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Manufacturer's Declaration of Conformity

for the

Electromagnetic Compatibility

Machinery

and

Low Voltage Directives

EMC DIRECTIVE

Section 34(2) of UK Statutory Instrument 1992 No. 2372, *The Electromagnetic Compatibility Regulations 1992*, as referred by section 40, states that an EC Declaration of Conformity shall be considered to have been properly made if it:

- a) is in English;
- b) gives the name and address of:
 - i) the responsible person;
 - ii) where that person is not the manufacturer, of the manufacturer;
- c) is signed by the manufacturer with an identification of the signatory;
- d) bears the date of issue;
- e) describes the apparatus to which it applies sufficiently to enable it to be identified;
- f) states the numbers and titles of the applicable EMC standards applied by the manufacturer;
- g) certifies that the apparatus conforms to the protection requirements of Council Directive 89/336/EEC on the approximation of the laws of the member states relating to electromagnetic compatibility.

MACHINERY DIRECTIVE

Section 22 of Statutory Instrument 1992:3073, *The Supply of Machinery (Safety) Regulations 1992* states:

- “(2) An EC declaration of conformity must
- (a) state the business name and full address of:
 - (i) the responsible person; and
 - (ii) where that person is not the manufacturer. of the manufacturer;
 - (b) contain a description of the machinery to which the declaration relates which, without prejudice to the generality of the foregoing. includes. in particular:
 - (i) its make;
 - (ii) type; and
 - (iii) serial number;
 - (c) indicate all relevant provisions with which the machinery complies;
 - (d) state in the case of relevant machinery in relation to which an EC type examination certificate has been issued the name and address of the approved body which issued the certificate and the number of such certificate;

- (e) state in the case of relevant machinery in respect of which a technical file as described in regulation 14(2) above has been drawn up the name and address of the approved body to which the file has been sent or which has drawn up a certificate of adequacy for the file, as the case may be;
 - (f) specify (as appropriate) the transposed harmonised standards used;
 - (g) specify (as appropriate) the national standards and any technical specifications used; and
 - (h) identify the person authorised to sign the declaration on behalf of the responsible person.
- (3) An EEC declaration of conformity must be
- (a) drawn up in the same language as the instructions for the machinery are drawn up as specified in paragraph 1.7.4(b) of Schedule 3 hereto; and
 - (b) typed or written by hand in block capitals.”

LOW VOLTAGE DIRECTIVE

Clause 10 of Statutory Instrument 1994:3260 *The Electrical Equipment (Safety) Regulations 1994* states that “the manufacturer of electrical equipment or his authorised representative shall draw up in respect of all electrical equipment to which these regulations apply a written declaration of conformity which shall comprise:-

- a) the name and address of the manufacturer or his authorised representative;
- b) a description of the electrical equipment
- c) a reference to the harmonised standards;
- d) where appropriate, references to the specifications with which conformity is declared;
- e) identification of the signatory who has been empowered to enter into commitments on behalf of the manufacturer or his authorised representative; and
- f) the last two digits of the year in which the CE marking was affixed.”

EC Declaration of Conformity

In accordance with EN 45014:1998

We *(name of manufacturer)*
of *(address of manufacturer)*

declare that:

Equipment *(description of equipment)*
Model name/number *(brand name, model number)*
Serial number *(serial number, where applicable)*

in accordance with the following Directives:

73/23/EEC The Low Voltage Directive
and its amending directives
89/336/EEC The Electromagnetic Compatibility Directive
and its amending directives
98/37/EC The Machinery Directive
and its amending directives

has been designed and manufactured to the following specifications:

(List of harmonised standards and their titles)

I hereby declare that the equipment named above has been designed to comply with the relevant sections of the above referenced specifications. The unit complies with all essential requirements of the Directives.

Signed by:

Name:

Position:

The image shows the CE mark, which consists of the letters 'C' and 'E' in a stylized font, followed by the number '02'.

Done at *(place)*

On *(date)*



Notes about the Declaration

1. It is intended that the Declaration be reproduced on the manufacturer's or authorised agent's headed paper.
2. If the manufacturer is not established in the EU, we recommend that the name and address of the importer be given in their place.
3. The description of the equipment is intended to provide a general guide as to its type and function. Examples are:

“hand-held electric hairdryer”

“automated tile inspection machine”

4. The serial number is specifically required by the Machinery Directive and strictly each serially numbered product should be accompanied by its own individual Declaration. In practice, where units are produced in large volumes it seems generally accepted that a serial number range can be given. The Low Voltage and EMC Directives do not require serial numbering and this line can be omitted where the Declaration is not made against the Machinery Directive.
6. Ideally, the standards used should be Harmonised (i.e. have been listed under the relevant directive(s) in the *Official Journal of the European Communities*). However, where there are no such standards, a list of the other documents used to demonstrate conformity with the essential requirements of the directives may be used. The more international in nature these documents are, the better.

Where tests have been done to national standards which are not harmonised (e.g. Australian (AS) or Underwriter's Laboratories (UL) standards), these can be mentioned. However, in most cases, customers and enforcement authorities will only recognise harmonised standards and they may consider a Declaration which lists only non-harmonised standards as inadequate. Where it can be shown that, for the apparatus in question, the requirements of the standards exactly equate to the requirements of harmonised European standards, (e.g. the tests of AS3300 are in most cases the same as those of EN 60335-1; UL 60950 is basically equivalent to EN 60950) it is preferable to use the EN numbers and alter the wording of the declaration accordingly (see below).

5. The wording of the Declaration itself is carefully chosen. The wording shown states only that the apparatus complies with the requirements of the standards, it does not say that it has been tested to meet the requirements of the standards. Where the manufacturer (or their agents) has notified body report(s) which certify compliance with the standards listed, it may be valid to change this wording to read:

I hereby declare that the equipment named above has been tested and found to comply with the relevant sections of the above referenced specifications. The unit complies with all essential requirements of the Directives.

6. The Declaration must be signed by someone who has the power to make binding commitments on behalf of the manufacturer. Legally this is a very grey area - no clear legal definition of such a person exists. However, it is generally considered that someone of at least Director level is required in this capacity.
7. The person signing does so in an official capacity on behalf of the company. Whether or not they also have personal liability for non compliance will depend on their position in the company and their ability to show that they took reasonable steps to fulfill their managerial responsibilities to ensure that the product did in fact comply with the requirements of the directive.
8. The last two numbers of the year of the Declaration are required by the Low Voltage Directive (as amended by 93/68/EEC, the CE marking Directive). The CE is not actually required by any of the three Directives considered in this document. However, since this is largely an exercise in being seen to have the right paperwork in place, it can do not harm to have the CE logo present.
9. The Machinery Directive requires that each shipped unit is accompanied by a Declaration. This is not mandatory for the LVD and EMC Directives, although it is normal to provide a Declaration on request. Commonly, the Declaration is included as part of the user manual or other product documentation.
10. For further advice and information, please consult our web site at <http://www.conformance.co.uk> or contact us at the address given on the front page.