

# WORLD TRADE ORGANIZATION

G/TBT/Notif.98.345

8 July 1998

(98-2724)

## 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>THE 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 shall be indicated if different from above: National Enquiry Point - EC WTO-TBT 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 issues general environmental regulations which certain establishments which may be deemed housing or accommodation shall meet and which also relate to installations.
5.	Title, number of pages and language(s) of the notified document: Draft decree on rules for housing and accommodation (draft decree on housing and accommodation under environmental management)
6.	Description of content: The draft decree is based on Article 8.40 of the Environmental Management Act and contains general rules for establishments which may be deemed housing or accommodation. Pursuant to these rules, the licence obligation of Article 8.1 of the Environmental Management Act for these establishments is repealed. The general rules relate to nuisance caused by noise, vibration, energy consumption, waste materials and waste water, emissions into the atmosphere, as well as nuisance caused by lighting, safety, water consumption and soil examination.
7.	Objective and rationale, including the nature of urgent problems where applicable: The aim of the decree is to establish rules to protect the environment as much as possible against any adverse effects emanating from these establishments. The decree is based on the cabinet's viewpoint on legislation for establishments. This viewpoint is supported by an investigation which demonstrates that the environmental licence is deemed too harsh an instrument for certain industrial activities with a more limited, invariably local form of environmental pollution. The burden to both companies and government is disproportionate in these cases. It has been established that, on the basis of Article 8.40 of the Environmental Management Act, general environmental rules are an effective instrument and that many more establishments could be brought under these rules than is now the case. Moreover, with this decree, the urgent request on the part of the target group to provide general rules has been met.
8.	Relevant documents: Chapter 8, heading 8.2, of the Environmental Management Act

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9.	Proposed date of adoption: 1 December 1998 Proposed date of entry into force: 1 December 1998
10.	Final date for comments: 25 September 1998
11.	Texts available from: National enquiry point [ X ] or address, e-mail and telefax number of the other body: