

# European standardisation

2011/0150(COD) - 11/09/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 639 votes to 18 with 17 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on European Standardisation and amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/105/EC and 2009/23/EC of the European Parliament and of the Council.

Parliament adopted its position in first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise negotiated between Parliament and Council. They amend the Commission proposal as follows:

**Objectives:** the compromise text stipulates that the Regulation aims to ensure: (i) the effectiveness and efficiency of standards and standardisation as policy tools for the Union through cooperation between European standardisation organisations, national standardisation bodies, Member States and the Commission; (ii) the establishment of European standards and European standardisation deliverables for products and for services in support of Union legislation and policies, (iii) the identification of ICT technical specifications eligible for referencing, (iv) the financing of European standardisation and (v) stakeholder participation in European standardisation.

**European standard:** the text clarifies that the term means a technical specification, adopted by a recognised standardisation body.

**Technical specification:** the characteristics required of a product include levels of environmental protection and public health.

**Transparency of work programmes of standardisation bodies:** during the preparation of a harmonised standard or after its approval, national standardisation bodies shall not take any action which could prejudice the harmonisation intended and, in particular, shall not publish in the field in question a new or revised national standard which is not completely in line with an existing harmonised standard. After publication of a new harmonised standard, all conflicting national standards shall be withdrawn within a reasonable deadline.

**When a national standardisation body receives comments indicating that the draft standard would have a negative impact on the internal market,** it shall consult the European standardisation organisations and the Commission before adopting it.

**Participation and balanced representation of stakeholders:** European standardisation organisations shall encourage and facilitate an appropriate representation and effective participation of all relevant stakeholders, including SMEs, consumer organisations and environmental and social stakeholders in their standardisation activities.

**Access of SMEs to standards:** the compromise text introduces a series of amendments, which aim to encourage and facilitate the access of SMEs to standards and standards development processes in order to reach a higher level of participation in the standardisation system. National standardisation bodies shall exchange best practices aiming to enhance the participation of SMEs in standardisation activities.

**Participation of public authorities in European standardisation:** Member States shall, where appropriate, encourage participation of public authorities, including market surveillance authorities, in national standardisation activities aimed at the development or revision of standards requested by the Commission.

**Cooperation with research facilities:** the Commission's research facilities shall contribute to the preparation of the annual Union work programme for European standardisation and provide European standardisation organisations with scientific input, in their areas of expertise, to ensure that European standards take into account economic competitiveness and societal needs such as environmental sustainability and safety and security concerns.

**Formal objections to harmonised standards:** as the European Parliament is on an equal footing with the Council in the ordinary legislative procedure, the European Parliament must have the right to object to a harmonised standard.

**Notification of stakeholder organisations:** the Commission shall establish a notification system for all stakeholders, including European standardisation organisations and European stakeholder organisations receiving Union financing in accordance with this Regulation in order to ensure proper consultation and market relevance prior to: (i) adopting the annual Union work programme for European standardisation; (ii) adopting standardisation requests; (iii) taking a decision on formal objections to harmonised standards.

**Identification of ICT technical specifications eligible for referencing:** either on proposal from a Member State or on its own initiative the Commission may decide to identify ICT technical specifications that are not national, European or international standards, but meet the requirements set out in Annex II, which may be referenced, primarily to enable interoperability, in public procurement.

**Delegated acts:** the Commission shall be empowered to adopt delegated acts concerning amendments to the Annexes, in order to: (i) update the list of European standardisation organisations set out in Annex I to take into account changes in their name or structure; (ii) adapt the criteria for European stakeholder organisations set out in Annex III to this Regulation to further developments as regards their non-profit making nature and representativeness.

The power to adopt delegated acts shall be conferred on the Commission for a period of five years from 1 January 2013 (which may be tacitly extended for an identical period).

**Review:** 2 years after the date of entry into force of the Regulation, the Commission shall evaluate the impact of the procedure established by Article 10 of the Regulation on the timeframe for issuing standardisation requests. It shall present its conclusions in a report to the European Parliament and to the Council. Where appropriate, that report shall be accompanied by a legislative proposal to amend the Regulation.