

Machinery Directive: improve it but don't change it says EESC

At its June plenary session, the European Economic and Social Committee (EESC) adopted an information report on the [revision of the Machinery Directive](#). EESC members and the study group for the opinion welcomed the Commission's current efforts to improve the performance of Directive 2006/42/EC, which is a very important and successful instrument for European industry, while noting that radical changes to the directive would have a deeply negative impact and must be avoided.

Directive 2006/42/EC, the Machinery Directive, came into effect in December 2009 and is one of the main directives governing the harmonisation of essential health and safety requirements for machinery at European level. The directive promotes free movement of machinery within the single market and guarantees a high level of protection for machinery users and other exposed persons. However, it only applies to products that are to be placed on the EU market for the first time.

"The basic approach and the architecture of the directive must remain unchanged", said **Aurel Laurențiu Plosceanu**, rapporteur for the report. Referring to the implications of the current Machinery Directive for digital technologies, Mr Plosceanu noted that although artificial intelligence was not new, its development and use in digital applications was rapidly evolving. However, this was still at an early stage in much of the EU's machine tool and manufacturing industry, which was why the directive had to be updated gradually.

Mr **Plosceanu** also urged the European Commission to make a clearer connection between the two laws regulating the design and use of machinery, namely the Machinery Directive and the [Use of Work Equipment Directive \(Directive 2009/104/EC\)](#). This would remove any doubt that the safe design of machinery for all the phases of its life cycle was a precondition of safe use.

"We have also recommended that the Commission consider the chronic understaffing, underfunding and poor performance of machinery inspections and controls in most of the Member States. We call on them to move from words to action. The Commission should help to involve the social partners in development and standardisation," he concluded.

The co-rapporteur, **Enrico Gibellieri**, said that the directive was important for the single market as it ensured the safety of components: *"We need to make sure that we are protecting consumer interests, we need to be able to improve this machinery continuously to make sure that there is ever better protection for workers"*.

In 2015, after six years of implementation, the European Commission decided to carry out an evaluation of the Machinery Directive under its Regulatory Fitness and Performance (REFIT) programme, a move welcomed by the EESC.

The EESC's report notes that one of the big issues with revision of the Machinery Directive is the risk of malicious or accidental operation of machinery connected to the internet, but that this is a general risk that can affect a wide range of equipment and is not specific to machinery. The report recommends that

cybersecurity be dealt with in a separate piece of legislation, while including a reference to it in the revised Machinery Directive.

Although the EESC agrees that some changes are needed, it thinks that radical amendments to the Machinery Directive, in particular to the Essential Health and Safety Requirements (EHSRs), would have a deep negative impact on essential harmonised standards and must be avoided.

The EESC considers only minor revisions of the text of the Machinery Directive to be required. The Directive has stood the test of time and is generally fit for purpose: the approach of setting objectives to be achieved in the text – leaving the details of how they could be achieved to be adapted and fleshed out in standards – has worked well.

According to the EESC's report, the Directive in its current form makes a significant contribution to the safety of workers.

To update the Machinery Directive, DG GROW launched a public consultation in June 2019. The legislation is scheduled for adoption during first quarter of 2021.