

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>NETHERLANDS</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: Ministry of Housing, Spatial Planning and the Environment Agency or authority designated to handle comments regarding the notification can be indicated if different from above: National enquiry point
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): The draft Decree lays down general environmental provisions with which certain catering, sport and recreation establishments must comply, which also have a bearing on installations.
5.	Title, number of pages and language(s) of the notified document: Draft Decree on Catering, Sport and Recreation Establishments Environment
6.	Description of content: The draft Decree is based on Article 8.40 of the Environment Act and contains general rules for catering, sport and recreation establishments. These rules will lead to the abolition of the licensing obligation laid down in Article 8.1 of the Environment Act in respect of these establishments. The general rules relate to nuisance caused by noise and vibrations, energy consumption, waste materials and waste water, emissions into the air, nuisance due to artificial lighting, safety, water consumption and soil testing.
7.	Objective and rationale: The Decree aims to lay down rules with a view to providing as great a protection of the environment as possible against any harmful effects of establishments. The Decree is a result of the point of view of the Cabinet on the subject of legislation on establishments. Forming the basis for this point of view is a study which reveals that environmental licensing is judged to be too severe an instrument for certain economic activities which generate a more restricted, generally localized form of environmental pollution. The burdens on both businesses and authorities are disproportionate in these cases. It has been established that general environmental rules on the basis of Article 8.40 of the Environment Act are an efficient instrument and that many more kinds of establishments may be brought under the scope of these rules than is now the case. Apart from that, this Decree meets the urgent plea from the target group for provision in general rules.

8.	Relevant documents: Chapter 8, Heading 8.2, of the Environment Act
9.	Proposed date of adoption: 20 November 1997 Proposed date of entry into force: 21 November 1997
10.	Final date for comments: 19 November 1997 The Netherlands will proceed to implement the proposed measure after 45 days if no comments or requests for extension of the time-limit have been received from other Members within that time.
11.	Texts available from: National enquiry point [X] or address and telefax number of other body: