
STATUTORY INSTRUMENTS

1994 No. 3129

TELECOMMUNICATIONS

**The Telecommunications Terminal Equipment
(Amendment and Extension) Regulations 1994**

<i>Made</i>	- - - -	<i>7th December 1994</i>
<i>Laid before Parliament</i>		<i>8th December 1994</i>
<i>Coming into force</i>		
<i>Parts I, II and III</i>		<i>1st January 1995</i>
<i>Part IV</i>		<i>1st May 1995</i>

The Secretary of State, being a Minister designated for the purposes of section 2(2) of the European Communities Act 1972⁽¹⁾ in relation to measures relating to the approval of telecommunications terminal equipment⁽²⁾ and satellite earth station equipment⁽³⁾, in exercise of the powers conferred on him by the said section 2(2) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

PART I
PRELIMINARY

Citation and commencement

1.—(1) These Regulations may be cited as the Telecommunications Terminal Equipment (Amendment and Extension) Regulations 1994.

(2) These Regulations shall come into force as follows—

- (a) Parts I, II and III, on 1st January 1995; and
- (b) Part IV, on 1st May 1995.

(1) 1972 c. 68.
(2) S.I.1989/1327.
(3) S.I. 1994/757.

Interpretation

2. In these Regulations—

“the principal Regulations” means the Telecommunications Terminal Equipment Regulations 1992(4);

“CE Marking Directive” means Council Directive 93/68/EEC(5); and

“Satellite Earth Station Equipment Directive” means Council Directive 93/97/EEC supplementing Directive 91/263/EEC in respect of satellite earth station equipment(6).

PART II

AMENDMENTS TO THE PRINCIPAL REGULATIONS

Definitions

3. Regulation 3 of the principal Regulations is (in addition to the amendments made by regulation 6(a) below) hereby amended as follows:

(a) for paragraph (1) (definition of the TTE Directive) there shall be substituted the following paragraph—

“(1) In these regulations, the “TTE Directive” means Council Directive 91/263/EEC on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity, as—

(a) amended by Article 11, 14.1 and 14.2 of the CE Marking Directive; and

(b) supplemented by the Satellite Earth Station Equipment Directive.”;

(b) in paragraph (2)—

(i) before the definition of “the Commission” there shall be inserted the following definition—

““CE Marking Directive” means Council Directive 93/68/EEC;”;

(ii) the definition of “the Community” shall be deleted; and

(iii) after the definition of “responsible person” there shall be inserted the following definitions—

““satellite earth station equipment” means satellite earth station equipment within the meaning of Article 1.2 of the Satellite Earth Station Equipment Directive;

“Satellite Earth Station Equipment Directive” means Council Directive 93/97/EEC supplementing Directive 91/263/EEC in respect of satellite earth station equipment;”;

(c) after paragraph (5), there shall be added the following paragraph—

“(6) In these Regulations, with respect to matters arising on and after 1st January 1994, a reference to the Community includes a reference to the EEA, and a reference to a member State includes a reference to an EEA State, and for the purposes of this paragraph—

(a) the “EEA” means the European Economic Area;

(4) S.I. 1992 No. 2423.

(5) OJNo. L220, 30.8.93, p.1.

(6) OJ No. L290, 24.11.93, p.1.

- (b) an “EEA State” means a state which is a contracting party to the EEA Agreement but until the EEA Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein; and
- (c) the “EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993(7).”.

Application of the requirements of Article 2 of Council Directive 91/263/EEC to all terminal equipment not intended for connection to the public telecommunications network

4.—(1) Subject to paragraph (2) below, the principal Regulations are hereby amended as follows:

- (a) in regulation 2, after paragraph (3), there shall be inserted the following paragraph—

“(3A) For the avoidance of doubt, it is hereby declared that, on and after 1st January 1995, the said orders so listed in Schedule 1 (save for the Telecommunication Apparatus (Bell Noise-Labeling) Order 1985(8), which is inapplicable) shall no longer apply to equipment which is, on and after that date, connection-capable equipment or radio connection-capable equipment consequent upon the amendment of regulation 4 of these Regulations by regulation 3 of the Telecommunications Terminal Equipment (Amendment and Extension) Regulation 1994.”;

- (b) in regulation 4(4)—

- (i) in the headpiece, the words “which would, except for the operation of this paragraph, be applicable terminal equipment,” shall be omitted;

