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STATUTORY INSTRUMENTS

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**2005 No. 281**

**The Electromagnetic Compatibility Regulations 2005**

**PART V**

**THE TECHNICAL CONSTRUCTION FILE ROUTE TO COMPLIANCE**

*General*

**Technical construction files**

- 45.**—(1) A technical construction file is a file which—
- (a) describes the apparatus to which it relates;
  - (b) contains information about the design, manufacture and operation thereof;
  - (c) sets out the procedures used to ensure the conformity of the apparatus with the protection requirements in respect of the applicable EM characteristics of the apparatus in respect of which the manufacturer has not applied an applicable EMC standard; and
  - (d) includes a technical report or technical certificate.
- (2) A technical construction file may be composed in relation to—
- (a) a single item of apparatus;
  - (b) where a number of items are to be produced, a specimen representative of the production envisaged (a “representative”); or
  - (c) a number of items of apparatus or representatives of each such item or representative being variants of the same basic design (each such item or representative being referred to as a “variant”).
- (3) Without prejudice to the generality of paragraph (1) above, a technical construction file composed in the United Kingdom shall—
- (a) be in material form;
  - (b) be in—
    - (i) English where application for the technical report or technical certificate is made to a United Kingdom competent body; or
    - (ii) any official Community language acceptable to the competent body where such application is made to a competent body of another member State;
  - (c) give the name and address—
    - (i) of the responsible person;
    - (ii) where that person is not the manufacturer, of the manufacturer;
  - (d) contain such information as is sufficient, in all the circumstances of the case, to enable the enforcement authority to—
    - (i) identify the apparatus to which it relates; and

- (ii) ascertain whether the apparatus to which it relates conforms with the protection requirements;
- (e) state the numbers and titles of the applicable EMC standards, and any other standards, specifications or codes of practice, applied by the manufacturer; and
- (f) contain particulars of the electromagnetic environment for which the apparatus is suitable.