



M/552

Brussels, 30.11.2016
C(2016) 7641 final

COMMISSION IMPLEMENTING DECISION

of 30.11.2016

on a standardisation request to the European Committee for Standardisation, to the European Committee for Electrotechnical Standardisation and to the European Telecommunications Standards Institute as regards harmonised standards in support of 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

Only the English, French and German texts are authentic

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council¹, and in particular Article 10(1) thereof,

Whereas:

- (1) In accordance with Directive 2014/30/EU of the European Parliament and of the Council², equipment falling within the scope of that Directive needs to comply with an adequate level of electromagnetic compatibility. Directive 2014/30/EU is applicable from 20 April 2016; however, it does not change the essential requirements already specified by Directive 2004/108/EC.
- (2) As Directive 2014/30/EU establishes a presumption of conformity with the essential requirements laid down in that Directive for equipment which complies with harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union, the availability of such harmonised standards is necessary for the implementation of that Directive.
- (3) The scope of Directive 2014/30/EU will change as a result of the repeal of Directive 1999/5/EC of the European Parliament and of the Council³ by Directive 2014/53/EU

¹ OJ L 316, 14.11.2012, p. 12.

² 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 (OJ L 96, 29.3.2014, p. 79).

³ Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity (OJ L 91, 7.4.1999, p. 10).

of the European Parliament and of the Council⁴ with effect from 13 June 2016. The electromagnetic compatibility of telecommunication terminal equipment will fall under the scope of Directive 2014/30/EU. By contrast, the electromagnetic compatibility of sound and TV receive-only equipment will be, from that date, covered by the provisions of Directive 2014/53/EU.

- (4) The Commission has established guidelines for the execution of standardisation requests and the European standardisation organisations have agreed to apply those guidelines when executing standardisation requests.
- (5) In order to ensure that there are coherent terms of reference for developing and revising harmonised standards for equipment covered by Directive 2014/30/EU it is appropriate to withdraw existing standardisation requests and include the equipment concerned by those requests under a new standardisation request.
- (6) The European standardisation organisations, the European stakeholders organisations receiving Union financing and the Electromagnetic Compatibility Working Party have been consulted.
- (7) The European Committee for Standardisation (CEN), the European Committee for Electrotechnical Standardisation (CENELEC) and the European Telecommunications Standards Institute (ETSI) have indicated that the work covered by the request falls entirely under the scope of CEN, CENELEC and ETSI.
- (8) The measures provided within this Decision are in accordance with the opinion of the committee established by Article 22 of Regulation (EU) No 1025/2012.

HAS ADOPTED THIS DECISION:

Article 1

Requested standardisation activities

The European Committee for Standardisation (CEN), the European Committee for Electrotechnical Standardisation (CENELEC) and the European Telecommunications Standards Institute (ETSI) are requested to draft harmonised standards for electromagnetic compatibility in support of the implementation of Directive 2014/30/EU of the European Parliament and of the Council. The requested harmonised standards are identified in Annex II to this Decision and shall meet the requirements set out in Annex I to this Decision.

Article 2

Establishment of the work programme

CEN, CENELEC and ETSI shall prepare the work programme indicating all the requested deliverables, the responsible technical bodies and a timetable for the execution of the work in line with the deadlines set out in Annex II. CEN, CENELEC and ETSI shall submit the work programme to the Commission within one month from the receipt of this request and shall provide access to an overall project plan to the Commission.

CEN, CENELEC and ETSI may decide how many harmonised standards are needed in order to execute the request referred to in Article 1.

⁴ Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (OJ L 153, 22.5.2014, p. 62).

The work programme shall also contain a complete list of harmonised standards which have been developed on the basis of the standardisation requests referred to in the second paragraph of Article 6 and of draft harmonised standards which are still under development on the basis of those requests in line with Table 2 of Annex II.

Article 3

Agreement on the work programme

In the work programme, CEN, CENELEC and ETSI shall follow the priorities expressed by the Commission for the execution of the request referred to in Article 1.

CEN, CENELEC and ETSI shall inform the Commission of any amendments to the work programme.

New subjects for harmonised standards may be added to the work programme where Annex I includes requirements for such subjects and where the Commission has been consulted and agrees to that addition, after having informed the Committee established by Article 22 of Regulation (EU) No 1025/2012.

Article 4

Reporting

CEN, CENELEC and ETSI shall report annually to the Commission on the execution of the request referred to in Article 1. Those organisations shall submit to the Commission the first annual report by 31 January 2017.

Article 5

Harmonised standards

CEN, CENELEC and ETSI shall include in each harmonised standard, mentioned in Table 1 of Annex II, a clear and precise indication with regard to the relationship between its content and the corresponding essential requirements referred to in Annex I to Directive 2014/30/EU which it aims to cover. Each harmonised standard referred to in Table 1 of Annex II to this Decision shall contain a reference to this Decision.

CEN, CENELEC and ETSI shall include in each revised or amended harmonised standard information concerning significant changes that have been introduced by it.

CEN, CENELEC and ETSI shall provide to the Commission the titles of the requested harmonised standards in all the official languages of the Union. The first list of titles of those harmonised standards shall be provided to the Commission by 20 November 2016.

Article 6

Validity and repeal

If the request referred to in Article 1 is not accepted by any of the European standardisation organisations within one month following its receipt, the request shall not constitute a basis for the drafting of harmonised standards.

If the request referred to in Article 1 is accepted by the European standardisation organisations within one month following its receipt, the standardisation requests M/404⁵,

⁵ M/404 of 30/03/2007 - Mandate to the European standardisation organisations CEN, CENELEC and ETSI for harmonised standards according to the electromagnetic compatibility Directive 2004/108/EC.