- (ii) for the tailpiece, there shall be substituted the following tailpiece—

“and equipment which is, or would be, except for the operation of paragraph (3) above, taken outwith the meaning of applicable terminal equipment pursuant to this paragraph, is referred to in these Regulations as “connection-capable equipment”.”;

- (c) for paragraphs (5) and (6) of regulation 4 there shall be substituted the following paragraphs—

“(5) Terminal equipment (including equipment in respect of which an adjustment has been made or a mechanism unblocked as referred to in paragraph (6) below) which makes use of a system of communication employing the radio frequency spectrum, and which is not radio connection-capable equipment within the meaning of the said paragraph (6), shall, for the purposes of these Regulations, be taken to be intended for connection to a public telecommunication network and accordingly shall, save as provided by paragraph (3) of this regulation and regulation 6(3) and (4) below, be taken to be applicable terminal equipment.

(6) Where equipment employing the radio frequency spectrum is designed to be capable of connection to a public telecommunications network if an adjustment were made thereto or a blocking mechanism were unblocked, that equipment may not, unless such adjustment is made or such mechanism is unblocked, as the case may be, be regarded as capable of being applicable terminal equipment pursuant to paragraph (5) above; and equipment

(7) The application of the principal Regulations was extended to the European Economic Area (EEA) from 1 January 1994 by virtue of the European Economic Area Act 1993 (c. 51) section 2, in pursuance of Articles 7 and 23 of the European Economic Area Agreement and Protocol 12 and Annex II Part XVIII (Information Technology, Telecommunications and Data Processing).Point 4 of Part XVIII (at p.445 of the edition published by the Office for Official Publications of the European Communities, 1992) lists Council Directive 91/263/EEC as being an act referred to for the purposes of Article 7 which was made part of the internal legal order of the Contracting Parties.Point 4 was amended by Annex 3 to Decision 7/94 of the EEA Joint Committee (the ‘Interim Acquis’; OJ No.L160, 28.6.94, p.1).Point M.1 of that Annex (at p.45) inserts into point 4 references to the CE Marking Directive and the Satellite Earth Station Equipment Directive.The principal Regulations should, from that date, be read as if a reference to a member State included a reference to an EEA country.

(8) S.I. 1985/718.

which may not, on account of this paragraph, be regarded as applicable terminal equipment is referred to in these Regulations as “radio connection-capable equipment”.”

(2) The amendments made by paragraph (1) above shall not apply to any equipment first supplied or put into service within the Community before 1st January 1995.

CE Mark

5. For Schedule 2 of the principal Regulations, there shall be substituted the following Schedule—

“SCHEDULE 2

Regulation 10(5)(a)

THE CE MARK

1. Subject to paragraph 2 below, in the CE Mark, the symbol “CE” shall be set out in the form shown below—



2. Notwithstanding the provisions of paragraph 1 above, where any terminal equipment is marked with a CE mark in which the symbol “CE” is set out in the form shown below—



the CE mark on such terminal equipment shall be deemed to satisfy the requirements of this Schedule.”

Notified bodies etc

6. The principal Regulations are hereby amended as follows:—

(a) for paragraph (1) of regulation 51 there shall be substituted the following paragraph—

“(1) Subject to paragraph (2) below, the following persons shall be eligible for appointment as United Kingdom notified bodies—

(a) the Secretary of State; and

(b) any person resident, incorporated or carrying on an undertaking in the United Kingdom.”; and

(b) in the headpiece to regulation 53(1), for the words “a United Kingdom notified body” there shall be substituted “and without prejudice to the power of the Secretary of State, where he is a United Kingdom notified body, to charge fees pursuant to section 56 of the Finance Act 1973⁽⁹⁾, a United Kingdom notified body other than the Secretary of State”.

(9) 1973 c. 51.

