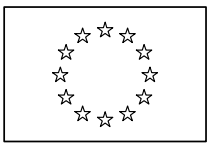

COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.4.2008
COM(2008)202 final

2008/0076 (COD)

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

relating to simple pressure vessels

(codified version)

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. In the context of a people's Europe, the Commission attaches great importance to simplifying and clarifying Community law so as to make it clearer and more accessible to the ordinary citizen, thus giving him new opportunities and the chance to make use of the specific rights it gives him.

   This aim cannot be achieved so long as numerous provisions that have been amended several times, often quite substantially, remain scattered, so that they must be sought partly in the original instrument and partly in later amending ones. Considerable research work, comparing many different instruments, is thus needed to identify the current rules.

   For this reason a codification of rules that have frequently been amended is also essential if Community law is to be clear and transparent.

2. On 1 April 1987 the Commission therefore decided[1] to instruct its staff that all legislative acts should be codified after no more than ten amendments, stressing that this is a minimum requirement and that departments should endeavour to codify at even shorter intervals the texts for which they are responsible, to ensure that the Community rules are clear and readily understandable.

3. The Conclusions of the Presidency of the Edinburgh European Council (December 1992) confirmed this[2], stressing the importance of codification as it offers certainty as to the law applicable to a given matter at a given time.

   Codification must be undertaken in full compliance with the normal Community legislative procedure.

   Given that no changes of substance may be made to the instruments affected by codification, the European Parliament, the Council and the Commission have agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

4. The purpose of this proposal is to undertake a codification of Council Directive 87/404/EEC of 25 June 1987 on the harmonization of the laws of the Member States relating to simple pressure vessels[3]. The new Directive will supersede the various acts incorporated in it[4]; this proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

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1 COM(87) 868 PV.

2 See Annex 3 to Part A of the Conclusions.

3 Carried out pursuant to the Communication from the Commission to the European Parliament and the Council – Codification of the Acquis communautaire, COM(2001) 645 final.

4 See Annex IV, Part A of this proposal.

5. The codification proposal was drawn up on the basis of a preliminary consolidation, in all official languages, of Directive 87/404/EEC and the instruments amending it, carried out by the Office for Official Publications of the European Communities, by means of a data-processing system. Where the Articles have been given new numbers, the correlation between the old and the new numbers is shown in a table contained in Annex V to the codified Directive.

↓ 87/404/EEC (adapted)

2008/0076 (COD)

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

relating to simple pressure vessels

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee[1],

Acting in accordance with the procedure laid down in Article 251 of the Treaty[2],

Whereas:

↓

(1) Council Directive 87/404/EEC of 25 June 1987 on the harmonization of the laws of the Member States relating to simple pressure vessels[3] has been substantially amended several times[4]. In the interests of clarity and rationality the said Directive should be codified.

↓ 87/404/EEC Recital 1

(2) Member States have the responsibility of ensuring the safety on their territory of persons, domestic animals and property with regard to the hazards resulting from the leakage or bursting of simple pressure vessels.

1 OJ C […], […], p. […].
2 OJ C […], […], p. […].
3 OJ L 220, 8.8.1987, p. 48. Directive as last amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p. 1).
4 See Annex IV, Part A.

↓ 87/404/EEC Recital 2

(3) In each Member State, mandatory provisions define in particular the safety level required of simple pressure vessels by specifying design and operating characteristics, conditions of installation and use and inspection procedures before and after the placing on the market. These mandatory provisions do not necessarily lead to different safety levels from one Member State to another but do, by their disparity, hinder trade within the Community.

↓ 87/404/EEC Recital 5 (adapted)

(4) This Directive therefore ⌦ should ⌫ only contain mandatory and essential requirements. To facilitate proof of conformity with the essential requirements, it is necessary to have harmonised standards at ⌦ Community ⌫ level in particular as to the design, operation and installation of simple pressure vessels so that products complying with them may be assumed to conform to the safety requirements. These standards harmonised at ⌦ Community ⌫ level are drawn up by private bodies and ⌦ should ⌫ remain non-mandatory texts. For that purpose, the European Committee for Standardisation (CEN) ⌦ , ⌫ the European Committee for Electrotechnical Standardisation (CENELEC) ⌦ and the European Telecommunications Standards Institute (ETSI) ⌫ are recognised as the competent bodies for the adoption of harmonised standards in accordance with the general guidelines for cooperation between the Commission ⌦ , the European Free Trade Association (EFTA) ⌫ and those ⌦ three ⌫ bodies signed on ⌦ 28 March 2003[5] ⌫.

↓ 93/68/EEC Recitals 1, 2 and 3 (adapted)

(5) ⌦ The Council has already adopted a series of Directives designed to remove technical barriers to trade in accordance with the principles established in its Resolution of 7 May 1985 on a new approach to technical harmonisation and standards[6]; each of these Directives provides for the affixing of the 'CE' marking. The Commission, in its Communication of 15 June 1989 on a global approach to certification and testing[7], proposed that common rules be drawn up concerning a 'CE' conformity marking with a single design. The Council, in its Resolution of 21 December 1989 on a global approach to conformity assessment[8], approved as a guiding principle the adoption of a consistent approach such as this with regard to the use of the 'CE' marking ⌫. The two basic elements of the new approach which ⌦ should ⌫ be applied are the essential requirements and the conformity assessment procedures.

5 OJ C 91, 16.4.2003, p. 7.
6 OJ C 136, 4.6.1985, p. 1.
7 OJ C 231, 8.9.1989, p. 3 and OJ C 267, 19.10.1989, p. 3.
8 OJ C 10, 16.1.1990, p. 1.

↓ 87/404/EEC (adapted)
→1 93/68/EEC Art. 2 pt. 1

(6) A check on compliance with the relevant technical requirements is necessary to provide effective protection for users and third parties. The existing inspection procedures differ from one Member State to another. In order to avoid multiple inspections, which are in effect barriers to the free movement of vessels, arrangements should be made for the mutual recognition of inspection procedures by the Member States. In order to facilitate the mutual recognition of inspection procedures, Community procedures should be ⌦ established as well as ⌫ the criteria for appointing the bodies responsible for carrying out tests, surveillance and verification .

(7) The presence on a simple pressure vessel of the →1 CE marking ← ⌦ should indicate ⌫ that it satisfies the provisions of this Directive and therefore make it unnecessary, on import and ⌦ putting ⌫ into service of the vessel, to repeat the inspections already carried out. Nevertheless simple pressure vessels might represent a safety hazard. Provision should therefore be made for a procedure to reduce this hazard.

