「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律」に係る公益財団法人日本適合性認定協会の国外適合性評価機関調査制度

(別冊　参考資料)

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公益財団法人日本適合性認定協会

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特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律

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第一章　総則

（目的）

第一条　この法律は、相互承認協定の適確な実施を確保するため、国外適合性評価事業の実施に必要な事項を定めるほか、電気通信事業法（昭和五十九年法律第八十六号）、電波法（昭和二十五年法律第百三十一号）及び電気用品安全法（昭和三十六年法律第二百三十四号）の特例を定める等の措置を講じ、もって特定機器に係る製造、輸出入、販売その他の事業活動の円滑化に資することを目的とする。

（定義）

第二条　この法律において「相互承認協定」とは、我が国が締結する条約その他の国際約束のうち、我が国と我が国以外の締約国が、適合性評価手続（特定の機器が各締約国の関係法令等（特定の機器に関する法令及びその運用に関し各締約国の当局が発する告示その他の定めをいう。次条第一項において同じ。）に定める技術上の要件に適合しているかどうかを決定するための手続をいう。以下この条において同じ。）の結果（当該

結果の表示及び証明書を含む。第三項及び第四項において同じ。）を相互に受け入れることを内容とするものであって、その適確な実施を確保するためこの法律に基づく措置を講ずることが必要なものとして政令で定めるものをいう。

2　この法律において「特定機器」とは、特定輸出機器及び特定輸入機器をいう。

3　この法律において「特定輸出機器」とは、相互承認協定の締約国である外国（以下「外国」という。）が当該相互承認協定の規定により適合性評価手続の結果を受け入れることとなる通信端末機器、無線機器及び電気製品をいう。

4　この法律において「特定輸入機器」とは、我が国が相互承認協定の規定により適合性評価手続の結果を受け入れることとなる通信端末機器、無線機器及び電気製品をいう。

5　この法律において「適合性評価機関」とは、相互承認協定に規定する機関であって、適合性評価手続を実施するものをいう。

6　この法律において「登録」とは、相互承認協定の規定により行われる適合性評価機関の登録をいう。

7　この法律において「国外適合性評価事業」とは、特定輸出機器に関する適合性評価手続を実施する事業をいう。

第二章　国外適合性評価事業の認定

（認定）

第三条　国外適合性評価事業を行おうとする者は、国外適合性評価事業の区分（相互承認協定ごとに、かつ、相互承認協定に規定する外国の関係法令等の別に応じて政令で定める国外適合性評価事業の区分をいう。以下同じ。）に従い、主務大臣の認定を受けることができる。

2　前項の認定は、対象とする特定輸出機器の種類その他業務の範囲を限定して行うことができる。

3　第一項の認定を受けようとする者は、主務省令で定めるところにより、次の事項を記載した申請書その他主務省令で定める書類を主務大臣に提出しなければならない。

一　氏名又は名称及び住所並びに法人にあっては、その代表者及び役員の氏名

二　国外適合性評価事業の区分

三　国外適合性評価事業の用に供する設備の概要

四　国外適合性評価事業の実施の方法

五　前項の規定により業務の範囲を限定する認定を受けようとする者にあっては、対象とする特定輸出機器の種類その他業務の範囲

4　主務大臣は、第一項の認定をしたときは、当該認定を受けた者（以下「認定適合性評価機関」という。）の氏名又は名称及び住所並びに前項第二号及び第五号に掲げる事項を公示するとともに、当該認定適合性評価機関について相互承認協定の規定により登録のための手続をするものとする。

（欠格条項）

第四条　次の各号のいずれかに該当する者は、前条第一項の認定を受けることができない。

一　この法律又はこの法律に基づく処分に違反し、罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から二年を経過しない者

二　第十三条第一項の規定により認定を取り消され、その取消しの日から二年を経過しない者

三　法人であって、その業務を行う役員のうちに前二号のいずれかに該当する者があるもの

（認定の基準）

第五条　主務大臣は、第三条第一項の認定の申請が、相互承認協定に規定する指定基準であって、国外適合性評価事業の区分に応じて政令で定めるものに即して主務省令で定める認定の基準に適合すると認めるときでなければ、その認定をしてはならない。

２　主務大臣は、第三条第一項の国外適合性評価事業の認定のための審査に当たっては、主務省令で定めるところにより、申請に係る国外適合性評価事業の実施に係る体制について実地の調査を行うものとする。

（認定の更新）

第六条　第三条第一項の認定は、一年を下らない政令で定める期間ごとにその更新を受けなければ、その期間の経過によって、その効力を失う。

２　第三条第三項及び前二条の規定は、前項の認定の更新に準用する。

（変更の認定等）

第七条　認定適合性評価機関は、第三条第三項第三号から第五号までに掲げる事項を変更しようとするときは、主務大臣の認定を受けなければならない。ただし、主務省令で定める軽微な変更については、この限りでない。

２　前項の変更の認定を受けようとする者は、主務省令で定めるところにより、変更に係る事項を記載した申請書その他主務省令で定める書類を主務大臣に提出しなければならない。

３　第五条の規定は、第一項の変更の認定に準用する。

４　認定適合性評価機関は、第三条第三項第一号に掲げる事項に変更があったときは、遅滞なく、その旨を主務大臣に届け出なければならない。

５　主務大臣は、第一項の規定による変更の認定（第三条第三項第五号に掲げる事項に係るものに限る。）をしたとき、又は前項の規定による届出（氏名若しくは名称又は住所に係るものに限る。）があったときは、その旨を公示するものとする。

（事業の休廃止）

第八条　認定適合性評価機関は、その認定に係る事業の全部又は一部を休止し、又は廃止しようとするときは、主務省令で定めるところにより、あらかじめ、その旨を主務大臣に届け出なければならない。

２　主務大臣は、前項の規定による届出があったときは、その旨を公示するものとする。

（事業に関する帳簿書類）

第九条　認定適合性評価機関は、主務省令で定めるところにより、その認定に係る事業に関する帳簿書類を作成し、これを保存しなければならない。

（認定適合性評価機関に対する命令）

第十条　主務大臣は、相互承認協定及びこの法律の適正な実施を確保するため必要があると認めるときは、認定適合性評価機関に対し、その認定に係る事業に関し監督上必要な命令をすることができる。

（登録等の公示）
第十一条　主務大臣は、相互承認協定の規定により次に掲げる処分が行われたときは、その旨を公示するものとする。
一　認定適合性評価機関の登録又はその取消し
二　認定適合性評価機関の登録の効力の停止又はその停止の解除

（証明書の交付）
第十二条　認定適合性評価機関であって登録を受けているもの（登録の効力が停止され、又は次条第一項の規定により認定の効力が停止されているものを除く。）は、その認定に係る国外適合性評価事業を行ったときは、主務省令で定める事項を記載し、主務省令で定める標章を付した証明書を交付することができる。
２　何人も、前項に規定する場合を除くほか、国外適合性評価事業に係る証明書に同項の標章又はこれと紛らわしい標章を付してはならない。

（認定の取消し等）
第十三条　主務大臣は、認定適合性評価機関が次の各号のいずれかに該当するときは、その認定を取り消し、又はその認定の効力を停止することができる。
一　第四条第一号又は第三号のいずれかに該当するに至ったとき。
二　第五条第一項に規定する主務省令で定める認定の基準（その認定を受けた国外適合性評価事業の区分に係るものに限る。）に適合しなくなったとき。
三　第七条第一項若しくは第四項、第九条又は前条第二項の規定に違反したとき。
四　第十条の規定による命令に違反したとき。
五　不正の手段により第三条第一項の認定又は第七条第一項の変更の認定を受けたとき。
六　前各号に掲げるもののほか、相互承認協定の誠実な履行を妨げることとなるおそれがある事由として主務省令で定める事由に該当するに至ったとき。
２　主務大臣は、前項の規定により認定を取り消したときは、その旨を公示するとともに、当該認定を取り消された者について相互承認協定の規定により登録の取消しのための手続をしなければならない。
３　主務大臣は、第一項の規定により認定の効力を停止したとき、又はその停止を解除したときは、その旨を公示するものとする。

第三章　指定調査機関

（指定調査機関による調査）
第十四条　主務大臣は、その指定する者（以下「指定調査機関」という。）に第五条第二項（第六条第二項及び第七条第三項において準用する場合を含む。）の規定による調査（以下単に「調査」という。）の全部又は一部を行わせることができる。
２　主務大臣は、前項の規定により指定調査機関に調査の全部又は一部を行わせるときは、当該調査の全部又は一部を行わないものとする。この場合において、主務大臣は、指定調査機関が第四項の規定により通知する調査の結果を考慮して第三条第一項の認定若しくはその更新又は第七条第一項の変更の認定のための審査を行わなければならない。
３　主務大臣が第一項の規定により指定調査機関に調査の全部又は一部を行わせることとしたときは、第三条第一項の認定若しくはその更新又は第七条第一項の変更の認定を受けようとする者は、指定調査機関が行う調査については、第三条第三項（第六条第二項において準用する場合を含む。）及び第七条第二項の規定にかかわらず、主務省令で定

めるところにより、指定調査機関に申請しなければならない。
4　指定調査機関は、前項の申請に係る調査を行ったときは、遅滞なく、当該調査の結果を主務省令で定めるところにより、主務大臣に通知しなければならない。
（指定）
第十五条　前条第一項の規定による指定（以下この章及び第三十六条第三項において「指定」という。）は、主務省令で定めるところにより、調査を行おうとする者の申請により行う。
（欠格条項）
第十六条　次の各号のいずれかに該当する者は、指定を受けることができない。
一　この法律又はこの法律に基づく処分に違反し、罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から二年を経過しない者
二　第二十七条第一項の規定により指定を取り消され、その取消しの日から二年を経過しない者
三　法人であって、その業務を行う役員のうちに前二号のいずれかに該当する者があるもの
（指定の基準）
第十七条　主務大臣は、指定の申請が次の各号のいずれにも適合していると認めるときでなければ、その指定をしてはならない。
一　調査の業務を適確かつ円滑に実施するに足りる経理的基礎及び技術的能力を有すること。
二　法人にあっては、その役員又は法人の種類に応じて主務省令で定める構成員の構成が調査の公正な実施に支障を及ぼすおそれがないものであること。
三　前号に定めるもののほか、調査が不公正になるおそれがないものとして、主務省令で定める基準に適合するものであること。
四　その指定をすることによって申請に係る調査の適確かつ円滑な実施を阻害することとならないこと。
（指定の公示等）
第十八条　主務大臣は、指定をしたときは、指定調査機関の名称及び住所、調査の業務を行う事務所の所在地並びに指定調査機関が行う調査の業務に係る国外適合性評価事業の区分を公示しなければならない。
2　指定調査機関は、その名称若しくは住所又は調査の業務を行う事務所の所在地を変更しようとするときは、変更しようとする日の二週間前までに、その旨を主務大臣に届け出なければならない。
3　主務大臣は、前項の規定による届出があったときは、その旨を公示しなければならない。
（指定の更新）
第十九条　指定は、三年を下らない政令で定める期間ごとにその更新を受けなければ、その期間の経過によって、その効力を失う。
2　第十五条から第十七条までの規定は、前項の指定の更新に準用する。
（秘密保持義務等）
第二十条　指定調査機関の役員（法人でない指定調査機関にあっては、当該指定を受け

た者。次項、第四十六条及び第四十九条において同じ。）若しくは職員又はこれらの職にあった者は、調査の業務に関して知り得た秘密を漏らしてはならない。

２　調査の業務に従事する指定調査機関の役員又は職員は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。

（調査の義務）

第二十一条　指定調査機関は、調査を行うべきことを求められたときは、正当な理由がある場合を除き、遅滞なく、調査を行わなければならない。

（役員の選任及び解任）

第二十二条　指定調査機関は、役員を選任し、又は解任したときは、遅滞なく、その旨を主務大臣に届け出なければならない。

（調査業務規程）

第二十三条　指定調査機関は、調査の業務に関する規程（以下「調査業務規程」という。）を定め、主務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

２　調査業務規程で定めるべき事項は、主務省令で定める。

３　主務大臣は、第一項の認可をした調査業務規程が調査の公正な実施上不適当となったと認めるときは、その調査業務規程を変更すべきことを命ずることができる。

（帳簿の記載）

第二十四条　指定調査機関は、主務省令で定めるところにより、帳簿を備え、調査の業務に関し主務省令で定める事項を記載し、これを保存しなければならない。

（監督命令）

第二十五条　主務大臣は、この法律を施行するため必要があると認めるときは、指定調査機関に対し、調査の業務に関し監督上必要な命令をすることができる。

（業務の休廃止）

第二十六条　指定調査機関は、主務大臣の許可を受けなければ、調査の業務の全部又は一部を休止し、又は廃止してはならない。

２　主務大臣は、前項の許可をしたときは、その旨を公示しなければならない。

（指定の取消し等）

第二十七条　主務大臣は、指定調査機関が次の各号のいずれかに該当するときは、その指定を取り消し、又は期間を定めて調査の業務の全部若しくは一部の停止を命ずることができる。

一　この章の規定に違反したとき。

二　第十六条第一号又は第三号に該当するに至ったとき。

三　第十七条第一号から第三号までのいずれかに適合しなくなったと認められるとき。

四　第二十三条第一項の認可を受けた調査業務規程によらないで調査の業務を行ったとき。

五　第二十三条第三項又は第二十五条の規定による命令に違反したとき。

六　不正の手段により指定を受けたとき。

２　主務大臣は、前項の規定により指定を取り消し、又は調査の業務の全部若しくは一部の停止を命じたときは、その旨を公示しなければならない。

（主務大臣による調査の業務の実施）

第二十八条　主務大臣は、指定調査機関が第二十六条第一項の規定により調査の業務の全部若しくは一部を休止した場合、前条第一項の規定により指定調査機関に対し調査の業務の全部若しくは一部の停止を命じた場合又は指定調査機関が天災その他の事由により調査の業務の全部若しくは一部を実施することが困難となった場合において、必要があると認めるときは、調査の業務の全部又は一部を自ら行うものとする。

２　主務大臣は、前項の規定により調査の業務を行うこととし、又は同項の規定により行っている調査の業務を行わないこととするときは、あらかじめ、その旨を公示しなければならない。

３　主務大臣が、第一項の規定により調査の業務を行うこととし、第二十六条第一項の規定により調査の業務の廃止を許可し、又は前条第一項の規定により指定を取り消した場合における調査の業務の引継ぎその他の必要な事項は、主務省令で定める。

第四章　電気通信事業法等の特例

第一節　登録外国適合性評価機関

（定義）

第二十九条　この章において「登録外国適合性評価機関」とは、外国の適合性評価機関であって、指定（相互承認協定の規定により外国の当局が行う指定をいう。以下この条及び次条において同じ。）及び登録を受けているもの（その指定又は登録の効力が停止されているものを除く。）をいう。

（登録等の公示）

第三十条　主務大臣は、相互承認協定の規定により次に掲げる処分が行われたときは、その旨を公示するものとする。

一　外国の適合性評価機関の登録又はその取消し

二　外国の適合性評価機関の登録の効力の停止又はその停止の解除

三　外国の適合性評価機関の指定の効力の停止又はその停止の解除

第二節　電気通信事業法の特例

第三十一条　登録外国適合性評価機関（電気通信事業法第五十二条第一項の総務省令で定める技術基準に適合している旨の認定を行う者として同法第八十六条第一項の総務省令で定める事業の区分と同一の区分ごとに登録を受けている者に限る。以下この条において同じ。）が端末機器（同法第五十三条第一項に規定する端末機器をいい、当該登録を受けている区分に係るものに限る。次項において同じ。）について技術基準適合認定（同条第一項に規定する技術基準適合認定をいう。以下この項において同じ。）を行った場合には、当該技術基準適合認定を登録認定機関（同条第一項に規定する登録認定機関をいう。以下この条において同じ。）がした技術基準適合認定と、当該登録外国適合性評価機関による技術基準適合認定を受けた者を登録認定機関による技術基準適合認定を受けた者とそれぞれみなして、同法第五十三条第二項、第五十四条、第五十五条第一項、第六十二条第一項、第百六十六条第二項並びに第百六十七条第一項、第二項及び第五項の規定（これらの規定に係る罰則を含む。）を適用する。この場合において、同法第五十三条第二項中「登録認定機関」とあるのは「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成十三年法律第百十一号）第三十一条第一項前段に規定する登録外国適合性評価機関」と、「付さなければならない」とあるのは「付すことができる」とするほか、

必要な技術的読替えは、政令で定める。

2　登録外国適合性評価機関が端末機器の設計（当該設計に合致することの確認の方法を含む。）について設計認証（電気通信事業法第五十六条第一項に規定する設計認証をいう。以下この項において同じ。）を行った場合には、当該設計認証を登録認定機関がした設計認証と、当該登録外国適合性評価機関による設計認証を受けた者を登録認定機関による設計認証を受けた者とそれぞれみなして、同法第五十七条から第五十九条まで、第六十条第一項、第六十一条、第六十二条第二項及び第三項、第百六十六条第三項並びに第百六十七条第四項及び第六項の規定（これらの規定に係る罰則を含む。）を適用する。この場合において、同法第六十条第一項第五号中「登録認定機関」とあるのは、「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成十三年法律第百十一号）第三十一条第一項前段に規定する登録外国適合性評価機関」とするほか、必要な技術的読替えは、政令で定める。

第三十二条　前条の規定の適用がある場合における電気通信事業法第五十三条第三項、第五十五条第二項、第六十条第二項、第六十二条第四項、第六十八条の二、第六十八条の八第三項、第百六十六条第七項及び第八項、第百六十七条第三項、第百六十八条並びに第百七十一条の規定（同法第五十三条第三項の規定に係る罰則を含む。）の適用については、同法第五十三条第三項中「第百四条第四項において準用する場合」とあるのは「第百四条第四項において準用する場合及び特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成十三年法律第百十一号。以下「相互承認実施法」という。）第三十一条第一項の規定により読み替えて適用される場合」と、「第百四条第七項において準用する場合」とあるのは「第百四条第七項において準用する場合及び相互承認実施法第三十一条第二項の規定により適用される場合」と、同法第六十八条の二及び第六十八条の八第三項中「第百四条第四項において準用する場合」とあるのは「第百四条第四項において準用する場合及び相互承認実施法第三十一条第一項の規定により読み替えて適用される場合」と、「第百四条第七項において準用する場合」とあるのは「第百四条第七項において準用する場合及び相互承認実施法第三十一条第二項の規定により適用される場合」とするほか、必要な技術的読替えは、政令で定める。

第三節　電波法の特例

第三十三条　登録外国適合性評価機関（電波法第三章に定める技術基準に適合している旨の証明を行う者として同法第三十八条の二の二第一項に掲げる事業の区分と同一の区分ごとに登録を受けている者に限る。以下この条において同じ。）が特定無線設備（同項に規定する特定無線設備をいい、当該登録を受けている区分に係るものに限る。次項において同じ。）について技術基準適合証明（同法第三十八条の二の二第一項に規定する技術基準適合証明をいう。以下この項において同じ。）を行った場合には、当該技術基準適合証明を登録証明機関（同法第三十八条の五第一項に規定する登録証明機関をいう。以下この条において同じ。）がした技術基準適合証明と、当該登録外国適合性評価機関による技術基準適合証明を受けた者を登録証明機関による技術基準適合証明を受けた者とそれぞれみなして、同法第三十八条の七第一項、第三十八条の二十第一項、第三十八条の二十一第一項及び第二項、第三十八条の二十二第一項、第三十八条の二十三第一項並びに第三十八条の三十第一項の規定（これらの規定に係る罰則を含む。）を適用する。この場合において、同法第三十八条の七第一項中「登録証明機関」とあるのは「特定機器に係る適合性評価手続の

結果の外国との相互承認の実施に関する法律（平成十三年法律第百十一号）第三十三条第一項前段に規定する登録外国適合性評価機関」と、「付さなければならない」とあるのは「付すことができる」とするほか、必要な技術的読替えは、政令で定める。

２　登録外国適合性評価機関が特定無線設備の工事設計（当該工事設計に合致することの確認の方法を含む。）について工事設計認証（電波法第三十八条の二十四第一項に規定する工事設計認証をいう。以下この項において同じ。）を行った場合には、当該工事設計認証を登録証明機関がした工事設計認証と、当該登録外国適合性評価機関による工事設計認証を受けた者を登録証明機関による工事設計認証を受けた者とそれぞれみなして、同法第三十八条の二十五から第三十八条の二十七まで、第三十八条の二十八第一項、第三十八条の二十九（同法第三十八条の六第三項の準用に係る部分を除く。）並びに第三十八条の三十第二項及び第三項（第一号を除く。）の規定（これらの規定に係る罰則を含む。）を適用する。この場合において、同法第三十八条の二十八第一項第五号中「登録証明機関」とあるのは、「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成十三年法律第百十一号）第三十三条第一項前段に規定する登録外国適合性評価機関」とするほか、必要な技術的読替えは、政令で定める。

第三十四条　前条の規定の適用がある場合における電波法第四条第一項（第二号及び第三号に係る部分に限る。）、第十五条、第二十七条の二、第二十七条の十八第一項、第三十八条の七第三項及び第四項、第三十八条の二十第二項、第三十八条の二十一第三項、第三十八条の二十二第二項、第三十八条の二十三第二項、第三十八条の二十八第二項、第三十八条の三十第四項、第三十八条の四十四第三項、第七章、第九十九条の二並びに第百三条の二第十三項及び第二十項から第四十五項までの規定（これらの規定に係る罰則を含む。）の適用については、同法第四条第一項第二号中「第三十八条の三十一第四項において準用する場合」とあるのは「第三十八条の三十一第四項において準用する場合及び特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成十三年法律第百十一号。以下「相互承認実施法」という。）第三十三条第一項の規定により読み替えて適用される場合」と、「第三十八条の三十一第六項において準用する場合」とあるのは「第三十八条の三十一第六項において準用する場合及び相互承認実施法第三十三条第二項の規定により適用される場合」と、同法第三十八条の七第三項及び第四項並びに第三十八条の四十四第三項中「第三十八条の三十一第四項において準用する場合」とあるのは「第三十八条の三十一第四項において準用する場合及び相互承認実施法第三十三条第一項の規定により読み替えて適用される場合」と、「第三十八条の三十一第六項において準用する場合」とあるのは「第三十八条の三十一第六項において準用する場合及び相互承認実施法第三十三条第二項の規定により適用される場合」と、同法第百三条の二第十三項中「第三十八条の二十六（外国取扱業者に適用される場合を除く。）」とあるのは「第三十八条の二十六（外国取扱業者に適用される場合を除く。）、相互承認実施法第三十三条第二項の規定により適用される第三十八条の二十六（外国取扱業者に適用される場合を除く。）」とするほか、必要な技術的読替えは、政令で定める。

第四節　電気用品安全法の特例

第三十五条　電気用品安全法第四条第一項の届出事業者がその製造又は輸入に係る特定電気用品（同法第二条第二項に規定する特定電気用品をいい、同法第八条第一項ただし書の規定の適用を受けて製造され、又は輸入されるものを除く。以下この条において同

じ。）を販売する時までに次の各号のいずれかに掲げる証明書を保存しているときは、当該届出事業者は、同法第九条第一項本文の規定により、同項に規定する適合性検査を受け、かつ、同項に規定する証明書の交付を受け、これを保存しているものとみなす。

一　登録外国適合性評価機関（電気用品安全法第九条第一項に規定する適合性検査を行う者として同法第二十九条第一項の経済産業省令で定める区分と同一の区分ごとに登録を受けている者に限る。）が当該特定電気用品（当該登録を受けている区分に係るものに限る。次号において同じ。）について当該届出事業者に交付した証明書であって、同法第九条第一項各号のいずれかに掲げるものについて同法第八条第一項の技術基準又は同法第九条第二項の検査設備その他経済産業省令で定めるものに関する基準に適合している旨を経済産業省令で定めるところにより記載したもの（以下この条において「国際証明書」という。）

二　当該特定電気用品と同一の型式に属する特定電気用品について交付を受けた国際証明書（電気用品安全法第九条第一項第二号に係るものに限る。）であって、その交付の日から起算して同項ただし書に規定する期間を経過していないもの

三　前二号に掲げる国際証明書と同等なものとして経済産業省令で定める証明書

第五章　雑則

（機構による調査業務実施）

第三十六条　主務大臣（第四十四条第一項の規定により経済産業大臣が主務大臣となる場合に限る。以下この条、次条第四項から第六項まで及び第三十九条において同じ。）は、調査の業務を自ら行う場合において必要があると認めるときは、独立行政法人製品評価技術基盤機構（以下「機構」という。）に、当該調査の業務の全部又は一部を行わせることができる。

2　第十四条第二項から第四項までの規定は、前項の規定により機構が調査の業務を行う場合に準用する。この場合において、これらの規定中「指定調査機関」とあるのは、「機構」と読み替えるものとする。

3　主務大臣が、第二十六条第一項の規定により調査の業務の廃止を許可した場合、第二十七条第一項の規定により指定を取り消した場合又は第二十八条第一項の規定により調査の業務の全部若しくは一部を自ら行うこととした場合において、第一項の規定により調査の業務の全部又は一部を機構に行わせることとしたときにおける調査の業務の引継ぎその他の必要な事項は、主務省令で定める。

4　主務大臣は、第一項の規定により調査の業務の全部若しくは一部を機構に行わせることとするとき、又は機構に行わせていた調査の業務の全部若しくは一部を行わせないこととするときは、その旨を公示しなければならない。

（立入検査等）

第三十七条　主務大臣は、この法律の施行に必要な限度において、認定適合性評価機関に対し、その認定に係る事業に関し報告をさせ、又はその職員に、認定適合性評価機関の営業所、事業所その他の事業場に立ち入り、その認定に係る事業の状況若しくは設備、帳簿書類その他の物件を検査させ、若しくは関係者に質問させることができる。

2　主務大臣は、この法律の施行に必要な限度において、指定調査機関に対し、その業務に関し報告をさせ、又はその職員に、指定調査機関の事務所に立ち入り、業務の状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

3　前二項の規定により立入検査又は質問をする職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。
4　主務大臣は、必要があると認めるときは、機構に、第一項又は第二項の規定による立入検査又は質問を行わせることができる。
5　主務大臣は、前項の規定により機構に立入検査又は質問を行わせる場合には、機構に対し、当該立入検査の場所その他必要な事項を示してこれを実施すべきことを指示するものとする。
6　機構は、前項の指示に従って第四項に規定する立入検査又は質問を行ったときは、その結果を主務大臣に報告しなければならない。
7　第四項の規定により立入検査又は質問をする機構の職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。
8　第一項及び第二項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

第三十八条　主務大臣は、相互承認協定の規定により合同委員会（相互承認協定に規定する合同委員会をいう。以下この条において同じ。）が合同検証（相互承認協定に規定する合同検証をいう。）を行うことを決定した場合には、前条第一項の規定による立入検査又は質問に際し、同項の職員の立会いの下に、相互承認協定の規定により合同委員会が指定する外国の職員が当該認定適合性評価機関の営業所、事業所その他の事業場に立ち入り、その認定に係る事業の状況若しくは設備、帳簿書類その他の物件を検査し、又は関係者に質問することを認めることができる。ただし、同項の規定による立入検査又は質問の対象となる者の同意がない場合は、この限りでない。

（機構に対する命令）

第三十九条　主務大臣は、第三十七条第四項に規定する立入検査又は質問の業務の適正な実施を確保するため必要があると認めるときは、機構に対し、当該業務に関し必要な命令をすることができる。

（手数料）

第四十条　次に掲げる者は、実費を勘案して政令で定める額の手数料を国に納めなければならない。

一　第三条第一項の認定又はその更新を受けようとする者
二　第七条第一項の変更の認定を受けようとする者

2　機構が行う調査を受けようとする者は、実費を勘案して政令で定める額の手数料を機構に納めなければならない。
3　前項の規定により機構に納められた手数料は、機構の収入とする。
4　指定調査機関が行う調査を受けようとする者は、政令で定めるところにより指定調査機関が主務大臣の認可を受けて定める額の手数料を当該指定調査機関に納めなければならない。
5　前項の規定により指定調査機関に納められた手数料は、指定調査機関の収入とする。

（審査請求）

第四十一条　この法律の規定による機構又は指定調査機関の処分又はその不作為について不服がある者は、主務大臣に対し、審査請求をすることができる。この場合において、主務大臣は、行政不服審査法（昭和二十六年法律第六十八号第二十五条第二項及び第三項、第四十六条第一項及び第二項、第四十七条並びに第四十九条第三項の規定の適用については、機構又は指定調査機関の上級行政庁とみなす。）

（経過措置）

第四十二条　この法律の規定に基づき政令又は主務省令を制定し、又は改廃する場合においては、それぞれ、政令又は主務省令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

（経済産業大臣との協議）

第四十三条　主務大臣（次条第一項の規定により総務大臣が主務大臣となる場合に限る。）は、第五条第一項及び第十七条第三号の主務省令を制定し、又は改廃するときは、あらかじめ、経済産業大臣に協議しなければならない。

（主務大臣等）

第四十四条　第二章、第三章及びこの章における主務大臣は、政令で定めるところにより、総務大臣又は経済産業大臣とする。

２　第三十条における主務大臣は、次のとおりとする。

一　前章第二節又は第三節の規定の適用を受ける外国の適合性評価機関に関する事項については、総務大臣とする。

二　前章第四節の規定の適用を受ける外国の適合性評価機関に関する事項については、経済産業大臣とする。

３　第二章、第三章及びこの章における主務省令は、第一項に規定する政令で定める主務大臣の発する命令とする。

第六章　罰則

第四十五条　第二十条第一項の規定に違反してその職務に関して知り得た秘密を漏らした者は、一年以下の懲役又は百万円以下の罰金に処する。

第四十六条　第二十七条第一項の規定による業務の停止の命令に違反したときは、その違反行為をした指定調査機関の役員又は職員は、一年以下の懲役又は百万円以下の罰金に処する。

第四十七条　第十二条第二項の規定に違反した者は、五十万円以下の罰金に処する。

第四十八条　次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

一　第七条第一項の規定に違反して第三条第三項第三号から第五号までに掲げる事項を変更した者

二　第九条の規定による帳簿書類の作成若しくは保存をせず、又は虚偽の帳簿書類の作成をした者

三　第三十七条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対

して答弁をせず、若しくは虚偽の答弁をした者

第四十九条　次の各号のいずれかに該当するときは、その違反行為をした指定調査機関の役員又は職員は、三十万円以下の罰金に処する。

一　第二十四条の規定による帳簿の記載をせず、虚偽の記載をし、又は帳簿を保存しなかったとき。

二　第二十六条第一項の規定に違反して調査の業務の全部を廃止したとき。

三　第三十七条第二項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をしたとき。

第五十条　法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して、第四十七条又は第四十八条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対して各本条の罰金刑を科する。

第五十一条　第三十九条の規定による命令に違反した場合には、その違反行為をした機構の役員は、二十万円以下の過料に処する。

第五十二条　第七条第四項又は第八条第一項の規定による届出をせず、又は虚偽の届出をした者は、十万円以下の過料に処する。

附　則　(平成 13 年法律第 111 号)

（施行期日）

第一条　この法律は、協定の効力発生の日から施行する。ただし、次条の規定は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

（準備行為）

第二条　第十四条第一項の規定による指定及びこれに関し必要な手続その他の行為は、この法律の施行前においても、第十五条から第十七条まで、第十八条第一項並びに第二十三条第一項及び第二項の規定の例により行うことができる。

（独立行政法人製品評価技術基盤機構法の一部改正）

第三条　独立行政法人製品評価技術基盤機構法（平成十一年法律第二百四号）の一部を次のように改正する。

第十一条第二項に次の一号を加える。

九　特定機器に係る適合性評価の欧州共同体との相互承認の実施に関する法律（平成十三年法律第百十一号）第三十七条第四項の規定による立入検査又は質問

附　則（平成 14 年法律第 31 号）

(施行期日)

第一条　この法律は、新たな時代における経済上の連携に関する日本国とシンガポール共和国との間の協定の効力発生の日から施行する。ただし、次条の規定は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

(準備行為)

