

UK comments on Draft EMC Guide 20 Feb 2006 - EMC/WP/11/02/Guide drG

Introduction

Second paragraph. Reference to the existing EMCD should be 89/336/EEC. OK

Move comparison with existing Directive to an annex – increasingly this will be irrelevant. True but it was considered important at this stage to emphasize from the beginning of the document that for many applications changes are in practice minimal. This presentation could be changed later as the guide is adapted to the experience with the new Directive.

It is not true that protection requirements are unchanged. State of the art has been added, and “unacceptable” to degradation. These changes are not very significant but an editing modification has been made to take the remark into account

Third bullet. Replace second sentence with. Networks and large machines are fixed installations if they fall within the definition of fixed installations. Taken into account in the new draft in the section dealing with the scope of fixed installations.

Sixth bullet. The option to use a notified body exists even if harmonised standards have been used in full. Technical file is not the correct term OK agreed

Seventh bullet. Change “respects” to “complies with”. OK

Eighth bullet. Delete “provided that Installations”. The text has been modified to be closer to the wording of the Directive

Last bullet point implies that Notified Bodies are necessarily involved in an advisory role – should emphasise that they are always optional. Editorial modification is made

First paragraph under bullet points. Delete “minor” in the last sentence. The new documentation requirements are not minor. No change relates only to apparatus placed on the market. Apparatus for fixed installations is new. OK

Numbered points. Change titles to reflect changes in chapter headings. OK

Numbered points 3. Why invent the term “detailed EMC technical assessment”? Use the term in Annex II (1). Do not imply that “standards” are the preferred method of compliance .It is very useful to introduce this term The EMC assessment is needed in all cases. If one uses only the term EMC assessment everywhere, it becomes very difficult to differentiate in the text of the guide between the simple EMC assessment, consisting in using harmonised standards and the more elaborate one needed when harmonised standards are not used.

Using harmonised standards is the preferred method because this is a general policy of the Commission, although this is not indicated in the Directive.

Scope

1.1 Delete second sentence of first paragraph. Not necessary given the generality of the first sentence OK

Flowchart 1. Change “uncovered” to “requirements not covered”. The flowchart does not exclude second-hand apparatus.OK

1.1.1 Delete “probably” in second line of paragraph.OK

1.1.3 Paragraph before final bullets: change “non-restrictive” to “non-exhaustive”. The term has been deleted

Flowchart 2 Combine two diamonds on the left to read “intended for incorporation into an apparatus by an end user The first diamond “no” makes no sense: if not for apparatus, for what are they a component? It makes sense because components may be included in other components or sub-assemblies still not considered as apparatus Alternatively, the suggested change in the latest version may deal with this.

1.2 first italics. A definition including software alone makes no sense of EMC. The definition is taken from IEC and this international definition should preferably not be modified, even if is true that for EMC

software alone would not be relevant. The definition has to be applied taking the scope of the document into account

1.2 end of first paragraph. "certain conditions" should be explained. Modified "defined" instead of certain

Flowchart 3. "specific apparatus" is a confusing term. It is not the apparatus that is specific but the fixed installation. The apparatus are specific for given fixed installations. Some editorial adaptation has been made

1.2.2 Remove "system" in the description; it is not a term used in EMCD. 'system' is often used with this meaning It is preferable to keep it within brackets

1.2.4 Second paragraph. There is no justification for this statement if the mobile installations are to be used at a variety of locations unless they are considered to be apparatus for identical installations as described in recital 20. This was admitted in the previous guide. It has been modified as a note

1.3.1 The suggested method of discrimination for large machines being fixed installations is inappropriate. The text provided relates only to the ability to test, not to assessment by other means. Large machines should be considered apparatus unless they meet the definition for fixed installations. Although the examples have been improved, they still contain examples that could be apparatus if placed on the market as a commercial unit (industrial plant – could be a single machine, traffic lights, fire detection and preventions system, air conditioning – simple two-part units are usually commercially available whereas a building-wide installation would be custom-designed). Accepted see modified text in new draft proposal

1.3.2 Delete "some" as this is not consistent with the Directive text. OK

1.4.1 Comments have been made on this by the UK in answer to the specific question put to the EMC WP by the Drafting Group.

