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DIRECTORATE-GENERAL III
INDUSTRY

Legislation and standardization and telematics networks
Standardization

M/083

Standardization mandate to CEN and CENELEC concerning the revision of CEN and CENELEC standards to ensure their full coherence in relation with the "Low Voltage" and "Machinery" Directives

1. MOTIVATION

1.1. This standardization mandate is based on Directive 73/23/EEC (the "Low Voltage Directive"),¹ as amended by Directive 93/68/EEC,² and Directive 89/392/EEC (the "Machinery Directive"),³ as amended by Directives 91/368/EEC,⁴ 93/44/EEC⁵ and 93/68/EEC.²

1.2. Article 1(5) of the Machinery Directive stipulates that:

"Where, for machinery, the risks are mainly of electrical origin, such machinery shall be covered exclusively by Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits."

In the course of their discussions on the proposal to amend the Machinery Directive for the second time, the Council and the Commission agreed that an official explanation of Article 1(4) and (5) was urgently needed in order to clarify for the benefit of all interested parties the relationship envisaged between the amended Machinery Directive and the Low Voltage Directive.

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- 1 OJ No L 77, 26.3.1973.
2 OJ No L 220, 30.8.1993.
3 OJ No L 183, 29.6.1989.
4 OJ No L 198, 22.7.1991.
5 OJ No L 175, 19.7.1993.

In addition, the Council gave its full backing to efforts by the Commission to guarantee that, in so far as the harmonized standards within the meaning of the Low Voltage Directive affect machinery which may be regarded as falling within the scope of Article 1(5), these standards should nevertheless cover pertinent non-electrical risks just as if the essential health and safety requirements of the Machinery Directive were applicable to such machinery.

- 1.3. With a view to achieving this objective, it will therefore be necessary to examine whether the European documents (European standards and harmonization documents) already in existence or currently in preparation under the Low Voltage Directive provide adequate state-of-the-art technical solutions to the problem of non-electrical risks. Such an examination will also need to ensure that there is full consistency between the corresponding European standards drawn up by CEN and CENELEC and, in particular, in the choice of solutions designed to remove non-electrical risks with regard to machinery.
- 1.4. To this end, in May 1993, after consulting the Standing Committee set up under Directive 83/189/EEC (meeting of 28 April 1993), the European Commission gave CEN and CENELEC a joint programming mandate (mandate M015, document 17/93 Rev. 1). This mandate calls for the preparation of a comprehensive and consistent joint programme identifying which European documents need to be revised and the drafting of a joint document setting out agreed principles governing cooperation between CEN and CENELEC. Such agreement must ensure an unambiguous interpretation of the state of the art with regard to the relevant items and provide a single technical solution to be applied in the series of European standards covering the same risks.
- 1.5. By letter of 14 January 1994, CEN and CENELEC provided a joint response to the above mandate. A copy of this response was sent to the members of the Standing Committee set up under Directive 83/189/EEC in February 1994 for information (document 19/94 of 7 February 1994).

Although the precise breakdown of responsibilities between CEN and CENELEC still has to be defined for each standard, the Commission takes the view that the programming stage can now be ended in order to move on to the second stage, i.e. the implementation of standardization tasks.

2. DESCRIPTION OF THE MANDATED WORK

2.1. Description

This standardization mandate calls on CEN and CENELEC to examine jointly and to revise, where necessary, the standards in question - both existing standards and standards in preparation - in order to include the same adequate state-of-the-art technical solutions for the same risks.

Such examination and, where appropriate, revision shall be based on the joint cooperation agreement notified in January 1994 (see Annex 1). CEN and CENELEC are also asked to apply this agreement to standards already in preparation under existing "Machinery Directive" mandates (mandates BC/13-88, BC/16-91 and BC/01-91) which form part of the standardization programmes notified by CEN and CENELEC in January 1994 (see Annexes 2-5).

2.2. Tasks to be carried out

In the overall framework described above, the Commission mandates CEN and CENELEC to examine and, where necessary, revise the existing standards and standards in preparation listed in the programmes at Annexes 2 to 5, in order to ensure conformity of these standards with the essential requirements of the "Machinery Directive", as amended.

