



Meeting with the European Parliament Internal Market and Consumer Protection Committee (IMCO)

Revision of Directive 2006/42/EC on machinery

Brussels, 4 December 2019

THE MACHINERY SECTOR



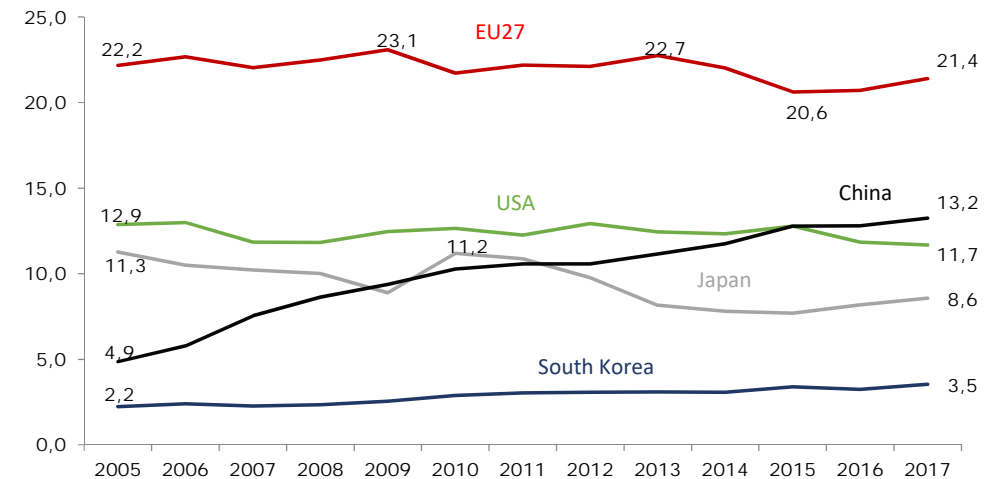
In EU-27 (UK excluded), in 2017:

- **EUR 663 billion Turnover** (9.4% of manufacturing turnover)
- **EUR 609 billion Production** (9.5% of manufacturing production)
- **EUR 191 billion Value added** (11.2% of value added)
- **2.8 million persons employed** (9.9% of all persons employed in manufacturing)
- **82,350 enterprises registered** (4.1% of all manufacturing enterprises)

Machinery & equipment sector main competitors and trade:

- Exports of EUR 503 bn 2017 (49% intra-EU, 51% extra-EU)
- Imports of EUR 342 bn 2017 (64% intra-EU, 36% extra-EU)
- China emerging as a main competitor (USA, Japan, Germany)

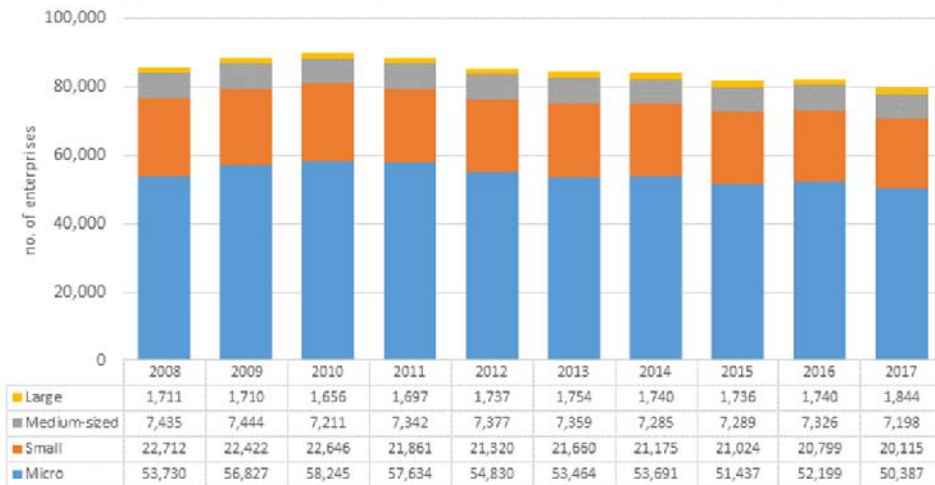
World market shares of main competitor countries of machinery & equipment in % of total world trade



Notes: For the EU, Extra-EU trade only. NACE rev.2, C28.

Source: UN COMTRADE.

