

# Transport safety: transportable pressure equipment

1997/0011(SYN) - 09/09/2005 - Follow-up document

The European Commission has presented a report on the application by the Member States of Council Directive 99/36/EC on transportable pressure equipment.

Article 4 of Directive 99/36/EC sets out specific provisions for placing transportable pressure equipment products on the national market of a particular Member State.

Under Article 4, Member States may authorise on their territory the placing on the market, transport and putting into service by users of receptacles the conformity of which has been assessed by an approved body.

It appears from the report that many Member States have not availed themselves of the option offered by Article 4. Ten Member States (Belgium, France, Ireland, Italy, Lithuania, Hungary, Malta, Netherlands, Slovenia and the United Kingdom) decided to use the option. However, 14 Member States decided not to use the option (Greece did not reply).

A majority of Member States have decided not to avail themselves of the option offered by Article 4 of Directive 99/36/EC for their domestic legislation. In other words, a majority of Member States do not permit approved bodies to carry out conformity assessments for placing new transportable pressure equipment on the national market.

In addition, in the Member States that have used the option given in Article 4, practical implementation has hardly begun. Only in Lithuania, Hungary and Slovenia are applications under consideration to recognise approved bodies, but so far none has been recognised.

Bearing in mind that the implementation of the Directive is currently still partial, until 1 July 2005, final conclusions and recommendations on Article 4 should only be taken after that date, i.e. after the Directive has become fully applicable to all transportable pressure equipment (including pressure drums, bundles of cylinders and tanks).

The Commission will come back to this issue when the Member States have gained experience of applying the Directive in full.