Recognised European Standards Organisation (ESO) under EU Directive 98/34/EC

**ETSI objective** to maintain technical standards, and as ESO to maintain technical standards to achieve a large unified European market for telecommunications [ETSI statues, Article 2]

This is achieved by the prompt and efficient production of Harmonized European Norms (ENs) that are referenced in the Official Journal of the European Union (OJEU).

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<table>
<thead>
<tr>
<th>ANNEX I: EUROPEAN STANDARDISATION BODIES</th>
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<td><strong>CEN</strong></td>
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<td><strong>CENELEC</strong></td>
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<td><strong>ETSI</strong></td>
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ETSI’s regulatory environment

**Equipmen**

- Low Voltage Directive
- Radio Spectrum Decision 676/2002/EC

**Network & Services**

<table>
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<td>Framework Directive 2002/21/EC</td>
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<td>Access Directive 2002/19/EC</td>
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<td>Authorisation Directive 2002/20/EC</td>
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<th>Directive 2009/136/EC</th>
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<tr>
<td>Universal Service Directive 2002/22/EC</td>
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<td>Privacy Directive 2002/58/EC</td>
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<td>Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws</td>
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**Sector Specific Directives and regulations**

- Marine Equipment Directive
- Electronic Fee Collection
- Medical Devices
- Single European Sky
**New Approach** (22 EU Directives) Standardisation to remove technical barriers to trade in the EU/EFTA

**R&TTE Directive** is one of the most progressive pieces of placing on the market legislation from the EC aimed at reducing both the financial burden and the time-to-market delays associated with regulatory approval.

Speed of placing equipment on the EU/EFTA market is now largely controlled by manufacturers and is not influenced by outside agencies.
More than 160 standards listed under RTTE&D and EMCD

R&TTE Directive:
- art.3.1b (EMC) – 35 (Essentially EN 301 489 series)
- art. 3.2 – more than 120;
- art.3.3 – 7 (Maritime specific requirements)

Radio equipment under R&TTED
The market for R&TTE equipment exceeds 30 BEURO and is undergoing rapid growth.

It was regulated through an EU Directive (98/13/EC) and more than 1000 national approval regulations.

As of 8 April 2000 the R&TTE directive had replaced these national regulations and govern the marketing and use of R&TTE equipment.

Directive establishes a regulatory framework for the placing on the market, free movement and putting into service in the Community of radio equipment and telecommunications terminal equipment.

Article 1

(a) “apparatus“ means any equipment that is either radio equipment or telecommunications terminal equipment or both;

(b) “telecommunications terminal equipment“ means a product enabling communication or a relevant component thereof which is intended to be connected directly or indirectly by any means whatsoever to interfaces of public telecommunications networks (that is to say, telecommunications networks used wholly or partly for the provision of publicly available telecommunications services);

(c) “radio equipment” means a product, or relevant component thereof, capable of communication by means of the emission and/or reception of radio waves utilising the spectrum allocated to terrestrial/space radio communication;

(d) “radio waves“ means electromagnetic waves of frequencies from 9 kHz to 3 000 GHz, propagated in space without artificial guide;
The overlapping signal is seen as interference to the legacy receiver.

This was traditionally solved by exclusive licensing.

ETS I EN 300 220 (SRDs operating in up to 1Ghz), EN 300 328 (Wideband transmitting systems in 2,4 GHz) to solve inter systems interference

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**EU Directives: R&TTE, art. 3.2 to avoid harmful interference**

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**Harmful Interference.** Interference which endangers the functioning of a radionavigation service or of other safety services or seriously degrades, obstructs, or repeatedly interrupts a radiocommunication service operating in accordance with [the ITU] Radio Regulations.
ESSENTIAL REQUIREMENTS

Protection of the health and the safety of the user and any other person (Art. 3.1a)

Protection requirements regarding electromagnetic compatibility (Art. 3.1b)

Radio equipment shall be constructed to effectively use the spectrum allocated to terrestrial/space-based radio communication and orbital resources so as to avoid harmful interference. (Art. 3.2)
## Conformity assessment procedure under R&TTE

<table>
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<tr>
<th>Annex II</th>
<th>Annex III</th>
<th>Annex IV</th>
<th>Annex V</th>
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<tbody>
<tr>
<td>Internal Production Control</td>
<td>Internal Production Control plus specific apparatus tests</td>
<td>Technical construction file</td>
<td>Full Quality Assurance</td>
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<tr>
<td>Manufacturer draws up technical documentation and test reports</td>
<td>As Annex II, plus Identification of the test suites by a NB (except where the test suites are defined in the harmonised standards)</td>
<td>As Annex III, plus Presentation of technical documentation and test reports (Annex II) and Declaration of Conformity to the specific test suites (Annex III) to one or more NB. Issue of an opinion of NB within 4 weeks. The manufacturer is not bound to the opinion of the NB.</td>
<td>Analogue to the current regime under Dir. 98/13/EC NB shall approve the Full Quality Assurance System</td>
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<td>Involvement of a NB not necessary</td>
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## Access to the market

