SCHEDULE 3

Conformity assessment modules B and C

Module B

[F1Type] examination E+W+S

1. [F2Type] examination is the part of a conformity assessment procedure in which a notified body examines the technical design of the radio equipment and verifies and attests that the technical design of the radio equipment meets the essential requirements.

Extent Information

E1 This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Textual Amendments

F1 Word in Sch. 3 substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 29 para. 48(a)** (with Sch. 29 para. 44) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

F2 Word in Sch. 3 para. 1 substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 29 para. 48(a)** (with Sch. 29 para. 44) (as amended by S.I. 2020/676, regs. 1(1), **2**); 2020 c. 1, **Sch. 5 para. 1(1)**

EU-type examination N.I.

1. EU-type examination is the part of a conformity assessment procedure in which a notified body examines the technical design of the radio equipment and verifies and attests that the technical design of the radio equipment meets the essential requirements.

Extent Information

E10 This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

2. [F3Type] examination must be carried out by assessment of the adequacy of the technical design of the radio equipment through examination of the technical documentation and supporting evidence referred to in paragraph 3, without examination of a specimen (design type).

3.—(1) The manufacturer must lodge an application for [F4Type] examination with a single [F5approved] body of the manufacturer's choice.

(2) The application must include:

(a) the name and address of the manufacturer and, if the application is lodged by the authorised representative, the representative's name and address as well;

(b) a written declaration that the same application has not been lodged with any other [F6approved] body;

(c) the technical documentation. The technical documentation shall make it possible to assess the radio equipment's conformity with the applicable requirements of these Regulations and must include an adequate analysis and assessment of the risk(s). The technical

documentation must specify the applicable requirements and cover, as far as relevant for the assessment, the design, manufacture and operation of the radio equipment. The technical documentation must contain, wherever applicable, the elements set out in Schedule 5 (contents of technical documentation);

(d) the supporting evidence for the adequacy of the technical design solution. That supporting evidence must mention any documents that have been used, in particular where the relevant **[**F7designated**]** standards have not been applied or have not been fully applied. The supporting evidence must include, where necessary, the results of tests carried out in accordance with other relevant technical specifications by the appropriate laboratory of the manufacturer, or by another testing laboratory on the manufacturer's behalf and under the manufacturer's responsibility.

4. The **[**F8approved**]** body must examine the technical documentation and supporting evidence to assess the adequacy of the technical design of the radio equipment.

5. The **[**F9approved**]** body must draw up an evaluation report that records the activities undertaken in accordance with paragraph 4 and their outcomes. Without prejudice to its obligations as provided in paragraph 8, the **[**F9approved**]** body must release the content of that report, in full or in part, only with the agreement of the manufacturer.

6.—(1) Where the type meets the requirements of these Regulations that apply to the radio equipment concerned, the **[**F10approved**]** body must issue **[**F11a Type**]** examination certificate to the manufacturer. That certificate must contain—

(a) the name and address of the manufacturer,

(b) the conclusions of the examination,

(c) the aspects of the essential requirements covered by the examination,

(d) the conditions (if any) for its validity, and

(e) the necessary data for identification of the assessed type.

(2) The **[**F12Type**]** examination certificate may have one or more annexes attached.

(3) The **[**F13Type**]** examination certificate and its annexes must contain all relevant information to allow the conformity of manufactured radio equipment with the examined type to be evaluated and to allow for in-service control.

(4) Where the type does not satisfy the applicable requirements of these Regulations, the **[**F14approved**]** body must refuse to issue **[**F15a Type**]** examination certificate and must inform the applicant accordingly, giving detailed reasons for its refusal.

7.—(1) The **[**F16approved**]** body must keep itself appraised of any changes in the generally acknowledged state of the art which indicate that the approved type may no longer comply with the applicable requirements of these Regulations, and must determine whether such changes require further investigation. If so, the **[**F16approved**]** body must inform the manufacturer accordingly.

(2) The manufacturer must inform the **[**F16approved**]** body that holds the technical documentation relating to the **[**F17Type**]** examination certificate of all modifications to the approved type that may affect the conformity of the radio equipment with the essential requirements of these Regulations or the conditions for validity of that certificate. Such modifications require additional approval in the form of an addition to the original **[**F17Type**]** examination certificate.

8.—(1) Each **[**F18approved**]** body must inform **[**F19the Secretary of State**]** concerning the **[**F20Type**]** examination certificates and/or any additions thereto which it has issued or withdrawn, and must,

periodically or upon request, make available to **[**F19the Secretary of State**]** the list of such certificates and/or any additions thereto refused, suspended or otherwise restricted.

(2) Each **[**F18approved**]** body must inform the other **[**F18approved**]** bodies concerning the EU-type examination certificates and/or any additions thereto which it has refused, withdrawn, suspended or otherwise restricted, and, upon request, concerning such certificates and/or additions thereto which it has issued.

(3) Each **[**F18approved**]** body must inform the **[**F21Secretary of State and the other approved bodies**]** of **[**F22Type**]** examination certificates it has issued and/or additions thereto in those cases where **[**F23designated**]** standards F24... have not been applied or not been fully applied. The **[**F25Secretary of State**]** and the other **[**F18approved**]** bodies may, on request, obtain a copy of the **[**F22Type**]** examination certificates and/or additions thereto. On request, the **[**F26Secretary of State**]** may obtain a copy of the technical documentation and the results of the examinations carried out by the **[**F18approved**]** body. The **[**F18approved**]** body must keep a copy of the **[**F22Type**]** examination certificate, its annexes and additions, as well as the technical file including the documentation submitted by the manufacturer for 10 years after the radio equipment has been assessed or until the expiry of the validity of that certificate.

9. The manufacturer must keep a copy of the **[**F27Type**]** examination certificate, its annexes and additions together with the technical documentation at the disposal of the **[**F28enforcing**]** authorities for 10 years after the radio equipment has been placed on the market.

10. The manufacturer's authorised representative may lodge the application referred to in paragraph 3 and fulfil the obligations set out in paragraphs 7 and 9, provided that they are specified in the mandate.

Changes to legislation:
There are currently no known outstanding effects for the The Radio Equipment Regulations 2017, Module B.