

Directive 2014/53/EU of the European Parliament and of the Council of
16 April 2014 on the harmonisation of the laws of the Member States
relating to the making available on the market of radio equipment
and repealing Directive 1999/5/EC (Text with EEA relevance)

CHAPTER VII

FINAL AND TRANSITIONAL PROVISIONS

Article 46

Penalties

Member States shall lay down rules on penalties applicable to infringements by economic operators of the provisions of national law adopted pursuant to this Directive and shall take all measures necessary to ensure that they are enforced. Such rules may include criminal penalties for serious infringements.

The penalties provided for shall be effective, proportionate and dissuasive.

Article 47

Review and reporting

1 Member States shall submit to the Commission regular reports on the application of this Directive by 12 June 2017 and at least every two years thereafter. The reports shall contain a presentation of the market surveillance activities performed by the Member States and provide information on whether and to what extent compliance with the requirements of this Directive has been attained, including in particular requirements on identification of economic operators.

2 The Commission shall review the operation of this Directive and report thereon to the European Parliament and to the Council, by 12 June 2018 and every five years thereafter. The report shall cover progress on drawing up the relevant standards, as well as any problems that have arisen in the course of implementation. The report shall also outline the activities of the Telecommunication Conformity Assessment and Market Surveillance Committee, assess progress in achieving an open competitive market for radio equipment at Union level and examine how the regulatory framework for the making available on the market and putting into service of radio equipment should be developed in order to achieve the following:

- a ensure that a coherent system is achieved at Union level for all radio equipment;
- b allow for convergence of the telecommunications, audiovisual and information technology sectors;
- c enable regulatory measures to be harmonised at international level;
- d reach a high level of consumer protection;
- e ensure that portable radio equipment interworks with accessories, in particular with common chargers;
- f where radio equipment is fitted with an integral screen, allow the display of the required information on the integral screen.

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

Article 48

Transitional provisions

Member States shall not impede, for the aspects covered by this Directive, the making available on the market or putting into service of radio equipment covered by this Directive which is in conformity with the relevant Union harmonisation legislation applicable before 13 June 2016 and which was placed on the market before 13 June 2017.

Article 49

Transposition

1 Member States shall adopt and publish, by 12 June 2016, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate the text of those measures to the Commission.

They shall apply those measures from 13 June 2016.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.

2 Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

Article 50

Repeal

Directive 1999/5/EC is repealed with effect from 13 June 2016.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex VIII.

Article 51

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 52

Addressees

This Directive is addressed to the Member States.