

European Communities

EUROPEAN PARLIAMENT

Working Documents

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DOCUMENT 1-1174/82

REPORT

drawn up on behalf of the Committee on Economic and
Monetary Affairs

on implementation of Directive No. 73/23/EEC of
19.2.1973 on electrical equipment designed for use
within certain voltage limits

Rapporteur: Mr B. de FERRANTI

PE 81.519/fin.

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At its meeting of 13 September 1982 the European Parliament referred the motion for a resolution tabled by Mr GIAVAZZI and others on implementation of Directive No. 73/23/EEC of 19.2.1973 on electrical equipment designed for use within certain voltage limits (Doc. 1-506/82) to the Committee on Economic and Monetary Affairs pursuant to Rule 47 of the Rules of Procedure.

At its meeting of 22 September 1982 the committee decided to draw up a report and appointed Mr de FERRANTI rapporteur.

It considered the draft report at its meeting of 18 January 1983 and adopted the motion for a resolution unanimously.

The committee also decided to request that Parliament adopt its report without debate pursuant to Rule 34(1) of the Rules of Procedure.

The following took part in the vote: Mr Hopper, acting chairman; Mr Macario, vice-chairman; Mr de Ferranti, rapporteur; Mr Beazley, Mr Beumer (deputizing for Mr Collomb); Mr von Bismarck, Mr Carossini (deputizing for Mr Bonaccini), Mr Delorozoy, Mr de Gucht, Mr Herman, Mr Leonardi, Mr T. Neilsen (deputizing for Mr Nordmann), Mr Nyborg, Mr Papantoniou, Mr Schinzel, Mr Vergeer and Mr Wedekind (deputizing for Mr von Wogau).

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The Committee on Economic and Monetary Affairs hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

on implementation of Council Directive No. 73/23/EEC of 19.2.1973 on electrical equipment designed for use within certain voltage limits

The European Parliament,

- having regard to the motion for a resolution tabled by Mr GIAVAZZI and others pursuant to Rule 47 of the Rules of Procedure (Doc. 1-506/82),
 - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 1-1174/82)
- (a) whereas the electrical engineering sector occupies an important position in Community industry and the electrical equipment in question accounts for an estimated 70% of total sales in the said sector,
- (b) whereas, despite adoption of the 1973 directive, some technical barriers to trade still seem to exist in this sector,
1. Calls on the Commission as a matter of urgency to draw up a report on the administrative and technical barriers to trade in these products, on the difficulties encountered in implementing the 'low voltage directive' and on any supplementary measures that might need to be taken to guarantee the free movement of goods;
 2. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

1. The Commission has informed the Committee on Economic and Monetary Affairs that the most important thing is to implement the directive of 19 February 1973 (1) rather than at the present time to lay down supplementary measures. The Commission has also said that introduction of a 'Community mark' (see paragraph 4 of the Annex) would change the nature of the directive, and that it is not always enough for the industry, partly because it is not always accepted by consumers.
2. In this connection the Committee on Economic and Monetary Affairs wishes to point out that instead of a 'Community mark' it would be preferable if each Member State's notified bodies recognized controls carried out by notified bodies in the other Member States so that products do not have to go through the control procedure in all Member States.
3. The Committee on Economic and Monetary Affairs has therefore decided in the first instance to call on the Commission to draw up a report on implementation of the directive so that it can decide whether supplementary measures are needed to guarantee the free movement of goods in this sector.

(1) OJ No. L 77, 26.3.1973

MOTION FORM A RESOLUTION

TABLED BY Mr GIAVAZZI, Mr LEONARDI, Mr PETRONIO and Mr von WOGAU (Doc. 1-506/82)

pursuant to Rule 47 of the Rules of Procedure

on progress in implementing the EEC directive on electrical equipment designed for use within certain voltage limits

The European Parliament,

- A - whereas one of the primary objectives of the Community is to guarantee, through appropriate measures, the free movement of goods between Member States by eliminating obstacles, including non-tariff barriers, which may restrict the export and import of goods,
- B - whereas the electrical goods industry is an important branch in the Community with an annual production valued at 80,000 million ECU, while intra-Community trade in electrical products is worth some 35,000 million ECU each year,
- C - whereas electrical equipment designed for use within certain voltage limits accounts for an estimated 70% of the total sales of the electrical goods industry and whereas freedom to trade in this sector and indeed all sales of electrical material are governed by the Council Directive of 19 February 1973 (1),
- D - whereas, given the wide range of such products and the large volume of trade involved, this directive concerns not only the industry and trade itself but also directly affects all the consumers of the Community,
- E - whereas, in connection with the application of this directive, the Court of Justice of the European Communities has given an important judgment in Case No. 815/79 Cremonini v. Vrankovich, (2) clearly defining the obligations and rights of all the parties,

(1) OJ No. L 77 of 26.3.1973

(2) Reports of the Court of Justice of the European Communities 1980 p3583

F - whereas Articles 2 and 8 of Directive No. 73/23/EEC state that Member States may only require that equipment should meet the safety standards referred to in Article 2 and Annex I of the directive and whereas for the directive to be effective the relevant authorities must issue marks and certificates of conformity only to items of equipment constructed in accordance with technical standards which meet the safety criteria laid down in Article 2 and Annex I,

G - whereas, although not compulsory, the marks and certificates or declarations of conformity referred to in Article 10 and the reports referred to in Article 8 (2) of the directive are nevertheless an important guarantee that products may circulate and be sold freely and whereas a single mark or certificate of conformity is sufficient for a product to be sold throughout the Community,

H - whereas, apart from these commercial considerations, the placing of a mark on electrical equipment is important for sales in certain markets and whereas in these markets the requirement that goods bear the national mark makes it difficult to sell products bearing other European marks,

1. Calls on the Commission to present as soon as possible a comprehensive report on progress in implementing Directive 73/23/EEC with particular regard to any difficulties or obstacles which may have impeded its application;
2. Considers that it is necessary to adopt other measures in this field to ensure the free movement of equipment through the Community;
3. Considers that it is essential for this purpose to make further progress towards the harmonization of the rules of the Member States governing marks and conformity certificates;
4. Believes that one of the first measures should be a directive on the creation and operation of a Community mark in this sector;
5. Considers that within the framework of the general guidelines mentioned above there is an urgent need for measures to make Community action on the mutual recognition of conformity marks more effective;

6. Calls upon the Commission to put forward suitable proposals in connection with the above points as a matter of urgency so that Parliament may give its opinion and the Council may adopt the relevant measures, which would be binding on the Member States, as soon as possible;

7. Instructs its President to forward this resolution to the Council and the Commission.