1.4.2 It should not be true that EMCD applies to spare parts that are only supplied to end users to replace faulty or worn out parts with the same item. This would place an intolerable burden of conformity assessment of individual parts of apparatus. The whole section 1.4 on used apparatus and spare parts has been removed in the new draft proposal for the guide, in accordance with the WP decision.

Essential requirements

Penultimate paragraph before incorrectly numbered bullets: It is unclear whether the limited problems are handled under EMCD or other legislation. OK sentence deleted

Apparatus

3.1 first paragraph. Annex III is optional and should not be linked with "and". OK

Third paragraph, Delete "much more" as the words are superfluous ". Keep "more" only

Fifth paragraph. Amend to make clear that the Notified Body is only involved to assess that aspect of the technical documentation the manufacturer has identified. This is made clear in other sections: this is only a summary

Flowchart 5. It is not clear that both arms from "mixed EMC assessment" should be followed. Seems obvious there are two arrows

3.2.1 first paragraph after a, b, c. Amend to delete text following "EMC Directive". The text could otherwise be interpreted as raising a question over the compliance of apparatus where the manufacturer has elected not to use a Harmonised Standard. For the same reason the seventh paragraph should be deleted. OK

"Note" at bottom of page 23. The reference should be to section 6.2. OK

Penultimate paragraph. It is unclear what the "relevant information" consists of, and could imply CE + CE = CE. The relevant information concerns how components are to be used

Last paragraph. The cross-reference to 1.4 is wrong. This paragraph relates to design changes during production life, not to second-hand products. OK

3.2.1.1 second paragraph. The word "admitted" is inappropriate. OK Bullet points. The last two are poor examples. The routing of cables is not a different configuration. It is difficult to see how EMC is

independent of power output. Not always totally independent but depending very little of the power output is frequent regarding radio interference..

3.2.2 The use of harmonised standards should not be the “preferred” way. This is in agreement with the general policy of the Commission.

3.2.2.3 The statement that the doc and dow should not be confused requires further explanations, as they are often the same. Some short explanation has been added

3.2.3 first paragraph. Delete “convincing” as it is superfluous. OK accepted

Fourth paragraph, first indent. Delete “really” as it is superfluous. OK Third indent. Standards do not “allow” they describe. OK deleted There may be many unsuitable test methods not specifically disallowed.

Sixth paragraph, second indent (bottom of page 28). Merge final two sentences to read “This selectionconcerned and be based on knowledge of .. involved”. Third indent.. “Compatibility level” is more onerous than the current TCF requirements and the term will not be readily understood by manufacturers. Fifth indent: Standards do not “guarantee” conformity. Even harmonised standards only give a presumption. OK

Page 30, note 1. This implies that harmonised standards should be used. No it is said that it is a good tool

Note 2. Use of draft standards should be discouraged as they are subject to change or in the case of the PLT amendment to CISPR 22, cancelled. What happens to such analysis if the draft is subsequently rejected? The note indicates that it is risky but in some cases it might be useful.

Fixed installations

4.1 third paragraph. This implies that apparatus for a fixed installation should preferably have been submitted for compliance assessment. Yes this is the general rule

Fourth paragraph. Insert “provided by the manufacturer” after “information”.OK

4.1 Paragraph below “Intended use of components”. “respected” should be explained. For example what if various instructions are in conflict? Then the particular issue has to be solved but it seems difficult to give general advice about that

4.1 In paragraph following “Note 2” good engineering practice need not be state of the art. It only has to be sufficient to meet the protection requirements. The technical explanations on page 39 are inappropriate to this guide to legal requirements. Text has been revised to be closer to the reference to ‘state of the art’ as referred to in the protection requirements. Guidance for the user is not limited to purely legal aspects.

