroad, if any) and inbound (i.e. the influence of a stronger presence of construction firms from other EU countries).

* 14. Do you want to respond to questions on the recognition of professional qualifications?

- ☐ a. Yes
- ☐ b. No - you can go to question 19

15. If you have chosen to reply to questions on the recognition of professional qualifications - have you noted or perceived any changes of these procedures in the past years?

	More complexity	No change	Simplification	No opinion
Obtaining the recognition of qualifications of professionals qualified in other EU Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Obtaining the authorisation to perform an activity in the construction sector in another EU Member States on a temporary basis (freedom to provide services)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Obtaining the authorisation to perform an activity in the construction sector in another EU Member States on a permanent basis (freedom of establishment)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

16. If you have noted changes in obtaining the recognition of professional qualifications of professionals qualified in other EU Members States - do those changes relate to the duration of the process, the requirements related to the authorisation or recognition (e.g. online submission, possibility to work with more qualified partners) and/or the cost related to the recognition?

- ☐ a. Duration
- ☐ b. Requirements
- ☐ c. Costs
- ☐ d. No opinion

17. If you have noted changes in obtaining the authorisation to perform an activity in the construction sector in another EU Member State on a temporary basis (freedom for providing services) - do those changes relate to the duration of the process, the requirements related to the authorisation or recognition (e.g. online submission, possibility to work with more qualified partners) and/or the cost related to the authorisation?

- ☐ a. Duration
- ☐

- ☐ b. Requirements
- ☐ c. Costs
- ☐ d. No opinion

18. If you have noted changes in obtaining the authorisation to perform an activity in the construction sector in another EU Member State on a permanent basis (freedom of establishment) - do those changes relate to the duration of the process, the requirements related to the authorisation or recognition (e.g. online submission, possibility to work with more qualified partners) and/or the cost related to the authorisation?

- ☐ a. Duration
- ☐ b. Requirements
- ☐ c. Costs
- ☐ d. No opinion

* 19. Over the period 2009-2014, have you perceived a stronger presence of construction firms from other EU countries in your home market?

- ☒ a. Yes
- ☐ b. No

20. In your experience, among the changes identified in the questions above, have any...:

	Yes	No	No opinion
Stimulated favourable investment conditions within your sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Facilitated the free circulation of construction products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Facilitated establishment in a Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Facilitated the mobility of construction workers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Facilitated the provision of cross-border construction services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fostered the global competitive position of EU construction enterprises	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced administrative costs for the construction sector industry	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain (If you refer to a specific Member State, please state this clearly):

	Free text
Stimulated favourable investment conditions within the sector	
Facilitated the free circulation of construction products	
Facilitated establishment in a Member State	
Facilitated the mobility of construction workers	
Facilitated the provision of cross-border construction services	
Fostered the global competitive position of EU construction enterprises	
Reduced administrative costs for the sector construction industry	

II.1.c Late payments

EU legislation (in particular the Late Payments Directive, approved in 2011) requires national authorities to adopt measures to reduce the problem of late payments. In particular, government authorities are required to pay within maximum 30 days, payments among private parties should be settled within 60 days. These measures are intended to improve the firms' cash flow position. In addition, EU legislation gives creditors an automatic entitlement to the payment of late payment interests, which potentially allows for the reduction of litigation costs.

* 21. Do you want to respond to questions on late payments?

- ☒ a. Yes
- ☐ b. No - you can go to question 26

22. If you have chosen to reply to questions on late payments - in the years following the implementation of the Late Payments Directive, have payment times from public clients – according to your own experience:

- ☐ Increased
- ☐ Remained the same
- ☒ Decreased
- ☐ No opinion

23. If you have chosen to reply to questions on late payments - in the years following the implementation of the Late Payments Directive, have your own payment times to public clients – according to your own experience:

- ☐ Increased
- ☐ Remained the same
- ☐ Decreased
- ☐ No opinion

24. If you have chosen to reply to questions on late payments - in the years following the implementation of the Late Payments Directive, have payment times from private clients – according to your own experience:

- ☐ Increased
- ☐ Remained the same
- ☐ Decreased
- ☐ No opinion

25. If you have chosen to reply to questions on late payments - in the years following the implementation of the Late Payments Directive, have your own payment times to private clients – according to your own experience:

- ☐ Increased
- ☐ Remained the same
- ☐ Decreased
- ☐ No opinion

II.2. Questions on EU legislation related to energy efficiency in general and the use of renewable energy in the construction sector

This second section asks questions on the implications on the construction sector of the following Directives: Energy Efficiency Directive, Energy Performance of Buildings Directive, Renewable Energy Sources Directive.

