

Draft Regulations laid before Parliament under paragraph 8F of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2023 No.

**TELECOMMUNICATIONS,
NORTHERN IRELAND**

**The Radio Equipment (Amendment)
(Northern Ireland) Regulations 2023**

*Made - - - - - ***
Coming into force in accordance with regulation 1(1)*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8C(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(1).

In accordance with paragraph 8F of Schedule 7 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Radio Equipment (Amendment) (Northern Ireland) Regulations 2023 and come into force on the 21st day after the day on which they are made.

(2) These Regulations extend only to Northern Ireland.

Amendment of the Radio Equipment Regulations 2017

2.—(1) The Radio Equipment Regulations 2017(2) are amended as follows.

(2) After regulation 6(2) (essential requirements), insert—

“(3) Where paragraph (4) applies, radio equipment must be constructed so that it complies with the requirements of Article 1 of Commission Delegated Regulation (EU) 2019/320 supplementing [Directive 2014/53/EU](#) of the European Parliament and of the Council with regard to the application of the essential requirements referred to in Article

(1) [2018 c. 16](#). Section 8C was inserted by section 21 of the European Union (Withdrawal Agreement) Act 2020 (c. 1); paragraph 8F of Schedule 7 was inserted by paragraph 51 of Schedule 5 to that Act; and paragraph 21 of Schedule 7 was amended by paragraph 53 of Schedule 5 to that Act. There are other amendments not relevant to this instrument.

(2) [S.I. 2017/1206](#), as amended by [S.I. 2020/1112](#); there are other amendments not relevant to this instrument.

3(3)(g) of that Directive in order to ensure caller location in emergency communications from mobile devices⁽³⁾.

(4) This paragraph applies to radio equipment in the form of hand-held mobile telephones with features similar to those of a computer in terms of capability to treat and store data.”.

(3) In regulation 41 (conformity assessment procedures)—

- (a) in paragraph (5), after “regulation 6(2)” insert “or (3)”, and
- (b) in paragraph (6), after “regulation 6(2)” insert “or (3)”.

Name
Parliamentary Under Secretary of State
Department for Business, Energy and Industrial
Strategy

Date

(3) OJ No. L 55, 25.2.2019, p 1.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations give effect to the essential requirement in Article 3(3)(g) of the Radio Equipment Directive 2014/53, which applies to smart phones in accordance with Commission Delegated Regulation 2019/320 pursuant to Article 3(3) of that Directive. The essential requirement is that such mobile phones are constructed so as to ensure access to emergency services. The Delegated Regulation specifies technical solutions for compliance with the requirement.

An Explanatory Memorandum is published alongside these Regulations on www.legislation.gov.uk.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or business sectors is foreseen.