



PROPOSED REVISION OF THE LOW VOLTAGE DIRECTIVE

ORGALIME POSITION PAPER

1 June 2005

ORGALIME represents the interests of the European mechanical, electrical, electronic and metalworking industries as a whole at the level of the EU. Our members include, at the present time, 35 national trade federations representing some 130,000 companies in 24 European countries. These industries, which include mainly small and medium-sized companies, employ some 7 million people and account for around 1,200 billion Euro in the GNP and one third of the industrial exports of the EU.

ORGALIME asks the Commission to abandon the proposed revision of the LVD¹, which it considers to be unnecessary at this time.

In 2001 the Low Voltage Directive Working Party decided to start up a revision process on the Low Voltage Directive (LVD). The decision to examine the possible revision of the LVD was taken by the Commission in response to administrative concerns under the drive of some Member states' administrations and was neither requested by the European Parliament nor the Council for policy reasons.

Since then we have participated fully in the work of the Commission LVD Update Working Group and have devoted considerable resource to explore the envisaged revision of the directive. We have always advocated pragmatic solutions, which did not require a revision of the Low Voltage directive. Where appropriate, for example in the area of market surveillance which is an issue of importance in many New Approach directives, we have advocated that any necessary changes should be dealt with at a horizontal level in the framework of the ongoing review of the New Approach.

¹ Council Directive 73/23/EEC of 19 February 1973 on the harmonisation of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits. Amended by Council Directive 93/68/EEC of 22 July 1993.

On 15th February 2005, ORGALIME presented to the Commission a position paper offering our guidance on the impact assessment of the proposals to revise the LVD. In that paper we listed the major proposals for change and commented on their potential influence on the policy objectives of the LVD (i.e. the free movement of safe electrical goods) and on the competitiveness of European industry.

We have now had a chance to see the proposals for two of the three elements of the proposed impact assessment, the questionnaire on business impact assessment of the envisaged changes conducted by RPA Ltd consultancy and the public IPM consultation questionnaire, although the scope of the third element which is a desk study by Commission officials is still not clear to us. We are in particular concerned that the structure of the impact assessment questionnaire seems biased towards pre-selecting, as the preferred policy option, the revision of the directive.

It is our view that such an impact assessment, which does not address the effects of each proposed change against these policy objectives of the LVD cannot succeed in establishing the need or otherwise of such a revision. We have not seen any clear reference to alternative policy instruments that may improve the fulfilment of the policy objectives of the LVD in the questionnaires that we have commented on.

In the light of this, we have once more consulted our membership on their views on the proposed revision of the LVD and the overwhelming result is that there is no perceived benefit to the industry in this revision while there is concern that the increased administrative burden will further weaken the competitiveness of European manufacturers.

In these circumstances ORGALIME requests that the proposed revision of the LVD, which it considers to be unnecessary at this time, should be abandoned.
