



## **TRANSITIONAL ARRANGEMENTS FOR THE EU DECLARATION OF CONFORMITY AS A RESULT OF THE NEW RADIO EQUIPMENT DIRECTIVE**

**Endorsed by the relevant Committees for LVD, EMCD and RED**

**(April 2016)**

The new RED,<sup>1</sup> which will be applicable as of 13 June 2016 subject to one year transitional period, will repeal and replace the R&TTED.<sup>2</sup> Due to the scope of the new RED, fixed-line terminal equipment (which is covered by the R&TTED) will fall, depending on its characteristics and voltage, within the scope of the new LVD<sup>3</sup> and/or EMCD<sup>4</sup> (and not the RED).

With regard to the R&TTED, the RED has introduced a number of changes (especially on the scope and the essential requirements). As a consequence, the RED<sup>5</sup> foresees a transitional period of one year applicable to equipment which falls within the scope of RED (as stated above, fixed-line terminal equipment will not fall within RED). The new LVD and EMCD do not foresee a transitional period.

Hence, as of the date of applicability of the RED,<sup>6</sup> the EU Declaration of Conformity, for fixed-line terminal equipment, will need to include the references of the new LVD and/or EMCD (if the terminal equipment in question, depending on its characteristics, falls within the scope of LVD and/or EMCD).

As it is clarified in the new version of the Blue Guide (2016), Union harmonisation legislation in most cases (including LVD and EMCD) specify the mandatory minimum content of the EU Declaration of Conformity but additional useful information is generally accepted and manufacturers may make use of this flexibility.

It should be also noted that the essential requirements of the existing R&TTED, on safety and EMC, are in line with the safety objectives of the LVD and the essential requirements of the EMCD. Equipment which complies with the essential requirements of the R&TTED, in essence is compliant with the safety objectives of the LVD and the essential requirements of the EMCD.

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<sup>1</sup> Directive 2014/53/EU

<sup>2</sup> Directive 1999/5/EC

<sup>3</sup> Directive 2014/35/EU

<sup>4</sup> Directive 2014/30/EU

<sup>5</sup> Article 48 of the RED

<sup>6</sup> As of 13 June 2016

In fact the RTTED, for the safety and EMC risks, refers to the LVD and EMCD,<sup>7</sup> allows the use of the conformity assessment procedures of these Directives,<sup>8</sup> and does not exclude the possibility to mention, in the relevant documentation (e.g. DoC), these Directives as well.

Therefore, where fixed-line terminal equipment complies with the R&TTED and/or new LVD and/or new EMCD (if new LVD and/or new EMCD are applicable to the terminal equipment), manufacturers may refer to these Directives, in the EU Declaration of Conformity, indicating the corresponding periods of application for each of the applicable Directives. This flexibility should be allowed during a transitional period, more specifically should be applicable to terminal equipment placed on the market before 13 June 2017.

In light of the above and taking into account this unique situation, if the fixed-line terminal equipment (placed on the market before 13 June 2017) is covered by the R&TTED (until 12 June 2016) and then by LVD/EMCD (from 13 June 2016), the EU Declaration of Conformity could contain the following statement (provided that it is compliant with these Directives):

“The object of the declaration described above is in conformity with the relevant Union harmonisation legislation: Directive 1999/5/EC (until 12 June 2016), Directive 2014/30/EU (from 13 June 2016) and Directive 2014/35/EU (from 13 June 2016).”

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<sup>7</sup> Article 3 of the R&TTED

<sup>8</sup> Article 10 of the R&TTED