Apparatus is a bad analogy for the extent of a fixed installation. The basis of EMC remain the same

4.1 penultimate paragraph. This is not true where the apparatus is compliant in its own right. True but this part is dealing with the compliance of fixed installations and not of apparatus

4.2 and 4.3 are missing. We do not consider it will be practical to attempt to draft the text for these two sections at the meeting. Noted

4.4 specific apparatus is not a term used in the Directive and can be confusing. The title has been modified and the word specific has not been used in the first sentences but later in the text. This term is useful to identify the topic without having to repeat each time “apparatus intended for incorporation into a fixed installation and otherwise not commercially available”

4.4 first and second paragraphs. Merge the two paragraphs, deleting the second sentence of paragraph 1st OK accepted which has no validity, and the reference to “customer made” in the second as follows. OK accepted “The general .. apparatus. The EMC Directive however provides an exception for apparatus that is intended for incorporation... available” .OK accepted Note The UK comment on 11_03 refers to a specific customer

4.4. fourth paragraph. The phrase “at the moment it is delivered” implies that these are required at another time, yet they are not. The information is not “additional” when compared with commercially-available apparatus. OK accepted

4.4.1 second paragraph. The second sentence is technical in nature and should be deleted. **No it is considered useful**

4.4.2 First paragraph. Delete "(generally) industrial". **OK accepted** Who decides what is "equivalent"? **The manufacturer. It has been added**

Second paragraph. Should be "**given** fixed installation". **OK accepted**

Third and fourth paragraphs. Are these CE marked commercially available apparatus? **See discussion on commercially available in WP. These apparatus are placed on the market**

Fifth paragraph should end at "fixed installations" on second line. Delete the rest. **No seems useful**

Enforcement

5.

This chapter does not describe the content or purpose of Article 11 of the Directive, yet this is important information for manufacturers. **Probably to be dealt with in a separate document as it is matter of coordination between authorities**

Second paragraph. "Equipment" should be replaced by separate descriptions for apparatus and fixed installations since fixed installations are not placed on the market.

Third paragraph. Free movement relates only to apparatus. **OK**

First paragraph following bullet points. Replace first sentence with "Enforcement of the provisions of a Community Directive is a matter of national subsidiarity".

Second paragraph following bullet points. "Equipment" should be "apparatus".

Third paragraph following bullet points. Most of this relates to apparatus. Better to use this term and provide a separate sentence for fixed installations and their documentation.

For the 5 comments above it seems preferable to consider that the application is general for apparatus and fixed installations.

The purpose of the "Note" is unclear. Technical documentation is required whether harmonised standards are applied or not. The inference could be made that technical documentation is unimportant if harmonised standards have been employed. **Editorial change is made**

5.1 If it is true that special measures have never been invoked under the current Directive, the examples in Annex 6 are hypothetical. The text of 5.1 should state the true position. **Section 5.1 and annex 6 are deleted in the new draft proposal**

5.1 first paragraph. Replace "intends to provide the tools to Member States for" with "contains provisions for" **Section 5.1 is deleted.**

Fourth paragraph. Add "where Article 10 would apply" at end. **Section 5.1 is deleted.**

5.2 second paragraph. The Directive does not single out Radiocommunications, electrical supply and telecommunications networks and equipment connected thereto in Article 4.3. The wording of that article "avoid electromagnetic disturbances" should be used. **The explanation given in the draft seems correct and useful for guidance in view of the objectives of the Directive explained in "whereas "even if it does not follow word by word what is indicated in this particular Article of the Directive**

Notified Bodies

The use of "competent authorities" causes confusion. Many readers do not understand the term. It should be defined or, preferably, replaced by a clearer term such as "national authority" **Competent authorities" is used in the Directive**

6.1 third paragraph. The text in italics is appropriate, as Notified Bodies need not necessarily be laboratories. **Noted**

