

---

STATUTORY INSTRUMENTS

---

**2017 No. 1206**

**TELECOMMUNICATIONS**

**The Radio Equipment Regulations 2017**

*Made* - - - - *4th December 2017*  
*Laid before Parliament* *5th December 2017*  
*Coming into force* *26th December 2017*

**THE RADIO EQUIPMENT REGULATIONS 2017**

PART 1

Preliminary

1. Citation and commencement
2. Interpretation and application
- 2A Designated standard
3. Scope
4. Exception for trade fairs and exhibitions
5. Putting into service and use

PART 2

Obligations of economic operators

CHAPTER 1

General

6. Essential requirements
- 6A Power to specify additional essential requirements

CHAPTER 2

Manufacturers

7. Design and manufacture in accordance with essential requirements
8. Construction must allow operation without infringement of requirements
9. Technical documentation and conformity assessment
10. Declaration of conformity and UK marking

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Radio Equipment Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

11. Retention of technical documentation and EU declaration of conformity
12. Identification of the radio equipment and manufacturer
13. Instructions and information to be included with the radio equipment
14. Information to be included where there are restrictions on putting into service or requirements for authorisation of use
15. Duty to take action in respect of radio equipment placed on the market which is considered not to be in conformity
16. Provision of information and cooperation
17. Compliance procedures for series production
18. Monitoring
- 18A. Provision of information on compliance of combinations of radio equipment and software
- 18B. Power to amend R14(2)(b) and specify how information is to be presented
- 18C. Power to require registration of radio equipment
19. Authorised representatives

### CHAPTER 3

#### Importers

20. Prohibition on placing on the market radio equipment which is not in conformity
21. Requirements which must be satisfied before an importer places radio equipment on the market
22. Prohibition on placing on the market radio equipment considered not to be in conformity with the essential requirements
23. Information identifying importer
24. Instructions and safety information
25. Storage and transport
26. Monitoring
27. Duty to take action in respect of radio equipment placed on the market which is considered not to be in conformity
28. Retention of technical documentation and EU declaration of conformity
29. Provision of information and cooperation

### CHAPTER 4

#### Distributors

30. Duty to act with due care
31. Requirements which must be satisfied before a distributor makes radio equipment available on the market
32. Prohibition on making available on the market where radio equipment not considered to be in conformity with the essential requirements
33. Storage and transport
34. Duty to take action in respect of radio equipment made available on the market which is not in conformity
35. Provision of information and cooperation

## CHAPTER 5

### Importers and distributors

- 36. Cases in which obligations of manufacturers apply to importers and distributors
- 36A Obligations which are met by complying with obligations in the Directive
- 36B Expiry of regulation 36A
- 36C Qualifying Northern Ireland Goods

## CHAPTER 6

### All economic operators

- 37. Translation of declaration of conformity
- 38. Identification of economic operators
- 39. Prohibition on improper use of UK marking

### PART 3

#### Conformity assessment

- 40. Presumption of conformity
- 41. Conformity assessment procedures
- 42. Declaration of conformity
- 43. Simplified ... declaration of conformity
- 44. UK marking
- 44A UK(NI) indication
- 44B Register of notified bodies established in the United Kingdom
- 45. Technical documentation

### PART 4

#### Approval of conformity assessment bodies

- 46. Approved bodies
- 47. Approval of conformity assessment bodies
- 48. Presumption of conformity of approved bodies
- 49. Monitoring
- 50. Restriction, suspension or withdrawal of approval
- 51. Operational matters in relation to approved bodies
- 52. Subsidiaries and contractors
- 53. Register of approved bodies
- 54. UK national accreditation body

### PART 5

#### Market surveillance and enforcement

- 55. Designation of market surveillance authorities
- 56. Designation of enforcing authorities
- 57. Enforcement powers
- 58. Exercise of enforcement powers
- 59. Evaluation of radio equipment presenting a risk
- 60. Enforcement action in respect of radio equipment which is not in conformity and which presents a risk

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Radio Equipment Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

61. EU safeguard procedure
62. Enforcement action in respect of radio equipment which is in conformity, but presents a risk
63. Enforcement action in respect of formal non-compliance
64. Restrictive measures
65. Offences
66. Penalties
67. Defence of due diligence
68. Liability of persons other than principal offender
69. Time limit for prosecution of offences
70. Service of documents
71. Recovery of expenses of enforcement
72. Action by enforcing authority
73. Appeals against notices
74. Appropriate court for appeals against notices
75. Compensation

