COMMISSION IMPLEMENTING DECISION (EU) 2022/1029

of 28 June 2022

amending Implementing Decision (EU) 2019/919 as regards harmonised standards for principal data for small craft, liquefied petroleum gas propulsion systems for boats, yachts and other watercraft, and determination of maximum propulsion power rating using manoeuvring speed for craft with a length of hull between 8 m and 24 m

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to 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 ([1]), and in particular Article 10(6) thereof,

Whereas:

(1) In accordance with Article 14 of Directive 2013/53/EU of the European Parliament and of the Council ([2]), products which are in conformity with harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union*, are presumed to be in conformity with the requirements covered by those standards or parts thereof set out in Article 4(1) of Directive 2013/53/EU and Annex I to that Directive.

(2) By Implementing Decision C(2015) 8736 ([3]), the Commission made a request to the European Committee for Standardisation (CEN) and the European Committee for Electrotechnical Standardisation (Cenelec) for the drafting and revision of harmonised standards in support of Directive 2013/53/EU addressing the stricter essential requirements set out in Article 4(1) of Directive 2013/53/EU and in Annex I to that Directive, in comparison with the repealed Directive 94/25/EC of the European Parliament and of the Council ([4]).

(3) By Implementing Decision C(2015) 8736 CEN and Cenelec were also requested to revise standards, the references of which were published by Commission communication 2015/C 087/01 ([5]).

([1]) OJ L 316, 14.11.2012, p. 12.

([2]) Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC (OJ L 354, 28.12.2013, p. 90).

([3]) Commission Implementing Decision C(2015) 8736 of 15 December 2015 on a standardisation request to the European Committee for Standardisation and the European Committee for Electro-technical Standardisation as regards recreational craft and personal watercraft in support of Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC.

([4]) Directive 94/25/EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft (OJ L 164, 30.6.1994, p. 15).

([5]) Commission communication in the framework of the implementation of Directive 94/25/EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft (Publication of titles and references of harmonised standards under Union harmonisation legislation) (OJ C 87, 13.3.2015, p. 1).

(4) On the basis of the request set out in Implementing Decision C(2015) 8736, CEN revised harmonised standard EN ISO 8666:2018 on principal data for small craft, the reference of which is included in Annex I to Commission Implementing Decision (EU) 2019/919 ([6]). This resulted in the adoption of the harmonised standard EN ISO 8666:2020 and its amendment EN ISO 8666:2020/A11:2021 on the definitions of main dimensions and related data, the mass specifications and loading conditions for small craft.

(5) On the basis of the request set out in Implementing Decision C(2015) 8736, CEN revised harmonised standard EN 15609:2012 on installation requirements for the liquefied petroleum gas propulsion systems for boats, yachts and other watercraft, published by Communication 2015/C 087/01. This resulted in the adoption of harmonised standard EN 15609:2021.

(6) On the basis of the request set out in Implementing Decision C(2015) 8736, CEN also drafted harmonised standard EN ISO 11592-2:2021 on determination of maximum propulsion power rating using manoeuvring speed for craft with a length of hull between 8 m and 24 m.

(7) The Commission together with CEN has assessed whether those harmonised standards comply with the request set out in Implementing Decision C(2015) 8736.

(8) The standards EN 15609:2021, EN ISO 11592-2:2021 and EN ISO 8666:2020 as amended by EN ISO 8666:2020/A11:2021 satisfy the requirements which they aim to cover and which are set out in Article 4(1) of Directive 2013/53/EU, as well as in Part A of Annex I to that Directive. It is therefore appropriate to publish the reference of those standards in the *Official Journal of the European Union*.

(9) Standard EN 15609:2021 is to replace standard EN 15609:2012. Standard EN ISO 8666:2020 as amended by standard EN ISO 8666:2020/A11:2021 is to replace standard EN ISO 8666:2018.

(10) It is therefore necessary to withdraw the references of standards EN 15609:2012 and EN ISO 8666:2018 from the *Official Journal of the European Union*.

(11) In order to give manufacturers sufficient time to adapt their products to the revised and amended versions of harmonised standards EN 15609:2012 and EN ISO 8666:2018, it is necessary to defer the withdrawal of the references of those standards.

(12) Annex I to Implementing Decision (EU) 2019/919 lists the references of harmonised standards drafted in support of Directive 2013/53/EU. The references of harmonised standards EN 15609:2021, EN ISO 8666:2020 and its amendment EN ISO 8666:2020/A11:2021, and EN ISO 11592-2:2021 should be included in that Annex. It is also appropriate to delete the reference of harmonised standard EN ISO 8666:2018 from Annex I to Implementing Decision (EU) 2019/919.

(13) Annex II to Implementing Decision (EU) 2019/919 lists the references of harmonised standards drafted in support of Directive 2013/53/EU that are withdrawn from the C-series of *Official Journal of the European Union*. The references of harmonised standard EN 15609:2012 should be included in that Annex.

(14) Implementing Decision (EU) 2019/919 should therefore be amended accordingly.

(15) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

([6]) Commission Implementing Decision (EU) 2019/919 of 4 June 2019 on the harmonised standards for recreational craft and personal watercraft drafted in support of Directive 2013/53/EU of the European Parliament and of the Council (OJ L 146, 5.6.2019, p. 106).

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision (EU) 2019/919 is amended as follows:

(1) Annex I is amended in accordance with Annex I to this Decision;

(2) Annex II is amended in accordance with Annex II to this Decision.

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Point (1) of Annex I shall apply from 29 December 2023.

Done at Brussels, 28 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I is amended as follows:

(1) entry 7 is deleted;

(2) the following entries are added:

No	Reference of the standard
‘45.	EN ISO 8666:2020 Small craft – Principal data EN ISO 8666:2020/A11:2021
46.	EN 15609:2021 LPG equipment and accessories – LPG propulsion systems for boats, yachts and other watercraft – Installation requirements
47.	EN ISO 11592-2:2021 Small craft – Determination of maximum propulsion power rating using manoeuvring speed – Part 2: Craft with a length of hull between 8 m and 24 m’.

ANNEX II

In Annex II, the following entry is added:

No	Reference of the standard	Date of withdrawal
‘38.	EN 15609:2012 LPG equipment and accessories – LPG propulsion systems for boats, yachts and other craft	29 December 2023’.