COMMISSION DIRECTIVE 94/26/EC

of 15 June 1994

adapting to technical progress Council Directive 79/196/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres [1], and in particular Article 5 thereof,

Having regard to Council Directive 79/196/EEC of 6 February 1979 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection [2], as last amended by Directive 90/487/EEC [3], and in particular Article 5 thereof,

Whereas it is necessary to adapt the contents of Annex 1 to Directive 79/196/EEC to technical progress by incorporating five new European standards recently drawn up by Cenelec;

Whereas, in view of the present state of technical progress, it is now necessary to adapt the contents of the harmonized standards referred to in Annex I to Directive 79/196/EEC;

Whereas, in view of the nature of the equipment concerned, a transitional arrangement must be allowed in order to enable the industry to adapt adequately to the amendments introduced into the standards;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives for the Elimination of Technical Barriers in the Sector of Electrical Equipment for Use in Potentially Explosive Atmospheres,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 79/196/EEC, is replaced by the Annex to this Directive.

Article 2

1. Member States shall bring into force the necessary provisions in order to comply with this Directive not later than 31 March 1995 and shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

2. Until 30 June 2003 the Member States shall continue to apply the measures provided for in Article 4 of Directive 76/117/EEC as regards the equipment for which conformity to the harmonized standards referred to in Directive 79/196/EEC, in its version of 17 September 1990, is attested by the certificate of conformity referred to in Article 8 of Directive 76/117/EEC, provided that this certificate has been issued before 1 March 1996.

Article 3

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities.*

Done at Brussels, 15 June 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

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[1] OJ No L 24, 30. 1. 1976, p. 45.
[2] OJ No L 43, 20. 2. 1979, p. 20.
[3] OJ No L 270, 2. 10. 1990, p. 23.