

# European standardisation

2011/0150(COD) - 25/10/2012 - Final act

**PURPOSE:** to modernise and improve the European standardisation system.

**LEGISLATIVE ACT:** Regulation (EU) No 1025/2012 of the European Parliament and of the Council 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.

**CONTENT:** following an agreement with the European Parliament at first reading, the Council adopted a Regulation that seeks to simplify and **adapt the legislative framework** to cover new aspects to reflect the latest developments and future challenges in European standardisation.

The [European Parliament's resolution of 21 October 2010](#) on the future of European standardisation already contained a large number of strategic recommendations concerning the revision of the European standardisation system.

European standardisation is organised by and for the stakeholders concerned based on national representation [the European Committee for Standardisation (CEN) and the European Committee for Electrotechnical Standardisation (Cenelec)] and direct participation (the European Telecommunications Standards Institute (ETSI)), and is founded on the principles recognised by the World Trade Organisation (WTO) in the field of standardisation, namely coherence, transparency, openness, consensus, voluntary application, independence from special interests and efficiency.

The Regulation lays down rules governing: (i) cooperation between European standardisation organisations, national standardisation bodies, Member States and the Commission; (ii) the establishment of European standards and European standardisation deliverables for products and for services in support of Union legislation and policies; (iii) the identification of information and communication technology (ICT) technical specifications eligible for referencing; (iv) the financing of European standardisation and (v) stakeholder participation in European standardisation

The main innovation introduced in the Regulation are as follows:

**Standards in respect of services:** the new Regulation covers the means by which voluntary standards for services may be drawn up. Currently, this is only the case for products.

**Levels of environmental and public health protection** must also be included among the required characteristics of a product or service.

**Broader participation in the standards setting process:**

- European standardisation organisations shall encourage and **facilitate an appropriate representation and effective participation of all relevant stakeholders, including SMEs**, consumer organisations and environmental and social stakeholders in their standardisation activities.
- National standardisation bodies shall encourage and **facilitate the access of SMEs to standards** and standards development processes. The Regulation encourages the exchange of best practices between national standardisation bodies to enhance the participation of SMEs in standardisation activities and to increase and facilitate the use of standards by SMEs.
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Member States shall, where appropriate, encourage **participation of public authorities**, including market surveillance authorities, in national standardisation activities aimed at the development or revision of standards requested by the Commission.

**Recognition and use of technical specifications in the ICT field:** Public authorities should make best use of the full range of relevant technical specifications when procuring hardware, software and information technology services.

Contracting authorities will be able to refer to ICT technical specifications, in order to respond to the fast evolution in the field of ICT.

The technical specifications have market acceptance and their implementations do not hamper interoperability with the implementations of existing European or international standards.

**The Union's annual standardisation work programme:** the Commission shall adopt the Union's annual work programme in the area of European standardisation which will lay down the strategic priorities for European standardisation, bearing in mind the Union's long-term growth strategies.

The Commission shall establish **a notification system for all stakeholders**, including European standardisation organisations and European stakeholder organisations receiving Union financing in accordance with this Regulation in order to ensure proper consultation and market relevance prior to: (i) adopting the annual Union work programme for European standardisation referred to in Article 8(1); (ii) adopting standardisation requests; and (iii) taking a decision on formal objections to harmonised standards.

**Objections to harmonised standards:** given that Parliament participates on an equal footing with the Council in the ordinary legislative procedure, the European Parliament shall also have the right to object to a harmonised standard.

**Review:** by 2 January 2015, the Commission shall evaluate the impact of the procedure established by Article 10 of this Regulation on the timeframe for issuing standardisation requests. The Commission shall present its conclusions in a report to the European Parliament and to the Council. Where appropriate, that report shall be accompanied by a legislative proposal to amend this Regulation.

ENTRY INTO FORCE: 04/12/2012.

APPLICATION: from 01/01/2013.

**DELEGATED ACTS:** the Commission may adopt delegated acts in order to update the list of European standardisation organisations and to adapt the criteria for organisations representing SMEs and societal stakeholders to further developments as regards their non-profit making nature and representativity. The power to adopt delegated acts shall be conferred on the Commission for **a period of five years from 1 January 2013** (a period that may be tacitly extended for periods of an identical duration, **unless the European Parliament or the Council opposes such extension not later than three months before the end of each period**). **The European Parliament or the Council may express their objection to a delegated act within a period of two months of its notification** (this period may be extended by two months at the initiative of Parliament or the Council). If Parliament or the Council express objections, the delegated act does not enter into force.