第二条　この法律による改正後の特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律(以下「新法」という。) 第二条第八項第六号又は第七号に係る国外適合性評価事業に関し新法第五条第二項の規定による調査を行う者についての新法第十四条第一項の規定による指定及びこれに関し必要な手続その

他の行為は、この法律の施行前においても、新法第十五条から第十七条まで、第十八条第一項、第二十三条第一項及び第二項並びに第四十条第四項の規定の例により行うことができる。

(独立行政法人製品評価技術基盤機構法の一部改正)

第三条　独立行政法人製品評価技術基盤機構法(平成十一年法律第二百四号)の一部を次のように改正する。

第十一条第二項第九号中「特定機器に係る適合性評価の欧州共同体との相互承認に関する法律」を「特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認に関する法律」に改める。

附　則（平成 15 年法律第 68 号）

第十二条　この法律の施行の前にされた前条の規定による改正前の特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律（以下「旧相互承認実施法」という。）第三十三条第一項第一号に規定する特定無線設備については、改正後の特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律（以下「新相互承認実施法」という。）第三十三条第一項第一号に規定する特定無線設備とみなす。

２　この法律の施行の前にされた旧相互承認実施法第三十三条第一項第二号に規定する特定無線設備については、新相互承認実施法第三十三条第一項第二号に規定する特定無線設備とみなす。

附　則（平成 15 年法律第 125 号）

第四十三条　前条の規定による改正前の特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律(以下「旧相互承認実施法」という。)第三十一条第一項第一号に規定する端末機器については、前条の規定による改正後の特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律（以下「新相互承認実施法」という。）第三十一条第一項第一号に規定する端末機器とみなす。

２　旧相互承認実施法第三十一条第一項第二号に規定する端末機器については、新相互承認実施法第三十一条第一項第二号に規定する端末機器とみなす。

附 則（平成 16 年 5 月 19 日法律 第 47 号）

第一条　この法律は（中略）当該各号に定める日から施行する。

（中略）

三 （前略）公布の日から起算して 1 年を超えない範囲内において政令で定める日

附 則（平成 1 9 年 6 月 20 日法律 第 92 号）

（施行期日）

第一条　この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

（経過措置）

第二条　この法律の施行の際現に存する端末機器（電気通信事業法（昭和五十九年法律第八十六号）第五十三条第一項に規定する端末機器をいう。以下この条において同じ。）であって、この法律による改正前の特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律（以下「旧法」という。）第三十一条第一項第一号に掲げるもの（旧法第三十二条第一項の規定により表示が付されていないものとみなされたものを除く。）は、電気通信事業法第五十三条第二項の規定により表示が付されている端末機器とみなす。この場合において、同法第五十四条（同法第六十二条第一項の規定により読み替えて適用される場合を含む。）の規定は、適用しない。

2　この法律の施行の際現に存する端末機器であって、旧法第三十一条第一項第一号に規定する認定がされ、かつ、同号の表示が付されていないものに係る当該認定は、この法律による改正後の特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（以下「新法」という。）第三十一条第一項の登録外国適合性評価機関がした技術基準適合認定とみなす。

3　この法律の施行前に旧法第三十一条第一項第一号に規定する認定を受けた者は、新法第三十一条第一項の登録外国適合性評価機関による技術基準適合認定を受けた者とみなす。

4　この法律の施行の際現に存する端末機器であって、旧法第三十一条第一項第二号に掲げる端末機器（旧法第三十二条第一項の規定により表示が付されていないものとみなされたものを除く。）は、電気通信事業法第五十八条の規定により表示が付されている端末機器とみなす。この場合において、同法第六十二条第二項の規定により読み替えて適用される同法第六十一条において準用する同法第五十四条の規定は、適用しない。

5　この法律の施行前にされた旧法第三十一条第一項第二号に規定する認証は、新法第三十一条第二項の登録外国適合性評価機関がした設計認証とみなす。

6　この法律の施行前に旧法第三十一条第一項第二号に規定する認証を受けた者は、新法第三十一条第二項の登録外国適合性評価機関による設計認証を受けた者とみなす。

第三条　この法律の施行の際現に存する特定無線設備（電波法（昭和二十五年法律第百三十一号）第三十八条の二第一項に規定する特定無線設備をいう。以下この条において同じ。）であって、旧法第三十三条第一項第一号に掲げるもの（旧法第三十四条第一項の規定により表示が付されていないものとみなされたものを除く。）は、電波法第三十八条の七第一項の規定により表示が付されている特定無線設備とみなす。この場合において、同法第三十八条の二十二第一項（同法第三十八条の三十第一項の規定により読み替えて適用される場合を含む。）の規定は、適用しない。

2　この法律の施行の際現に存する特定無線設備であって、旧法第三十三条第一項第一号に規定する証明がされ、かつ、同号の表示が付されていないものに係る当該証明は、新法第三十三条第一項の登録外国適合性評価機関がした技術基準適合証明とみなす。

3　この法律の施行前に旧法第三十三条第一項第一号に規定する証明を受けた者は、新法第三十三条第一項の登録外国適合性評価機関による技術基準適合証明を受けた者とみなす。

4　この法律の施行の際現に存する特定無線設備であって、旧法第三十三条第一項第二号に掲げる特定無線設備（旧法第三十四条第一項の規定により表示が付されていないものとみなされたものを除く。）は、電波法第三十八条の二十六の規定により表示が付されている特定無線設備とみなす。この場合において、同法第三十八条の三十第二項の規定により読

み替えて適用される同法第三十八条の二十九において準用する同法第三十八条の二十二第一項の規定は、適用しない。

5　この法律の施行前にされた旧法第三十三条第一項第二号に規定する認証は、新法第三十三条第二項の登録外国適合性評価機関がした工事設計認証とみなす。

6　この法律の施行前に旧法第三十三条第一項第二号に規定する認証を受けた者は、新法第三十三条第二項の登録外国適合性評価機関による工事設計認証を受けた者とみなす。

（旧法による処分及び手続）

第四条　前二条に規定するものを除くほか、この法律の施行前に旧法の規定によってした処分、手続その他の行為は、新法中にこれに相当する規定があるときは、新法の規定によってしたものとみなす。

（罰則に関する経過措置）

第五条　この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

（政令への委任）

第六条　附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

（登録免許税法等の一部改正）

第七条　次に掲げる法律の規定中「特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律」を「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律」に改める。

一　登録免許税法（昭和四十二年法律第三十五号）別表第一第百十七号

二　独立行政法人製品評価技術基盤機構法（平成十一年法律第二百四号）第十一条第二項第九号

参考 2

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行令
平成 13 年 11 月 16 日　政令 第 355 号
改正 平成 14 年 7 月 26 日　政令 第 264 号
改正 平成 16 年 3 月 24 日　政令 第 57 号
改正 平成 16 年 9 月 15 日　政令 第 272 号
改正 平成 19 年 11 月 16 日 政令 第 337 号
改正 平成 20 年 9 月 18 日　政令 第 287 号
改正 平成 26 年 8 月 8 日　政令第 277 号
改正 平成 26 年 9 月 3 日　政令第 297 号
改正 平成 27 年 2 月 27 日　政令第 59 号
改正 平成 27 年 2 月 27 日　政令第 61 号
改正 平成 28 年 2 月 3 日　政令第 40 号

（相互承認協定）

第 1 条　特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（以下「法」という。）第 2 条第 1 項の政令で定める国際約束は、次のとおりとする。

一　相互承認に関する日本国と欧州共同体との間の協定（以下「日欧協定」という。）

二　新たな時代における経済上の連携に関する日本国とシンガポール共和国との間の協定（以下「日シ協定」という。）

三　適合性評価手続の結果の相互承認に関する日本国とアメリカ合衆国との間の協定（以下「日米協定」という。）

（国外適合性評価事業の区分）

第 2 条　法第 3 条第 1 項の政令で定める国外適合性評価事業の区分は、次の各号に掲げる関係法令等(法第 2 条第 1 項に規定する関係法令等をいう。以下この条において同じ。)に定める技術上の要件について、当該各号に定める特定輸出機器に関し実施する国外適合性評価事業の区分とする。

一　日欧協定の通信端末機器及び無線機器に関する分野別附属書（以下この条及び次条において「日欧協定通信端末機器等附属書」という。）第 B 部第二節の表の上欄第一号に掲げる関係法令等　同部第一節の表の上欄に掲げる関係法令等に定める通信端末機器及び無線機器

二　日欧協定通信端末機器等附属書第 B 部第二節の表の上欄第二号に掲げる関係法令等　同部第一節の表の上欄に掲げる関係法令等に定める通信端末機器及び無線機器

三　日欧協定通信端末機器等附属書第 B 部第二節の表の上欄第三号に掲げる関係法令等　同部第一節の表の上欄に掲げる関係法令等に定める通信端末機器及び無線機器

四　日欧協定の電気製品に関する分野別附属書（以下この条及び次条において「日欧協定電気製品附属書」という。）第 B 部第二節の表の上欄第一号に掲げる関係法令等　同部第一節の表の上欄に掲げる関係法令等に定める電気製品

五　日欧協定電気製品附属書第 B 部第二節の表の上欄第二号に掲げる関係法令等　同部第一節の表の上欄に掲げる関係法令等に定める電気製品

六　日シ協定附属書Ⅲの通信端末機器及び無線機器に関する分野別附属書（次条において「日シ協定通信端末機器等附属書」という。）第Ｂ部第二節の表の下欄に掲げる関係法令等　同部第一節の表の下欄に掲げる関係法令等に定める通信端末機器及び無線機器

七　日シ協定附属書Ⅲの電気製品に関する分野別附属書（次条において「日シ協定電気製品附属書」という。）第Ｂ部第二節の表の下欄に掲げる関係法令等　同部第一節の表の下欄に掲げる関係法令等に定める電気製品

八　日米協定附属書第一節の表の上欄に掲げる関係法令等　同附属書第六節の表の上欄に掲げる通信端末機器及び無線機器

（指定基準）

第 3 条　法第 5 条第 1 項の政令で定める指定基準は、次の各号に掲げる国外適合性評価事業の区分に応じ、当該各号に定めるものとする。

一　前条第一号に係る国外適合性評価事業

日欧協定通信端末機器等附属書第Ｂ部第四節の表の上欄第一号及び第四号に掲げる指定基準

二　前条第二号に係る国外適合性評価事業

日欧協定通信端末機器等附属書第Ｂ部第四節の表の上欄第二号及び第四号に掲げる指定基準

三　前条第三号に係る国外適合性評価事業

日欧協定通信端末機器等附属書第Ｂ部第四節の表の上欄第三号及び第四号に掲げる指定基準

四　前条第四号に係る国外適合性評価事業

日欧協定電気製品附属書第Ｂ部第四節の表の上欄第一号及び第三号に掲げる指定基準

五　前条第五号に係る国外適合性評価事業

日欧協定電気製品附属書第Ｂ部第四節の表の上欄第二号及び第三号に掲げる指定基準

六　前条第六号に係る国外適合性評価事業

日シ協定通信端末機器等附属書第Ｂ部第四節の表の下欄に掲げる指定基準

七　前条第七号に係る国外適合性評価事業

日シ協定電気製品附属書第Ｂ部第四節の表の下欄に掲げる指定基準

八　前条第八号に係る国外適合性評価事業

日米協定附属書第三節の表の下欄に掲げる指定基準

（国外適合性評価事業に係る認定の有効期間）

第 4 条　法第 6 条第 1 項の政令で定める期間は、次のとおりとする。

一　第 2 条第一号から第五号までに係る国外適合性評価事業の区分については、4 年

二　第 2 条第六号及び第七号に係る国外適合性評価事業の区分については、3 年

三　第 2 条第八号に係る国外適合性評価事業の区分については、2 年

（指定調査機関の指定の有効期間）

第 5 条　法第 19 条第 1 項の政令で定める期間は、5 年とする。

（法第 31 条の規定による電気通信事業法の適用に関する技術的読替え）

第 6 条　法第 31 条第 1 項の規定により電気通信事業法（昭和 59 年法律第 86 号）の規定を適用する場合における同法の規定の技術的読替えは、次の表のとおりとする。

読替えに係る電気通信事業法の規定	読み替えられる字句	読み替える字句
第 54 条	前条第 2 項又は第 68 条の 8 第 3 項	特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（以下「相互承認実施法」という。）第 31 条第 1 項の規定により読み替えて適用される前条第 2 項又は相互承認実施法第 32 条の規定により読み替えて適用される第 68 条の 8 第 3 項
第 55 条第 1 項	第 53 条第 2 項又は第 68 条の 8 第 3 項	相互承認実施法第 31 条第 1 項の規定により読み替えて適用される第 53 条第 2 項又は相互承認実施法第 32 条の規定により読み替えて適用される第 68 条の 8 第 3 項
第 166 条第 2 項	この法律	相互承認実施法第 31 条第 1 項の規定により適用されるこの法律の規定
第 167 条第 1 項	前条第 2 項	相互承認実施法第 31 条第 1 項の規定により読み替えて適用される前条第 2 項

2　法第 31 条第 2 項の規定により電気通信事業法の規定を適用する場合における同法の規定の技術的読替えは、次の表のとおりとする。

読替えに係る電気通信事業法の規定	読み替えられる字句	読み替える字句
第 60 条第 1 項	第 58 条	特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成 13 年法律第 111 号）第 31 条第 2 項の規定により適用される第 58 条
第 61 条	~~第 58 条~~同条中「前条第 2 項」とあり、及び第 55 条第 1 項中「第 53 条第 2 項」とあるのは「第 58 条」と、第 54 条中	~~特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 31 条第 2 項の規定により適用される第五十八条~~「前条第 2 項又は第 68 条の 8 第 3 項」とあるのは「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（以下「相互承認実施法」という。）第 31 条第 2 項の規定により適用される第 58 条又は相互承認実施法第 32 条の規定により読み替えて適用される第 68 条の 8 第 3 項」と、
	に係る	に係る」と、第 55 条第 1 項中「第 53 条第 2 項又は第 68 条の 8 第 3 項」とあるのは「相互承認実施法第 31 条第 2 項の規定により適用される第 58 条又は相互承認実施法第 32 条の規定により読み替えて適用される第 68 条の 8 第 3 項
第 62 条第 3 項	第 60 条第 1 項	特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 31 条第 2 項の規定により読み替えて適用される第 60 条第 1 項
第 166 条第 3 項	同項中	同項中「この法律」とあるのは認証取扱業者については「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 31 条第 2 項の規定により適用されるこの法律の規定」と、

第 167 条第 4 項	「前条第 3 項	認証取扱業者については「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 31 条第 2 項の規定により読み替えて適用される前条第 3 項において準用する同条第 2 項」と、届出業者又は登録修理業者については「前条第 3 項

（法第 32 条の規定による電気通信事業法の適用に関する技術的読替え）

第 7 条　法第 32 条の規定により電気通信事業法の規定を適用する場合における同法の規定の技術的読替えは、次の表のとおりとする。

読替えに係る電気通信事業法の規定	読み替えられる字句	読み替える字句
第 53 条第 3 項	第 68 条の 2 又は第 68 条の 8 第 3 項	第 68 条の 2（相互承認実施法第 32 条の規定により読み替えて適用される場合を含む。）又は第 68 条の 8 第 3 項（相互承認実施法第 32 条の規定により読み替えて適用される場合を含む。）
第 55 条第 2 項	前項	相互承認実施法第 31 条第 1 項の規定により読み替えて適用される前項
第 60 条第 2 項及び第 62 条第 4 項	前項	相互承認実施法第 31 条第 2 項の規定により読み替えて適用される前項
第 68 条の 2	第 68 条の 8 第 3 項	第 68 条の 8 第 3 項（相互承認実施法第 32 条の規定により読み替えて適用される場合を含む。）
~~第 68 条の 2~~	端末機器（第 55 条第 1 項（第 61 条、前条並びに第 104 条第 4 項及び第 7 項において準用する場合を含む。）の規定により表示が付されていないものとみなされたものを除く。以下「適合表示端末機器」という）	端末機器であつて、第 55 条第 1 項（第 61 条（相互承認実施法第 31 条第 2 項の規定により読み替えて適用される場合を含む。）、前条並びに第 104 条第 4 項及び第 7 項において準用する場合並びに相互承認実施法第 31 条第 1 項の規定により読み替えて適用される場合を含む。）の規定により表示が付されていないものとみなされたもの以外のもの以下「適合表示端末機器」という。
第 166 条第 7 項	第 1 項の規定又は第 2 項（第 3 項若しくは前項において準用する場合を含む。）若しくは第 4 項（第 5 項若しくは前項において準用する場合を含む。）	相互承認実施法第 31 条第 1 項の規定により読み替えて適用される第 2 項（同条第 2 項の規定により読み替えて適用される第 3 項において準用する場合を含む。）
第 166 条第 8 項	第 1 項の規定又は第 2 項（第 3 項若しくは第 6 項において準用する場合を含む。）若しくは第 4 項（第 5 項若しくは第 6 項	相互承認実施法第 31 条第 1 項の規定により読み替えて適用される第 2 項（同条第 2 項の規定により読み替えて適用される第 3 項において準用する場合を含む。）

	において準用する場合を含む。)	
第 167 条第 3 項	前項	相互承認実施法第 31 条第 1 項の規定により適用される前項
	第 1 項	同条第 1 項の規定により読み替えて適用される第 1 項
第 168 条及び第 171 条第 1 項	この法律	相互承認実施法第 31 条の規定により適用されるこの法律
第 171 条第 2 項	前項	相互承認実施法第 32 条の規定により読み替えて適用される前項
第 171 条第 3 項	第 1 項	相互承認実施法第 32 条の規定により読み替えて適用される第 1 項

（法第 33 条の規定による電波法の適用に関する技術的読替え）

第 8 条　法第 33 条第 1 項の規定により電波法（昭和 25 年法律第 131 号）の規定を適用する場合における同法の規定の技術的読替えは、次の表のとおりとする。

読替えに係る電波法の規定	読み替えられる字句	読み替える字句
第 38 条の 20 第 1 項	この法律	特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（以下「相互承認実施法」という。）第 33 条第 1 項の規定により適用されるこの法律の規定
第 38 条の 21 第 1 項	前条第 1 項	相互承認実施法第 33 条第 1 項の規定により読み替えて適用される前条第 1 項
第 38 条の 22 第 1 項及び第 38 条の 23 第 1 項	第 38 条の 7 第 1 項又は第 38 条の 44 第 3 項	相互承認実施法第 33 条第 1 項の規定により読み替えて適用される第 38 条の 7 第 1 項又は相互承認実施法第 34 条の規定により読み替えて適用される第 38 条の 44 第 3 項

2　法第 33 条第 2 項の規定により電波法の規定を適用する場合における同法の規定の技術的読替えは、次の表のとおりとする。

読替えに係る電波法の規定	読み替えられる字句	読み替える字句
第 38 条の 28 第 1 項	第 38 条の 26	特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成 13 年法律第 111 号）第 33 条第 2 項の規定により適用される第 38 条の 26
第 38 条の 29	第 38 条の 20 第 1 項中	第 38 条の 20 第 1 項中「この法律」とあるのは「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（以下「相互承認実施法」という。）第 33 条第 2 項の規定により適用されるこの法律の規定」と、
	第 38 条の 7 第 1 項	第 38 条の 7 第 1 項又は第 38 条の 44 第 3 項
	第 38 条の 26	相互承認実施法第 33 条第 2 項の規定により適用される第 38 条の 26 又は相互承認実施法第 34 条の規定により読み替えて適用される第 38 条の 44 第 3 項
第 38 条の 30 第 3	第 38 条の 28 第 1	特定機器に係る適合性評価手続の結果の外国と

項	項	の相互承認の実施に関する法律第 33 条第 2 項の規定により読み替えて適用される第 38 条の 28 第 1 項

（法第三十四条の規定による電波法の適用に関する技術的読替え）

第 9 条　法第 34 条の規定により電波法の規定を適用する場合における同法の規定の技術的読替えは、次の表のとおりとする。

読替えに係る電波法の規定	読み替えられる字句	読み替える字句
第 4 条第 1 項第 2 号	第 38 条の 44 第 3 項	第 38 条の 44 第 3 項（相互承認実施法第 34 条の規定により読み替えて適用される場合を含む。）
~~第 4 条第二号~~	無線設備（第 38 条の 23 第 1 項(第 38 条の 29、第 38 条の 31 第 4 項及び第 6 項並びに第 38 条の 38 において準用する場合を含む。)の規定により表示が付されていないものとみなされたものを除く。以下「適合表示無線設備」という。)	無線設備であつて、第 38 条の 23 第 1 項（第 38 条の 29（相互承認実施法第 33 条第 2 項の規定により読み替えて適用される場合を含む。)、第 38 条の 31 第 4 項及び第 6 項並びに第 38 条の 38 において準用する場合並びに相互承認実施法第 33 条第 1 項の規定により読み替えて適用される場合を含む。)の規定により表示が付されていないものとみなされたもの以外のもの（以下「適合表示無線設備」という。)
第 38 条の 7 第 3 項及び第 4 項	第 38 条の 44 第 3 項	第 38 条の 44 第 3 項（相互承認実施法第 34 条の規定により読み替えて適用される場合を含む。）
第 38 条の 20 第 2 項、第 38 条の 22 第 2 項及び第 38 条の 23 第 2 項	前項	相互承認実施法第 33 条第 1 項の規定により読み替えて適用される前項
第 38 条の 21 第 3 項	前項	相互承認実施法第 33 条第 1 項の規定により適用される前項
	第 1 項	同条第 1 項の規定により読み替えて適用される第 1 項
第 38 条の 28 第 2 項及び第 38 条の 30 第 4 項	前項	相互承認実施法第 33 条第 2 項の規定により読み替えて適用される前項
第 83 条第 1 項	この法律	この法律（相互承認実施法第 33 条の規定により適用される場合を含む。以下この章において同じ。)
第 83 条第 2 項並びに第 103 条の 2 第 21 項、第 24 項及び第 43 項	前項	相互承認実施法第 34 条の規定により読み替えて適用される前項
第 85 条	第 83 条	相互承認実施法第 34 条の規定により読み替えて適用される第 83 条

第 86 条	前条	相互承認実施法第 34 条の規定により読み替えて適用される前条
第 93 条の 5	第 85 条	相互承認実施法第 34 条の規定により読み替えて適用される第 85 条
第 99 条の 2	この法律	この法律（相互承認実施法第 33 条の規定により適用される場合を含む。）
第 103 条の 2 第 20 項	第 23 項	相互承認実施法第 34 条の規定により読み替えて適用される第 11 項
第 103 条の 2 第 21 項	第 13 項	同条の規定により読み替えて適用される第 11 項
第 103 条の 2 第 22 項	第 20 項	相互承認実施法第 34 条の規定により読み替えて適用される第 17 項
第 103 条の 2 第 23 項	電波利用料を納付しようとする者	電波利用料を納付しようとする者（表示者に限る。以下同じ。）
第 103 条の 2 第 42 項	電波利用料	相互承認実施法第 34 条の規定により読み替えて適用される第 13 項の電波利用料
第 103 条の 2 第 43 項	次項	同条の規定により読み替えて適用される次項
第 103 条の 2 第 44 項	第 42 項	相互承認実施法第 34 条の規定により読み替えて適用される第 22 項
第 103 条の 2 第 45 項	第 17 項から前項まで	相互承認実施法第 34 条の規定により読み替えて適用される第 20 項から前項まで

（認定等の申請に係る手数料の額）

第 10 条　法第 40 条第 1 項各号に掲げる者が同項の規定により国に納めなければならない手数料の額は、次の各号に掲げる場合に応じ、それぞれ当該各号に定める額とする。

一　主務大臣が法第 5 条第 2 項（法第 6 条第 2 項及び第 7 条第 3 項において準用する場合を含む。）の規定による調査（以下単に「調査」という。）の業務の全部を自ら行う場合　別表第 1 の上欄に掲げる区分に応じ、同表の中欄に定める額（電子申請（行政手続等における情報通信の技術の利用に関する法律(平成 14 年法律第 151 号)第 3 条第 1 項の規定により同項に規定する電子情報処理組織を使用して行う申請をいう。以下同じ。）による場合にあっては、同表の下欄に定める額）

二　主務大臣が法第 14 条第 1 項の規定により同項の指定調査機関に調査の業務の全部を行わせる場合及び法第 36 条第 1 項の規定により独立行政法人製品評価技術基盤機構（以下「機構」という。）に調査の業務の全部を行わせる場合　イからハまでに掲げる者の区分に応じ、それぞれイからハまでに定める額

イ　法第 3 条第 1 項の認定を受けようとする者　51,600 円(電子申請による場合にあっては 51,200 円)

ロ　法第 6 条第 1 項の認定の更新を受けようとする者　36,900 円(電子申請による場合にあっては 36,500 円)

ハ　法第 7 条第 1 項の変更の認定を受けようとする者　51,600 円(電子申請による場合にあっては 51,200 円)

三　前 2 号に掲げる場合以外の場合　別に政令で定める額

（機構が行う調査に係る手数料の額）

第 11 条　機構が行う調査を受けようとする者が法第 40 条第 2 項の規定により機構に納めなければならない手数料の額は、次の各号に掲げる場合に応じ、それぞれ当該各号に定める額とする。

一　主務大臣が機構に調査の業務の全部を行わせる場合　別表第 2 に掲げる額

二　前号に掲げる場合以外の場合　別に政令で定める額

（指定調査機関が行う調査に係る手数料の額の認可）

第 12 条　法第 40 条第 4 項の規定による認可を受けようとする指定調査機関は、認可を受けようとする手数料の額及び調査の業務の実施に要する費用の額に関し主務省令で定める事項を記載した申請書を主務大臣に提出しなければならない。手数料の額の変更の認可を受けようとするときも、同様とする。

2　主務大臣は、次の各号のいずれにも適合すると認めるときでなければ、前項の認可をしてはならない。

一　手数料の額が当該調査の業務の適正な実施に要する費用の額を超えないこと。

二　特定の者に対して不当な差別的取扱いをするものでないこと。

（主務大臣）

第 13 条　法第 44 条第 1 項の政令で定める主務大臣は、次のとおりとする。

一　第 2 条第一号、第六号及び第八号に係る国外適合性評価事業に関する事項については、総務大臣

二　第 2 条第二号及び第三号に係る国外適合性評価事業に関する事項については、総務大臣及び経済産業大臣

三　第 2 条第四号、第五号及び第七号に係る国外適合性評価事業に関する事項については、経済産業大臣

附　則（平成 13 年 11 月 16 日 **政令** 第 355 号）

この政令は、法の施行の日から施行する。

附　則（平成 14 年 7 月 26 日　政令　第 264 号）

この政令は、特定機器に係る適合性評価の欧州共同体との相互承認の実施に関する法律の一部を改正する法律施行の日から施行する。

附　則（平成 16 年 3 月 24 日　政令　第 57 号）

この政令は、平成 16 年 3 月 31 日から施行する。

附　則（平成 16 年 9 月 15 日　政令　第 272 号）

この政令は、平成 16 年 10 月 1 日から施行する。

附　則（平成 19 年 11 月 16 日　政令　第 337 号）

（施行期日）

第 1 条　この政令は、特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律の一部を改正する法律（平成 19 年法律第 92 号。次条において「改正法」という。）の施行の日（平成 19 年 11 月 20 日）からから施行する。ただし、*日米協定関係事項*の規定は、適合性評価手続の結果の相互承認に関する日本国とアメリカ合衆国との間の協定の効力発生の日から施行する。

（経過措置）

第 2 条　日米協定関係事項の規定による改正後の特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行令第 1 条第三号に規定する相互承認協定に

係る改正法による改正後の特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（以下「新法」という。）第 14 条第一項の規定による指定及びこれに関し必要な手続その他の行為は、日米協定関係事項の規定の施行前においても、新法第 15 条から第 17 条まで、第 18 条第 1 項、第 23 条第 1 項及び第 2 項並びに第 40 条第 4 項（手数料の認可にかかる部分に限る。）の規定の例により行うことができる。

（公益通報者保護法別表第八号の法律を定める政令の一部改正）

第 3 条　公益通報者保護法別表第八号の法律を定める政令（平成 17 年政令第 146 号）の一部を次のように改正する。

第三百八十五号中「特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律」を「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律」に改める。

別表第 1 （第 10 条関係）

手数料を納めなければならない者	手数料の額	電子申請による場合における手数料の額
1　法第 3 条第 1 項の認定を受けようとする者	申請 1 件につき	申請 1 件につき
イ　第 2 条第一号に係る国外適合性評価事業(以下「第一号事業」という。）に係る認定	1,685,900 円	1,685,000 円
ロ　第 2 条第二号に係る国外適合性評価事業(以下「第二号事業」という。）に係る認定	989,500 円	988,600 円
ハ　第 2 条第三号に係る国外適合性評価事業(以下「第三号事業」という。）に係る認定	459,400 円	458,600 円
ニ　第 2 条第四号に係る国外適合性評価事業(以下「第四号事業」という。）に係る認定	989,500 円	988,600 円
ホ　第 2 条第五号に係る国外適合性評価事業(以下「第五号事業」という。）に係る認定	459,400 円	458,600 円
ヘ　第 2 条第六号に係る国外適合性評価事業(以下「第六号事業」という。）に係る認定	1,239,300 円	1,238,400 円
ト　第 2 条第七号に係る国外適合性評価事業(以下「第七号事業」という。）に係る認定	989,500 円	988,600 円
チ　第 2 条第八号に係る国外適合性評価事業(以下「第八号事業」という。）に係る認定	3,211,200 円	3,210,300 円
2 法第 6 条第 1 項の認定の更新を受けようとする者	申請 1 件につき	申請 1 件につき
イ　第一号事業に係る認定の更新	1,671,200 円	1,670,300 円
ロ　第二号事業に係る認定の更新	974,800 円	973,900 円
ハ　第三号事業に係る認定の更新	444,700 円	443,800 円
ニ　第四号事業に係る認定の更新	974,800 円	973,900 円
ホ　第五号事業に係る認定の更新	444,700 円	443,800 円
ヘ　第六号事業に係る認定の更新	1,224,600 円	1,223,700 円
ト　第七号事業に係る認定の更新	974,800 円	973,900 円
チ　第八号事業に係る認定の更新	3,196,400 円	3,195,600 円

3	法第7条第1項の変更の認定を受けようとする者	申請1件につき	申請1件につき
イ	第一号事業に係る変更の認定	702,200円	701,300円
ロ	第二号事業に係る変更の認定	431,900円	431,000円
ハ	第三号事業に係る変更の認定	235,700円	234,800円
ニ	第四号事業に係る変更の認定	431,900円	431,000円
ホ	第五号事業に係る変更の認定	235,700円	234,800円
ヘ	第六号事業に係る変更の認定	516,300円	515,400円
ト	第七号事業に係る変更の認定	431,900円	431,000円
チ	第八号事業に係る変更の認定	1,258,600円	1,257,800円

備考

1 第一号事業に係る法第3条第1項の認定を受けようとする場合であって、同条第2項の規定によりその業務の範囲を主務省令で定める範囲に限定して認定を受けようとするときは、1の項イに定める額にかかわらず、当該額を超えない範囲内で実費を勘案して主務省令で定める額とする。

2 第一号事業に係る法第6条第1項の認定の更新を受けようとする場合であって、法第3条第2項の規定によりその業務の範囲を主務省令で定める範囲に限定して同条第1項の認定を受けた者がその更新を受けようとするときは、2の項イに定める額にかかわらず、当該額を超えない範囲内で実費を勘案して主務省令で定める額とする。

3 第一号事業に係る法第7条第1項の変更の認定を受けようとする場合であって、法第3条第2項の規定によりその業務の範囲を主務省令で定める範囲に限定して同条第1項の認定を受けた者が変更の認定を受けようとするときは、3の項イに定める額にかかわらず、当該額を超えない範囲内で実費を勘案して主務省令で定める額とする。

4 第八号事業に係る法第3条第1項の認定を受けようとする場合であって、同条第2項の規定によりその業務の範囲を主務省令で定める範囲に限定して認定を受けようとするときは、1の項チに定める額にかかわらず、当該額を超えない範囲内で実費を勘案して主務省令で定める額とする。

