COMMISSION DIRECTIVE 98/85/EC

of 11 November 1998

amending Council Directive 96/98/EC on marine equipment

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 96/98/EC of 20 December 1996 on marine equipment [1], and in particular the first and second indents thereof,

(1) Whereas, for the purposes of Council Directive 96/98/EC, the international conventions, including the 1974 SOLAS Convention, and testing standards are those, together with their amendments, in force on the date of the adoption of that Directive;

(2) Whereas amendments to the SOLAS Convention and to other international conventions and new testing standards have entered into force since the adoption of that Directive or will enter into force shortly;

(3) Whereas new rules regarding the equipment to be placed on board ships have been laid down by those instruments;

(4) Whereas Directive 96/98/EC should be amended accordingly;

(5) Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee set up by Article 12 of Council Directive 93/75/EEC [2], as last amended by Commission Directive 98/74/EC [3],

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 96/98/EC is hereby amended as follows:

1. Article 2 is amended as follows:

(a) Point (c) is replaced by the following:

'(c) "radiocommunications equipment" shall mean equipment required by Chapter IV of the 1974 SOLAS Convention, in the version in force on 1 January 1999, and survival craft two-way VHF radiotelephone apparatus required by Regulation III/6.2.1 of the same Convention;'

(b) In points (d) and (n), the words 'the date of the adoption of this Directive' are replaced by '1 January 1999'.

2. Annex A is replaced by the text in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 April 1999 at the latest. They shall forthwith notify the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

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

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 11 November 1998.

For the Commission

Neil KINNOCK

Member of the Commission

[1] OJ L 46, 17. 2. 1997, p. 25.
[2] OJ L 247, 5. 10. 1993, p. 19.
[3] OJ L 276, 13. 10. 1998, p. 7.

ANNEX

'ANNEX A

Annex A.1: Equipment for which detailed testing standards already exist in international instruments (*)

IN ADDITION TO THE TESTING STANDARDS SPECIFICALLY MENTIONED, A NUMBER OF PROVISIONS, WHICH MUST BE CHECKED DURING TYPE-EXAMINATION (TYPE APPROVAL) AS REFERRED TO IN THE MODULES FOR CONFORMITY ASSESSMENT IN ANNEX B, ARE TO BE FOUND IN THE APPLICABLE REQUIREMENTS OF THE INTERNATIONAL CONVENTIONS AND THE RELEVANT RESOLUTIONS AND CIRCULARS OF THE IMO

1. **Life-saving appliances**

Item No	Item designation	Regulation SOLAS 74, as amended, where "type-approval" is required	Applicable regulations of SOLAS 74, as amended, and the relevant resolutions and circulars of the IMO [1]	Testing standards [2]	Modules for conformity assessment					
					B + C	B + D	B + E	B + F	G	H
A.1/1.1	Lifebuoys	Regulation III/4	Regulation III/7.1 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×		
A.1/1.2	Position-indicating lights for life-saving appliances	Regulation III/4	Regulation III/7.1.3, III/22.3.1, III/32.2.2 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×		
A.1/1.3	Life-buoys self-activating smoke signals	Regulation III/4	Regulation III/7.1 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×		
A.1/1.4	Life jackets	Regulation III/4	Regulation III/7.2 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66), EN 394, EN 396 + A1, EN 399 + A1		×	×	×		
A.1/1.5	Immersion suits and anti-exposure suits	Regulation III/4	Regulation III/7.3 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×		
A.1/1.6	Immersion suits and anti-exposure suits classified as life jackets	Regulation III/4	Regulation III/7.3 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×		
A.1/1.7	Thermal protective aids	Regulation III/4	Regulation III/22.4, III/32.3 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×		

(*) Where module H appears in column six, module H plus design-examination certificate is to be understood.

Item No	Item designation	Regulation SOLAS 74, as amended, where "type-approval" is required	Applicable regulations of SOLAS 74, as amended, and the relevant resolutions and circulars of the IMO (1)	Testing standards (2)	Modules for conformity assessment					
					B+C	B+D	B+E	B+F	G	H
A.1/1.8	Rocket parachute flares (pyrotechnics)	Regulation III/4	Regulation III/6.3 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×		×		
A.1/1.9	Hand flares (pyrotechnics)	Regulation III/4	Regulation III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×		×		
A.1/1.10	Buoyant smoke signals (pyrotechnics)	Regulation III/4	Regulation III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×		×		
A.1/1.11	Line-throwing appliances (pyrotechnics)	Regulation III/4	Regulation III/18 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×		×		
A.1/1.12	Inflatable life-rafts	Regulation III/4	Regulation III/21, III/31 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×				
A.1/1.13	Rigid life-rafts	Regulation III/4	Regulation III/21, III/31 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×				
A.1/1.14	Automatically self-righting life-rafts	Regulation III/4 & III/26.2.4	Regulation III/26.2 & III/34, IMO Resolution MSC 48(66), IMO MSC Circular/809	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66) and modified by the Appendix to MSC Circular/809 (3)		×				
A.1/1.15	Canopied reversible life-rafts	Regulation III/4 & III/26.2.4	Regulation III/26.2 & III/34, IMO Resolution MSC 48(66), IMO MSC Circular/809	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66) and modified by the Appendix to MSC Circular/809 (3)		×				
A.1/1.16	Float-free arrangements for life-rafts (hydrostatic release units)	Regulation III/4	Regulation III/13.4 & III/34, IMO Resolution MSC 48(66), IMO MSC Circular/811	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×		

