Introduction
Since April 2000, the Radio and Telecommunications Terminal Equipment Directive (R&TTE) has been the required method for manufacturers to test and show compliance of radio and other telecommunications equipment sold across Europe. First introduced to reduce trading barriers in Europe while continuing to ensure that products met minimum requirements for health and safety, EMC and the protection of the radio spectrum, the R&TTE Directive has reduced the timescales and cost of gaining approval.

Following several market surveillance campaigns, the European Commission became concerned about the low level of compliance with the R&TTE for some categories of radio equipment. Together with the huge increase in the number of mobile devices and wireless applications, this led the Commission to publish the new Radio Equipment Directive (RED) 2014/53/EU in the Official Journal of the European Union on 22 May 2014. The RED will be applicable from 13 June 2016.

Ensuring compliance
Equipment within the scope of the RED that is placed on the European market for the first time must follow a RED conformity assessment procedure. The general principles are very similar to the R&TTE Directive, as compliance is against a set of essential requirements:
- Article 3.1 (a) Health & Safety
- Article 3.1 (b) EMC
- Article 3.2 Radio
- Article 3.3 additional requirements when invoked by the European Commission

Harmonised standards also provide a presumption of conformity with the essential requirements and conformity assessment invokes the following procedures:
- Internal production control
- Assessment of technical documentation by a Notified Body (Type Examination)
- Full Quality Assurance (FQA) Approval
The RED requires the use of a Notified Body for Type Examination or Full Quality Assurance Approval where no radio or relevant Article 3.3 Harmonised Standard exists.

Key changes
The RED’s new requirements clearly spell out the responsibilities and obligations for manufacturers, importers, distributors and authorised representatives. This means there are some major changes that these economic operators within the supply chain must be ready for when the Directive is fully in place. In some instances, these changes are wide ranging, with Annexes being renumbered and updated. The new Directive also sees the deletion of some unnecessary administrative obligations, which should reduce organisational overheads.

New obligations
To enable full traceability of supply, the RED requires that each economic operator must be able to identify who has supplied them with radio equipment and to whom they have subsequently supplied it.

Article 10 (Obligations of manufacturers) refers to changes to the system for the Declaration of Conformity (DoC), with manufacturers now having two options within the new Directive:

### Transitioning from the R&TTE Directive to the RED

<table>
<thead>
<tr>
<th>All Member States</th>
<th>12 June 2014 – 12 June 2016</th>
<th>13 June 2016 – 13 June 2017</th>
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<tbody>
<tr>
<td></td>
<td>Two-year transition period to transpose the new RED into national laws.</td>
<td>The RED must be applied from 13 June 2016.</td>
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<tr>
<td>Manufacturers</td>
<td>Equipment compliant with the relevant EU legislation applicable before 13 June 2016 may continue to be placed on the market until 13 June 2017. Also, within Article 48 of the RED, a “making available on the market” and “putting into service” provision means this equipment may be sold and brought into service later.</td>
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### PRODUCTS COVERED BY THE RED

- Electrical or electronic products that intentionally emit or receive radio waves for the purpose of radio communication and/or radiodetermination.
- Electrical or electronic products that must be completed with an accessory (such as an antenna) to intentionally emit and/or receive radio waves for the purpose of radio communication and/or radiodetermination.
- All radio receivers including broadcast radio and TV receivers.

### PRODUCTS NOT COVERED BY THE RED

- Radio equipment exclusively used for activities concerning public security, defence, State security (including the State’s economic wellbeing in the case of activities pertaining to State security matters) and the activities of the State in the area of criminal law.
- Telecommunication Terminal Equipment (i.e. fixed line terminal equipment).
- Marine equipment that falls within the scope of Council Directive 96/98/EC.
- Airborne products, parts and appliances falling within the scope of Article 3 of Regulation (EC) No 216/2008, and custom-built evaluation kits designed for professionals to be used solely at R&D facilities.
- Radio equipment used by radio amateurs (unless the equipment is made available on the market).
1. A copy of the full DoC covering all applicable Directives with each piece of radio equipment.
2. A simplified DoC, but this must include the exact Internet address where the full version can be obtained. It must also be available in the language(s) required by the Member State in which the radio equipment is placed or made available on the market.

