



REDCA – update on the RED

Days to go

17 May 2017



Replaces Radio & Telecommunication Terminal Equipment Directive (RTTED) 1999/5/EC, repealed with effect from 13 June 2016

RED applied from 13 June 2016 (+ 1 year for manufacturers to comply)

Mandatory from 13th June 2017



SRDS

More than 17 SRD type standards in May RED OJEU

More in pipeline

ETSI EN300 440 is one of the “missing” ones, NWI
*Address Issues raised by EC desk officer after
assessment of EN 300 440 v2.1.1.*



Risk Assessment

A manufacturer must prepare a Risk Assessment. This is only for the “Foreseeable, Legal use of the product.

A simple way to start a Risk Assessment is to review the product and its intended use including installation, location, environmental conditions and end-use.



The risk assessment can be straightforward, based on the application of harmonised standards.

It is important for the manufacturer to check their products against the standards they have applied, to make sure there are no compliance risks to the Directive which are not covered by the standard.



Is an ISO 17025 accredited test report required?

Can you use HS that are harmonized under the LVD and EMC



What additional tests are required under RED?

You may have to perform some additional Receiver Blocking Tests to meet the requirements in the new RED standard calls for the testing. There could also be additional spectrum sharing transmitter tests (Listen before Transmit etc.) in some cases.

Also note that the EMC immunity testing requirements have changed, to require more testing, **typically** for radiated immunity to 6 GHz



Does this mean I have to use a Notified Body for Articles 3.1(a) & (b)?

No. The use of an NB for Article 3.1(a) and (b) is voluntary but you may find it convenient for the first few months until the RED becomes fully established.

You can whatever Article 3.1 standards you wish but you need to detail and justify your approach in your Risk Assessment.

Is the RTTED Alert Mark still used?

Under Article 10(10) manufacturers must provide information regarding restrictions on where the equipment can be used, this might be geographical or indoors operation. This information should be placed **on the packaging** as a minimum.

The new symbol **proposed** is as follows:

				
AT	BE	BG	CZ	DK
EE	FR	DE	IS	IE
IT	EL	ES	CY	LV
LI	LT	LU	HU	MT
NL	NO	PL	PT	RO
SI	SK	TR	FI	SE
CH	UK	HR		



What are the changes compared to the old R&TTE Directive?

Equipment operating below 9 kHz also now falls within the scope of the RE-D.

Radio-determination equipment is now clearly included in the RE-D.

Any other radio equipment which was under the R&TTED, with the exception of fixed line terminal equipment and custom built evaluation kits, falls under the RE-D.

* not an exclusive list



Answers from the EU Commission to some Frequency Asked Questions



Are you planning to postpone the application date?

No. An additional transitional year was granted to industry to ensure a smooth transition from the old to the new directive. Extending that deadline would imply reopening the whole Directive and the Commission would have to propose new legislation to the European Parliament and the Council. In fact, industry and standardisation organisations have had years to prepare for the new rules for radio equipment so there is no reason to postpone the application date even further.



What happens to the equipment which is already on the market but has not been sold to the end user yet?

It depends on the date when the equipment was first placed on the market. As long as equipment conformed to the legislation applicable at that time, it can continue to be sold.



What happens to mobile phones? Will people be able to buy them?

Mobile phones and any other radio equipment that was already placed on the market before 12 June 2017 will continue to be sold, provided they comply with the legislation applicable at that time. The EU is not banning the sale of such products. Manufacturers can also bring new mobile phones and other equipment to the market after 12 June 2017, provided these products comply with the requirements set in the RE-D.



Will the EU withdraw radio equipment from the market because of the change of legislation from R&TTED to RE-D?

The EU does not withdraw products from the market. The Member States are in charge of market surveillance. In any case, once equipment is placed on the EU market, it can remain on the market even if the legislation changes in the meantime. This is a general rule of the Internal Market and full guidance is given in the 'Blue Guide'.



What are harmonised standards for?

The application of harmonised standards is voluntary. They are used to demonstrate that products, services, or processes comply with relevant requirements of the EU legislation. However, manufacturers can use any technical specification to demonstrate that the radio equipment complies with all necessary requirements, upon their own responsibility.

The essential performance requirements and use of radio spectrum laid down in Articles 3.2 and 3.3 must, however, be certified by a Notified Body, if alternative specifications are applied.



What are harmonised standards for? (Cont'd)

The manufacturer can give assurance that the equipment meets the safety and health and electromagnetic compatibility requirements laid down in Article 3.1 by showing conformance to harmonised standards, but there is always the option to use alternative technical specifications. In such a case, the manufacturer assumes the risk if a product subsequently presents a risk to anybody.



Notified bodies are overloaded, what can manufacturers do to get their products assessed?

The NANDO database provides a list of all notified bodies across the EU which can perform conformity assessments. Manufacturers can find a notified body in their own country or elsewhere in the EEA, which has the spare capacity to do the job.