PART III

CE MARKING

Implementation of the CE Marking Directive

7. Subject to regulation 8 below, the principal Regulations are hereby amended as follows—
- (a) throughout the Regulations save in regulation 3(2), for “CE mark” on each occasion that it occurs there shall be substituted “CE marking”;
 - (b) in regulation 3(2)—
 - (i) for the definition of “CE mark” there shall be substituted the following definition—

““CE marking” shall be construed—

 - (a) in relation to applicable terminal equipment, in accordance with regulation 10(6)(a) below; and
 - (b) in relation to connection-capable equipment and radio connection-capable equipment, in accordance with regulation 12 below”;
 - (ii) for the definition of “notified body symbol” there shall be substituted the following definition—

““notified body identification number” has the meaning given by regulation 10(6)(b) below;”;
 - (c) for regulation 10, there shall be substituted the following regulation—

“Connection marking requirements

10.—(1) The connection marking requirements are that there shall be affixed to applicable terminal equipment—

- (a) the following marks in the following order from left to right—
 - (i) the CE marking;
 - (ii) the notified body identification number; and
 - (iii) the connection symbol; and
- (b) an inscription identifying the equipment—
 - (i) by means of—
 - (aa) type; and
 - (bb) batch or serial numbers or both; and
 - (ii) by the name of the manufacturer, or supplier responsible for first supplying it in the Community, or both.

(2) Subject to paragraph (3) below, where applicable terminal equipment is subject to other Directives concerning other aspects and which also provide for the affixing of the CE marking, the latter shall indicate that the equipment is also presumed to conform to the provisions of those other Directives.

(3) Where one or more of the other Directives referred to in paragraph (2) above allow the manufacturer, during a transitional period, to choose which arrangements to apply, the CE marking shall indicate conformity to the provisions only of those Directives applied by the manufacturer. In this case, particulars of the Directives applied, as published in the Official Journal of the European Communities, must be given in the documents, notices or instructions required by the directives and accompanying the terminal equipment.

(4) No person shall affix to applicable terminal equipment any marking which is likely to deceive third parties as to the meaning and form of the CE marking. Any other marking may be affixed to the equipment provided that the visibility and legibility of the CE marking are not thereby reduced.

(5) No person shall affix the CE marking, a notified body identification number or the connection symbol, or any other inscription liable to be confused with any of those marks, to applicable terminal equipment which does not comply with regulation 8(a) and (b) above.

(6) In these Regulations—

(a) “CE marking” means a marking—

(i) consisting of the initials “CE”;

(ii) taking the form shown in Schedule 2 hereto; and

(iii) which, when used in relation to applicable terminal equipment, attests to conformity to the requirements of the TTE Directive, including the conformity assessment procedures laid down in Chapter II of that Directive;

(b) “notified body identification number” means the identification number of the notified body involved in the product control stage being the number assigned to that body by the Commission pursuant to Article 10.1 of the TTE Directive; and

(c) “connection symbol” means the symbol of suitability for connection to the public telecommunications network, such symbol taking the form shown in Schedule 3 to these Regulations.”;

(d) after regulation 65, there shall be added the following regulation—

“Compliance notices

65A.—(1) Subject to paragraph (4) below, in the relevant circumstances, no action may be taken pursuant to regulations 65, 66, 70, 73, 82 or 83 to these Regulations unless the requirements of this regulation are satisfied.

(2) The relevant circumstances are that it is established that the CE marking has been affixed unduly to any terminal equipment.

(3) The requirements of this regulation are that—

(a) there has been served upon the manufacturer or his authorised representative a notice (howsoever expressed) in writing obliging the person on whom the notice is served to make the product conform as regards the provisions of the TTE Directive concerning the CE marking and to end the infringement under conditions imposed in, or in relation to, the notice; and

(b) the non-conformity continues after the period specified in, or in relation to, the said notice during which the infringement must be ended has expired.

(4) This regulation does not apply where it is found that terminal equipment bearing the CE marking and properly used in accordance with the purpose intended by the manufacturer does not comply with the relevant essential requirements,”; and

(e) for regulation 73, there shall be substituted the following regulation—

“Misuse of the CE marking etc

73.—(1) Any person who affixes the CE marking or the connection symbol, or the non-connection symbol, or any other inscription or marking in contravention of regulation 10(2) or 12(1) or (2) above, shall be guilty of an offence.

(2) Any person who issues an EC declaration of conformity in relation to type or an EC declaration of conformity in relation to applicable terminal equipment in contravention of regulation 36 or 48 above shall be guilty of an offence.”;

(f) for Schedules 2 to 4, there shall be substituted the following Schedules—

“SCHEDULE 2

Regulation 10(5)(a)

THE CE MARKING

1. In the CE marking, the initials CE shall take the form shown below—



For the avoidance of doubt, it is hereby declared that the grid providing the background in the above graduated drawing is not part of the CE marking.

