



22.11.2024

## NOTICE TO MEMBERS

**Subject: Petition No 0534/2024 by H.-L. U. (German) on the standardization processes of electrotechnical regulations in Germany**

### 1. Summary of petition

The petition is addressed to several recipients who are responsible for the standardization process of electrotechnical regulations in Germany and at European level. According to the petitioner, the German Building Expert Day has identified deficiencies in the standardization work of electrotechnical standards that are detrimental to consumers, as they allegedly increase CO2 emissions, raise building costs in Germany, and oppose European harmonization. Additionally, the petitioner states that established European procedures are not systematically incorporated into technical regulations in Germany. In the petitioner's opinion, for example, the German Federal Network Agency and German network operators ignore the objectives of the Energy Industry Act (Energiewirtschaftsgesetz, EnWG) and the European Commission. The petition calls for Germany, as well as German and European associations, to be urged to comply with agreements.

### 2. Admissibility

Declared admissible on 25 September 2024. Information requested from Commission under Rule 233(5) (former rule 227(5)).

### 3. Commission reply, received on 22 November 2024

The Commission notes that Recital 14 of the Regulation No 1025/2012 on European Standardisation is to be read in conjunction of the obligations under Art. 3(6) of such Regulation, which forbids national standardisation bodies in the EU to adopt new national standards conflicting or overlapping with a European harmonised standard under preparation. Art. 3(6) also obliges national standardisation bodies to withdraw all existing and conflicting national standards once a new European harmonised standard is adopted.

The petitioner alludes to European standards, which supposedly overlap and/or conflict with German national standards. These European standards are not harmonised standards as defined in Art. 2(1)(c) of the Standardisation Regulation nor have these standards been developed based on a standardisation request issued by the Commission in the sense of Art. 10 of the Standardisation Regulation. The European standards, which the petitioner refers to, do not support EU harmonisation legislation and / or EU policies and have no legal value under EU law. These standards hence do not fall under the scope of Art. 3(6) of the Standardisation Regulation.

The petitioner's case might relate to the coexistence of national German and CENELEC standards, and hence might constitute a breach of the internal rules of CENELEC. It is important to note that both DIN/DKE and CENELEC are private-law organisations. As such, this would be a matter of the implementation of international rules between CENELEC and its national members.

The Commission notes that the standardisation of electrical engineering regulations for buildings in Germany is primarily the responsibility of the German authorities and the relevant national standardisation bodies.

### Conclusion

As the case is not related to EU law or EU policies, the petitioner has not provided evidence of significant structural shortcomings in the implementation of the European rules currently in place under Regulation No 1025/2012 on European standardisation.