



8.11.2017

NOTICE TO MEMBERS

(05/2017)

Subject: **Legislative scrutiny time” on the implementation of the Radio Equipment Directive (2014/53/EU) on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC**

Practical arrangements

IMCO Coordinators agreed in September to organise a scrutiny session on the status of implementation of the Radio Equipment Directive (Directive 2014/53/EU on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC).

The legislative scrutiny session will take place on **21 November 2017 in IMCO**. It is the second such session – the first took place on 10 November 2016.

Deputy Head of Unit, Ms Birgit Weidel (tbc) of the Directorate General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) of the European Commission will address the Members of IMCO.

The Chair will give the floor to Members wishing to ask questions to the Commission.

Content of the session

The Radio Equipment Directive was adopted in Parliament in 2014. It revises a 1999 Directive and sets down requirements for radio equipment (TVs, mobiles, wi-fi, bluetooth etc) on safety, health protection and electromagnetic compatibility. Member States had to transpose it into their national law by 13 June 2016, but during a one-year transitional period

manufacturers were allowed to place equipment on the market that complied only with the 1999 Directive.

That means that, from 13 June 2017, radio equipment that manufacturers place on the market needs to comply with the new 2014 Directive.

Former IMCO Chair, Ms Vicky Ford, raised concerns with Commissioner Bienkowska by letter of 23 May 2017, in particular because a number of harmonised technical standards were not ready for publication in time for that 13 June 2017 deadline. Indeed it is still the case that not all standards have been published by the Commission.

The **purpose of the legislative scrutiny session** is to inform IMCO Members on the ongoing transposition and implementation process of the Radio Equipment Directive, looking in particular at:

1. Availability of harmonised standards
2. Progress in adopting delegated acts and work of expert groups
3. Progress on the issue of common chargers

1. Availability of harmonised standards

Article 16 of the Directive provides that radio equipment that is in conformity with harmonised standards published by the Commission are presumed to comply with the Directive. However, by the deadline of 13 June 2017, a number of harmonised standards had not been published by the Commission. While manufacturers could nonetheless obtain conformity approvals from national bodies, this involves costs for manufacturers that would be avoided if the harmonised standards were available. According to the latest information, most harmonised standards have now been published, but some are still being prepared or improved by standardisation organisations (ETSI and CENELEC).

The Commission representative might explain the reasons for the delays and the measures taken to ensure publication of all harmonised standards.

2. Progress in adopting delegated acts and work of expert groups

Article 3(3) of the Directive sets out requirements that certain categories of radio equipment have to comply with. The categories concerned by each requirement will be specified in a delegated act, but no such delegated act has yet been adopted by the Commission. In October 2017 the first meeting of a new “Expert Group on Reconfigurable Radio Systems” was held. It will work on the delegated act under point (i) of Article 3(3) only (and will not work on points (a) to (h)).

The Commission representative might explain the work of the new expert group, the timeline for adoption of that delegated act, and the progress on other delegated acts under Article 3(3).

3. Progress on the issue of common chargers

Recital 12 of the Directive states that “mobile phones that are made available on the market should be compatible with a common charger”. Also, under point (a) of Article 3(3) radio equipment is required to interwork with common chargers. But the categories of radio equipment concerned by this requirement first need to be specified by a delegated act. This was an issue to which IMCO attached great importance in the negotiations on the Directive, because of the potential benefits for both consumers and the environment.

The Commission representative might explain what progress the Commission has made on the delegated act and on the issue of common chargers in general.