## PART 6

### Miscellaneous

76. Review
- 76A Transitional provision in relation to EU Exit
77. Transitional provision
78. Revocations and savings
79. Consequential and other amendments
80. (1) The Consumer Rights Act 2015 is amended as follows....
81. (1) The Electromagnetic Compatibility Regulations 2016 are amended as follows....
82. (1) The Pressure Equipment (Safety) Regulations 2016 are amended as...
83. (1) The Simple Pressure Vessels (Safety) Regulations 2016 are amended...
84. (1) The Electrical Equipment (Safety) Regulations 2016 are amended as...
85. (1) The Recreational Craft Regulations 2017 are amended as follows....  
Signature

---

#### SCHEDULE 1 — Radio equipment outside the scope of these Regulations

1. (1) Radio equipment used by radio amateurs within the meaning...
2. Marine equipment falling within the Merchant Shipping (Marine Equipment) Regulations...
3. Airborne products, parts and appliances falling within the scope of...
4. Custom-built evaluation kits destined for professionals to be used solely...

#### SCHEDULE 2 — Conformity assessment module A — Internal production control

1. Internal production control is the conformity assessment procedure whereby the...
2. Technical documentation
3. Manufacturing
4. UK marking and EU declaration of conformity
5. Authorised representatives

#### SCHEDULE 3 — Conformity assessment modules B and C

— Type examination and conformity to type based on internal production control

When reference is made to this Schedule, the conformity assessment...

— Module B

1. Type examination
2. Type examination must be carried out by assessment of the...
3. (1) The manufacturer must lodge an application for Type examination...
4. The approved body must examine the technical documentation and supporting...
5. The approved body must draw up an evaluation report that...
6. (1) Where the type meets the requirements of these Regulations...
7. (1) The approved body must keep itself appraised of any...
8. (1) Each approved body must inform the Secretary of State...
9. The manufacturer must keep a copy of the Type examination...
10. The manufacturer's authorised representative may lodge the application referred to...

— Module C

11. Conformity to type based on internal production control
12. Manufacturing
13. UK marking and ... declaration of conformity
14. Authorised representative

#### SCHEDULE 4 — Conformity assessment module H

1. Conformity based on full quality assurance
2. Manufacturing
3. Quality system
4. Surveillance under the responsibility of the approved body
5. UK marking and ... declaration of conformity
6. The manufacturer must, for a period ending 10 years after...
7. (1) Each approved body must inform the Secretary of State...
8. Authorised representative

#### SCHEDULE 5 — Contents of technical documentation

1. The technical documentation must, wherever applicable, contain at least the...

#### SCHEDULE 6 — EU Declaration of conformity

1. Radio equipment (product, type, batch or serial number):
2. Name and address of the manufacturer or his authorised representative:...
3. This declaration of conformity is issued under the sole responsibility...
4. Object of the declaration (identification of the radio equipment allowing...
5. The object of the declaration described above is in conformity...
6. References to the relevant designated standards used or references to...
7. Where applicable, the notified body (name, number) performed (description of intervention) and issued the...
8. Where applicable, description of accessories and components, including software, which...

#### SCHEDULE 7 — Simplified EU declaration of conformity

1. The simplified EU declaration of conformity referred to in regulation...
2. Hereby, [Name of manufacturer] declares that the radio equipment type...
3. The full text of the EU declaration of conformity is...

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Radio Equipment Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### SCHEDULE 8 — Approved body requirements

1. A conformity assessment body must be established in the United...
2. (1) A conformity assessment body must be a third-party body...
3. (1) A conformity assessment body, its top level management and...
4. A conformity assessment body, its top level management and the...
5. A conformity assessment body, its top level management and the...
6. A conformity assessment body must ensure that the activities of...
7. A conformity assessment body and its personnel must carry out...
8. A conformity assessment body must be capable of carrying out...
9. A conformity assessment body must have at its disposal—
10. A conformity assessment body must have the means necessary to...
11. The personnel responsible for carrying out the conformity assessment activities...
12. A conformity assessment body must be able to demonstrate the...
13. The remuneration of the top level management and the personnel...
14. A conformity assessment body must have, and must satisfy the...
15. A conformity assessment body must ensure that its personnel observe...
16. Paragraph 15 does not prevent the personnel from providing information...
17. A conformity assessment body must participate in, or ensure that...