Fourth paragraph. Should "EU" be "EEA"? **OK**

6.2 point 1. "manufacturer's representative" should be "authorised representative". **OK accepted**

Points 2 and 3. If only a partial assessment is requested, complete compliance cannot be assessed. These paragraphs should be reworded to make this clear, and describe [OK Editorial modification](#)

Point 4. Delete the first sentence. The guide does not make it clear that the manufacturer may ignore a negative statement, since the involvement of the NB is voluntary. [OK](#)

6.2 delete "Note" as it appears to solicit an action on the part of manufacturers. [OK](#)

6.3 second paragraph. The use of "shall" is inappropriate in a guide. [OK](#)

6.3 point 5 "simultaneous" should be "simultaneously" [OK](#).

6.4 "TGN" should be spelled out at first use or a link made to the abbreviations page. [OK](#)

6.5 second paragraph. How will the non-compliance be established? A case of interference does not establish non-compliance, although widespread cases might. Again, "shall" is inappropriate in a guide. [OK replace "shall" by "should "This section assumes that non compliance has been established according to the rules of the Directive](#)

Annex 2

Replace first paragraph with:

All measurement equipment that transmits measurement or test data by radio waves is covered by the R&TTE Directive (1999/5/EC). Where measurement equipment is used in a set-up which transmits radio signals, such use may require a national authorization from the spectrum regulator or may be forbidden without adequate spectrum protection measures.

However measurement equipment, which uses radio signals to measure the performance of another equipment and which may only be used in specific circumstances should not be considered radio communication equipment and thus should not be covered by the R&TTE Directive. The provisions of the EMC Directive remain applicable.

and include link to <http://europa.eu.int/comm/enterprise/rtte/tcam14.htm#Test%20equipment>.
[Accepted](#)

Annex 3

First paragraph. The meaning of "respected" is unclear. [Replaced by other word](#)

Second paragraph. Delete "strictly" as it is superfluous. [OK](#)

a) "guarantee" is inappropriate. The issue is that the manufacturer has satisfied himself that the apparatus would comply if tested to the standard. [OK accepted](#)

The guidance should indicate that even though an amendment or new edition may not change requirements for a particular apparatus, it should still be referenced on the DoC once the superseded standard no longer gives a presumption of conformity. [This is for the documentation part](#)

The guide does not cover the situation with alternative test methods (compliance with any alternative creates a presumption of conformity) nor how market surveillance testing will be carried out in such circumstances. [Covered in main text of the guide](#)

Annex 4

Second paragraph. The more usual starting frequency is 150 kHz (not 9 kHz). [Yes but in the analysis the manufacturer should consider the whole range and decide whether it is relevant in his case to start only at 150kHz.](#)

Omissions not otherwise identified above

No mention or explanation of the transition period(s) for apparatus and fixed installations. [It is under study to add an explanation for transitional arrangements](#)

No guidance on "permanently" in relation to fixed installations.

No indication of the treatment for existing fixed installations when the Directive applies. What has to be documented when a change is made? Will the Directive apply only to the changes or to the whole fixed installation?

No guidance in respect of apparatus for a given fixed installation as to the level of detail expected to be identified in respect of the electromagnetic characteristics of fixed installations into which apparatus is to be incorporated, or the level of detail of the precautions to be indicated. No guidance on how "identical" fixed installations have to be to take advantage of Recital 20

No guidance on fixed installations containing parts under the responsibility of another person, or under the scope of another Directive (e.g. medical apparatus in hospitals, radio or TTE apparatus everywhere).

No guidance on the evidence of compliance required by Article 13.2.

No indication of how non-compliance of fixed installations will be determined.

For the 5 above comments on missing matters regarding fixed installations it seems preferable first to issue the present guide on the general principles for fixed installations to come to a common understanding and, accepting that not everything is covered in the first issue of the guide, improve it later when more experience is gained with fixed installations.

No explanation of "unacceptable" in the immunity requirements in Annex 1. It seems difficult to come to an agreed definition