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(8) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law and application of the Directives set out in Annex IV, Part B,

↓ 87/404/EEC (adapted)

HAVE ADOPTED THIS DIRECTIVE:

CHAPTER I

Scope, ⌦ definitions, ⌫ placing on the market and free movement

Article 1

1. This Directive applies to simple pressure vessels manufactured in series.

2. The following vessels shall be excluded from the scope of this Directive:

(a) vessels specifically designed for nuclear use, failure of which may cause an emission of radioactivity;

(b) vessels specifically intended for installation in or the propulsion of ships and aircraft;

(c) fire extinguishers.

3. For the purposes of this Directive the following definitions shall apply

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↓ 87/404/EEC

(a) 'simple pressure vessel' or 'vessel' means any welded vessel subjected to an internal gauge pressure greater than 0,5 bar which is intended to contain air or nitrogen and which is not intended to be fired.

The parts and assemblies contributing to the strength of the vessel under pressure shall be made either of non-alloy quality steel or of non-alloy aluminium or non-age hardening aluminium alloys.

The vessel shall be made of either:

(i) a cylindrical part of circular cross-section closed by outwardly dished and/or flat ends which revolve around the same axis as the cylindrical part; or

(ii) two dished ends revolving around the same axis.

The maximum working pressure of the vessel shall not exceed 30 bar and the product of that pressure and the capacity of the vessel (PS.V) shall not exceed 10 000 bar/litre.

The minimum working temperature must be no lower than − 50 °C and the maximum working temperature shall not be higher than 300 °C for steel and 100 °C for aluminium or aluminium alloy vessels;

↓ 87/404/EEC Recital 5, fifth sentence (adapted)

(b) a 'harmonised standard' means a technical specification (European standard or harmonisation document) adopted by ⌦ the European Committee for Standardization (CEN), the European Committee for Electrotechnical Standardization (CENELEC) or the European Telecommunications Standards Institute (ETSI) or by two or three of those bodies ⌫ upon a remit from the Commission in accordance with Directive 98/34/EC of the European Parliament and of the Council[9] and the general guidelines ⌦ for cooperation between the Commission, the European Free Trade Association (EFTA) and those three bodies signed on 28 March 2003. ⌫

Article 2

1. Member States shall take all necessary steps to ensure that the vessels, may be placed on the market and ⌦ put ⌫ into service only if they do not compromise the safety of persons, domestic animals or property when properly installed and, maintained and used for the purposes for which they are intended.

↓ 87/404/EEC

2. The provisions of this Directive shall not affect the right of Member States to specify — with due observance of the Treaty — the requirements they deem necessary to ensure that workers are protected when using vessels, provided it does not mean the vessels are modified in a way unspecified in this Directive.

Article 3

1. Vessels in respect of which the product of PS and V exceeds 50 bar/litre must satisfy the essential safety requirements set out in Annex I.

↓ 87/404/EEC (adapted)
→1 93/68/EEC Art. 2 pt. 1

2. Vessels in respect of which the product of PS and V is 50 bar/litre or less must be manufactured in accordance with sound engineering practice in one of the Member States and bear markings as laid down in ⌦ point 1 ⌫ of Annex II, with the exception of the →1 CE marking ← referred to in Article 16.

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[9] OJ L 204, 21.7.1998, p. 37.

↓ 87/404/EEC (adapted)

Article 4

Member States shall not impede the placing on the market and the ⌦ putting ⌫ into service in their territory of vessels which satisfy the requirements of this Directive.

Article 5

↓ 93/68/EEC Art. 2 pt. 2 (adapted)

1. Member States shall presume that vessels bearing the CE marking comply with all the provisions of this Directive.

Conformity of vessels with the national standards which transpose the harmonised standards, the reference numbers of which have been published in the *Official Journal of the European Union,* shall result in a presumption of conformity to the essential safety requirements ⌦ set out in Annex I ⌫.

Member States shall publish the reference numbers of such national standards.

↓ 87/404/EEC (adapted)
→1 93/68/EEC Art. 2 pt. 1

2. Member States shall presume that vessels for which the standards referred to in the second subparagraph of paragraph 1 do not exist or in respect of which the manufacturer has not applied, or has applied only in part, such standards, comply with the essential ⌦ safety ⌫ requirements ⌦ set out in Annex I, ⌫ where, after receipt of an EC type-examination certificate, their conformity with the approved model has been certified by the affixation of the →1 CE marking ←.

↓ 93/68/EEC Art. 2 pt. 3

3. Where the vessels are subject to other Directives covering other aspects and which also provide for the affixing of the CE marking, the latter shall indicate that the vessels in question are also presumed to conform to the provisions of those other Directives.

However, where one or more of those Directives allow the manufacturer, during a transitional period, to choose which arrangements to apply, the CE marking shall indicate conformity only to the Directives applied by the manufacturer. In this case, particulars of the Directives applied, as published in the *Official Journal of the European Union*, must be given in the documents, notices or instructions required by the Directives and accompanying such vessels.

↓ 87/404/EEC (adapted)

Article 6

Where a Member State or the Commission considers that the harmonised standards referred to in Article 5(1) do not entirely meet the essential ⌦ safety ⌫ requirements ⌦ set out in Annex I ⌫, the Commission or the Member State concerned shall bring the matter before the standing committee set up under ⌦ Article 5 of ⌫ Directive 98/34/EC, hereinafter referred to as 'the committee', giving the reasons therefor.

The committee shall deliver an opinion without delay.

In the light of the committee's opinion, the Commission shall inform the Member States whether or not it is necessary to withdraw those standards from the publications referred to in the second subparagraph of Article 5(1).

↓ 87/404/EEC
→1 93/68/EEC Art. 2 pt. 1

Article 7

1. Where a Member State finds that vessels bearing the →1 CE marking ← and used in accordance with their intended purpose might compromise the safety of persons, domestic animals or property, it shall take all appropriate measures to withdraw those products from the market or to prohibit or restrict their being placed on the market.

The Member State concerned shall immediately inform the Commission of any such measure, indicating the reasons for its decision, and in particular whether non-conformity is due to:

↓ 87/404/EEC (adapted)

(a) failure to meet the essential ⌦ safety ⌫ requirements ⌦ set out in Annex I ⌫, where the vessel does not meet the ⌦ harmonised ⌫ standards referred to in Article 5(1);

(b) incorrect application of the ⌦ harmonised ⌫ standards referred to in Article 5(1);

(c) shortcomings in the ⌦ harmonised ⌫ standards referred to in Article 5(1) themselves.

2. The Commission shall enter into consultation with the parties concerned as soon as possible. Where, after such consultation, the Commission finds that any measure as referred to in paragraph 1 is justified, it shall immediately so inform the Member State that took the action and the other Member States.

