Machinery. Recast

2001/0004(COD) - 26/01/2001 - Legislative proposal

PURPOSE: to present a proposal for a Council Directive on machinery and amending Directive 95/16/EC. CONTENT: This proposal for a Directive amends Directive 98/37/EC. Given the scope and number of amendments, and in order to make the text more comprehensible, it is presented as a recast directive rather than a directive amending Directive 98/37/EC. The proposal contains two major changes to the scope of the existing Directive: - the inclusion of portable cartridge-operated devices, such as fixing tools, stunning pistols, marking guns etc., where the cartridge is not direct-acting; - construction site hoists intended for lifting persons or persons and goods. The main provisions of the proposed Directive are the following: - the Machinery Committee set up by the Directive has been divided into two distinct parts; - the possibility of prohibiting potentially dangerous machinery has been introduced; - the procedures for disputing harmonised standards and safeguard clauses are set out in separate articles; - as regards the conformity assessment of machinery, the distinction between machinery as a whole and machines which present more serious hazards, has been maintained; - partly completed machinery, which is almost a machine but which cannot itself perform a specfic application, is required to meet only two obligations, namely to bear a declaration of incorporation and to be accompanied by assembly instructions; - Member states are now required to inform all parties concerned and the Commission of all existing and future provisions which they intend to apply; - provisions dealing with non-conforming markings and the obligations arising from the affixing of the CE marking on a machine that is not covered by the Directive or the absence of CE marking for a machine that is so covered; - two articles have been introduced, the first to describe the necessary cooperaton between Member States, and the second to ensure the necessary confidentiality in exchanges of information relating to the application of the Directive. Finally, the provisions in the Annexes relate to health and safety requirements, categories of potentially hazardous machinery, partly completed machinery and intrinisically safe machinery, conformity assessment and minimum criteria for notification of bodies.