

EMC STANDARDS AND BREXIT

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As the exit day approaches (assuming that none of the efforts to rescind the decision prevail), more questions are being asked about the effects on EMC (and safety) standards. Last February, BSI produced a 'pretty' document that states its position, which can be found at:

<https://www.bsigroup.com/globalassets/localfiles/en-gb/about-bsi/nsb/brexit/bsi-brexit-position-report-february-2018.pdf>

One most important point is that the EN standards that we know and love (not a lot in some cases) are produced by CENELEC, ETSI and CEN, which are independent of the EU itself, and their status does not necessarily change due to Brexit.

Some updating has happened:

<https://memberportal.bsigroup.com/public/2018/brexit-and-bsis-standards-position-an-update/>

The cited White Paper is at:

<https://www.gov.uk/government/publications/the-future-relationship-between-the-united-kingdom-and-the-european-union>

and one recent offering (at the time of writing) is:

<https://bfpa.co.uk/wp-content/uploads/2018/09/BSI-Brexit-standards-update-Aug-2018.pdf>

Although this is headed 'BSI', it does not seem to be on the BSI web site. It refers to 'EURIS', and the explanation of EURIS is at:

<http://www.beama.org.uk/my-beama/brexit.html>

BSI can (and intends) to continue to participate in CEN and CENELEC (and ETSI, but that is a horse of a rather different colour, as anybody that can pay the fee can join). This involves committing to publish standards that we don't agree with, and the Government has endorsed this in the White Paper cited above. However, a White Paper is not a law, and a particular case where we *really* disagree with a CEN or CENELEC standard might even be the subject of a Parliamentary debate.

The White Paper also says:

In the context of a common rulebook, the UK believes that manufacturers should only need to undergo one series of tests in either market, in order to place products in both markets.

which is undoubtedly welcome news, but requires agreement from the EC, and that (as with so much else) might not be freely forthcoming. Recent demands from the EC legal department make this problematical; standards, even those cited in the OJ as showing *prima facie* evidence of conformity with a Directive or Regulation, are not supposed to be legal documents, but that is what the lawyers seem to be intent on making them.

The attack on the '80/80 rule' is an example; the demand is that every individual item of equipment must be proved to comply with the EMC Directive. It is clearly wholly impractical to submit every such item to the full battery of formal tests. It is far from clear how this issue can be resolved, but one way would be to write a swathe of new standards, incorporating practical 'end-of-line' test methods and inviting the EC to cite them in the OJ. Time will tell.