

Recommendation on Harmonised Standards for radio equipment

Industry's views on point 1 of the agenda of IMCO's "Legislative scrutiny time" on 21 November 2017

Brussels, 20 November 2017

Introduction

The Radio Equipment Directive is the key legislation enabling access to the European Single Market for a broad and increasing range of radio devices, such as mobile phones, tablets, laptops, GPS and IoT products as well as other new and innovative smart and connected devices that enable the Digital economy.

Where do we stand

Today there are still several important radio standards that have been published by ETSI, the ESO in charge of RE-D, that still have not been cited in the Official Journal (OJ) of the EU which then can be used by manufacturers to show conformity with RE-D.

In the latest OJ listing of November 17, 2017, 5 CENELEC standards were included for the first time. While the listing of CENELEC standards covering safety and EMC is to be welcomed in general, only the latest versions of these standards (all of which were amended in 2017) was listed. The new listing makes no reference to the previous editions of these standards which manufacturers are currently applying, and these new standards become the only way to show presumption of conformity without any regard for the normal transition periods.

Why do Harmonised Standards matter?

RE-D and its predecessor R&TTE, as well as most of Directives foresee the availability and application of Harmonised Standards to allow manufacturers typically to self-declare conformity with the Directives' requirements – a corner stone of the Single Market's successful functioning.

The certification through 3rd parties (Notified Bodies), even if it is voluntary and a commercial choice by manufacturers, it is significantly more costly and time-consuming compared to self-declaration of conformity. In the absence of even one applicable radio standard the manufacturer has no choice but to follow the 3rd party certification route.

Conclusion

1,5 years after the entry into force of RE-D and 5 months after the end of the official transition period (art.48, RE-D) industry is still facing severe disruptions in the market place.

Therefore, DIGITALEUROPE urges the European Commission to list in the Official Journal (OJ), all Harmonised Standards that have already been published by ETSI and CENELEC, without further delay.

In doing so, the Commission must carefully consider the status of previous editions of standards and ensure that the listing in the OJ does not disrupt the normal transition periods that are necessary for the functioning of the Directive.

This would ensure the legal certainty in the application of RE-D by industry and the return to the default method of self-declaration of conformity.

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