

Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment (recast) (Text with EEA relevance)

## CHAPTER 7

### TRANSITIONAL AND FINAL PROVISIONS

#### *Article 47*

##### **Penalties**

Member States shall lay down rules on penalties applicable to infringements by economic operators of the provisions of national law adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. Such rules may include criminal penalties for serious infringements.

The penalties referred to in the first paragraph shall be effective, proportionate and dissuasive.

#### *Article 48*

##### **Transitional provisions**

1 Member States shall not impede the putting into service of pressure equipment and assemblies which comply with the regulations in force in their territory at the date of application of Directive 97/23/EC and were placed on the market until 29 May 2002.

[<sup>X12</sup> Member States shall not impede the making available on the market and/or the putting into service of pressure equipment or assemblies covered by Directive 97/23/EC which are in conformity with that Directive and which were placed on the market before 19 July 2016.]

3 Certificates and decisions issued by conformity assessment bodies under Directive 97/23/EC shall be valid under this Directive.

#### **Editorial Information**

- X1** Substituted by [Corrigendum to Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment \(Official Journal of the European Union L 189 of 27 June 2014\)](#).

#### *Article 49*

##### **Transposition**

1 Member States shall adopt and publish, by 28 February 2015, the laws, regulations and administrative provisions necessary to comply with Article 13. They shall forthwith communicate the text of those measures to the Commission.

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They shall apply those measures from 1 June 2015.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to Article 9 of Directive 97/23/EC shall be construed as references to Article 13 of this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.

2 Member States shall adopt and publish, by 18 July 2016, the laws, regulations and administrative provisions necessary to comply with Article 2(15) to (32), Articles 6 to 12, 14, 17 and 18, Article 19(3) to (5), Articles 20 to 43, 47 and 48 and Annexes I, II, III and IV. They shall forthwith communicate the text of those measures to the Commission.

They shall apply those measures from 19 July 2016.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.

3 Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field governed by this Directive.

#### *Article 50*

#### **Repeal**

Article 9 of Directive 97/23/EC is deleted with effect from 1 June 2015, without prejudice to the obligations of the Member States relating to the time-limit for transposition into national law and the date of application of that Article, set out in Annex V, Part B.

Directive 97/23/EC, as amended by the acts listed in Annex V, Part A, is repealed with effect from 19 July 2016, without prejudice to the obligations of the Member States relating to the time-limit for transposition into national law and the date of application of the Directive set out in Annex V, Part B.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex VI.

#### *Article 51*

#### **Entry into force and application**

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 1, points 1 to 14 of Article 2, Articles 3, 4, 5, 14, 15 and 16, Article 19(1) and (2), and Articles 44, 45 and 46 shall apply from 19 July 2016.

*Article 52*

**Addressees**

This Directive is addressed to the Member States.