



European Commission

Enterprise and Industry
Directorate General

**“New and Global (N&G) Approach”
Directive 2000/9
relating to cableway installations designed
to carry persons**



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Cableway Installations

Scope of Directive (1)

All cableway installations (“ropeways”) made up of several components designed, manufactured, assembled and put into service with the objective of carrying persons (art 1)

- Cable and the passenger transport objective are essential
- Installations: funicular railways, cable cars (including gondolas and chairlifts) & drag lifts
- Distinction between safety components (SC – ch. II), subsystems (SS – ch. III) and installations (ch. IV) with separate rules respectively

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Scope of Directive (2)

- All installations built and put into service and SS & SC placed on the market for the first time as from its full entry into force (3 May 2004 for the 25 MS)
- In the event that important characteristics, SS or SC of existing installations undergo modifications for which a new authorization of entry into service is required by the MS, such modifications and their repercussions on the installation as a whole must satisfy the essential requirements

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”New & Global” Approach – General Principles (1)

- Legislative harmonization limited to essential requirements (Annex II)
- Only products fulfilling the essential requirements may be placed on the market and put into service
- Technical specifications of products meeting the essential requirements are laid down in harmonized standards (CEN TC-242)

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”New & Global” Approach – General Principles (2)

- Application of harmonized standards remains voluntary, but products manufactured in compliance benefit from presumption of conformity
- Manufacturers may apply the conformity assessment procedures (Annex V & Annex VII)

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"New & Global" Approach – Standardization (1)

Installations, subsystems and safety components must comply with essential requirements (Annex II) that specify only target results

CEN has developed a standardization programme in support of Directive 2000/9 composed of 25 standards and 2 technical reports

The consolidated list of references of harmonized standards approved so far by CEN was published in the OJEU (OJ n° C 230, 20 September 2005)

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”New & Global” Approach – Standardization (2)

Although the application of harmonized standards remains voluntary, cableway manufacturers are making full use of them so that their products are benefiting from the presumption of conformity to the corresponding essential requirements of the directive (art 3)

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"New & Global" Approach – Conformity Assessment

The manufacturer has to submit safety components & subsystems to a conformity assessment procedure by a Notified Body of his choice

Safety components:

- Modules B+D, B+F, H, G (Annex V)
- Affix the CE marking + EC declaration of conformity

Subsystems:

- EC examination procedure (Annex VII)
- EC declaration of conformity (no CE marking)

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“New & Global” Approach – Notified Bodies (NB) (1)

Main concern: safety of passengers – procedure for assessing conformity must be necessarily conducted by NB (art 16)

Choice lies with the manufacturer who needs not to consider nationality

MS are responsible (not obliged) for designating NBs subject to the criteria of Annex VIII

NB's compliance with criteria must be subject to regular surveillance by the MS

Once notified by a MS, the NB can immediately act throughout the whole internal market

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“New & Global” Approach – Notified Bodies (NB) (2)

Coordination of NB is organised under the authority of the Standing Committee (art 17) within the “Cableways Sectoral Group of NB” (CSG)

Cooperation and technical discussions of CSG are confined to issues relating to conformity assessment and do not broach legal matters or the interpretation of the Directive

Specific list of NB for this Directive can be consulted at

- <http://europa.eu.int/comm/enerprise/nando-is/home/index.cfm>
- http://europa.eu.int/comm/enerprise/rail_guidedtransport/cableways.htm

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"New & Global" Approach – Market Surveillance (1)

Market surveillance is crucial for correct application of Directive

Responsibility is with MS; it takes place after manufacturer has placed the SC or SS on the market

Two main obligations:

- Ensuring compliance of SC and SS placed on the market or brought into service with the Directive
- If necessary, on a case by case basis, taking corrective measures proportionate to the level of risk to enforce conformity (e.g. safeguard clause art 14)

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”New & Global” Approach – Market Surveillance (2)

Each MS is free to apply its own system without constraints provided that is effective and covers the entire territory

MS regularly exchange information on their market surveillance implementing measures at the Standing Committee meeting (art 17) with

- Commission and
- other MS

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Specific Features (1)

- Cableway installations are not a conventional product: they are inseparably linked on-site infrastructures & industrial (“commercial”) products
- This fact leads the Directive to present a hierarchical product breakdown covering the concepts of
 - Installations (ch. IV)
 - Subsystems (ch. III)
 - Safety components (ch. II)

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“New & Global” Approach – Specific Features (2)

- On-site integration means
 - MS are free to adopt their site-development rules and building and operating approval procedures (ch. IV)
 - Directive regulates industrial production aspects and the corresponding market of safety components (ch. II) and subsystems (ch. III)

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Conclusions (1)

Directive concerns not only goods in circulation - safety components (SC) & subsystems (SS) but also on-site installations (art 1)

Rules & operational structure of the “N&G” Approach applies to SC (ch. II) and SS (ch. III)

Directive does not deal with the authorization procedures. This is not necessary in the context of the free movement of goods provided that these procedures do not hinder the free movement.

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Conclusions (2)

Link between the on-site installation (not subject to the free movement of goods and therefore remaining within the jurisdiction of the MS) and the “commercial” industrial items (subject to the free movement of goods) is established by the obligation to carry out a safety analysis and report in respect to all planned installations

Aim of the safety analysis is both to ensure the ultimate safety of the installation and identify the safety components and subsystems subject to the Directive.

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Additional Information

Guide

➤ http://europa.eu.int/comm/enterprise/rail_guidedtransport/cableways.htm

Application Guide to Directive 2000/9/EC available in English, French, German and Italian at the above internet address

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