

Market Surveillance Framework

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Regulatory approach for the free movement of goods

Unit C1

UNECE WP 6 - 26th November 2009

Overview (Regulation 765/2008)

- Implementation phase
- Alignment of existing technical harmonisation *acquis* to the Decision 768/2008

Implementation phase (1)

SCOPE

- Implementation of the *lex specialis* in relation to GPSD (Art. 15(3) and Recital (6))
- Implementation of the *lex specialis* in relation to sectoral Community harmonisation legislation (Art. 15(2) and Recital (5))

Implementation phase (2)

GENERAL REQUIREMENTS

- Draw up guidance documents allowing MS to elaborate national market surveillance programmes by 1.1.2010
- Elaborate, made available and update the list of the national market surveillance authorities and their area of competence

Implementation phase (3)

RAPID INFORMATION AND COMMUNICATION

- Ensure that the Community Rapid Information System is operational soon (Articles 20 and 22 - RAPEX)
- Make available and manage the general information support system (Article 23 - ICSMS)

Implementation phase (4)

COOPERATION – SHARING RESSOURCES

- Initiate organisation of the overall cooperation at EU level and with customs (Art. 24, 25 and 27(5))
- Initiate organisation of the overall sharing of resources and expertise (Article 25)

Implementation phase (5)

TECHNICAL GUIDELINES

- Functioning of the market surveillance system, in general
- Functioning of the Community Rapid Information System like RAPEX including the risk assessment evaluation
- On notions such as “serious risk”, “appropriate measures”, adequate scale” ...
- Etc...

Alignment of existing *acquis* to the Decision (1)

Overview:

- Cases where an alignment could take place
- How should the alignment be carried out
 - Omnibus approach
 - Individually, i.e. directive by directive

Alignment of existing *acquis* to the Decision (2)

In relation to market surveillance :

- Definitions
- Obligations of economic operators
- CE marking
- Safeguard clause

Links

- **Goods package:**

http://ec.europa.eu/enterprise/regulation/internal_market_package/index_en.htm

- **New Approach review:**

http://ec.europa.eu/enterprise/newapproach/review_en.htm

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Thank you