

The Electromagnetic Fields (EMF) Directive

Background

On June 29th, 2013, the European Commission repealed Directive 2004/40/EC and published Directive 2013/35/EU on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (20th individual Directive within the meaning of Article 13(1) of Directive 89/391/EEC). The [directive can be viewed online](#).

Transposition

In the UK, directive 2013/35/EU is implemented through Statutory Instrument 2016 No. 588 which came into force on 1st July 2016.

Key definitions

- "electromagnetic field" means a static electric, static magnetic and time-varying electric, magnetic and electromagnetic field with a frequency of up to 300 GHz;
- "ELV" means an exposure limit value
- "employee at particular risk" means—
 - (a) an employee who has declared to his or her employer a condition which may lead to a higher susceptibility to the potential effects of exposure to electromagnetic fields; or
 - (b) an employee who works in close proximity to electro-explosive devices, explosive materials or flammable atmospheres;
- "health effect" means a direct biophysical effect which is potentially harmful to human health;
- "indirect effect" means an effect, caused by the presence of an object or a substance in an electromagnetic field, which may present a safety or health hazard;
- "sensory effect" means a direct biophysical effect involving a transient disturbance in sensory perception or a minor and temporary change in brain function.

Obligations

- An employer must ensure that employees are not exposed to electromagnetic field levels in excess of the ELVs.
- The employer must make a suitable and sufficient assessment of the levels of electromagnetic fields to which employees may be exposed.
- The employer must make and implement a suitable and sufficient action plan to ensure compliance.
- The employer must make a suitable and sufficient assessment of the risks to employees arising from their exposure to electromagnetic fields.
- The employer must ensure that, so far as is reasonably practicable, the risks identified in the most recent risk assessment under regulation 8 are eliminated or reduced to a minimum.
- The employer must provide relevant information and training to any employees who are likely to be subjected to the risks identified in the most recent risk assessment.
- The employer must ensure that health surveillance and medical examinations are provided as appropriate to any employee who—
 - (a) is exposed to electromagnetic field levels in excess of the health effect ELVs; and
 - (b) reports experiencing a health effect to that employer.
- An employer who employs five or more employees must record the significant findings of the most recent exposure assessment.

Guidance

- HSE has published a guide to the Control of Electromagnetic Fields at Work Regulations 2016 which can be downloaded freely from <http://www.hse.gov.uk/pubns/books/hsg281.htm>
- A Non-binding guide to good practice for implementing Directive 2013/35/EU Electromagnetic Fields - Volume 1 - Practical guide is also available from <http://ec.europa.eu/social/main.jsp?catId=82&langId=en&furtherPubs=yes>
- The HSE also published a research report on EMF in the welding environment available here: <http://www.hse.gov.uk/research/rrhtm/rr1018.htm>

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