

**Information procedure — Technical rules**

(2006/C 109/03)

(Text with EEA relevance)

Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services. (OJ L 204, 21.7.1998, p. 37; OJ L 217, 5.8.1998, p. 18).

## Notifications of draft national technical rules received by the Commission

| Reference (1) | Title   | End of three-month standstill period (2) |
|---------------|---|--|
| 2006/0151/B   | Draft Royal Decree regulating the model, content, method of carrying and using spray cans and handcuffs by members of security services for public transport companies  | (3)                                      |
| 2006/0152/A   | Order of Viennese Provincial Government on the protection of the health and safety of employees in agriculture and forestry against risks posed by electric currents (Viennese Electrical Protection Order for agriculture and forestry [Austrian designation: Wr. ES-VO Land- und Forstwirtschaft])  | 28.6.2006                                |
| 2006/0153/F   | Draft Decree on the sale to the public of medicinal plants entered in the Pharmacopoeia   | 28.6.2006                                |
| 2006/0154/F   | Draft Order laid down in implementation of Article D. 4211-11 of the Public Health Code, laying down the list of medicinal plants or parts of plants entered in the Pharmacopoeia, which may be sold to the public by persons other than pharmacists  | 28.6.2006                                |
| 2006/0155/UK  | The Gambling Act 2005 (Commencement No [ ] and Transitional Provisions) Order 2006  | 28.6.2006                                |
| 2006/0156/A   | Order of the Federal Minister for Agriculture and Forestry, the Environment and Water Management, amending the Waste Treatment Obligations Order, Federal Law Gazette II No 459/2004  | 29.6.2006                                |
| 2006/0157/I   | Draft Ministerial Decree amending and supplementing Annex A to Presidential Decree No 340   | 30.6.2006                                |
| 2006/0158/NL  | Regulation by the Minister for Housing, Planning and the Environment amending the Regulation implementing the Land Registry Act 1994 (amendment concerning the entry into force of the Act revising the Land Registry Act I)  | 30.6.2006                                |
| 2006/0159/A   | RVS 15.04.91 Bridges — Bridge Equipment — Installations — Laying of cables in Bridges   | 3.7.2006                                 |
| 2006/0160/A   | Order of the Federal Minister for Agriculture and Forestry, the Environment and Water Management amending the Order on the prevention and recycling of packaging waste and certain waste goods and the establishment of collection and recycling systems (Austrian designation: VerpackVO 1996), Federal Law Gazette No. 648/1996 (Austrian designation: VerpackVO 2006). | 3.7.2006                                 |
| 2006/0161/CZ  | Draft Decree of ... 2006, amending Decree No 415/2003 Coll. laying down the conditions for ensuring health and safety at work and safe operations for vertical haulage and climbing   | 4.7.2006                                 |
| 2006/0162/SK  | Technical rules for access and connection to the storage facility belonging to Pozagas Co. of Malacky   | 4.7.2006                                 |

| Reference <sup>(1)</sup> | Title   | End of three-month standstill period <sup>(2)</sup> |
|--------------------------|---|---|
| 2006/0163/A              | Amendment of the Lower Austrian Act on slot machines  | 5.7.2006  |
| 2006/0164/A              | Order of the Federal Minister for Transport, Innovation and Technology, amending the Order on the carriage of dangerous goods on inland waterways (ADN Order)   | 7.7.2006  |
| 2006/0165/UK             | Motor Vehicles (Construction and Use) (Amendment No X) Regulations (Northern Ireland) 2006  | 7.7.2006  |
| 2006/0166/D              | Additional technical terms of contract and guidelines for civil engineering works (German designation: ZTV-ING), Part 5 Tunnel construction, Chapter 3 mechanical shield-driving processes  | 7.7.2006  |
| 2006/0167/GR             | Draft technical regulation governing the installation of natural gas supply pipes and meters operating at pressures of up to 4 bar  | 10.7.2006   |
| 2006/0168/E              | Draft Order defining the national standards for units derived from the international system of electric capacity units, ozone concentration in the air, light output, high-frequency impedance, torque, high-frequency power, electrical resistance, high-frequency electro-magnetic noise, voltage, radionuclide activity, plane angle, high-frequency attenuation, density of solids, absorbed dose, force, humidity, KERMA (X and $\Gamma$ rays), pressure, high-frequency volume and electricity units of interval (greater than 1 000 V) | 10.7.2006   |
| 2006/0169/PL             | Draft Order of the Minister for the Environment setting out the technical requirements to be met by hydraulic engineering structures and the location of such structures  | 10.7.2006   |

<sup>(1)</sup> Year — registration number — Member State of origin.

<sup>(2)</sup> Period during which the draft may not be adopted.

<sup>(3)</sup> No standstill period since the Commission accepts the grounds of urgent adoption invoked by the notifying Member State.

<sup>(4)</sup> No standstill period since the measure concerns technical specifications or other requirements or rules on services linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1(11) of Directive 98/34/EC.

<sup>(5)</sup> Information procedure closed.

The Commission draws attention to the judgement delivered on 30 April 1996 in the 'CIA Security' case (C-194/94 — ECR I, p. 2201), in which the Court of Justice ruled that Articles 8 and 9 of Directive 98/34/EC (formerly 83/189/EEC) are to be interpreted as meaning that individuals may rely on them before national courts which must decline to apply a national technical regulation which has not been notified in accordance with the Directive.

This judgement confirms the Commission's communication of 1 October 1986 (OJ C 245, 1.10.1986, p. 4).

Accordingly, breach of the obligation to notify renders the technical regulations concerned inapplicable, and consequently unenforceable against individuals.

For more information on the notification procedure, please write to:

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Also consult the website: <http://europa.eu.int/comm/enterprise/tris/>

If you require any further information on these notifications, please contact the national departments listed below:

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