
STATUTORY INSTRUMENTS

1992 No. 2423

The Telecommunications Terminal Equipment Regulations 1992

PART III

THE EC TYPE-EXAMINATION PROCEDURE

EC type-examination

EC type-examination

16. Regulations 17 to 23 below shall have effect in relation to EC type-examination, that is to say, that part of the procedure provided for in Annex I of the TTE Directive whereby a notified body ascertains and attests that a type meets the provisions of that Directive that apply to it.

Application for EC type-examination

17.—(1) The manufacturer of applicable terminal equipment or his authorised representative may lodge an application for the EC type-examination with a notified body of his choice.

(2) An application for EC type-examination made to a United Kingdom notified body shall be in English (or another language acceptable to the notified body) and shall include—

- (a) the name and address of the manufacturer and, if the application is lodged by the authorised representative, his name and address in addition;
- (b) a written declaration that the same application has not been lodged with any other notified body and that the applicable terminal equipment is intended for connection to the public telecommunications network; and
- (c) the technical documentation,

and the applicant shall—

- (i) place the type at the disposal of the United Kingdom notified body; and
- (ii) comply with any request made by the United Kingdom notified body for further specimens if needed for carrying out the test programme.

EC type-examination by a United Kingdom notified body

18.—(1) In carrying out EC type-examination, a United Kingdom notified body shall—

- (a) examine the technical documentation, verify that the type has been manufactured in conformity with it and identify the elements which have been designed in accordance with the relevant provisions of the harmonized national standards, as well as the components of those standards;
- (b) perform, or have performed by a recognised test laboratory, the appropriate examinations and necessary tests to check whether the solutions adopted by the manufacturer meet the

essential requirements referred to in sub-paragraphs (a) and (b) of regulation 5(1) above; and

- (c) perform, or have performed by a recognised test laboratory, the appropriate examinations and necessary tests to check that the type meets the relevant common technical regulations.

(2) The United Kingdom notified body shall agree with the applicant on the location where the examinations and necessary tests referred to in paragraph (1) above which are to be conducted by or on behalf of that body are to be carried out.

(3) Where it appears to a United Kingdom notified body carrying out EC type-examination that the type does not meet the provisions of the TTE Directive, it shall, subject to regulation 54 below, refuse to grant the EC type-examination certificate.

EC type-examination certificates issued by United Kingdom notified bodies

19.—(1) Where it appears to a United Kingdom notified body carrying out EC type-examination that the type meets the provisions of the TTE Directive, it shall issue an EC type-examination certificate to the applicant.

(2) An EC type-examination certificate issued pursuant to paragraph (1) above shall contain—

- (a) the name and address of the manufacturer;
- (b) conditions for its validity and prescribed conditions for use of the product; and
- (c) the necessary data for identification of the approved type,

and a list of the relevant parts of the technical documentation shall be annexed to the certificate.

Modifications to the approved type

20.—(1) An application for additional approval in respect of a modification to an approved product shall be made to the notified body that holds the technical documentation concerning the EC type-examination certificate for the approved product.

(2) An application for additional approval made to a United Kingdom body shall include—

- (a) the name and address of the manufacturer and, if the application is lodged by the authorised representative, his name and address in addition;
- (b) identifying particulars of the approved product to which the modification relates and its EC type-examination certificate; and
- (c) the additional technical documentation,

and the applicant shall—

- (i) place a specimen of the modification at the disposal of the United Kingdom notified body; and
- (ii) comply with any request made by the United Kingdom notified body for further specimens if needed for carrying out the test programme.

(3) Regulation 18 above shall apply to an application made to a United Kingdom notified body for an additional approval as if references to the type were references to the modification, and references to the EC type-examination certificate were references to the additional approval, provided that the United Kingdom notified body shall only be required to carry out the procedures referred to in paragraph (1) thereof to the extent that it appears necessary to that body to determine the application.

Additional approvals issued by United Kingdom notified bodies

21.—(1) Where it appears to a United Kingdom notified body to which an application for additional approval has been made that the modification meets the provisions of the TTE Directive, it shall issue an additional approval to the applicant.

- (2) An additional approval issued pursuant to paragraph (1) above shall contain—
- (a) the name and address of the manufacturer;
 - (b) conditions for its validity and prescribed conditions for use of the modification; and
 - (c) the necessary data for identification of the modification, and the approved type to which it relates and the EC type-examination certificate in respect thereof,
- and a list of the relevant parts of the additional technical documentation shall be annexed to the approval.

Variation of EC type-examination certificates and additional approvals issued by United Kingdom notified bodies

22. A United Kingdom notified body which issued an EC type-examination certificate or an additional approval—

- (a) may, at the request of the holder; or
- (b) shall, subject to regulation 54 below, where it appears to that body to be necessary to ensure that products manufactured in accordance therewith meet the provisions of the TTE Directive,

vary the conditions for its validity or the prescribed conditions for use of the approved product or modification as the case may be.

Withdrawal of EC type-examination certificates and additional approvals

23. Subject to regulation 54 below, where a United Kingdom notified body is satisfied that a type or modification in respect of which it issued an EC type-examination certificate or an additional approval as the case may be does not comply with the provisions of the TTE Directive, it shall withdraw the certificate or approval.