

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 453 final

Brussels, 6 September 1979

PROPOSED AMENDMENTS TO
THE PROPOSAL FOR A COUNCIL DIRECTIVE ON THE APPROXIMATION OF
THE LAWS, REGULATIONS AND ADMINISTRATIVE PROVISIONS OF THE
MEMBER STATES RELATING TO CONSTRUCTION PRODUCTS

PROPOSED AMENDMENTS TO
THE PROPOSAL FOR A COUNCIL RESOLUTION LAYING DOWN A LIST OF
PRIORITY PRODUCTS TO BE COVERED BY DIRECTIVES IMPLEMENTING
COUNCIL DIRECTIVE OF ON THE
APPROXIMATION OF THE LAWS, REGULATIONS AND ADMINISTRATIVE
PROVISIONS OF THE MEMBER STATES RELATING TO CONSTRUCTION
PRODUCTS

(submitted to the Council by the Commission)

COM(79) 453 final

EXPLANATORY MEMORANDUM

During its sitting of 8 May 1979, the European Parliament delivered its Opinion on the Proposal for a Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to construction products (COM (78) 449 final) which the Commission submitted to the Council on 30 November 1978.

The Commission has decided, as it stated during the plenary sitting, to comply with some of the requests for amendments made in Parliament's Opinion and therefore to submit, under the second paragraph of Article 149 of the EEC Treaty, a proposed amendment to the initial proposal for a directive.

The main amendments adopted by the Commission relate to consultation of the Economic and Social Committee, under Article 198 of the EEC Treaty, on proposals for implementing directives;

and the preparation of an annual progress report, for submission to the Council and to the Parliament, on work done in connection with the implementation of the proposal for a directive and on the work programme for the following two years.

The Commission has taken advantage of the opportunity offered by amending the proposal for a directive to supplement and modify the Proposal for a Council Resolution laying down a list of priority products to be covered by implementing directives.

The additions relate to the use of work which has already been completed at international level and consultation of the professional circles concerned from the moment that preliminary work on preparing proposals for implementing directives is started.

The amendments consist of a reorganisation of the list of priority products in line with the classification by category given in Annex I, point 2 of the proposal for a directive.

PROPOSED AMENDMENTS TO THE PROPOSAL FOR A COUNCIL
DIRECTIVE ON THE APPROXIMATION OF THE LAWS, REGU-
LATIONS AND ADMINISTRATIVE PROVISIONS OF THE MEM-
BER STATES RELATING TO CONSTRUCTION PRODUCTS

Initial proposal

Having regard to the Treaty
establishing the European
Economic Community and in particular
Articles 100 and 155 thereof,

(12) Whereas these implementing
directives are defined in this
Directive and assume the nature of
executive measures; whereas it is
therefore desirable to confer on
the Commission, assisted by a
Committee acting on a qualified
majority, the powers for executing
this Directive;

Amendments

Having regard to the Treaty
establishing the European
Economic Community and in
particular Articles 100, 155
and 198 thereof,

(12) Whereas these implementing
Directives are defined in this
Directive and assume the nature
of executive measures; whereas
it is therefore desirable, in
pursuance of Article 155 of the
Treaty establishing the European
Economic Community and in
accordance with the decision of
the Heads of State and of Government
of December 1974 to make greater
use of this provision, to confer
on the Commission, assisted by
a Committee acting on a qualified
majority, the powers for executing
this Directive;

Chapter VII

Article 27

Article 28

Chapter VII

Article 27 unchanged

Article 28 unchanged

Article 28 a

- (1) Before submitting a draft implementing directive to the Committee in accordance with the procedure laid down in Article 28 (2), the Commission shall normally consult the Economic and Social Committee for its opinion

- (2) The Commission shall draw up an annual progress report on the proposals for implementing directives which have been adopted and those which it is intended to adopt during the following two years. The Commission shall submit this annual report to the Council and the European Parliament.

Annexe VI

2. The approved body, its director and its staff may not be a trade association, a manufacturer or his agent, a supplier, the entrepreneur, the contractor, the sub-contractor or the leaser. They may not take part either directly or in any other manner, in the design, manufacture, marketing, sale or maintenance of the product. This does not preclude the possibility of exchanges of technical information between the manufacturer and the approved body.

2. The approved body, its director and its staff may not be a trade association, a manufacturer or his agent, a supplier, the entrepreneur, the contractor, the sub-contractor or the leaser. They may not take part either directly or in any other manner, in the design, manufacture, marketing, sale or maintenance of the product. This does not preclude the possibility of exchanges of technical information between the manufacturer and the approved body or, for the latter, the possibility of conducting research work and experiments in the same fields as the product concerned.

Proposed amendments to the
Proposal for a Council Resolution laying down a list of
priority products to be covered by directives implementing
Council Directive of _____ on the
approximation of the laws, regulations and administrative
provisions of the Member States relating to construction
products.

Explanatory Memorandum : unchanged

Preamble : unchanged.

Invites the Commission to give
priority to the preparation
and adoption of the implemen-
ting directives with a view to
the elimination of technical
barriers to trade in the cons-
truction products set out
in the following list :

Invites the Commission to give
priority to the preparation and
adoption of the implementing
directives with a view to the
removal of technical barriers
to trade in the construction
products listed in the Annex.

Invites the Commission, with a view to preparing implementing directives, to obtain the opinions of the professional circles concerned and as far as possible to take into consideration any technical specification which has already been drawn up at international level, provided that this is not in conflict with the objectives of the proposal for a directive ;

Notes that the Commission will submit to the Council and the European Parliament an annual progress report on the proposals for implementing directives which have been adopted and those which it is intended to adopt during the following two years.

A N N E X

LIST OF PRIORITY CONSTRUCTION PRODUCTS AND
MATTERS FOR THE ADOPTION OF IMPLEMENTING
DIRECTIVES

1. Amorphous materials

-Cements (work in progress)

2. Shaped materials

2.1. Wood_products

- aggregate panels
- fibreboard panels
- plywood panels

2.2. Plastic_and_synthetic_products

- Membrane materials
- Materials for containers
- Synthetic strip and foil for roofing
- Sealing plastic strip and foil
- Plastic and synthetic floor coverings and wall claddings

2.3. Glass_products

- Flat glass (work in progress)

2.4. Ceramic_products

- Ceramic tiles (work in progress)

2.5. Heat_insulation_materials

3. Structural components

- Concrete wall components
- Partitioning systems
- Floor components
- Beams and floor slabs
- Laminated wood beams and structures

4. Fitting-out products

- Windows
- Doors
- Sanitary equipment
- Components for waste evacuation installations
- Components for water supply installations
- Taps and fittings
- Mechanical fixing pins
- Roof joints
- Equipment and components for prestressed structures .

5. Complex systems

- Construction systems for single-family dwellings

6. General matters

Behaviour of construction materials and components to
fire (work in progress).

