



EUROPEAN COMMISSION
IMPACT ASSESSMENT BOARD

Brussels,
SG.C2 MH/os D(2011)

Opinion

Title **DG ENTR - Impact Assessment on: Proposal for a revision of the R&TTE Directive**

(draft version of 23 May 2011)

(A) Context

The R&TTE Directive 1999/5/EC establishes a framework for the placing on the market, free movement and putting into service in the EU of radio and telecommunications terminal equipment. The second progress report on the operation of the Directive, dated February 2010, highlighted a number of emerging problems and margins for improvement to be addressed through legislative revision or other means. This IA report accompanies a proposal for a possible revision of the R&TTE Directive.

(B) Overall assessment

While the report presents a comprehensive and sufficient analysis to support decision making, it should be further improved in some aspects. Firstly, the report should better explain the interactions between the R&TTE Directive and the existing framework for spectrum management and use. Secondly, the report should further develop the description of the preferred policy option by providing details on the foreseen additional measures that would allow the introduction of a product registration for some specific categories of equipment. Thirdly, the report should further develop the assessment of options and should better justify the effectiveness of the preferred option. Finally, the report should discuss the expected improvements in compliance of products with the requirements of the R&TTE Directive in greater detail. In its written communication with the Board, DG ENTR has accepted these recommendations and will revise the report accordingly.

(C) Main recommendations for improvements

(1) Clarify the interactions between the R&TTE Directive and the existing framework for spectrum management and use, in order to better explain why the low industry compliance with the R&TTE requirements prevents a more intensive and efficient use of radio spectrum.

(2) Better describe the preferred option A4, by providing details on the foreseen additional measures that would allow the introduction of a product registration for some specific categories of equipment. The report should clarify the modalities of the identification of the products to be considered for registration, and should explain who will be responsible for the ad-hoc registration system and who will bear its implementation and operation costs. It should also discuss in greater detail how it will be ensured that no unnecessary burden is imposed on manufacturers producing compliant equipment.

(3) Further develop the assessment of policy options and better justify the effectiveness of the preferred option. When assessing the options, the report should provide all available estimates of possible impacts on consumer prices and on administrative costs, and should explicitly address the social impacts of different options. The report should also better justify the effectiveness of preferred option A4, and should clarify the statement that option A4 should have similar impacts in terms of effectiveness as option A3 (which foresees a registration of all products).

(4) Better assess the expected improvements in compliance. The report should assess in greater detail the extent to which the preferred option will contribute to improved compliance of products with the R&TTE Directive. It should discuss how increased compliance will be achieved in practice by manufacturers of equipment produced outside the EU, in particular in geographical areas where awareness of EU legal requirements might be more limited.

Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

(D) Procedure and presentation

When describing the policy options, the report should indicate the positions of the main stakeholders and Member States.

(E) IAB scrutiny process

Reference number	2009/ENTR/021
External expertise used	No
Date of Board Meeting	Written procedure