Electrical and electronic equipment: electromagnetic compatibility (repeal. Directive 89/336/EEC)

2002/0306(COD) - 18/06/2004 - Modified legislative proposal

The Commission finds that all of the Parliament's amendments are acceptable in full, as they clarify and improve upon the Commission proposal, and as they are fully compatible with general approach reached by the Competitiveness Council of 10 November 2003. The main amendments are as follows:

- the Commission removes ready-made connecting devices from the scope of the Directive;

- it introduces new definitions and further refines the existing ones;

- the role of harmonised standards is clarified;

- the scope of special measures that can be taken by Member States is further clarified;

- manufacturers may perform demonstrations of non CE-marked equipment at trade fairs;

- there is a specific article for laying down information requirements, which are thus removed from the list of essential requirements,

- Annex I now requires the responsible person to document the engineering practices used for the installation of fixed installations to meet the essential requirement of the EMC Directive and, on a duly substantiated request, to make these documents available to market surveillance authorities;

- Member States must clearly identify the scope of designation of notified bodies, indicating if the scope of designation is limited to certain aspect or apparatus covered by the Directive. The role of the notified body is to assess the technical file provided by the manufacturer in whole or in part, at the choice of the manufacturer.