#### SCHEDULE 9 — Operational obligations of approved bodies

1. An approved body must carry out conformity assessments in accordance...
2. An approved body must carry out conformity assessments in a...
3. A conformity assessment body must perform its activities taking due...
4. A conformity assessment body must respect the degree of rigour...
5. Where an approved body finds that the essential requirements or...
6. Where, in the course of the monitoring of conformity following...
7. Where the approved body has required a manufacturer to take...
8. Paragraph 9 applies where an approved body is minded to—...
9. Where this paragraph applies, the approved body must—
10. An approved body must inform the Secretary of State of—...
11. An approved body must make provision in its contracts with...
12. An approved body must, in accordance with the requirements in...
13. An approved body must participate in the work of any...
14. An approved body must fulfil any information obligations under Schedules...

#### SCHEDULE 10 — Enforcement and investigatory powers conferred on the enforcing authority and the market surveillance authority

##### PART 1 — Powers

1. Enforcement powers under the 1987 Act
2. Modifications to the 1987 Act
3. Application of Schedule 5 to the Consumer Rights Act 2015

##### PART 2 — Notices

4. Compliance notice
5. Withdrawal notice
6. Recall notice
7. Interpretation

Explanatory Note

### Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Radio Equipment Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

### Changes and effects yet to be applied to :

- Sch. 8 para. 1 substituted by [S.I. 2024/504 reg. 15](#)
- reg. 2(1) word omitted by [S.I. 2019/696 Sch. 29 para. 2\(2\)\(o\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Sch. 29 para. 2(2)(o) substituted immediately before IP completion day by virtue of S.I. 2020/1460, reg. 1(4), Sch. 3 para. 21(2))
- reg. 2(1) words inserted by [S.I. 2019/696 Sch. 29 para. 2\(2\)\(o\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Sch. 29 para. 2(2)(o) substituted immediately before IP completion day by virtue of S.I. 2020/1460, reg. 1(4), Sch. 3 para. 21(2))
- reg. 2(1) words substituted by [S.I. 2019/696 Sch. 29 para. 2\(2\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Sch. 29 para. 2(2)(d) omitted immediately before IP completion day by virtue of S.I. 2020/1460, reg. 1(4), Sch. 3 para. 3)
- reg. 2(1) words substituted by [S.I. 2019/696 Sch. 29 para. 2\(2\)\(o\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Sch. 29 para. 2(2)(o) substituted immediately before IP completion day by virtue of S.I. 2020/1460, reg. 1(4), Sch. 3 para. 21(2))
- reg. 2(1) words substituted by [S.I. 2019/696 Sch. 29 para. 2\(2\)\(p\)](#) (This amendment not applied to legislation.gov.uk. Sch. 29 para. 2(2)(p) substituted immediately before IP completion day by S.I. 2020/676, regs. 1(1), 4(17)(a))
- reg. 2(1) words substituted by [S.I. 2019/696 Sch. 29 para. 2\(2\)\(t\)](#) (This amendment not applied to legislation.gov.uk. Sch. 29 para. 2(2)(t) substituted immediately before IP completion day by S.I. 2020/676, regs. 1(1), 4(17)(b))
- reg. 2(1) words substituted by [S.I. 2019/696 Sch. 29 para. 2\(2\)\(u\)](#) (This amendment not applied to legislation.gov.uk. Sch. 29 para. 2(2)(u) substituted immediately before IP completion day by S.I. 2020/676, regs. 1(1), 4(17)(c))
- reg. 2(1) words substituted in earlier amending provision S.I. 2019/696, Sch. 29 para. 2(2)(d) by [S.I. 2020/852 reg. 4\(2\) Sch. 1 para. 1\(r\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Sch. 1 para. 1(r)(i) omitted immediately before it comes into force by virtue of S.I. 2020/1460, regs. 1(3), Sch. 4 para. 1(3))
- reg. 44 heading word substituted by [S.I. 2019/696 Sch. 29 para. 34\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 29 para. 34(a) substituted immediately before IP completion day by virtue of S.I. 2020/1460, reg. 1(4), Sch. 3 para. 21(4)(a))
- reg. 44 word substituted by [S.I. 2019/696 Sch. 29 para. 34\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 29 para. 34(a) substituted immediately before IP completion day by virtue of S.I. 2020/1460, reg. 1(4), Sch. 3 para. 21(4)(a))