

# Regulation

## ON CONFORMITY ASSESSMENT AND MARKING OF RADIO EQUIPMENT

Issued in Helsinki on 3 July 2003

---

The Finnish Communications Regulatory Authority (FICORA) has, under section 20(1)(2) and (2), section 21(9), section 22(1) and section 24(2) of the Radio Act of 16 November 2001 (1015/2001), as written in the Act of 23 May 2003 on Amendment of the Radio Act (399/2003), and section 23(2) of the Radio Act, prescribed as follows:

### Chapter 1

#### General provisions

#### Section 1

##### Scope of application

This Regulation lays down provisions on the conformity assessment procedure and essential special requirements for radio equipment, and on the protection requirements relating to electromagnetic compatibility as well as on the marking of radio equipment and the notification procedure when placing radio equipment on the market.

This Regulation does not apply to the radio equipment referred to in section 24 of the Radio Act, except sections 4 and 8 of this Regulation which apply to the radio equipment referred to in section 24(1)(2-3) and (5) of the Radio Act.

The provisions of this Regulation on the Member States of the European Communities apply as appropriate to those third countries that are bound by Directive 1999/5/EC of the European Parliament and of the Council due to an agreement between the European Community and the third country.

*Placing on the market* means in this Regulation the first making available, in return for payment or free of charge, of a piece of radio equipment either for the purpose of distribution or for taking into use.

---

Directive 1999/5/EC of the European Parliament and of the Council (399L0005); OJ No. L 91, 7.4.1999, p. 10

## Chapter 2

### **Technical requirements and standards**

#### Section 2

##### **Essential technical special requirements**

Radio equipment shall conform to applicable essential technical special requirements if the Commission of the European Community has decided upon applying an essential technical special requirement in accordance with Directive 1999/5/EC, Article 3.3. The Decisions of the Commission as to special requirements are annexed to the Regulation; Annexes 3 - 6.

The essential technical special requirements of radio equipment are as follows:

- 1) it interworks via networks with other radio and telecommunications terminal equipment, and that it can be connected to interfaces of the appropriate type throughout the Community;
- 2) it does not harm the network or its functioning nor misuse network resources, thereby causing an unacceptable degradation of service;
- 3) it incorporates safeguards to ensure that the personal data and privacy of the user and of the subscriber are protected;
- 4) it supports certain features ensuring prevention of fraud;
- 5) it supports certain features ensuring access to emergency services; and
- 6) it supports certain features in order to facilitate its use by users with a disability.

#### Section 3

##### **Applying harmonised standards**

In case of shortcomings of a harmonised standard with respect to the essential requirements of Section 20(1) of the Radio Act, or the essential technical special requirements of Section 2 of this Regulation, it is presumed that radio equipment complies with the essential technical requirements, if a harmonised standard is applied according to an interpretation guideline or the

conditions issued by the Commission of the European Communities and published in the Official Journal of the European Communities.

#### Section 4

### **Protection requirements relating to electromagnetic compatibility**

Radio equipment shall be so constructed that

1) the electromagnetic disturbance it generates does not exceed a level allowing radio and telecommunications equipment and other apparatus to operate as intended; and

2) the equipment has an adequate level of intrinsic immunity of electromagnetic disturbance to enable it to operate as intended.

#### Chapter 3

### **Conformity assessment**

#### Section 5

### **Technical documentation**

In addition to the declaration of conformity to the essential requirements referred to in section 21(6) of the Radio Act, the manufacturer of the radio equipment, or his authorised representative referred to in section 5 of the Radio Act, shall in the conformity assessment procedure referred to in section 21(1)(1-3) of the Radio Act for the radio equipment establish a technical documentation which enables the conformity of the product with the essential technical requirements and special requirements to be assessed, and shall further ensure that the technical documentation is applied in the manufacture of the radio equipment.

The technical documentation shall cover the design, manufacture and operation of the radio equipment, and:

- 1) a general description of the product;
- 2) conceptual design and manufacturing drawings and schemes of, at least, components, sub-assemblies and circuits;

- 3) descriptions and explanations necessary for the understanding of said drawings and schemes and the operation of the product;
- 4) a list of the harmonised standards applied and descriptions and explanations of the solutions adopted to meet the essential requirements where harmonised standards have not been applied or do not exist;
- 5) results of design calculations made, examinations carried out, etc.; and
- 6) test reports.

## Section 6

### **Definition of specific radio test suites**

If the essential radio test suites referred to in Section 21(1)(2-3) and (6) of the Radio Act have not been defined in harmonised standards, the notified body chosen by the manufacturer shall define the test suites.

The declaration of conformity of a radio transmitter shall bear information on the accomplishment of the specific radio test suites referred to in subsection 1 above.

## Section 7

### **Provisions on presentation of a technical construction file on radio equipment**

As the technical construction file referred to in section 21(6) of the Radio Act is presented to a notified body in the conformity assessment procedure referred to in section 21(1)(3) of the Radio Act, all other notified bodies to which the technical construction file is presented must be made known.

A radio transmitter may be placed on the market four weeks after the presentation of the technical construction file to the notified body, or earlier, if the notified body has issued its opinion on the construction file before the end of the four-week period.

## Section 8

### **Electromagnetic compatibility**

The compliance with the protection requirements for electromagnetic compatibility of a piece of radio equipment referred to in section 4 of this Regulation may also be ensured by applying the conformity assessment procedure laid down in Annex 2<sup>1</sup>.

## Chapter 4

### **Marking of radio equipment**

## Section 9

### **Identifying radio equipment**

The manufacturer shall identify radio equipment by a marking bearing, in addition to information on type, information on batch or serial number and on the name of the manufacturer or the person responsible for placing the radio equipment on the market.