Re-branded radio equipment is also included in Article 14. This now means that an importer or distributor takes on the responsibilities as if they were the manufacturer where they supply radio equipment under their name or trademark.

Another first is that Article 5 of the Directive (Registration of radio equipment within some categories) introduces the requirement to register products, which fall within categories showing low levels of compliance with the Essential Requirements, in a central database. It is intended that this will enhance the efficiency and effectiveness of market surveillance and therefore contribute to a higher level of compliance with the Directive.

Dealing with language differences
While the R&TTE Directive contained no language requirements, the RED requires that the manufacturer’s contact details are in a language easily understood by end-users and market surveillance authorities. The product must also be accompanied by instructions in an easily understood language, as determined by the Member State in which the product is being sold. English should be acceptable in most cases, but some Member States may insist information is translated into their native language before it can be sold. This will cost manufacturers both money and time – increasing time to market for new goods.

Safety and sampling
Article 17 of the new Directive introduces that, for the first time, a safety assessment must now take into account reasonably foreseeable usage conditions. This means that a manufacturer must now anticipate how a person might misuse the equipment, not just the intended use as outlined in the equipment’s instructions.

New responsibilities for importers have also been introduced for sample testing of products. As the Directive uses wording that is quite subjective, it is not clear at what point this becomes a mandatory requirement. However, to protect the health and safety of consumers, importers will be required to carry out sample testing of radio equipment made available on the market.

Importers must also investigate and keep a register of complaints of non-conforming radio equipment and product recalls, and inform distributors of such monitoring. They are also required to keep a copy of the DoC for 10 years after the radio equipment has first been placed on the market, as the market surveillance authorities will have a right to request a copy during that period of time.

Common chargers
One completely new element of the RED is intended to support the European Commission’s push for portable devices to be compatible with a common charger. Consequently, the RED’s Essential Requirements now states that: “radio equipment interworks with accessories, in particular with common chargers”, which could represent a significant cost for manufacturers.
Take action
The wide-ranging changes of the RED require some significant adaptations to how radio equipment is manufactured and supplied. It is therefore vital that those in the supply chain understand their specific obligations, so that equipment can continue to be sold on the European market.

Your business benefits

- **Minimise risk and increase customer confidence** – with our unrivalled knowledge of complex regulations, as well as our ability to tailor processes to meet client-specific requirements, alongside the use of a globally recognised Notified Body, to provide third-party evidence that assures customers that your product complies.

- **Benefit from global expertise with local support** – through TÜV SÜD’s worldwide network of experts. We can provide RED compliance advice in your own language and time zone, supporting you with our understanding of complex legal requirements and national deviations in standards.

- **Access global markets** – with the wide range of product and quality management system certifications we offer.

- **Reduce time to market** – thanks to our understanding of market pressures, which minimises project turnaround times.

**Choose certainty. Add value.**
TÜV SÜD is a premium quality, safety and sustainability solutions provider that specialises in testing, inspection, auditing, certification, training and knowledge services. Represented in over 800 locations worldwide, we hold accreditations in Europe, the Americas, the Middle East, Asia and Africa. By delivering objective solutions to our customers, we add tangible value to businesses, consumers and the environment.

**Related services**
TÜV SÜD provides the following related services:

- EMC testing
- Marine testing and certification
- Quality management system audits
- Radio testing
- Safety testing
- SAR testing

**Options for Product Conformity Assessment and Continuing Compliance**

**Option 1:**
Self-declaration under the Internal Production Control procedure.

**Option 2:**
EU-Type Examination involves the submission of your technical compliance documentation to a RED Notified Body. A successful assessment results in a Type Examination Certificate.

**Option 3:**
Full Quality Assurance (FQA) Approval of the manufacturer’s processes, which permits the application of the CE marking to products within the scope of the FQA. A basic principle of this procedure is that the manufacturer’s quality system must ensure radio equipment compliance with the RED requirements.