
STATUTORY INSTRUMENTS

2005 No. 281

The Electromagnetic Compatibility Regulations 2005

PART VI

**THE EC TYPE-EXAMINATION ROUTE TO COMPLIANCE
FOR RADIOCOMMUNICATION TRANSMISSION APPARATUS**

Final provisions

Savings

73.—(1) For the avoidance of doubt, it is hereby declared that nothing in this Part shall be construed as dispensing with any requirement—

- (a) of a licence granted under—
 - (i) section 1 of the 1949 Act to establish and use any station for wireless telegraphy or to install and use any wireless telegraphy apparatus;
 - (ii) Part I of the Broadcasting Act 1990 **(1)**;
 - (iii) Part III of the Broadcasting Act 1990 to provide independent radio services within the meaning of that Part; or
 - (iv) the Broadcasting Act 1996**(2)**;
- (b) that apparatus be approved under section 84 of the 1984 Act;
- (c) of regulations made under section 1 of the 1949 Act;
- (d) of an order made under—
 - (i) section 7 of the Wireless Telegraphy Act 1967**(3)**; or
 - (ii) section 85 or 86 of the 1984 Act; or
- (e) of a continuation notice under paragraph 9 of Schedule 18 to the Communications Act 2003**(4)** given to a person who was a holder of a licence granted under section 7 of the 1984 Act.

(2) Nothing in this Part shall affect the validity of an EC-type examination certificate lawfully issued by a notified body pursuant to regulation 60 of the Electromagnetic Compatibility Regulations 1992.

Interpretation of Part VI

74. In this Part—

“authorised description” shall be construed in accordance with regulation 64 above;

(1) 1990 c. 42.
(2) 1996 c. 55.
(3) 1967 c. 72.
(4) 2003 c. 21.

“examine” includes, where a UK notified body considers appropriate, the disassembly of apparatus.