Changes in legislation of the CR in the context of implementation of NLF
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Legislation before NLF (Decision 768/2008/EC) in the Czech republic:


+ Government Orders implementing Act No. 22/1997 Coll.,
  - Government Order No. 426/2000 Coll., that lays down technical requirements for radio equipment and telecommunications terminal equipment, (1999/5/EC)
  - Government Order No. 179/2001 Coll., that lays down technical requirements for refrigeration appliance (96/57/EC)
  - Government Order No. 194/2001 Coll., that lays down technical requirements for aerosol dispensers, (75/324/EEC)
  - Government Order No. 358/2001 Coll., that lays down technical requirements relating to the placing on the market of explosives for civil uses, (93/15/EEC)
  - Government Order No. 70/2002 Coll., that lays down technical requirements for equipment to carry persons (2000/9/EC)
  - Government Order No. 190/2002 Coll., that lays down technical requirements for construction products bearing the CE marking, (89/106/EEC)
  - Government Order No. 21/2003 Coll., that lays down technical requirements for personal protective equipment (89/686/EEC)
  - Government Order No. 23/2003 Coll., that lays down technical requirements for equipment and protective systems intended for use in potentially explosive atmospheres (94/9/EEC)
  - Government Order No. 24/2003 Coll., that lays down technical requirements for efficiency requirements of new hot-water boilers fired with liquid or gaseous fuels, (92/42/EEC)
  - Government Order No. 26/2003 Coll., that lays down technical requirements for pressure equipment, (97/23/EC)
  - Government Order No. 27/2003 Coll., that lays down technical requirements for lifts. (95/16/EC, 2006/42/EC)
  - Government Order No. 54/2015 Coll., on the technical requirements for medical devices (93/42/EEC, 2003/32/EC)
  - Government Order No. 56/2015 Coll., on the technical requirements for “in vitro” diagnostic medical devices (98/79/EC, as amended by 2011/100/EU)
  - Government Order No. 133/2005 Coll., on technical requirements for operational and technical interoperability of the trans-European rail system (2008/57/EC)
  - Government Order No. 174/2005 Coll., that lays down technical requirements for recreational crafts and partly completed boats and selected components, personal watercrafts and propulsion engines of recreational craft and personal watercrafts (94/25/EC, as amended by 2003/44/EC)
  - Government Order No. 464/2005 Coll., that lays down the technical requirements on measuring instruments (2004/22/EC)
  - Government Order No. 616/2006 Coll., that lays down technical requirements for products relating to their electromagnetic compatibility (2004/108/EC)
  - Government Order No. 266/2009 Coll., that lays down the technical requirements for marine equipment (96/98/EC, 2010/68/EC)
  - Government Order No. 86/2011 Coll., on technical requirements for toys (2010/35/EU)
  - Government Order No. 481/2012 Sb. (PDF 754 kb) on the restriction of the use of certain hazardous substances in electrical and electronic equipment. (2011/65/EU)
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+ • Government Order No. 339/2002 Coll. laying down procedures for the provision of information in the field of technical regulations, technical documents and standards, (98/34/EC, as amended by 98/38/EC)

+ • GOs - non harmonised national legislation – technical requirements on some products (construction products not covered by CPR…)
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Changes in the EU

• 2008 – New Legislative Framework (768/2008/EC)

• Set of 8 new/recasted directives in line with NLF principles:
  – Directive 2014/30/EU – EMC
  – Directive 2014/31/EU – non automatic weighing instruments
  – Directive 2014/33/EU – lifts
  – Directive 2014/35/EU - LVD
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Decision in the Czech republic

- Act 22/1997 Coll. – to be kept for „classical“ New Approach directives + relevant GOs – it can be expected, that they will be later also changed according to NLF. GO related to this Act will be abolished when Directive´/s will be recasted

- New act for NLF was issued + GO orders for recasted Directives

- New notification of NBs was executed with validity according to date of validity of relevant Directive under NLF (mostly 20.4. 2016) – more simple procedure for notification
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New Act:

Act 90/2016 Coll. of 3 March 2016

on **conformity assessment of specified products** when made available on the market

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Set of relevant Government Orders published in Collection of Laws on March 18 2016
Changes in legislation of the CR in the context of implementation of NLF

Act 90/2016 Coll.

- Horizontal legislation which allows:
  - Transposition of directives allied with NLF (existing or expected = PPE, gas appliances, cable lifts)
  - Adaptation of directly applicable EU regulations (probably will be used more often in the EU in the future ...)

- ACT is divided to 4 basic parts/chapters:
  - Making products available on the market
  - Special provisions for certain products
  - Market surveillance
  - Administrative offences (sanctions)
Changes in legislation of the CR in the context of implementation of NLF

Making products available on the market

• Basic duties of economic operators
• Notified bodies – conditions for NBs according to NLF
• Notification of NBs – one level process (without authorisation) – for all new directives (GOs)
• Notification will be realised according to administrative procedure given by the Czech legislation

Special provisions for certain products

• Act contains adaptation measures for directly applicable EU legislation and specific arrangements of EU directives – f.e.:
  – Directive on recreational crafts – introduction of term „private importer“, definitions,…
  – PPE – national competent authority
  – Lifts – definitions, installer,
  – EMC - definitions
  – Marine equipment – definitions, EC declaration, marking of conformity, NBs inspection
  – …. 
Changes in legislation of the CR in the context of implementation of NLF

Market surveillance

- Act regulates the area of Market surveillance for placing on the market products covered by legislation under NLF
- Powers of Market surveillance authorities for directly applicable EU regulations (CPR)
- Law was prepared in cooperation with Czech Market inspectorate (ČOI)

Administrative offences (sanctions)

- Definitions
- Offences committed by natural persons
- Offences committed by legal persons
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Changes of existing legislation

• ACT 22/1997 – remains valid with few changes and will be used
  – For transposition of NA directives not covered by NLF
  – In future it will be used transposition of Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage (ATP) – for authorisation of bodies for conformity assessment of refrigerating units
  – For regulation of the area of standardisation
  – For regulation of accreditation

• GOs in the area covered by NLF were replaced by new GOs to Act 90/2016 (explosives for civil use, simple pressure vessels, EMC, non automatic weighing instruments, measuring instruments, lifts, ATEX, LVD)
Changes in legislation of the CR in the context of implementation of NLF.

Texts of Acts (22/1997 and 90/2016) and list of GOs can be found (in English) at www.unmz.cz
THANK YOU FOR YOUR ATTENTION