

EVALUATION ROADMAP

Roadmaps aim to inform citizens and stakeholders about the Commission's work to allow them to provide feedback and to participate effectively in future consultation activities. Citizens and stakeholders are in particular invited to provide views on the Commission's understanding of the problem and possible solutions and to share any relevant information that they may have.

TITLE OF THE EVALUATION	Evaluation of the Electromagnetic Compatibility Directive
LEAD DG – RESPONSIBLE UNIT	DG GROW (Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs), UNIT C3 Advanced Engineering and Manufacturing Systems
INDICATIVE PLANNING (PLANNED START DATE AND COMPLETION DATE)	Q4 2019 – Q2 2021
ADDITIONAL INFORMATION	http://ec.europa.eu/growth/sectors/electrical-engineering/emc-directive_en

The Roadmap is provided for information purposes only. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described by the document, including its timing, are subject to change.

A. Context, purpose and scope of the evaluation

Context

The Electromagnetic Compatibility Directive 2014/30/EU¹ (EMCD) addresses electrical equipment placed on the EU market. Its scope covers a high and increasing number of products, both for consumer and professional use.

The objectives of the EMCD are to ensure the functioning of the internal market by requiring equipment to comply with an adequate level of electromagnetic compatibility. More specifically, the Directive seeks to ensure that electromagnetic disturbances produced by equipment do not affect the correct functioning of other such equipment, and that such equipment has an appropriate level of immunity to electromagnetic disturbances so that it can function as intended.

The equipment covered by the Directive include both apparatus (without limitation of voltage or frequency) and fixed installations. However, separate provision are made for each.

With respect to apparatus, the Directive lays down the essential requirement that apparatus must comply with in order to be placed on the market as well as the applicable conformity assessment procedure, which the manufacturer has to apply in order to demonstrate that the equipment fulfils these essential requirements. With respect to fixed installations, the Directive provides that they shall be installed applying good engineering practices and respecting the information on the intended use of its components, with a view to meeting the essential requirements set out in the Directive.

The EMCD 2014/30/EU is the result of the alignment of the previous EMCD 2004/108/EC to the New Legislative Framework (NLF)². The alignment to the NLF addressed the horizontal elements of the New Approach but did not include a revision of the sector specific aspects of the EMCD 2004/108/EC (which previously repealed Directive 89/336/EEC³).

¹ Electromagnetic Compatibility Directive: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014L0030>

² New Legislative Framework for marketing of products: http://ec.europa.eu/growth/single-market/goods/new-legislative-framework/index_en.htm

³ [OJ L 390, 31.12.2004, p. 24.](#)

After almost 30 years without any major modifications, it is necessary to assess, in the context of regular evaluation of the acquis, if the Directive has achieved its objectives in an efficient, correct, and relevant way. It is also necessary to assess if it still has EU added value taking into consideration the scientific and technological progress and in particular the increased digitalisation of the equipment falling in scope of the Directive and taking into account the increasing electromagnetic exposure of the equipment, especially, in the context of the 5G deployment. It is also important to verify the consistency of the Directive with other legislations in the area of electric equipment.

Purpose and scope

The purpose of the present evaluation is to assess if the EMCD is still fit for purpose in terms of effectiveness, efficiency, relevance, coherence and EU added value.

The evaluation intends to collect evidence and information to identify possible difficulties during the implementation that may require regulatory or/and non-regulatory corrective measures and the adequacy of the directives' provisions in light of scientific and technological progress. The areas subject to evaluation are, but not limited to, the scope, the essential requirements and the interaction with other EU legislations, such as the Low Voltage Directive (LVD) 2014/35/EU, the Radio Equipment Directive (RED) 2014/53/EU or the Machinery Directive 2006/42/EC.

On the basis of the conclusions, the Commission will assess whether next steps may be necessary to improve the performance of the Directive.

B. Better regulation

Consultation of citizens and stakeholders

The approach and methodology in the evaluation study will include both public and targeted consultations.