5 第八号事業に係る法第6条第1項の認定の更新を受けようとする場合であって、法第3条第2項の規定によりその業務の範囲を主務省令で定める範囲に限定して同条第1項の認定を受けた者がその更新を受けようとするときは、2の項チに定める額にかかわらず、当該額を超えない範囲内で実費を勘案して主務省令で定める額とする。

6 第八号事業に係る法第7条第1項の変更の認定を受けようとする場合であって、法第3条第2項の規定によりその業務の範囲を主務省令で定める範囲に限定して同条第1項の認定を受けた者が変更の認定を受けようとするときは、3の項チに定める額にかかわらず、当該額を超えない範囲内で実費を勘案して主務省令で定める額とする。

7 第二号事業に係る法第3条第1項の認定又はその更新（以下「認定等」という。）を受けようとする者が同時に他の国外適合性評価事業に係る認定等を受けようとする場合における当該第二号事業に係る認定等についての手数料の額は、1の項ロ又は2の項ロに定める額から148,800円（第二号事業に係る認定等と同時に第四号事業に係る認定等を受けようとする場合にあっては、474,900円）を減じた額とする。

8 第三号事業に係る認定等を受けようとする者が同時に他の国外適合性評価事業（第二号事業を除く。）に係る認定等を受けようとする場合における当該第三号事業に係る認定等についての手数料の額は、1の項ハ又は2の項ハに定める額から148,800円（第三号事業に係る認定等と同時に第五号事業に係る認定等を受けようとする場合

にあっては、244,600 円）を減じた額とする。

9　一の総務大臣認定事業（第一号事業、第六号事業又は第八号事業をいう。以下同じ。）に係る認定等を受けようとする者が同時に他の総務大臣認定事業に係る認定等を受けようとする場合における当該他の総務大臣認定事業に係る認定等についての手数料の額は、それぞれ 1 の項イ、ヘ若しくはチ又は 2 の項イ、ヘ若しくはチに定める額から 148,800 円を減じた額とする。

10　一の経済産業大臣認定事業（第四号事業、第五号事業又は第七号事業をいう。以下同じ。）に係る認定等を受けようとする者が同時に他の経済産業大臣認定事業に係る認定等を受けようとする場合における当該他の経済産業大臣認定事業に係る認定等についての手数料の額は、それぞれ 1 の項ニ、ホ若しくはト又は 2 の項ニ、ホ若しくはトに定める額から 148,800 円を減じた額とする。

11 第 2 条各号に係る国外適合性評価事業のうちいずれかの事業に係る認定を受けている者が他の国外適合性評価事業に係る認定等を受けようとする場合（当該認定を受けている国外適合性評価事業に係る認定等が当該他の国外適合性評価事業に係る認定等を申請した日前当該他の国外適合性評価事業に係る第 4 条に定める期間以内に行われたものであり、かつ、その手数料として 1 の項若しくは 2 の項に定める額（備考 1 から 10 までのいずれかの適用を受けた場合にあっては、それぞれ備考 1 から 10 までに定める額）又は別表第 2 の 1 の項に定める額（同表の備考 1 の適用を受けた場合にあっては、同表の備考 1 に定める額）を納めている場合であって、その申請に際し、当該認定を受けていることを証する書類として主務省令で定める書類が添付されているときに限る。）における当該認定等についての手数料の額は、それぞれ 1 の項又は 2 の項に定める額から 148,800 円を減じた額とする。ただし、第四号事業に係る認定を受けている者が第二号事業に係る認定等を受けようとする場合又は第二号事業に係る認定を受けている者が第四号事業に係る認定等を受けようとする場合における当該認定等についての手数料の額は、それぞれ 1 の項ロ若しくは 2 の項ロ又は 1 の項ニ若しくは 2 の項ニに定める額から 474,900 円を減じた額とし、第五号事業に係る認定を受けている者が第三号事業に係る認定等を受けようとする場合又は第三号事業に係る認定を受けている者が第五号事業に係る認定等を受けようとする場合における当該認定等についての手数料の額は、それぞれ 1 の項ハ若しくは 2 の項ハ又は 1 の項ホ若しくは 2 の項ホに定める額から 244,600 円を減じた額とする。

12 第 2 条各号に係る国外適合性評価事業の認定等の申請に際し、当該認定等を受けようとする者が法令に基づく認定又は登録（法第 5 条第 1 項に規定する主務省令で定める認定の基準を認定又は登録の基準とするものとして主務省令で定めるものに限る。）を受けていることを証する書類として主務省令で定める書類が添付されている場合における当該申請により認定等を受けようとする者が納めなければならない手数料の額は、それぞれ 1 の項又は 2 の項に定める額から 148,800 円を減じた額とする。

別表第 2　（第 11 条関係）

手数料を納めなければならない者	手数料の額
1　法第 3 条第 1 項の認定又はその更新を受けようとする者	申請 1 件につき
イ　第四号事業に係る認定又はその更新	946,500 円
ロ　第五号事業に係る認定又はその更新	417,000 円
ハ　第七号事業に係る認定又はその更新	946,500 円

2　法第 7 条第 1 項の変更の認定を受けようとする者	申請 1 件につき
イ　第四号事業に係る変更の認定	382,700 円
ロ　第五号事業に係る変更の認定	194,000 円
ハ　第七号事業に係る変更の認定	382,700 円

備考

1 一の経済産業大臣認定事業に係る認定等を受けようとする者が同時に他の経済産業大臣認定事業に係る認定等を受けようとする場合における当該他の認定等に関する調査についての手数料の額は、それぞれ 1 の項イからハまでに定める額から 151,800 円を減じた額とする。

2 第 2 条各号に係る国外適合性評価事業のうちいずれかの事業に係る認定を受けている者が他の国外適合性評価事業（経済産業大臣認定事業に限る。）に係る認定等を受けようとする場合（当該認定を受けている国外適合性評価事業に係る認定等が当該他の国外適合性評価事業に係る認定等を申請した日前当該他の国外適合性評価事業に係る第 4 条に定める期間以内に行われたものであり、かつ、その手数料として 1 の項に定める額（備考 1 の適用を受けた場合にあっては、備考 1 に定める額）又は別表第 1 の 1 の項若しくは 2 の項に定める額（同表の備考 1 から 10 までのいずれかの適用を受けた場合にあっては、それぞれ同表の備考 1 から 10 までに定める額）を納めている場合であって、その申請に際し、当該認定を受けていることを証する書類として主務省令で定める書類が添付されているときに限る。）における当該認定等に関する調査についての手数料の額は、それぞれ 1 の項イからハまでに定める額から 151,800 円を減じた額とする。

3 経済産業大臣認定事業に係る認定等の申請に際し、当該認定等を受けようとする者が法令に基づく認定又は登録（法第 5 条第 1 項に規定する主務省令で定める認定の基準を認定又は登録の基準とするものとして主務省令で定めるものに限る。）を受けていることを証する書類として主務省令で定める書類が添付されている場合における当該認定等に関する調査についての手数料の額は、それぞれ 1 の項に定める額から 151,800 円を減じた額とする。

附　則（平成 26 年 8 月 8 日　政令　第 277 号）

この政令は、電気通信事業法の一部を改正する法律附則第 1 条第二号に掲げる規定の施行の日（平成 26 年 9 月 1 日）から施行する。

附　則（平成 26 年 9 月 3 日　政令　第 297 号）

この政令は、電波法の一部を改正する法律の施行の日（平成 26 年 10 月 1 日）から施行する。

附　則（平成 27 年 2 月 27 日　政令　第 59 号）

この政令は電波法の一部を改正する法律附則第 1 条第 3 号に掲げる規定の施行の日（平成 27 年 4 月 1 日）から施行する。

附　則（平成 27 年 2 月 27 日　政令　第 61 号）

この政令は電気通信事業法の一部を改正する法律の施行の日（平成 27 年 4 月 1 日）から施行する。

附　則（平成 28 年 2 月 3 日　政令　第 40 号）

この政令は、電気通信事業法の一部を改正する法律の施行の日（平成 28 年 5 月 21 日）から施行する。

参考 3

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行規則

平成 13 年 11 月 26 日 総務省 令 | 経済産業省 令 第 3 号
改正 平成 14 年 7 月 26 日 総務省 令 | 経済産業省 令 第 4 号
改正 平成 16 年 1 月 26 日 総務省 令 | 経済産業省 令 第 1 号
改正 平成 16 年 3 月 31 日 総務省 令 | 経済産業省 令 第 4 号
改正 平成 16 年 10 月 1 日 総務省 令 | 経済産業省 令 第 6 号
改正 平成 17 年 3 月 7 日 総務省 令 | 経済産業省 令 第 1 号
改正 平成 17 年 4 月 1 日 総務省 令 | 経済産業省 令 第 3 号
改正 平成 17 年 7 月 1 日 総務省 令 | 経済産業省 令 第 4 号
改正 平成 17 年 9 月 30 日 総務省 令 | 経済産業省 令 第 5 号
改正 平成 18 年 11 月 9 日 総務省 令 | 経済産業省 令 第 5 号
改正 平成 19 年 11 月 16 日 総務省 令 | 経済産業省 令 第 3 号
改正 平成 20 年 12 月 1 日 総務省 令 | 経済産業省 令 第 3 号
改正 平成 23 年 12 月 16 日 総務省 令 | 経済産業省 令 第 2 号
改正 平成 26 年 11 月 25 日 総務省 令 | 経済産業省 令 第 1 号
改正 平成 27 年 2 月 17 日 総務省 令 | 経済産業省 令 第 1 号
改正 平成 28 年 4 月 20 日 総務省 令 | 経済産業省 令 第 1 号

（用語）

第 1 条 この省令において使用する用語は、特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（以下「法」という。）及び特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行令（平成 13 年政令第 355 号。以下「令」という。）において使用する用語の例による。

（認定の申請）

第 2 条 法第 3 条第 3 項の申請書は、様式第 1 によるものとする。

2 法第 3 条第 3 項の主務省令で定める書類は、次のとおりとする。

一 定款及び登記事項証明書又はこれらに準ずるもの

二 申請者が法第 4 条各号の規定に該当しないことを説明した書類

三 次条各号の認定の基準に適合していることを説明した書類

四 令別表第 1 の備考 11 又は備考 12 の適用を受けようとする場合は、第 19 条又は第 21 条に規定する書類

（認定の基準）

第 3 条 法第 5 条第 1 項（法第 6 条第 2 項及び第 7 条第 3 項において準用する場合を含む。）の主務省令で定める認定の基準は、次のとおりとする。

一 法第 3 条第 3 項第四号に掲げる事項が、イからチまでに掲げる国外適合性評価事業の区分に応じ、それぞれイからチまでに定める事項を満たしていること。

イ 令第 2 条第一号に係る国外適合性評価事業 工業標準化法（昭和 24 年法律第 185 号）に基づく日本工業規格（以下「日本工業規格」という。）~~Q 0065~~Q17065 及び ~~Z~~

~~9362~~17021 に定める事項。ただし、法第 3 条第 2 項の規定により、その業務の範囲を日欧協定通信端末機器等附属書第 B 部第 2 節の表の左欄第一号に掲げる関係法令等のうち~~無線機器及び通信端末機器並びにこれらの適合性の相互承認に関する 1999 年 3 月 9 日付けの欧州議会・閣僚理事会指令 1999・5・ＥＣ（以下「Ｒ＆ＴＴＥ指令」という。）附属書 3 又は附属書 4 に係る業務（以下「附属書 3 又は 4 の業務」という。）~~欧州議会・閣僚理事会指令 1999・5・EC を廃止し、無線機器を市場において利用することに係る加盟国の法律の調和に関する 2014 年 4 月 16 日付の欧州議会･閣僚理事会指令 2014・53・EU（以下「RE 指令という。」付属書 3 に係る業務（以下「付属書 3 の業務」という。）に限定して認定を受けようとするときは日本工業規格 ~~Q 0065~~Q17065 に定める事項と、その業務の範囲を~~Ｒ＆ＴＴＥ指令附属書 5 に係る業務（以下「附属書 5 の業務」という。）~~RE 指令付属書 4 に係る業務（以下「附属書 4 の業務」という。）に限定して認定を受けようとするときは日本工業規格 ~~Z 9362~~Q17021 に定める事項とする。

ロ　令第 2 条第二号に係る国外適合性評価事業　日本工業規格 ~~Q 0065~~Q17065 に定める事項

ハ　令第 2 条第三号に係る国外適合性評価事業　日本工業規格 ~~Q 17025~~Q17065 に定める事項~~。ただし、日欧協定通信端末機器等附属書第 B 部第 2 節の表の左欄第三号に掲げる関係法令等のうち電磁両立性に関する構成国の法律の近似化に関する 1989 年 5 月 3 日付けの閣僚理事会指令 89・336・ＥＥＣ（以下「ＥＭＣ指令」という。）第 10 条 6 に規定する適合性評価機関に係る国外適合性評価事業の認定を受けようとするときは、日本工業規格 Q 0065 に定める事項とする。~~

ニ　令第 2 条第四号に係る国外適合性評価事業　日本工業規格 ~~Q 0065~~Q17065 に定める事項

ホ　令第 2 条第五号に係る国外適合性評価事業　日本工業規格 ~~Q 17025~~Q17065 に定める事項

へ　令第 2 条第六号に係る国外適合性評価事業　日本工業規格 Q 17025 に定める事項。ただし、日シ協定通信端末機器等附属書第 B 部第 2 節の表の右欄に掲げる関係法令等のうち電気通信機器の適合性評価を行う外国試験機関及び外国認証機関の承認制度（2007 年）5.2 に規定する適合性評価機関に係る国外適合性評価事業の認定を受けようとするときは、日本工業規格 ~~Q 0065~~Q17065 及び Q17025 に定める事項とする。

ト　令第 2 条第七号に係る国外適合性評価事業　日本工業規格 ~~Q 0065~~Q17065 に定める事項

チ　令第 2 条第八号に係る国外適合性評価事業　日本工業規格 ~~Q 0065~~Q17065 及び Q17025
に定める事項

二　法第 3 条第 1 項の認定を受けようとする者が、イからチまでに掲げる国外適合性評価事業の区分に応じ、それぞれイからチまでに定める技術上の要件を用いて適合性評価を実施するための技術的能力を有していること。

イ　令第 2 条第一号に係る国外適合性評価事業　(1)及び(2)の事項。ただし、法第 3 条第 2 項の規定により、その業務の範囲を附属書 3 ~~又は 4~~ の業務に限定して認定を

受けようとするときは(1)の事項と、その業務の範囲を~~附属書 5~~付属書 4 の業務に限定して認定を受けようとするときは(2)の事項とする。

(1) ~~R＆TTE指令~~RE 指令第 3 条に規定する事項。ただし、当該国外適合性評価事業に係る特定輸出機器のうち、~~R＆TTE指令~~RE 指令に基づく欧州共同体の公報により公表された規格（以下「整合化規格」という~~。以下同じ~~。）があるものについては、当該整合化規格に定める事項とすることができる。

(2) 日本工業規格 Q 9001 に定める事項

ロ　令第 2 条第二号に係る国外適合性評価事業　日欧協定通信端末機器等附属書第 B 部第 2 節の表の左欄第二号に掲げる関係法令等のうち~~所定電圧の範囲内で使用するよう設計された電気機器に関する構成国の法律の調和に関する 2006 年 12 月 12 日付けの欧州議会・閣僚理事会指令 2006・95・ＥＣ（以下「低電圧指令」という。）附属書 1~~所定電圧の範囲内で使用するよう設計された電気機器を市場において利用可能とすることに係る加盟国の法律の調和に関する 2014 年 2 月 26 日付けの欧州議会・閣僚理事会指令 2014・35・EU（以下「低電圧指令」という。）付属書 1 に規定する事項。ただし、当該国外適合性評価事業に係る特定輸出機器のうち、低電圧指令に基づく整合化規格があるものについては、当該整合化規格に定める事項とすることができる。

ハ　令第 2 条第三号に係る国外適合性評価事業　~~ＥＭＣ指令第 4 条及び附属書 3~~日欧協定通信機器端末等附属書第 B 部第 2 節の表の上欄第 3 号に掲げる関係法令のうち電磁両立性に係る加盟国の法律の調和に関する 2014 年 2 月 26 日付けの欧州議会・閣僚理事会指令 2014・30・EU（以下「EMC 指令」という。）第 6 条及び付属書 1 に規定する事項。ただし、当該国外適合性評価事業に係る特定輸出機器のうち、ＥＭＣ指令に基づく整合化規格があるものについては、当該整合化規格に定める事項とすることができる。

ニ　令第 2 条第四号に係る国外適合性評価事業　低電圧指令附属書 1 に規定する事項。ただし、当該国外適合性評価事業に係る特定輸出機器のうち、低電圧指令に基づく整合化規格があるものについては、当該整合化規格に定める事項とすることができる。

ホ　令第 2 条第五号に係る国外適合性評価事業　~~ＥＭＣ指令第 4 条及び附属書 3~~EMC 指令第 6 条及び付属書 1 に規定する事項。ただし、当該国外適合性評価事業に係る特定輸出機器のうち、ＥＭＣ指令に基づく整合化規格があるものについては、当該整合化規格に定める事項とすることができる。

ヘ　令第 2 条第六号に係る国外適合性評価事業　日シ協定通信端末機器等附属書第 B 部第 2 節の表の右欄に掲げる関係法令等のうち電気通信機器の適合性評価を行う外国試験機関及び外国認証機関の承認制度（2007 年）附属書 2 に規定する事項

ト　令第 2 条第七号に係る国外適合性評価事業　日シ協定電気製品附属書第 B 部第 2 節の表の右欄に掲げる関係法令等のうち消費者保護（安全要件）登録制度情報小冊子（2002 年版（改定第 2 版））第 6 章及び第 7 章に規定する事項

チ　令第 2 条第八号に係る国外適合性評価事業　(1)及び(2)の事項。ただし、法第 3 条第 2 項の規定により、その業務の範囲を日米協定附属書第 1 節の表の左欄第二号の連邦規則集第 47 編（以下「FCC 規則」という。）に係る業務のうち FCC 規則第

15 部 3(z)、第 18 部 107(c)及び第 68 部に係る業務を除いたもの（以下「第 68 部等以外の業務」という。）に限定して認定を受けようとするときは(1)の事項と、その業務の範囲を FCC 規則第 68 部に係る業務（以下「第 68 部の業務」という。）に限定して認定を受けようとするときは(2)の事項とする。

(1) FCC 規則第 2 部 962(c)(1)から(4)までに規定する事項

(2) FCC 規則第 68 部 162(c)(1)から(4)までに規定する事項

三　国外適合性評価事業から生じる債務を履行するための適切な準備が整っていること。

（調査の方法）

第 4 条　法第 5 条第 2 項（法第 6 条第 2 項及び第 7 条第 3 項において準用する場合を含む。）の調査は、次に掲げる方法により行うものとする。

一　職員二人以上によって行うこと。

二　相互承認協定に調査の方法に関する規定がある場合にあっては、当該規定に即して調査を行うこと。

（認定の更新の申請）

第 5 条　認定適合性評価機関は、法第 6 条第 1 項の認定の更新を受けようとするときは、現に受けている認定の有効期間が満了する日の 30 日前までに、様式第 1 による申請書に第 2 条第 2 項各号に掲げる書類を添付して、主務大臣に提出しなければならない。ただし、既に主務大臣に提出している同項各号の書類の内容に変更がないときは、その旨を申請書に記載して、当該書類の添付を省略することができる。

（軽微な変更）

第 6 条　法第 7 条第 1 項ただし書の主務省令で定める軽微な変更は、国外適合性評価事業の用に供する設備と同等以上の性能を有する設備への変更及びその増設に伴う法第 3 条第 3 項第三号に掲げる事項の変更とする。

（変更の認定等）

第 7 条　法第 7 条第 2 項の申請書は、様式第 2 によるものとする。

2　法第 7 条第 2 項の主務省令で定める書類は、第 2 条第 2 項各号に掲げる書類（法第 3 条第 1 項の認定若しくはその更新又は法第 7 条第 1 項の変更の認定の申請書に添付し提出されたものにつきその内容に変更がある部分に限る。）とする。

3　認定適合性評価機関は、法第 7 条第 4 項に規定する届出をするときは、次に掲げる事項を記載した様式第 3 による届出書に変更の事実を証する書類を添付し主務大臣に提出しなければならない。

一　変更した事項

二　変更した年月日

三　変更の理由

（事業の休廃止の届出）

第 8 条　認定適合性評価機関は、法第 8 条第 1 項に規定する届出をするときは、次に掲げる事項を記載した様式第四による届出書を主務大臣に提出しなければならない。

一　休止又は廃止しようとする国外適合性評価事業の範囲

二　休止又は廃止しようとする年月日及び休止しようとする場合はその期間

三　休止又は廃止の理由

（帳簿書類）

第 9 条　法第 9 条の主務省令で定める国外適合性評価事業に関する帳簿書類は、次のとおりとする。
一　国外適合性評価事業の実施に関する帳簿書類で次に掲げるもの

イ　適合性評価の申込みをする者（以下「申込者」という。）から提出された書類及び提示された書類等の写し
ロ　適合性評価に関する記録及び法第 12 条第 1 項の規定に基づき交付した証明書の写し
二　国外適合性評価事業を実施する組織の管理に関する帳簿書類で次に掲げるもの
イ　国外適合性評価事業の実施に係る体制を記載した書類及びその変更に関する記録
ロ　国外適合性評価事業に従事する者の責任及び権限並びに指揮命令系統並びにそれらの変更に関する記録
ハ　国外適合性評価事業の一部を他に委託する場合においては、委託契約に関する書類
ニ　国外適合性評価事業の監査の実施結果に関する記録
三　国外適合性評価事業の用に供する設備に関する帳簿書類で次に掲げるもの
イ　第 3 条各号の基準に適合するために必要な設備の維持管理に関する記録
ロ　事故に関する記録
（帳簿書類の保存等）
第 10 条　前条各号に掲げる帳簿書類の保存期間は、次の各号に掲げる帳簿書類の区分に応じ、それぞれ当該各号に定めるものとする。
一　前条第一号に掲げる帳簿書類　その適合性評価の完了の日「（令第 2 条第七号に係る国外適合性評価事業にあっては、証明書の有効期間満了の日）から 10 年間
二　前条第二号イ及びロに掲げる帳簿書類　認定の効力を失った日から 10 年間
三　前条第二号ハに掲げる帳簿書類　その契約の終了の日から 10 年間
四　前条第二号ニに掲げる帳簿書類　その監査の終了の日から 10 年間
五　前条第三号に掲げる帳簿書類　その作成の日から現に認定を受けている認定の効力を失った日まで
2　前条各号に掲げる帳簿書類は、電磁的方法による記録に係る記録媒体により保存することができる。
（証明書の記載事項）
第 11 条　法第 12 条第 1 項の主務省令で定める事項は、次のとおりとする。
一　令第 2 条第一号、第二号、第三号（ＥＭＣ指令第 10 条 6 に規定する適合性評価機関に係る国外適合性評価事業に限る。）、第四号及び第六号（電気通信機器の適合性評価を行う外国試験機関及び外国認証機関の承認制度（2007 年）5.2 に規定する適合性評価機関に係る国外適合性評価事業に限る。）に係る国外適合性評価事業の場合
イ　発行年月日
ロ　発行した者の氏名又は名称及び住所
ハ　発行の業務を執行する役員又は職員の役職名、氏名及び記名押印又は署名
ニ　申込者の氏名又は名称及び住所
ホ　適合性評価に係る特定輸出機器の名称及び型式又は製造番号（附属書 5 の業務に

あっては、型式又は製造番号を除く。）

へ　適合性評価により得られた結果

ト　適合性評価に用いた技術上の要件

二　令第２条第三号（ＥＭＣ指令第 10 条 6 に規定する適合性評価機関に係る国外適合性評価事業を除く。）、第五号及び第六号（電気通信機器の適合性評価を行う外国試験機関及び外国認証機関の承認制度（2007 年）5.2 に規定する適合性評価機関に係る国外適合性評価事業を除く。）に係る国外適合性評価事業の場合

イ　証明書の発行番号、総ページ数、ページ番号及び発行年月日

ロ　発行した者の氏名又は名称及び住所

ハ　発行の業務を執行する役員又は職員の役職名、氏名及び記名押印又は署名

ニ　適合性評価を実施した場所の住所（証明書を発行した者の住所と異なるときに限る。）

ホ　申込者の氏名又は名称及び住所

へ　適合性評価に係る特定輸出機器の名称、製造番号、製造者名、特徴及び状態

ト　適合性評価により得られた値及びその値に付随する情報

チ　適合性評価に用いた技術上の要件

リ　適合性評価に係る特記事項

三　令第２条第七号に係る国外適合性評価事業の場合

イ　発行年月日、有効期間満了の日及び証明書の番号

ロ　発行した者の氏名又は名称及び住所

ハ　発行の業務を執行する役員又は職員の役職名、氏名及び記名押印又は署名

ニ　申込者の氏名又は名称及び住所

ホ　適合性評価に係る特定輸出機器の名称及び特徴

へ　適合性評価により得られた結果

ト　適合性評価に用いた技術上の要件

チ　適合性評価に用いた試験成績書（特定輸出機器に係る試験の結果を記載した書面をいう。以下同じ。）を発行した者の氏名又は名称及び試験成績書の番号（試験成績書を発行した者が証明書を発行した者と異なるときに限る。）

四　令第２条第八号（第 68 部等以外の業務に係る部分に限る。）に係る国外適合性評価事業の場合

イ　発行年月日

ロ　日米協定附属書第四節の表の左欄に掲げる連邦通信委員会に適合性評価の結果及びこれに関連する情報を電磁的方法により提供した年月日

ハ　発行した者の名称及び住所

ニ　申込者の氏名又は名称及び住所

ホ　ＦＣＣ規則第２部 925(a)(1)に定める識別番号

へ　適合性評価に係る特定輸出機器の種別及び特徴

ト　適合性評価により得られた結果

チ　適合性評価に係る特記事項

五　令第２条第八号（第 68 部の業務に係る部分に限る。）に係る国外適合性評価事業の場合

イ　発行年月日

ロ　発行した者の名称及び住所

ハ　申込者の氏名又は名称

ニ　製造者の氏名又は名称

ホ　ＦＣＣ規則第 68 部に定めるＦＣＣ登録番号

ヘ　適合性評価に係る特定輸出機器の種別及び特徴

ト　適合性評価により得られた結果

チ　適合性評価に用いた技術上の要件

リ　適合性評価に係る特記事項

（証明書に付する標章）

第 12 条　法第 12 条第 1 項の主務省令で定める標章は、次のとおりとする。

一　令第 2 条第一号から第五号までに係る国外適合性評価事業の区分については、様式第 5 による標章とする。

二　令第 2 条第六号及び第七号に係る国外適合性評価事業の区分については、様式第 6 による標章とする。

三　令第 2 条第八号に係る国外適合性評価事業の区分については、様式第 7 による標章とする。

（認定の取消し等）

第 13 条　法第 13 条第 1 項第六号の主務省令で定める事由は、次のとおりとする。

一　日欧協定第 7 条 3、日シ協定第 51 条 3 又は日米協定第 8 条 2 の規定により登録の効力が停止されたとき。

二　日欧協定第 9 条 1、日シ協定第 53 条 1 又は日米協定第 6 条 1 の規定により日欧協定第 8 条 1 の合同委員会、日シ協定第 52 条 1 の合同委員会又は日米協定第 10 条 1 の合同委員会が登録しないことを決定したとき。

（電気通信事業法の適用を受ける場合の表示）

第 14 条　法第 31 条第 1 項の規定により電気通信事業法（昭和 59 年法律第 86 号）第 53 条第 2 項の規定が読み替えて適用される場合における端末機器の技術基準適合認定等に関する規則（平成 16 年総務省令第 15 号。以下この条において「認定規則」という。）第 10 条及び様式第 7 号の規定の適用については、認定規則様式第 7 号注 4 中「登録認定機関又は承認認定機関」とあるのは、「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成 13 年法律第 111 号）第 31 条第 1 項前段に規定する登録外国適合性評価機関」とする。

2　法第 31 条第 2 項の規定により電気通信事業法第 58 条の規定が適用される場合における認定規則第 22 条及び様式第 7 号の規定の適用については、認定規則様式第 7 号注 4 中「登録認定機関又は承認認定機関」とあるのは、「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成 13 年法律第 111 号）第 31 条第 1 項前段に規定する登録外国適合性評価機関」とする。

（電波法の適用を受ける場合の表示）

第 15 条　法第 33 条第 1 項の規定により電波法（昭和 25 年法律第 131 号）第 38 条の 7 第 1 項の規定が読み替えて適用される場合における特定無線設備の技術基準適合証明等に関する規則（昭和 56 年郵政省令第 37 号。以下この条において「証明規則」という。）

第 8 条及び様式第 7 号の規定の適用については、証明規則様式第 7 号注 5 中「登録証明機関又は承認証明機関」とあるのは、「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成 13 年法律第 111 号）第 33 条第 1 項前段に規定する登録外国適合性評価機関」とする。

2 法第 33 条第 2 項の規定により電波法第 38 条の 26 の規定が適用される場合における証明規則第 20 条及び様式第 7 号の規定の適用については、証明規則様式第 7 号注 5 中「登録証明機関又は承認証明機関」とあるのは、「特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成 13 年法律第 111 号）第 33 条第 1 項前段に規定する登録外国適合性評価機関」とする。

（身分証明書）

第 16 条 法第 37 条第 3 項の証明書は、様式第 8 によるものとする。

2 法第 37 条第 7 項の証明書は、様式第 9 によるものとする。

（公示）

第 17 条 法第 3 条第 4 項、第 7 条第 5 項、第 8 条第 2 項、第 11 条、第 13 条第 2 項及び第 3 項及び第 30 条の公示は、官報で告示することによって行う。

（業務の範囲を限定する場合の手数料の額）

第 18 条 令別表第 1 の備考の 1 の主務省令で定める範囲は別表の 1 の項の第 1 欄に掲げる国外適合性評価事業の区分について同項の第 2 欄に定める範囲とし、令別表第 1 の備考 1 の主務省令で定める額は同欄に定める範囲の区分に応じ、それぞれ同項の第 3 欄に定める額(電子申請による場合にあっては、同項の第 4 欄に定める額)とする。

2 令別表第 1 の備考 2 の主務省令で定める範囲は別表の 2 の項の第 1 欄に掲げる国外適合性評価事業の区分について同項の第 2 欄に定める範囲とし、令別表第 1 の備考の 2 の主務省令で定める額は同欄に定める範囲の区分に応じ、それぞれ同項の第 3 欄に定める額(電子申請による場合にあっては、同項の第 4 欄に定める額)とする。

3 令別表第 1 の備考 3 の主務省令で定める範囲は別表の 3 の項の上欄に掲げる国外適合性評価事業の区分について同項の中欄に定める範囲とし、令別表第 1 の備考の 3 の主務省令で定める額は同欄に定める範囲の区分に応じ、それぞれ同項の下欄に定める額とする。

4 令別表第 1 の備考 4 の主務省令で定める範囲は別表の 4 の項の第 1 欄に掲げる国外適合性評価事業の区分について同項の第 2 欄に定める範囲とし、令別表第 1 の備考 4 の主務省令で定める額は同欄に定める範囲の区分に応じ、それぞれ同項の第 3 欄に定める額（電子申請による場合にあっては、同項の第 4 欄に定める額）とする。

5 令別表第 1 の備考 5 の主務省令で定める範囲は別表の 5 の項の第 1 欄に掲げる国外適合性評価事業の区分について同項の第 2 欄に定める範囲とし、令別表第 1 の備考 5 の主務省令で定める額は同欄に定める範囲の区分に応じ、それぞれ同項の第 3 欄に定める額（電子申請による場合にあっては、同項の第 4 欄に定める額）とする。

6 令別表第一の備考 6 の主務省令で定める範囲は別表の 6 の項の第 1 欄に掲げる国外適合性評価事業の区分について同項の第 2 欄に定める範囲とし、令別表第 1 の備考 6 の主務省令で定める額は同欄に定める範囲の区分に応じ、それぞれ同項の第 3 欄に定める額（電子申請による場合にあっては、同項の第 4 欄に定める額）とする。

（他の国外適合性評価事業に係る認定を受けていることを証する書類）

第 19 条　令別表第 1 の備考 11 及び別表第 2 の備考 2 の主務省令で定める書類は、申請者が現に令第 2 条各号 のいずれかに係る国外適合性評価事業に係る認定を受けており、かつ、申請した日前当該申請した国外適合性評価事業に係る法第 6 条第 1 項 の政令で定める期間（以下「特定期間」という。）以内に行われた当該認定を受けている国外適合性評価事業に係る認定等に当たり審査の事務の合理化（法第 3 条第 1 項の認定若しくはその更新又は次条各号の認定若しくは登録若しくはその更新を受けていることを確認することにより、法第 5 条第 1 項 に規定する主務省令で定める認定の基準のうち品質システム要求事項に適合すると認めることをいう。）が行われていないことを証する書類とする。ただし、申請した国外適合性評価事業に係る主務大臣が認定を受けている国外適合性評価事業に係る主務大臣と同じである場合は、当該認定を受けていることを証する書類とする。

（法第 5 条第 1 項 の認定と基準が類似する認定又は登録）

第 20 条　令別表第 1 の備考 12 及び別表第 2 の備考 3 の主務省令で定める認定又は登録は、次に掲げるものとする。

一　工業標準化法（昭和 24 年法律第 185 号）第 19 条第 1 項及び第 2 項、第 20 条第 1 項並びに第 23 条第 1 項から第 3 項までの登録

二　工業標準化法 第 57 条第 1 項 の登録

三　ガス事業法 （昭和 29 年法律第 51 号）第 39 条の 11 第 1 項 の登録

四　医薬品、医療機器等の品質、有効性及び安全性の確保等に関する法律（昭和 35 年法律第 145 号）第 23 条の 2 の 23 第 1 項の登録

五　電気用品安全法 （昭和 36 年法律第 234 号）第 9 条第 1 項 の登録

六　液化石油ガスの保安の確保及び取引の適正化に関する法律 （昭和 42 年法律第 149 号）第 47 条第 1 項 の登録

七　消費生活用製品安全法 （昭和 48 年法律第 31 号）第 12 条第 1 項 の登録

八　計量法（平成 4 年法律第 51 号）第 143 条第 1 項の登録

（他の法令による認定又は登録を受けていることを証する書類）

第 21 条　令別表第 1 の備考 12 及び別表第 2 の備考 3 の主務省令で定める書類は、次に掲げるもののいずれかとする。

一　申請者が現に前条第一号の登録を受けており、かつ、特定期間以内に行われた同号の登録及びその更新に当たり審査の事務の合理化（法第 3 条第 1 項の認定若しくはその更新又は前条各号の認定若しくは登録若しくはその更新を受けていることを確認することにより、国際標準化機構及び国際電気標準会議が定めた製品の認証を行う機関に関する基準のうち品質システム要求事項に適合すると認めることをいう。第三号及び第五号から第七号までにおいて同じ。）が行われていないことを証する書類

二　申請者が現に前条第二号の登録を受けており、かつ、特定期間以内に行われた同号の登録及びその更新に当たり審査の事務の合理化（法第 3 条第 1 項の認定若しくはその更新又は前条各号の認定若しくは登録若しくはその更新を受けていることを確認することにより、国際標準化機構及び国際電気標準会議が定めた試験所に関する基準のうち品質システム要求事項に適合すると認めることをいう。）が行われていないことを証する

書類

三　申請者が現に前条第三号の登録を受けており、かつ、特定期間以内に行われた同号の登録及びその更新に当たり審査の事務の合理化が行われていないことを証する書類

四　申請者が現に前条第四号の登録を受けており、かつ、特定期間以内に行われた同号の登録及びその更新に当たり審査の事務の合理化（法第 3 条第 1 項の認定若しくはその更新又は前条各号の認定若しくは登録若しくはその更新を受けていることを確認することにより、国際標準化機構及び国際電気標準会議が定めた製品の認証を行う機関に関する基準並びに製造管理及び品質管理の方法の審査を行う機関に関する基準のうち品質システム要求事項に適合すると認めることをいう。）が行われていないことを証する書類

五　申請者が現に前条第五号の登録を受けており、かつ、特定期間以内に行われた同号の登録及びその更新に当たり審査の事務の合理化が行われていないことを証する書類

六　申請者が現に前条第六号の登録を受けており、かつ、特定期間以内に行われた同号の登録及びその更新に当たり審査の事務の合理化が行われていないことを証する書類

七　申請者が現に前条第七号の登録を受けており、かつ、特定期間以内に行われた同号の登録及びその更新に当たり審査の事務の合理化が行われていないことを証する書類

八　申請者が現に前条第八号の登録を受けており、かつ、特定期間以内に行われた同号の登録及びその更新に当たり審査の事務の合理化（法第 3 条第 1 項の認定若しくはその更新又は前条各号の認定若しくは登録若しくはその更新を受けていることを確認することにより、国際標準化機構及び国際電気標準会議が定めた校正を行う機関に関する基準のうち品質システム要求事項に適合すると認めることをいう。）が行われていないことを証する書類

（申請等の方法）

第 22 条　法又はこの省令の規定による主務大臣に対する申請書等の提出は、令第 13 条第一号の事項に係るものについては総務大臣に正本 1 通を提出することにより、同条第二号の事項に係るものについては総務大臣又は経済産業大臣のいずれかに正本及び副本各 1 通を提出することにより、同条第三号の事項に係るものについては経済産業大臣に正本 1 通を提出することにより行うものとする。

2　第 2 条第 1 項、第 5 条及び第 7 条の申請書には、手数料の額に相当する収入印紙をはらなければならない。

附　則（平成 13 年 11 月 26 日**総務省 令 ｜ 経済産業省 令 第 3 号**）

この省令は、法の施行の日から施行する。

附　則（平成 14 年 7 月 26 日 **総務省 令 ｜ 経済産業省 令 第 4 号**）

この省令は、特定機器に係る適合性評価の欧州共同体との相互承認の実施に関する法律の一部を改正する法律の施行の日から施行する。

附　則（平成 16 年 1 月 26 日 **総務省 令 ｜ 経済産業省 令 第 1 号**）

この省令は平成 16 年 1 月 26 日から施行する。

附　則（平成 16 年 3 月 31 日 **総務省 令 ｜ 経済産業省 令 第 4 号**）

この省令は平成 16 年 3 月 31 日から施行する。

附　則（平成 16 年 10 月 1 日 **総務省 令 ｜ 経済産業省 令 第 6 号**）

この省令は、公布の日から施行する。

附　則（平成 17 年 3 月 7 日 総務省 令 | 経済産業省 令 第 1 号）

この省令は、不動産登記法の施行に伴う関係法律の整備等に関する法律の施行の日（平成 17 年 3 月 7 日）から施行する。

附　則（平成 17 年 4 月 1 日 総務省 令 | 経済産業省 令 第 3 号）

この省令は、公布の日から施行する。

附　則（平成 17 年 7 月 1 日 総務省 令 | 経済産業省 令 第 4 号）

この省令は、公布の日から施行する。

附　則（平成 17 年 9 月 30 日 総務省 令 | 経済産業省 令 第 5 号）

この省令は、平成 17 年 10 月 1 日から施行する。

附　則（平成 18 年 11 月 9 日 総務省 令 | 経済産業省 令 第 5 号）

この省令は、公布の日から施行する。

附　則（平成 19 年 11 月 16 日 総務省 令 | 経済産業省 令 第 3 号）

（施行期日）

第 1 条　この省令は、特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律の一部を改正する法律（平成 19 年法律第 92 号）の施行の日（平成 19 年 11 月 20 日）から施行する。ただし、*日米協定関係事項*の規定は、適合性評価手続の結果の相互承認に関する日本国とアメリカ合衆国との間の協定の効力発生の日から施行する。

（特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律に基づく表示等に関する省令の廃止）

第 2 条　特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律に基づく表示等に関する省令（平成 13 年総務省令第 146 号）は、廃止する。

附　則（平成 20 年 12 月 1 日 総務省 令 | 経済産業省 令 第 4 号）

この省令は、一般社団法人及び一般財団法人に関する法律の施行の日（平成 20 年 12 月 1 日）から施行する。

附　則（平成 23 年 12 月 16 日 総務省 令 | 経済産業省 令 第 2 号）

この省令は、公布の日から施行する。

附　則（平成 26 年 11 月 25 日 総務省 令 | 経済産業省 令 第 1 号）

この省令は、薬事法等の一部を改正する法律の施行の日（平成 26 年 11 月 25 日）から施行する。

附　則（平成 27 年 2 月 17 日 総務省 令 | 経済産業省 令 第 1 号）

（施行期日）

第 1 条　この省令は、公布の日から施行する。

（経過措置）

第 2 条　この省令の施行の際現に特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 3 条第 1 項の認定を受けている者は、この省令による改正後の特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行規則第 3 条の基準に適合したものとみなす。

附　則（平成 28 年 4 月 20 日 総務省 令 | 経済産業省 令 第 1 号）

（施行期日）

第 1 条　この省令は、公布の日から施行する。ただし、第 2 条中特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行規則第 3 条第 1 号イ並びに第 2 号イただし書及び(1)並びに第 11 条第 1 号ホ並びに別表の改正規定は、平成 28 年 6 月 13 日から施行する。

（準備行為）

第 2 条　特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 3 条第 1 項の認定又は同法第 7 条第 1 項の変更の認定に関し必要な手続その他の行為は、前条ただし書に規定する規定の施行前においても、この省令による改正後の特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行規則第 3 条第 1 号イ並びに第 2 号イただし書及び(1)並びに別表の規定の例により行うことができる。

別表　（第 18 条関係）

国外適合性評価事業の区分	限定する業務の範囲	手数料の額	電子申請による場合における手数料の額
一　令第 2 条第一号に係る国外適合性評価事業に係る認定		申請 1 件につき	申請 1 件につき
	イ　附属書 3 ~~又は 4~~ の業務	1,304,900 円	1,304,000 円
	ロ　附属書 4~~5~~ の業務	691,400 円	690,500 円
二　令第 2 条第一号に係る国外適合性評価事業に係る認定の更新		申請 1 件につき	申請 1 件につき
	イ　附属書 3 ~~又は 4~~ の業務	1,290,200 円	1,289,300 円
	ロ　附属書 4~~5~~ の業務	676,600 円	675,800 円
三　令第 2 条第一号に係る国外適合性評価事業に係る変更の認定		申請 1 件につき	申請 1 件につき
	イ　附属書 3 ~~又は 4~~ の業務	541,400 円	540,500 円
	ロ　附属書 4~~5~~ の業務	313,500 円	312,600 円
四　令第 2 条第八号に係る国外適合性評価事業に係る認定		申請 1 件につき	申請 1 件につき
	イ　第 68 部等以外の業務	2,948,700 円	2,947,900 円
	ロ　第 68 部の業務	608,500 円	607,700 円
五　令第 2 条第八号に係る国外適合性評価事業に係る認定の更新		申請 1 件につき	申請 1 件につき
	イ　第 68 部等以外の業務	2,934,000 円	2,933,100 円
	ロ　第 68 部の業務	593,800 円	592,900 円
六　令第 2 条第八号に係る国外適合性評価事業に係る変更の認定		申請 1 件につき	申請 1 件につき
	イ　第 68 部等以外の業務	1,158,100 円	1,157,200 円
	ロ　第 68 部の業務	288,300 円	287,500 円

様式第 1　（第 2 条、第 5 条関係）

認定（更新）申請書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所
氏名（法人にあっては、名称及び代表
者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（以下「法」という。）第３条第１項の認定（第６条第１項の認定の更新）を受けたいので、下記のとおり申請します。

記

1　法人にあっては、役員の氏名
2　国外適合性評価事業の区分
3　国外適合性評価事業の用に供する設備の概要
4　国外適合性評価事業の実施の方法
5　法第３条第２項の規定により、対象とする特定輸出機器の種類その他業務の範囲を限定して認定を受けようとする者にあっては、当該対象とする特定輸出機器の種類その他業務の範囲

備考　1　不要の文字は、抹消すること。
2　この用紙の大きさは、日本工業規格に定めるＡ列４番とすること。
3　手数料の額に相当する収入印紙をこの申請書の左上に消印せずにちょう付すること。なお、収入印紙の枚数が多いために申請書の左上にちょう付することができない場合には、申請書の余白又は裏面にちょう付すること。
4　認定又は更新の際に、特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行令別表第１の備考11又は備考12の適用を受けようとする場合には、その旨を明記し、5の次に、「6　認定又は登録を受けていることを証する書類」を追加し、添付する書類を具体的に記載すること。

様式第２（第７条関係）

変更認定申請書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所
氏名（法人にあっては、名称及び代表
者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第７条第１項の変更の認定を受けたいので、下記のとおり申請します。

記

1　変更した事項
2　変更した年月日
3　変更の理由

備考　1　不要の文字は、抹消すること。
2　この用紙の大きさは、日本工業規格に定めるＡ列４番とすること。
3　1は、変更前及び変更後を対照して記載すること。
4　手数料の額に相当する収入印紙をこの申請書の左上に消印せずにちょう付する

こと。なお、収入印紙の枚数が多いために申請書の左上にちょう付することができない場合には、申請書の余白又は裏面にちょう付すること。

様式第 3 （第 7 条関係）

名称等変更届出書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 7 条第 4 項の規定により、下記のとおり届け出ます。

記

1　変更した事項

2　変更した年月日

3　変更の理由

備考　1　不要の文字は、抹消すること。

2　この用紙の大きさは、日本工業規格に定めるＡ列 4 番とすること。

3　1 は、変更前及び変更後を対照して記載すること。

様式第 4 （第 8 条関係）

事業休止（廃止）届出書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 8 条第 1 項の規定により、認定に係る事業の全部（一部）を休止（廃止）したいので、下記のとおり届け出ます。

記

1　休止（廃止）しようとする国外適合性評価事業の範囲

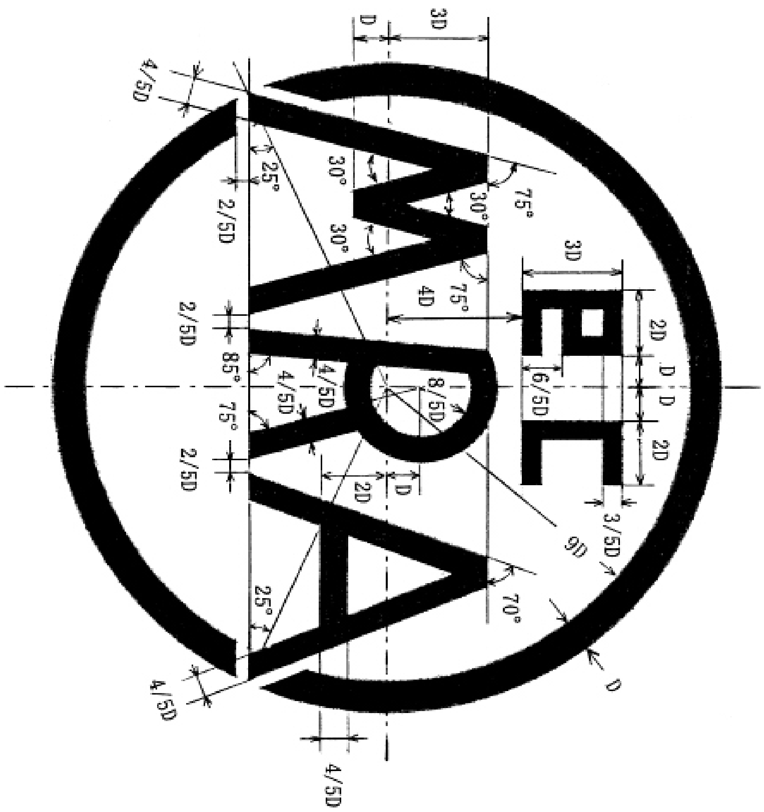
2　休止（廃止）しようとする年月日及び休止しようとする場合はその期間

3　休止（廃止）の理由

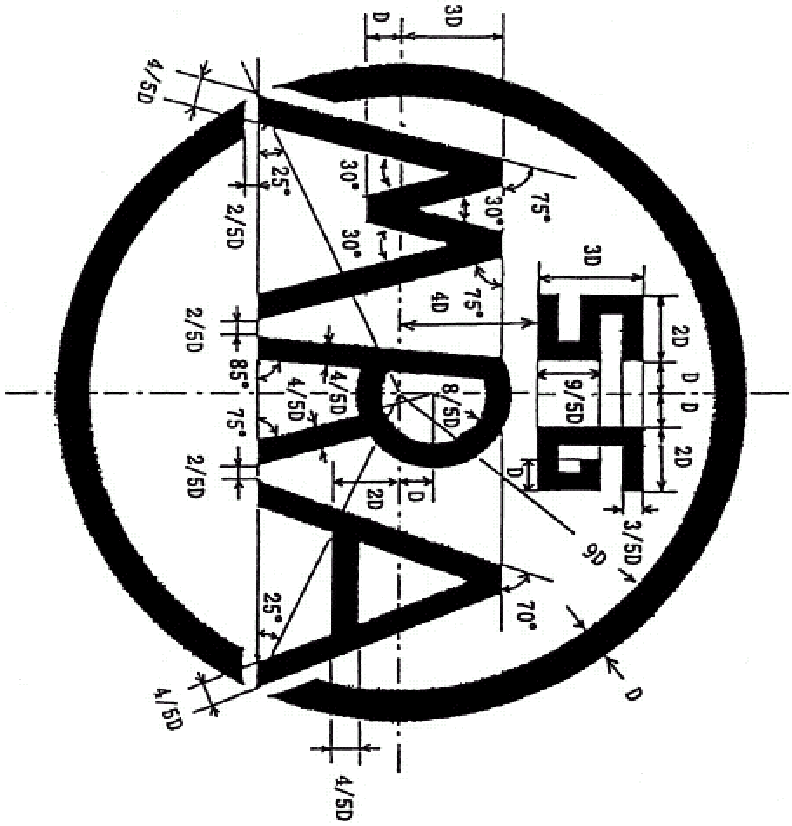
備考　1　不要の文字は、抹消すること。

2　この用紙の大きさは、日本工業規格に定めるＡ列 4 番とすること。

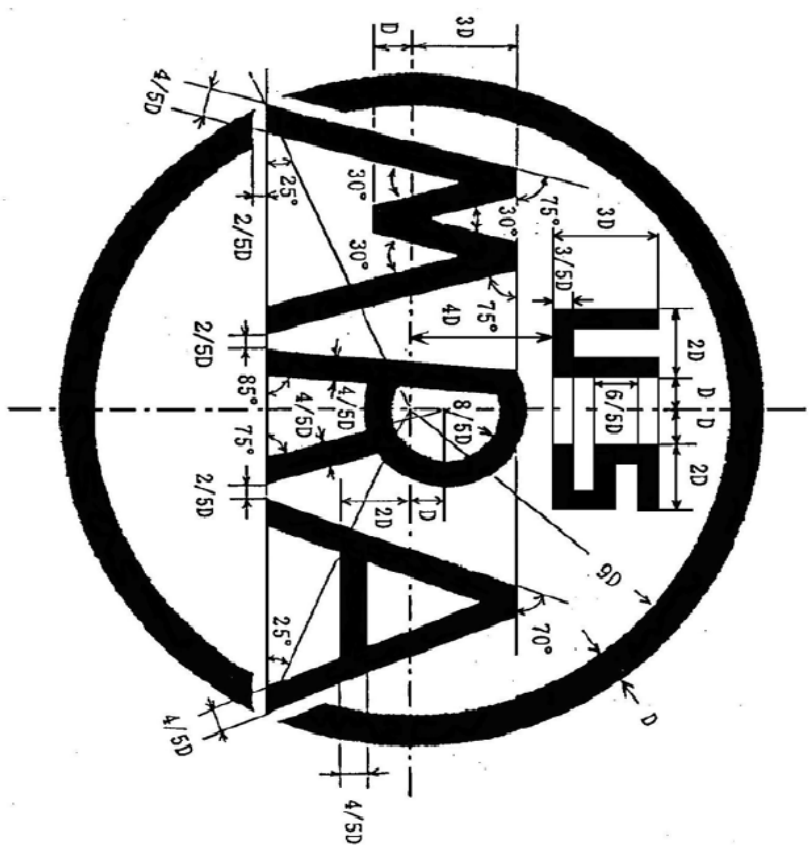
様式第 5 （第 12 条関係）



様式第 6 （第 12 条関係）



様式第 7 （第 12 条関係）



様式第 8 （第 16 条関係）

（表面）

第　　号

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成 13 年法律第 111 号）第 37 条第 3 項の規定による立入検査又は質問をする職員の証

職名及び氏名

生年月日　年　　月　　日

有効期限　年　　月　　日

写真

年　　月　　日交付

発行者　　　　　印

（裏面）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（抄）

第 37 条　主務大臣は、この法律の施行に必要な限度において、認定適合性評価機関に対し、その認定に係る事業に関し報告をさせ、又はその職員に、認定適合性評価機関の営業所、事業所その他の事業場に立ち入り、その認定に係る事業の状況若しくは設備、帳簿書類その他の物件を検査させ、若しくは関係者に質問させることができる。

2　主務大臣は、この法律の施行に必要な限度において、指定調査機関に対し、その業務に関し報告をさせ、又はその職員に、指定調査機関の事務所に立ち入り、業務の状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

3　前 2 項の規定により立入検査又は質問をする職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。

8　第 1 項及び第 2 項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

第 48 条　次の各号のいずれかに該当する者は、30 万円以下の罰金に処する。

三　第 37 条第 1 項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をした者

第 49 条　次の各号のいずれかに該当するときは、その違反行為をした指定調査機関の役員又は職員は、30 万円以下の罰金に処する。

三　第 37 条第 2 項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をしたとき。

備考 1　用紙の大きさは、日本工業規格に定める B 列 7 番とすること。

　2　写真は縦 4.0 センチメートル、横 3.0 センチメートルのものとすること

様式第 9（第 16 条関係）

（表面）

第　　号

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（平成 13 年法律第 111 号）第 37 条第 7 項の規定による立入検査又は質問をする職員の証

職名及び氏名

生年月日　年　月　日

有効期限　年　月　日

写真

年　月　日交付

発行者　　　印

（裏面）
特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（抄）
第 37 条　主務大臣は、この法律の施行に必要な限度において、認定適合性評価機関に対し、その認定に係る事業に関し報告をさせ、又はその職員に、認定適合性評価機関の営業所、事業所その他の事業場に立ち入り、その認定に係る事業の状況若しくは設備、帳簿書類その他の物件を検査させ、若しくは関係者に質問させることができる。
2　主務大臣は、この法律の施行に必要な限度において、指定調査機関に対し、その業務に関し報告をさせ、又はその職員に、指定調査機関の事務所に立ち入り、業務の状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。
3　前 2 項の規定により立入検査又は質問をする職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。
4　主務大臣は、必要があると認めるときは、機構に、第 1 項又は第 2 項の規定による立入検査又は質問を行わせることができる。
7　前 4 項の規定により立入検査又は質問をする機構の職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。
8　第 1 項及び第 2 項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。
第 48 条　次の各号のいずれかに該当する者は、30 万円以下の罰金に処する。
三　第 37 条第 1 項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をした者
第 49 条　次の各号のいずれかに該当するときは、その違反行為をした指定調査機関の役員又は職員は、30 万円以下の罰金に処する。
三　第 37 条第 2 項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をしたとき。
備考 1　用紙の大きさは、日本工業規格に定めるＢ列 7 番とすること。
　2　写真は縦 4.0 センチメートル、横 3.0 センチメートルのものとすること

参考 4

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律に基づく指定調査機関等に関する省令

平成 13 年 11 月 16 日総務省 令 | 経済産業省 令 第 2 号
改正 平成 14 年 7 月 26 日総務省 令 | 経済産業省 令 第 3 号
改正 平成 16 年 10 月 1 日総務省 令 | 経済産業省 令 第 6 号
改正 平成 17 年 3 月 7 日 総務省 令 | 経済産業省 令 第 1 号
改正 平成 18 年 4 月 20 日 総務省 令 | 経済産業省 令 第 1 号
改正 平成 19 年 11 月 16 日総務省 令 | 経済産業省 令 第 4 号
改正 平成 20 年 12 月 1 日総務省 令 | 経済産業省 令 第 4 号

（用語）

第 1 条　この省令において使用する用語は、特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（以下「法」という。）及び特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行令（平成 13 年政令第 355 号。以下「令」という。）において使用する用語の例による。

（調査の申請）

第 2 条　法第 3 条第 1 項の認定若しくはその更新(以下「認定等」という。）又は法第 7 条第 1 項の変更の認定を受けようとする者は、法第 14 条第 3 項の規定により指定調査機関が行う調査について申請をしようとするときは、次に掲げる事項を記載した様式第 1 による申請書を指定調査機関に提出しなければならない。

一　氏名又は名称及び住所並びに法人にあっては、その代表者及び役員の氏名
二　国外適合性評価事業の区分
三　認定、更新又は変更の認定の申請の別
四　国外適合性評価事業の用に供する設備の概要
五　国外適合性評価事業の実施の方法
六　法第 3 条第 2 項の規定により業務の範囲を限定する認定を受けようとする者にあっては、対象とする特定輸出機器の種類その他業務の範囲

2　前項の申請書には、特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行規則（平成 13 年総務省・経済産業省令第 3 号。次項において「施行規則」という。）第 3 条各号の認定の基準に適合していることを説明した書類を添付しなければならない。

3　第 1 項の申請に際し、認定等を受けようとする者が、調査の事務の合理化（令第 2 条各号のいずれかに係る国外適合性評価事業（調査を受けようとする国外適合性評価事業を除く。）に係る認定を受けていること、又は施行規則第 20 条各号の認定若しくは登録若しくはその更新を受けていることを確認することにより、法第 5 条第 1 項 に規定する認定の基準のうち品質システム要求事項に適合するかどうかを調査することをいう。以下同じ。）を求めるときは、第 1 項の申請書に、施行規則第 19 条 本文又は第 21 条 に規定する書類を添付しなければならない。

（調査の結果の通知）

第 3 条　法第 14 条第 4 項の規定により主務大臣に対して行う調査の結果の通知は、次に

掲げる事項を記載した様式第 2 による通知書によって行うものとする。
一　調査を申請した者の氏名又は名称及び住所並びに法人にあっては、その代表者の氏名
二　調査の申請に係る国外適合性評価事業の区分
三　調査の概要及び結果（調査の事務の合理化をした場合にあっては、その旨を含む。）
（指定の申請）
第 4 条　法第 15 条の指定の申請をしようとする者は、その申請に係る国外適合性評価事業の区分ごとに、次に掲げる事項を記載した様式第 3 による申請書を主務大臣に提出しなければならない。
一　氏名又は名称及び住所並びに法人にあっては、その代表者の氏名
二　調査の業務を行おうとする事務所の所在地
三　調査の業務を開始しようとする年月日
2　前項の申請書には、次に掲げる書類を添えなければならない。
一　令第 2 条第一号から第七号までに係る国外適合性評価事業の区分に係る指定の申請の場合
イ　定款及び登記事項証明書又はこれらに準ずるもの
ロ　最近の事業年度における財産目録及び貸借対照表又はこれらに準ずるもの
ハ　申請の日を含む事業年度及び翌事業年度における事業計画書並びに収支予算書で調査の業務に係る事項と他の業務に係る事項とを区分したもの
ニ　申請者が法第 16 条各号の規定に該当しないことを説明した書類
ホ　次の事項を記載した書類
（1）申請者が法人である場合には、役員の氏名及び略歴並びに法人の種類に応じて次条第 2 項の構成員の氏名又は名称
（2）組織及び運営に関する事項
（3）指定の申請に係る調査と類似する業務の実績
（4）調査の業務以外の業務を行っている場合には、その業務の種類及び概要
（5）調査の業務の実施に関する計画
（6）調査を行う者の氏名及び経歴
（7）その他参考となる事項
二　令第 2 条第八号に係る国外適合性評価事業の区分に係る指定の申請の場合
イ　定款及び登記事項証明書又はこれらに準ずるもの
ロ　第 5 条第 1 項の規定に適合することを説明した資料
ハ　申請者が法第十六条各号の規定に該当しないことを説明した書類
ニ　次の事項を記載した書類
（1）申請者が法人である場合には、役員の氏名及び略歴並びに法人の種類に応じて次条第 2 項の構成員の氏名又は名称
（2）組織及び運営に関する事項
（3）指定の申請に係る調査と類似する業務の実績
（4）調査の業務以外の業務を行っている場合には、その業務の種類及び概要
（5）その他参考となる事項
3　指定調査機関は、次の事項に変更があった場合は、変更した事項、変更した年月日及

び変更の理由を記載した様式第 4 による届出書を主務大臣に提出しなければならない。

一　令第 2 条第一号から第七号までに係る国外適合性評価事業の区分に係る調査を行う指定調査機関にあっては前項第一号ホ（１）（構成員の氏名又は名称に係る事項に限る。）、（４）又は（６）の事項

二　令第 2 条第八号に係る国外適合性評価事業の区分に係る調査を行う指定調査機関にあっては前項第二号ロ（調査を行う者の氏名及び経歴に係る事項に限る。）又はニ（１）（構成員の氏名又は名称に係る事項に限る。）若しくは（４）の事項

（指定の基準）

第 5 条　法第 17 条第一号の審査の基準については、次のとおりとする。

一　令第 2 条第一号から第七号までに係る国外適合性評価事業の区分に係る指定の申請の場合

イ　経理的基礎についての審査の基準は、別表第 1 に掲げるものとする。

ロ　技術的能力についての審査の基準は、別表第 2 に掲げるものとする。

二　令第二条第八号に係る国外適合性評価事業の区分に係る指定の申請の場合は、当該国外適合性評価事業に係る国際標準化機構及び国際電気標準会議が定めた適合性評価機関の認定を行う機関に関する規格に規定する基準のうち、経理的基礎及び技術的能力に関するものとする。

2　法第 17 条第二号の主務省令で定める構成員は、次の各号に定める法人の種類ごとに、それぞれ当該各号に定める者とする。

一　一般社団法人　社員

二　合名会社、合資会社及び合同会社　社員

三　株式会社　発行済株式総数の 100 分の 5 以上の株式を有する株主

四　その他の法人　当該法人の種類に応じて前 3 号に掲げる者に準ずるもの

3　法第 17 条第三号の主務省令で定める基準は、調査の実施に係る組織、調査の方法、料金の算定方法その他の調査の業務を遂行するための体制が次に掲げる事項に適合するよう整備されていることとする。

一　特定の者を不当に差別的に取り扱うものでないこと。

二　調査を受ける者との取引関係その他の利害関係の影響を受けないこと。

三　前二号に掲げるもののほか、調査の公正な実施に支障を及ぼすおそれのないこと。

（名称等の変更の届出）

第 6 条　指定調査機関は、法第 18 条第 2 項の規定による届出をしようとするときは、次に掲げる事項を記載した様式第 5 による届出書を主務大臣に提出しなければならない。

一　変更後の名称若しくは住所又は調査の業務を行う事務所の所在地

二　変更しようとする年月日

（指定の更新）

第 7 条　第 4 条第 1 項及び第 2 項並びに第 5 条の規定は、法第 19 条第 1 項の指定調査機関の指定の更新に準用する。

（役員の選任及び解任の届出）

第 8 条　指定調査機関は、法第 22 条の規定による届出をしようとするときは、次に掲げる事項を記載した様式第 6 による届出書を主務大臣に提出しなければならない。

一　選任又は解任した役員の氏名
二　選任又は解任の理由
三　選任又は解任した年月日
2　前項の届出書には、次に掲げる書類を添えなければならない。
一　選任又は解任に関する意思の決定を証する書類
二　選任の届出の場合にあっては、選任された役員の略歴書
（調査業務規程の認可の申請等）
第 9 条　指定調査機関は、法第 23 条第 1 項前段の規定により調査業務規程の認可を受けようとするときは、様式第 7 による申請書に調査業務規程を添えて、主務大臣に提出しなければならない。
2　指定調査機関は、法第 23 条第 1 項後段の規定により調査業務規程の変更の認可を受けようとするときは、次に掲げる事項を記載した様式第 8 による申請書に変更後の調査業務規程を添えて、主務大臣に提出しなければならない。
一　変更しようとする事項
二　変更しようとする年月日
三　変更の理由
（調査業務規程の記載事項）
第 10 条　法第 23 条第 2 項の主務省令で定める事項は、次のとおりとする。
一　調査の業務を行う時間及び休日に関する事項
二　調査の業務を行う事務所に関する事項
三　調査の業務の実施方法に関する事項
四　手数料の収納に関する事項
五　調査を行う者の選任及び解任並びにその配置に関する事項
六　調査の業務に関する秘密の保持に関する事項
七　調査の業務に関する帳簿及び書類の管理に関する事項
八　会計処理に関する事項
九　事業報告書の公開等に関する事項
十　法第 14 条第 4 項に規定する主務大臣への通知に関する事項（令第 2 条第八号に係る国外適合性評価事業の区分に係る指定調査機関の場合に限る。）
十一　前各号に掲げるもののほか、調査の業務の実施に関し必要な事項
（帳簿）
第 11 条　法第 24 条の主務省令で定める事項は、次のとおりとする。
一　調査を申請した者の氏名又は名称及び住所並びに法人にあってはその代表者の氏名
二　調査の申請を受けた年月日
三　調査の申請に係る国外適合性評価事業の区分
四　調査を行った年月日
五　調査を行った者の氏名
六　調査の概要及び結果（調査の事務の合理化をした場合にあっては、その旨を含む。）
七　調査の結果の通知年月日
2　法第 24 条の帳簿は、調査の業務を行う事務所ごとに作成して備え付け、記載の日から 10 年間保存しなければならない。

3　前項に規定する保存は、電磁的方法（電子的方法、磁気的方法その他の人の知覚によっては認識することができない方法をいう。）による記録に係る記録媒体により行うことができる。

（業務の休廃止の許可の申請）

第 12 条　指定調査機関は、法第 26 条第 1 項の許可を受けようとするときは、次に掲げる事項を記載した様式第九による申請書を主務大臣に提出しなければならない。

一　休止又は廃止しようとする調査の業務の範囲

二　休止又は廃止しようとする年月日及び休止しようとする場合はその期間

三　休止又は廃止の理由

（調査の業務の引継ぎ）

第 13 条　指定調査機関は、法第 28 条第 3 項に規定する場合には、次の事項を行わなければならない。

一　調査の業務を主務大臣に引き継ぐこと。

二　調査の業務に関する帳簿及び書類を主務大臣に引き継ぐこと。

三　その他主務大臣が必要と認める事項

（機構による調査に関する準用）

第 14 条　第 2 条第 1 項、第 3 条及び前条の規定は、機構による調査について準用する。この場合において、第 2 条中「法第 14 条第 3 項」とあるのは「法第 36 条第 2 項において準用する法第 14 条第 3 項」と、「指定調査機関」とあるのは「機構」と、第 3 条中「法第 14 条第 4 項」とあるのは「法第 36 条第 2 項において準用する法第 14 条第 4 項」と、前条中「法第 28 条第 3 項」とあるのは「法第 36 条第 3 項」と、同条第一号及び第二号中「主務大臣」とあるのは「機構」と読み替えるものとする。

（公示）

第 15 条　法第 18 条第 1 項及び第 3 項、第 26 条第 2 項、第 27 条第 2 項、第 28 条第 2 項並びに第 36 条第 4 項の公示は、官報で告示することによって行う。

（調査の業務の実施に要する費用の細目）

第 16 条　令第 12 条第 1 項の主務省令で定める事項は、認可を受けようとする手数料の額を算出する基礎となる人件費、事務費その他の経費、旅費（鉄道賃、船賃、航空賃及び車賃をいう。）、日当及び宿泊料の額並びに認可を受けようとする手数料の額の算出方法とする。

（手数料の額の認可申請書等）

第 17 条　令第 12 条第 1 項前段の申請書は、様式第 10 によるものとする。

2　令第 12 条第 1 項後段の変更の認可に係る申請書は、様式第 11 によるものとする。

（申請等の方法）

第 18 条　令又はこの省令の規定による主務大臣に対する申請書等の提出は、令第 13 条第一号の事項に係るものについては総務大臣に正本 1 通を提出することにより、同条第二号の事項に係るものについては総務大臣又は経済産業大臣のいずれかに正本及び副本各 1 通を提出することにより、同条第三号の事項に係るものについては経済産業大臣に正本 1 通を提出することにより行うものとする。

附　則（平成 13 年 11 月 16 日**総務省 令 ｜ 経済産業省 令 第 2 号**）

（施行期日）

1　この省令は、法の施行の日から施行する。ただし、次項の規定は、法附則第 2 条の規定の施行の日（平成 13 年 11 月 17 日）から施行する。

（準備行為）

2　法附則第 2 条に規定する指定及びこれに関し必要な手続その他の行為は、この省令の施行前においても、第 4 条、第 5 条、第 9 条、第 10 条、第 15 条及び第 18 条の規定の例により行うものとする。

附　則（平成 14 年 7 月 26 日**総務省 令 | 経済産業省 令 第 3 号**）

この省令は、特定機器に係る適合性評価の欧州共同体との相互承認の実施に関する法律の一部を改正する法律の施行の日から施行する。

附則（平成 16 年 10 月 1 日**総務省 令 | 経済産業省 令 第 6 号**）

この省令は、公布の日から施行する。

附　則（平成 17 年 3 月 7 日 **総務省 令 | 経済産業省 令 第 1 号**）

この省令は、不動産登記法の施行に伴う関係法律の整備等に関する法律の施行の日（平成 17 年 3 月 7 日）から施行する。

附　則（平成 18 年 4 月 20 日 **総務省 令 | 経済産業省 令 第 1 号**）

この省令は、会社法（平成 17 年法律第 86 号）の施行の日（平成 18 年 5 月 1 日）から施行する。

附　則（平成 19 年 11 月 16 日 **総務省 令 | 経済産業省 令 第 4 号**）

この省令は、特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律の一部を改正する法律（平成 19 年法律第 92 号）の施行の日（平成 19 年 11 月 20 日）から施行する。、ただし、*日米協定関係事項の*規定は、適合性評価手続の結果の相互承認に関する日本国とアメリカ合衆国との間の協定の効力発生の日から施行する。

附　則（平成 20 年 12 月 1 日 **総務省 令 | 経済産業省 令 第 4 号**）

この省令は、一般社団法人及び一般財団法人に関する法律の施行の日（平成 20 年 12 月 1 日）から施行する。

別表第 1 （第 5 条関係）

項　目	審査の基準
1 組織	(1)　調査の業務の実施に必要な財務の安定性及び経営資源（設備、技術、個人の有する知識及び技能その他の調査の業務に活用される資源をいう。）を有すること。
	(2)　調査の業務から生じる債務を履行するための適切な準備が整っていること。
2 品質管理体制の確立	(1)　調査の業務（経理的基礎に係る業務に限る。以下この表において同じ。）の品質（以下この表において「品質」という。）に責任を有する者（以下この表において「品質責任者」という。）により、品質に対する目標及び品質に対する方針（以下この表において「品質方針」という。）が文書として整備されていること。
	(2)　品質方針が、役員及び職員に確実に理解され、実施され、及び維持されて

	いること。 (3)　品質方針に基づいて、調査の業務の実施の手順を、具体的かつ体系的に定め、それに従って調査の業務を適切に実施すること。 (4)　品質責任者の管理の下に、調査の業務に従事する部署から独立した、次の事項に係る権限の行使を認められた者を置くこと。 イ　(1)から(3)までに規定する要件に合致した品質管理体制を確立し、実施し、及び維持すること。 ロ　品質責任者に対し、品質管理体制の実施結果を報告すること。
3 品質管理体制の見直し	品質責任者により、品質管理体制の妥当性及び有効性を継続して確保するに足る間隔で見直しを実施するための方針及び手順が定められ、それらに従って品質管理体制の見直しが行われるとともに、当該見直しについての記録が維持されること。
4 文書管理	(1)　次の事項を社内規格として整備し、定期的に更新すること。 イ　自らの法的地位についての情報 ロ　調査の業務についての一般的な説明 ハ　財務の安定性を確保する手段 ニ　苦情を解決するための手順に関する情報 (2)　次の事項を社内規格として整備すること。 イ　2 の項(3)の調査の業務の実施の手順 ロ　3 の項の品質管理体制の見直しを実施するための手順 ハ　5 の項(3)の秘密の保持に関する手順 ニ　6 の項(1)の調査の業務に関する苦情を解決するための手順 ホ　6 の項(3)の調査の業務に係る不適合があった場合の取扱いの手順 ヘ　7 の項の内部監査の実施の手順 ト　調査の業務に関するすべての文書及び電磁的方法による記録に係る記録媒体（以下この表において「すべての文書類」という。）を管理する手順 (3)　すべての文書類を(2)トに規定する手順に従って適切に管理し、調査申請者（法第 14 条第 3 項の規定により調査について申請する者をいう。以下同じ。）並びに役員及び職員が適切なすべての文書類を利用できるようにすること。
5 記録	(1)　調査の業務に関する記録を体系的に維持すること。 (2)　調査の業務に関する記録について、次の事項を満たすこと。 イ　調査の業務の手続の適切性及び情報の秘密の保持が確保できるように識別し、管理し、及び処分すること。 ロ　調査申請者の国外適合性評価事業に係る認定の有効期間以上保持すること。 (3)　記録を維持するための方針及び手順並びに記録の利用に関して、秘密の保持に関する方針及び手順を定めること。
6 苦情の解決及び不適合の取	(1)　調査申請者又はその関係者からの調査の業務に関する苦情を解決するための方針及び手順を定め、それらに従って処理すること。 (2)　苦情の処理については、次の事項を実施すること。

扱い	イ　調査の業務に関するすべての苦情を記録すること。 ロ　適切な是正処置及び予防的処置をとること。 ハ　実施した処置を文書として整理し、その処置の有効性を評価すること。 (3)　調査の業務に係る不適合の取扱い及びその取扱いを適切に実施するための手順を定めること。
7 内部監査	工業標準化法（昭和 24 年法律第 185 号）に基づく日本工業規格（以下「日本工業規格」という。）Q 19011 の規定に基づいて、内部監査の実施の手順を定め、それに従って内部監査を定期的かつ適切に実施すること。

別表第 2　（第 5 条関係）

項　目	審査の基準
1 組織	(1)　調査の業務（技術的能力に係る業務に限る。以下同じ。）を適切に実施する上で必要な教育及び訓練を受け、専門的知識及び実務経験を有し、調査の業務を適切に実施するに十分な数の調査の業務に従事する者を確保すること。 (2)　令第 2 条第三号(電磁両立性に関する構成国の法律の近似化に関する 1989 年 5 月 3 日付けの閣僚理事会指令 89・336・ＥＥＣ第 1 条 5 に規定する適合性評価機関に係る国外適合性評価事業に限る。)、第五号又は第六号に係る国外適合性評価事業の区分に係る指定申請者（法第 14 条第 1 項の指定を受けようとする者をいう。以下同じ。）は、書面による調査及び事業場（調査申請者が国外適合性評価事業を実施する場所をいう。以下同じ。）における調査（以下「書面等の調査」という。）の実施に係る技術的な問題を解決するための委員会を設置すること。
2 品質管理体制の確立	(1)　調査の業務の品質（以下「品質」という。）に責任を有する者（以下「品質責任者」という。）により、品質に対する目標及び品質に対する方針（以下「品質方針」という。）が文書として整備されていること。 (2)　品質方針が、役員及び職員に確実に理解され、実施され、及び維持されていること。 (3)　品質方針に基づいて、調査の業務の実施の手順を、具体的かつ体系的に定め、それに従って調査の業務を適切に実施すること。 (4)　品質責任者の管理の下に、調査の業務に従事する部署から独立した、次の事項に係る権限の行使を認められた者を置くこと。 イ　(1)から(3)までに規定する要件に合致した品質管理体制を確立し、実施し、及び維持すること。 ロ　品質責任者に対し、品質管理体制の実施結果を報告すること。
3 品質管理体制の見直し	品質責任者により、品質管理体制の妥当性及び有効性を継続して確保するに足る間隔で見直しを実施するための方針及び手順が定められ、それらに従って品質管理体制の見直しが行われるとともに、当該見直しについての記録が維持されること。
4 文書管理	(1)　次の事項を社内規格として整備し、定期的に更新すること。 イ　自らの法的地位についての情報

ロ　調査の業務についての一般的な説明

ハ　書面等の調査の手続についての情報

ニ　書面等の調査の申請手数料についての情報

ホ　調査申請者の権利及び義務

ヘ　苦情を解決するための手順に関する情報

(2)　次の事項を社内規格として整備すること。

イ　2 の項(3)の調査の業務の実施の手順

ロ　3 の項の品質管理体制の見直しを実施するための手順

ハ　5 の項(1)の調査要員の採用、教育及び訓練についての手順

ニ　5 の項(2)の調査要員の調査能力に関する適切な基準

ホ　5 の項(4)の調査要員の選定方法についての手順

ヘ　5 の項(8)の調査要員が実施する書面等の調査を監視する体制についての手順

ト　7 の項(1)の書面等の調査の実施に関する手順

チ　8 の項(3)の記録を維持するための手順

リ　8 の項(3)の秘密の保持に関する手順

ヌ　9 の項の主務大臣への通知に関する手順

ル　10 の項(1)の調査の業務に関する苦情を解決するための手順

ヲ　10 の項(3)の調査の業務に係る不適合があった場合の取扱いの手順

ワ　11 の項の内部監査の実施の手順

カ　調査の業務に関するすべての文書及び電磁的方法による記録に係る記録媒体（以下「すべての文書類」という。）を管理する手順

(3)　すべての文書類を(2)カに規定する手順に従って適切に管理し、調査申請者並びに役員及び職員が適切なすべての文書類を利用できるようにすること。

5 調査要員

(1)　調査要員（書面等の調査を行う者及び国外適合性評価事業に係る技術的な事項を指導及び助言する専門家をいう。以下同じ。）の採用、教育及び訓練についての方針及び手順を定めること。

(2)　調査要員の能力に関する適切な基準を定めること。

(3)　書面等の調査を行う者は、日本工業規格 Q 19011 を満たすこと。

(4)　調査要員の選定方法についての手順を定め、その選定は、能力、教育、訓練、調査に有用な資格及び調査の実務経験並びにそれらの評価に基づいて実施すること。

(5)　調査チーム（書面等の調査を実施するために選定した調査要員の集合体をいう。以下同じ。）は、七の項(1)の書面等の調査の実施に関する手順、法第 5 条第 1 項に規定する国外適合性評価事業の認定の基準及び専門的知識に精通していること。

(6)　調査チームに対し、書面等の調査に必要な各人ごとの職務及び責任範囲を記述した明確かつ最新の状態の指示書並びに書面等の調査の手順に関するすべての関連情報を提供すること。

(7)　調査要員に対し、書面等の調査に関する秘密を保持すること、書面等の調査

が調査申請者との間の営業上その他の利害関係に影響されないこと及び現在又は過去の職務に関係しないことを誓約書等の書面で要求すること。

(8) 調査要員が実施する書面等の調査を監視する体制についての方針及び手順を定めること。

(9) 調査要員に関する次の事項を含む記録を保持し、最新の状態に維持すること。

イ 氏名及び住所

ロ 組織における所属及び地位

ハ 学歴及び資格

ニ 実務経験、教育及び訓練

ホ 業績評価

へ 最新の記録を更新した日付

6 書面等の調査の申請

(1) 書面等の調査の手続に関する詳細な説明書、書面等の調査の申請手数料その他書面等の調査の方法を記述した文書を最新の状態に維持し、調査申請者に提供すること。

(2) 調査申請者から求められた場合は、書面等の調査の申請に関する追加的な情報を提供すること。

(3) 調査申請者に対して、事業場における調査の前に、少なくとも次の情報を提供させること。

イ 調査申請者の概要

ロ 調査申請者の国外適合性評価事業を行おうとする組織及び一般的な情報

ハ 調査申請者の社内規格

(4) 調査申請者から書面等の調査の申請に際して収集した情報は、適切な秘密の保持を行うこと。

7 書面等の調査の実施

(1) 書面等の調査の実施に関する方針及び手順を定めること。

(2) 書面等の調査の実施計画を作成すること。

(3) 調査申請者から収集したすべての資料を評価し、書面等の調査を実施するための適切な調査チームを構成すること。

(4) 書面等の調査を実施する調査チームの構成員の氏名その他調査申請者が指定申請者に対して異議を申し立てる場合に必要となる情報を、十分な予告期間をおいて調査申請者に通知すること。

(5) 書面等の調査の実施計画及び書面等の調査を実施する日について調査申請者と合意し、調査チームが行うべき調査事項を明確に定め、調査申請者に通知すること。

(6) 次の事項を確実に実施するため、書面等の調査を始める前に調査申請者からの申請の内容の確認を行い、その記録を維持すること。

イ 調査申請者との間に生じる書面等の調査の申請の内容に係る解釈の相違がすべて解消されていること。

ロ 書面等の調査の申請に係る国外適合性評価事業の区分及び事業場に応じて書面等の調査を実施する能力を持つこと。

(7) 事業場における調査を実施した後、調査チームと調査申請者との間で終了時の会議を開き、調査チームの意見を書面又は口頭で示すとともに、そ

の意見について調査申請者に質問をさせることができること。

8 記録	(1) 調査の業務に関する記録を体系的に維持すること。 (2) 調査の業務に関する記録について、次の事項を満たすこと。 イ 書面等の調査の手順が、効果的に実施されていることを実証すること。 ロ 調査の業務の手続の適切性及び情報の秘密の保持が確保できるように識別し、管理し、及び処分すること。 ハ 調査申請者の国外適合性評価事業に係る認定の有効期間以上保持すること。 (3) 記録を維持するための方針及び手順並びに記録の利用に関して、秘密の保持に関する方針及び手順を定めること。
9 主務大臣への通知	主務大臣への法第 14 条第 4 項に規定する通知に関する手順を定めること。
10 苦情の解決及び不適合の取扱い	(1) 調査申請者又はその関係者からの調査の業務に関する苦情を解決するための方針及び手順を定め、それらに従って処理すること。 (2) 苦情の処理については、次の事項を実施すること。 イ 調査の業務に関するすべての苦情を記録すること。 ロ 適切な是正処置及び予防的処置をとること。 ハ 実施した処置を文書として整理し、その処置の有効性を評価すること。 (3) 調査の業務に係る不適合の取扱い及びその取扱いを適切に実施するための手順を定めること。
11 内部監査	日本工業規格 Q 19011 の規定に基づいて、内部監査の実施の手順を定め、それに従って内部監査を定期的かつ適切に実施すること。

様式第 1 （第 2 条、第 14 条関係）

調査申請書

年　　月　　日

指定調査機関代表者　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律（以下「法」という。）第 14 条第 3 項の規定により、調査を受けたいので、下記のとおり申請します。

記

1　法人にあっては、役員の氏名
2　国外適合性評価事業の区分
3　認定、更新又は変更の認定の申請の別
4　国外適合性評価事業の用に供する設備の概要
5　国外適合性評価事業の実施の方法
6　法第 3 条第 2 項の規定により業務の範囲を限定する認定を受けようとする者にあっては、対象とする特定輸出機器の種類その他業務の範囲

備考 1　機構に対する申請の場合にあっては、「指定調査機関代表者」とあるのは「独立行政法人製品評価技術基盤機構理事長」と、「第 14 条第 3 項」とあるのは「第 36 条第 2 項において準用する法第 14 条第 3 項」とする。

2　調査の申請に際し、特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行規則第 19 条又は第 21 条に規定する書類を添付する場合には、申請に係る国外適合性評価事業以外の国外適合性評価事業の認定を受けている旨又は同令第 20 条各号の認定若しくは登録のいずれかを受けている旨を明記し、6 の次に「7 認定又は登録を受けていることを証する書類」を追加し、添付する書類を具体的に記載すること。

3　この用紙の大きさは、日本工業規格に定めるＡ列 4 番とすること。

様式第 2 （第 3 条、第 14 条関係）

調査結果通知書

年　　月　　日

総務大臣又は経済産業大臣　殿

指定調査機関代表者
（代表者が名称及び代表者の氏名を自筆で記入したときは、押印を省略できる。）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 14 条第 4 項の規定により、調査の結果を、下記のとおり通知します。

記

1　調査を申請した者の氏名又は名称及び住所並びに法人にあっては、その代表者の氏名

2　調査の申請に係る国外適合性評価事業の区分

3　調査の概要及び結果（調査の事務の合理化をした場合にあっては、その旨を含む。）

備考 1　機構が通知する場合にあっては、「指定調査機関代表者」とあるのは「独立行政法人製品評価技術基盤機構理事長」と、「第 14 条第 4 項」とあるのは「第 36 条第 2 項において準用する法第 14 条第 4 項」とする。

2　不要の文字は、抹消すること。

3　この用紙の大きさは、日本工業規格に定めるＡ列 4 番とすること。

様式第 3　（第 4 条関係）

指定申請書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 15 条の規定により、指定調査機関の指定を受けたいので、下記のとおり申請します。

記

1　国外適合性評価事業の区分

2　調査の業務を行おうとする事務所の所在地

3　調査の業務を開始しようとする年月日

備考 1　不要の文字は、抹消すること。

2　この用紙の大きさは、日本工業規格に定めるＡ列 4 番とすること。

3　事務所が 2 以上ある場合にあっては、事務所ごとに記載すること。

様式第 4　（第 4 条関係）

指定申請書記載事項変更届出書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律に基づく指定調査機関等に関する省令第 4 条第 3 項の規定により、指定申請書の記載事項を変更したので、下記のとおり届け出ます。

記

1　変更した事項

2　変更した年月日

3　変更の理由

備考 1　不要の文字は、抹消すること。

2　この用紙の大きさは、日本工業規格に定めるＡ列 4 番とすること。

3　1 は、変更前及び変更後を対照して記載すること。

様式第 5（第 6 条関係）

名称等変更届出書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 18 条第 2 項の規定により、指定調査機関の名称・住所・調査の業務を行う事務所の所在地を変更したいので、下記のとおり届け出ます。

記

1　変更後の名称若しくは住所又は調査の業務を行う事務所の所在地

2　変更しようとする年月日

備考 1　不要の文字は、抹消すること。

2　この用紙の大きさは、日本工業規格に定めるＡ列 4 番とすること。

3　1 は、変更前及び変更後を対照して記載すること。

様式第 6（第 8 条関係）

役員選任（解任）届出書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 22 条の規定により、役員の選任（解任）をしましたので、下記のとおり届け出ます。

記

1　選任（解任）した役員の氏名

2　選任（解任）の理由

3　選任（解任）した年月日

備考 1　不要の文字は、抹消すること。

2　この用紙の大きさは、日本工業規格に定めるＡ列 4 番とすること。

3　1 は、選任（解任）前及び選任（解任）後を対照して記載すること。

様式第 7（第 9 条関係）

調査業務規程認可申請書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 23 条第 1 項前段の規定による認可を受けたいので、調査業務規程を添えて申請します。

備考 1　不要の文字は、抹消すること。

2　この用紙の大きさは、日本工業規格に定めるＡ列 4 番とすること。

様式第 8（第 9 条関係）

調査業務規程変更認可申請書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 23 条第 1 項後段の規定による変更の認可を受けたいので、変更後の調査業務規程を添えて、下記のとおり申請します。

記

1　変更しようとする事項

2　変更しようとする年月日

3　変更の理由

備考 1　不要の文字は、抹消すること。

2　この用紙の大きさは、日本工業規格に定めるＡ列 4 番とすること。

様式第 9（第 12 条関係）

業務休止（廃止）許可申請書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律第 26 条第 1 項の規定により、調査の業務の全部（一部）を休止（廃止）したいので、下記のとおり申請します。

記

1　休止（廃止）しようとする調査の業務の範囲

2　休止（廃止）しようとする年月日及び休止しようとする場合はその期間

3　休止（廃止）の理由

備考１　不要の文字は、抹消すること。
　　２　この用紙の大きさは、日本工業規格に定めるＡ列４番とすること。

様式第 10（第 17 条関係）

調査手数料認可申請書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行令第 12 条第１項前段の規定による認可を受けたいので、下記のとおり申請します。

記

１　手数料の額
２　調査１件当たりに要する人件費、事務費その他の経費、旅費（鉄道賃、船賃、航空賃及び車賃をいう。）、日当及び宿泊料の額
３　１の算出方法

備考１　不要の文字は、抹消すること。
　　２　この用紙の大きさは、日本工業規格に定めるＡ列４番とすること。
　　３　２は、調査を行う場所によって変動する額については、申請者が有する規程等を添付することにより記載事項に代えることができる。

様式第 11（第 17 条関係）

調査手数料変更認可申請書

年　　月　　日

総務大臣又は経済産業大臣　殿

住所

氏名（法人にあっては、名称及び代表者の氏名。記名押印又は署名）

特定機器に係る適合性評価手続の結果の外国との相互承認の実施に関する法律施行令第 12 条第１項後段の規定による変更の認可を受けたいので、下記のとおり申請します。

記

１　手数料の額
２　調査１件当たりに要する人件費、事務費その他の経費、旅費（鉄道賃、船賃、航空賃及び車賃をいう。）、日当及び宿泊料の額
３１の算出方法

備考１　不要の文字は、抹消すること。
　　２　この用紙の大きさは、日本工業規格に定めるＡ列４番とすること。
　　３　１から３までは、変更前及び変更後を対照して記載すること。
　　４　２は、調査を行う場所によって変動する額については、申請者が有する規程等を添付することにより記載事項に代えることができる。

参考 5

相互承認に関する日本国と欧州共同体との間の協定をここに公布する。

御　名　　御　璽

平成 13 年 11 月 30 日

内閣総理大臣　小泉純一郎

条約 第 11 号

相互承認に関する日本国と欧州共同体との間の協定

日本国及び欧州共同体（以下「締約者」という。）は、

日本国と欧州共同体との間の伝統的な友好関係を考慮し、

両締約者の相互の市場への進出を容易にし及び貿易を促進する上で適合性評価手続の結果を相互に承認することが重要であることを認識し、

公衆の健康及び安全を確保し並びに環境を保全するために製品の質を向上させることについての共通の関心を考慮し、

経済協力開発機構の優良試験所基準（ＧＬＰ）原則を認識し、

日本国と欧州共同体との間における長期間の有益な相互協力が優良製造所基準（ＧＭＰ）要件の国際的な発展及び調和に貢献してきたことを想起し、

規格の国際的な調和の促進を図る上で相互承認のための合意が積極的に寄与し得ることを認識し、

世界貿易機関の加盟国として両締約者が負う義務に留意し、特に、世界貿易機関を設立するマラケシュ協定（以下「世界貿易機関設立協定」という。）附属書 1A 貿易の技術的障害に関する協定（以下「貿易の技術的障害に関する協定」という。）及び附属書 1C 知的所有権の貿易関連の側面に関する協定（以下「知的所有権の貿易関連の側面に関する協定」という。）に基づく両締約者の義務を認識して、

次のとおり協定した。

第 1 条

1　この協定の適用上、

(a)　「適合性評価手続」とは、製品又は工程が締約者の関係法令及びこれらの運用のための規則（以下「運用規則」という。）に定める関連の技術上の要件を満たすかどうかについて、直接又は間接に決定するためのすべての手続をいう。

(b)　「適合性評価機関」とは、適合性評価手続を実施する機関をいう。「登録を受けた適合性評価機関」とは、第 9 条の規定に基づいて登録を受けた適合性評価機関をいう。

(c)　「指定」とは、一方の締約者の指定当局が当該一方の締約者の関係法令及び運用規則に従って行う適合性評価機関の指定をいう。

(d)　「指定当局」とは、一方の締約者の当局であって、他方の締約者の関係法令及び運用規則に定める要件に基づく適合性評価手続を実施し及び当該一方の締約者の領域に所在する適合性評価機関の指定、監視、指定の取消し、指定の効力の停止及び指定の効力の停止の解除を行う権限を有するものをいう。

(e)　「指定基準」とは、一方の締約者の指定当局による指定を受けるために当該一方の締約者の適合性評価機関が満たすことを要求される基準及び指定を受けた適合性評価機関が当該指定の後に継続して満たすことを要求されるその他の関連する条件であって、関連の分野別附属書に特定する他方の締約者の関係法令及び運用規則に定めるものをいう。

(f)　「確認」とは、一方の締約者の権限のある当局が当該一方の締約者の関係法令及び運用規則に従って行う製造施設又は試験施設（以下「施設」という。）が確認基準を満たしていることの確認をいう。

(g)　「権限のある当局」とは、一方の締約者の当局であって、当該一方の締約者の領域に所在する施設が当該一方の締約者の関係法令及び運用規則に定める確認基準を満たしていることの確認を行うために、当該施設に対する検査又はその試験の監査を実施する権限を有するものをいう。

(h)　「確認基準」とは、一方の締約者の権限のある当局による確認を受けるために当該一方の締約者の施設が継続して満たすことを要求される基準であって、関連の分野別附属書に特定する当該一方の締約者の関係法令及び運用規則に定めるものをいう。

(I)　「検証」とは、監査、検査その他の方法により、適合性評価機関が指定基準を、施設が確認基準をそれぞれ満たしていることを締約者の領域内において検証する行為をいう。

2　この条に別段の定義がある場合を除くほか、この協定におけるいずれの用語も、国際標準化機構・国際電気標準会議指針書第二巻（ＩＳＯ・ＩＥＣガイド 2）の 1996 年版（「標準化及び関連する活動に関する一般的用語」）において与えられている意味を有する。

第 2 条

1　各締約者は、関連の分野別附属書に特定する当該締約者の関係法令及び運用規則によって要求される適合性評価手続であって、他方の締約者の登録を受けた適合性評価機関が実施するものの結果（当該結果の証明書及び表示を含む。）を、この協定の規定に従って受け入れる。

2　各締約者は、この協定の規定に従って次のものを受け入れる。

(a)　他方の締約者の権限のある当局が検証の結果に基づき、関連の分野別附属書に特定する当該他方の締約者の関係法令及び運用規則に定める確認基準に即して行う施設の確認

(b)　他方の締約者の確認を受けた施設が作成するデータ

第 3 条

1　この協定は、適合性評価機関の指定及び製品又は工程の適合性評価手続並びに施設の確認及び施設が作成するデータであって、分野別附属書に規定するものに適用する。分野別附属書は、それぞれ、第Ａ部及び第Ｂ部から成る。

2　分野別附属書第Ａ部は、特に、対象範囲を定める規定を含む。

3　分野別附属書第Ｂ部は、次の内容を定める。

(a)　対象範囲に関する各締約者の関係法令及び運用規則

(b)　技術上の要件及び当該要件を満たすためのすべての適合性評価手続であってこの協定に規定するもの並びに適合性評価機関の指定基準を定める各締約者の関係法令及び運用規則又は施設の確認基準であってこの協定に規定するものを定める各締約者の関係法令

及び運用規則

(c)　指定当局又は権限のある当局の表

第 4 条

1　各締約者は、自己の指定当局が、関連の分野別附属書に特定する他方の締約者の関係法令及び運用規則に定める要件に基づく適合性評価手続を実施する適合性評価機関の指定、検証その他の監視、指定の取消し、指定の効力の停止及び指定の効力の停止の解除を行うために必要な権限を有することを確保する。

2　各締約者は、自己の権限のある当局が、関連の分野別附属書に特定する当該締約者の関係法令及び運用規則に定める確認基準を施設が満たしていることの確認を行うための施設の検証を当該締約者の関係法令及び運用規則に従って実施するために必要な権限を有することを確保する。

第 5 条

1　各締約者は、登録を受けた適合性評価機関が関連の分野別附属書に特定する他方の締約者の関係法令及び運用規則に定める指定基準を満たすことを、監査、検査、監視その他適切な方法を通じて確保する。一方の締約者の指定当局は、適合性評価機関の指定基準を適用するに際し、他方の締約者の関係法令及び運用規則に定める要件についての適合性評価機関の理解及び経験について考慮を払うべきである。