↓ 87/404/EEC (adapted)
→1 93/68/EEC Art. 2 pt. 1

Where the decision referred to in paragraph 1 is attributed to shortcomings in the standards, the Commission, after consulting the parties concerned, shall bring the matter before the committee within two months if the Member State which has taken the measures intends to maintain them and shall ⌦ apply the procedure ⌫ referred to in Article 6.

3. Where a vessel which does not comply bears the →1 CE marking ←, the competent Member State shall take appropriate action against whomsoever has affixed the ⌦ CE ⌫ →1 marking ← and shall inform the Commission and the other Member States thereof.

4. The Commission shall ensure that the Member States are kept informed of the progress and outcome of the procedure ⌦ referred to in paragraphs 1, 2 and 3 ⌫.

↓ 87/404/EEC (adapted)

CHAPTER II

CERTIFICATION

SECTION 1

CERTIFICATION PROCEDURES

Article 8

1. Prior to production of pressure vessels of which the product of PS and V exceeds 50 bar/litre, manufactured in accordance with the ⌦ harmonised ⌫ standards referred to in Article 5(1) the manufacturer, or his authorised representative established within the Community, shall at his own choice either:

↓ 87/404/EEC

(a) inform an approved inspection body as referred to in Article 9, which after examining the design and manufacturing schedule set out to in point 3 of Annex II, shall draw up a certificate of adequacy attesting that the schedule is satisfactory; or

(b) submit a prototype vessel for the EC type-examination referred to in Article 10.

↓ 87/404/EEC (adapted)

2. ⌦ Prior to the production of pressure vessels of which the product of PS and V exceeds 50 bar/litre, not manufactured ⌫, or manufactured only partly, in accordance with the ⌦ harmonised ⌫ standards, referred to in Article 5(1) the manufacturer, or his authorised representative established within the Community, must submit a prototype vessel for the EC type-examination referred to in Article 10.

3 . Vessels manufactured in accordance with the ⌦ harmonised ⌫ standards referred to in Article 5(1) or with the approved prototype shall, prior to their being placed on the market, be subject:

↓ 87/404/EEC

(a) to the EC verification referred to in Article 11 where the product of PS and V exceeds 3 000 bar/litre;

(b) at the choice of the manufacturer, where the product of PS and V does not exceed 3 000 bar/litre but exceeds 50 bar/litre either:

(i) to the EC declaration of conformity referred to in Article 12; or

(ii) to the EC verification referred to in Article 11.

↓ 87/404/EEC (adapted)

4 . The records and correspondence relating to the certification procedures referred to in paragraphs 1, 2 and 3 shall be drafted in an official language of the Member State in which the approved ⌦ inspection ⌫ body is established or in a language accepted by that body.

Article 9

↓ 93/68/EEC Art. 2 pt. 4 (adapted)

1. Member States shall notify the Commission and the other Member States of the approved ⌦ inspection ⌫ bodies which they have appointed to carry out the procedures referred to in Article 8(1), (2) and (3) together with the specific tasks which these bodies have been appointed to carry out and the identification numbers assigned to them beforehand by the Commission.

↓ 93/68/EEC Art. 2 pt. 4

The Commission shall publish in the *Official Journal of the European Union* a list of the notified bodies with their identification numbers and the tasks for which they have been notified. The Commission shall ensure that this list is kept up to date.

↓ 87/404/EEC (adapted)

2. Annex III sets out the minimum criteria which Member States must meet as regards the approval of the bodies ⌦ referred to in paragraph 1 ⌫.

3. A Member State which has approved an ⌦ inspection ⌫ body must withdraw approval if it finds that the body no longer meets the criteria set out in Annex III.

It shall immediately inform the Commission and the other Member States accordingly.

↓ 87/404/EEC

SECTION 2

EC TYPE-EXAMINATION

Article 10

1. EC type-examination is the procedure whereby an approved inspection body ascertains and certifies that a prototype vessel satisfies the provisions of this Directive which apply to it.

2. The application for EC type-examination shall be lodged by the manufacturer or by his authorised representative with a single approved inspection body in respect of a prototype vessel or of a prototype representing a family of vessels. That authorised representative must be established in the Community.

The application shall include:

(a) the name and address of the manufacturer or of his authorised representative and the place of manufacture of the vessels;

(b) the design and manufacturing schedule set out in point 3 of Annex II.

It shall be accompanied by a vessel which is representative of the production envisaged.

↓ 87/404/EEC (adapted)

3. The approved ⌦ inspection ⌫ body shall carry out the EC type-examination in the manner ⌦ referred to in the second and third subparagraph ⌫.

↓ 87/404/EEC

It shall examine not only the design and manufacturing schedule in order to check its conformity, but also the vessel submitted.

When examining the vessel, the body shall:

(a) verify that the vessel has been manufactured in conformity with the design and manufacturing schedule and may safely be used under its intended working conditions;

(b) perform appropriate examinations and tests to check that the vessel complies with the essential requirements applicable to it.

↓ 87/404/EEC (adapted)

4. If the prototype complies with the provisions applicable to it the ⌦ approved inspection ⌫ body shall draw up an EC type-examination certificate which shall be forwarded to the applicant. That certificate shall state the conclusions of the examination, indicate any conditions to which its issue may be subject and be accompanied by the descriptions and drawings necessary for identification of the approved prototype.

The Commission, the other approved ⌦ inspection ⌫ bodies and the other Member States may obtain a copy of the certificate and, on a reasoned request, a copy of the design and manufacturing schedule and the reports on the examinations and tests carried out.

5. An ⌦ approved inspection ⌫ body which refuses to issue an EC type-examination certificate shall so inform the other approved ⌦ inspection ⌫ bodies.

An ⌦ approved inspection ⌫ body which withdraws an EC type-examination certificate shall so inform the Member State which approved it. The latter shall inform the other Member States and the Commission thereof, giving the reasons for the decision.

↓ 93/68/EEC Art. 2 pt. 5

SECTION 3

EC VERIFICATION

Article 11

1. EC verification is the procedure whereby a manufacturer or his authorised representative established within the Community ensures and declares that the vessels which have been checked in accordance with paragraph 3 are in conformity to the type described in the EC type-examination certificate or with the design and manufacturing schedule referred to in point 3 of Annex II and have received a certificate of adequacy.

2. The manufacturer shall take all necessary measures for the manufacturing process to ensure that the vessels conform to the type described in the EC type-examination certificate or to the design and manufacturing schedule referred to in point 3 of Annex II. The manufacturer or his authorised representative established within the Community shall affix the CE marking to each vessel and draw up a declaration of conformity.