• **Energy Efficiency Directive** (Directive 2012/27/EU on energy efficiency)

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32012L0027>

The Energy Efficiency Directive introduces a series of measures intended to facilitate the achievement of the EU's 2020 energy savings target. These include provisions concerning: (i) the renovation of the stock of buildings, including an annual target for the renovation of central government buildings; (ii) the reduction in the volume of energy sales by energy distributors; (iii) the strengthening of energy audits (mandatory for large enterprises); and (iv) the promotion of other energy efficiency mechanisms (certification schemes, performance related contractual arrangements). While these obligations fall on public authorities or other entities outside the construction sector, their fulfilment may contribute to an increase in the demand for both building renovation and specialised energy efficiency services.

• **Energy Performance of Buildings Directive** (Directive 2010/31/EU of the European Parliament and of the Council on the energy performance of buildings)

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32010L0031>

The Energy Performance of Buildings Directive supports the achievement of the energy efficiency targets by requiring Member States to introduce specific measures for buildings (both existing and new ones) and affecting construction, renovation, and ancillary services. In particular, the EPBD provides for: (i) a common methodological framework for measuring the energy performance of buildings; (ii) the obligation for Member States to set minimum requirements for the energy performance of new buildings, buildings undergoing major renovation, and technical building elements and systems; (iii) mandatory energy performance certification and inspections.

• **Renewable Energy Sources Directive** (Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources)

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02009L0028-20151005>

The Renewable Energy Sources Directive's objective is to establish a common framework for the promotion of energy from renewable sources, including setting mandatory national targets for the overall share of energy from renewable sources. In particular, the Directive includes a provision on the development and mutual recognition by Member States of certification or equivalent qualification schemes for installers of small-scale renewable energy systems.

II.2.a. Inspection/Installation and accredited experts

EU legislation (in particular the Energy Performance in Buildings Directive) requires inspections of heating and air-conditioning systems to be carried out by qualified and/or accredited experts. Similarly, the Renewable Energy Sources Directive requires the installation of renewable energy systems to be carried out by qualified and/or accredited experts.

★ 26. Do you wish to respond to questions on inspection/installation and accreditation?

☒ a. Yes

☐ b. No - you can go to question 31

27. If you have chosen to reply to questions on inspection, installation or accreditation - are they carried out by visibly qualified and/or accredited experts (or in any case such a qualification was brought up in the context of the inspection/installation)?

	Yes	No	No opinion
Inspection of heating systems	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Inspection of air-conditioning systems	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Installation of renewable energy systems	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

28. If you have chosen to reply to questions on inspection, installation or accreditation - in your Member State, is the list of installers and/or inspectors who are qualified or certified publicly available to your knowledge? In your experience, does the general public make use of this list?

The list of installers and the list of inspectors are only available if your Member State did not opt for an alternative system.

	Publicly available	Not publicly available	Actively used by general public	Not actively used by general public	No opinion
List of qualified and/or accredited experts for the inspection of heating and air-conditioning systems(relevant under the EPBD)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
List of qualified of certified installers of renewable energy systems (relevant under the RESD)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

29. If you have chosen to reply to questions on inspection, installation or accreditation - have you noted or perceived any changes related to the frequency of inspection of heating and air-conditioning systems and of installation of renewable energy systems?

	More frequent	No change	Less frequent	No opinion
Inspection of heating systems	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inspection of air-conditioning systems	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Receiving advice concerning the efficiency of the boiler	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Receiving advice concerning the efficiency of the air-conditioning system	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Installation of renewable energy systems	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

30. If you have identified changes in the questions above, have any...

	No	Yes	No opinion
Improved the energy performance of construction products	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Improved the energy efficiency of buildings	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Reduced the environmental footprint of buildings	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Stimulated the construction of new buildings	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Stimulated the renovation of buildings	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Stimulated the installation of renewable energy systems	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Please explain:

	Free text
Improved the energy performance of construction products	
Improved the energy efficiency of buildings	Part of the inspectionreport are recommendations for energy saving measurements- not the inspection itself but these recommendations lead to improvements
Reduced the environmental footprint of buildings	
Stimulated the construction of new buildings	
Stimulated the renovation of buildings	
Stimulated the installation of renewable energy systems	Especially the not mandatory qualification/certification schemes stimulate the installation of renewable energy systems. The mandatory scheme for shallow geothermal and ground source heat pumps caused a decrease in market growth of these RES installations.

II.2.b Public procurement

One of the objectives of the Energy Efficiency Directive is to improve and strengthen energy efficiency through public procurement. Article 6 of the Directive states that Member States shall ensure that central governments purchase only products, services and buildings with a high energy-efficiency performance. The central governments of the Member States should “lead by example” so that local and regional procurement bodies also strengthen energy efficiency in their public procurement procedures.

