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Press Release  
Niederkassel; 18 August 2010

*7th Machinery Days in Cologne,  
Maritim Hotel Cologne*

*30 November to 3 December 2010*

### **The new EU Machinery Directive – Curse or Blessing for the Machine and Plant Engineering Industry?**

### **2010 Cologne Machinery Days now to include an extra conference day - the Machinery Legislation Day**

The Machinery Days will begin on 30 November with the 1<sup>st</sup> German Machinery Legislation Day, a logical and consequent addition to the traditional annual conference which will deal with all aspects of the European Machinery Directive. Chaired by Carsten Laschet, attorney at law in the general partnership of attorneys at law, auditors and tax consultants Friedrich Graf von Westphalen & Partner, lawyers and managers will be provided with information about European legal provisions applicable to machinery and will address legal questions in the framework of a special interdisciplinary discussion.

Ian Fraser, chairman of the European Machinery Committee, will be an important discussion partner at the subsequent traditional conference to be held on 1 and 2 December. At the Machinery Days he will draw up an interim result of the application of the new Machinery Directive from an EU Commission perspective. Next Dr. Frank Wohnsland, German Engineering Federation (VDMA), will explain why the knowledge of EU legal provisions is an important prerequisite for any successful economic activity. Dipl.-Ing. Hans-J. Ostermann, an expert in Machinery Directive questions, will once again attend the conference. He will present a paper entitled "Responsibilities in plant engineering".

Two parallel workshops covering the topics "Risk Assessment" and "How to Counter Smartly" will conclude the Machinery Days on 3 December.

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As early as in 1994, the European project "Debureaucratisation of the Machinery Directive" was launched and became the leading provision applicable to European Machinery and Plant Engineering. The ink on the paper of the first Machinery Directive 89/392/EEC was not yet dry and the Directive was not in force either, but first doubts were voiced already, wondering whether this new European "bureaucratism" would reach its objectives. The "new" Machinery Directive 2006/42/EC which came into force without any transitional period on 29 December 2009, is now expected to remedy previous deficiencies. During the 2010 Machinery Days manufacturers, operators and public authorities alike can obtain information about the application of Single Market legislation. The main emphasis of this year's Machinery Days in Cologne will be the presentation of the new provisions and standards and the practical implementation of those standards.

The year 2010 marks a change in the legal system governing the European single market. Europe has set out to remove current distortions of competition regarding the free movement of goods and to ensure more legal certainty. In this context the new Machinery Directive – 2006/42/EC - and the revised German Machinery Ordinance - the 9<sup>th</sup> GPSGV – are the most important documents for the machinery industry. Both legal provisions have to be applied by machinery and plant engineers since 29 December 2009.

Since 1 January 2010 - in the framework of the revision of the "New Approach" - EC Regulation 765/2008 applies directly, including rules on accreditation, market surveillance and CE labeling. The EU decision 768/2008/EC on a common legal framework for the Single Market Directive, which was taken on the same day, is currently being included by the European Commission with highest priority into several Single Market Directives. Directives related to the freedom of movement of goods shall be developed from a single source and the bureaucratic burden for the market participants shall be reduced through this measure. The imminent revision of the German Equipment and Product Safety Act (GPSG) is already taking account of provisions in the EU Regulation and the EC decision.

In the standards field, this year important amendments will affect machinery and plant engineering experts, e.g. control units engineering will be influenced by EN ISO 13849-1 which will replace the obsolete EN 954-1 - after a reprieve - by December 2012. Moreover, the contents of EN ISO 14121-1 on the risk assessment of machinery will be merged with the new EN ISO 12100.

Responsibilities in plant engineering are an important conference agenda item. Who is responsible for which "components"? What are the plant engineer's responsibilities? What can he rely on? And how can a "plant" really be defined?

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Damages involving machinery cannot always be prevented. How do we handle them? Defective machinery appears on the market again and again. Is it always the manufacturer who has to do the upgrading at his expense?

The new Machinery Legislation Day addresses lawyers and the companies' management level, i.e. the people responsible for legal aspects relating to machinery and plant engineering. Additionally to this target group, the traditional conference (the Machinery Days) also addresses manufacturers, developers and designers of machinery and plants, market surveillance authorities, testing and certification bodies, industrial accident insurance funds (Berufsgenossenschaften), engineering firms and machinery and plant operators.

The conference language is German. However, this year simultaneous translation from English into German / German into English will be provided on day one of the Machinery Days.



### **Machinery Days, Cologne**

Photo from MBT Archives

### **Background information**

#### **MBT Mechtersheimer GbR**

MBT Mechtersheimer with its registered office in Niederkassel-Rheidt, Germany, has been organising the Machinery Days in Cologne for seven years now; it has also organised several technical seminars on the application of the single market provisions for machinery. Moreover, MBT Mechtersheimer publishes the leading online commentary on the European Machinery Directive on its website [www.maschinenrichtlinie.de](http://www.maschinenrichtlinie.de).

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Today, customers include not only the entire German machinery engineering industry, but also testing organisations, consultants, public authorities etc. We also have participants from German speaking neighbouring countries attending our conference in Cologne on a regular basis. The online commentary has visitors from all over the world.

The Machinery Days take place in the autumn of every year in Cologne and provide information about implementation questions related to European Machinery legislation. The newly introduced Machinery Legislation Day addresses lawyers and the companies' management level, i.e. the people responsible for legal aspects relating to machinery and plant engineering. Apart from this target group, the traditional conference (the Machinery Days) also addresses manufacturers, developers and designers of machinery and plants, market surveillance authorities, testing and certification bodies, industrial accident insurance funds (Berufsgenossenschaften), engineering firms and machinery and plant operators.

Renowned speakers as Dipl.-Ing. Hans-J. Ostermann, [www.maschinenrichtlinie.de](http://www.maschinenrichtlinie.de); Ian Fraser, Chairman of the EU Machinery Committee; Dr. Frank Wohnsland, consultant, German Engineering Federation (VDMA); Dr. Michael Schaefer, Institute for Occupational Safety and Health of the German Social Accident Insurance (IFA)(formerly BGIA); Carsten Laschet, attorney at law; Friedrich Graf von Westphalen; attorney at law Klaus Dannecker, Voith AG, Dipl.-Ing. (FH) Ulrich Kessels, CExpert; Prof. Dr. Tobias Lenz, Friedrich Graf von Westphalen; Joachim Geiß, consultant, Federal Ministry of Economics and Technology (BMWV); Dipl.-Ing. Dirk Moritz, Federal Ministry of Labour and Social Affairs (BMAS); provide practical information about European Single Market Law on the Machinery Days.

More information on the Machinery Days is available at [www.maschinenbautage.eu](http://www.maschinenbautage.eu)

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