
STATUTORY INSTRUMENTS

2017 No. 1206

The Radio Equipment Regulations 2017

PART 2

Obligations of economic operators

CHAPTER 6

All economic operators

Translation of declaration of conformity

^[F1]37.—(1) Before placing radio equipment on the market or making radio equipment available on the market, an economic operator must ensure that the EU declaration of conformity and, where appropriate, the simplified EU declaration of conformity is prepared in, or translated into, the language required by the ^[F2]relevant state] in which it is to be placed on the market or made available on the market.

(2) Where the radio equipment is to be placed on the market or made available on the market in ^[F3]Northern Ireland], the language required is English.]

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| F1 | Reg. 37 omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696) , reg. 1, Sch. 29 para. 28 (with Sch. 29 para. 44) (as amended by S.I. 2020/676 , regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1) |
| F2 | Words in reg. 37 substituted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112) , reg. 1(b), Sch. 16 para. 3(14)(a) |
| F3 | Words in reg. 37 substituted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112) , reg. 1(b), Sch. 16 para. 3(14)(b) |

Identification of economic operators

38.—(1) An economic operator (“E”), who receives a request from the market surveillance authority before the end of the relevant period, must, within such period as the authority may specify, identify to the authority—

- (a) any economic operator who has supplied E with radio equipment, and
- (b) any economic operator to whom E has supplied radio equipment.

(2) The relevant period is—

- (a) for information under paragraph (1)(a), 10 years beginning on the day on which E was supplied with the radio equipment,
- (b) for information under paragraph (1)(b), 10 years beginning on the day on which E supplied the radio equipment.

Prohibition on improper use of [F4UK] marking **E+W+S**

39.—(1) An economic operator must not affix the [F5UK] marking to radio equipment unless—

- (a) that economic operator is the manufacturer, and
- (b) the conformity of the radio equipment with the essential requirements has been demonstrated by a relevant conformity assessment procedure.

(2) An economic operator must not affix to radio equipment a marking other than the [F5UK] marking which purports to attest that the radio equipment is in conformity with the essential requirements.

(3) An economic operator must not affix to radio equipment a marking, sign or inscription which is likely to mislead any other person as to the meaning or form of the [F5UK] marking.

(4) An economic operator must not affix to radio equipment any other marking if the visibility, legibility and meaning of the [F5UK] marking would be impaired as a result.

Extent Information

- E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only
- F4** Word in [reg. 39 heading](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1, Sch. 29 para. 29](#) (with [Sch. 29 para. 44](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F5** Word in [reg. 39](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1, Sch. 29 para. 29](#) (with [Sch. 29 para. 44](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Prohibition on improper use of CE marking **N.I.**

39.—(1) An economic operator must not affix the CE marking to radio equipment unless—

- (a) that economic operator is the manufacturer, and
- (b) the conformity of the radio equipment with the essential requirements has been demonstrated by a relevant conformity assessment procedure.

(2) An economic operator must not affix to radio equipment a marking other than the CE marking which purports to attest that the radio equipment is in conformity with the essential requirements.

(3) An economic operator must not affix to radio equipment a marking, sign or inscription which is likely to mislead any other person as to the meaning or form of the CE marking.

(4) An economic operator must not affix to radio equipment any other marking if the visibility, legibility and meaning of the CE marking would be impaired as a result.

Extent Information

- E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Changes to legislation:

There are currently no known outstanding effects for the The Radio Equipment Regulations 2017, CHAPTER 6.