2　各締約者は、確認を受けた施設が関連の分野別附属書に特定する当該締約者の関係法令及び運用規則に定める確認基準を満たすことを、当該締約者の関係法令及び運用規則に従い、かつ、試験の監査、検査、監視その他適切な方法を通じて確保する。

3　各締約者は、他方の締約者に対し、登録を受けた適合性評価機関又は確認を受けた施設が関連の分野別附属書に特定する関係法令及び運用規則に定める指定基準又は確認基準をそれぞれ満たしているかどうかについて理由を示した疑義を書面により提示することにより、適合性評価機関又は施設に対する検証を当該他方の締約者の法令及び運用規則に従って実施するよう要請することができる。

4　各締約者は、他方の締約者の要請により、当該他方の締約者の検証手続についての継続的な理解を維持するために、当該他方の締約者の指定当局が行う適合性評価機関の検証又は権限のある当局が行う施設の検証に当該適合性評価機関又は当該施設のそれぞれの事前の同意を得てオブザーバーとして参加することができる。

5　両締約者は、適合性評価機関の指定を行うために使用し、登録を受けた適合性評価機関が指定基準を満たすことを確保する方法（第三者の与える保証による方法を含む。）に関する情報及び確認を受けた施設が確認基準を満たすことを確保する方法に関する情報を、第 8 条の規定に従って設立される合同委員会が決定する手続に従って交換する。

6　各締約者は、自己の登録を受けた適合性評価機関が他方の締約者の適合性評価機関と協力するよう奨励すべきである。

第 6 条

1　登録を受けた適合性評価機関の指定の効力を停止した場合には、指定の効力を停止した指定当局の締約者は、その旨を直ちに他方の締約者及び合同委員会に通報する。当該適合性評価機関の登録は、その通報を合同委員会における当該他方の締約者の共同議長が受領した時に、その効力を停止する。当該他方の締約者は、当該適合性評価機関の指定の効力が停止された時までの間において実施した適合性評価手続の結果を受け入れ

る。

2　登録を受けた適合性評価機関の指定の効力の停止を解除した場合には、指定の効力の停止を解除した指定当局の締約者は、その旨を直ちに他方の締約者及び合同委員会に通報する。当該適合性評価機関の登録の効力の停止は、その通報を合同委員会における当該他方の締約者の共同議長が受領した時に解除される。当該他方の締約者は、当該適合性評価機関の登録の効力の停止が解除された時以降において実施した適合性評価手続の結果を受け入れる。

第 7 条

1　各締約者は、他方の締約者の登録を受けた適合性評価機関又は確認を受けた施設が関連の分野別附属書に特定する関係法令及び運用規則に定める指定基準又は確認基準をそれぞれ満たしていることについて、異議を申し立てることができる。この異議の申立ては、当該申立ての理由に関する客観的な説明を付して、書面により合同委員会及び当該他方の締約者に通報されるものとする。合同委員会は、その通報が行われた日の後 20 日以内に当該申立てについて検討する。

2　合同委員会が合同検証を実施することを決定した場合には、両締約者は、異議の申立ての対象となった適合性評価機関を指定した指定当局の参加及び当該適合性評価機関の事前の同意を得て、時宜を失することなく合同検証を行う。合同委員会は、できる限り速やかに問題を解決するため、当該合同検証の結果を検討する。

3　異議の申立ての対象となった適合性評価機関の登録は、当該申立ての通報が行われた日の後 15 日目の日又は合同委員会が登録の効力の停止を決定する日のうちいずれか早い方の日から合同委員会が当該適合性評価機関の登録の効力の停止の解除を決定する時までの間、その効力を停止する。登録の効力が停止された場合であっても、異議の申立てを行った締約者は、適合性評価機関が登録の効力を停止された日までの間において実施した適合性評価手続の結果を受け入れる。

4　合同委員会は、施設についての異議の申立てに関する問題をできる限り速やかに解決するため、一方の締約者又は両締約者がとる措置を決定する。

5　施設についての異議の申立てを行った締約者は、合同委員会における他方の締約者の共同議長が 1 にいう通報を受領した日から合同委員会が別段の決定を行う日までの間においては、当該申立ての対象となった施設の確認及び当該施設が作成したデータの受入れを義務付けられるものではない。

第 8 条

1　この協定の効果的な運用について責任を負う機関として、両締約者の代表から成る合同委員会をこの協定の効力が生ずる日に設立する。

2　合同委員会は、決定及び勧告の採択をコンセンサス方式によって行う。合同委員会は、一方の締約者の要請により、両締約者の共同議長の下で会合する。合同委員会は、小委員会を設立し、これらの小委員会に対して特定の任務を行わせることができる。合同委員会は、自己の手続規則を採択する。

3　合同委員会は、この協定の運用に関するすべての事項を検討することができる。合同委員会は、特に、次の事項について責任を負い、又は決定する。

(a)　適合性評価機関の登録、登録の効力の停止、登録の効力の停止の解除及び登録の取消し

(b)　登録を受けた適合性評価機関及び確認を受けた施設の表を分野ごとに作成し、別段の決定を行う場合を除くほか、これを公表すること。

(c)　この協定に規定する情報の交換を行うための適切な方法の確立

(d)　前条2及び次条1(c)に規定する合同検証を実施するための各締約者の専門家の任命

4　この協定の解釈又は適用において問題が生じた場合には、両締約者は、合同委員会を通じて友好的な解決を図るように努める。

5　合同委員会は、新たな分野別附属書についての交渉の調整及び促進に責任を負う。

6　各締約者は、少なくとも毎年、自己の確認を受けた施設の表を他方の締約者及び合同委員会に提出する。

7　合同委員会のすべての決定は、書面により各締約者に速やかに通報されるものとする。

8　両締約者は、合同委員会を通じて、次のことを行う。

(a)　分野別附属書に特定する関係法令及び運用規則のうち、この協定に関連する条項又は附属書を特定し、相互に通報すること。

(b)　分野別附属書に特定する関係法令及び運用規則の実施に関する情報を交換すること。

(c)　この協定に関連する法令及び運用規則について予定される何らかの変更を、当該変更の効力が生ずる前に相互に通報すること。

(d)　指定当局、権限のある当局、登録を受けた適合性評価機関及び確認を受けた施設について予定される何らかの変更を相互に通報すること。

第9条

1　適合性評価機関の登録には、次の手続を適用する。

(a)　各締約者は、自己の指定当局による指定を受けた自己の適合性評価機関をこの協定に基づいて登録することを、必要な書類を付した書面を提出することにより、他方の締約者及び合同委員会に提案する。

(b)　他方の締約者は、提案の対象となった適合性評価機関が関連の分野別附属書に特定する当該他方の締約者の関係法令及び運用規則に定める指定基準を満たしているかどうかについて検討し、当該適合性評価機関の登録についての自己の立場を(a)の規定による提案の受領の日から 90 日以内に表明する。当該他方の締約者は、当該提案の対象となった適合性評価機関が当該指定基準を満たしている旨の推定の下にこの検討を行うべきである。合同委員会は、当該提案の対象となった適合性評価機関を登録するかどうかを当該提案の受領の日から 90 日以内に決定する。

(c)　提案の対象となった適合性評価機関の登録を決定することができない場合には、合同委員会は、当該適合性評価機関の事前の同意を得て当該適合性評価機関に対する合同検証を実施すること又は当該提案を行った締約者が当該適合性評価機関に対する検証を実施するよう要請することを決定することができる。合同委員会は、この合同検証又は検証が終了した後、当該提案を再検討することができる。

2　適合性評価機関の登録の提案を行う締約者は、その提案において次の情報を提供し、常にこれを更新する。

(a)　当該適合性評価機関の名称及び住所

(b)　当該適合性評価機関による評価の対象である製品又は工程

(c)　当該適合性評価機関の実施する適合性評価手続

(d) 当該適合性評価機関が指定基準を満たす旨の決定に際して用いた指定手続及び必要とした情報

3 各締約者は、自己の登録を受けた適合性評価機関が関連の分野別附属書に特定する他方の締約者の関係法令及び運用規則に定める指定基準を満たさなくなったと自己の指定当局が認める時点において当該適合性評価機関の指定を取り消すことを確保する。

4 各締約者は、自己の適合性評価機関が関連の分野別附属書に特定する他方の締約者の関係法令及び運用規則に定める指定基準を満たさなくなったと認めその他自己の指定当局が適合性評価機関の指定を取り消す時点において、当該適合性評価機関の登録の取消しを合同委員会及び当該他方の締約者に提案する。当該適合性評価機関の登録は、合同委員会が別段の決定を行う場合を除くほか、合同委員会における当該他方の締約者の共同議長がこの提案を受領した時に取り消される。

5 一方の締約者の適合性評価機関が新たに登録を受けた場合には、他方の締約者は、当該適合性評価機関が登録を受けた日以降に実施した適合性評価手続の結果を受け入れる。一方の締約者の適合性評価機関の登録が取り消された場合であっても、他方の締約者は、第 6 条 1 及び第 7 条 3 の規定の適用を妨げることなく、当該適合性評価機関が登録を取り消された時までの間において実施した適合性評価手続の結果を受け入れる。

第 10 条

1 この協定のいかなる規定も、締約者が健康若しくは安全の保護、環境の保全又は詐欺的な行為の防止のために適当と認める措置をとる権限を制限するものと解してはならない。

2(a) 一方の締約者の権限のある当局は、(b)の規定により決定される緊急の必要性が生じた場合において、他方の締約者の製造施設の確認及び当該製造施設が作成したデータを引き続き第 2 条 2 の規定により受け入れるかどうかを決定する目的で、かつ、当該他方の締約者及び当該製造施設の同意を得ること並びに当該他方の締約者の求めがあるときには当該他方の締約者の権限のある当局の職員が同行することを条件として、当該製造施設を訪問することができる。この訪問は、当該他方の締約者の法令に反しない形式において、かつ、(b)の規定により決定される態様により行われる。当該一方の締約者は、自己の権限のある当局がこの訪問を通じて入手した情報については、この(a)に規定する目的に限ってこれを使用する。

(b) 合同委員会は、関連の分野別附属書に規定する準備作業として、(a)に規定する緊急の必要性の定義及び訪問の態様を決定する。

第 11 条

1 第 2 条 2 の規定の適用を妨げることなく、この協定のいかなる規定も、締約者の任意規格又は強制規格を相互に受け入れることを求めるものではない。

2 この協定のいかなる規定も、第三国の適合性評価手続の結果を受け入れる義務を締約者に課するものと解してはならない。

3 この協定のいかなる規定も、貿易の技術的障害に関する協定及び知的所有権の貿易関連の側面に関する協定を含む世界貿易機関設立協定の加盟国として各締約者が有する権利及び義務に影響を及ぼすものと解してはならない。

第 12 条

この協定は、日本国の領域及び欧州共同体を設立する条約が同条約に定める条件の下に

適用される領域に適用される。

第 13 条

いずれの締約者も、自己の法令により開示が義務付けられる場合を除くほか、この協定の下で秘密として入手した情報を開示してはならない。

第 14 条

1　この協定は、この協定の効力の発生のために必要なそれぞれの内部手続が完了した旨を相互に通知する外交上の公文を両締約者が交換する日の後 2 番目の月の初日に効力を生ずる。

2　いずれの締約者も、6 箇月前に他方の締約者に対して書面による通告を行うことにより、この協定を終了させることができる。

第 15 条

1　この協定の分野別附属書は、この協定の不可分の一部を成す。

2　分野別附属書第 A 部の規定とこの協定の第 1 条からこの条までの規定とが抵触する場合には、分野別附属書第 A 部の規定が優先する。

3(a)　分野別附属書第 A 部 1 の対象範囲に関する規定は、両締約者が(b)の第 1 文の規定に従ってこの協定を改正することなしに変更してはならない。

(b)　この協定は、両締約者の間の合意により改正することができる。もっとも、分野別附属書第 B 部に特定する関係法令及び運用規則又は指定当局若しくは権限のある当局の変更のみに係る改正については、それぞれの内部手続に従い日本国政府と欧州共同体との間の外交上の公文の交換を行うことにより、これを行うことができるものとする。

4　一方の締約者が、新たな又は追加的な適合性評価手続であって、同一の対象製品に関係し、かつ、分野別附属書に特定する関係法令及び運用規則に定める技術上の要件を満たすためのものを導入する場合には、3(b)の第 2 文に定める手続に従って、当該新たな又は追加的な適合性評価手続を定める関係法令及び運用規則を特定するために関連の分野別附属書第 B 部を改正する。

イタリア語、英語、オランダ語、ギリシャ語、スウェーデン語、スペイン語、デンマーク語、ドイツ語、日本語、フィンランド語、フランス語及びポルトガル語により 2 通の原本を作成した。相違がある場合には、英語及び日本語の本文による。

以上の証拠として、下名は、正当に委任を受けてこの協定に署名した。

2001 年 4 月 4 日にブラッセルで、作成した。

日本国のために

木村崇之

欧州共同体のために

グンナール・ルンド

M・P・カール

通信端末機器及び無線機器に関する分野別附属書

第 A 部

対象範囲

1　この分野別附属書は、第Ｂ部第 1 節に特定する各締約者の関係法令及び運用規則に定める通信端末機器及び無線機器であって、当該締約者において適合性評価機関が実施する適合性評価手続の対象となるすべてのものに関する適合性評価手続に適用する。

2　第Ｂ部にいう「改正」には、次のことを含むことが了解される。

(a)　一方の締約者が第Ｂ部に規定する自己の関係法令及び運用規則の全部又は一部を変更すること。この場合において、題名が変更されたかどうかを問わない。

(b)　一方の締約者が第Ｂ部に規定する自己の関係法令又は運用規則を廃止し、当該関係法令又は運用規則に代わる新たな法令又は運用規則を制定すること。この場合において、題名が変更されたかどうかを問わない。

(c)　一方の締約者が第Ｂ部に規定する自己の関係法令及び運用規則の全部又は関連部分を他の法令又は運用規則に組み入れること。

第Ｂ部

第 1 節　通信端末機器及び無線機器を定める関係法令及び運用規則

欧州共同体	日本国
1　無線機器及び通信端末機器並びにこれらの適合性の相互承認に関する 1999 年 3 月 9 日付けの欧州議会・閣僚理事会指令 1999・5・ＥＣ及びその改正	一　電気通信事業法（昭和 59 年法律第 86 号）及びその改正 二　端末機器の技術基準適合認定及び設計についての認証に関する規則（平成 11 年郵政省令第 14 号）及びその改正 三　電波法（昭和 25 年法律第 131 号）及びその改正 四　特定無線設備の技術基準適合証明に関する規則（昭和 56 年郵政省令第 37 号）及びその改正

第 2 節　技術上の要件及び適合性評価手続を定める関係法令及び運用規則

欧州共同体	日本国
1　無線機器及び通信端末機器並びにこれらの適合性の相互承認に関する千九百九十九年三月九日付けの欧州議会・閣僚理事会指令一九九九・五・ＥＣ及びその改正 2　電気安全性に関し、 この分野別附属書の対象となる機器に適用される限りにおいて、所定電圧の範囲内で使用するよう設計された電気機器に関する構成国の法律の調和に関する千九百七十三年二月十九日付けの閣僚理事会指令七三・二三・ＥＥＣ及びその改正 3　電磁両立性に関し、 この分野別附属書の対象となる機器に適用される限りにおいて、電磁両立性に関する構成国の法律の近似化に関する 1989 年 5 月 3 日付けの閣僚理事会指令 89・336・ＥＥＣ及びその改正	1　電気通信事業法（昭和 59 年法律第 86 号）及びその改正 2　端末設備等規則（昭和 60 年郵政省令第 31 号）及びその改正 3　端末機器の技術基準適合認定及び設計についての認証に関する規則（平成 11 年郵政省令第 14 号）及びその改正 4　電気通信事業法に基づく認定試験事業者等に関する省令（平成 11 年郵政省令第 15 号）及びその改正 5　電波法（昭和 25 年法律第 131 号）及びその改正 6　無線設備規則（昭和 25 年電波監理委員会規則第 18 号）及びその改正 7　特定無線設備の技術基準適合証明に関する規則（昭和 56 年郵政省令第 37 号）及びその改正 8　認定点検事業者等規則（平成九年郵政省令第 76 号）及びその改正

第３節　指定当局

欧州共同体	日本国
欧州共同体の指定当局は、欧州共同体の構成国の次の当局又はこれを承継する当局とする。 ベルギー 　ベルギー郵政院 　電磁両立性に関し、 　経済省 デンマーク 　電気通信庁 ドイツ 　連邦経済技術省 ギリシャ 　運輸通信省 スペイン 　科学技術省基幹施設・技術基準部 フランス 　経済財政産業省産業・情報技術・郵政総局（ＤＩＧＩＴＩＰ） アイルランド 　公営企業省 イタリア 　産業商業手工業省 ルクセンブルグ 　郵政公社 オランダ 　運輸公共事業省 オーストリア 　連邦交通技術革新科学技術省 ポルトガル 　ポルトガル通信院 フィンランド 　運輸通信省 スウェーデン 　スウェーデン政府の権限の下に、 　認定適合性評価庁（ＳＷＥＤＡＣ） 連合王国 　貿易産業省	日本国の指定当局は、次の当局又はこれを承継する当局とする。 無線機器及び通信端末機器並びにこれらの適合性の相互承認に関する1999年３月９日付けの欧州議会･閣僚理事会指令 1999・5・ＥＣ及びその改正に関し、 　総務省 電磁両立性に関する構成国の法律の近似化に関する 1989 年５月３日付けの閣僚理事会指令 89・336・ＥＥＣ及びその改正並びに所定電圧の範囲内で使用するよう設計された電気機器に関する構成国の法律の調和に関する1973年２月19日付けの閣僚理事会指令 73･23･ＥＥＣ及びその改正に関し、 　総務省 　経済産業省

第４節　指定基準を定める関係法令及び運用規則

欧州共同体の要件に即して適合性評価を実施する適合性評価機関の指定において日本国が適用する基準	日本国の要件に即して適合性評価を実施する適合性評価機関の指定において欧州共同体が適用する基準
１　無線機器及び通信端末機器並びにこれらの適合性の相互承認に関する 1999 年３月９日付けの欧州議会・閣僚理事会指令 1999・5・ＥＣ及	１　電気通信事業法（昭和 59 年法律第 86 号）及びその改正 ２　端末機器の技術基準適合認定及

びその改正 2　所定電圧の範囲内で使用するよう設計された電気機器に関する構成国の法律の調和に関する 1973 年 2 月 19 日付けの閣僚理事会指令 73・23・ＥＥＣ及びその改正 3　電磁両立性に関する構成国の法律の近似化に関する 1989 年 5 月 3 日付けの閣僚理事会指令 89・336・ＥＥＣ及びその改正 4　技術的調和に関する指令において使用される適合性評価手続の各段階のモジュール並びにＣＥ適合表示の添付及び使用の規則に関する 1993 年 7 月 22 日付けの閣僚理事会決定 93・465・ＥＥＣ及びその改正が考慮されるものである。	び設計についての認証に関する規則（平成 11 年郵政省令第 14 号）及びその改正 3　電気通信事業法に基づく認定試験事業者等に関する省令（平成 11 年郵政省令第 15 号）及びその改正 4　電波法（昭和 25 年法律第 131 号）及びその改正 5　特定無線設備の技術基準適合証明に関する規則（昭和 56 年郵政省令第 37 号）及びその改正 6　認定点検事業者等規則（平成 9 年郵政省令第 76 号）及びその改正

電気製品に関する分野別附属書

第Ａ部

対象範囲

1　この分野別附属書は、第Ｂ部第 1 節に特定する各締約者の関係法令及び運用規則に定める電気製品であって、当該締約者において適合性評価機関が実施する適合性評価手続の対象となるすべてのものに関する適合性評価手続に適用する。

2　第Ｂ部にいう「改正」には、次のことを含むことが了解される。

(a)　一方の締約者が第Ｂ部に規定する自己の関係法令及び運用規則の全部又は一部を変更すること。この場合において、題名が変更されたかどうかを問わない。

(b)　一方の締約者が第Ｂ部に規定する自己の関係法令又は運用規則を廃止し、当該関係法令又は運用規則に代わる新たな法令又は運用規則を制定すること。この場合において、題名が変更されたかどうかを問わない。

(c)　一方の締約者が第Ｂ部に規定する自己の関係法令及び運用規則の全部又は関連部分を他の法令又は運用規則に組み入れること。

第Ｂ部

第 1 節　電気製品を定める関係法令及び運用規則

欧州共同体	日本国
1　所定電圧の範囲内で使用するよう設計された電気機器に関する構成国の法律の調和に関する 1973 年 2 月 19 日付けの閣僚理事会指令 73・23・ＥＥＣ及びその改正（通信端末機器及び無線機器に関する分野別附属書に規定する機器に関する部分を除く。） 2　前記の製品のうち電磁両立性が関係するものに関し、電磁両立性に関する構成国の法律の近似化に関する 1989 年 5 月 3 日付けの閣僚理事会指令 89・336・ＥＥＣ及びその改正	1　電気用品安全法（昭和 36 年法律第 234 号）及びその改正 2　電気用品安全法施行令（昭和 37 年政令第 324 号）及びその改正

第Ｂ部

第１節　電気製品を定める関係法令及び運用規則

欧州共同体	日本国
1　所定電圧の範囲内で使用するよう設計された電気機器に関する構成国の法律の調和に関する1973年2月19日付けの閣僚理事会指令73・23・ＥＥＣ及びその改正（通信端末機器及び無線機器に関する分野別附属書に規定する機器に関する部分を除く。） 2　前記の製品のうち電磁両立性が関係するものに関し、電磁両立性に関する構成国の法律の近似化に関する1989年5月3日付けの閣僚理事会指令89・336・ＥＥＣ及びその改正	1　電気用品安全法(昭和36年法律第234号）及びその改正 2　電気用品安全法施行令（昭和37年政令第324号）及びその改正

第２節　技術上の要件及び適合性評価手続を定める関係法令及び運用規則

欧州共同体	日本国
1　所定電圧の範囲内で使用するよう設計された電気機器に関する構成国の法律の調和に関する1973年2月19日付けの閣僚理事会指令73・23・ＥＥＣ及びその改正 2　この分野別附属書の対象となる機器に適用される限りにおいて、電磁両立性に関する構成国の法律の近似化に関する1989年5月3日付けの閣僚理事会指令89・336・ＥＥＣ及びその改正	1　電気用品安全法（昭和36年法律第234号）及びその改正 2　電気用品安全法施行規則（昭和37年通商産業省令第84号）及びその改正 3　電気用品の技術上の基準を定める省令（昭和37年通商産業省令第85号）及びその改正 4　電気用品の技術上の基準を定める省令の取扱細則（昭和50年50資公部第192号）及びその改正

第３節　指定当局

欧州共同体	日本国
欧州共同体の指定当局は、欧州共同体の構成国の次の当局又はこれを承継する当局とする。 ベルギー 　経済省 デンマーク 　都市住宅省 　電磁両立性に関し、 　電気通信庁 ドイツ 　連邦労働社会省 　電磁両立性に関し、 　連邦経済技術省 ギリシャ 　開発省 スペイン 　科学技術省品質工業安全部 フランス 　経済財政産業省産業・情報技術・郵政総局（ＤＩＧＩＴＩＰ） アイルランド 　企業貿易雇用省 イタリア	経済産業省又はこれを承継する当局

産業商業手工業省 ルクセンブルグ 運輸省 オランダ 運輸公共事業省 オーストリア 連邦経済労働省 ポルトガル ポルトガル政府の権限の下に、 ポルトガル品質管理院（ＩＰＱ） フィンランド 商工省 スウェーデン スウェーデン政府の権限の下に、 認定適合性評価庁（ＳＷＥＤＡＣ） 連合王国 貿易産業省	

第 4 節　指定基準を定める関係法令及び運用規則

欧州共同体の要件に即して適合性評価を実施する適合性評価機関の指定において日本国が適用する基準	日本国の要件に即して適合性評価を実施する適合性評価機関の指定において欧州共同体が適用する基準
1　所定電圧の範囲内で使用するよう設計された電気機器に関する構成国の法律の調和に関する 1973 年 2 月 19 日付けの閣僚理事会指令 73・23・ＥＥＣ及びその改正 2　電磁両立性に関する構成国の法律の近似化に関する 1989 年 5 月 3 日付けの閣僚理事会指令 89・336・ＥＥＣ及びその改正 3　技術的調和に関する指令において使用される適合性評価手続の各段階のモジュール並びにＣＥ適合表示の添付及び使用の規則に関する 1993 年 7 月 22 日付けの閣僚理事会決定 93・465・ＥＥＣ及びその改正が考慮されるものである。	1　電気用品安全法（昭和 36 年法律第 234 号）及びその改正 2　電気用品安全法施行令（昭和 37 年政令第 324 号）及びその改正 3　電気用品安全法施行規則（昭和 37 年通商産業省令第 84 号）及びその改正

参考 6　RE 指令

L 153/62 EN Official Journal of the European Union 22.5.2014

DIRECTIVE 2014/53/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 16 April 2014

on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the Economic and Social Committee [1],

Acting in accordance with the ordinary legislative procedure [2],

Whereas:

(1) Directive 1999/5/EC of the European Parliament and of the Council [3] has been substantially amended several times. Since further amendments are to be made, it should be replaced in the interests of clarity.

(2) Regulation (EC) No 765/2008 of the European Parliament and of the Council [4] lays down rules on the accreditation of conformity assessment bodies, provides a framework for the market surveillance of products and for controls on products from third countries, and lays down the general principles of the CE marking.

(3) Decision No 768/2008/EC of the European Parliament and of the Council [5] lays down common principles and reference provisions intended to apply across sectoral legislation in order to provide a coherent basis for revision or recasts of that legislation. Directive 1999/5/EC should therefore be adapted to that Decision.

(4) The essential requirements laid down in Directive 1999/5/EC which are relevant to fixed-line terminal equipment, i.e. to ensure the protection of health and safety of persons and of domestic animals and the protection of property and an adequate level of electromagnetic compatibility, are appropriately covered by Directive 2014/35/EU of the European Parliament and of the Council [6] and Directive 2014/30/EU of the European Parliament and of the Council [7]. This Directive should therefore not apply to fixed-line terminal equipment.

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(1) OJ C 133, 9.5.2013, p. 58.
(2) Position of the European Parliament of 13 March 2014 (not yet published in the Official Journal) and decision of the Council of 14 April 2014.
(3) Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity (OJ L 91, 7.4.1999, p. 10).
(4) Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).
(5) Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC (OJ L 218, 13.8.2008, p. 82).
(6) Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (OJ L 96, 29.3.2014, p. 357).
(7) Directive 2014/30/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility (OJ L 96, 29.3.2014, p. 79).

(5) Competition issues in the market for terminal equipment are appropriately covered by Commission Directive 2008/63/EC [1], in particular through the obligation for national regulatory authorities to ensure the publication of details of technical interface specifications for network access. It is therefore not necessary to include in this Directive requirements facilitating competition in the market for terminal equipment covered by Directive 2008/63/EC.

(6) Equipment which intentionally emits or receives radio waves for the purpose of radio communication or radiodetermination makes systematic use of radio spectrum. In order to ensure an efficient use of radio spectrum so as to avoid harmful interference, all such equipment should fall within the scope of this Directive.

(7) The objectives with respect to safety requirements laid down in Directive 2014/35/EU are sufficient to cover radio equipment, and should therefore be the reference and made applicable by virtue of this Directive. In order to avoid unnecessary duplications of provisions other than those concerning such requirements, Directive 2014/35/EU should not apply to radio equipment.

(8) The essential requirements in the area of electromagnetic compatibility laid down by Directive 2014/30/EU are sufficient to cover radio equipment, and should therefore be the reference and made applicable by virtue of this Directive. In order to avoid unnecessary duplications of provisions other than those concerning essential requirements, Directive 2014/30/EU should not apply to radio equipment.

(9) This Directive should apply to all forms of supply, including distance selling.

(10) In order to ensure that radio equipment uses the radio spectrum effectively and supports the efficient use of radio spectrum, radio equipment should be constructed so that: in the case of a transmitter, when the transmitter is properly installed, maintained and used for its intended purpose it generates radio waves emissions that do not create harmful interference, while unwanted radio waves emissions generated by the transmitter (e.g. in adjacent channels) with a potential negative impact on the goals of radio spectrum policy should be limited to such a level that, according to the state of the art, harmful interference is avoided; and, in the case of a receiver, it has a level of performance that allows it to operate as intended and protects it against the risk of harmful interference, in particular from shared or adjacent channels, and, in so doing, supports improvements in the efficient use of shared or adjacent channels.

(11) Although receivers do not themselves cause harmful interference, reception capabilities are an increasingly important factor in ensuring the efficient use of radio spectrum by way of an increased resilience of receivers against harmful interference and unwanted signals on the basis of the relevant essential requirements of Union harmonisation legislation.

(12) Interworking via networks with other radio equipment and connection with interfaces of the appropriate type throughout the Union is necessary in some cases. Interoperability between radio equipment and accessories such as chargers simplifies the use of radio equipment and reduces unnecessary waste and costs. A renewed effort to develop a common charger for particular categories or classes of radio equipment is necessary, in particular for the benefit of consumers and other end-users; this Directive should therefore include specific requirements in that area. In particular, mobile phones that are made available on the market should be compatible with a common charger.

(13) The protection of personal data and privacy of users and of subscribers of radio equipment and the protection from fraud may be enhanced by particular features of radio equipment. Radio equipment should therefore in appropriate cases be designed in such a way that it supports those features.

[1] Commission Directive 2008/63/EC of 20 June 2008 on competition in the markets in telecommunications terminal equipment (OJ L 162, 21.6.2008, p. 20).

(14) Radio equipment can be instrumental in providing access to emergency services. Radio equipment should therefore in appropriate cases be designed in such a way that it supports the features required for access to those services.

(15) Radio equipment is important to the well-being and employment of people with disabilities, who represent a substantial and growing proportion of the population of Member States. Radio equipment should therefore in appropriate cases be designed in such a way that people with disabilities may use it without or with only minimal adaptation.

(16) The compliance of some categories of radio equipment with the essential requirements set out in this Directive may be affected by the inclusion of software or modification of its existing software. The user, the radio equipment or a third party should only be able to load software into the radio equipment where this does not compromise the subsequent compliance of that radio equipment with the applicable essential requirements.

(17) In order to supplement or amend certain non-essential elements of this Directive, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

(18) In order to effectively address the needs related to interoperability, protection of personal data and privacy of the user and of the subscriber, protection from fraud, access to emergency services, use by users with a disability or the prevention of non-compliant combinations of radio equipment and software, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of the specification of categories or classes of radio equipment that have to comply with one or more of the additional essential requirements set out in this Directive which address those needs.

(19) Verification by radio equipment of the compliance of its combination with software should not be abused in order to prevent its use with software provided by independent parties. The availability to public authorities, manufacturers and users of information on the compliance of intended combinations of radio equipment and software should contribute to facilitate competition. In order to achieve those objectives, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of the specification of categories or classes of radio equipment for which manufacturers have to provide information on the compliance of intended combinations of radio equipment and software with the essential requirements set out in this Directive.

(20) A requirement to register in a central system radio equipment to be placed on the market may enhance the efficiency and effectiveness of market surveillance and thereby contribute to ensuring a high level of compliance with this Directive. Such a requirement entails additional burden to economic operators and should therefore be introduced only for those categories of radio equipment where a high level of compliance has not been attained. In order to ensure the application of such a requirement, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of the specification of the categories of radio equipment which manufacturers have to register within a central system and the elements of the technical documentation to be provided on the basis of the information on the compliance of radio equipment to be provided by Member States and following an evaluation of the risk of non-implementation of the essential requirements.

(21) Radio equipment which complies with the relevant essential requirements should be allowed to circulate freely. Such equipment should be allowed to be put into service and used for its intended purpose, where applicable in accordance with rules on authorisations for the use of radio spectrum and the provision of the service concerned.

(22) In order to avoid unnecessary barriers to trade in radio equipment within the internal market, Member States should notify, under Directive 98/34/EC of the European Parliament and of the Council [1], other Member States and the Commission of their projects in the area of technical regulations, such as radio interfaces, unless those technical regulations allow Member States to comply with binding Union acts such as Commission decisions on the harmonised use of radio spectrum adopted under Decision No 676/2002/EC of the European Parliament and of the Council [2], or where they correspond to radio equipment which can be put into service and used without restrictions within the Union.

