

RESOLUTION BT 20/1993 Revised

Subject: Report of BT/WG 75 and proposals to BT on DOW and related procedures

BT emphasizes that,

- the date of withdrawal (DOW) is the latest date by which national standards conflicting with an EN have to be withdrawn (IR part 2-3.1.15).
- according to IR part 2 - 5.2.3.1, in exceptional cases on a justified request BT may authorize a delay of DOW which is normally six months after the date of availability (dav) of the EN.
- principally, DOW shall be a date common for all CEN Members.
- to avoid a distortion of the aim to achieve a single system of standards BT, as a rule, should not grant a DOW later than three years from DAV.
- the delay of DOW shall not lead to a delay of the date of publication (dop) of the EN by the Members.
- TC 112 has suggested to give in EN to which a delay of DOW has been agreed, a date at which the EN comes into force. WG 75 felt that this issue was outside its scope and not covered by the IR.
- the rule in PNE 2.2.3 that DOW has to be stated in the foreword of every EN, shall be strictly observed in order to avoid uncertainties e.g. in the application of article 6.2 of the Construction Products Directive.
- the rules given below cannot cover all possible cases. They should be applied by BT with due flexibility.

Concept of Packages of ENs

- Bearing in mind that a European "package" of standards is defined as a group, as small as possible, of inter-related standards in the scope of one (or more) TCs at European level, to be constituted by a TC on a case by case basis and to be confirmed by BT or BTS,

BT requests CEN/TCs,

- to define a package, on request of a member and after thorough study of the need, at the moment of submitting the first draft standard of this package to enquiry. (Flexible interim measures are to be taken in already ongoing cases e.g. TC 112.)
- to propose a DOW, common to all CEN Members, being six months later than the target date for availability of the last item out of this package;

- to inform in the foreword of these standards on the existence of this package and the DOW, by quoting the inter-related items;
- to bear in mind that the extension of DOW, beyond the usual 6 months, should not go beyond 3 years later than the availability of the first standard of the package;
- to submit the constitution of the package and the proposed DOW of it, to the approval of the BT/BTS (which will verify whether this is realistic and whether no other CEN/TCs are involved) during the enquiry on the first item of the package.

CEN Members shall, in relation to packages, include a cautionary note in the national implementation of the EN, drawing attention to the "packaging" and the "DOW of national standards", explaining what it means in the individual national cases. In addition, the publication (latest date of publication: dop) of national standards follow the normal CEN practice (being 6 months after availability).

Transitional periods

CEN/BT may decide, on request of a member, to make coincide the date of withdrawal (DOW) with the date of the end of the transitional period defined in a related Directive. This shall be mentioned in the foreword of the EN (without explicit mention of the Directive itself).

In this case, the publication of the EN follows normal CEN practice. National implementations shall, however, include a note drawing attention to the relation to national legislation implementing the Directive and the interim coexistence of both regimes.

Individual cases

CEN/BT acknowledges, that it is sometimes necessary to allow a longer period of time than 6 months for the withdrawal of national standards in order to allow industry to make an ordered conversion to the new ENs or for other reasons. As in the past, BT can decide to extend DOW, on a case by case basis, upon adequate justification (the extension is generally not more than 2 years from day).

The obligation to give the EN the status of a national standard within (normally) 6 months remains unchanged.

Problems of individual CEN Members to get the nationally implemented EN recognized by their authorities, in replacement of a conflicting national standard, should not lead to a delay of DOW but should be considered as cases of "force majeure" (IR part 2, 5.1.2) and should be noted by BT.

Adaptation of national standards

CEN/BT agrees that until DOW is reached, the CEN Members may, if necessary and for the sake of harmonization, revise the coexisting or adapt the related National Standards, subject to notification to BT.

NOTE from BOSS editor: The Resolution BT 127/1992 is hereby superseded.