## Section 10

### **CE marking**

Radio equipment complying with the essential requirements and the special requirements referred to in section 20(1) of the Radio Act and section 2 of this Regulation, shall bear the CE conformity marking of Annex 1, obeying as appropriate the Act on affixing the CE marking to certain products (1376/1994). The CE marking must be affixed to the product or to its data

---

<sup>1</sup> Directive 89/336/EEC; OJ No. L 139, 23.5.1989, p. 19  
Directive 92/31/EEC (31992L0031); OJ No. L 126, 12.5.1992, p. 11  
Directive 93/68/EEC (31993L0068); OJ No. L 220, 30.8.1993, s. 1

plate, and to the packaging and the accompanying documents so that it is visible, legible and indelible.

If the CE marking shall be affixed to the radio equipment pursuant to another statute, it may be affixed to the equipment only if the equipment complies with all requirements laid down on it.

If a manufacturer may choose the procedure to apply to the radio equipment during a transition period pursuant to a statute referred to in subsection 2, the CE marking indicates that the equipment complies only with the requirements in the statutes applied by the manufacturer. In such cases, the references to the Directives, by virtue of which the statutes applied by the manufacturer have been enacted, shall be entered as published in the Official Journal of the European Communities, in the documents, declarations and instructions accompanying the radio equipment.

## Section 11

### **Identification number of a notified body and the alert symbol**

The CE marking of radio equipment shall be accompanied by the identification number of the notified body used by the manufacturer in the conformity assessment procedure referred to in section 21(1)(2-4). The marking containing the identification number shall have the same height as the CE marking.

The alert symbol depicted in Annex 1 to this Regulation shall be added to the marking containing the initials CE and the identification number of the notified body, if in some member state of the European Communities a licence or proficiency is required for the use of a radio transmitter, or if its use is restricted otherwise. The alert symbol consists of an exclamation mark surrounded by a circle. The alert symbol shall have the same height as the CE marking.

No other markings than those referred to in this chapter may be affixed to radio equipment, if the affixing of such other marking reduces the visibility and legibility of a marking referred to in this chapter.

## Chapter 5

**Miscellaneous provisions**

## Section 12

**Notification of placing on the market of a radio transmitter**

The notification to the Finnish Communications Regulatory Authority of the intention to place a radio transmitter on the market referred to in section 23(1) of the Radio Act shall be given no less than four weeks in advance of the start of placing on the market.

The notification shall provide information about the identification number of the notified body used, and about the radio transmitter's radio frequencies, channel spacing, type of modulation and RF-power as well as such other radio characteristics (radio interfaces), referred to in the Frequency Allocation Table, as form the basis for evaluation of the radio transmitter's suitability for use in Finland.

## Chapter 6

**Transitional provisions, entry into force and information**

## Section 13

**Entry into force**

This Regulation enters into force on 25 July 2003 and will remain in force until further notice.

The Regulation repeals the Finnish Communications Regulatory Authority's Regulation with the same title of 21 December 2001 (FICORA 1 B/2001 M).

## Section 14

**Information and publication**

The Regulation is included in the Series of Regulations issued by the Finnish Communications Regulatory Authority and it can be obtained from the Customer Service Office of FICORA:

Visiting address	Itämerenkatu 3 A, HELSINKI
Postal address	PO Box 313 FIN-00181 HELSINKI
Tel. national	(09) 6966 500
Tel. international	+358 9 6966 500
Fax national	(09) 6966 410
Fax international	+358 9 6966 410
Website	<a href="http://www.ficora.fi/">http://www.ficora.fi/</a>

Helsinki 3 July 2003

Signed on behalf of the Director-General

Director *Tapani Rantanen*  
Tapani Rantanen

Signed on behalf of the Director

Head of Broadcasting Division *Kari Kangas*  
Kari Kangas



## **Annex 2**

### **Alternative conformity assessment procedure referred to in section 8 concerning electromagnetic compatibility**

The manufacturer of radio equipment or his representative established within the European Economic Area shall issue an EC declaration of conformity stating that the radio equipment complies with the protection requirements relating to electromagnetic compatibility laid down in section 4 of this Regulation. The EC declaration of conformity shall contain references to the standards applied.

The EC declaration of conformity must contain the following:

- 1) description of the equipment to which it refers,
- 2) reference to the specifications under which conformity is declared, and, where appropriate, to the national measures implemented to ensure the conformity of the apparatus with the provisions of the Directive,
- 3) identification of the signatory empowered to bind the manufacturer or his authorised representative, and
- 4) where appropriate, reference to the EC type-examination certificate issued by a notified body.

Where a manufacturer has not applied, or has applied only in part, the harmonised standards for electromagnetic compatibility referred to in section 4(8) of the Radio Act, or such standards do not exist, the technical construction file mentioned below shall form the basis for the EC declaration of conformity.

The technical construction file must enable the conformity of the product with the protection requirements of section 2 to be assessed. Because of the assessment mentioned above, the technical construction file shall contain the following:

- 1) A general technical description of the equipment including information on the use of the equipment and the kind of environment the equipment is intended for.
- 2) A list of the standards, applied in full or in part, and a description of the solutions adopted to meet the protection requirements of section 2, where the manufacturer has not applied harmonised standards.

3) A technical account or certificate issued by a competent notified body.

Annex 3

<http://europa.eu.int/comm/enterprise/rtte/decision/inland-en.pdf>

Annex 4

<http://europa.eu.int/comm/enterprise/rtte/decision/marit-en.pdf>

Annex 5

<http://europa.eu.int/comm/enterprise/rtte/decision/aval-en.pdf>

Annex 6

[http://europa.eu.int/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=32003D0213&model=guichett](http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=32003D0213&model=guichett)