(23) The provision of information on the equivalence of regulated radio interfaces and their conditions of use reduces barriers for the access of radio equipment to the internal market. The Commission should therefore assess and establish the equivalence of regulated radio interfaces and make such information available in the form of radio equipment classes.

(24) In accordance with Commission Decision 2007/344/EC [3], Member States are to use the Frequency Information System (EFIS) of the European Communications Office (ECO) in order to make comparable information regarding the use of radio spectrum in each Member State available to the public via the internet. Manufacturers can search in EFIS frequency information for all Member States prior to the placing on the market of radio equipment and thereby evaluate whether and under which conditions such radio equipment may be used within each Member State. There is therefore no need to include in this Directive additional provisions, such as prior notification, allowing manufacturers to be informed of the conditions of use of radio equipment using non-harmonised frequency bands.

(25) For the purpose of promotion of research and demonstration activities it should be possible, in the context of trade fairs, exhibitions and similar events, to display radio equipment which does not comply with this Directive and cannot be placed on the market, on the condition that exhibitors ensure that sufficient information is provided to the visiting public.

(26) Economic operators should be responsible for the compliance of radio equipment with this Directive, in relation to their respective roles in the supply chain, so as to ensure a high level of protection of health and safety of persons and of domestic animals, and the protection of property, an adequate level of electromagnetic compatibility, an effective and efficient use of radio spectrum and, where necessary, a high level of protection of other public interests, and to guarantee fair competition on the Union market.

(27) All economic operators intervening in the supply and distribution chain should take appropriate measures to ensure that they only make available on the market radio equipment which is in conformity with this Directive. It is necessary to provide for a clear and proportionate distribution of obligations which correspond to the role of each economic operator in the supply and distribution chain.

(28) In order to facilitate communication between economic operators, market surveillance authorities and consumers, Member States should encourage economic operators to include a website address in addition to the postal address.

(29) The manufacturer, having detailed knowledge of the design and production process, is best placed to carry out the conformity assessment procedure. Conformity assessment should therefore remain solely the obligation of the manufacturer.

[1] 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 (OJ L 204, 21.7.1998, p. 37).

[2] Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision) (OJ L 108, 24.4.2002, p. 1).

[3] Commission Decision 2007/344/EC of 16 May 2007 on harmonised availability of information regarding spectrum use within the Community (OJ L 129, 17.5.2007, p. 67).

(30) The manufacturer should provide sufficient information on the intended use of the radio equipment so as to allow its use in compliance with the essential requirements. Such information may need to include a description of accessories such as antennas and of components such as software, and specifications of the installation process of the radio equipment.

(31) The requirement laid down in Directive 1999/5/EC to include an EU declaration of conformity with equipment has been found to simplify and to enhance the information and the efficiency of market surveillance. The possibility to provide a simplified EU declaration of conformity has allowed the burden associated with this requirement to be reduced without reduction of its effectiveness, and should therefore be provided for within this Directive. Furthermore, in order to ensure easy and efficient access to an EU declaration of conformity, including a simplified EU declaration of conformity, it should be possible to affix it to the packaging of the radio equipment concerned.

(32) It is necessary to ensure that radio equipment from third countries entering the Union market complies with this Directive, and in particular that appropriate conformity assessment procedures have been carried out by manufacturers with regard to that radio equipment. Provision should therefore be made for importers to make sure that the radio equipment they place on the market complies with the requirements of this Directive and that they do not place on the market radio equipment which does not comply with such requirements or presents a risk. Provision should also be made for importers to make sure that conformity assessment procedures have been carried out and that marking of radio equipment and documentation drawn up by manufacturers are available for inspection by the competent national authorities.

(33) When placing radio equipment on the market, every importer should indicate on the radio equipment his name, registered trade name or registered trade mark and the postal address at which he can be contacted. Exceptions should be provided for in cases where the size or nature of the radio equipment does not allow it. This includes cases where the importer would have to open the packaging in order to put his name and address on the radio equipment.

(34) The distributor makes radio equipment available on the market after it has been placed on the market by the manufacturer or the importer and should act with due care to ensure that its handling of the radio equipment does not adversely affect the compliance of the radio equipment.

(35) Any economic operator that either places radio equipment on the market under his own name or trade mark or modifies radio equipment in such a way that compliance with this Directive may be affected should be considered to be the manufacturer and should assume the obligations of the manufacturer.

(36) Distributors and importers, being close to the market place, should be involved in market surveillance tasks carried out by the competent national authorities, and should be prepared to participate actively, providing those authorities with all necessary information relating to the radio equipment concerned.

(37) Ensuring traceability of radio equipment throughout the whole supply chain helps to make market surveillance simpler and more efficient. An efficient traceability system facilitates market surveillance authorities' task of tracing economic operators who made non-compliant radio equipment available on the market. When keeping the information required under this Directive for the identification of other economic operators, economic operators should not be required to update such information in respect of other economic operators who have either supplied them with radio equipment or to whom they have supplied radio equipment.

(38) This Directive should be limited to the expression of essential requirements. In order to facilitate conformity assessment with those requirements it is necessary to provide for a presumption of conformity for radio equipment which is in conformity with harmonised standards that are adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council [1] for the purpose of expressing detailed technical specifications of those requirements.

[1] Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12).

(39) Regulation (EU) No 1025/2012 provides for a procedure for objections to harmonised standards where those standards do not entirely satisfy the requirements of this Directive.

(40) In order to enable economic operators to demonstrate and the competent authorities to ensure that radio equipment made available on the market conforms to the essential requirements, it is necessary to provide for conformity assessment procedures. Decision No 768/2008/EC establishes modules for conformity assessment procedures, which include procedures from the least to the most stringent, in proportion to the level of risk involved and the level of safety required. In order to ensure inter-sectoral coherence and to avoid ad-hoc variants, conformity assessment procedures should be chosen from among those modules.

(41) Manufacturers should draw up an EU declaration of conformity to provide information required under this Directive on the conformity of radio equipment with the requirements of this Directive and of the other relevant Union harmonisation legislation.

(42) To ensure effective access to information for market surveillance purposes, the information required to identify all applicable Union acts should be available in a single EU declaration of conformity. In order to reduce the administrative burden on economic operators, that single EU declaration of conformity may be a dossier made up of relevant individual declarations of conformity.

(43) The CE marking, indicating the conformity of radio equipment, is the visible consequence of a whole process comprising conformity assessment in a broad sense. General principles governing the CE marking are set out in Regulation (EC) No 765/2008. Rules governing the affixing of the CE marking should be laid down in this Directive.

(44) The requirement to affix the CE marking on products is important for the information of consumers and public authorities. The possibility laid down in Directive 1999/5/EC to affix a reduced CE mark on small-sized equipment, provided that it remains visible and legible, has allowed the application of that requirement to be simplified without reducing its effectiveness, and should therefore be included in this Directive.

(45) The requirement laid down in Directive 1999/5/EC to affix the CE marking on the packaging of equipment has been found to simplify the task of market surveillance, and should therefore be included in this Directive.

(46) Member States should take appropriate measures to ensure that radio equipment may be made available on the market only if, when properly installed and maintained and used for its intended purpose, it complies with the essential requirements set out in this Directive, and, in the case of the essential requirement to ensure the protection of the health and safety of persons and of domestic animals and the protection of property, also under conditions of use which can be reasonably foreseen. Radio equipment should be considered as non-compliant with that essential requirement only under conditions of use which can be reasonably foreseen, that is when such use could result from lawful and readily predictable human behaviour.

(47) In view of the rapid pace of technological change towards a paperless environment, where radio equipment is fitted with an integral screen, the Commission should examine, as part of a review of the operation of this Directive, the feasibility of replacing the requirements for affixing: the manufacturer's name, registered trade name or registered trade mark and a single point or postal address at which they can be contacted, CE marking and EU declaration of conformity with either a function whereby such information is automatically displayed upon starting up the radio equipment, or a function allowing the end-user to select the display of the relevant information. Furthermore, as part of that examination of feasibility, where radio equipment fitted with an integral screen operates from an integral battery which does not hold an initial charge, the Commission should also consider the use of removable transparent integral screen covering labels which would display the same information.

(48) Certain conformity assessment procedures set out in this Directive require the intervention of conformity assessment bodies, which are notified by the Member States to the Commission.

(49) Experience has shown that the criteria set out in Directive 1999/5/EC that conformity assessment bodies have to fulfil to be notified to the Commission are not sufficient to ensure a uniformly high level of performance of notified bodies throughout the Union. It is, however, essential that all notified bodies perform their functions to the same level and under conditions of fair competition. That requires the setting of obligatory requirements for conformity assessment bodies wishing to be notified in order to provide conformity assessment services.

(50) If a conformity assessment body demonstrates conformity with the criteria laid down in harmonised standards, it should be presumed to comply with the corresponding requirements set out in this Directive.

(51) In order to ensure a consistent level of conformity assessment quality it is also necessary to set requirements for notifying authorities and other bodies involved in the assessment, notification and monitoring of notified bodies.

(52) The system set out in this Directive should be complemented by the accreditation system provided for in Regulation (EC) No 765/2008. Since accreditation is an essential means of verifying the competence of conformity assessment bodies, it should also be used for the purposes of notification.

(53) Transparent accreditation as provided for in Regulation (EC) No 765/2008, ensuring the necessary level of confidence in conformity certificates, should be considered by the national public authorities throughout the Union as the preferred means of demonstrating the technical competence of conformity assessment bodies. However, national authorities may consider that they possess the appropriate means of carrying out that evaluation themselves. In such cases, in order to ensure the appropriate level of credibility of evaluations carried out by other national authorities, they should provide the Commission and the other Member States with the necessary documentary evidence demonstrating the compliance of the conformity assessment bodies evaluated with the relevant regulatory requirements.

(54) Conformity assessment bodies frequently subcontract parts of their activities linked to the assessment of conformity or have recourse to a subsidiary. In order to safeguard the level of protection required for radio equipment to be placed on the Union market, it is essential that conformity assessment subcontractors and subsidiaries fulfil the same requirements as notified bodies in relation to the performance of conformity assessment tasks. Therefore, it is important that the assessment of the competence and the performance of bodies to be notified and the monitoring of bodies already notified cover also activities carried out by subcontractors and subsidiaries.

(55) It is necessary to increase the efficiency and transparency of the notification procedure and, in particular, to adapt it to new technologies so as to enable online notification.

(56) Since notified bodies may offer their services throughout the Union, it is appropriate to give the other Member States and the Commission the opportunity to raise objections concerning a notified body. It is therefore important to provide for a period during which any doubts or concerns as to the competence of conformity assessment bodies can be clarified before they start operating as notified bodies.

(57) In the interests of competitiveness, it is crucial that notified bodies apply the conformity assessment procedures without creating unnecessary burdens for economic operators. For the same reason, and to ensure equal treatment of economic operators, consistency in the technical application of the conformity assessment procedures needs to be ensured. That can best be achieved through appropriate coordination and cooperation between notified bodies.

(58) In order to ensure legal certainty, it is necessary to clarify that rules on Union market surveillance and control of products entering the Union market provided for in Regulation (EC) No 765/2008 apply to radio equipment covered by this Directive. This Directive should not prevent Member States from choosing the competent authorities to carry out those tasks.

(59) Directive 1999/5/EC already provides for a safeguard procedure which applies only in the event of disagreement between Member States over measures taken by a Member State. In order to increase transparency and to reduce processing time, it is necessary to improve the existing safeguard procedure, with a view to making it more efficient and drawing on the expertise available in Member States.

(60) The decisions of the Commission adopted under Decision No 676/2002/EC may include conditions for the availability and efficient use of radio spectrum which may have as a consequence the limitation of the total number of items of radio equipment put into service, such as a 'sunset' date, a maximum penetration rate or a maximum number of items of radio equipment in each Member State or throughout the Union. Those conditions enable the market to be opened up to new radio equipment while limiting the risk of harmful interference by accumulation of an excessive number of items of radio equipment put into service, even though that equipment individually complies with the essential requirements set out in this Directive. Infringing such conditions may create a risk to the essential requirements, particularly a risk of harmful interference.

(61) The existing system should be supplemented by a procedure under which interested parties are informed of measures intended to be taken with regard to radio equipment presenting a risk to the health or safety of persons or to other aspects of public interest protection covered by this Directive. It should also allow market surveillance authorities, in cooperation with the relevant economic operators, to act at an earlier stage in respect of such equipment.

(62) Where the Member States and the Commission agree as to the justification of a measure taken by a Member State, no further involvement of the Commission should be required, except where non-compliance can be attributed to shortcomings of a harmonised standard.

(63) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council [1].

(64) The advisory procedure should be used for the adoption of implementing acts specifying how to present information in cases of restrictions on putting into service or of existing requirements for authorisation of use; and requesting the notifying Member State to take the necessary corrective measures in respect of a notified body that does not meet or no longer meets the requirements for its notification.

(65) The examination procedure should be used for the adoption of implementing acts: determining whether certain categories of electrical or electronic products meet the definition of 'radio equipment'; laying down the operational rules for making the information on compliance available; laying down the operational rules for registration and the operational rules for affixing the registration number on radio equipment; and establishing the equivalence between notified radio interfaces and assigning a radio equipment class. It should also be used with respect to compliant radio equipment which presents a risk to the health or safety of persons or to other aspects of public interest protection.

(66) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to compliant radio equipment which presents a risk to the health or safety of persons, imperative grounds of urgency so require.

(67) In line with established practice, the committee set up by this Directive can play a useful role in examining matters concerning the application of this Directive raised either by its chair or by a representative of a Member State in accordance with its rules of procedure.

[1] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

(68) When matters relating to this Directive, other than its implementation or infringements, are being examined, i.e. in a Commission expert group, the European Parliament should in line with existing practice receive full information and documentation and, where appropriate, an invitation to attend such meetings.

(69) The Commission should, by means of implementing acts and, given their special nature, acting without the application of Regulation (EU) No 182/2011, determine whether measures taken by Member States in respect of non-compliant radio equipment are justified or not.

(70) The Member States should lay down rules on penalties applicable to infringements of the provisions of national law adopted pursuant to this Directive and ensure that those rules are enforced. The penalties provided for should be effective, proportionate and dissuasive.

(71) It is necessary to provide for transitional arrangements that allow the making available on the market and putting into service of radio equipment that has already been placed on the market in accordance with Directive 1999/5/EC.

(72) The European Data Protection Supervisor has been consulted.

(73) Since the objective of this Directive, namely to ensure that radio equipment made available on the market fulfils requirements providing a high level of protection of health and safety, adequate level of electromagnetic compatibility and an effective and efficient use of radio spectrum so as to avoid harmful interference while guaranteeing the proper functioning of the internal market, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.

(74) Directive 1999/5/EC should be repealed.

(75) In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory documents [1], Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of such documents to be justified,

HAVE ADOPTED THIS DIRECTIVE:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter and scope

1. This Directive establishes a regulatory framework for the making available on the market and putting into service in the Union of radio equipment.

2. This Directive shall not apply to equipment listed in Annex I.

(1) OJ C 369, 17.12.2011, p. 14.

3. This Directive shall not apply to radio equipment exclusively used for activities concerning public security, defence, State security, including the economic well-being of the State in the case of activities pertaining to State security matters, and the activities of the State in the area of criminal law.

4. Radio equipment falling within the scope of this Directive shall not be subject to Directive 2014/35/EU, except as set out in point (a) of Article 3(1) of this Directive.

Article 2

Definitions

1. For the purposes of this Directive, the following definitions apply:

(1) 'radio equipment' means an electrical or electronic product, which intentionally emits and/or receives radio waves for the purpose of radio communication and/or radiodetermination, or an electrical or electronic product which must be completed with an accessory, such as antenna, so as to intentionally emit and/or receive radio waves for the purpose of radio communication and/or radiodetermination;

(2) 'radio communication' means communication by means of radio waves;

(3) 'radiodetermination' means the determination of the position, velocity and/or other characteristics of an object, or the obtaining of information relating to those parameters, by means of the propagation properties of radio waves;

(4) 'radio waves' means electromagnetic waves of frequencies lower than 3 000 GHz, propagated in space without artificial guide;

(5) 'radio interface' means the specification of the regulated use of radio spectrum;

(6) 'radio equipment class' means a class identifying particular categories of radio equipment which, under this Directive, are considered similar and those radio interfaces for which the radio equipment is designed;

(7) 'harmful interference' means harmful interference as defined in point (r) of Article 2 of Directive 2002/21/EC of the European Parliament and of the Council [1];

(8) 'electromagnetic disturbance' means electromagnetic disturbance as defined in point 5 of Article 3(1) of Directive 2014/30/EU;

(9) 'making available on the market' means any supply of radio equipment for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;

(10) 'placing on the market' means the first making available of radio equipment on the Union market;

(11) 'putting into service' means the first use of radio equipment in the Union by its end-user;

(12) 'manufacturer' means any natural or legal person who manufactures radio equipment or has radio equipment designed or manufactured, and markets that equipment under his name or trade mark;

(13) 'authorised representative' means any natural or legal person established within the Union who has received a written mandate from a manufacturer to act on his behalf in relation to specified tasks;

(14) 'importer' means any natural or legal person established within the Union who places radio equipment from a third country on the Union market;

(1) Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) (OJ L 108, 24.4.2002, p. 33).

(15) 'distributor' means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes radio equipment available on the market;

(16) 'economic operators' means the manufacturer, the authorised representative, the importer and the distributor;

(17) 'technical specification' means a document that prescribes technical requirements to be fulfilled by radio equipment;

(18) 'harmonised standard' means harmonised standard as defined in point (c) of point 1 of Article 2 of Regulation (EU) No 1025/2012;

(19) 'accreditation' means accreditation as defined in point 10 of Article 2 of Regulation (EC) No 765/2008;

(20) 'national accreditation body' means national accreditation body as defined in point 11 of Article 2 of Regulation (EC) No 765/2008;

(21) 'conformity assessment' means the process demonstrating whether the essential requirements of this Directive relating to radio equipment have been fulfilled;

(22) 'conformity assessment body' means a body that performs conformity assessment activities;

(23) 'recall' means any measure aimed at achieving the return of radio equipment that has already been made available to the end-user;

(24) 'withdrawal' means any measure aimed at preventing radio equipment in the supply chain from being made available on the market;

(25) 'Union harmonisation legislation' means any Union legislation harmonising the conditions for the marketing of products;

(26) 'CE marking' means a marking by which the manufacturer indicates that the radio equipment is in conformity with the applicable requirements set out in Union harmonisation legislation providing for its affixing.

2. The Commission may adopt implementing acts to determine whether certain categories of electrical or electronic products meet the definition set out in point 1 of paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 45(3).

Article 3

Essential requirements

1. Radio equipment shall be constructed so as to ensure:

(a) the protection of health and safety of persons and of domestic animals and the protection of property, including the objectives with respect to safety requirements set out in Directive 2014/35/EU, but with no voltage limit applying;

(b) an adequate level of electromagnetic compatibility as set out in Directive 2014/30/EU.

2. Radio equipment shall be so constructed that it both effectively uses and supports the efficient use of radio spectrum in order to avoid harmful interference.

3. Radio equipment within certain categories or classes shall be so constructed that it complies with the following essential requirements:

(a) radio equipment interworks with accessories, in particular with common chargers;

(b) radio equipment interworks via networks with other radio equipment;

(c) radio equipment can be connected to interfaces of the appropriate type throughout the Union;

(d) radio equipment does not harm the network or its functioning nor misuse network resources, thereby causing an unacceptable degradation of service;

(e) radio equipment incorporates safeguards to ensure that the personal data and privacy of the user and of the subscriber are protected;

(f) radio equipment supports certain features ensuring protection from fraud;

(g) radio equipment supports certain features ensuring access to emergency services;

(h) radio equipment supports certain features in order to facilitate its use by users with a disability;

(i) radio equipment supports certain features in order to ensure that software can only be loaded into the radio equipment where the compliance of the combination of the radio equipment and software has been demonstrated.

The Commission shall be empowered to adopt delegated acts in accordance with Article 44 specifying which categories or classes of radio equipment are concerned by each of the requirements set out in points (a) to (i) of the first subparagraph of this paragraph.

Article 4

Provision of information on the compliance of combinations of radio equipment and software

1. Manufacturers of radio equipment and of software allowing radio equipment to be used as intended shall provide the Member States and the Commission with information on the compliance of intended combinations of radio equipment and software with the essential requirements set out in Article 3. Such information shall result from a conformity assessment carried out in accordance with Article 17, and shall be given in the form of a statement of compliance which includes the elements set out in Annex VI. Depending on the specific combinations of radio equipment and software, the information shall precisely identify the radio equipment and the software which have been assessed, and it shall be continuously updated.

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 44 specifying which categories or classes of radio equipment are concerned by the requirement set out in paragraph 1 of this Article.

3. The Commission shall adopt implementing acts laying down the operational rules for making the information on compliance available for the categories and classes specified by the delegated acts adopted pursuant to paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 45(3).

Article 5

Registration of radio equipment types within some categories

1. As from 12 June 2018, manufacturers shall register radio equipment types within categories of radio equipment affected by a low level of compliance with the essential requirements set out in Article 3 within a central system referred to in paragraph 4 of this Article prior to radio equipment within those categories being placed on the market. When registering such radio equipment types, manufacturers shall provide some, or where justified all, elements of the technical documentation listed in points (a), (d), (e), (f), (g), (h) and (i) of Annex V. The Commission shall allocate to each registered radio equipment type a registration number, which manufacturers shall affix on radio equipment placed on the market.

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 44 specifying which categories of radio equipment are concerned by the requirement set out in paragraph 1 of this Article, and the elements of the technical documentation to be provided, taking into account the information on the compliance of radio equipment provided by Member States in accordance with Article 47(1) and following an evaluation of the risk of non-implementation of the essential requirements.

3. The Commission shall adopt implementing acts laying down the operational rules for registration and the operational rules for affixing the registration number on radio equipment for the categories specified by the delegated acts adopted pursuant to paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 45(3).

4. The Commission shall make available a central system allowing manufacturers to register the required information. That system shall ensure appropriate control of access to information of confidential nature.

5. Following the date of application of a delegated act adopted pursuant to paragraph 2 of this Article, the reports prepared in accordance with Article 47(1) and (2) shall evaluate its impacts.

Article 6

Making available on the market

Member States shall take appropriate measures to ensure that radio equipment is made available on the market only if it complies with this Directive.

Article 7

Putting into service and use

Member States shall allow the putting into service and use of radio equipment if it complies with this Directive when it is properly installed, maintained and used for its intended purpose. Without prejudice to their obligations under Decision No 676/2002/EC and to the conditions attached to authorisations for the use of frequencies in conformity with Union law, in particular under Article 9(3) and (4) of Directive 2002/21/EC, Member States may only introduce additional requirements for the putting into service and/or use of radio equipment for reasons related to the effective and efficient use of the radio spectrum, to the avoidance of harmful interference, to the avoidance of electromagnetic disturbances or to public health.

Article 8

Notification of radio interface specifications and assignment of radio equipment classes

1. Member States shall notify, in accordance with the procedure set out in Directive 98/34/EC, the radio interfaces which they intend to regulate except:

(a) the radio interfaces which fully and without any deviation comply with the Commission decisions on the harmonised use of radio spectrum adopted pursuant to Decision No 676/2002/EC; and

(b) the radio interfaces which, in accordance with implementing acts adopted pursuant to paragraph 2 of this Article, correspond to radio equipment which can be put into service and used without restrictions within the Union.

2. The Commission shall adopt implementing acts establishing the equivalence between notified radio interfaces and assigning a radio equipment class, details of which shall be published in the *Official Journal of the European Union*. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 45(3).

Article 9

Free movement of radio equipment

1. Member States shall not impede, for reasons relating to aspects covered by this Directive, the making available on the market in their territory of radio equipment which complies with this Directive.

2. At trade fairs, exhibitions and similar events, Member States shall not create any obstacles to the display of radio equipment which does not comply with this Directive, provided that a visible sign clearly indicates that such radio equipment may not be made available on the market or put into service until it has been brought into conformity with this Directive. Demonstration of radio equipment may only take place provided that adequate measures, as prescribed by Member States, have been taken to avoid harmful interference, electromagnetic disturbances and risk to the health or safety of persons or of domestic animals or to property.

CHAPTER II

OBLIGATIONS OF ECONOMIC OPERATORS

Article 10

Obligations of manufacturers

1. When placing their radio equipment on the market, manufacturers shall ensure that it has been designed and manufactured in accordance with the essential requirements set out in Article 3.

2. Manufacturers shall ensure that radio equipment shall be so constructed that it can be operated in at least one Member State without infringing applicable requirements on the use of radio spectrum.

3. Manufacturers shall draw up the technical documentation referred to in Article 21 and carry out the relevant conformity assessment procedure referred to in Article 17 or have it carried out.

Where compliance of radio equipment with the applicable requirements has been demonstrated by that conformity assessment procedure, manufacturers shall draw up an EU declaration of conformity and affix the CE marking.

4. Manufacturers shall keep the technical documentation and the EU declaration of conformity for 10 years after the radio equipment has been placed on the market.

5. Manufacturers shall ensure that procedures are in place for series production to remain in conformity with this Directive. Changes in radio equipment design or characteristics and changes in the harmonised standards or in other technical specifications by reference to which conformity of radio equipment is declared shall be adequately taken into account.

When deemed appropriate with regard to the risks presented by radio equipment, manufacturers shall, to protect the health and safety of end-users, carry out sample testing of radio equipment made available on the market, investigate, and, if necessary, keep a register of complaints, of non-conforming radio equipment and radio equipment recalls, and shall keep distributors informed of any such monitoring.

6. Manufacturers shall ensure that radio equipment which they have placed on the market bears a type, batch or serial number or other element allowing its identification, or, where the size or nature of the radio equipment does not allow it, that the required information is provided on the packaging, or in a document accompanying the radio equipment.

7. Manufacturers shall indicate on the radio equipment their name, registered trade name or registered trade mark and the postal address at which they can be contacted or, where the size or nature of radio equipment does not allow it, on its packaging, or in a document accompanying the radio equipment. The address shall indicate a single point at which the manufacturer can be contacted. The contact details shall be in a language easily understood by end-users and market surveillance authorities.

8. Manufacturers shall ensure that the radio equipment is accompanied by instructions and safety information in a language which can be easily understood by consumers and other end-users, as determined by the Member State concerned. Instructions shall include the information required to use radio equipment in accordance with its intended use. Such information shall include, where applicable, a description of accessories and components, including software, which allow the radio equipment to operate as intended. Such instructions and safety information, as well as any labelling, shall be clear, understandable and intelligible.

The following information shall also be included in the case of radio equipment intentionally emitting radio waves:

(a) frequency band(s) in which the radio equipment operates;

(b) maximum radio-frequency power transmitted in the frequency band(s) in which the radio equipment operates.

9. Manufacturers shall ensure that each item of radio equipment is accompanied by a copy of the EU declaration of conformity or by a simplified EU declaration of conformity. Where a simplified EU declaration of conformity is provided, it shall contain the exact internet address where the full text of the EU declaration of conformity can be obtained.

10. In cases of restrictions on putting into service or of requirements for authorisation of use, information available on the packaging shall allow the identification of the Member States or the geographical area within a Member State where restrictions on putting into service or requirements for authorisation of use exist. Such information shall be completed in the instructions accompanying the radio equipment. The Commission may adopt implementing acts specifying how to present that information. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 45(2).

11. Manufacturers who consider or have reason to believe that radio equipment which they have placed on the market is not in conformity with this Directive shall immediately take the corrective measures necessary to bring that radio equipment into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the radio equipment presents a risk, manufacturers shall immediately inform the competent national authorities of the Member States in which they made the radio equipment available on the market to that effect, giving details, in particular, of the non-compliance, of any corrective measures taken and of the results thereof.

12. Manufacturers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation in paper or electronic form necessary to demonstrate the conformity of the radio equipment with this Directive, in a language which can be easily understood by that authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by radio equipment which they have placed on the market.

Article 11

Authorised representatives

1. A manufacturer may, by a written mandate, appoint an authorised representative.

The obligations laid down in Article 10(1) and the obligation to draw up technical documentation laid down in Article 10(3) shall not form part of the authorised representative's mandate.

2. An authorised representative shall perform the tasks specified in the mandate received from the manufacturer. The mandate shall allow the authorised representative to do at least the following:

(a) keep the EU declaration of conformity and the technical documentation at the disposal of national market surveillance authorities for 10 years after the radio equipment has been placed on the market;

(b) further to a reasoned request from a competent national authority, provide that authority with all the information and documentation necessary to demonstrate the conformity of radio equipment;

(c) cooperate with the competent national authorities, at their request, on any action taken to eliminate the risks posed by radio equipment covered by the authorised representative's mandate.

Article 12

Obligations of importers

1. Importers shall place only compliant radio equipment on the market.

2. Before placing radio equipment on the market importers shall ensure that the appropriate conformity assessment procedure referred to in Article 17 has been carried out by the manufacturer and that the radio equipment is so constructed that it can be operated in at least one Member State without infringing applicable requirements on the use of radio spectrum. They shall ensure that the manufacturer has drawn up the technical documentation, that the radio equipment bears the CE marking and is accompanied by the information and documents referred to in Article 10(8), (9) and (10), and that the manufacturer has complied with the requirements set out in Article 10(6) and (7).

Where an importer considers or has reason to believe that radio equipment is not in conformity with the essential requirements set out in Article 3, he shall not place the radio equipment on the market until it has been brought into conformity. Furthermore, where the radio equipment presents a risk, the importer shall inform the manufacturer and the market surveillance authorities to that effect.

3. Importers shall indicate on the radio equipment their name, registered trade name or registered trade mark and the postal address at which they can be contacted or, where that is not possible, on its packaging or in a document accompanying the radio equipment. This includes cases where the size of radio equipment does not allow it, or where importers would have to open the packaging in order to indicate their name and address on the radio equipment. The contact details shall be in a language easily understood by end-users and market surveillance authorities.

4. Importers shall ensure that the radio equipment is accompanied by instructions and safety information in a language which can be easily understood by consumers and other end-users, as determined by the Member State concerned.

5. Importers shall ensure that, while radio equipment is under their responsibility, its storage or transport conditions do not jeopardise its compliance with the essential requirements set out in Article 3.

6. When deemed appropriate with regard to the risks presented by radio equipment, importers shall, to protect the health and safety of end-users, carry out sample testing of radio equipment made available on the market, investigate, and, if necessary, keep a register of complaints, of non-conforming radio equipment and radio equipment recalls, and shall keep distributors informed of any such monitoring.

7. Importers who consider or have reason to believe that radio equipment which they have placed on the market is not in conformity with this Directive shall immediately take the corrective measures necessary to bring that radio equipment into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the radio equipment presents a risk, importers shall immediately inform the competent national authorities of the Member States in which they made the radio equipment available on the market to that effect, giving details, in particular, of the non-compliance and of any corrective measures taken.

8. Importers shall, for 10 years after the radio equipment has been placed on the market, keep a copy of the EU declaration of conformity at the disposal of the market surveillance authorities and ensure that the technical documentation can be made available to those authorities, upon request.

9. Importers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation in paper or electronic form necessary to demonstrate the conformity of radio equipment in a language which can be easily understood by that authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by radio equipment which they have placed on the market.

Article 13

Obligations of distributors

1. When making radio equipment available on the market distributors shall act with due care in relation to the requirements of this Directive.

2. Before making radio equipment available on the market distributors shall verify that the radio equipment bears the CE marking, that it is accompanied by the documents required by this Directive and by the instructions and safety information in a language which can be easily understood by consumers and other end-users in the Member State in which the radio equipment is to be made available on the market, and that the manufacturer and the importer have complied with the requirements set out in Article 10(2) and (6) to (10) and Article 12(3) respectively.

Where a distributor considers or has reason to believe that radio equipment is not in conformity with the essential requirements set out in Article 3, he shall not make the radio equipment available on the market until it has been brought into conformity. Furthermore, where the radio equipment presents a risk, the distributor shall inform the manufacturer or the importer to that effect as well as the market surveillance authorities.

