

*This Statutory Instrument has been made in consequence of a defect in SI 2005/281 and is being issued free of charge to all known recipients of that Statutory Instrument.*

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STATUTORY INSTRUMENTS

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**2006 No. 1449**

**ELECTROMAGNETIC COMPATIBILITY**

**The Electromagnetic Compatibility (Amendment) Regulations  
2006**

<i>Made</i>	- - - -	<i>26th May 2006</i>
<i>Laid before Parliament</i>		<i>5th June 2006</i>
<i>Coming into force</i>	- -	<i>28th June 2006</i>

The Secretary of State has been designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to measures relating to apparatus which is liable to cause electromagnetic disturbance and to apparatus the performance of which is liable to be affected by such disturbance.

The Secretary of State makes the following Regulations under the powers conferred on him by section 2(2) of that Act.

**Citation and commencement**

1. These Regulations may be cited as the Electromagnetic Compatibility (Amendment) Regulations 2006 and shall come into force on 28th June 2006.

**Amendment to the Electromagnetic Compatibility Regulations 2005**

- 2.—(1) The Electromagnetic Compatibility Regulations 2005<sup>(c)</sup> are amended as follows.  
(2) For regulation 29, substitute the following regulation—

**“Radio equipment and telecommunications terminal equipment**

**29.** These Regulations do not apply to equipment covered by Directive 1999/5/EC of the European Parliament and of the Council on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity<sup>(d)</sup> as amended by Regulation (EC) No. 1882/2003 of the European Parliament and of the Council<sup>(e)</sup>.”

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(a) S.I. 1989/2393.  
(b) 1972 c.68.  
(c) S.I.2005/281.  
(d) OJ No. L91, 7.4.99, p.10.  
(e) OJ No. L284, 31.10.03, p.1.

26th May 2006

*Lord Sainsbury of Turville*  
Parliamentary Under Secretary of State for Science and Innovation  
Department of Trade and Industry

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Electromagnetic Compatibility Regulations 2005 (S.I. 2005/281) (“the 2005 Regulations”) which implement Directive 89/336/EEC on the approximation of laws of the member States relating to electromagnetic compatibility (OJ No. L139, 23.5.89) as amended by Council Directives 92/31/EEC (OJ No. L126, 12.5.92, p.11) and 93/68/EEC (OJ No. L220, 30.8.93, p.1).

Regulation 2 amends Regulation 29 of the 2005 Regulations to provide that only radio equipment and telecommunications terminal equipment covered by Directive 1995/5/EC on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity (OJ No. L91, 7.4.99, p.10) is excluded from the application of the 2005 Regulations.

A regulatory impact assessment has not been produced for this instrument as it has no new impact on the costs of business. As the instrument does not transpose new European legislation, no transposition note has been prepared.

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