

Pressure equipment: harmonisation of essential safety requirements

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Directive 97/23/EC on “Pressure Equipment” obliges the Commission to carry out a review of the application of Directive 87/404/EEC on “Simple Pressure Vessels”. When first adopted in 1987 the Simple Pressure Vessels Directive was one of the first of the so-called “New Approach Directives”. However, it only covers a small category of products. As a result the EU adopted in 1997 an overall Directive on Pressure Equipment which covers a wide range of products from pressure cookers to more complete chemical installations. The 1997 Directive invites the Commission to carry out a review of the Simple Pressure Vessels Directive and to ascertain whether there is a need to merge the two Directives. Indeed a merger of the two Directives has been cited by the Council as a priority for the sake of legislative simplifications.

In preparing this review, the Commission held a series of consultations with national authorities and stakeholders at the end of which it was concluded that a strong case exists for maintaining two separate Directives. The main reasons for this are as follows:

The Simple Pressure Vessels Directive is one of the first adopted under the New Approach and its functioning is well known. On the other hand the Pressure Equipment Directive is a relatively new Directive, of a highly complex nature, whose implementation still poses some problems. Further, there is very little accumulated experience and feedback from market surveillance. These elements are critical as merging both Directives would not be an exercise of mere legislative editing but could be based on substantive considerations.

The Commission, therefore, concludes that there is no clear justification in favour of a merger. This is a position supported by a very large majority of stakeholders and national authorities. As the review states, a merger would not be a simple “cut and paste” job but a fundamental review. Such an exercise would not necessarily constitute a simplification of legislation. This is view held not only by the Commission but also by most national authorities as well as manufacturers. Indeed, the proposed integration of the two Directives could create problems and at least temporary administrative burdens. At the same time, the Commission does not preclude a future initiative within the framework of the PED. This could be done once sufficient experience in implementation has been built up and in the light of an overall review of the New Approach Directives. One such initiative could include the merging of the SPVD and the PED into one single text – even if the specific provisions reflecting the characteristics of both pressure sectors were to be maintained intact.