2. If the CE marking is reduced or enlarged the proportions given in the above graduated drawing must be respected.

3. The various components of the CE marking must have substantially the same vertical dimension, which may not be less than 5 mm.

SCHEDULE 3

Regulation 10(5)(c)

FORM OF THE CONNECTION SYMBOL

1. The connection symbol shall take the form shown below—



For the avoidance of doubt, it is hereby declared that the grid providing the background in the above graduated drawing is not part of the connection symbol.

2. If the CE marking is reduced or enlarged the proportions given in the above graduated drawing must be respected.

3. The various components of the above drawing must have substantially the same vertical dimension as the CE marking, which may not be less than 5 mm.

SCHEDULE 4

Regulations 6(2) and
12(1)(d)(ii)

FORM OF THE NON-CONNECTION SYMBOL

1. The non-connection symbol shall take the form shown below—



For the avoidance of doubt, it is hereby declared that the grid providing the background in the above graduated drawing is not part of the connection symbol.

2. If the CE marking is reduced or enlarged the proportions given in the above graduated drawing must be respected.
3. The various components of the above drawing must have substantially the same vertical dimension as the CE marking, which may not be less than 5 mm.”.

Transitional provisions

- 8.—(1) This regulation shall apply to make provision in respect of—
- (a) the supply of terminal equipment before 1 January 1997; and
 - (b) the putting into service or connection to a public telecommunications network of such equipment before that date, and after that date, where such equipment was supplied before that date,

in relation to which the responsible person elects, pursuant to Article 14.2 of the CE Marking Directive, to affix the CE mark.

(2) Where this regulation applies, the principal Regulations shall have effect as if the amendments made by regulation 7 above had not come into force.

(3) Where the letters “CE” are affixed in relation to terminal equipment but the requirements of regulation 12 and Schedule 2 of the principal Regulations as substituted by regulation 7 above are not complied with, then, unless the responsible person has demonstrated an intention to comply with those provisions as so substituted, then he shall be presumed to have elected to affix the CE mark.

PART IV

SATELLITE EARTH STATION EQUIPMENT

Effect

9.—(1) Subject to paragraph (2) below, this Part shall have effect for the purposes of extending the principal Regulations to satellite earth station equipment pursuant to the Satellite Earth Station Equipment Directive.

(2) This part extends the principal Regulations (as amended by Parts II and III of these Regulations) to satellite earth station equipment, save that Part III of these Regulations shall have effect in relation to satellite earth station equipment as if regulation 8 above were omitted.

Application of the principal Regulations to satellite earth station equipment

10. The principal Regulations shall apply to satellite earth station equipment (whether or not intended for connection to the public telecommunications network) as they apply to applicable terminal equipment, save that they shall have effect in relation to satellite earth station equipment as if—

(a) in regulation 3—

(i) in paragraph (2)—

(aa) the definitions of “connection marking requirements” and “intended purpose declaration” were omitted; and

(bb) there were inserted, at the appropriate places in alphabetical order, the following definitions—

““Community internal production control procedure” means the conformity assessment requirements;”;

““marking requirements” shall be construed in accordance with regulation 10 below;”

““network equipment” means purpose-built satellite earth station equipment intended for use as part of the public telecommunications network of a member State, and, without prejudice to the generality of the foregoing, includes gateway satellite earth stations for major trunking applications within the context of the infrastructure provision (such as large size diameter stations) and satellite tracking and control earth stations;”;

““satellite earth station equipment” means equipment which is capable of being used for—

(a) transmission only (“transmit equipment”);

(b) transmission and reception (“transmit-receive equipment”); or

(c) reception only (“receive-only equipment”),

of radio-communication signals by means of satellites or other space-based systems, but excluding network equipment;”;

““terrestrial connection to the public telecommunications network” means any connection to the public telecommunications network which does not include a space segment;”;

(ii) there were added at the end the following paragraph—

“(7) In relation to satellite earth station equipment, an intended purpose declaration is a declaration—

(a) made by the manufacturer or supplier of the equipment pursuant to Article 1.3 of the Satellite Earth Station Equipment Directive, declaring if the equipment is either intended for, or not intended for, terrestrial connection to the public telecommunications network; and

(b) in the case of equipment not intended for such connection, in the model provided for in Annex VII to the TTE Directive, the English form of which is set out in Schedule 5 to these Regulations.”;