Item No	Item designation	Regulation SOLAS 74, as amended, where "type-approval" is required	Applicable regulations of SOLAS 74, as amended, and the relevant resolutions and circulars of the IMO (1)	Testing standards (2)	Modules for conformity assessment					
					B + C	B + D	B + E	B + F	G	H
A.1/1.17	Lifeboats	Regulation III/4	Regulation III/21, III/31 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×			×	
A.1/1.18	Rigid rescue boats	Regulation III/4	Regulation III/21, III/31 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×			×	
A.1/1.19	Inflated rescue boats	Regulation III/4	Regulation III/21, III/31 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×			×	
A.1/1.20	Fast rescue boats	Regulation III/4 & III/26.3.1	Regulation III/26.3 & III/34, IMO Resolution MSC 48(66), IMO MSC Circular/809	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66) and modified by the Appendix to MSC Circular/809 (3)		×			×	
A.1/1.21	Launching appliances using fall and winch (davits)	Regulation III/4	Regulation III/23, III/33 & III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×	×	
A.1/1.22	Float-free launching appliances for survival craft	Regulation III/4	Regulation III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×		
A.1/1.23	Launching appliances for free-fall lifeboats	Regulation III/4	Regulation III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)					×	
A.1/1.24	Life-raft launching appliances	Regulation III/4	Regulation III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×	×	
A.1/1.25	Fast rescue boat launching appliances	Regulation III/4 & III/26.3.2	Regulation III/26.3 & III/34, IMO Resolution MSC 48(66), IMO MSC Circular/809	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66) and modified by the Appendix to MSC Circular/809 (3)		×	×	×		

Item No	Item designation	Regulation SOLAS 74, as amended, where "type-approval" is required	Applicable regulations of SOLAS 74, as amended, and the relevant resolutions and circulars of the IMO (1)	Testing standards (2)	Modules for conformity assessment					
					B + C	B + D	B + E	B + F	G	H
A.1/1.26	Release mechanism for life-boats, rescue boats and life-rafts launched by a fall or falls	Regulation III/4	Regulation III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×		
A.1/1.27	Marine evacuation systems	Regulation III/4	Regulation III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×			×	
A.1/1.28	Means of rescue	Regulation III/4	Regulation III/26.4 & III/34, IMO Resolution MSC 48(66), IMO MSC Circular/810	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66), MSC Circular/810 (section 3)		×				
A.1/1.29	Embarkation ladders	Regulation III/4	Regulation III/34, IMO Resolution MSC 48(66)	IMO Resolution A.689 (17) as amended by IMO Resolution MSC.54(66)		×	×	×		
A.1/1.30	Retro-reflective materials	Regulation III/4	Regulation III/34, IMO Resolution MSC 48(66)	IMO Resolution A.658 (16) Annex 2		×	×	×		
A.1/1.31	Survival craft two-way VHF radio telephone apparatus	Regulation III/4	Regulation III/6.2.1, IMO Resolution A.694 (17), IMO Resolution A.809 (19), IMO Resolution A.813 (19)	ETS 300 162, ETS 300 225, EN 300 828, EN 60945; IEC 61097-12, IEC 60945		×	×	×	×	
A.1/1.32	9GHz SAR transponder (SART)	Regulation III/4, IV/14 & X/3	Regulation III/6.2.2, IV/7.1.3, X/3, IMO Resolution A.530 (13), IMO Resolution A.694 (17), IMO Resolution A.802 (19), IMO Resolution A.813 (19), ITU-R M.628-2	EN 61097-1, EN 60945-3; IEC 61 097-1, IEC 60945		×	×	×	×	
A.1/1.33	Radar reflector for lifeboats and rescue boats	Regulation III/4	Regulation III/34, IMO Resolution MSC 48(66)	IMO Resolution A.384(X), EN 8729; ISO 8729		×	×	×	×	
A.1/1.34	Compass for lifeboats and rescue boats	Regulation III/4	Regulation III/34, IMO Resolution MSC 48(66)	ISO 613, ISO 10316		×	×	×	×	