31. Did you notice an increased use of energy efficiency criteria in the public tenders of the national, local and regional governments?

	Yes	No	No opinion
*National government	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Local government	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*Regional government	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

II.3. Questions on EU legislation related to products used in construction

This third section asks questions on the implications on the construction sector of the following Directives and Regulation: the Construction Products Regulation, the Ecodesign Directive and the Energy Labelling Directive.

• **Construction Products Regulation** (Regulation No 305/2011 laying down harmonised conditions for the marketing of construction products)

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02011R0305-20140616>

The Construction Products Regulation sets out the conditions for the placing or making available on the market of construction products, by establishing harmonised rules on how to express the performance of construction products in relation to their essential characteristics and on the affixing of the CE marking. In addition, the Regulation requires manufacturers to draw up a declaration of performance for construction products that are either covered by harmonised standards or conform to an issued European Technical Assessment.

• **Ecodesign Directive** (Directive 2009/125/EC establishing a framework for the setting of eco-design requirements for energy-using products)

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02009L0125-20121204>

The Ecodesign Directive establishes a framework for the setting of mandatory requirements for both energy-using and energy-related products (i.e. products that do not use energy but have an impact on energy consumption). In particular, the Directive includes various articles relating to ensuring compliance of a product with the Directive's requirements prior to placing on the market. Other provisions related to CE market, consumer information and the prohibition of markings likely to mislead users. Finally, a large part of the Directive deals with the creation of ecodesign implementing measures for products, which must respond to different sets of criteria.

The Ecodesign Directive is a framework directive, and the ecodesign requirements are set through Commission regulations. Several construction products and materials are classified as energy-using or energy-related products. However, no secondary regulations specifically targeting construction

materials have been adopted so far, although work in this direction has been initiated (e.g. for windows and insulation materials).

• **Energy Labelling Directive** (Directive 2010/30/EU on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products)
<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02010L0030-20140605>

The Energy Labelling Directive complements the Ecodesign Directive by setting a framework for the labelling and the provision of information regarding energy consumption. In particular, the Energy Labelling Directive settles the responsibility of suppliers to provide the product's label and fiche, which must be accurate. Initially targeted at household appliances, the Directive is now applicable to a wide range of energy-related products. As in the case of the Ecodesign Directive, no secondary legislation has so far been adopted that relates to construction products.

II.3.a. CE marking and Declaration of Performance

CE marking under the Construction Products Regulation enables a product to be placed legally on the market in any Member State. CE marking indicates that a product is consistent with its Declaration of Performance (DoP) as made by the manufacturer. The declaration varies according to the particular harmonised technical specification covering the product.

★ 32. Do you wish to respond to questions on CE marking and Declaration of Performance (DoP)?

- ☒ a. Yes
☐ b. No - you can go to question 36

33. If you have chosen to reply to questions on CE marking and Declaration of Performance - to what extent is the information provided through the DoP and the CE marking important in accessing other Member States' markets?

- ☐ a. Not at all
☐ b. To a limited extent
☐ c. To some extent
☐ d. To a high extent
☐ e. No opinion

34. If you have chosen to reply to questions on CE marking and Declaration of Performance - have the DoP and CE marking procedures for construction products been changed according to policies in the following areas?

	No	Yes	No opinion
Energy efficiency in buildings	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Environmental protection	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Public health and safety	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Health & safety at work	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

If yes, please explain:

35. If you have chosen to reply to questions on CE marking and Declaration of Performance - to what extent does the Ecodesign framework affect the credibility of the CE marking?

- ☐ a. Not at all
- ☐ b. To a limited extent
- ☒ c. To some extent
- ☐ d. To a high extent
- ☐ e. No opinion

II.4 Coherence questions

This final section is linked to all of the above as it wants to identify sources of impact - positive or negative - between either the various pieces of EU legislation themselves or between EU legislation and its implementation at national level.

★ 36. Are you familiar with two or more of the pieces of the EU legal framework for the Construction Sector discussed above?

These EU instruments are: Construction Product Regulation, Professional Qualifications Directive, Services Directive, Late Payments Directive, Energy Efficiency Directive, Energy Performance of Buildings Directive, Ecodesign Directive, Energy Labelling Directive, Renewable Energy Sources Directive.

- ☒ a. Yes
- ☐ b. No - you can go to question 39

37. If you are familiar with two or more of those regulations/directives - how familiar are you with the each and how they apply in your country?

	Very familiar	Somewhat familiar	Not familiar
Construction Product Regulation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Professional Qualification Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Services Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Late Payments Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Energy Efficiency Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Energy Performance of Buildings Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ecodesign Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Energy Labelling Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Renewable Energy Sources Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

38. If you are somewhat familiar to very familiar with any of the above pieces of EU and/or national (transposition) legislation, have you...?

