

Message 001

Communication from the Commission - TRIS/(2026) 1731

Directive (EU) 2015/1535

Notification: 2026/0325/NL

Notification of a draft text from a Member State

Notification – Notification – 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 - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késések - 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: 20261731.EN

1. MSG 001 IND 2026 0325 NL EN 01-07-2026 NL NOTIF

2. Netherlands

3A. Directie Wetgeving en Juridische Zaken (WJZ)

3B. Ministerie van Volksgezondheid, Welzijn en Sport

4. 2026/0325/NL - H00 - DOMESTIC AND LEISURE EQUIPMENT

5. Amendment to the 2023 Amusement and Playground Equipment (Commodities Act) Decree (WAS 2023) in connection with the adjustment of its scope and the updating of regulatory requirements

6. Amusement and playground equipment

7.

8. This decree sets out safety requirements for activity equipment and differentiates between categories of equipment on the basis of safety risks. The amendment to the WAS 2023 aims to achieve the following:

greater safety for consumers using high-risk leisure facilities, such as tree-top adventure courses, zip lines and recreational go-kart tracks (the new 'active facilities' category);
greater flexibility within the system and less regulation where possible, including by no longer requiring simple playground equipment to undergo mandatory inspection and by abolishing the approval mark;
a clearer distinction between playground equipment and sports equipment;
a more harmonised and transparent implementation of the work by the designated inspection bodies.

For the sake of completeness, it is noted that Article 13d of the Commodities Act contains a mutual recognition clause. The mutual recognition principle entails that an EU Member State shall not ban in its own territory the sale of goods that have been legally brought onto the market in another EU Member State on the grounds that the goods do not meet its own national regulations. It is important, however, that the legitimate public interests guaranteed by the national requirements in force are sufficiently protected. The principle of mutual recognition is included in the explanatory memorandum to the draft decree.

9. Even if the measures set out in this decree were to constitute a barrier to trade, they are justified on the grounds of protecting public health, human life and consumer protection. The objective of this decree is to achieve a high level of protection of the health and safety of consumers. The proposed measures contribute to ensuring the safety of equipment for games or entertainment and, therefore, to reducing the number of (serious) accidents involving such equipment.

9a. The requirements laid down in this decree for activity, amusement and playground equipment are an appropriate measure to protect public health, human life and the safety of consumers. By laying down rules on the safety of such equipment, the risks posed by such equipment during their reasonably foreseeable use are reduced and thus the risk of (serious) accidents and injuries is also reduced.

Prohibition of discrimination

The measure is applied without discrimination. No distinction is made between operators of equipment established in the Netherlands and operators of equipment established in other Member States.

Necessity

Even if the measures set out in this decree were to constitute a barrier to trade, they are justified on the grounds of protecting public health, human life and consumer protection. The objective of this decree is to achieve a high level of protection of the health and safety of consumers. The proposed measures contribute to ensuring the safety of equipment for games or entertainment and, therefore, to reducing the number of (serious) accidents involving such equipment.

Proportionality

The measure is appropriate and proportionate in the light of the objective of protecting public health.

9b. Even if the measures set out in this decree were to constitute a barrier to trade, they are justified on the grounds of protecting public health, human life and consumer protection. The objective of this decree is to achieve a high level of protection of the health and safety of consumers. The proposed measures contribute to ensuring the safety of equipment for games or entertainment and, therefore, to reducing the number of (serious) accidents involving such equipment.

9c. The requirements do not go beyond what is necessary. For activity equipment, the WAS 2023 rules will apply. Due to their height and/or speed, these machines pose a significant risk of serious injury if they are not safe or are not used safely. It is not evident that self-regulation provides sufficient assurance as regards safety, partly because enforcement action cannot be taken and not all locations where such equipment is located participate in self-regulation. The introduction of new (sub)categories of equipment in this decree will allow for a more tailored approach to the various types of equipment. This will make the rules and burdens for the sector proportionate to the risks and characteristics of the equipment.

10. Numbers or titles of the basic texts:

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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