Standards classified in category I (standards where there is no CEN activity) are to be examined and, where necessary, revised;

Standards in categories II (standards on which CEN/CENELEC are working in parallel) and III (standards on which work is being duplicated by CEN/CENELEC) should be the subject of detailed joint examination by CEN and CENELEC by area. Consistent technical solutions must be defined and inserted into the corresponding CEN and CENELEC standards on the same subjects.

In conformity with the Council Resolution of 5 May 1985 related on the New Approach to technical harmonisation and standards, and in conformity with the CEN Report CR 1100, "Memorandum on standardization in the field of health and safety intended to support New Approach directives - Application to the machines field", the standards, revised where necessary, shall set out technical specifications on the basis of risk analysis and on a high level of protection, that give added value to the essential requirements of the directives. Wherever possible, standards shall indicate test methods and the measurements that are normally applicable to ensure compliance with such technical specifications.

2.3 Content of the standards

Standards prepared in function of the present mandate should be limited to design, production and verification of the concerned machines. While it is not the primary aim of standards to deal with the use of the machinery, it is imperative that consideration is given during their elaboration not only to normal use but also to reasonably foreseeable misuse. The installation and conventional operation conditions of conventional test methods must be defined in a manner that the results simulate a representative use of the machinery considered.

The standards elaborated in application of the present mandate shall not reproduce safety requirements already defined elsewhere but shall make reference to horizontal standards which are applicable to that machine.

They shall not reproduce the essential requirements for which nothing has to be added, nor attempt to express the content of an essential requirement in other terms, as this will lead to difficulties with interpretation.

The text of a standard should in general be limited to dealing only with specific risks to the machine in question.

However the standards corresponding to a machine listed in annex IV shall deal with or at least enumerate all the essential health and safety requirements which apply to the machine.

All vertical standards should have the following fundamental characteristics:

- they should address those ESRs which the risk assessment has identified as requiring specific safety measures ("significant ESRs, corresponding to the "significant hazards" mentioned in 6.7 of EN 414),
- they should add value to the significant ESRs and to the relevant provisions of the horizontal standards to which they refer.

3. EXECUTION OF THE MANDATE

- 3.1. The Commission calls on CEN and CENELEC to implement each of the annexed programmes in accordance with the general agreement of January 1994.
- 3.2. In order to ensure greater transparency in the work to be carried out, CEN and CENELEC shall provide the Commission before mid 1996 with the following information with regard to each standard under each programme:

- aspects to be amended and/or supplemented;
- confirmation of the essential requirements which will be covered by the revised standard;
- timetable for revision, adoption as a European standard (EN) and implementation;
- technical body responsible for revising the standard;
- method of cooperation between CEN and CENELEC;
- reference (No and title) of the corresponding standard of the other body, for standards in categories II and III.

3.3. European standards (EN) shall be adopted by the target dates specified. On these dates the three linguistic versions (English, French and German) and the correct titles in all the other Union languages shall be available. At regular intervals CEN and CENELEC shall jointly notify the Commission, which shall in turn notify the Directive 83/189/EEC Committee, of any further draft standards which could be included in this mandate, giving the above information in respect of each.

So as to enable the Commission to check whether the clauses of the present mandate have been fulfilled, and to ensure that CEN and CENELEC have put in place the measures necessary for the observation of such clauses, the letters proposing publication of the standards elaborated on the basis of this mandate in the Official Journal shall include a statement claiming conformity with this mandate. The mandate shall be clearly identified in the letter.

- 3.4. The European standards adopted shall be transposed into national standards and conflicting national standards shall be withdrawn from the catalogues of the national standards organizations in the Member States within six months of their adoption.
- 3.5. Acceptance of this mandate starts the standstill period referred to in Article 7 of Council Directive 83/189/EEC of 28 March 1983 (OJ No L 189 of 26 April 1983), except where the work items are already included in the work programmes of CEN or CENELEC, in which case the standstill is already in force.

4. ANNEXES

- Annex 1: CEN/CENELEC agreement of January 1994
- Annex 2: List A of CENELEC standards (standards in categories I, II and III)
- Annex 3: List B of CENELEC standards (standards in categories I and II)
- Annex 4: List of CEN standards in category II
- Annex 5: List of CEN standards in category III