



Brussels, **XXX**
[...](2016) **XXX** draft

COMMISSION IMPLEMENTING REGULATION (EU) No .../..

of **XXX**

**indicating design, construction and performance requirements and testing standards for
marine equipment**

(Text with EEA relevance)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC¹, and in particular Article 35(2) thereof,

Whereas:

- (1) In order to facilitate a harmonised, rapid and simple implementation of Directive 2014/90/EU, implementing acts adopted pursuant to that Directive should take the form of Commission Regulations.
- (2) Directive 2014/90/EU requires the Commission to indicate the design, construction and performance requirements and testing standards provided for in the international instruments, as well as the dates from which those requirements and testing standards are to apply.
- (3) Equipment newly subject to harmonised Union requirements as part of Directive 2014/90/EU and its implementing acts should be explicitly listed as a new item in column 1 of the Annex to this Regulation.
- (4) It is reasonable and proportionate to allow a new item which is in conformity with the national requirements for type-approval in force in a Member State before the entry into force of this Regulation to be placed on the market and on board an EU ship for a transitional period.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS),

HAS ADOPTED THIS REGULATION:

Article 1

The design, construction and performance requirements and the testing standards provided for in the international instruments shall apply to each item of marine equipment as set out in the Annex to this Regulation.

¹ OJ L 257, 28.8.2014, p. 146.

Article 2

Equipment listed as a new item in column 1 of the Annex to this Regulation, which complies with the national requirements for type-approval in force before [please insert date of the entry into force of this Regulation] in a Member State, may continue to be placed on the market and on board a Union ship until [please insert 3 years after the date of entry into force of this Implementing Regulation].

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission

The President

[...]