- (b) in regulation 5(1)—
- (i) in its application to satellite earth station equipment which is not intended for terrestrial connection to the public telecommunications network, sub-paragraphs (b), (d), (f) and (g) were omitted; and
 - (ii) in the application of paragraph (e) to transmit and transmit-receive equipment, the reference to the effective use of the radio frequency spectrum included a reference to the effective use of orbital resources and the avoidance of harmful interference between space-based and terrestrial communications systems and other technical systems;
- (c) for regulations 8 and 9 there were substituted the following regulations—

“Requirements for supply, putting into service and connection of satellite earth station equipment to a public telecommunications network

- 8.** The requirements of this regulation are that—
- (a) an intended purpose declaration has been made;
 - (b) the equipment satisfies the essential requirements;
 - (c) the conformity assessment requirements have been complied with; and
 - (d) the marking requirements are complied with.

9.—(1) The conformity assessment requirements for satellite earth station equipment are that the following requirements—

- (a) for transmit and transmit-receive equipment, the requirements of either Part III (the EC type-examination procedure) or Part IV (the EC declaration of conformity procedure) of these Regulations;
- (b) for receive-only equipment which is intended for terrestrial connection to the public telecommunications network—
 - (i) as far as its terrestrial interface is concerned, the requirements of either the said Part III or Part IV;
 - (ii) as far as other elements are concerned, either the requirements of the said Part III or Part IV, or of Part IVA of these Regulations (the Community internal production control procedure); and
- (c) for receive only equipment which is not intended for terrestrial connection to the public telecommunications network, the requirements of the said Part III, IV or IVA,

are complied with, in each case the option being in accordance with the choice of the manufacturer or his authorized representative.;

- (d) in regulation 10—
- (i) the word “connection” was omitted in the heading and in the headpiece to paragraph (1);
 - (ii) to paragraph (1)(a)(ii) there were added at the end the following—

“(save in relation to receive-only equipment not intended for connection to the public telecommunications network and which has been subject to the Community internal production control procedure);”
 - (iii) in paragraph (1)(a)(iii), the words “where relevant,” were inserted before the words “the connection symbol”; and

- (iv) in paragraph (6), for the reference to the TTE Directive there were substituted a reference to the Satellite Earth Station Equipment Directive;
- (e) in regulation 12, paragraph (4) were omitted;
- (f) after Part IV there were inserted the Part set out in the Schedule to these Regulations; and
- (g) in Schedule 5—
 - (i) the heading was—

“SCHEDULE
5 Regulation
3(6)”; and

MODEL OF THE INTENDED PURPOSE DECLARATION FOR SATELLITE
EARTH STATION EQUIPMENT NOT INTENDED FOR TERRESTRIAL
CONNECTION TO THE PUBLIC TELECOMMUNICATIONS NETWORK

- (ii) for the reference to Directive [91/263/EEC](#) on the approximation of the laws of the Member States concerning telecommunications terminal equipment there were substituted a reference to Directive [93/97/EEC](#) supplementing Directive [91/263/EEC](#) in respect of satellite earth station equipment.

7th December 1994

Ian Taylor
Parliamentary Under Secretary of State for Trade
and Technology,
Department of Trade and Industry

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulation 10(f)

SATELLITE EARTH STATION EQUIPMENT PART IV A OF THE PRINCIPAL REGULATIONS

In relation to satellite earth station equipment, the principal Regulations shall have effect as if there were inserted after Part IV the following Part—

“PART IV

A COMMUNITY INTERNAL PRODUCTION CONTROL PROCEDURE FOR SATELLITE EARTH STATION EQUIPMENT

Application of Part IVA

49A. This Part shall have effect for providing for the manner in which the conformity assessment requirements may be complied with in relation to receive-only equipment—

- (a) where the equipment is intended for connection to the public telecommunications network, as far as the elements other than the terrestrial interface are concerned;
- (b) where the equipment is not intended for such connection, for all the elements,

where the manufacturer or his authorized representative established within the Community chooses the Community internal production control procedure, and ensures and declares in accordance therewith that the products concerned satisfy the requirements of the Satellite Earth Station Equipment Directive that apply to them.