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<td><strong>Telecommunications terminal equipment which does not make use of the spectrum allocated to radio communication and receiving parts of radio equipment</strong></td>
<td><strong>Radio equipment where the manufacturer has applied harmonised standards</strong></td>
<td><strong>Radio equipment where the manufacturer has not applied or has only applied in part harmonised standards</strong></td>
<td>According to the choice of the manufacturer</td>
<td>According to the choice of the manufacturer</td>
<td>According to the choice of the manufacturer</td>
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“harmonised standard’ shall mean a standard adopted by one of the European standardisation bodies listed in Annex I to Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services on the basis of a request made by the Commission in accordance with Article 6 of that Directive;”

- European commission issues a Mandate to ESO(s) to develop Harmonised standards under a New Approach Directive. This mandate is adopted by Member States 98/34 Committee. In ETSI BOARD has to accept the Mandate)

European Commission Publishes a standard in the OJEU developed and processed by an ESO in accordance with appropriate procedures (PE, Vote)
In Europe responsibility for placing equipment on the market under the New approach legislation is always on the shoulders of manufacturers.

Harmonised standard is a way to access the market.

Use of HENs helps to reduce costs of production up to 40%.
ETSI Radio TBs and HENs

- EMC&Radio Spectrum Matters
- Intelligent Transport Systems
- Broadband Radio Access Net.
- Sat Earth Stations & Systems
- TETRA
- DECT
- Railway telecommunications
- Access, Terminals, Transmission and Multiplexing
- STQ (acoustic shock)
- TISPAN (WG7)
- M2M
- Reconfigurable Radio Systems
Blue guide, R&TTE and EMC Guides revisions

The commission is likely to propose a long transitional period
### R&TTED fine tuning: Definitions

| (c) ‘radio equipment’ means a device which intentionally emits or receives radio waves in order to serve its purpose. All ancillary elements, including software, which may affect compliance of the radio equipment with the essential requirements in article 3 of this Directive are considered as part of the radio equipment. Other active devices which enable the emission and/or reception of radio waves are also considered as radio equipment; | Change in the scope of radio equipment, which is extended to equipment which does not necessarily communicate but is a regular, ‘voluntary’ user of spectrum. This allows to bring all wanted users of spectrum under the same legal framework. Some examples of equipment affected/clarified: jammers, wireless chargers, positioning systems |

#### Definition of radio equipment is changed (“capable of communication”)

- Many more products can become an R&TTE products (wireless charges)

#### Absence of definition efficient use of spectrum
2. In addition, radio equipment shall be so constructed so as to efficiently use the spectrum allocated to terrestrial/space radio communication and orbital resources and so as to avoid harmful interference. These requirements apply both to emission and reception.

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<thead>
<tr>
<th>Changes in the art. 3.2 must not make ETSI to revise all HENs and Cooperation agreement with CEPT</th>
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- efficient in order to refer to use of spectral resources
- clarification with regard to the applicability of the requirement to reception

Clarification is needed regarding the goals of the change of the wording for this requirement in order to determine the extent of the impact on the harmonised standards (e.g. a review of existing harmonised standards is needed).

The criterion has been changed from "effective" in the current directive to "efficient" in this draft. Definitions need to be given in the Directive for the terms used: "effective" and "efficient". This will facilitate the work in creating the related harmonised standards.

It is important to have a common understanding of the criterion (e.g. effective, efficient) throughout all the languages.
August 2008 Council and European Parliament adopted the “goods package”, a set of horizontal measures aimed at enhancing the functioning of the internal market in goods (to increase the safety of products on the market and compliance with EU Directives)

NLF consists of two complementary instruments:

• Regulation 765/2008/EC on accreditation and market surveillance, and
• Decision 768/2008/EC establishing a common framework for the marketing of products.
The Decision sets out a **common framework for EU legislation** that lays down requirements for the marketing of products. It contains the provisions which are commonly used in EU product legislation (e.g. definitions, obligations of economic operators, safeguard clause, etc).

Decision also has the objective of bringing **more consistency into the whole EU regulatory framework for products**. It is designed as a toolbox that contains the elements commonly used in technical harmonisation legislation.
Revisioin of R&TTED in the light of Decision 768/2008/EC

- Align the provisions of the R&TTE Directive with the one of the Decision for economic operators
  - manufacturers,
  - Importers,
  - Distributors, as well as
  - the bodies testing and certifying products

- Fine tune the Directive after more than 10 years of existence
  - Scope
  - Definitions
  - Essential requirements
  - Harmonised standards
  - Annex I