

EU directive 2015/1535

Summary Page - Guidance for Officials

Read the NSAI Guide for Officiations for EU Directive 2015-1535 for full information, this is only 2 pages, to provide initial information on this subject

The basis of [this Directive](#) comes from the EU's and Member States' grounded approach in the development and continued growth for the European Internal Market. It aims to ensure that the free movement of goods and services are not restricted or prevented by technical regulations that Member States intend to introduce before they are adopted. These technical regulations apply to:

- Products (industrial, agricultural, and fishery)
- Information Society Services

The notification procedure indicates that notifications are submitted through the Technical Regulations Information System (TRIS) portal which also has a limited public access portal. An enacted standstill period occurs once a notification is submitted, during which the Member State cannot adopt the national measure, and where other Member States and the EU Commission may react (through comments or detailed opinions). The standstill period may vary depending on the notification and any detailed opinions submitted.

It is the responsibility of the Officials, as part of the Department, policy teams, authorities, local governments, etc. to review any notifications from Member States. It is also their responsibility to review any measures to determine if it is necessary to submit a notification under this Directive. To receive e-mails about relevant notifications, register with a mailing list for selected sectors, countries, etc., through the [TRIS public website](#) the NSAI TRIS Mailing List Guide provides information on how to do this.

The [EU Commission states that technical regulations](#) include the following:

- technical specifications;
- other requirements;
- rules on services; and
- regulations prohibiting the manufacture, importation, marketing or use of a product or prohibiting the provision or use of a service, or establishment as a service provider.

The outlined notification procedure for the relevant technical regulations supports the objective to ensure that the technical regulations are congruent to the EU laws and the Internal Market principles. Although measures may go through the notification process without any challenges, this does not mean that the measure cannot be challenged on subsequent grounds that it is incompatible with EU legislation. *Failures to notify a relevant regulation, may render the regulation unenforceable and result in legislative issues.* Examples of failures to fulfil obligations regarding this Directive can be found on the [EU Commissions website](#).

The notification procedure follows a formal process within the Directive. An overview of the procedure is shown in Figure 1. Any notifications that require submittal need to go through NSAI as the intermediary.

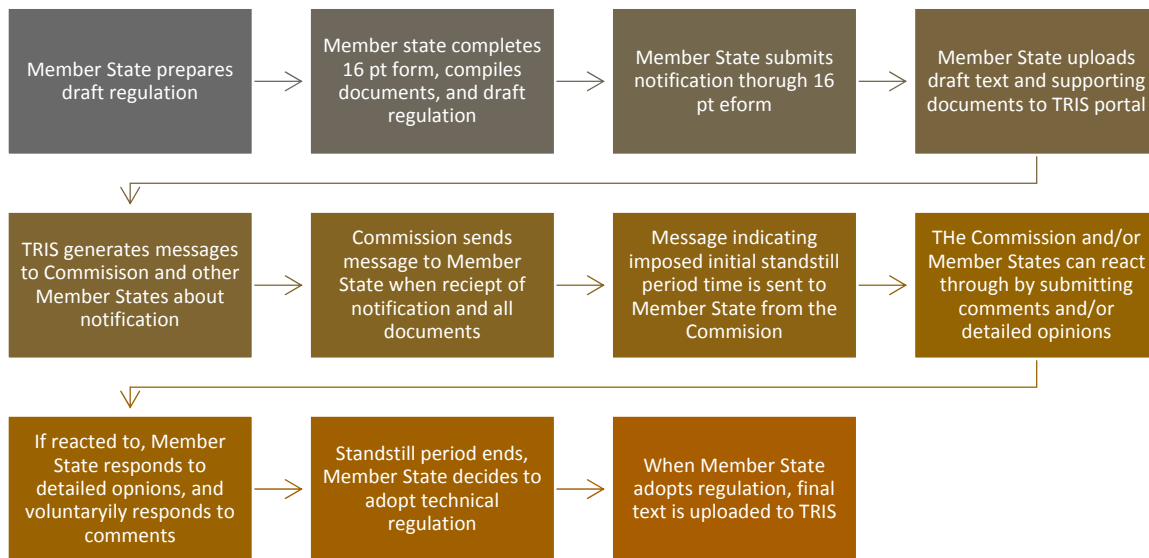


Figure 1 - Notification Procedure

See the variations possible for the standstill periods outlined below in the table:

	Products	Information Society Services	Voluntary agreements
Initial Standstill	3 months (from date of receipt of all relevant information by the Commission through TRIS)		
Comments	No additional standstill enacted		
Detailed Opinions	Additional 3 months Total – 6 months	Additional 1 month Total – 4 months	Additional 1 month Total – 4 months
Proposal of Directive	Additional 9 months Total – 12 months ¹	Not Applicable	Not Applicable
Existing proposal for a Directive	Additional 9 months Total – 12 months ¹	Additional 9 months Total – 12 months ¹	Not Applicable

Additional notes are listed below (not inclusive of all):

- The checklist in Annex B of the Guide for Officials – 2015/1535 should be used when submitting a notification.
- The draft notified regulation should not be adopted during the standstill period.

Links

NSAI Guide for Officials for EU Directive 2015/1535	EU Directive 2015/1535
EU Commission information about EU Directive 2015/1535	Access to public TRIS portal
The aim of the 2015/1535 Procedure	NSAI Guide for Mailing List