



Notification Number: 2002/490/F

Order approving provisions amending the safety regulation preventing risks of fire and panic in public establishments.

Date received : 18/12/2002
End of Standstill : 20/03/2003 (20/06/2003)
Issue of comments by : Italy, United Kingdom
Issue of detailed opinion by : Commission

Message

Message 002

Communication from the Commission - SG(2002) D/52483
Directive 98/34/EC
Translation of the message 001
Notification: 2002/0490/F

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200202483.EN)

1. Structured Information Line

MSG 002 IND 2002 0490 F EN 20-03-2003 18-12-2002 F NOTIF 20-03-2003

2. Member State

France

3. Department Responsible

Délégué interministériel aux normes - SQUALPI - 64/70 allée de Bercy - Télédocus 811 - 75574 PARIS Cedex 12

3. Originating Department

Ministère de l'Intérieur - Direction de la défense et de la sécurité civiles - Place Beauvau - 75800 PARIS

4. Notification Number

2002/0490/F - B00

5. Title



Order approving provisions amending the safety regulation preventing risks of fire and panic in public establishments.

6. Products Concerned

- gas pipes made of synthetic materials;
- combustion heating appliances;
- specialised modules or containers for cooking appliances in exhibition halls;
- packaging compacting appliances;
- lifts;
- medical gas installations;
- fire-resistant doors and shutters;
- envelopes of inflatable structures.

7. Notification Under Another Act

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8. Main Content

- extension of the technical checks carried out by approved persons or bodies in category 4 establishments;
- extension, to the patios of buildings, of the provisions on the installation of heating appliances outside a boiler room, on the outside of buildings;
- integration of the provisions of the Order of 14 February 2000 (CH articles) into the special provisions applicable to public establishments;
- introduction of the concept of synthetic material pipes into the articles on heating;
- introduction of patio heating appliances into the fire safety regulation for public establishments;
- taking into account of the European standards on lifts;
- compulsory certification of fire-resistant doors and shutters;
- relaxing of the requirements for "open air" sales areas;
- fire safety requirements for medical gas installations;
- introduction of specialised modules or containers for cooking appliances in exhibition halls;
- increase in the power of packaging compacting appliances in sales establishments;
- standardisation of the fire behaviour of canvasses of type CTS establishments and inflatable structures (SG).

9. Brief Statement of Grounds

The present amendments will be included in the fire safety regulation for public establishments (Order of 25/06/80 - 1st group; Order of 22/06/90 - 2nd group; Order of 12/12/84 - type L; Order of 22/12/81 - type M; Order of 21/06/82 - types N and O; Order of 07/07/83 - type P; Order of 04/06/82 - types R and X; Order of 12/06/95 - types S and Y; Order of 18/11/87 - type T; Order of 23/05/89 - type U; Order of 21/04/83 - type V; Order of 23/01/85 - CTS; Order of 23/10/86 - OA; Order of 06/01/83 - PA and SG; Order of 10/11/94 - REF). These texts contain a mutual recognition clause in respect of the standards or specifications of other Member States of the European Union or of the European Economic Area.

Integration of the provisions of Decree No 244 of 20 February 2002 on the extension of the compulsory technical inspection to certain constructions - Amendment of Articles GE 7, J 4, L 52(4), U 4 and OA 3(1). Decree No 244 of 20 February 2002 on the extension of the compulsory technical inspection to certain constructions amended Article R-111.38 of the Construction and Housing Code.

The technical inspection was therefore made compulsory in the operations to construct category 4 public establishments.

It is proposed to take account of this development in the fire safety regulation.



Integration of the provisions of the Order of 14 February 2000 (amendment of the CH articles) into the special provisions applicable to public establishments - Amendment of Articles L 12, L 31, L 43, L 84, M 20, M 21, M 22, M 52, N 10, O 14, P 15, R 20, R 21, R 22, S 11, T 27, U 27, V 7, V 13, X 20, Y 15, OA 17 and REF 14.

The Order of 14 February 2000 amended the general provisions on heating, ventilation, refrigeration, air-conditioning and domestic hot water installations.