↓ 93/68/EC Art. 2 pt. 5 (adapted)

3. The approved ⌦ inspection ⌫ body shall carry out the appropriate examinations and tests in order to check the conformity of the vessels with the requirements of this Directive by examination and testing of vessels in accordance with the second to tenth subparagraphs.

The manufacturer shall present his vessels in the form of uniform batches and shall take all necessary measures in order that the manufacturing process ensures the uniformity of each batch produced.

Those batches shall be accompanied by the EC type-examination certificate referred to in Article 10, or, where the vessels are not manufactured in accordance with an approved prototype, by the design and manufacturing schedule referred to in point 3 Annex II. In this case the approved ⌦ inspection ⌫ body shall, prior to EC verification, examine the schedule in order to certify its conformity.

When a batch is examined, the ⌦ approved ⌫ inspection body shall ensure that the vessels have been manufactured and checked in accordance with the design and manufacturing schedule and perform a hydrostatic test or a pneumatic test of equivalent effect on each vessel in the batch at a pressure Ph equal to 1,5 times the vessel's design pressure in order to check its soundness. The pneumatic test shall be subject to acceptance of the test safety procedures by the Member State in which the test is performed.

Moreover, the ⌦ approved ⌫ inspection body shall carry out tests on test-pieces taken from a representative production test-piece or from a vessel, as the manufacturer chooses, in order to examine the weld quality. The tests shall be carried out on longitudinal welds. However,

where differing weld techniques are used for longitudinal and circular welds, the tests shall be repeated on the circular welds.

For the vessels referred to in point 2.1.2 of Annex I, these tests on test-pieces shall be replaced by a hydrostatic test on five vessels taken at random from each batch in order to check that they conform to the ⌦ essential safety ⌫ requirements ⌦ set out in ⌫ point 2.1.2 of Annex I.

In the case of accepted batches, the approved ⌦ inspection ⌫ body shall affix, or cause to be affixed, its identification number to each recipient and draw up a written certificate of conformity relating to the tests carried out. All recipients in the batch may be placed on the market except for those which have not successfully undergone a hydrostatic test or a pneumatic test.

If a batch is rejected, the ⌦approved inspection ⌫ body shall take appropriate measures to prevent the ⌦ placing ⌫ on the market of that batch. In the event of frequent rejection of batches, the ⌦ approved inspection ⌫ body may suspend the statistical verification.

The manufacturer may, under the responsibility of the ⌦ approved inspection ⌫ body, affix the latter's identification number during the manufacturing process.

The manufacturer or his authorised representative must be able to supply on request the approved ⌦ inspection ⌫ body's certificates of conformity referred to in the seventh subparagraph.

↓ 87/404/EEC

SECTION 4

EC DECLARATION OF CONFORMITY

Article 12

↓ 93/68/EEC Art. 2 pt. 6

1. A manufacturer fulfilling the obligations arising under Article 13 shall affix the CE marking provided for in Article 16 to vessels which he declares to be in conformity:

(a) to the design and manufacturing schedule referred to in point 3 of Annex II, and on which a certificate of adequacy has been drawn up, or

(b) to an approved prototype.

↓ 87/404/EEC

2. By the EC declaration of conformity procedure the manufacturer becomes subject to EC surveillance, in cases where the product of PS and V exceeds 200 bar/litre.

↓ 87/404/EEC (adapted)

The purpose of EC surveillance is to ensure, as required by Article 14(2), that the manufacturer duly fulfils the obligations arising under Article 13(2). Surveillance shall be performed by the approved ⌦ inspection ⌫ body which issued the EC type-examination certificate referred to in ⌦ the first subparagraph of ⌫ Article 10 ⌦ (4) ⌫ where the vessels have been manufactured in accordance with an approved prototype or, if this is not the case, by the approved body to which the design and manufacturing schedule was sent in accordance with Article 8(1)(a).

Article 13

1. Where a manufacturer makes use of the procedure referred to in Article 12, he must, before commencing manufacture, send the approved ⌦ inspection ⌫ body which issued the EC type-examination certificate or the certificate of adequacy a document describing the manufacturing processes and all of the pre-determined systematic measures taken to ensure conformity of the pressure vessels to the standards referred to in Article 5(1) or the approved prototype.

2. The document ⌦ referred to in paragraph 1 ⌫ shall include:

↓ 87/404/EEC

(a) a description of the means of manufacture and checking appropriate to the construction of the vessels;

(b) an inspection document describing the appropriate examinations and tests to be carried out during manufacture, together with the procedures thereof and the frequency with which they are to be performed;

(c) an undertaking to carry out the examinations and tests in accordance with the inspection document referred to in point (b) and to have a hydrostatic test or, subject to the agreement of the Member State, a pneumatic test carried out on each vessel manufactured at a test pressure equal to 1,5 times the design pressure;

those examinations and tests shall be carried out under the responsibility of qualified staff who are sufficiently independent from production personnel, and shall be covered by a report;

(d) the addresses of the places of manufacture and storage and the date on which manufacture is to commence.

3. When the product of PS and V exceeds 200 bar/litre, manufacturers shall authorise access to the said places of manufacture and storage by the body responsible for EC surveillance, for inspection purposes, and shall allow that body to select sample vessels and shall provide it with all necessary information, and in particular:

(a) the design and manufacturing schedule;

(b) the inspection report;

(c) the EC type-examination certificate or certificate of adequacy, where appropriate;

(d) a report on the examinations and tests carried out.

↓ 87/404/EEC (adapted)

Article 14

The approved ⌦ inspection ⌫ body which issued the EC type-examination certificate or certificate of adequacy must, before the date on which any manufacture begins, examine both the document referred to in Article 13(1) and the design and manufacturing schedule referred to in point 3 of Annex II, in order to certify their conformity where vessels are not manufactured in accordance with an approved prototype.

In addition, where the product of PS and V exceeds 200 bar/litre, that body must during manufacture:

(a) ensure that the manufacturer actually checks series-produced vessels in accordance with point (c) of Article 13(2) ;

(b) take random samples at the places of manufacture or at the place of storage of vessels for inspection purposes.

The ⌦ approved inspection ⌫ body shall supply the Member State which approved it, and, on request, the other approved ⌦ inspection ⌫ bodies, the other Member States and the Commission, with a copy of the inspection report.