	Yes	No	No opinion
Benefitted from the harmonisation of reporting requirements	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Experienced easier access to European Markets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identified requirements where simplification has improved implementation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Found requirements that are consistent with each other and complementary, offering a mutually supportive implementation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Spotted inconsistencies or overlaps among various requirements	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Found concepts, notions, and definitions that are unclear and for which interpretation is difficult	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identified obsolete requirements, i.e. requirements that are not aligned with current market reality and technical developments	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identified requirements that need to be simplified	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Identified requirements where simplification has not brought an improvement to implementation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other aspects – please specify below	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you replied yes on any of the above, please explain your answer. Please clearly indicate whether your answer relates to EU legislation (and which EU legislation) and/or to national (transposition) legislation.

	Free text
Benefitted from the harmonisation of reporting requirements	
Experienced easier access to European Markets	This question should be asked to the construction sector.
Identified requirements where simplification has improved implementation	
Found requirements that are consistent with each other and complementary, offering a mutually supportive implementation	
Spotted inconsistencies or overlaps among various requirements	See beneath
Found concepts, notions, and definitions that are unclear and for which interpretation is difficult	The definition of a 'construction product' is a challenge, which has been discussed at European level. All FAQ of the Commission regarding the CPR relates to this question. Regarding obsolete requirements, the current system of the CPR could be more facilitating to innovate products to be CE-marked. There should be a level-playing field for these products. Yes, article 5 and article 37 CPR
Identified obsolete requirements, i.e. requirements that are not aligned with current market reality and technical developments	
Identified requirements that need to be simplified	
Identified requirements where simplification has not brought an improvement to implementation	
Other aspects - please specify	

Spotted inconsistencies:

In the Netherlands it is custom to reuse a lot of waste as building material. To regulate the impact on the environment building materials in general have to report the impact on the environment (especially on the soil, groundwater and surface water). In this national legislation we benefit a lot of the use of (product)certification scheme's to regulate the handling and qualification of waste material for the use as building materials. Also the acceptance of those waste materials benefited by the use of certification. This has a lot in common with the End of Waste legislation which also uses certification as instrument to guaranty the environmental safe reuse of waste materials. But if this waste material also qualify as building material under the CPR the use of certification isn't allowed next to the order use of the CE-marking. This hinders a cost effective and environmentally safe reuse of waste material. It also in conflict with the new Circular Economy Package.

III. Questionnaire on environment and health and safety

III.1. Questions on EU legislation related to occupational health and safety in the construction sector

III.1.a Occupational Safety and Health Framework Directive

The Occupational Safety and Health Framework Directive (89/391/EEC) sets out general requirements for the protection of the health and safety of workers in the EU. Under the Directive, employers have a “duty to ensure the safety and health of workers in every aspect related to the work” (Article 5(1)) and must “take the measures necessary for the safety and health protection of workers” (Article 6(1)).

Further information is available via the following link:

<https://osha.europa.eu/en/legislation/directives/the-osh-framework-directive/1>

★ 39. Do you wish to respond to questions on the health and safety of construction workers?

- ☒ a. Yes
☐ b. No - you can go to question 52

40. If you have chosen to reply to questions on health and security in the construction sector - please indicate the extent of any costs incurred by the construction sector as a result of the following health and safety measures

	Significant costs	Moderate costs	No costs	No opinion
Provision of information and training for workers on health and safety	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Carrying out an evaluation of the risks to the health and safety of workers	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Purchasing Personal Protective Equipment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implementing protective organisational measures	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Reporting on occupational accidents	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employing dedicated health and safety personnel (either in-house or externally)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Monitoring workers' health	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your reply:

Costs at sector level for health and safety activities by sector institute.

41. If you have chosen to reply to questions on health and security in the construction sector - please indicate the extent of any benefits that have arisen as a result of the following health and safety measures

	Significant benefits	Moderate benefirs	No benefits	No opinion
Provision of information and training for workers on health and safety	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Carrying out an evaluation of the risks to the health and safety of workers	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Purchasing Personal Protective Equipment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implementing protective organisational measures	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reporting on occupational accidents	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employing dedicated health and safety personnel (either in-house or externally)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Monitoring workers' health	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your reply:

42. If you have chosen to reply to questions on health and security in the construction sector - to what extent has the Occupational Safety and Health Framework Directive (89/391/EEC) contributed to the following benefits?

