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## STATUTORY INSTRUMENTS

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# 2005 No. 281

## The Electromagnetic Compatibility Regulations 2005

### PART II

#### APPLICATION

##### *Apparatus covered by other Directives*

#### **Active implantable medical devices**

**20.**—(1) These Regulations do not apply to active implantable medical devices.

(2) In this regulation “active implantable medical device” has the meaning given by Article 1.2(c) of Council Directive [90/385/EEC](#)<sup>M1</sup> on the approximation of laws of the member States relating to active implantable medical devices.

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#### **Marginal Citations**

**M1** OJ No. L189, 20.7.90, p.17.

#### **In vitro medical devices**

**21.**—(1) These Regulations do not apply to in vitro medical devices and their accessories.

(2) In this regulation “in vitro medical device” has the meaning given by Article 1.2(b) of Directive [98/79/EC](#)<sup>M2</sup> concerning in vitro medical devices and “accessory” has the meaning given in Article 1. 2(c) of that Directive.

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#### **Marginal Citations**

**M2** OJ No. L331, 7.12.98, p.1.

#### **Medical devices**

**22.**—(1) These Regulations do not apply to medical devices.

(2) Insofar as the Wireless Telegraphy (Control of Interference from Electro Medical Apparatus) Regulations 1963 <sup>M3</sup> impose electromagnetic compatibility requirements which must be complied with if a relevant medical device is to be supplied, used or taken into service, those Regulations shall cease to apply except where the manufacturer elects to comply with the Wireless Telegraphy (Control of Interference from Electro Medical Apparatus) Regulations 1963 if applicable.

(3) In this regulation “medical device” has the meaning given by Article 1.2(a) of Directive [93/42/EEC](#)<sup>M4</sup> concerning medical devices.

#### Marginal Citations

**M3** S.I. 1963/1895.

**M4** OJ No. L169, 12.7.93, p.1.

### Vehicles, components and separate technical units

**23.**—(1) These Regulations do not apply to vehicles, components or separate technical units.

(2) In this regulation, in accordance with Council Directive [72/245/EEC](#) relating to the radio interference (electromagnetic compatibility) of vehicles <sup>M5</sup> as adapted to technical progress and amended by Commission Directive [95/54/EC](#)<sup>M6</sup>, “vehicle”, “component” and “separate technical unit” have the meanings respectively given to them by Article 2 of Council Directive [70/156/EEC](#) on the approximation of the laws of the member States relating to the type-approval of motor vehicles and their trailers <sup>M7</sup>, as amended by Council Directive [92/53/EEC](#)<sup>M8</sup>.

#### Marginal Citations

**M5** OJ No. L152, 6.7.72, p.15.

**M6** OJ No. L266, 8.11.95, p.1.

**M7** OJ No L42, 23.2.70, p.1

**M8** OJ No. L225, 10.8.92, p.1. Council Directive 92/53/EEC replaced Article 2 of Council Directive 70/156/EEC. Council Directive 72/245/EEC (as amended by Commission Directive 95/54/EC) is a separate Directive for the purposes of the definitions of component and separate technical unit.

### Agricultural or forestry tractors

**24.**—(1) These Regulations do not apply to agricultural or forestry tractors insofar as the electromagnetic disturbance generated by them is liable to cause radio interference.

(2) In this regulation, “agricultural or forestry tractor” has the meaning given to “vehicle” in Article 1 of Council Directive [75/322/EEC](#) on the suppression of radio interference produced by agricultural or forestry tractors (electromagnetic compatibility) <sup>M9</sup> as amended by Commission Directive [2000/2/EC](#) of 14 January 2000 <sup>M10</sup>.

#### Marginal Citations

**M9** OJ No. L147, 9.6.75, p.28.

**M10** OJ No. L21, 26.1.2000, p.23.

### Two and three-wheel motor vehicles

**25.**—(1) These Regulations do not apply to two and three-wheel motor vehicles.

(2) In this regulation, in accordance with Directive [97/24/EC](#) on certain components and characteristics of two and three-wheel motor vehicles <sup>M11</sup>, “two and three-wheel motor vehicles” has the meaning given to two or three-wheel motor vehicles referred to in Article 1 of Directive [2002/24/EC](#)<sup>M12</sup> relating to the type approval of two and three-wheel vehicles.

**Marginal Citations**

**M11** OJ No. L226, 18.8.97, p.1..

**M12** OJ No. 124, 9.5.2002, p.1. This Directive replaced Directive 92/61/EC (OJ No. L225, 10.8.92, p.72).

**Marine Equipment**

**26.**—(1) These Regulations do not apply to marine equipment.

(2) In this regulation, “marine equipment” has the meaning given to “equipment”, as defined in Article 2 (b) of Directive [96/98/EC](#)<sup>M13</sup> on marine equipment, for use on board as provided for in Article 3 of that Directive.

**Marginal Citations**

**M13** OJ No. L46, 17.2.97, p.25.

**Electrical Energy Meters**

**27.**—(1) These Regulations do not apply to electrical energy meters as regards the immunity thereof.

(2) In this regulation, “electrical energy meter” means any new directly connected induction meter, with single or multiple tariffs, designed to measure active energy single-phase or polyphase current at 53 Hz frequency mentioned or referred to in Article 2 of Council Directive [76/891/EEC](#) on the approximation of the laws of the member States relating to electrical energy meters<sup>M14</sup>.

**Marginal Citations**

**M14** OJ No. L336, 4.12.76, p.30.

**Non-automatic weighing instruments**

**28.**—(1) These Regulations do not apply to non-automatic weighing instruments as regards the immunity thereof.

(2) In this regulation, “non-automatic weighing instrument” has the meaning given by the second indent of Article 1.1 read in conjunction with Article 1.2(a) of Council Directive [90/384/EEC](#) on the harmonisation of the laws of the member States relating to non-automatic weighing instruments<sup>M15</sup>.

**Marginal Citations**

**M15** OJ No. L189, 20.7.90, p.1 amended by Directive 93/68/EEC of 22.11.93 (OJ No. L220, 30.8.93, p.1).

**Radio equipment and telecommunications terminal equipment**

**29.** These Regulations do not apply to telecommunications terminal equipment and radio equipment as defined in regulation 2(1) of the Radio Equipment and Telecommunications Terminal Equipment Regulations 2000<sup>M16</sup>.

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**Changes to legislation:** There are currently no known outstanding effects for the The Electromagnetic Compatibility Regulations 2005, Cross Heading: Apparatus covered by other Directives. (See end of Document for details)

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**Marginal Citations**

**M16** [S.I. 2000/730](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Electromagnetic Compatibility Regulations 2005, Cross Heading: Apparatus covered by other Directives.