

Directive 2014/28/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market and supervision of explosives for civil uses (recast) (Text with EEA relevance)

## CHAPTER 8

### TRANSITIONAL AND FINAL PROVISIONS

#### *Article 50*

##### **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 enforced. Such rules may include criminal penalties for serious infringements.

The penalties provided for shall be effective, proportionate and dissuasive.

#### *Article 51*

##### **Transitional provisions**

1 Member States shall not impede the making available on the market of explosives covered by Directive 93/15/EEC which are in conformity with that Directive and which were placed on the market before 20 April 2016.

2 Certificates issued under Directive 93/15/EEC shall be valid under this Directive.

3 Until replaced by the measures adopted pursuant to Article 15 of this Directive, Commission Directive 2008/43/EC of 4 April 2008 setting up, pursuant to Council Directive 93/15/EEC, a system for the identification and traceability of explosives for civil uses<sup>(1)</sup> shall continue to apply.

#### *Article 52*

##### **Transposition**

1 Member States shall adopt and publish, by 19 April 2016, the laws, regulations and administrative provisions necessary to comply with points 2, 7 to 13 and 15 to 24 of Article 2, Articles 3 to 10, Article 14(1), Articles 15 and 16, point (i) of point (a) of Article 20, Articles 21 to 27, Article 28(1) to (4), (6), (7), (10) and (11), Articles 29 to 45, 50 and 51 and Annexes III and IV. They shall forthwith communicate the text of those measures to the Commission.

They shall apply those measures from 20 April 2016.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a 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regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive.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.

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

#### *Article 53*

### **Repeal**

Directive 93/15/EEC as amended by the Regulations listed in Annex V, Part A, and Directive 2004/57/EC are repealed with effect from 20 April 2016, without prejudice to the obligations of the Member States relating to the time-limits for the transposition into national law and the dates of application of the Directives set out in Annex V, Part B.

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

#### *Article 54*

### **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, 3 to 6 and 14 of Article 2, Articles 11, 12 and 13, Article 14(2), Articles 17 to 19, points (ii) to (iv) of point (a) and point (b) of Article 20, Article 28(5), (8) and (9), Articles 46, 47, 48 and 49 and Annexes I, II, V and VI shall apply from 20 April 2016.

#### *Article 55*

### **Addressees**

This Directive is addressed to the Member States.

(1) OJ L 94, 5.4.2008, p. 8.