	Large positive impact (++)	Slight positive impact (+)	No impact	Slight negative impact (-)	Large negative impact (--)	No opinion

Reduced risks to workers' health and safety	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fewer work days lost to work related injuries and ill-health	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased productivity in the construction sector	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased employee retention in the construction sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Reduced insurance premiums for companies in the construction sector	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced legal costs for companies in the construction sector	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your reply:

III.1.b Manual handling of loads

Directive 90/269/EEC lays down minimum health and safety requirements for the manual handling of loads where there is a particular risk of back injury to workers. Under the Directive, employers are required to take appropriate organisational measures, or use the appropriate means (in particular mechanical equipment), in order to avoid the need for the manual handling of loads by workers. Where the need for the manual handling of loads by workers cannot be avoided, employers must take the appropriate organisational measures, use the appropriate means or provide workers with such means in order to reduce the risk involved in the manual handling of such loads.

Further information is available via the following link: <https://osha.europa.eu/en/legislation/directives/6>

43. If you have chosen to reply to questions on health and security in the construction sector - please indicate the extent of any costs incurred by the construction sector as a result of the following measures designed to reduce the risks associated with the manual handling of loads by workers.

--	--	--	--	--

	Significant costs	Moderate costs	No costs	No opinion
Purchasing mechanical equipment to avoid the need for manual handling of loads by workers	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implementing organisational measures to reduce the risk involved in the manual handling of loads	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Providing information on the weight and centre of gravity of heavy loads	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Providing training on the correct way to handle loads	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your reply:

44. If you have chosen to reply to questions on health and security in the construction sector - please indicate the extent of any benefits that have arisen as a result of the following measures designed to reduce the risks associated with the manual handling of loads by workers.

	Significant benefits	Moderate benefits	No benefits	No opinion
Purchasing mechanical equipment to avoid the need for manual handling of loads by workers	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implementing organisational measures to reduce the risk involved in the manual handling of loads	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing information on the weight and centre of gravity of heavy loads	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Providing training on the correct way to handle loads	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your reply:

45. If you have chosen to reply to questions on health and security in the construction sector - to what extent has Directive 90/269/EEC on the manual handling of loads contributed to the following benefits?

	Large positive impact (++)	Slight positive impact (+)	No impact	Slight negative impact (-)	Large negative impact (--)	No opinion
Reduced risks to workers' health and safety	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fewer work days lost to work related injuries and ill-health	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increased productivity in the construction sector	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased employee retention in the construction sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Reduced insurance premiums for companies in the construction sector	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced legal costs for companies in the construction sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Please explain your reply:

III.1.c Temporary or mobile construction sites

Directive 92/57/EEC lays down the minimum safety and health requirements for temporary or mobile construction sites (defined in Article 2(a) of the Directive as "any construction site at which building or civil engineering works are carried out").

Further information is available via the following link:
<https://osha.europa.eu/en/legislation/directives/15>

46. If you have chosen to reply to questions on health and security in the construction sector - please indicate the extent of any costs incurred by the construction sector as a result of the following health and safety measures on temporary or mobile construction sites

	Significant costs	Moderate costs	No costs	No opinion
Appointing one or more coordinators for health and safety matters	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Drawing up a safety and health plan	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Complying with the minimum safety and health requirements for construction sites set out in Annex IV to the Directive	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your reply:

47. If you have chosen to reply to questions on health and security in the construction sector - please indicate the extent of any benefits that have arisen as a result of the following health and safety measures on temporary or mobile construction sites

	Significant benefits	Moderate benefits	No benefits	No opinion
Appointing one or more coordinators for health and safety matters	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Drawing up a safety and health plan	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Complying with the minimum safety and health requirements for construction sites set out in Annex IV to the Directive	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your reply:

48. If you have chosen to reply to questions on health and security in the construction sector - to what extent has Directive 92/57/EEC on the minimum safety and health requirements for temporary or mobile construction sites contributed to the following benefits?

	Large positive impact (++)	Slight positive impact (+)	No impact	Slight negative impact (-)	Large negative impact (--)	No opinion
Reduced risks to workers' health and safety	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fewer work days lost to work related injuries and ill-health	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased productivity in the construction sector	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased employee retention in the construction sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Reduced insurance premiums for companies in the construction sector	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced legal costs for companies in the construction sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your reply:

III.1.d. Asbestos Directive

The Asbestos Directive (2009/148/EC) aims to protect workers against risks to their health, including the prevention of such risks, arising or likely to arise from exposure to asbestos.

Further information is available via the following link:

<https://osha.europa.eu/en/legislation/directives/2009-148-ec-exposure-to-asbestos-at-work>

49. If you have chosen to reply to questions on health and security in the construction sector - please indicate the extent of any costs that have been incurred by the construction sector as a result of the

following measures designed to reduce the risks to workers associated with asbestos.

