

Radio equipment and telecommunication terminal equipment and mutual recognition of their conformity

1997/0149(COD) - 10/12/1997 - Economic and Social Committee: opinion, report

The Committee supports in principle the major elements of the proposed directive. However, there are some areas of concern. The exclusion of equipment intended for exclusive public security use should apply for all equipment, not only for radio. This should be stated at the beginning of the directive, rather than in the definitions. Possibly the wording of the proposed Telecommunications Data Protection Directive could provide a model. The scope of radio equipment covered by the directive should exclude radio equipment used by radio amateurs receive-only radio equipment capable of radio reception solely of Broadcasting Services. The essential requirement for effective use of the radio frequency spectrum should be a general essential requirement, applicable to all radio equipment. To avoid confusion, the different requirements for radio and other kinds of equipment should be identified more clearly in the text. The proposed directive should clarify that consumers are protected through horizontal legislation for aspects of products that fall outside the essential requirements. This is important because the proposed directive has a lighter interpretation of essential requirements than was used in Directives 91/263/EEC and 93/97/EEC. In the opinion of the Committee, the possibility of removal of all products from the market under the safeguard provisions of the directive is an adequate force compelling suppliers to ensure that CTE meets all applicable essential requirements, and that the simplified access to the market is not abused. No further provisions on liability for non-compliance are needed.