

Information procedure — technical regulations

(98/C 9/02)

(Text with EEA relevance)

- Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ L 109, 26.4.1983, p. 8).
- Directive 88/182/EEC of 22 March 1988 amending Directive 83/189/EEC (OJ L 81, 26.3.1988, p. 75).
- Directive 94/10/EC of the European Parliament and the Council of 23 March 1994 materially amending for the second time Directive 83/189/EEC (OJ L 100, 19.4.1994, p. 30).

Notifications of draft national technical regulations received by the Commission.

Reference ⁽¹⁾	Title	End of three-month standstill period ⁽²⁾
97/676/NL	1997 draft Decree on portable extinguishing equipment	2. 12. 1997
97/821/NL	Regulation amending the Regulation on the sampling and analysis of other organic fertilizer	⁽³⁾
97/822/NL	Regulation quantifying animal and other organic fertilizer	⁽³⁾
97/836/A	Structural engineering details, road construction specifications	13. 3. 1998
97/837/A	Lower Austrian structural engineering order 1997 (Austrian designation: NÖ BTV)	4. 3. 1998
97/840/NL	Technical regulation for radio equipment; Radio link equipment operating in the 4, 6, 7, 8, 11, 13 and 15 GHz bands (SV 04-7)	9. 3. 1998
97/841/NL	Technical regulation for radio equipment; Radio link equipment operating in the 25 GHz band (SV 04-08)	9. 3. 1998
97/842/A	Order of the Provincial Government of Salzburg, which issues guidelines regarding the structural layout and equipping of hospitals	12. 3. 1998
97/843/NL	Decree amending the decree on the trade in propagating material under vegetable and flower crops (Article 2)	9. 3. 1998

⁽¹⁾ Year — registration number — Member State of origin.

⁽²⁾ Period during which the draft may not be adopted.

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

⁽⁴⁾ No standstill period since the measure concerns technical specifications or other requirements linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1 (9) of Directive 93/189/EEC.

⁽⁵⁾ Information procedure closed.

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

This judgment 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, so that they are unenforceable against individuals.

Information on these notifications can be obtained from the national administrations, a list of which was published in *Official Journal of the European Communities* C 324 of 30 October 1996.