	Significant costs	Moderate costs	No costs	No opinion
Undertaking a risk assessment in cases where an activity is likely to involve a risk of exposure to asbestos	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Undertaking clinical surveillance of workers	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Compiling and submitting information to the national register, indicating the nature and duration of the activity and the exposure to which workers have been subjected	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Purchasing and displaying warning signs	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Training of workers who are, or are likely to be, exposed to dust from asbestos	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Submitting a notification to the responsible authority	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Measuring asbestos fibres in the air at the workplace	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Purchasing respiratory and/or other personal protective equipment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Purchasing other equipment to minimize exposure to dust arising from asbestos	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implementing organizational measures	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Storing, transporting and cleaning materials and equipment contaminated with asbestos dust	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Drawing up a plan of work	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your reply:

50. If you have chosen to reply to questions on health and security in the construction sector - please indicate the extent of any benefits that have arisen as a result of the following measures designed to reduce the risks to workers associated with asbestos

--	--	--	--	--

	Significant benefits	Moderate benefits	No benefits	No opinion
Undertaking a risk assessment in cases where an activity is likely to involve a risk of exposure to asbestos	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Undertaking clinical surveillance of workers	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Compiling and submitting information to the national register, indicating the nature and duration of the activity and the exposure to which workers have been subjected	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Purchasing and displaying warning signs	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Training of workers who are, or are likely to be, exposed to dust from asbestos	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Submitting a notification to the responsible authority	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Measuring asbestos fibres in the air at the workplace	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Purchasing respiratory and/or other personal protective equipment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Purchasing other equipment to minimize exposure to dust arising from asbestos	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implementing organizational measures	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Storing, transporting and cleaning materials and equipment contaminated with asbestos dust	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Drawing up a plan of work	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your reply:

51. If you have chosen to reply to questions on health and security in the construction sector - to what extent has the Asbestos Directive (2009/148/EC) contributed to the following benefits?

	Large positive impact (++)	Slight positive impact (+)	No impact	Slight negative impact (-)	Large negative impact (--)	No opinion
Reduced risks to workers' health and safety	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fewer work days lost to work related injuries and ill-health	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased productivity in the construction sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increased employee retention in the construction sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Reduced insurance premiums for companies in the construction sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Reduced legal costs for companies in the construction sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Please explain your reply:

III.2. Questions on EU legislation related to the environment and the construction sector

* 52. Do you wish to respond to questions on the environment and the construction sector?

- ☒ a. Yes
- ☐ b. No - you can go to question 59

III.2.a. Waste Framework Directive

The Waste Framework Directive introduced the “polluter-pays principle” by requiring that the cost of waste management be borne by the original waste producer or by the current or previous waste holders. It allows European Member States to take measures to ensure that any company that professionally develops, manufactures, processes, treats, sells or imports products has “extended producer responsibility”. Such measures may include an acceptance of returned products and of the waste that remains after those products have been used, as well as the subsequent management of the waste and financial responsibility for such activities.

Further information is available via the following link:

<http://ec.europa.eu/environment/waste/framework>

53. If you have chosen to reply to questions on the environment and the construction sector - please indicate how the cost of waste management has changed now that businesses are required to separate their waste for recovery

- ☐ Costs have increased significantly
- ☒ Costs have increased slightly
- ☐ Costs have not changed
- ☐ Costs have reduced slightly
- ☐ Costs have reduced significantly
- ☐ No opinion

54. If you have chosen to reply to questions on the environment and the construction sector - to what extent has EU legislation on waste contributed to the following benefits?

	Large positive impact (++)	Slight positive impact (+)	No impact	Slight negative impact (-)	Large negative impact (--)	No opinion
Reduced environmental impacts	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improved corporate image for companies operating in the construction sector	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improved resource efficiency	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced risks to human health	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduced insurance premiums for companies in the construction sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Reduced legal costs for companies in the construction sector	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your reply:

III.2.b. Environmental Impact Assessment Directive

The Environmental Impact Assessment Directive (1985/337/EEC) states that consent for public and private projects which are likely to have “significant effects” on the environment should be granted only after an assessment of the likely significant environmental effects of those projects has been carried out.

Further information is available via the following link:

<http://ec.europa.eu/environment/eia/eia-legalcontext.htm>

55. If you have chosen to reply to questions on the environment and the construction sector - what impacts have arisen for the construction sector as a result of having to carry out an Environmental Impact Assessment?

