
STATUTORY INSTRUMENTS

2000 No. 730

**The Radio Equipment and Telecommunications
Terminal Equipment Regulations 2000**

**PART I
INTRODUCTORY**

Citation, commencement, revocations and disapplications

1.—(1) These Regulations may be cited as the Radio Equipment and Telecommunications Terminal Equipment Regulations 2000 and shall come into force on 8th April 2000.

(2) The following Orders and Regulations are hereby revoked:

Telecommunication Apparatus (Advertisements) Order 1982**(1)**

Telecommunication Apparatus (Advertisements) Order 1985**(2)**

Telecommunication Apparatus (Advertisements) (Amendments) Order 1985**(3)**

Telecommunication Apparatus (Marking and Labelling) Order 1982**(4)**

Telecommunication Apparatus (Marking and Labelling) Order 1985**(5)**

Telecommunication Apparatus (Marking and Labelling) (Amendment) Order 1985**(6)**

Telecommunication Apparatus (Bell Noise Labelling) Order 1985**(7)**

Telecommunication Apparatus (Approval Fees) (British Approvals Board for Telecommunications) Order 1990**(8)**

Telecommunication Apparatus (Approval Fees) (British Approvals Board for Telecommunications) Order 1992**(9)**

Telecommunications Terminal Equipment Regulations 1992**(10)**

Telecommunications Terminal Equipment (Amendment and Extension) Regulations 1994**(11)**

Telecommunications Terminal Equipment (Amendment) Regulations 1995**(12)**

(1) S.I.1982/490.
(2) S.I. 1985/719.
(3) S.I. 1985/1030.
(4) S.I. 1982/491.
(5) S.I. 1985/717.
(6) S.I. 1985/1031.
(7) S.I. 1985/718.
(8) S.I. 1990/1679.
(9) S.I. 1992/1875.
(10) S.I. 1992/2423.
(11) S.I. 1994/3129.
(12) S.I. 1995/144.

(3) Sections 22 and 84 of the Act, the Electromagnetic Compatibility Regulations 1992, except for regulations 5 and 31(13), and the Electrical Equipment (Safety) Regulations 1994, except for regulations 5 and 7(14), shall cease to apply to apparatus covered by these Regulations.

Interpretation

2.—(1) In these Regulations (except in Schedule 9)—

“the Act” means the Telecommunications Act 1984(15);

“active implantable medical device” shall have the meaning in Article 1 of Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices(16);

“apparatus” means any equipment that is either radio equipment or telecommunications terminal equipment or both;

“the CE marking” has the meaning given in regulation 10;

“the Commission” means the Commission of the European Communities;

“a component or a separate technical unit of a vehicle” shall have the meaning in Article 2 of Council Directive 92/61/EEC(17);

“the Directive” means Directive 1999/5/EC of the European Parliament and of the Council on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity(18);

“the Director” means the Director General of Telecommunications appointed under section 1 of the Act;

“enforcement authority” has the meaning given in paragraphs 1 and 2 of Schedule 9;

“equipment class” means a class identifying particular types of apparatus which under the Directive are considered similar and those interfaces for which the apparatus is designed. Apparatus may belong to more than one equipment class;

“harmful interference” means interference which endangers the functioning of a radio navigation service or of other safety services or which otherwise seriously degrades, obstructs or repeatedly interrupts a radio communications service operating in accordance with the applicable Community or national regulations;

“harmonised standard” means a technical specification adopted by a recognised standards body under a mandate from the Commission in conformity with the procedures laid down in Directive 98/34/EC of the European Parliament and of the Council(19) for the purpose of establishing a European requirement, compliance with which is not compulsory;

“interface” means either or both of—

- (i) a network termination point which is a physical connection point at which a user is provided with access to public telecommunications network, and
- (ii) an air interface specifying the radio path between radio equipment and their technical specifications;

(13) S.I. 1992/2372.

(14) S.I. 1994/3260.

(15) 1984 c. 12.

(16) OJL No. 189, 20.7.1990, p 17.

(17) OJL No. 225, 10.8.1992, p 72.

(18) OJL No. 91, 7.4.1999, p 10.

(19) OJL No. 204, 21.7.1998, p 37.

“medical device” shall have the meaning in Article 1 of Council Directive 93/42/EEC of 14 June 1993 concerning medical devices⁽²⁰⁾;

“public telecommunications networks” means telecommunications networks used wholly or partly for the provision of publicly available telecommunications services;

“radio equipment” means a product, or a relevant component thereof, capable of communication by means of the emission and/or reception of radio waves utilising the spectrum allocated to terrestrial/space radio communication;

“radio waves” means electromagnetic waves of frequencies from 9 kHz to 3,000 GHz, propagated in space without artificial guide;

“responsible person” means the manufacturer of apparatus or his authorised representative within the Community, or any other person who places the apparatus on the market;

“technical construction file” means a file describing the apparatus and providing information and explanations as to how the essential requirements (within the meaning of regulation 4) applicable to the apparatus have been met;

“telecommunications terminal equipment” means a product enabling communication, or a relevant component thereof, which is intended to be connected directly or indirectly by any means whatsoever to interfaces of public telecommunications networks;

and any other expression used in these Regulations which is also used in the Directive has the same meaning in these Regulations as it has in the Directive.

(2) For the purposes of these Regulations, unless the context otherwise requires, a reference to a numbered regulation or Schedule is a reference to the regulation or Schedule so numbered in these Regulations and a reference—

- (i) in a regulation to a paragraph is a reference to a paragraph in that regulation;
- (ii) to an Annex is a reference to an Annex of the Directive.

(3) For the purposes of these Regulations, Annexes I, II, III, IV, V, VI and VII are respectively set out in Schedules 1, 2, 3, 4, 5, 6 and 7, and a reference to a paragraph in an Annex is a reference to a paragraph in that Annex as set out in the respective Schedule.

⁽²⁰⁾ OJL No. 169, 12.7.1993, p 1.