↓ 87/404/EEC

CHAPTER III

↓ 93/68/EEC Art. 2 pt. 1 (adapted)

CE ⌦ conformity ⌫ marking ⌦ and inscriptions ⌫

↓ 93/68/EEC Art. 2 pt. 7

Article 15

Without prejudice to Article 7:

↓ 93/68/EC Art. 2 pt. 7 (adapted)

(a) where a Member State establishes that the CE marking has been affixed unduly, the manufacturer or his authorised representative established within the Community shall be obliged to make the product conform ⌦ with ⌫ the provisions concerning the CE marking and to end the infringement under the conditions imposed by the Member State;

↓ 93/68/EC Art. 2 pt. 7

(b) where the non-conformity continues, the Member State must take all appropriate measures to restrict or prohibit the placing on the market of the product in question or to ensure that it is withdrawn from the market in accordance with the procedure laid down in Article 7.

↓ 87/404/EEC (adapted)
➔1 93/68/EEC Art. 2 pt. 1

Article 16

1. The ➔1 CE ⌦ conformity ⌫ marking ← and the inscriptions provided for in point 1 of Annex II, shall be affixed in a visible, easily legible and indelible form to the vessel or to a data plate attached to the vessel in such a way that it cannot be removed.

↓ 93/68/EEC Art. 2 pt. 8 (adapted)

The CE conformity marking shall consist of the initials 'CE' in the form shown in the specimen in ⌦ point 1.1 ⌫ of Annex II,. The CE marking shall be followed by the ⌦ identification ⌫ number referred to in Article 9(1) of the approved inspection body responsible for EC verifications or EC surveillance.

↓ 93/68/EEC Art. 2 pt. 9 (adapted)

2. The affixing of markings on the vessels which are likely to deceive third parties as to the meaning and form of the CE marking shall be prohibited. Any other marking may be affixed to the vessels or the data plate provided that the visibility and legibility of the CE ⌦ conformity ⌫ marking is not thereby reduced.

↓ 87/404/EEC (adapted)

CHAPTER IV

Final provisions

Article 17

Any decision taken pursuant to this Directive and resulting in restrictions on the placing on the market and/or ⌦ the putting ⌫ into service of a vessel shall state the exact grounds on which it is based. Such a decision shall be notified without delay to the party concerned, who shall at the same time be informed of the judicial remedies available to him under the laws in force in the Member State in question and of the time limits to which such remedies are subject.

Article 18

Member States shall communicate to the Commission the texts of the ⌦ main ⌫ provisions of national law which they adopt in the field covered by this Directive.

↓

Article 19

Directive 87/404/EEC, as amended by the Directives listed in Annex IV, Part A, is repealed, without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law and application of the Directives set out in Annex IV, Part B.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex V.

Article 20

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

↓ 87/404/EEC

Article 21

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*

↓ 87/404/EEC (adapted)

ANNEX I

⌦ ESSENTIAL SAFETY REQUIREMENTS ⌫

⌦ (referred to in Article 3(1)) ⌫

↓ 87/404/EEC

1. MATERIALS

Materials must be selected according to the intended use of the vessels and in accordance with points 1.1 to 1.4.

1.1. Pressurised parts

The materials referred to in Article 1 used for manufacturing the pressurised parts must be:

(a) capable of being welded;

(b) ductile and tough, so that a rupture at minimum working temperature does not give rise to either fragmentation or brittle-type fracture;

(c) not adversely affected by ageing.

For steel vessels, the materials must in addition meet the requirements set out in point 1.1.1 and, for aluminium or aluminium alloy vessels, those set out in point 1.1.2.

They must be accompanied by an inspection slip drawn up by the producer of the materials as described in Annex II.

1.1.1. Steel vessels

Non-alloy quality steels shall meet the following requirements:

(a) they must be non-effervescent and be supplied after normalisation treatment, or in an equivalent state;

(b) the content per product of carbon must be less than 0,25% and that of sulphur and phosphorus must each be less than 0,05%;

(c) they must have the following mechanical properties per product:

– the maximum tensile strength $R_{m,max}$ must be less than 580 N/mm^2,

– the elongation after rupture must be:

  – if test pieces are taken parallel to the direction of rolling:

    thickness ≥ 3 mm: $A \geq 22\%$,

    thickness < 3 mm: $A_{80\,mm} \geq 17\%$,

  – if test pieces are taken perpendicular to the direction of rolling:

    thickness ≥ 3 mm: $A \geq 20\%$,

    thickness < 3 mm: $A_{80\,mm} \geq 15\%$,

– the average failure energy KCV for three longitudinal test pieces at minimum working temperature must not be less than 35 J/cm$^{2;}$. not more than one of the three figures may be less than 35 J/cm^2, with a minimum of 25 J/cm^2.

  In the case of steels used in the manufacture of vessels whose minimum working temperature is lower than − 10 °C and whose wall thickness exceeds 5 mm, this property must be checked.

1.1.2. Aluminium vessels

Non-alloy aluminium must have an aluminium content of at least 99,5% and those alloys described in Article 1(3)(a) must display adequate resistance to intercrystalline corrosion at maximum working temperature.

Moreover these materials must satisfy the following requirements:

(a) they must be supplied in an annealed state; and

(b) must have the following mechanical characteristics per product:

  – the maximum tensile strength $R_{m,max}$ must be no more than 350 N/mm^2,

  – the elongation after rupture must be:

    – $A \geq 16\%$ if the test piece is taken parallel to the direction of rolling,

    – $A \geq 14\%$ if the test piece is taken perpendicular to the direction of rolling,

1.2. Welding materials

The welding materials used to manufacture the welds on or of the vessel must be appropriate to and compatible with the materials to be welded.

1.3. Accessories contributing towards the strength of the vessel

These accessories (for example bolts and nuts) must be made of a material specified in point 1.1 or of other kinds of steel, aluminium or an appropriate aluminium alloy compatible with materials used for the manufacture of pressurised parts.

The latter materials must at minimum working temperature have an appropriate elongation after rupture and toughness.

1.4. Non-pressurised parts

All unpressurised parts of welded vessels must be of materials which are compatible with that of the components to which they are welded.

2. VESSEL DESIGN

The manufacturer must, when designing the vessel, define the use to which it will be put, and select:

(a) the minimum working temperature T_{min};

(b) the maximum working temperature T_{max};

(c) the maximum working pressure PS.

However, should a minimum working temperature exceeding − 10 °C be selected, the qualities required of the materials must be satisfied at − 10 °C.

The manufacturer must also take account of the following provisions:

– it must be possible to inspect the inside of vessels,

– it must be possible to drain the vessels,

– the mechanical qualities shall be maintained throughout the period of use of the vessel for the intended purpose,

– the vessels shall, bearing in mind their prescribed use, be adequately protected against corrosion,

and the fact that under the conditions of use envisaged:

– the vessels is not to be subjected to stresses likely to impair their safety in use,

– internal pressure is not to permanently exceed the maximum working pressure PS . However, it may momentarily do so by up to 10%.