- ☐ Costs have increased significantly
- ☐ Costs have increased slightly
- ☐ Costs have not changed
- ☐ Costs have reduced slightly
- ☐ Costs have reduced significantly
- ☐ No opinion

56. If you have chosen to reply to questions on the environment and the construction sector - what is your opinion regarding the criteria and thresholds determining when an Environmental Impact Assessment is required to be carried out

	Agree	Disagree	No opinion
Criteria/thresholds for projects to require an Environmental Impact Assessment are set too low	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Criteria/thresholds for projects to require an Environmental Impact Assessment are set too high	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Criteria/thresholds for projects to require an Environmental Impact Assessment are set about right	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Most/all of the right types of projects require an Environmental Impact Assessment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Some types of projects that should have an Environmental Impact Assessment do not require them under the legislation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Environmental Impact Assessment legislation captures the majority/all of the right types of project	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

57. If you have chosen to reply to questions on the environment and the construction sector - to what extent has the requirement to carry out an Environmental Impact Assessment for certain projects helped to reduce the environmental impacts of construction projects?

- ☐ Large positive impact (++)
- ☐ Slight positive impact (+)
- ☐ No impact
- ☐ Slight negative impact (-)
- ☐ Large negative impact (--)
- ☐ No opinion

58. If you have chosen to reply to questions on the environment and the construction sector - are you aware of any other benefits arising from the requirement to carry out an Environmental Impact Assessment for certain construction projects?

If yes, please explain your answer.

III.3. Final questions on environment and health & safety

III.3.a. Final questions on health and safety

59. Please indicate the extent to which you agree or disagree with the following statements

	Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	No opinion
Workers in the construction sector are adequately protected against the risks posed to their health by exposure to asbestos	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Workers in the construction sector are adequately protected against the risks posed to their health by the manual handling of loads	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Workers in the construction sector are adequately protected against the risks posed to their health on temporary and mobile construction sites	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

60. Has your public authority ... (please select)

	Yes	No	No opinion
Benefitted from the harmonisation of reporting requirements for health and safety	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Benefitted from a harmonisation of other health and safety requirements (excluding reporting requirements)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Found health and safety requirements that are consistent with each other and complementary, offering a mutually supportive implementation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Spotted inconsistencies or overlaps among various health and safety requirements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identified areas within wider EU (or national) policy that are in conflict with EU (or national) health and safety legislation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identified health and safety requirements that help to support EU (or national) policy in other policy areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Found concepts, notions, and definitions that are unclear and for which interpretation is difficult	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identified obsolete health and safety requirements, i.e. requirements that are not aligned with current market reality and technical developments	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identified health and safety requirements that need to be simplified	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other aspects – please specify below	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you replied yes to any of the above questions, please explain your answer. Please clearly indicate which EU (or national) legislation you are discussing.

	Text
Benefitted from the harmonisation of reporting requirements for health and safety	
Benefitted from a harmonisation of other health and safety requirements (excluding reporting requirements)	
Found health and safety requirements that are consistent with each other and complementary, offering a mutually supportive implementation	
Spotted inconsistencies or overlaps among various health and safety requirements	
Identified areas within wider EU (or national) policy that are in conflict with EU (or national) health and safety legislation	Construction products regulation (CPR): Harmonised standards shall provide the methods and the criteria for assessing the performance of the construction products in relation to their essential characteristics. Until know this is lacking for health in relation to products in contact with drinking water (essential characteristic 3). This leads to incoherence between the CPR and the Drinking water Directive.
Identified health and safety requirements that help to support EU (or national) policy in other policy areas	
Found concepts, notions, and definitions that are unclear and for which interpretation is difficult	
Identified obsolete health and safety requirements, i.e. requirements that are not aligned with current market reality and technical developments	
Identified health and safety requirements that need to be simplified	
Other aspect - please specify	

III.3.b. Final questions on environment

61. The environment is adequately protected against harm caused by the construction industry

- ☐ Strongly agree
- ☐ Somewhat agree
- ☒ Somewhat disagree
- ☐ Strongly disagree
- ☐ No opinion

62. Has your public authority ...

	Yes	No	No opinion
Benefitted from the harmonisation of environmental reporting requirements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Benefitted from a harmonisation of other requirements designed to protect the environment (excluding reporting requirements)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Found requirements pertaining to the environment that are consistent with each other and complementary, offering a mutually supportive implementation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Spotted inconsistencies or overlaps among various environment requirements	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identified areas within wider EU (or national) policy that are in conflict with EU (or national) environment legislation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identified requirements that have been designed to protect the environment that also help to support EU (or national) policy in other policy areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Found concepts, notions, and definitions that are unclear and for which interpretation is difficult	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identified requirements designed to protect the environment that are now obsolete, i.e. requirements that are not aligned with current market reality and technical developments	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identified environmental requirements that need to be simplified	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other aspects – please specify below	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you replied yes to any of the above questions, please explain your answer. Please clearly indicate which EU (or national) legislation you are discussing.

