



The objectives of the revision of the Machinery Directive

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The Molitor Group

- A high level group of independent experts
- Report issued in November 1995
- 12 recommendations for simplifying the application of the Machinery Directive
- Most of these recommendations have been followed in Directive 2006/42/EC

Consultation of the Member States and stakeholders

- Machinery Working Group
- Study of the experience of implementing and applying the original Directive and its successive amendments
- Several drafts were discussed
- Commission proposal – January 2001

The adoption of the Directive

- The co-decision process was long and difficult
- Many detailed changes were proposed by the Member States in the Council
- Many amendments were proposed by the European Parliament
- Directive 2006/42/EC is an improvement of the Commission's proposal that fulfils the initial objectives of the revision

The main objectives of the revision

- Consolidation of the progress achieved by the Machinery Directive
- Clarification of the scope and the key concepts
- Greater legal certainty
- Better application

Scope

- The products subject to the Directive are listed
- The products in the scope are defined
- The scope is extended to products previously excluded:
 - Construction site hoists
 - Cartridge-operated fixing devices
- The borderline with other Directives is clarified

Borderline with the Low Voltage Directive

2006/95/EC (formerly 73/23/EEC)

A list of electrical machines are excluded from the Machinery Directive:

- household appliances for domestic use
- audio and video equipment
- information technology equipment
- ordinary office machinery
- circuit-breakers and switches
- electric motors

Borderline with the Lifts Directive 95/16/EC

- The Lifts Directive is amended
- Lifts with a travel speed less than 0.15 m/s are excluded from the Lifts Directive
- Slow lifts are therefore in the scope of the Machinery Directive

Partly completed machinery

- Partly completed machinery is included in the scope of the Machinery Directive
- The manufacturer must state which essential health and safety requirements have been applied and fulfilled
- The manufacturer must draw up technical documentation and provide assembly instructions

Safety components

- An indicative list of safety components subject to the Machinery Directive is in Annex V
- The list can be updated by the Machinery Committee to include new safety components
- Safety components are subject to CE marking

The Essential Health and Safety Requirements (EHSRs)

- The structure and numbering of Annex I is maintained
- New requirements are introduced for products introduced into the scope
- Some requirements are clarified, extended or reinforced, in particular on ergonomics and emissions (noise, vibrations, hazardous substances)
- The terminology is based on standards

The new EHSRs

The main changes:

- Risk assessment more explicit
- Requirements on ergonomics and emissions more precise - noise, vibrations, hazardous substances
- New requirements for machinery serving fixed landings
- Some requirements, previously limited to certain kinds of machinery, now apply to all machinery

The conformity assessment procedures

- Most machinery remains subject to self-certification
- Annex IV is maintained
- Procedures that have not proved useful have been deleted
- A wider choice is offered to manufacturers of Annex IV machinery

Annex IV machinery

- If the machinery is designed to harmonised standards that cover all the EHSRs:
 - EC Declaration of conformity
- If not, the manufacturer can choose:
 - EC type-examination by a Notified Bodyor
 - Approval of a full quality assurance system by a Notified Body

Better application

- Assessment and monitoring of Notified Bodies
- Market surveillance
- Cooperation between the Member States and with the Commission
- Withdrawal of dangerous products
- These provisions are reinforced by Regulation (EC) N° 765/2008 on accreditation and market surveillance
- The Regulation applies in a complementary way as from 1st January 2010

Notified Bodies

- The criteria for notification are reinforced
- Member States have stronger obligations to monitor the Notified Bodies
- They must withdraw the notification if a Body does not carry out its duties properly
- Coordination between the Notified Bodies and the notifying authorities is foreseen

Market surveillance

- The obligations of Member States are explicit
- Cooperation between Member States and with the Commission is foreseen
- Confidentiality and transparency is set out
- The Commission may prohibit a category of dangerous machinery after consulting the Machinery Committee

Directive 2006/42/EC Timetable

- Adoption: 17 May 2006
- Publication: 9 June 2006
- Entry into force: 29 June 2006
- Transposition: 29 June 2008
- Application: 29 December 2009

Until 29 December 2009

Directive 98/37/EC continues to apply

Transition to the new Directive

- Adaptation of harmonised standards – Mandate M/396 - EUROPA
- FAQs - EUROPA
- Guide to application of the new Machinery Directive:
 - Commission + Editorial Group = drafts
 - Machinery Working Group = comments by Member States and stakeholders
 - Commission = publication EUROPA
 - Translation into the Community languages

Further information

Machinery pages – EUROPA:

http://ec.europa.eu/enterprise/mechan_equipment/machinery/index.htm

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Thank you for your attention !