
STATUTORY INSTRUMENTS

2005 No. 281

The Electromagnetic Compatibility Regulations 2005

PART VI

**THE EC TYPE-EXAMINATION ROUTE TO COMPLIANCE
FOR RADIOCOMMUNICATION TRANSMISSION APPARATUS**

General

Application of Part VI

- 61.**—(1) This Part shall have effect for the purposes of providing for—
- (a) the manner in which the conformity assessment requirements shall be complied with in relation to radiocommunication transmission apparatus pursuant to the EC type-examination route to compliance; and
 - (b) United Kingdom notified bodies to exercise functions in relation thereto, and matters incidental to such exercise.
- (2) For the purposes of these Regulations, “radiocommunication transmission apparatus” is wireless telegraphy apparatus for—
- (a) transmitting; or
 - (b) both transmitting and receiving, other than—
 - (i) radio amateur apparatus designed, and intended by the manufacturer, for use exclusively by radio amateurs;
 - (ii) apparatus neither designed nor intended by the manufacturer to be used for transmitting in conjunction with other wireless telegraphy apparatus; or
 - (iii) apparatus which is dependent for its operation on a magnetic as distinct from an electromagnetic field.

The EC type-examination route to compliance

62. The conformity assessment requirements are complied with in relation to radiocommunication transmission apparatus pursuant to the EC type-examination route to compliance if there is in force an EC type-examination certificate obtained by the responsible person from a notified body in respect of the applicable EM characteristics of the apparatus.

Notified bodies

63. For the purposes of these Regulations, a notified body is a body responsible for issuing EC type-examination certificates pursuant to Article 10.5 of the EMC Directive either for all descriptions of radiocommunication transmission apparatus or for specific descriptions thereof, and which is—

- (a) a United Kingdom notified body pursuant to regulation 64 below;

- (b) for the time being a notified body of a member State other than the United Kingdom having been notified as a notified body by the member State concerned to the Commission and the other member States pursuant to Article 10.6 of the EMC Directive; or
- (c) recognised for the purpose of carrying out those functions by inclusion in a mutual recognition agreement relating to the EMC Directive or a similar agreement (including a Protocol to the Europe Agreement, or other Agreement, on Conformity Assessment and Acceptance of Industrial Products) which has been concluded between the Community and a State other than an EEA State.