	Free text
Benefitted from the harmonisation of environmental reporting requirements	✖✖ Drinking Water Directive state that materials/products in contact with drinking water should not effect the Drinking Water quality negatively and not more than necessary (duty of minimalisation). The TFEU renders MS free to regulate the use of these materials with regard to protection of human health. However the EC is inclined to explain national rules as barriers to trade. Als mutual recognition of approvals and certificated is an issue in this perspective as not all MS have the same requirements and level of protection.
Benefitted from a harmonisation of other requirements designed to protect the environment (excluding reporting requirements)	
Found requirements pertaining to the environment that are consistent with each other and complementary, offering a mutually supportive implementation	
Spotted inconsistencies or overlaps among various environment requirements	
Identified areas within wider EU (or national) policy that are in conflict with EU (or national) environment legislation	
Identified requirements that have been designed to protect the environment that also help to support EU (or national) policy in other policy areas	The Drinking Water Directive aims for good drinking water quality. The Construction Products Regulation aims at harmonising construction product standards. Since hygienic requirements for products which come into contact with drinking water are not the subject of horizontal harmonization on EU level, the Treaty of Functioning of the EU (TFEU) renders the Member States free to regulate the use of these materials. This means in practice that in some MS users of products are obliged to use only products which are fulfilling and/or certified according the requirements of national regulation. In some MS there are no requirements. The national regulations however do not prevent non-assessed products to enter the market. Harmonised standards under CPR for products in drinking water covering health requirements are lacking. As a result, products on the market are not necessarily tested for hygiene, therefore leading to possible human risks and/or deterioration of the drinking water quality. Secondly this leads also to a lack of supply of approved and/or certified products for users to apply. Thirdly if producers apply for approval and certification, they have to apply in the different MS because of various legislation which leads to accumulation of costs. Fourthly the current situation leads to unnecessary costs and administrative burden for MS maintaining their own systems. Market oriented legislation (f.e. CPR) and harmonization at EU level of health-related criteria and approval schemes for products in drinking water is necessary, with regard to the protection of human health, the European market and also the pursuit for an equal economic level playing field. Materials/products that do not comply with health related criteria must be effectively excluded from the market. This is the only way that supply of safe consumer products and an equal level playing field can be guaranteed.
Found concepts, notions, and definitions that are unclear and for which interpretation is difficult	
Identified requirements designed to protect the environment that are now obsolete, i.e. requirements that are not aligned with current market reality and technical developments	
Identified environmental requirements that need to be simplified	
✖ The major part of our demolition and construction waste is recycled in the Netherlands. To regulate the impact on the environment building material producers in general have to report the impact on the environment (especially on the soil, groundwater and surface water). In this national legislation we have a lot of benefit from the use of (product)certification schemes to regulate the handling and qualification of waste material for the use as building materials. These practices are also very helpful when applying the concept of End of Waste. However, the CPR prohibits the use of (national) certification. The use of certification is in conflict with the goals of the CPR to create a single market for building materials. Therefore, qualifying waste for use as a building material by means of a certification scheme is in conflict with the CPR. This conflict in the use of the instrument of certification hampers a cost effective and environmentally safe reuse of waste material. It's also in conflict with the goals of the new Circular Economy Package	

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Thank you for your contribution.

If you would like to make any other comment related to the Fitness Check, please provide a short comment below.

Regarding question 8-13: The ministry of the Interior and Kingdom Relations is preparing legislation for the improvement of the position of the customer and the building quality: proposal for law on quality assurance in building. Because the ministry does not provide permits itself, it is not possible to answer the questions 8 to 13 separately. After this we give a summary of the proposal for law, its goals and the expected consequences.

The actual system for the assurance of building quality needs actualization. The complexity of buildings and building process has grown and the responsibilities are unclear. These lead to a weak position of the customer. The proposal for a law on quality assurance in building improves the position of the customer by clearing up responsibilities and introduces a system with market instruments for quality assurance during design and building. The preventive assessment of the design of a building by the municipality will be replaced by an assessment of the finished building by a private party. In 2017 an organization will be established for the admission of market instruments for assessment of building quality which meet with the regulations and for surveillance on the system. Also in 2017 the obligatory assessment of building quality for smaller building works (mostly renovation) will be abolished. From 2018 on the new legislation will be implemented in stages for different categories of buildings. We will start with the smaller buildings (family houses, small business establishments and small infrastructural works). In 2018 the Civil Code will also be changed for the improvement of the position of the customer, among others via the increase of the liability of builders.

The proposal will lead to a decrease in administrative costs with 3 million euro per year. The proposal will also lead to social profits of approximately 100 million euro per year.

The proposal has been presented to Parliament in April 2016.