* as of April 21st, less than 40% of the NB who responded to the EU Commission were at or near capacity.



Can manufacturers apply draft standards or other specifications that have not been published as harmonised standards?

Under the RE-D, it is allowed. It is important that the manufacturer demonstrates in the technical documentation that the radio equipment is compliant with EU legislation/the RE-D. In this case {for Article 3.2, 3.3}, the manufacturer must follow a conformity assessment procedure which involves a notified body as explained above.



Is there any guidance on the application of the RE-D?

The new RE-D Guide, aiming at explaining and clarifying some of the most important issues related to the application of the RE-D, will be published soon on the Commission website. The Guide should be read together with the 'Blue Guide' on the implementation of EU product rules. These documents are intended purely as guidance and they are not legally binding.

*A late draft of the RE-D guide has been circulated to the REDCA members, not the official guide, yet.



Why are the harmonised standards for the RE-D not available yet?

Some of the harmonised standards needed for the RE-D, and requested by the Commission, are currently not available, as they were not delivered on time by the standardisation organisations. According to the Standardisation Regulation 1025/2012, the Commission can only publish the harmonised standards in the official Journal (OJEU) if they have been formally delivered by the standardisation organisations.



Why are the harmonised standards for the RE-D not available yet? (Cont'd)

The standardisation request was formally adopted in August 2015 and submitted to the European Telecommunications Standards Institute (ETSI) and the European Committee for Electro-technical Standardization (CENELEC). Until now, ETSI has submitted 124 standards under the RE-D. This represents roughly 75% of the standards applicable to products that would otherwise require a third-party certification.

* I am sure ETSI will comment on this later!



Why are the harmonised standards for the RE-D not available yet? (Cont'd)

The Commission has assessed all of the delivered standards in time, providing feedback to the standardisation organisations. Whenever asked for, the Commission has also given comments on the draft standards in a proactive way to prevent potential problems.



Why are the harmonised standards for the RE-D not available yet? (Cont'd)

Out of the submitted standards, over 100 have appeared in the Official Journal (OJ) by 12 May 2017 **and more are currently expected to be published in the early June.**

Some standards have shown substantial shortcomings, in particular with regard to their compliance with the essential requirements, and this is why their publication in the Official Journal is delayed. These shortcomings include mainly technical problems, which make the standards difficult to understand and unclear for industry to apply. Requests to improve the standards have been made to ETSI.



Can manufacturers use harmonised standards of the R&TTE to demonstrate compliance with the RED?

Not in all cases. Harmonised standards of the old R&TTE Directive may not fully address the essential requirements of the new RE-D. Old harmonised standards of the R&TTE that fully address the essential requirements of the RE-D have already been published under the RE-D list.



What is the Commission doing to solve the problem?

The Commission is working in close collaboration with the European standardisation organisations so that the vast number of standards, which are of voluntary nature, can be prepared and published before the end of the transitional period (12 June 2017). The Commission services proposed specific solutions to ETSI to increase the number of published standards. Thanks to this approach, the Commission was able to publish additional harmonised standards in the OJEU.



What is the Commission doing to solve the problem?

At the same time, the Commission services are considering additional solutions and options to mitigate or overcome the problems posed by the delay in the preparation and publication of harmonised standards under the RE-D.



Why is the EU not helping the industry?

The EU is helping the industry. The transitional period was designed by the co-legislators to help the industry to prepare for the new rules. Moreover, the Commission has, in its standardization request to the European Standardization Organizations, put deadlines to ensure a smooth transition between the old and the new Directive. The preparation of harmonised standards is the only part of the implementation of the RE-D that has been delegated to the standardization organizations, which are composed of industry experts and other stakeholders.



Why is the EU not helping the industry?

The Commission has also made specific arrangements to make sure that as many harmonised standards as possible can be published in the OJEU after they are delivered by the standardisation organisations. Last year, the Commission started publishing the list of harmonised standards in the OJEU every month. This is an unprecedented exercise as harmonised standards for other Directives or Regulations (including the R&TTED) are usually published quarterly. The Commission has also been holding several meetings or initiatives to provide guidance on how to comply with the RE-D without harmonised standards (yes, it is possible!). These FAQs are an additional example in that respect.



Was the standardisation request published too late?

No. The standardisation request was formally adopted in August 2015 and submitted to the European Telecommunications Standards Institute (ETSI) and the European Committee for Electro-technical Standardization (CENELEC). The deadline for delivery – 15 March 2016 - of the standards was laid down in the official standardisation request of the Commission.



Was the standardisation request published too late? (Cont'd)

The changes to the harmonised standards under the old R&TTE Directive to meet the requirements under RE-D are limited and should have been easy to accomplish within the time limit set in the standardisation mandate.



Thank you
Any questions



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