

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) No 1025/2012 as regards the decisions of European standardisation organisations concerning European standards and European standardisation deliverables

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Acting in accordance with the ordinary legislative procedure,

Whereas:

CA 1 on recitals

- (1) Regulation (EU) No 1025/2012 of the European Parliament and of the Council² establishes rules with regard to the establishment of European standards and European standardisation deliverables for products and for services in support of Union legislation and policies.
- (2) In accordance with Article 10 of Regulation (EU) No 1025/2012 the Commission may request one or several European standardisation organisations to draft a European standard or European standardisation deliverable.
- (3) European standards and European standardisation deliverables play an important role for the internal market ***and consumer protection. Standards do not regulate solely the technical aspect of a product, but they also play an important role for workers, citizens and the environment (S&D AM 4).*** For instance, harmonised standards may be used to confer a presumption that products to be made available on the market are in conformity with the essential requirements that are laid down in the relevant Union harmonisation legislation for those products when they comply with the harmonised standards, ***while ensuring the quality and safety of products and services for consumers and for the environment (S&D AM 4).***
- (4) In the past years, the practices in the European standardisation organisations as regards their internal governance and decision-making procedures have changed. As a result, the European standardisation organisations have increased their co-operation with international and European stakeholders. Such cooperation is welcome as it contributes

¹ OJ C ..., ..., p.

² Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, 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, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12).

to the transparent, open, impartial and consensus-built standardisation process. *However Nevertheless*, when European standardisation organisations execute standardisation requests to support Union legislation and policies, ~~*unrestricted participation of any stakeholder in their unrestricted access to*~~ internal decision-making *concerning work programmes or priorities* may lead to decisions that do not entirely take into account the ~~*interests*~~, policy objectives, and values of the Union as well as public interests in general (*ECR AM 7*).

4a (new) S&D AM 4, The Greens AM 5, The Left AM 8, The Greens AM 10, S&D AM 14, The Greens AM 19

In order to ensure sound procedure and balanced representation of stakeholders' interest, the role, participation and input of relevant stakeholders, representing amongst others SMEs, environmental, social and consumer interest, should be strengthened, inclusive and be established through a multi-stakeholder approach. The view and input from relevant stakeholders should be taken into account in European Standardisation organisations and decisions of the national standardisation bodies should reflect the outcome of the consultation with relevant stakeholders.

- (5) National standardisation bodies play an essential role in the standardisation system, both, at the Union level, in accordance with Regulation (EU) No 1025/2012, and at the level of Member States. National standardisation bodies are therefore best placed to make sure that the interests, policy objectives and values of the Union as well as public interests in general are duly taken into account in European standardisation organisations. It is therefore necessary to strengthen their role in decision-making bodies of the European standardisation organisations when those bodies take decisions concerning European standards and European standardisation deliverables requested by the Commission under Article 10(1) of Regulation (EU) No 1025/2012, *without affecting the important role played by the broader stakeholder base in preparing effective standards that respond to public interest and market needs (ECR AM 9)*
- (6) The decision-making bodies of the European standardisation organisations are open to participation not only by national standardisation bodies, but also by national standardisation organisations of acceding countries, candidate countries and potential candidates to the Union, ~~*among others and countries which have concluded an agreement with the EU by virtue of which they ensure regulatory convergence or compatibility with the legal acts of the Union concerning areas in the internal market that are relevant to European standardisation organisation's activities.*~~ In order to avoid excluding those organisations from participation in the work of decision-making bodies concerned, it is only necessary to provide that the decisions in those bodies concerning European standards and European standardisation deliverables requested under Article 10(1) of Regulation (EU) No 1025/2012 be taken exclusively by representatives of national standardisation bodies without imposing any other requirements on the work of the decision-making bodies of the European standardisation organisations. *The participation of national standardisation organisations of third countries should not amount to impeding the adoption of any decision concerning European standards and European standardisation deliverables supported by the majority of national standardisation bodies from Member States of the Union and, where applicable, other members of EEA that are notified as national standardisation bodies in accordance with Regulation 1025/2012. (Rapporteur AM 1, AM 3)*

- (7) In order for the requirement for decisions in the decision-making bodies of European standardisation organisations concerning European standards and European standardisation deliverables requested by the Commission under Article 10(1) of Regulation (EU) No 1025/2012 to be taken exclusively by representatives of national standardisation bodies to be effective, it is necessary to provide that the Commission may only make such requests to a European standardisation organisation that complies with that requirement.

(7a) (new) Standardisation procedures entail decisions which require specific work streams, constituting separate work items. A work item is initiated to either develop a new or revise, merge, amend or correct an existing European standard or European standardisation deliverable.

- (8) Regulation (EU) No 1025/2012 should therefore be amended accordingly.
- (9) In order to allow the European standardisation organisations to adapt, where necessary, their internal rules of procedure to the requirements of this Regulation, its application should be deferred,

HAVE ADOPTED THIS REGULATION:

CA 2 on article 1 and 2:

Article 1

Article 10 of Regulation (EU) No 1025/2012 is amended as follows:

(1) in paragraph 1, the first sentence is replaced by the following:

‘The Commission may within the limitations of the competences laid down in the Treaties, request that one or several European standardisation organisations draft a European standard or European standardisation deliverable within a set deadline, provided that the European standardisation organisation concerned complies with paragraph 2a.’;

(2) the following paragraph 2a is inserted:

‘2a. Each European standardisation organisation shall ensure that the following decisions concerning European standards and European standardisation deliverables referred to in paragraph 1 are taken exclusively - ***without prejudice to other advisory opinions - by national representatives, namely*** by representatives of the national standardisation bodies within the competent decision-making body of that organisation ***(EPP AM 16)***:

- (a) decisions on the acceptance, ~~and~~ refusal ~~and execution~~ ***(Rapporteur AM 2, EPP AM 17)*** of standardisation requests;
- (b) decisions on the acceptance of new work items ***that are needed for the fulfilment of the standardisation request;***
- (c) decisions on the adoption, revision and withdrawal of European standards or European standardisation deliverables.’

Article 2

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

It shall apply from ... [*OP: please insert the date – 6 months from the date of entry into force of this Regulation*].

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President