The public consultation will be open to general public, including consumers and enterprises that belong to the sector.

The targeted consultations will take place by means of surveys and interviews with the competent authorities in Member States responsible with the implementation and enforcement of the Directive, representatives of industry, including SMEs, representatives of consumers and workers associations, European Standardisation Organisations, etc.

The different tools that will be used in the evaluation to reach out to stakeholders are:

- 12 week internet based open public consultation, in 23 languages, to be carried out through on line consultation tools;
- Targeted consultations and interviews with the representatives of the stakeholders mentioned above, in three languages.

Other tools might be proposed where deemed appropriate, in the course of the evaluation study, depending on the level of information needed.

More details about the consultation strategy will be made available on the webpage dedicated to this evaluation on the DG GROW website on https://ec.europa.eu/growth/sectors/electrical-engineering/emc-directive_en

Data collection and methodology

The evaluation will collect data and information from a number of different sources, among other the information of the last years coming from the existing working groups of the Directive.

The monitoring of the implementation of the Directive is ensured by two Working Groups, through cooperation between Member States national authorities (including market surveillance authorities), the Commission services and all stakeholders. Issues related to the interpretation and implementation of the Directive are regularly discussed in the EMC Working Party.

The Administrative Cooperation Group of market surveillance authorities is more focused on market surveillance issues. The reports could be found on <https://ec.europa.eu/growth/single-market/goods/building-blocks/market->

Several guidance documents have been published on the "Electromagnetic Compatibility (EMC) Directive" Web page⁴. An "EMCD 2014/30/EU - Guidelines on the application of the directive" document is available on <https://ec.europa.eu/docsroom/documents/33601>.

The number of safeguard clauses notified by the Member States under Article.39 of the EMCD, withdrawing from the market a number of electrical equipment, can be an indicator of the quality of electrical products on the market regarding EMC aspects. Two main database provide information on the quality of electrical products on the market regarding EMC aspects.

1. The Communication and Information Resource Center for Administrations, Businesses and Citizens (CIRCA BC) which can be found on <https://circabc.europa.eu/> (restricted), collects the formal objections presented by the Member States against the presumption of conformity of some EMCD harmonised standards since 2014 (see <http://ec.europa.eu/growth/single-market/european-standards/notification-system/>)⁵.
2. The Information and Communication System on Market Surveillance (ICSMS) database is an IT platform to facilitate communication between market surveillance bodies in the EU and in EFTA countries which can be found on <https://webgate.ec.europa.eu/icsms/> (undisclosed). ICSMS is a database that has been in existence since 2016 and contains the notification from Member States regarding the products covered by national safeguard clause.

Currently there are 19 national safeguard clauses relating to EMCD registered in ICSMS, and 35 devices in CIRCA BC.

The evaluation will also consider a number of past studies, among which:

- A study monitored by the Commission on the implementation of a voluntary cable certification scheme in Europe (2015), as the cables are one of the components of an installation affected significantly by the phenomenon of electromagnetic radiation.
- The Evaluation of Internal Market Legislation (2013-2014) for Industrial Products. The focus of the study was on Union harmonisation legislation, and the EMCD was one of the legislations within study scope⁶. This evaluation underlined some issues concerning EMCD, the main ones being:
 - exclusions of certain equipment, such as cables, from the EMCD scope,
 - the flexibility in the marking for the identification of the products under EMCD,
 - the lighter requirements on technical documentation,
 - the definition of the scope covering wide areas rather than specific products.

A study supporting the evaluation will be carried out by an external contractor.

⁴ https://ec.europa.eu/growth/sectors/electrical-engineering/emc-directive_en

⁵ The safeguard clauses can be found in CIRCABC → EMCD ADCO group: <https://circabc.europa.eu/> (restricted)

⁶ " Evaluation of the Internal Market Legislation for Industrial Products" - Final report: <http://ec.europa.eu/smart-regulation/evaluation/search/download.do?documentId=9966151>