Commission Implementing Decision (EU) 2020/50 of 21 January 2020 amending Implementing Decision (EU) 2019/919 on the harmonised standards for recreational craft and personal watercraft drafted in support of Directive 2013/53/EU of the European Parliament and of the Council as regards small craft identification, coding system, hull construction and scantlings for monohulls

COMMISSION IMPLEMENTING DECISION (EU) 2020/50

of 21 January 2020

amending Implementing Decision (EU) 2019/919 on the harmonised standards for recreational craft and personal watercraft drafted in support of Directive 2013/53/EU of the European Parliament and of the Council as regards small craft identification, coding system, hull construction and scantlings for monohulls

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council[(1)], and in particular Article 10(6) thereof,

Whereas:

(1) In accordance with Article 14 of Directive 2013/53/EU of the European Parliament and of the Council[(2)], products which are in conformity with harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union*, are presumed to be in conformity with the requirements covered by those standards or parts thereof set out in Article 4(1) of Directive 2013/53/EU and Annex I to that Directive.

(2) By Commission Implementing Decision C(2015) 8736[(3)], the Commission made a request to CEN/Cenelec for drafting, revision and completion of the work on harmonised standards in support of Directive 2013/53/EU addressing stricter essential requirements set out in Article 4(1) of Directive 2013/53/EU and Annex I to that Directive in comparison with the repealed Directive 94/25/EC of the European Parliament and of the Council[(4)].

(3) Specifically, CEN/Cenelec were requested to adopt new standard for watercraft identification for which the essential requirements are set out in point 2.1 of Part A of Annex I to Directive 2013/53/EU. CEN/Cenelec were also requested to duly take into account the items being the subject of implementing acts adopted on the basis of Article 49 of Directive 2013/53/EU so as to avoid an overlap of requirements.

(4) On the basis of the request set out in Implementing Decision C(2015) 8736, CEN drafted standard EN ISO 10087:2019 Small craft — Craft identification — Coding system.

(5) The Commission together with CEN has assessed whether the standard EN ISO 10087:2019 drafted by CEN complies with the request set out in Implementing Decision C(2015) 8736 and whether it is consistent with the implementing acts adopted on the basis of Article 49 of Directive 2013/53/EU.

(6) Commission Implementing Regulation (EU) 2017/1[(5)], adopted on basis of Article 49(1)(c) of Directive 2013/53/EU, lays down rules on watercraft identification, in particular the minimum rules regarding the procedure for the assignment and administration of the unique code of the manufacturer.

(7) The standard EN ISO 10087:2019 sets out the details on the watercraft identification number regarding the size and permanency of marking, location, duplicate of identification number, time of marking and display format. It complements the composition of watercraft identification number set out in Article 3 of Implementing Regulation (EU) 2017/1.

(8) By Implementing Decision C(2015) 8736 CEN/Cenelec were also requested to revise standards the references of which were published in the *Official Journal of the European Union* C 87 of 13 March 2015.

(9) On the basis of the request set out in Implementing Decision C(2015) 8736, CEN drafted standard EN ISO 12215-5:2019 Small craft — Hull construction and scantlings, part 5.

(10) The Commission together with CEN has assessed whether the standard EN ISO 12215-5:2019 drafted by CEN complies with the request set out in Implementing Decision C(2015) 8736.

(11) The standard EN ISO 12215-5:2019 addresses the essential requirements set out in point 3.1 of Part A of Annex I to Directive 2013/53/EU and sets out the details on the design pressures for monohull craft, design stresses and scantlings determination.

(12) The standards EN ISO 10087:2019 and EN ISO 12215-5:2019 satisfy the requirements which they aim to cover and which are set out in Article 4(1) of Directive 2013/53/EU, as well as in points 2.1 and 3.1 of Part A of Annex I to that Directive. It is therefore appropriate to publish the references of those standards in the *Official Journal of the European Union*.

(13) Standard EN ISO 12215-5:2019 is to replace standard EN ISO 12215-5:2018. It is therefore necessary to withdraw the reference of standard EN ISO 12215-5:2018 from the *Official Journal of the European Union*.

(14) In order to give manufacturers sufficient time to prepare for application of standard EN ISO 12215-5:2019, it is necessary to defer the withdrawal of the reference of the standard that is replaced until 30 June 2021.

(15) References of harmonised standards drafted in support of Directive 2013/53/EU are published in Commission Implementing Decision (EU) 2019/919[(6)]. In order to ensure that the references of harmonised standards drafted in support of Directive 2013/53/EU

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/50. (See end of Document for details)*

are listed in the same act, the references of standards EN ISO 10087:2019 and EN ISO 12215-5:2019 should be included in Annex I to that Implementing Decision, and the reference to standard EN ISO 12215-5:2018 should be deleted from that Annex.

(16) Implementing Decision (EU) 2019/919 should therefore be amended accordingly.

(17) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Implementing Decision (EU) 2019/919 is amended in accordance with the Annex to this Decision.

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Point (1) of the Annex shall apply from 1 July 2021.

Done at Brussels, 21 January 2020.

For the Commission

The President

Ursula VON DER LEYEN