Circular and longitudinal seams must be made using full penetration welds or welds of equivalent effectiveness. Convex ends other than hemispherical ones shall have a cylindrical edge.

2.1. Wall thickness

If the product PS.V is not more than 3 000 bar/litre, the manufacturer must select one of the methods described in points 2.1.1 and 2.1.2 for determining vessel wall thickness; if the product of PS and V is more than 3 000 bar/litre, or if the maximum working temperature exceeds 100 °C, such thickness must be determined by the method described in point 2.1.1.

The actual wall thickness of the cylindrical section and ends shall, however, be not less than 2 mm in the case of steel vessels and not less than 3 mm in the case of aluminium or aluminium alloy vessels.

↓ 87/404/EEC

2.1.1. Calculation method

The minimum thickness of pressurised parts must be calculated having regard to the intensity of the stresses and to the following provisions:

↓ 87/404/EEC (adapted)

(a) the calculation pressure to be taken into account must not be less than the maximum working pressure ⌦ PS ⌫ selected;

(b) the permissible general membrane stress must not exceed the lower of the values 0,6 R_{ET} or 0,3 R_m. The manufacturer must use the R_{ET} and R_m minimum values guaranteed by the material manufacturer in order to determine the permissible stress.

However, where the cylindrical portion of the vessel has one or more longitudinal welds made using a non-automatic welding process, the thickness calculated as referred to in the first paragraph must be multiplied by the coefficient 1,15.

2.1.2. Experimental method

Wall thickness must be so determined as to enable the vessels to resist at ambient temperature a pressure equal to at least five times the maximum working pressure, with a permanent circumferential deformation factor of no more than 1%.

3. MANUFACTURING PROCESSES

Vessels shall be constructed and subjected to production checks in accordance with the design and manufacturing record referred to in point 3 of Annex II.

3.1. Preparation of the component parts

Preparation of the component parts (for example forming and chamfering) must not give rise to surface defects or cracks or changes in the mechanical characteristics likely to be detrimental to the safety of the vessels.

3.2. Welds on pressurised parts

The characteristics of welds and adjacent zones must be similar to those of the welded materials and shall be free of any surface or internal defects detrimental to the safety of the vessels.

Welds must be performed by qualified welders or operators possessing the appropriate level of competence, in accordance with approved welding processes. Such approval and qualification tests must be carried out by approved inspection bodies.

The manufacturer must also, during manufacture, ensure consistent weld quality by conducting appropriate tests using adequate procedures. These tests must be the subject of a report.

4. ⌦ PUTTING INTO ⌫ SERVICE OF THE VESSELS

Vessels must be accompanied by the instructions drawn up by the manufacturer, as referred to in point 2 of Annex II.

↓ 87/404/EEC (adapted)

ANNEX II

⌦ MARKINGS ⌫

⌦ (referred to in Article 3(2)) ⌫

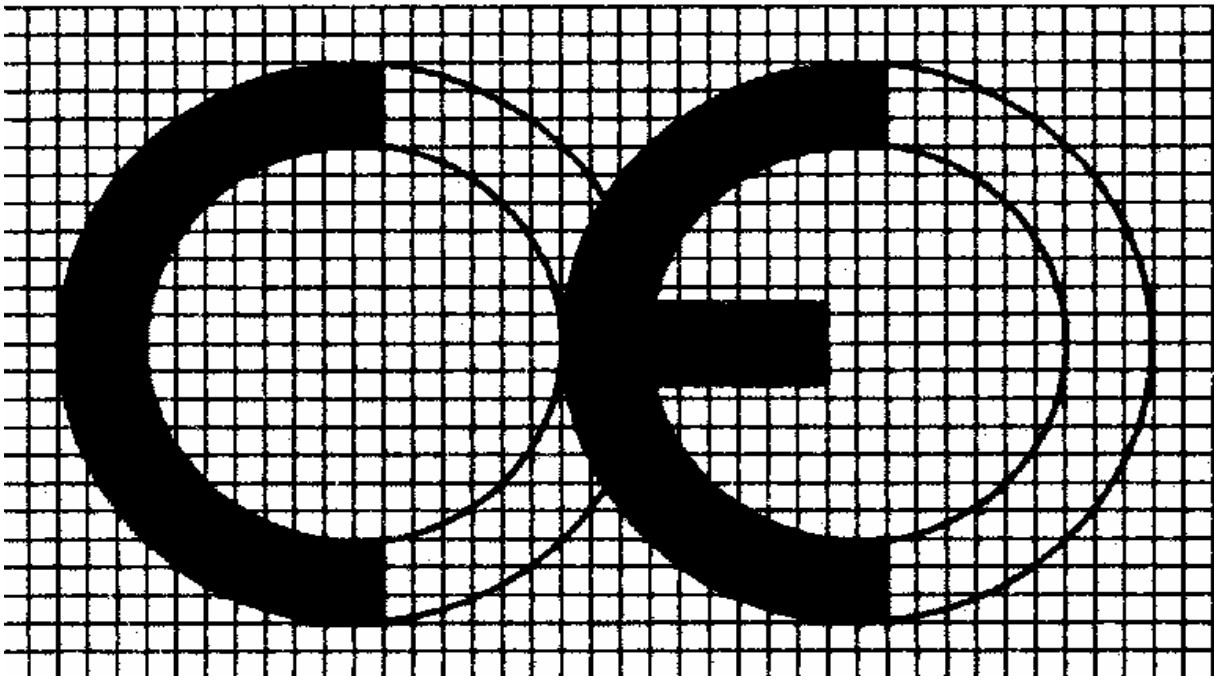
↓ 93/68/EEC Art. 2 pt. 10 (adapted)

1. CE ⌦ CONFORMITY ⌫ MARKING AND INSCRIPTIONS

↓ 93/68/EC Art. 2 pt. 10

1.1 CE conformity marking

The CE conformity marking shall consist of the initials 'CE' in the following form:



If the CE marking is reduced or enlarged the proportions given in the graduated drawing set out in this point must be respected.

The various components of the CE marking must have substantially the same vertical dimension, which may not be less than 5 mm.

1.2. Inscriptions

The vessel or data plate must bear at least the following information:

(a) the maximum working pressure (PS in bar);

(b) the maximum working temperature (T_{max} in °C);

(c) the minimum working temperature (T_{min} in °C);

(d) the capacity of the vessel (V in l);

(e) the name or mark of the manufacturer;

(f) the type and serial or batch identification of the vessel;

(g) the last two digits of the year in which the CE marking was affixed.

Where the data plate is used, it must be so designed that it cannot be re-used and must include a vacant space to enable other information to be provided.

