

---

STATUTORY INSTRUMENTS

---

**2006 No. 3418**

**ELECTROMAGNETIC COMPATIBILITY**

The Electromagnetic Compatibility Regulations 2006

*Made - - - - 18th December 2006*

*Laid before Parliament 20th December 2006*

*Coming into force in accordance with regulation 1*

THE ELECTROMAGNETIC COMPATIBILITY REGULATIONS 2006

PART I

PRELIMINARY

1. Citation and commencement
2. Revocation and disapplication
3. Interpretation
4. Essential requirements
5. Specific essential requirements for fixed installations

PART II

APPLICATION

6. General conditions of application
7. Existing legislation

*Exclusions*

8. Electromagnetically benign equipment
9. Regulation establishing common rules in the field of civil aviation
10. Radio Equipment and Telecommunications Terminal Equipment Directive
11. Radio amateur apparatus
12. Equipment covered by other Directives
13. Measuring Instruments Directive
14. Equipment presented at trade fairs or similar events

PART III

GENERAL REQUIREMENTS – APPARATUS

15. Requirements for placing on the market

*Status: This is the original version (as it was originally made).*

16. Requirements for putting into service
17. Exception from regulation 15 and 16
18. Compliance with the essential requirements
19. The internal production control procedure
20. Involvement of a notified body
21. The CE marking
22. EC declaration of conformity
23. Retention of documentation

#### PART IV

#### UNITED KINGDOM NOTIFIED BODIES

24. Designation of United Kingdom notified bodies
25. Variation and termination
26. Fees
27. Functions of notified body
28. Limitations on duties to exercise functions
29. Contractors
30. Form of statement of compliance
31. Conditions of statement of compliance
32. Withdrawal of statement of compliance
33. Procedure where a notified body is minded to refuse to give, or to vary or to withdraw a statement of compliance

#### PART V

#### GENERAL REQUIREMENTS – FIXED INSTALLATIONS

34. Exemption for certain apparatus from placing on the market requirements
35. General duty relating to the putting into service of fixed installations
36. Evidence of compliance with the essential requirements

#### PART VI

#### ENFORCEMENT

##### *Enforcement authorities and powers*

37. Enforcement authorities
38. Test purchases
39. Powers of search
40. Provisions supplemental to regulation 39
41. Appeals against detention of apparatus
42. Compliance notices
43. Suspension notices
44. Appeals against suspension notices
45. Power to require production of documents and information

##### *Offences*

46. Placing on the market or putting into service of equipment in contravention of regulation 15, 16, 34 or 35
47. Contravention of suspension notice
48. False or misleading information
49. Misuse of the CE marking
50. Obstruction of officers of enforcement authorities

51. Failure to retain documentation
52. Defence of due diligence
53. Liability of persons other than the principal offender
54. Extension of time for bringing summary proceedings
55. Inference of condition of equipment at time of placing on the market or putting into service

*Powers of the court*

56. Penalties
57. Power of the court to require matter to be remedied
58. Forfeiture: England and Wales and Northern Ireland
59. Forfeiture: Scotland
60. Recovery of expenses of enforcement

PART VII

MISCELLANEOUS AND SUPPLEMENTAL

61. Service of documents
62. Duty of enforcement authority to inform the Secretary of State of action taken
63. Savings for certain privileges
64. Savings for action taken under other enactments

*Consequential amendments*

65. Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information) (Specification) Order 2004  
Signature

---

SCHEDULE 1 — Regulations under Section 10 of the Wireless Telegraphy Act 1949

1. The Wireless Telegraphy (Control of Interference from Ignition Apparatus) Regulations...
2. The Wireless Telegraphy (Control of Interference from Electro Medical Apparatus)...
3. The Wireless Telegraphy (Control of Interference from Radio-Frequency Heating Apparatus)...
4. The Wireless Telegraphy (Control of Interference from Household Appliances, Portable)...
5. The Wireless Telegraphy (Control of Interference from Fluorescent Lighting Apparatus)...
6. The Wireless Telegraphy (Control of Interference from Citizens' Band Radio)...

SCHEDULE 2 — The CE Marking

1. The CE marking shall consist in the initials CE taking...
2. The CE marking must have a height of at least...
3. If the CE marking is reduced or enlarged the proportions...

SCHEDULE 3 — Technical documentation

SCHEDULE 4 — Other directives covering equipment

**Status:** This is the original version (as it was originally made).

1. Council Directive 90/385/EEC on the approximation of laws of the...
2. Directive 98/79/EC concerning in vitro medical devices.
3. Directive 93/42/EEC concerning medical devices.
4. Council Directive 72/245/EEC relating to the radio interference (electromagnetic compatibility)...
5. Council Directive 75/322/EEC on the suppression of radio interference produced...
6. Directive 97/24/EC on certain components and characteristics of two and...
7. Directive 96/98/EC on marine equipment.
8. Council Directive 90/384/EEC on the harmonisation of the laws of...

SCHEDULE 5 — Minimum Criteria for the Assessment of United Kingdom Notified Bodies

1. Availability of personnel and of the necessary means and equipment;...
2. Technical competence and professional integrity of personnel;
3. Independence in preparing the reports and performing the verification function...
4. Independence of staff and technical personnel in relation to all...
5. Maintenance of professional secrecy by personnel; and
6. Possession of civil liability insurance unless such liability is covered...

Explanatory Note