



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2024/0606/FR (France)

## **Decree on various provisions relating to artificial islands, installations, floating structures, and professional vessels**

Date received : 05/11/2024

End of Standstill : 06/02/2025

### **Message**

Message 001

Communication from the Commission - TRIS/(2024) 2977

Directive (EU) 2015/1535

Notification: 2024/0606/FR

Notification of a draft text from a Member State

Notification – Notificación – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéset - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20242977.EN

1. MSG 001 IND 2024 0606 FR EN 05-11-2024 FR NOTIF

2. France

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4. 2024/0606/FR - T20T - Sea and river and navigation on inland waterways

5. Decree on various provisions relating to artificial islands, installations, floating structures, and professional vessels

6. Artificial islands, installations, floating structures

7.

8. Article 63 of Law No 2023-175 of 10 March 2023 on the acceleration of renewable energy production (APER) gives artificial islands, installations and floating structures a specific status in all waters under French sovereignty and jurisdiction, so that they are no longer considered to be vessels. It lays down its own control and safety regime and harmonises the law applicable in the territorial sea and the exclusive economic zone.

The draft decree contains the implementing measures for this law and makes it possible to define its regulatory framework.

It precisely defines what is covered by artificial islands, installations, and floating structures, as well as the regime applicable to them, such as registration or pre-commissioning controls. Since the APER law has thus specified that artificial islands, installations and floating structures may be subject to controls to ensure compliance with the rules intended to ensure maritime safety, operational safety and pollution prevention, this draft text lays down the conditions under which the approval of the bodies in charge of controls is issued, the obligations to which they are subject, the detailed rules for the control they carry out on the installations and the conditions under which they transmit the results of the control to the administration.

The Decree refers to the Order, which is the relevant standard level, for the task of laying down numerous technical provisions, such as the methods, scope, and techniques for carrying out such controls and, where appropriate, the frequency of controls.

Other texts are also amended — the Decree on the one-stop shop of the French International Register, the Commercial Code, and the Transport Code — to provide for registration and ownership powers.

9. Article 5 of the draft decree, which defines the characteristics that floating devices must have in order to qualify as artificial islands, installations and floating structures and thus benefit from the legal regime defined by the same provision, must be notified to the European Commission under Directive (EU) 2015/1535.

On the one hand, these artificial islands, installations and floating structures are likely to fall within the category of 'products' within the meaning of the Directive. On the other hand, the prohibition of installation on the natural public maritime domain for installations which fulfil certain conditions and, more generally, the pre-commissioning controls of these artificial islands, installations and floating structures may constitute a 'technical regulation' within the meaning of the Directive. Failure to comply with the criteria thus laid down may affect the conditions under which they are used in a Member State.

10. References to basic texts: There are no reference texts

11. No

12.

13. No



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14. No

15. No

16.

TBT aspects: No

SPS aspects: No

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European Commission

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