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STATUTORY INSTRUMENTS

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**2024 No. 696**

**The Product Safety and Metrology  
etc. (Amendment) Regulations 2024**

**Amendment to the Radio Equipment Regulations 2017**

**20.**—(1) The Radio Equipment Regulations 2017(1) are amended as follows.

(2) In regulation 2(1), for the definition of “the Directive” substitute—

““the Directive” means [Directive 2014/53/EU](#) of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment(2);”.

(3) In regulation 36A(6) for “16” substitute “17”.

(4) For regulation 36B substitute—

**“Further use of UK marking**

**36B.**—(1) In this regulation—

(a) any reference to an Article or an Annex is a reference to an Article or an Annex of the Directive;

(b) “harmonised standard” has the meaning given to it in Article 2(18).

(2) Subject to paragraphs (4) and (5), paragraph (3) applies where, before placing radio equipment on the market, the manufacturer—

(a) ensures that the radio equipment has been designed and manufactured in accordance with the essential requirements set out in Article 3;

(b) ensures that the conformity assessment procedure that applies to that radio equipment in accordance with Article 17 has been carried out;

(c) draws up the technical documentation in accordance with Article 21; and

(d) ensures that the technical documentation and other records and correspondence relating to the conformity assessment procedure are prepared in or translated into English.

(3) Where this paragraph applies—

(a) regulations 7, 9 and 45 are to be treated as being satisfied;

(b) except for regulations 42, 43 and 44(1) to (3), Part 3 does not apply;

(c) regulations 2(2)(a), 11, 17, 20, 21(a) and (c), 22, 25, 28, 32, 33, 39, 42, 44 and 63 apply subject to the modifications in paragraph (6);

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(1) [S.I. 2017/1206](#); they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by [S.I. 2019/696](#), [S.I. 2021/1273](#) and [S.I. 2022/1393](#); there are other amending instruments but none is relevant.

(2) OJ L 153, 22.5.2014, p.62, as amended by [Regulation \(EU\) 2018/1139](#), [Directive \(EU\) 2022/2380](#) and [Commission Delegated Regulation \(EU\) 2023/1717](#).

- (d) regulation 10 and Schedule 6 apply subject to the modifications in paragraphs (6) and (7);
  - (e) Schedule 7 applies subject to the modification in paragraph (7).
- (4) This paragraph applies where there is no designated standard or part of a designated standard which corresponds exactly to a harmonised standard or part of a harmonised standard referred to in Article 17.
- (5) Where paragraph (4) applies, paragraph (2)(b) is to be treated as requiring the manufacturer, when assessing the compliance with the essential requirements set out in Article 3(2) and (3), to ensure either of the conformity assessment procedures set out in Article 17(4) is carried out.
- (6) The modifications referred to in paragraph (3)(c) and (d) are that—
- (a) any reference to the “essential requirements” is to be read as a reference to the essential requirements set out in Article 3;
  - (b) any reference to “designated standard” is to be read as a reference to a harmonised standard;
  - (c) any reference to “relevant conformity assessment procedure” is to be read as a reference to the conformity assessment procedure that applies to that radio equipment in accordance with Article 17;
  - (d) any reference to “technical documentation” is to be read as a reference to the technical documentation referred to in Annex V.
- (7) The modifications referred to in paragraph (3)(d) and (e) are that—
- (a) in regulation 10 the references to “enactment” are to be read as including the Directive;
  - (b) in Schedule 6 any reference to “approved body” is to be read as a reference to the conformity assessment body that undertook the relevant conformity assessment procedure in accordance with Article 17;
  - (c) in Schedules 6 and 7 the references to “relevant statutory requirements” are to be read as including the Directive.”.
- (5) In regulation 76A, omit paragraphs (4) to (6).
- (6) In paragraph 7 of Schedule 6 for “notified” substitute “approved”.