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COUNCIL DIRECTIVE

of 19 November 1973

on the approximation of the laws, regulations and administrative provisions of the Member States relating to the certification and marking of wire-ropes, chains and hooks

(73/361/EEC)

(OJ L 335, 5.12.1973, p. 51)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Directive 76/434/EEC of 13 April 1976	L 122	20	8.5.1976
►**M2**	Council Directive 91/368/EEC of 20 June 1991	L 198	16	22.7.1991
►**M3**	Council Regulation (EC) No 807/2003 of 14 April 2003	L 122	36	16.5.2003

Amended by:

►**A1**	Act of Accession of Greece	L 291	17	19.11.1979
►**A2**	Act of Accession of Spain and Portugal	L 302	23	15.11.1985

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on the approximation of the laws, regulations and administrative provisions of the Member States relating to the certification and marking of wire-ropes, chains and hooks

(73/361/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas in several Member States certification and markings are prescribed for certain wire-ropes, chains and hooks which are to be used for lifting and handling; whereas these provisions differ from one Member State to another; whereas owing to their differences they hinder trade within the European Economic Community;

Whereas these hindrances to the establishment and functioning of the common market may be reduced, even removed, if the same provisions concerning the certification and marking of wire-ropes, chains and hooks are adopted in all Member States, either supplementary to or in place of the present national provisions;

Whereas this Directive is confined to provisions on the certification and markings of wire-ropes, chains and hooks; whereas certification and markings will enable manufacturers and users of lifting appliances to know *inter alia* the characteristics of these wire-ropes, chains and hooks; whereas, moreover, directives which will be subsequently adopted regarding the constructional requirements of various lifting appliances will include provisions on the particular use of the wire-ropes, chains and hooks;

Whereas technical progress requires a rapid adjustment of the technical provisions for lifting appliances and equipment; whereas to facilitate the implementation of the measures necessary to this end, a procedure should be laid down establishing close cooperation between the Member States and the Commission in the form of a Committee for adjusting to technical progress directives on the removal of technical barriers to intra-Community trade in the sector of lifting applicances and equipment,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive concerns lifting equipment excluding:

— lifting equipment which is not new,

— lifting equipment used on board ships and for railways, funicular railways and cableways.

By lifting equipment, within the meaning of this Directive, is understood wire ropes, round steel chains, and hooks intended for lifting and mechanical handling equipment.

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Article 4

1. A committee (hereinafter called the ‘Committee’), is hereby set up to adjust to technical progress those directives which concern the elimination of technical barriers to trade in lifting appliances and

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equipment. It shall consist of representatives of the Member States with a representative of the Commission as Chairman.

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3. The necessary alterations to adjust to technical progress the provisions in the Annex shall be adopted in accordance with the procedure laid down in Article 5.

▼M3

Article 5

1. The Commission shall be assisted by the Commitee for the adjustment to technical progress of Directives which concern the elimination of technical barriers to trade in lifting appliances and equipment.

2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC [1] shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The committee shall adopt its rules of procedure.

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Article 6

1. The Member States shall put into force the provisions needed to comply with this Directive within eighteen months of its notification and shall forthwith inform the Commission thereof.

2. The Member States shall ensure that the texts of the main provisions of national law which they adopt in the field covered by this Directive are communicated to the Commission.

Article 7

This Directive is addressed to the Member States.

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[1] OJ L 184, 17.7.1999, p. 23.