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STATUTORY INSTRUMENTS

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**2005 No. 281**

**The Electromagnetic Compatibility Regulations 2005**

**PART VI**

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

*Final provisions*

**Savings**

**73.**—(1) For the avoidance of doubt, it is hereby declared that nothing in this Part shall be construed as dispensing with any requirement—

- (a) of a licence granted under—
  - (i) section 1 of the 1949 Act to establish and use any station for wireless telegraphy or to install and use any wireless telegraphy apparatus;
  - (ii) Part I of the Broadcasting Act 1990 **(1)**;
  - (iii) Part III of the Broadcasting Act 1990 to provide independent radio services within the meaning of that Part; or
  - (iv) the Broadcasting Act 1996**(2)**;
- (b) that apparatus be approved under section 84 of the 1984 Act;
- (c) of regulations made under section 1 of the 1949 Act;
- (d) of an order made under—
  - (i) section 7 of the Wireless Telegraphy Act 1967**(3)**; or
  - (ii) section 85 or 86 of the 1984 Act; or
- (e) of a continuation notice under paragraph 9 of Schedule 18 to the Communications Act 2003**(4)** given to a person who was a holder of a licence granted under section 7 of the 1984 Act.

(2) Nothing in this Part shall affect the validity of an EC-type examination certificate lawfully issued by a notified body pursuant to regulation 60 of the Electromagnetic Compatibility Regulations 1992.

**Interpretation of Part VI**

**74.** In this Part—

“authorised description” shall be construed in accordance with regulation 64 above;

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(1) 1990 c. 42.  
(2) 1996 c. 55.  
(3) 1967 c. 72.  
(4) 2003 c. 21.

“examine” includes, where a UK notified body considers appropriate, the disassembly of apparatus.