

Technical standards and regulations: procedure for the provision of information. Codification

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The European Commission has presented a report on the results of the application of Directive 98/34/EC laying down a procedure for the provision of information in the field of technical regulations and standards and of rules on information society services. It covers the period 1999 to 2001. The report provides an assessment of the role of Directive 98/34/EC during the period in question. It is intended to raise awareness of these procedures set up by the Directive and to encourage businesses to make even more use of it. Firstly, this report gives a brief description of the procedure in the field of standards, provides an assessment and proposes improvements. The report concludes that it would be useful to examine the value and direct and indirect usefulness of this procedure for the different players on the market. It is first up to all the parties concerned to consider these aspects and make an assessment. However, it should be noted that it is highly likely that the absence of the mechanism for monitoring national activities could again create the danger of disruption on the internal market. Therefore, this procedure must certainly be continued, but it is necessary to allocate greater resources to it and to strengthen it at European and national levels in order to increase its effectiveness. One further question that could be asked concerns the legal framework. European standardisation now covers a wide variety of fields which were previously within the scope of national standards. It may also be assumed that the standardisation bodies now automatically check whether their national standardisation intentions should be submitted directly at European or even international level. It would therefore be useful to consider reducing the legal framework of the information procedure for standards when Directive 98/34/EC is revised. This report provides a brief description of the procedure in the field of technical rules, the information exchanged, and the reactions of the Commission and the Member States. It also includes the results achieved, infringements of Directive 98/34/EC and case law in this area, the measures taken to improve the functioning of the procedure and, finally, its application at international level. The report states that the notification procedure could be extended both as regards contents and geographical coverage. Since services play an increasingly important role in our economies, the Commission has undertaken to begin studying the suitability of extending Directive 98/34/EC to services other than those of the information society. This appears particularly necessary since the Commission has already noted in its analysis of drafts covering several high technology sectors such as genetic treatment and the use of stem cells, that the Member States are increasingly linking the processing and handling of products to requirements imposed on service providers. Lastly, the report highlights another challenge for Directive 98/34/EC which is in fact enlargement. A first step has already been taken with Turkey, which has had the possibility since 1 January 2001 of participating in the notification procedure under a simplified arrangement. Given the importance of the Directive for the creation of an enlarged internal market, the Commission is currently studying ways of including the participation of candidate countries in the notification procedure prior to their accession, on the lines of the EFTA countries.