

# **Radio Equipment and Telecommunications Terminal Equipment**

*Radio Equipment and Telecommunications Terminal Equipment Regs*  
2000: 730 ECA  
as amended by 2003: 1903, 2003: 3144, 2004: 693, 2005: 281, 2015: 1630 and  
2016: 1101  
12 months from commission

## **Application**

### 1). Applies to

- ♣ radio products - products or their components which enable communication by emitting or receiving radio waves using the spectrum allocated to terrestrial / space radio communication, **and**
- ♣ telecommunications terminal equipment – products or their components which enable communication **and** are intended to be connected directly or indirectly by any means to the public telecommunications networks,

but does not affect the application of the relevant regulations and Directives to medical devices, active implantable medical devices, motor vehicles, and motorcycles, **nor** the taking of any action against any apparatus under any other enactment.

### 2). Does not apply to

- ♣ apparatus exclusively used for public security, defence, state security, or the activities of the State in the area of criminal law,
- ♣ kits of components for assembly by radio amateurs,
- ♣ commercial equipment modified by, and for the use of, radio amateurs,
- ♣ other amateur radio equipment, unless available commercially,
- ♣ marine equipment caught by 96/98/EC,
- ♣ cabling and wiring,
- ♣ receive only radio equipment for receiving radio and tv broadcasting services,
- ♣ civil aviation products, appliances and components caught by EEC 3922/91,
- ♣ air traffic management equipment caught by 93/65/EEC,
- ♣ equipment
  - ♥ intended to be exported to a country outside the EC,
  - ♥ imported into the EC for re-export outside the EC,
  - ♥ transferred from the manufacturer in a third country to his authorised representative in the EC who is responsible on behalf of the manufacturer for ensuring compliance with the Directive,
  - ♥ transferred to a manufacturer for further processing, including putting his own name on it,

**unless** it bears a CE mark, or a marking likely to be confused with it,

- ♣ (**unless** it is radio equipment which is switched on and causing harmful interference or endangering public health) apparatus displayed at trade fairs and exhibitions provided that a notice is displayed stating that
  - ♥ it does not comply with the regulations, **and**
  - ♥ it must not be placed on the market until it does.

## **Definitions**

**Responsible person** – the manufacturer, his authorised representative, or any other person who places apparatus on the market.

## **Safety**

1). Must not place apparatus on the market unless it satisfies the essential safety requirements (compliance with a harmonised standard covering one or more of the essential requirements is deemed to be compliance with those requirements), eg

- ♣ must not adversely affect the health and safety of users or others, including the safety requirements of 73/23/EEC,
- ♣ must observe the electromagnetic compatibility requirements of 89/336/EEC,
- ♣ radio equipment must not cause harmful interference,
- ♣ must comply with requirements concerning network compatibility, degradation of the network, privacy, fraud, access to the emergency services, and use by disabled people, when these measures have been adopted by the Commission and published.

2). All equipment must be subject to

- ♣ a conformity assessment procedure, depending on the type of equipment (see Schedules 2-5 of the regulations) and must be the subject of a technical construction file, **or**
- ♣ procedures in 73/23/EEC or 89/336/EEC, if it is caught by those Directives, **and**
- ♣ a declaration of conformity which must be drawn up by the responsible person.

## **Labelling**

1). The apparatus, any instructions accompanying it **or** any packaging relating to it must be marked with

- ♣ the name of the responsible person,
- ♣ its type identification, **and**
- ♣ a batch **or** serial number.

2). The following information must be prominently displayed on, or must accompany

- ♣ all apparatus: its intended use, **and** a declaration of conformity to the essential requirements,
- ♣ radio equipment: enough information on the packaging and in the instructions to identify where, within the EC, it is meant to be used, **and**, if appropriate, the equipment class identifier in order to alert the user that restrictions on use apply in certain EC states,

- ♣ telecommunications terminal equipment: enough information to identify the interfaces of public telecommunications networks it is meant to be connected to.
- 3). The CE mark must
- ♣ be at least 5mm high unless this is not possible,
  - ♣ be fixed visibly, legibly and indelibly to the product **or** its data plate, **and** the packaging, if any, **and** accompanying documents,
  - ♣ include an equipment class identifier,
  - ♣ where applicable, include an element which
    - ♥ informs the user that the apparatus makes use of radio frequency bands where their use is not harmonised throughout the EC,
    - ♥ has the same height as the initials 'CE',
  - ♣ be accompanied by the number of the notified bodies (where a conformity assessment procedure is carried out),
  - ♣ any equipment class identifier (radio equipment only),
  - ♣ include an indication that the equipment or assembly is presumed to comply with other directives, if it is subject to other CE marking Directives, **and** if in a transitional period, indicate that the product fulfils the provisions only of the directive(s) applied by the manufacturer (particulars of which must be given in the accompanying documents, notices or instructions).
- 3). No person may affix any marks or inscriptions which might
- ♣ mislead third parties about the meaning or form of the CE mark,
  - ♣ make the CE mark less visible or legible.

## **Compliance Notice**

- 1). **Except for** taking enforcement action
- ♣ under paragraph 8 of Sch 9 to the regs (powers of search etc) to ascertain whether a CE mark has been correctly affixed,
  - ♣ in respect of CE marked apparatus which endangers the safety of any person, or property, **or**
  - ♣ after the expiry of a compliance notice,
- the only enforcement action which may be taken in respect of non-compliant apparatus is the serving of a compliance notice on the manufacturer or his authorised representative in the EC, **or**, if neither of them has placed it on the market, the person who placed it on the UK market.
- 2). The notice must
- ♣ state that a CE mark has been affixed incorrectly,
  - ♣ give reasons for suspicions,
  - ♣ either
    - ♥ require the infringement to be rectified within a specified period, **or**
    - ♥ require evidence of compliance to be produced,
  - ♣ warn that further action may be taken if the notice is not complied with.