L.N. 222 of 2011

PRODUCT SAFETY ACT
(CAP. 427)

Steel for the Reinforcement of Concrete Regulations, 2011

IN exercise of the powers conferred by articles 38 and 39 of the Product Safety Act, the Prime Minister, on the advice of the Malta Standards Authority, has made the following regulations:-

Citation and scope.

1. (1) The title of these regulations is the Steel for the Reinforcement of Concrete Regulations, 2011.

(2) The provisions of these regulations are applicable to all imported or locally manufactured reinforcement products used for the reinforcement of concrete.

Definitions.

2. For the purposes of these regulations, all the definitions of the Product Safety Act shall apply, and in addition:

"accredited body " means a body which is subject to an attestation by a member of the body mentioned in Article 14 of Regulation 765/2008/EC of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance as regards the product certification of reinforcing products in relation to one or more of the technical properties listed in Schedule I hereto;

"accredited document " means a certificate issued by a body which has the approval of an accredited body to issue such certificates;

"the Act" means the Product Safety Act;

"the Community" means the European Community;

"European Standard" means a standard issued by a National European Standardisation body, the scope of which includes reinforcing steel or welded fabric;

"Member State" means any member State of the Community or in another Contracting State of the European Economic Area (EEA) or Turkey;

"national certificate " means a document that is recognised by any member state as being a true declaration of the technical properties of reinforcement products;

"product certification" includes the compliance with the relevant clauses of the product standards and the control of the manufacturing process so as to ensure a consistent level of product quality;

"reinforcement products" means each batch of reinforcing steel or welded fabric ;

"reinforcing steel" means a steel product with a circular or practically circular cross-section which is suitable for the reinforcement of concrete;

"responsible person" means the natural or legal person who manufactures the reinforcement products in Malta or imports the reinforcement products into Malta;

"technical properties " include the mechanical properties, dimensions, mass, bond strength, surface geometry, chemical composition and weldability as described in a relevant European Standard;

"welded fabric" means an arrangement of reinforcing steel of the same or different nominal diameter and length that are arranged substantially at right angles to each other and factory electrical resistance welded together by automatic machines at all points of intersection.

Declaration of properties.

3. (1) The technical properties of a reinforcement product shall be declared in any one of these forms:

(a) a national certificate which incontrovertibly pertains to the reinforcement product;

(b) an accredited document declaring all or some of the technical properties in accordance with a European Standard and which incontrovertibly pertain to the reinforcement product:

Provided that the national certificate or accredited document is valid at the time of marketing.

(2) A national certificate is considered to be valid where

(a) the certificate is legally acceptable in the Member State where the certificate was issued; and

(b) the reinforcement product covered by the certificate is legally marketed in the Member State where it was issued; and

(c) the certificate is traceable to the reinforcement product which the certificate is accompanying.

(3) An accredited document is considered to be valid provided where

(a) the reinforcement product covered by the document has not been withdrawn from the market in any member state for reasons related to the accuracy, precision or reliability of it technical properties listed in Schedule I hereto; and

(b) the accredited document has not been withdrawn by the accredited body; and

(c) the document is traceable to the reinforcement product which the document is accompanying; and

(d) the technical properties listed in Schedule I hereto are declared using a standard implemented by a Standardisation Organisation of a Member State and the standard has not been withdrawn at the time of issue of the accredited document.

Safe product.

4. (1) A reinforcement product shall always be accompanied by a national certificate or an accredited document which declares the technical properties of the product from those listed in Schedule I, hereto.

(2) The technical properties referred to in sub-regulation (1) hereof shall be appropriate for the reinforcement product that the national certificate or accredited document accompanies.

(3) A reinforcement product that is accompanied by a reference to a certificate or an accredited document mentioned in sub-regulation (1) hereof is deemed to satisfy the provisions of that sub-regulation provided that the certificate or accredited document can be presented within 30 days of a request made by the Director of Market Surveillance or his delegate or any warrant holder with in the meaning of the Periti Act.

Cap. 390.

Availability of documentation.

5. The documentation referred to in regulations 3 and 4 shall be kept available by the responsible person for at least 17 years.

Exemption.

6. These regulations shall not apply to reinforcement products the properties of which are declared by the application of the Construction Products Regulations, 2001 or other legal instrument of a Member State that implements Directive 89/106/EEC.

L.N. 270 of 2001.

Penalties.

7. (1) Violations of these regulations or of provisions and decisions issued in pursuance thereof are construed as infringements to the Act.

(2) The penalties applicable shall be those provided for in article 32 of the Act.

(3) The provisions of articles 4, 6, 7, 12, 14, 23, 26, 29 and 32 of the Act shall apply in respect of offences under regulations 3, 4 and 5 of these regulation.

Notification.

8. These regulations have been notified in terms of Directive 98/34/EC, as amended by Directive 98/48/EC, as transposed by the Notification Procedure Regulations, 2003.

L.N. 373 of 2003.

SCHEDULE I

TECHNICAL PROPERTIES

(Regulation 4.(1))

Point	Characteristics
I	Percentage Elongation at maximum force
II	Weldability (Carbon equivalent)
III	Relevant dimensions and mass including the maximum deviations
IV	Bendability or rebendability as relevant
V	Bonding Strength
VI	Stress ratio (tensile strength / yield strength)
VII	Yield strength
VIII	Shear Force
IX	Fatigue
X	Durability (Content of appropriate substances)