↓ 87/404/EEC (adapted)

2. INSTRUCTIONS

The instructions must ⌦ contain ⌫ the following information:

(a) the particulars given in point 1 except for the vessel's serial identification;

(b) the intended use of the vessel;

(c) the maintenance and installation requirements for vessel safety.

They must be in the official language or languages of the country of destination.

3. DESIGN AND MANUFACTURING SCHEDULES

The design and manufacturing schedules must contain a description of the techniques and operations employed in order to meet the essential ⌦ safety ⌫ requirements ⌦ set out in Annex I ⌫ or the ⌦ harmonised ⌫ standards referred to in Article 5(1) and in particular:

↓ 87/404/EEC

(a) a detailed manufacturing drawing of the vessel type;

(b) the instructions;

(c) a document describing:

– the materials selected,

– the welding processes selected,

– the checks selected,

– any pertinent details as to the vessel design.

↓ 87/404/EEC (adapted)

When the procedures laid down in Articles 11 to 14 are ⌦ applied ⌫, the schedule must also include:

↓ 87/404/EEC

(a) the certificates relating to the suitable qualification of the welding operations and of the welders or operators;

(b) the inspection slip for the materials used in the manufacture of parts and assemblies contributing to the strength of the pressure vessel;

(c) a report on the examinations and tests performed or a description of the proposed checks.

4. DEFINITIONS AND SYMBOLS

4.1. Definitions

↓ 87/404/EEC (adapted)

(a) The design pressure 'P' is the gauge pressure chosen by the manufacturer and used to determine the thickness of the ⌦ vessel's ⌫ pressurised parts.

(b) The maximum working pressure 'PS' is the maximum gauge pressure which may be exerted under normal conditions of use ⌦ of the vessel ⌫.

↓ 87/404/EEC

(c) The minimum working temperature T_{min} is the lowest stabilised temperature in the wall of the vessel under normal conditions of use.

(d) The maximum working temperature T_{max} is the highest stabilised temperature which the wall of the vessel may attain under normal conditions of use.

(e) The yield strength 'R_{ET}' is the value at the maximum working temperature T_{max}

- of the upper yield point R_{eH}, for a material with both a lower and an upper yield point,
- or of the proof stress $R_p0,2$,
- or of the proof stress $R_p1,0$ in the case of non-alloy aluminium.

(f) Families of vessels:

Vessels form part of the same family if they differ from the prototype only in diameter, provided that the permissible requirements referred to in Annex I points 2.1.1 and 2.1.2 are complied with and/or in the length of their cylindrical portion within the following limits:

- where a prototype has one or more shell rings in addition to the ends, variants in the family must have at least one shell ring,
- where a prototype has just two dished ends, variants in the family must have no shell rings.

Variations in length causing the apertures and/or penetrations to be modified must be shown in the drawing for each variant.

(g) A batch of vessels consists at the most of 3 000 vessels of the model of the same type.

(h) There is series manufacture within the meaning of this Directive if more than one vessel of the same type is manufactured during a given period by a continuous manufacturing process, in accordance with a common design and using the same manufacturing processes.

(i) Inspection slip: document by which the producer certifies that the products delivered meet the requirements of the order and in which he sets out the results of the routine in-plant inspection test, in particular chemical composition and mechanical characteristics performed on products made by the same production process as the supply, but not necessarily on the products delivered.

↓ 87/404/EEC (adapted)

4.2. Symbols

A	elongation after rupture ($L_o = 5,65\ \sqrt[2]{S_o}$)	%
A 80 mm	elongation after rupture (L_o = 80 mm)	%
KCV	rupture energy	J/cm^2

P	design pressure	Bar
PS	⌦ maximum ⌫ working pressure	Bar
P_h	hydrostatic or pneumatic test pressure	Bar
$R_p0,2$	proof stress at 0,2%	N/mm^2
R_{ET}	yield strength at maximum working temperature	N/mm^2
R_{eH}	upper yield point	N/mm^2
R_m	tensile strength	N/mm^2
T_{max}	maximum working temperature	°C
T_{min}	minimum working temperature	°C
V	capacity of the vessel	L
$R_{m, max}$	maximum tensile strength	N/mm^2
$R_p1,0$	proof stress at 1,0%	N/mm^2

↓ 87/404/EEC (adapted)

ANNEX III

MINIMUM CRITERIA TO BE TAKEN INTO ACCOUNT BY MEMBER STATES ⌦ FOR THE APPROVAL OF ⌫ INSPECTION BODIES

⌦ (Referred to in Article 9(2)) ⌫

1. The ⌦ approved ⌫ inspection body, its director and the staff responsible for carrying out the verification tests shall not be the designer, manufacturer, supplier or installer of vessels which they inspect, nor the authorised representative of any of those parties. They shall not become directly involved in the design, construction, marketing or maintenance of the vessels, nor represent the parties engaged in these activities. This does not preclude the possibility of exchanges of technical information between the manufacturer and the ⌦ approved ⌫ inspection body.

2. The ⌦ approved ⌫ inspection body and its staff must carry out the verification tests with the highest degree of professional integrity and technical competence and must be free from all pressures and inducements, particularly financial, which might influence their judgment or the results of the inspection, especially from persons or groups of persons with an interest in the result of verifications.

3. The ⌦ approved ⌫ inspection body must have at its disposal the necessary staff and the necessary facilities to enable it to perform properly the administrative and technical tasks connected with verification; it must also have access to the equipment required for special verification.

↓ 87/404/EEC

4. The staff responsible for inspection must have:

   (a) sound technical and professional training;

   (b) satisfactory knowledge of the requirements of the tests they carry out and adequate experience of such tests;

   (c) the ability to draw up the certificates, records and reports required to authenticate the performance of the tests.

5. The impartiality of inspection staff must be guaranteed. Their remuneration must not depend on the number of tests carried out nor on the results of such tests.

↓ 87/404/EEC (adapted)

6. The ⌦ approved ⌫ inspection body must take out liability insurance unless its liability is assumed by the State in accordance with national law, or the Member State itself is directly responsible for the tests.

7. The staff of the ⌦ approved ⌫ inspection body is bound to observe professional secrecy with regard to all information gained in carrying out its tasks (except *vis-à-vis* the competent administrative authorities of the State in which its activities are carried out) under this Directive or any provision of national law giving effect to it.