Number of Enterprises in C28 - Manufacture of machinery and equipment n.e.c., in EU (without UK), from 2008 to 2017 by size

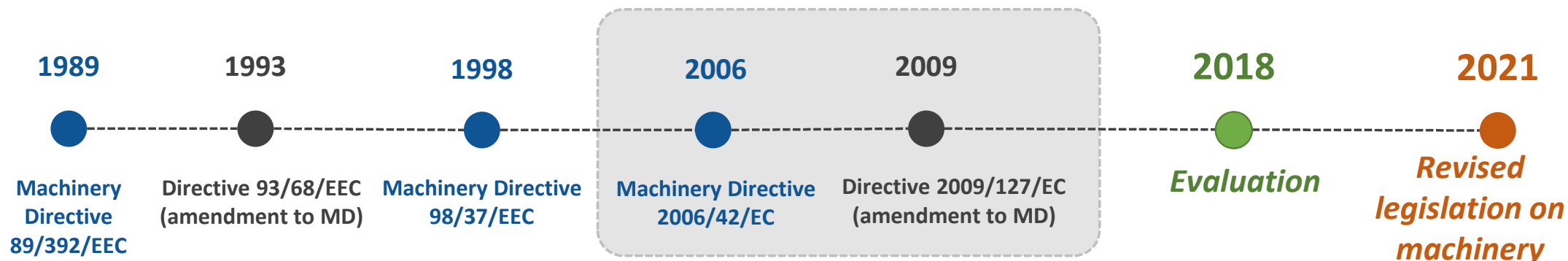


THE MACHINERY DIRECTIVE 2006/42/EC



General Objectives of the Directive

- 1) Ensuring free movement of machinery within the internal market; and
 - 2) Ensuring high level of protection for users and other exposed persons.
- Since the amendment 2009/127/EC, the third objective has been added:
- 3) Ensuring the protection of environment in the context of using machinery for pesticide application.



Evaluation conclusions ([SWD\(2018\)160](#))

- ✓ more legal clarity in provisions and better coherence with wide EU framework is needed
- ✓ relevant to digital technologies, but following aspects need to be further analysed:
 - more analysis for human- (AI)machine collaboration/coexistence in shared workspaces is needed
 - analysis on possible need to add cybersecurity requirements

Revision steps

- ✓ Open Public Consultation (OPC) launched from June to August 2019; targeted consultations and interviews are on-going
- ✓ Impact Assessment study in support of the revision of the Machinery Directive to be completed in Q1 2020
- ✓ Commission proposal for a new revised legislation on machinery may be adopted in Q4 2020/Q1 2021, subject to political validation by the new Commission

Improvements sought through the revision

- ✓ **General objective 1: Ensure a high level of safety and protection for users of machinery and other people exposed to it.**
 - ✓ **General objective 2: Ensure the well-functioning of the (digital) single market.**
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- Greater legal clarity in the scope and definitions:
 - Borderlines with other directives
 - Definitions
 - Exclusions
 - High risk machines
 - Better coherence with the wide EU framework and enforcement by aligning the Directive to the New Legislative Framework and potential transformation into a Regulation
 - Potentially explicitly address risks pertaining to technical progress in digitisation (cybersecurity, transparency of algorithms, software updates, etc.) including through new essential requirements and taking into consideration horizontal framework
 - Simplification of administrative burden and environmental protection by allowing digital formats for documentation (e.g. manual of instructions)

Main Stakeholders:

- **Companies** (manufacturers/importers/distributors)
- **Industry** associations
- Professional and private **users**
- **Consumer** associations/Trade unions
- **Researchers/academia** (especially on new technologies)
- Market surveillance **authorities**
- **Standardisation** organisations
- **Notified bodies**

Open Public Consultation (June-Aug 2019)

- **528 replies**, of which 372 from industry, 68 citizens, 35 public authorities, 11 NGOs, 5 trade unions, 4 research institutions, 2 consumer organisations)
- 92% are EU respondents (31% DE, 11% FR, 10% NL, 9% BE, 7% IT, etc.)

....The process continues with targeted consultations and interviews

- A majority of respondents across the different stakeholder groups is in favor of aligning the Directive to the **new legislative framework** and its conversion into a **Regulation**
- Scope and definitions:
 - Stakeholders see risks in increasing the slow **lifts** speed limits and in excluding category I equipment from the **Pressure Equipment Directive**.
 - Opinions are divided with regards to the proposals for clarifying the borderline with **Low Voltage Directive**.
 - A majority of stakeholders would like to review the concept of **partly completed machinery**.
 - Opinions are divided with regards to the need of updating high risk machines **Annex IV**.
- New technologies (Artificial Intelligence, Internet of Things, Cybersecurity):
 - A majority of Authorities, Notified Bodies and Consumers Associations see the need for the Machinery Directive to better cover the safety of human robot collaboration, **machine learning**, transparency of algorithms, software updates, while a majority of Industry Associations do not.
 - A majority of respondents think that **software** which ensures a safety function and is placed independently on the market should be explicitly covered.
 - Opinions are divided about how should **cybersecurity** requirements for manufacturers of machinery be implemented in the EU.
 - Opinions are divided among Member States with regards to **digital instructions**

Further information

Machinery website:

<http://ec.europa.eu/growth/sectors/mechanical-engineering/machinery/>

Better Regulation Portal website:

https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2018-6426989_en

Contact points:

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