

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

1997/0149(COD) - 09/03/1999 - Final act

PURPOSE: to establish a Community regulatory framework for the placing on the market, free movement and putting into service in the Community of radio equipment and telecommunications terminal equipment. **COMMUNITY MEASURE:** Directive 1999/3/EC of the European Parliament and of the Council on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity. **CONTENT:** the directive represents an important step in establishing the necessary legislative framework to support a truly competitive Community market in telecommunications terminal equipment. The new regulation establishes an exact list, annexed to the directive, of equipment not covered by the directive (eg. radio equipment used by radio amateurs). The directive also excludes apparatus exclusively used for activities concerning public security, defence, State security and the activities of the State in the area of criminal law. Member States are required to ensure that apparatus is placed on the market only if it complies with the appropriate essential requirements laid down in the directive. They will also ensure that the manufacturer or the person responsible for placing the apparatus on the market provides information for the user on the intended use of the apparatus, together with the declaration of conformity to the essential requirements. The directive prescribes measures intended to prevent radio equipment, using frequency bands whose use is not harmonised throughout the Community, from causing harmful interference when used: - the person responsible for placing the equipment on the market is required to notify the national authority responsible for spectrum management in the relevant Member State of the intention to place the equipment on its national market; - a safeguard article allows Member States to prohibit the placing on its market of radio equipment, causing or likely to cause interference; - radio equipment which isn't harmonised is to be subject to stricter monitoring of its conformity; - users are to be informed of possible restrictions on the use of radio equipment in certain geographical areas. The Commission will be assisted by a committee (the telecommunication conformity assessment and market surveillance committee (TCAM)). Two committee procedures are envisaged: - an advisory committee procedure to be consulted on the following matters: interpretation and publication of harmonised standards; the date of application of essential requirements for apparatus within certain equipment classes or apparatus of particular types; safeguard measures taken by Member States in order to address a lack of harmonised standards; - a regulatory committee procedure type IIIA responsible for laying down specific essential requirements for certain equipment classes as well as the establishment of notified interfaces by the Member States. The Commission will examine the implementation of the directive and will submit a report to the European Parliament and the Council no later than 07/10/2000 and then every third year thereafter. **ENTRY INTO FORCE:** 07/04/1999. **DEADLINE FOR TRANSPOSITION:** 07/04/2000.