M/282⁶, M/313⁷, M358⁸, M/359⁹, BC-T-353¹⁰, BC/CLC-03-88¹¹, BC/CLC-02-92¹², BC/CLC/03/0000/98-3¹³, BC-IT-82¹⁴ and M/038¹⁵ are repealed.

The second paragraph is without prejudice to the draft harmonised standards which are under development on the adoption date of this Decision, to be provided according to deadlines set in the relevant standardisation requests.

Article 7
Addressees

This Decision is addressed to the European Committee for Standardisation, the European Committee for Electrotechnical Standardisation and the European Telecommunications Standards Institute.

Done at Brussels, 30.11.2016

For the Commission
Elżbieta BIEŃKOWSKA
Member of the Commission



⁶ M/282 of 14/09/99 - EMC harmonised standards for aircraft and aeronautical equipment.
⁷ M/313 of 07/08/2001 - EMC harmonised standards for telecommunication networks.
⁸ M/358 of 02/12/2004 - Standardisation mandate forwarded to CEN/CENELEC/ETSI Concerning electromagnetic compatibility requirements for equipment covered by the R&TTE Directive intended to be installed in vehicle.
⁹ M/359 of 20/10/2004- Standardisation mandate forwarded to CEN/CENELEC/ETSI for equipment covered by the EMC Directive intended to be installed in vehicles.
¹⁰ BC-T-353 – Development of harmonised standards for telecommunication terminal equipment, satellite earth station equipment and radiocommunication equipment.
¹¹ BC/CLC-03-88 – Development of EMC product standards.
¹² BC/CLC-02-92 - Supplementing BC/CLC-03-88.
¹³ BC/CLC/03/0000/98-3 – Supplementing BC/CLC-02-92.
¹⁴ BC-IT-82 – EMC aspects of IT and Telecommunications equipment.
¹⁵ M/038 – Supplementing BC-IT-82 by introducing the concept of harmonised standard in the context of the New Approach.



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ANNEXES 1 to 2

ANNEXES

to the

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ANNEX I

Requirements for the harmonised standards

1. HARMONISED STANDARDS DEVELOPED UNDER THE REPEALED STANDARDISATION REQUESTS

CEN, CENELEC and ETSI are requested to maintain the existing harmonised standards referred to in Table 2 to Annex II and originating from the standardisation work programmes under the repealed standardisation requests, by ensuring that they continue to reflect the generally acknowledged state of the art and by ensuring that they meet the essential requirements of Annex I of the Directive 2014/30/EU.

The existing harmonised standards need to be maintained through regular reviews and revisions, when appropriate, to support the application of relevant essential requirements specified in Annex I of Directive 2014/30/EU.

2. NEW STANDARDISATION REQUIREMENTS ON THE BASIS OF THE NEW DIRECTIVE

Work undertaken under this standardisation request shall follow the objective of preparing harmonised standards covering all categories of products falling within the scope of the Directive 2014/30/EU. The scope of Directive 2014/30/EU remains the same as in Directive 2004/108/EC.

However, the implementation of Directive 2014/53/EU, which will become applicable from the 13 of June 2016, will result in the electromagnetic compatibility of telecommunication terminal equipment falling under the scope of the Directive 2014/30/EU from that date onwards and it will also have the effect that in relation to the electromagnetic compatibility of sound and TV receive-only equipment, the provisions of Directive 2014/53/EU shall start to apply and the provisions of Directive 2014/30/EU shall cease to apply.

In particular, CEN, CENELEC and ETSI are requested to develop harmonised standards which cover the electromagnetic compatibility of telecommunication terminal equipment which fall under the scope of the Directive 2014/30/EU from the 13 June 2016. The harmonised standards shall be based on the equivalent harmonised standards developed in support of Directive 1999/5/EC on radio and telecommunication equipment.

3. ESSENTIAL REQUIREMENTS TO BE COVERED BY THE STANDARDISATION WORK

The work programme under this standardisation request shall cover all categories of products falling within the scope of Directive 2014/30/EU, taking account that from 13 June 2016 sound and TV receive-only equipment fall within the scope of Directive 2014/53/EU when considering the electromagnetic compatibility of such equipment.

Harmonised standards shall cover all the applicable essential requirements of Directive 2014/30/EU, namely:

- (a) the essential requirement set out in point 1(a) of Annex I to that Directive, to ensure that the electromagnetic disturbance generated does not exceed the level above which radio and telecommunications equipment or other equipment cannot operate as intended;
- (b) the essential requirement set out in point 1(b) of Annex I to that Directive, to ensure that equipment has a level of immunity to the electromagnetic disturbance to be expected in its intended use which allows it to operate without unacceptable degradation of its intended use;

(c) the essential requirement set out in point 2 of Annex I to that Directive, relating to the installation of fixed installations and the intended use of components thereof.

ANNEX II

Harmonised standards and deadline for the adoption

Table 1 – Requested new harmonised standards

Reference information	Deadline for adoption ¹
Harmonised standard(s) for telecommunications terminal equipment.	15.04.2017

Table 2 - Existing harmonised standards which fall within the scope of the request referred to in Article 1

Reference information	Deadline for publication
Standards contained in the list of references of the harmonised standards under Directive 2004/108/EC published in the <i>Official Journal of the European Union</i> C 14 of 16 January 2015 including harmonised standards still under development on the basis of repealed standardisation requests on the date of notification of this Decision, excluding, however, any harmonised standards or draft harmonised standards concerning sound and TV receive-only equipment.	Publication according to internal planning of the European standardisation organisations or according to a deadline set on the basis of repealed standardisation requests.

¹ 'Adoption makes reference to the moment when the relevant European standardisation organisation makes a standard available for its members or to the public.