



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 14 March 2014
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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	13 March 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	D031588/04
Subject:	COMMISSION DIRECTIVE ../.../EU of XXX amending Council Directive 96/98/EC on marine equipment

Delegations will find attached document D031588/04.

Encl.: D031588/04

D031588/04



Brussels, **XXX**
[...] (2014) **XXX** draft

COMMISSION DIRECTIVE/.../EU

of XXX

amending Council Directive 96/98/EC on marine equipment

(Text with EEA relevance)

COMMISSION DIRECTIVE/EU

of **XXX**

amending Council Directive 96/98/EC on marine equipment

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 96/98/EC of 20 December 1996 on marine equipment¹, and in particular Article 17 thereof,

Whereas:

- (1) For the purposes of Directive 96/98/EC, the international conventions and testing standards should apply in their up-to-date versions.
- (2) A number of amendments to the international conventions and applicable testing standards have entered into force since the adoption of the last amending act to Directive 96/98/EC. Those amendments should be incorporated into Directive 96/98/EC.
- (3) During the same period the International Maritime Organisation and the European standardization organisations have also adopted standards, including detailed testing standards, for a number of items of equipment which are listed in Annex A.2 to Directive 96/98/EC or which, albeit not listed, are considered relevant for the purpose of that Directive. Therefore such items of equipment should be included in Annex A.1 or transferred from Annex A.2 to Annex A.1, as appropriate.
- (4) Directive 96/98/EC should therefore be amended accordingly.
- (5) It is reasonable to allow equipment newly subject to harmonised requirements under this Directive and manufactured before the expiry of the time-limit for the implementation of this Directive to be placed on the market and on board a Community ship during a transitional period.
- (6) The measures provided for in this Directive are in accordance with the opinion of the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS),

¹ OJ L 46, 17.2.1996, p. 25.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex A to Directive 96/98/EC is replaced by the text in the Annex to this Directive.

Article 2

Equipment listed in column 1 of Annex A.1 as having been transferred from Annex A.2 which was manufactured before [one year from the date of entry into force] in conformity with procedures for type-approval already in force before that date within the territory of a Member State may continue to be placed on the market and on board a Community ship until [three years from the date of entry into force].

Article 3

1. Member States shall adopt and publish, by [one year from the date of entry into force] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from [one year from the date of entry into force].

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 4

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels,

*For the Commission
The President*