

Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (recast) (Text with EEA relevance)

CHAPTER 1

GENERAL PROVISIONS

Article 1

Subject matter and scope

The purpose of this Directive is to ensure that electrical equipment on the market fulfils the requirements providing for a high level of protection of health and safety of persons, and of domestic animals and property, while guaranteeing the functioning of the internal market.

This Directive shall apply to electrical equipment designed for use with a voltage rating of between 50 and 1 000 V for alternating current and between 75 and 1 500 V for direct current, other than the equipment and phenomena listed in Annex II.

Article 2

Definitions

For the purposes of this Directive, the following definitions shall apply:

- (1) ‘making available on the market’ means any supply of electrical equipment for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;
- (2) ‘placing on the market’ means the first making available of electrical equipment on the Union market;
- (3) ‘manufacturer’ means any natural or legal person who manufactures electrical equipment or has electrical equipment designed or manufactured, and markets that equipment under his name or trade mark;
- (4) ‘authorised representative’ means any natural or legal person established within the Union who has received a written mandate from a manufacturer to act on his behalf in relation to specified tasks;
- (5) ‘importer’ means any natural or legal person established within the Union who places electrical equipment from a third country on the Union market;
- (6) ‘distributor’ means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes electrical equipment available on the market;
- (7) ‘economic operators’ means the manufacturer, the authorised representative, the importer and the distributor;

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- (8) ‘technical specification’ means a document that prescribes technical requirements to be fulfilled by an electrical equipment;
- (9) ‘harmonised standard’ means harmonised standard as defined in point (c) of point 1 of Article 2 of Regulation (EU) No 1025/2012;
- (10) ‘conformity assessment’ means the process demonstrating whether the safety objectives referred to in Article 3 and set out in Annex I relating to electrical equipment have been fulfilled;
- (11) ‘recall’ means any measure aimed at achieving the return of electrical equipment that has already been made available to the end-user;
- (12) ‘withdrawal’ means any measure aimed at preventing electrical equipment in the supply chain from being made available on the market;
- (13) ‘Union harmonisation legislation’ means any Union legislation harmonising the conditions for the marketing of products;
- (14) ‘CE marking’ means a marking by which the manufacturer indicates that the electrical equipment is in conformity with the applicable requirements set out in Union harmonisation legislation providing for its affixing.

Article 3

Making available on the market and safety objectives

Electrical equipment may be made available on the Union market only if, having been constructed in accordance with good engineering practice in safety matters in force in the Union, it does not endanger the health and safety of persons and domestic animals, or property, when properly installed and maintained and used in applications for which it was made.

The principal elements of the safety objectives are listed in Annex I.

Article 4

Free movement

The Member States shall not impede, for the aspects covered by this Directive, the making available on the market of electrical equipment which complies with this Directive.

Article 5

Supply of electricity

In relation to electrical equipment, the Member States shall ensure that stricter safety requirements than the safety objectives referred to in Article 3 and set out in Annex I are not imposed by electricity supply bodies for connection to the grid, or for the supply of electricity to users of electrical equipment.