Establishment and retention of the technical documentation

49B.—(1) The manufacturer must establish the technical documentation described in regulation 49C below and he or his authorized representative established within the Community must, subject to paragraph (2) below, keep it, for a period ending at least ten years after the last product has been manufactured, at the disposal of the relevant national authorities for inspection purposes (and in accordance with regulation 11 above, if the equipment falls within sub-paragraphs (a) or (b) of that regulation).

(2) Where neither the manufacturer or his authorized representative is established within the Community, the obligation to keep the technical documentation available is the responsibility of the person who places the product on the Community market.

Content of technical documentation

49C.—(1) Technical documentation must enable the conformity of the products to be assessed against the requirements of the Satellite Earth Station Equipment Directive that apply to them.

(2) Without prejudice to the generality of paragraph (1) above, the documentation must contain

- a general description of the product;
- conceptual design and manufacturing drawings and lists of components, sub-assemblies, circuits, etc;
- descriptions and explanations necessary for the understanding of the said drawings and lists and the operation of the product;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- a list of the standards mentioned in regulation 3(4) above applied in full so far as is relevant or, in the absence of such standards, the technical construction file, and descriptions of the solutions adopted to meet those requirements of this Directive that apply to the products;
- results of design calculations made, examinations carried out, etc; and
- test reports.

Copy of declaration of conformity

49D. The manufacturer or his authorized representative must keep a copy of the declaration of conformity with the technical documentation.

Manufacturing process

49E. The manufacturer must take all measures necessary to ensure that the manufacturing process ensures compliance by the manufactured products with the technical documentation referred to in regulation 49B above and with those requirements of the Satellite Earth Station Equipment Directive which apply to them.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend and extend the application of the [Telecommunications Terminal Equipment Regulations 1992 \(S. I. No.2423](#); “the TTE Regulations”), which implemented Council Directive [91/263/EEC](#) on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity (“the TTE Directive”).

Part II of these Regulations amends the TTE Regulations—

- (a) to make reference to their application to the European Economic Area (EEA) (regulation 3(c));
- (b) to widen the definition of connection-capable equipment in regulation 4 of the TTE Regulations to effectively extend the application of regulation 12, which allows the CE mark to be affixed to equipment which is capable of, but not intended for, connection to the public telecommunications network, to all such equipment pursuant to Article 2 of the TTE Directive (regulation 4); and
- (c) to allow for the affixation of the rounded style CE mark as an alternative to the mark provided for in Schedule 2 to the TTE Regulations (regulation 5); and
- (d) to allow the Secretary of State to approve certain types of terminal equipment (regulation 6).

Part III of these Regulations implements the provisions of Council Directive [93/68/EEC](#) (the “CE Marking Directive”; which provides for the replacement of the CE mark with the CE marking) which amend the TTE Directive. Article 11 of the CE Marking Directive sets out the particular amendments to the TTE Directive; these are implemented by regulation 7. Article 14 provides for a transitional

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

period until 1st January 1997 during which a manufacturer or his authorised representative may elect to apply either the CE marking or the CE mark; regulation 8 disapplies the amendments made by regulation 7 where the CE mark is applied.

Part IV of these Regulations implements the provisions of Council Directive [93/97/EEC](#) supplementing Directive [91/263/EEC](#) in respect of satellite earth station equipment (the “SESE Directive”) except as described below. The TTE Regulations (as amended by Parts II and III of these Regulations, save that the transitional period during which the CE mark may be affixed does not apply) are extended with certain modifications to satellite earth station equipment.

In extending the TTE Directive to such equipment, Article 4.4 of the SESE Directive provides for electromagnetic compatibility (EMC) requirements specific to such equipment to be imposed under Article 4(c) of the TTE Directive. Pursuant to Article 2.2 of Council Directive [89/336/EEC](#) (the “EMC Directive”), the EMC Directive is therefore disapplied to such specific requirements. Regulation 6(2) of the [Electromagnetic Compatibility \(Amendment\) Regulations 1994 \(S. I. No.3080\)](#) substitutes a new regulation 27 of the [Electromagnetic Compatibility Regulations 1992 \(S. I. No.2372\)](#) disapplying the latter Regulations to these specific requirements. Article 8.3 of the SESE Directive (which disapplies the type approval procedure for radiocommunication transmission apparatus in Article 10.5 of the Council Directive [89/336/EEC](#) in respect of satellite earth station equipment) is implemented by regulation 6(3) of [S. I.1994/3080](#).