↑

ANNEX IV

Part A

Repealed Directive with list of its successive amendments
(referred to in Article 19)

Council Directive 87/404/EEC
(OJ L 220, 8.8.1987, p. 48)

Council Directive 90/488/EEC
(OJ L 270, 2.10.1990, p. 25)

Council Directive 93/68/EEC — Article 1(1) and Article 2 only
(OJ L 220, 30.8.1993, p. 1)

Part B

List of time-limits for transposition into national law and application
(referred to in Article 19)

Directive	Time-limit for transposition	Date of application
87/404/EEC	31 December 1989	1 July 1990[1]
90/488/EEC	1 July 1991	_____
93/68/EEC	30 June 1994	1 January 1995[2]

[1] In accordance with the third subparagraph of Article 18(2), Member States shall, for the period up to 1 July 1992, permit the placing on the market and/or in service of vessels conforming to the rules in force in their territories before 1 July 1990.

[2] In accordance with Article 14(2), until 1 January 1997 Member States shall allow the placing on the market and the bringing into service of products which comply with the marking arrangements in force before 1 January 1995.

ANNEX V

CORRELATION TABLE

Directive 87/404/EEC	This Directive
Recital 5, fifth sentence	Article 1(3)(b)
Article 1(1)	Article 1(1)
Article 1(2) first subparagraph	Article 1(3)(a), first subparagraph
Article 1(2) second subparagraph, first indent	Article 1(3)(a), second subparagraph
Article 1(2) second subparagraph, second indent, first and second sub-indents	Article 1(3)(a), third subparagraph, points (i) and (ii)
Article 1(2) second subparagraph, third indent	Article 1(3)(a), fourth subparagraph
Article 1(2) second subparagraph, fourth indent	Article 1(3)(a), fifth subparagraph
Article 1(3), first, second and third indents	Article 1(2)(a), (b) and (c)
Articles 2, 3 and 4	Articles 2, 3 and 4
Article 5(1)	Article 5(1)
Article 5(2)	Article 5(2)
Article 5(3)(a) and (b)	Article 5(3) first and second subparagraphs
Article 6 first, second and third sentences	Article 6 first, second and third subparagraphs
Article 7(1)	Article 7(1)
Article 7(2) first and second sentences	Article 7(2) first subparagraph
Article 7(2) third sentence	Article 7(2) second subparagraph
Article 7(3)	Article 7(3)
Article 7(4)	Article 7(4)
Article 8(1) introductory sentence and point (a) introductory sentence	Article 8(1) introductory sentence
Article 8(1) (a) first and second indents	Article 8(1) points (a) and (b)
Article 8(1)(b)	Article 8(2)

Article 8(2)(a)	Article 8(3) (a)
Article 8(2)(b) first and second indents	Article 8(3) points (b)(i) and (ii)
Article 8(3)	Article 8(4)
Article 9	Article 9
Article 10(1)	Article 10(1)
Article 10(2) first subparagraph	Article 10(2) first subparagraph
Article 10(2) second subparagraph, first and second indents	Article10(2) second subparagraph, points (a) and (b)
Article 10(2) third subparagraph	Article 10(2) third subparagraph
Article 10(3) first subparagraph	Article 10(3) first subparagraph
Article 10(3) second subparagraph	Article 10(3) second subparagraph
Article 10(3) third subparagraph, points (a) and (b)	Article 10(3) third subparagraph, points (a) and (b)
Article 10(4)	Article 10(4)
Article 10(5) first sentence	Article 10(5) first subparagraph
Article 10(5) second and third sentences	Article 10(5) second subparagraph
Article 11(1) and (2)	Article 11(1) and (2)
Article 11(3) introductory wording	Article 11(3) first subparagraph
Article 11(3) point 3.1	Article 11(3) second subparagraph
Article 11(3) point 3.2	Article 11(3) third subparagraph
Article 11(3) point 3.3., first subparagraph	Article 11(3) fourth subparagraph
Article 11(3) point 3.3., second subparagraph	Article 11(3) fifth subparagraph
Article 11(3) point 3.3., third subparagraph	Article 11(3) sixth subparagraph
Article 11(3) point 3.4., first subparagraph	Article 11(3) seventh subparagraph
Article 11(3) point 3.4., second subparagraph	Article 11(3) eight subparagraph
Article 11(3) point 3.4., third subparagraph	Article 11(3) ninth subparagraph
Article 11(3) point 3.5.	Article 11(3) tenth subparagraph

Article 12(1) first subparagraph, first and second indents	Article 12(1)(a) and (b)
Article 12(1) second subparagraph	Article 12(2) first subparagraph
Article 12(2)	Article 12(2) second subparagraph
Article 13(1) first subparagraph	Article 13(1)
Article 13(1) second subparagraph	Article 13(2)
Article 13(2) indents 1-4	Article 13(3) points (a)-(d)
Article 14(1)	Article 14 first paragraph
Article 14(2) first subparagraph, first and second indents	Article 14 second paragraph, points (a) and (b)
Article 14(2) second subparagraph	Article 14 third paragraph
Articles 15, 16 and 17	Articles 15, 16 and 17
Article 18(1)	_____
Article 18(2)	Article 18
_____	Article 19
_____	Article 20
Article 19	Article 21
Annex I point 1	Annex I point 1
Annex I point 1.1, first subparagraph, first, second and third indents	Annex I point 1.1., first subparagraph, points (a), (b) and (c)
Annex I point 1.1, second and third paragraphs	Annex I point 1.1, second and third paragraphs
Annex I points 1.1.1 and 1.1.2	Annex I points 1.1.1 and 1.1.2
Annex I points 1.2, 1.3 and 1.4	Annex I points 1.2, 1.3 and 1.4
Annex I point 2, first paragraph, first, second and third indents	Annex I point 2, first paragraph, points (a), (b) and (c)
Annex I point 2, second, third and fourth paragraphs	Annex I point 2, second, third and fourth paragraphs
Annex I points 2.1, 3 and 4	Annex I points 2.1, 3 and 4

Annex II point 1	Annex II point 1
Annex II point 1.a, first, second and third indents	Annex II points 1.1, first, second and third paragraphs
Annex II point 1.b, first paragraph, indents 1-7	Annex II point 1.2, first paragraph, points (a)-(g)
Annex II point 1.b, second paragraph	Annex II point 1.2, second paragraph
Annex II point 2, first paragraph, first, second and third indents	Annex II point 2, first paragraph, points (a), (b) and (c)
Annex II point 2, second paragraph	Annex II point 2, second paragraph
Annex II point 3, first paragraph	Annex II point 3, first paragraph
Annex II point 3, second paragraph, points (i), (ii) and (iii)	Annex II point 3, second paragraph, points (a), (b) and (c)
Annex II point 4	Annex II point 4
Annex III(1), (2) and (3)	Annex III(1), (2) and (3)
Annex III(4) first, second and third indents	Annex III(4) points (a), (b) and (c)
Annex III(5), (6) and (7)	Annex III(5), (6) and (7)
_____	Annex IV
_____	Annex V

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