

Position Paper

Feedback to the Evaluation of the Low Voltage Directive (2014/35/EU)

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Bitkom welcomes the opportunity to provide feedback to the evaluation and fitness check of the Low Voltage Directive (2014/35/EU) and to share its views on the Commission's paper on the roadmap (Ref. Ares(2017)5291384 - 30/10/2017) as follows:

The LVD is one of the most essential EU-Directives for our members. The stability of the LVD allows them a foresighted and sustainable product development and planning. The LVD is aligned with the New Legislative Framework. This allows an efficient and coherent application of other Directives in parallel such as the EMC Directive. We neither see a reason nor an indication to revise the well-established LVD.

Bitkom does not see any evidence that the current LVD is not achieving its objectives in an efficient, coherent and relevant way. Bitkom is not aware of any new hazards that do not fit into available safety objectives. Additionally, Bitkom doesn't see any reason to change the existing voltage ratings. Including products with less than 50 VAC or 75 VDC in the scope of the LVD would not have a benefit for the safety & health of the users of electrical equipment. For Products operated below the voltage limits of LVD, safety requirements are covered by GPSD (where harmonized standards for safety exist) and increasingly by RED in case of radio equipment (where harmonized standards for safety are expected soon). Therefore, Bitkom does not see a lack of safety regulations for products placed on the Union market.

When it comes to safety requirements, the LVD is coherent with the Machinery Directive and the Radio Equipment Directive. Safety requirements are not part of the Electromagnetic Compatibility Directive and the Eco-Design-Regulation, so coherence is unproblematic in this regard. Inconsistencies regarding the scope might be based on formulations in other Directives. Bitkom also does not see an unclear demarcation between the LVD and the MD with regard to the definition of industrial printers. If such unclear demarcation exist, guidelines would be more appropriate to address this issue rather a revision of the LVD. The Machinery Directive Guide can be used as a tool to answer potential open questions.

Bitkom thinks that the LVD is also fit for future. The mentioned technological progress

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and in particular the digitalisation of the electrical devices and household appliances and the integration of the so-called Internet of Things does not introduce new hazards on product level that would not fit into the available safety objectives of the LVD.

Bitkom does not see that an increased number of safeguard clause notifications and objections to harmonised standards might indicate the need for a revision of the scope, the safety objectives and their links with the related procedures of the LVD. The safeguard clause notifications reflect the failure of products to meet the safety objectives of the LVD, not any failing of the LVD itself. This may indicate a need to strengthen market surveillance, not a need to revise the LVD. The provided numbers, which are extremely low in relation to the enormous number of products on the EU market, and indeed also in relation to the wide scope of the LVD (reflected by the large number of harmonized standards), rather proves the opposite. The LVD is effective in achieving its safety objectives. The objections to harmonised standards reflect the possible inadequacy of the standards to fulfil the requirements of the LVD, not any inadequacies in the LVD itself. This does not indicate a need to revise the scope or safety objectives of the LVD.

Bitkom objects the need of addressing the safety requirements for after-sales services in the LVD. This would lead to a fundamental change of the New Legislative Framework and all related Directives.

Bitkom represents more than 2,500 companies of the digital economy, including 1,700 direct members. Through IT- and communication services only, our members generate a domestic turnover of 190 billion Euros per year, including 50 billion Euros in exports. Members of Bitkom employ more than 2 million people in Germany. Among the members are 1,000 small and medium-sized businesses, over 400 startups and nearly all global players. They offer a wide range of software technologies, IT-services, and telecommunications or internet services, produce hardware and consumer electronics, operate in the sectors of digital media or are in other ways affiliated to the digital economy. 80 percent of the companies' headquarters are located in Germany with an additional 8 percent each in the EU and the USA, as well as 4 percent in other regions. Bitkom supports the digital transformation of the German economy and advocates a broad participation in the digital progression of society. The aim is to establish Germany as globally leading location of the digital economy.