



Another EMC resource
from EMC Standards

EMC Directive Compliance and items intended to be
incorporated for use within them

Helping you solve your EMC problems

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EMC Directive compliance for *Fixed Installations*, and items intended to be incorporated within them



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Introduction

- **There has always been confusion about how the original EMC Directive (89/336/EEC) applied to custom-made (bespoke) equipment, and to systems and installations...**
 - dispelling this confusion was a main aim of the EC's 1997 Guidelines on the EMC Directive
- **Properly dealing with this confusion was a major change in 2004/108/EC (2nd Edition EMCD)...**
 - and that new text is almost completely unchanged in 2014/30/EU (3rd Edition EMCD)

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The 3rd Edition of the EMC Directive: 2014/30/EU

replaced 2004/108/EC on 20 April 2016

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29.3.2014
EN
Official Journal of the European Union
L 96/79

DIRECTIVE 2014/30/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 26 February 2014
on the harmonisation of the laws of the Member States relating to electromagnetic compatibility (recast)
 (Text with EEA relevance)

The 3rd Edition
of the EMCD:
2014/30/EU

Every individual item of
manufacture made
available on the EU
Market on/after 20 April
2016 must declare
compliance to this,
regardless of how long
the products have been
supplied in the EU!

THE COUNCIL OF THE EUROPEAN UNION, having regard to the Treaty on the Functioning of the European Union, in particular Article 114 thereof, and to the proposal from the Commission, in accordance with the legislative act to the national law of the European Economic and Community, and to the ordinary legislative procedure (7), and whereas it is necessary to make to Directive 2004/108/EC of the European Parliament and of the Council of 13 December 2004 on the approximation of the laws, regulations, administrative provisions and acts of the Member States relating to electromagnetic compatibility, repealing Directive 89/336/EEC, in order to clarify that Directive 2004/108/EC of the European Parliament and of the Council of 13 December 2004 setting out the conditions for the accreditation and market surveillance of products (*) and the accreditation of conformity assessment bodies as a framework for the products and for controls on the market, and lays down the

apply across sectoral legislation in order to provide a coherent basis for revision or recasts of that legislation. Directive 2004/108/EC should be adapted to that Decision.

(4) Member States should be responsible for ensuring that radio communications, including radio broadcast reception and the amateur radio service operating in accordance with International Telecommunication Union (ITU) radio regulations, electrical supply networks and telecommunications networks, as well as equipment connected thereto, are protected against electromagnetic disturbance.

(5) Provisions of national law ensuring protection against electromagnetic disturbance need to be harmonised in order to guarantee the free movement of electrical and electronic apparatus without lowering justified levels of protection in the Member States.

(6) This Directive covers products which are new to the Union market when they are placed on the market; that is to say they are either new products made by a manufacturer established in the Union or products, whether new or second-hand, imported from a third country.

(7) This Directive should apply to all forms of supply, including distance selling.

(8) The equipment covered by this Directive should include both apparatus and fixed installations. However, separate provision should be made for each. This is so because, whereas apparatus as such may move freely within the Union, fixed installations on the other hand are installed for permanent use at a predefined location, as assemblies of various types of apparatus and, where appropriate,

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STATUTORY INSTRUMENTS

2016 No. 1091

ELECTROMAGNETIC COMPATIBILITY

The Electromagnetic Compatibility Regulations 2016

Made	- - - -	15th November 2016
Laid before Parliament	- - - -	16th November 2016
Coming into force	- - - -	8th December 2016

The Secretary of State is a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to measures relating to apparatus which is liable to cause electromagnetic disturbance and to apparatus the performance of which could be affected by such disturbance.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Secretary of State that it is expedient for certain references to provisions of EU instruments to be construed as references to those provisions as amended from time to time.

The Secretary of State makes these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A(e) of Schedule 2 to, the European Communities Act 1972.

PART 1

Citation and commencement

1. These Regulations may be cited as the Electromagnetic Compatibility Regulations 2016 and come into force on 8th December 2016.

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Changes in 2014/30/EU (1)

- A lot of new definitions added
- Text now includes:
 - “placed on the market”
 - “made available on the market”
 - “first taken into service”
- New Chapter: “Obligations of Economic Operators” covers all the requirements of 768/2008
- New Chapter: “Notification of Conformity Assessment Bodies” covers all the requirements of 765/2008
- New Article: “Procedure for dealing with apparatus presenting a risk at national level”, plus the Technical Documentation must now include a Risk Assessment...
 - these are for non-safety-related EMI risks, only

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Changes in 2014/30/EU (2)

- In Annex I, the old “Protection Requirements” are now called “General Requirements”...
- Added to the list of exemptions...
 - “(e) custom built evaluation kits destined for professionals to be used solely at research and development facilities for such purposes”
- There is some rewording of the text, presumably to improve its legal status...
 - but without any actual change in meaning (as far as I can determine or have heard about)

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Some products which used to declare conformity to EMCD and LVD will have to declare to the RED (Radio Equipment Directive) instead

- Under the old R&TTE directive (1999/5/EC), if a manufacturer incorporated a radio module compliant with 1999/5/EC and installed it according to its instructions, the overall product could be declared in conformity with the EMCD and LVD...
 - **BUT THIS IS NOT THE CASE NOW!** Such products must now declare compliance to the RED (2014/53/EU) only – *not EMCD and LVD* – and will need extra EMC testing
- **BUT this only affects products (apparatus)**
 - *not fixed installations* as defined in the EMCD, which will continue to be covered by the EMCD and LVD no matter how many radio functions their equipment uses

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Changes in 2014/30/EU (3)

- **Note that 2014/30/EU adds certain marking and labelling requirements...**
 - concerning indelibly marking the manufacturers name, postal address, and the serial number(s) of the equipment on items of equipment
 - and it adds requirements for Agents, Distributors and Importers, who now share the risks of non-compliance with the product manufacturers
- **But these are unlikely to affect most ‘fixed installations’...**
 - and I will provide the details on request

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