The draft text integrates these amendments into the special provisions.

Installation of heating appliances outside a boiler room, on the outside of buildings - Amendment of Article CH 5.

CEGIBAT (centre d'information de Gaz de France pour l'Industrie et le Bâtiment - Gas de France information centre for industry and the building sector) has drawn attention to the amendments made to Article CH 5 by the Order of 20 November 2000 with regard to the rules applied to the installation of heating appliances on the outside of buildings and outside a boiler room. These do not allow those rules specified for installations on the ground to be applied to patio installations. It is proposed that non-compliance with the 10 m separation rule, compensated for by a 2-hour fire-rated structural member, should also be established by regulation with regard to patios.

Introduction of the concept of synthetic material pipes - Amendment of Articles CH 25 and CH 35.

The amendment of Articles CH 25 and CH 35 supplements the Order of 14 February 2000 regulating the use of synthetic material pipes.

Regulation of patio combustion heating appliances - Amendment of Articles CH 46, CH 56, GZ 7 and PE 20.

The draft text takes account of the development in the installation of individual heating appliances used on the patios of restaurants or cafes.

It is aimed to define the conditions of use of these appliances and to determine the safety rules for their use and storage, by taking account of the European standard being prepared.

Lift installations - Amendment of Articles CO 53, AS 1, AS 4 and PE 25.

The reference to the French standards is deleted and the new Article AS 4 takes account of the lifting jacks which are neither machines nor tanks.

Compulsory certification of fire-resistant doors and shutters - Amendment of Article MS 60.

The certification of these safety-activated devices supplements that of smoke vents, smoke clearance shutters, control devices and relay boxes which were the subject of a previous notification (No 98/0432/F). The main safety-activated devices will therefore be subject to the obligation for certification which guarantees the correct operation of these products and prepares manufacturers for the requirements of CE marking.

France undertakes to delete this obligation on the transition to CE marking.

Operation of shops - Amendment of Articles M 1, M 2, M 26, M 42 and M 48.

The draft text takes account of high-occupancy sales areas, through large-gauge equipment and materials, and also open-air sales grounds.

It also integrates into the fire safety regulation the definition of flammable materials, which existed previously in an article of the Labour Code, and takes account of the need to increase the capacity of compacting appliances for the recovery and recycling of packaging.

Specialised modules or containers for cooking appliances in exhibition halls - Amendment of Section X, creation of Article T 38-1.

The draft text specifies the measures applicable to large temporary kitchens, installed for trade fairs in exhibition halls.



Conditions for medical gas installations in type U establishments - creation of Articles U 51 to U 64 and amendment of Article PU 5.

The draft text specifies the measures applicable to these installations following the repeal of French standard NF S 90-155 as European standard NF EN 737-3 does not take account of fire safety.

Extension of type CTS establishments - amendment of Article CTS 32.

The draft text now refers to both modifications and extensions in capacity.

Fire behaviour of canvasses of type CTS establishments and inflatable structures (SG) - Amendment of Articles SG 5, SG 25 and annexes.

Standardisation of the fire behaviour requirement of canvasses of inflatable structures and type CTS establishments in relation to the Order of 30 June 1983 (fire behaviour of materials).

10. Reference Documents - Basic Texts

Orders of 25/06/80 (1st group), of 22/06/90 (2nd group), of 12/12/84 (type L), of 22/12/81 (type M), of 21/06/82 (types N and O), of 07/07/83 (type P), of 04/06/82 (types R and X), of 12/06/95 (types S and Y), of 18/11/87 (type T), of 23/05/89 (type U), of 21/04/83 (type V), of 23/01/85 (type CTS), of 23/10/86 (type OA), of 06/01/83 (types PA and SG) and of 10/11/94 (type REF) approving the general provisions of the safety regulation preventing fire and panic in public establishments.

Notification No 94/0053/F

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

No

16. TBT and SPS aspects

OTC aspects: yes

SPS aspects: no

David O'Sullivan
General Secretary



European Commission

sent to :

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