3. Distributors shall ensure that, while radio equipment is under their responsibility, its storage or transport conditions do not jeopardise its compliance with the essential requirements set out in Article 3.

4. Distributors who consider or have reason to believe that radio equipment which they have made available on the market is not in conformity with this Directive shall make sure that the corrective measures necessary to bring that radio equipment into conformity, to withdraw it or recall it, if appropriate, are taken. Furthermore, where the radio equipment presents a risk, distributors shall immediately inform the competent national authorities of the Member States in which they made the radio equipment available on the market to that effect, giving details, in particular, of the non-compliance and of any corrective measures taken.

5. Distributors shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation in paper or electronic form necessary to demonstrate the conformity of radio equipment. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by radio equipment which they have made available on the market.

Article 14

Cases in which obligations of manufacturers apply to importers and distributors

An importer or distributor shall be considered a manufacturer for the purposes of this Directive and he shall be subject to the obligations of the manufacturer under Article 10, where he places radio equipment on the market under his name or trade mark or modifies radio equipment already placed on the market in such a way that compliance with this Directive may be affected.

Article 15

Identification of economic operators

Economic operators shall, on request, identify the following to the market surveillance authorities:

(a) any economic operator who has supplied them with radio equipment;

(b) any economic operator to whom they have supplied radio equipment.

Economic operators shall be able to present the information referred to in the first paragraph for 10 years after they have been supplied with the radio equipment and for 10 years after they have supplied the radio equipment.

CHAPTER III

CONFORMITY OF RADIO EQUIPMENT

Article 16

Presumption of conformity of radio equipment

Radio equipment which is in conformity with harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union* shall be presumed to be in conformity with the essential requirements set out in Article 3 covered by those standards or parts thereof.

Article 17

Conformity assessment procedures

1. The manufacturer shall perform a conformity assessment of the radio equipment with a view to meeting the essential requirements set out in Article 3. The conformity assessment shall take into account all intended operating conditions and, for the essential requirement set out in point (a) of Article 3(1), the assessment shall also take into account the reasonably foreseeable conditions. Where the radio equipment is capable of taking different configurations, the conformity assessment shall confirm whether the radio equipment meets the essential requirements set out in Article 3 in all possible configurations.

2. Manufacturers shall demonstrate compliance of radio equipment with the essential requirements set out in Article 3(1) using any of the following conformity assessment procedures:

(a) internal production control set out in Annex II;

(b) EU-type examination that is followed by the conformity to type based on internal production control set out in Annex III;

(c) conformity based on full quality assurance set out in Annex IV.

3. Where, in assessing the compliance of radio equipment with the essential requirements set out in Article 3(2) and (3), the manufacturer has applied harmonised standards the references of which have been published in the *Official Journal of the European Union*, he shall use any of the following procedures:

(a) internal production control set out in Annex II;

(b) EU-type examination that is followed by the conformity to type based on internal production control set out in Annex III;

(c) conformity based on full quality assurance set out in Annex IV.

4. Where, in assessing the compliance of radio equipment with the essential requirements set out in Article 3(2) and (3), the manufacturer has not applied or has applied only in part harmonised standards the references of which have been published in the *Official Journal of the European Union*, or where such harmonised standards do not exist, radio equipment shall be submitted with regard to those essential requirements to either of the following procedures:

(a) EU-type examination that is followed by the conformity to type based on internal production control set out in Annex III;

(b) conformity based on full quality assurance set out in Annex IV.

Article 18

EU declaration of conformity

1. The EU declaration of conformity shall state that the fulfilment of the essential requirements set out in Article 3 has been demonstrated.

2. The EU declaration of conformity shall have the model structure set out in Annex VI, shall contain the elements set out in that Annex and shall be continuously updated. It shall be translated into the language or languages required by the Member State in which the radio equipment is placed or made available on the market.

The simplified EU declaration of conformity referred to in Article 10(9) shall contain the elements set out in Annex VII and shall be continuously updated. It shall be translated into the language or languages required by the Member State in which the radio equipment is placed or made available on the market. The full text of the EU declaration of conformity shall be available at the internet address referred to in the simplified EU declaration of conformity, in a language or languages required by the Member State in which the radio equipment is placed or made available on the market.

3. Where radio equipment is subject to more than one Union act requiring an EU declaration of conformity, a single EU declaration of conformity shall be drawn up in respect of all such Union acts. That declaration shall contain the identification of the Union acts concerned including their publication references.

4. By drawing up the EU declaration of conformity, the manufacturer shall assume responsibility for the compliance of the radio equipment with the requirements laid down in this Directive.

Article 19

General principles of the CE marking

1. The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.

2. On account of the nature of radio equipment, the height of the CE marking affixed to radio equipment may be lower than 5 mm, provided that it remains visible and legible.

Article 20

Rules and conditions for affixing the CE marking and the identification number of the notified body

1. The CE marking shall be affixed visibly, legibly and indelibly to the radio equipment or to its data plate, unless that is not possible or not warranted on account of the nature of radio equipment. The CE marking shall also be affixed visibly and legibly to the packaging.

2. The CE marking shall be affixed before the radio equipment is placed on the market.

3. The CE marking shall be followed by the identification number of the notified body where the conformity assessment procedure set out in Annex IV is applied.

The identification number of the notified body shall have the same height as the CE marking.

The identification number of the notified body shall be affixed by the notified body itself or, under its instructions, by the manufacturer or his authorised representative.

4. Member States shall build upon existing mechanisms to ensure correct application of the regime governing the CE marking and shall take appropriate action in the event of improper use of that marking.

Article 21

Technical documentation

1. The technical documentation shall contain all relevant data or details of the means used by the manufacturer to ensure that radio equipment complies with the essential requirements set out in Article 3. It shall, at least, contain the elements set out in Annex V.

2. The technical documentation shall be drawn up before radio equipment is placed on the market and shall be continuously updated.

3. The technical documentation and correspondence relating to any EU-type examination procedure shall be drawn up in an official language of the Member State in which the notified body is established or in a language acceptable to that body.

4. Where the technical documentation does not comply with paragraphs 1, 2 or 3 of this Article, and in so doing fails to present sufficient relevant data or means used to ensure compliance of radio equipment with the essential requirements set out in Article 3, the market surveillance authority may ask the manufacturer or the importer to have a test performed by a body acceptable to the market surveillance authority at the expense of the manufacturer or the importer within a specified period in order to verify compliance with the essential requirements set out in Article 3.

CHAPTER IV

NOTIFICATION OF CONFORMITY ASSESSMENT BODIES

Article 22

Notification

Member States shall notify the Commission and the other Member States of bodies authorised to carry out third-party conformity assessment tasks under this Directive.

Article 23

Notifying authorities

1. Member States shall designate a notifying authority that shall be responsible for setting up and carrying out the necessary procedures for the assessment and notification of conformity assessment bodies and the monitoring of notified bodies, including compliance with Article 28.

2. Member States may decide that the assessment and monitoring referred to in paragraph 1 shall be carried out by a national accreditation body within the meaning of and in accordance with Regulation (EC) No 765/2008.

3. Where the notifying authority delegates or otherwise entrusts the assessment, notification or monitoring referred to in paragraph 1 to a body which is not a governmental entity, that body shall be a legal entity and shall comply *mutatis mutandis* with the requirements laid down in Article 24. In addition it shall have arrangements to cover liabilities arising out of its activities.

4. The notifying authority shall take full responsibility for the tasks performed by the body referred to in paragraph 3.

Article 24

Requirements relating to notifying authorities

1. A notifying authority shall be established in such a way that no conflict of interest with conformity assessment bodies occurs.

2. A notifying authority shall be organised and operated so as to safeguard the objectivity and impartiality of its activities.

3. A notifying authority shall be organised in such a way that each decision relating to notification of a conformity assessment body is taken by competent persons different from those who carried out the assessment.

4. A notifying authority shall not offer or provide any activities that conformity assessment bodies perform or consultancy services on a commercial or competitive basis.

5. A notifying authority shall safeguard the confidentiality of the information it obtains.

6. A notifying authority shall have a sufficient number of competent personnel at its disposal for the proper performance of its tasks.

Article 25

Information obligation on notifying authorities

Member States shall inform the Commission of their procedures for the assessment and notification of conformity assessment bodies and the monitoring of notified bodies, and of any changes thereto.

The Commission shall make that information publicly available.

Article 26

Requirements relating to notified bodies

1. For the purposes of notification, a conformity assessment body shall meet the requirements laid down in paragraphs 2 to 11.

2. A conformity assessment body shall be established under national law of a Member State and have legal personality.

3. A conformity assessment body shall be a third-party body independent of the organisation or the radio equipment it assesses.

A body belonging to a business association or professional federation representing undertakings involved in the design, manufacturing, provision, assembly, use or maintenance of radio equipment which it assesses may, on condition that its independence and the absence of any conflict of interest are demonstrated, be considered such a body.

4. A conformity assessment body, its top level management and the personnel responsible for carrying out the conformity assessment tasks shall not be the designer, manufacturer, supplier, installer, purchaser, owner, user or maintainer of the radio equipment which they assess, nor the representative of any of those parties. This shall not preclude the use of assessed radio equipment that is necessary for the operations of the conformity assessment body or the use of such radio equipment for personal purposes.

A conformity assessment body, its top level management and the personnel responsible for carrying out the conformity assessment tasks shall not be directly involved in the design, manufacture or construction, the marketing, installation, use or maintenance of that radio equipment, or represent the parties engaged in those activities. They shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to conformity assessment activities for which they are notified. This shall in particular apply to consultancy services.

Conformity assessment bodies shall ensure that the activities of their subsidiaries or subcontractors do not affect the confidentiality, objectivity or impartiality of their conformity assessment activities.

5. Conformity assessment bodies and their personnel shall carry out the conformity assessment activities with the highest degree of professional integrity and the requisite technical competence in the specific field and shall be free from all pressures and inducements, particularly financial, which might influence their judgement or the results of their conformity assessment activities, especially as regards persons or groups of persons with an interest in the results of those activities.

6. A conformity assessment body shall be capable of carrying out all the conformity assessment tasks assigned to it by Annexes III and IV in relation to which it has been notified, whether those tasks are carried out by the conformity assessment body itself or on its behalf and under its responsibility.

At all times and for each conformity assessment procedure and each kind or category of radio equipment in relation to which it has been notified, a conformity assessment body shall have at its disposal the necessary:

(a) personnel with technical knowledge and sufficient and appropriate experience to perform the conformity assessment tasks;

(b) descriptions of procedures in accordance with which conformity assessment is carried out, ensuring the transparency and the ability of reproduction of those procedures. It shall have appropriate policies and procedures in place that distinguish between tasks it carries out as a notified body and other activities;

(c) procedures for the performance of activities which take due account of the size of an undertaking, the sector in which it operates, its structure, the degree of complexity of radio equipment technology in question and the mass or serial nature of the production process.

A conformity assessment body shall have the means necessary to perform the technical and administrative tasks connected with the conformity assessment activities in an appropriate manner.

7. The personnel responsible for carrying out conformity assessment tasks shall have the following:

(a) sound technical and vocational training covering all the conformity assessment activities in relation to which the conformity assessment body has been notified;

(b) satisfactory knowledge of the requirements of the assessments they carry out and adequate authority to carry out those assessments;

(c) appropriate knowledge and understanding of the essential requirements set out in Article 3, of the applicable harmonised standards and of the relevant provisions of Union harmonisation legislation and of national legislation;

(d) the ability to draw up EU-type examination certificates or quality system approvals, records and reports demonstrating that assessments have been carried out.

8. The impartiality of the conformity assessment bodies, their top level management and of the personnel responsible for carrying out the conformity assessment tasks shall be guaranteed.

The remuneration of the top level management and personnel responsible for carrying out the conformity assessment tasks of a conformity assessment body shall not depend on the number of assessments carried out or on the results of those assessments.

9. Conformity assessment bodies shall take out liability insurance unless liability is assumed by the State in accordance with national law, or the Member State itself is directly responsible for the conformity assessment.

10. The personnel of a conformity assessment body shall observe professional secrecy with regard to all information obtained in carrying out their tasks under Annexes III and IV or any provision of national law giving effect to them, except in relation to the competent authorities of the Member State in which its activities are carried out. Proprietary rights shall be protected.

11. Conformity assessment bodies shall participate in, or ensure that their personnel responsible for carrying out the conformity assessment tasks are informed of, the relevant standardisation activities, the regulatory activities in the area of radio equipment and frequency planning, and the activities of the notified body coordination group established under the relevant Union harmonisation legislation and shall apply as general guidance the administrative decisions and documents produced as a result of the work of that group.

Article 27

Presumption of conformity of notified bodies

Where a conformity assessment body demonstrates its conformity with the criteria laid down in the relevant harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union* it shall be presumed to comply with the requirements set out in Article 26 in so far as the applicable harmonised standards cover those requirements.

Article 28

Subsidiaries of and subcontracting by notified bodies

1. Where a notified body subcontracts specific tasks connected with conformity assessment or has recourse to a subsidiary, it shall ensure that the subcontractor or the subsidiary meets the requirements set out in Article 26 and shall inform the notifying authority accordingly.

2. Notified bodies shall take full responsibility for the tasks performed by subcontractors or subsidiaries wherever these are established.

3. Activities may be subcontracted or carried out by a subsidiary only with the agreement of the client.

4. Notified bodies shall keep at the disposal of the notifying authority the relevant documents concerning the assessment of the qualifications of the subcontractor or the subsidiary and the work carried out by them under Annexes III and IV.

Article 29

Application for notification

1. A conformity assessment body shall submit an application for notification to the notifying authority of the Member State in which it is established.

2. The application for notification shall be accompanied by a description of the conformity assessment activities, the conformity assessment module or modules and the radio equipment for which that body claims to be competent, as well as by an accreditation certificate, where one exists, issued by a national accreditation body attesting that the conformity assessment body fulfils the requirements laid down in Article 26.

3. Where the conformity assessment body concerned cannot provide an accreditation certificate, it shall provide the notifying authority with all the documentary evidence necessary for the verification, recognition and regular monitoring of its compliance with the requirements laid down in Article 26.

Article 30

Notification procedure

1. Notifying authorities may notify only conformity assessment bodies which have satisfied the requirements laid down in Article 26.

2. They shall notify the Commission and the other Member States using the electronic notification tool developed and managed by the Commission.

3. The notification shall include full details of the conformity assessment activities, the conformity assessment module or modules and the radio equipment concerned and the relevant attestation of competence.

4. Where a notification is not based on an accreditation certificate as referred to in Article 29(2), the notifying authority shall provide the Commission and the other Member States with documentary evidence which attests to the conformity assessment body's competence and the arrangements in place to ensure that that body will be monitored regularly and will continue to satisfy the requirements laid down in Article 26.

5. The body concerned may perform the activities of a notified body only where no objections are raised by the Commission or the other Member States within two weeks of a notification where an accreditation certificate is used or within two months of a notification where accreditation is not used.

Only such a body shall be considered a notified body for the purposes of this Directive.

6. The notifying authority shall notify the Commission and the other Member States of any subsequent relevant changes to the notification.

Article 31

Identification numbers and lists of notified bodies

1. The Commission shall assign an identification number to a notified body.

It shall assign a single such number even where the body is notified under several Union acts.

2. The Commission shall make publicly available the list of the bodies notified under this Directive, including the identification numbers that have been assigned to them and the activities for which they have been notified.

The Commission shall ensure that the list is kept up to date.

Article 32

Changes to notifications

1. Where a notifying authority has ascertained or has been informed that a notified body no longer meets the requirements laid down in Article 26, or that it is failing to fulfil its obligations, the notifying authority shall restrict, suspend or withdraw notification as appropriate, depending on the seriousness of the failure to meet those requirements or fulfil those obligations. It shall immediately inform the Commission and the other Member States accordingly.

2. In the event of restriction, suspension or withdrawal of notification, or where the notified body has ceased its activity, the notifying Member State shall take appropriate steps to ensure that the files of that body are either processed by another notified body or kept available for the responsible notifying and market surveillance authorities at their request.

Article 33

Challenge of the competence of notified bodies

1. The Commission shall investigate all cases where it doubts, or doubt is brought to its attention regarding, the competence of a notified body or the continued fulfilment by a notified body of the requirements and responsibilities to which it is subject.

2. The notifying Member State shall provide the Commission, on request, with all information relating to the basis for the notification or the maintenance of the competence of the notified body concerned.

3. The Commission shall ensure that all sensitive information obtained in the course of its investigations is treated confidentially.

4. Where the Commission ascertains that a notified body does not meet or no longer meets the requirements for its notification, it shall adopt an implementing act requesting the notifying Member State to take the necessary corrective measures, including withdrawal of notification if necessary.

That implementing act shall be adopted in accordance with the advisory procedure referred to in Article 45(2).

Article 34

Operational obligations of notified bodies

1. Notified bodies shall carry out conformity assessments in accordance with the conformity assessment procedures provided for in Annexes III and IV.

2. Conformity assessments shall be carried out in a proportionate manner, avoiding unnecessary burdens for economic operators. Conformity assessment bodies shall perform their activities taking due account of the size of an undertaking, the sector in which it operates, its structure, the degree of complexity of the radio equipment technology in question and the mass or serial nature of the production process.

In so doing they shall nevertheless respect the degree of rigour and the level of protection required for the compliance of the radio equipment with this Directive.

3. Where a notified body finds that the essential requirements set out in Article 3 or corresponding harmonised standards or other technical specifications have not been met by a manufacturer, it shall require that manufacturer to take appropriate corrective measures and shall not issue an EU-type examination certificate or a quality system approval.

4. Where, in the course of the monitoring of conformity following the issue of an EU-type examination certificate or a quality system approval, a notified body finds that radio equipment no longer complies, it shall require the manufacturer to take appropriate corrective measures and shall suspend or withdraw the EU-type examination certificate or the quality system approval if necessary.

5. Where corrective measures are not taken or do not have the required effect, the notified body shall restrict, suspend or withdraw any EU-type examination certificates or quality system approvals, as appropriate.

Article 35

Appeal against decisions of notified bodies

Member States shall ensure that an appeal procedure against decisions of the notified bodies is available.

Article 36

Information obligation on notified bodies

1. Notified bodies shall inform the notifying authority of the following:

(a) any refusal, restriction, suspension or withdrawal of an EU-type examination certificate or a quality system approval in accordance with the requirements of Annexes III and IV;

(b) any circumstances affecting the scope of or conditions for notification;

(c) any request for information which they have received from market surveillance authorities regarding conformity assessment activities;

(d) on request, conformity assessment activities performed within the scope of their notification and any other activity performed, including cross-border activities and subcontracting.

2. Notified bodies shall, in accordance with the requirements of Annexes III and IV, provide the other bodies notified under this Directive carrying out similar conformity assessment activities covering the same categories of radio equipment with relevant information on issues relating to negative and, on request, positive conformity assessment results.

3. Notified bodies shall fulfil information obligations under Annexes III and IV.

Article 37

Exchange of experience

The Commission shall provide for the organisation of exchange of experience between the Member States' national authorities responsible for notification policy.

Article 38

Coordination of notified bodies

The Commission shall ensure that appropriate coordination and cooperation between bodies notified under this Directive are put in place and properly operated in the form of a sectoral group of notified bodies.

Member States shall ensure that the bodies notified by them participate in the work of that group, directly or by means of designated representatives.

CHAPTER V

UNION MARKET SURVEILLANCE, CONTROL OF RADIO EQUIPMENT ENTERING THE UNION MARKET AND UNION SAFEGUARD PROCEDURE

Article 39

Union market surveillance and control of radio equipment entering the Union market

Article 15(3) and Articles 16 to 29 of Regulation (EC) No 765/2008 shall apply to radio equipment.

Article 40

Procedure for dealing with radio equipment presenting a risk at national level

1. Where the market surveillance authorities of one Member State have sufficient reason to believe that radio equipment covered by this Directive presents a risk to the health or safety of persons or to other aspects of public interest protection covered by this Directive, they shall carry out an evaluation in relation to the radio equipment concerned covering all relevant requirements laid down in this Directive. The relevant economic operators shall cooperate as necessary with the market surveillance authorities for that purpose.

Where, in the course of the evaluation referred to in the first subparagraph, the market surveillance authorities find that the radio equipment does not comply with the requirements laid down in this Directive, they shall without delay require the relevant economic operator to take all appropriate corrective actions to bring the radio equipment into compliance with those requirements, to withdraw the radio equipment from the market, or to recall it within a reasonable period, commensurate with the nature of the risk, as they may prescribe.

The market surveillance authorities shall inform the relevant notified body accordingly.

Article 21 of Regulation (EC) No 765/2008 shall apply to the measures referred to in the second subparagraph of this paragraph.

2. Where the market surveillance authorities consider that non-compliance is not restricted to their national territory, they shall inform the Commission and the other Member States of the results of the evaluation and of the actions which they have required the economic operator to take.

3. The economic operator shall ensure that all appropriate corrective action is taken in respect of all radio equipment concerned that it has made available on the market throughout the Union.

4. Where the relevant economic operator does not take adequate corrective action within the period referred to in the second subparagraph of paragraph 1, the market surveillance authorities shall take all appropriate provisional measures to prohibit or restrict the radio equipment being made available on their national market, to withdraw the radio equipment from that market or to recall it.

The market surveillance authorities shall inform the Commission and the other Member States, without delay, of those measures.

5. The information referred to in the second subparagraph of paragraph 4 shall include all available details, in particular the data necessary for the identification of the non-compliant radio equipment, the origin of the radio equipment, the nature of the non-compliance alleged and the risk involved, the nature and duration of the national measures taken and the arguments put forward by the relevant economic operator. In particular, the market surveillance authorities shall indicate whether the non-compliance is due to either of the following:

(a) failure of the radio equipment to meet the relevant essential requirements set out in Article 3; or

(b) shortcomings in the harmonised standards referred to in Article 16 conferring a presumption of conformity.

6. Member States other than the Member State initiating the procedure under this Article shall without delay inform the Commission and the other Member States of any measures adopted and of any additional information at their disposal relating to the non-compliance of the radio equipment concerned, and, in the event of disagreement with the adopted national measure, of their objections.

7. Where, within three months of receipt of the information referred to in the second subparagraph of paragraph 4, no objection has been raised by either a Member State or the Commission in respect of a provisional measure taken by a Member State, that measure shall be deemed justified.

8. Member States shall ensure that appropriate restrictive measures, such as withdrawal of the radio equipment from the market, are taken in respect of the radio equipment concerned without delay.

Article 41

Union safeguard procedure

1. Where, on completion of the procedure set out in Article 40(3) and (4), objections are raised against a measure taken by a Member State, or where the Commission considers a national measure to be contrary to Union legislation, the Commission shall without delay enter into consultation with the Member States and the relevant economic operator or operators and shall evaluate the national measure. On the basis of the results of that evaluation, the Commission shall adopt an implementing act determining whether the national measure is justified or not.

The Commission shall address its decision to all Member States and shall immediately communicate it to them and the relevant economic operator or operators.

2. If the national measure is considered justified, all Member States shall take the necessary measures to ensure that the non-compliant radio equipment is withdrawn or recalled from their market, and shall inform the Commission accordingly. If the national measure is considered unjustified, the Member State concerned shall withdraw that measure.

3. Where the national measure is considered justified and the non-compliance of the radio equipment is attributed to shortcomings in the harmonised standards referred to in point (b) of Article 40(5) of this Directive, the Commission shall apply the procedure provided for in Article 11 of Regulation (EU) No 1025/2012.

Article 42

Compliant radio equipment which presents a risk

1. Where, having carried out an evaluation under Article 40(1), a Member State finds that although radio equipment is in compliance with this Directive, it presents a risk to the health or safety of persons or to other aspects of public interest protection covered by this Directive, it shall require the relevant economic operator to take all appropriate measures to ensure that the radio equipment concerned, when placed on the market, no longer presents that risk, to withdraw the radio equipment from the market or to recall it within a reasonable period, commensurate with the nature of the risk, as it may prescribe.

2. The economic operator shall ensure that corrective action is taken in respect of all the radio equipment concerned that he has made available on the market throughout the Union.

3. The Member State shall immediately inform the Commission and the other Member States. That information shall include all available details, in particular the data necessary for the identification of the radio equipment concerned, the origin and the supply chain of radio equipment, the nature of the risk involved and the nature and duration of the national measures taken.

4. The Commission shall without delay enter into consultation with the Member States and the relevant economic operator or operators and shall evaluate the national measures taken. On the basis of the results of that evaluation, the Commission shall decide by means of implementing acts whether the national measure is justified or not and, where necessary, propose appropriate measures.

The implementing acts referred to in the first subparagraph of this paragraph shall be adopted in accordance with the examination procedure referred to in Article 45(3).

On duly justified imperative grounds of urgency relating to the protection of health and safety of persons, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 45(4).

5. The Commission shall address its decision to all Member States and shall immediately communicate it to them and the relevant economic operator or operators.

Article 43

Formal non-compliance

1. Without prejudice to Article 40, where a Member State makes one of the following findings, it shall require the relevant economic operator to put an end to the non-compliance concerned:

(a) the CE marking has been affixed in violation of Article 30 of Regulation (EC) No 765/2008 or of Article 20 of this Directive;

(b) the CE marking has not been affixed;

(c) the identification number of the notified body, where the conformity assessment procedure set out in Annex IV is applied, has been affixed in violation of Article 20 or has not been affixed;

(d) the EU declaration of conformity has not been drawn up;

(e) the EU declaration of conformity has not been drawn up correctly;

(f) technical documentation is either not available or not complete;

(g) the information referred to in Article 10(6) or (7) or Article 12(3) is absent, false or incomplete;

(h) information on the intended use of radio equipment, the EU declaration of conformity or usage restrictions as set out in Article 10(8), (9) and (10) does not accompany the radio equipment;

(i) requirements on identification of economic operators set out in Article 15 are not fulfilled;

(j) Article 5 is not complied with.

2. Where the non-compliance referred to in paragraph 1 persists, the Member State concerned shall take all appropriate measures to restrict or prohibit corresponding radio equipment being made available on the market or ensure that it is withdrawn or recalled from the market.

CHAPTER VI

DELEGATED ACTS AND IMPLEMENTING ACTS AND THE COMMITTEE

Article 44

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in the second subparagraph of Articles 3(3), 4(2) and 5(2) shall be conferred on the Commission for a period of five years from 11 June 2014. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in the second subparagraph of Articles 3(3), 4(2) and 5(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to the second subparagraph of Articles 3(3), 4(2) and 5(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 45

Committee procedure

1. The Commission shall be assisted by the Telecommunication Conformity Assessment and Market Surveillance Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

4. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.

5. The committee shall be consulted by the Commission on any matter for which consultation of sectoral experts is required by Regulation (EU) No 1025/2012 or by any other Union legislation.

The committee may furthermore examine any other matter concerning the application of this Directive raised either by its chair or by a representative of a Member State in accordance with its rules of procedure.

CHAPTER VII

FINAL AND TRANSITIONAL PROVISIONS

Article 46

Penalties

Member States shall lay down rules on penalties applicable to infringements by economic operators of the provisions of national law adopted pursuant to this Directive and shall take all measures necessary to ensure that they are enforced. Such rules may include criminal penalties for serious infringements.

The penalties provided for shall be effective, proportionate and dissuasive.

Article 47

Review and reporting

1. Member States shall submit to the Commission regular reports on the application of this Directive by 12 June 2017 and at least every two years thereafter. The reports shall contain a presentation of the market surveillance activities performed by the Member States and provide information on whether and to what extent compliance with the requirements of this Directive has been attained, including in particular requirements on identification of economic operators.

2. The Commission shall review the operation of this Directive and report thereon to the European Parliament and to the Council, by 12 June 2018 and every five years thereafter. The report shall cover progress on drawing up the relevant standards, as well as any problems that have arisen in the course of implementation. The report shall also outline the activities of the Telecommunication Conformity Assessment and Market Surveillance Committee, assess progress in achieving an open competitive market for radio equipment at Union level and examine how the regulatory framework for the making available on the market and putting into service of radio equipment should be developed in order to achieve the following:

(a) ensure that a coherent system is achieved at Union level for all radio equipment;

(b) allow for convergence of the telecommunications, audiovisual and information technology sectors;

(c) enable regulatory measures to be harmonised at international level;

(d) reach a high level of consumer protection;

(e) ensure that portable radio equipment interworks with accessories, in particular with common chargers;

(f) where radio equipment is fitted with an integral screen, allow the display of the required information on the integral screen.

Article 48

Transitional provisions

Member States shall not impede, for the aspects covered by this Directive, the making available on the market or putting into service of radio equipment covered by this Directive which is in conformity with the relevant Union harmonisation legislation applicable before 13 June 2016 and which was placed on the market before 13 June 2017.

Article 49

Transposition

1. Member States shall adopt and publish, by 12 June 2016, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate the text of those measures to the Commission.

They shall apply those measures from 13 June 2016.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

Article 50

Repeal

Directive 1999/5/EC is repealed with effect from 13 June 2016.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex VIII.

Article 51

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 52

Addressees

This Directive is addressed to the Member States.

Done at Strasbourg, 16 April 2014.

For the European Parliament
The President
M. SCHULZ

For the Council
The President
D. KOURKOULAS

ANNEX I

EQUIPMENT NOT COVERED BY THIS DIRECTIVE

1. Radio equipment used by radio amateurs within the meaning of Article 1, definition 56, of the International Telecommunications Union (ITU) Radio Regulations, unless the equipment is made available on the market.

   The following shall be regarded as not being made available on the market:

   (a) radio kits for assembly and use by radio amateurs;

   (b) radio equipment modified by and for the use of radio amateurs;

   (c) equipment constructed by individual radio amateurs for experimental and scientific purposes related to amateur radio.

2. Marine equipment falling within the scope of Council Directive 96/98/EC ([1]).

3. Airborne products, parts and appliances falling within the scope of Article 3 of Regulation (EC) No 216/2008 of the European Parliament and of the Council ([2]).

4. Custom-built evaluation kits destined for professionals to be used solely at research and development facilities for such purposes.

([1]) Council Directive 96/98/EC of 20 December 1996 on marine equipment (OJ L 46, 17.2.1997, p. 25).

([2]) Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1).

ANNEX II

CONFORMITY ASSESSMENT MODULE A

INTERNAL PRODUCTION CONTROL

1. Internal production control is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in points 2, 3 and 4 of this Annex, and ensures and declares on his sole responsibility that the radio equipment concerned satisfies the essential requirements set out in Article 3.

2. **Technical documentation**

   The manufacturer shall establish the technical documentation in accordance with Article 21.

3. **Manufacturing**

   The manufacturer shall take all measures necessary so that the manufacturing process and its monitoring ensure compliance of the manufactured radio equipment with the technical documentation referred to in point 2 of this Annex and with the relevant essential requirements set out in Article 3.

4. **CE marking and EU declaration of conformity**

4.1. The manufacturer shall affix the CE marking in accordance with Articles 19 and 20 to each item of radio equipment that satisfies the applicable requirements of this Directive.

4.2. The manufacturer shall draw up a written EU declaration of conformity for each radio equipment type and keep it together with the technical documentation at the disposal of the national authorities for 10 years after the radio equipment has been placed on the market. The EU declaration of conformity shall identify the radio equipment for which it has been drawn up.

   A copy of the EU declaration of conformity shall be made available to the relevant authorities upon request.

5. **Authorised representative**

   The manufacturer's obligations set out in point 4 may be fulfilled by his authorised representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

ANNEX III

CONFORMITY ASSESSMENT MODULES B AND C

EU-TYPE EXAMINATION AND CONFORMITY TO TYPE BASED ON INTERNAL PRODUCTION CONTROL

When reference is made to this Annex, the conformity assessment procedure shall follow Modules B (EU-type examination) and C (Conformity to type based on internal production control) of this Annex.

Module B

EU-type examination

1. EU-type examination is the part of a conformity assessment procedure in which a notified body examines the technical design of the radio equipment and verifies and attests that the technical design of the radio equipment meets the essential requirements set out in Article 3.

2. EU-type examination shall be carried out by assessment of the adequacy of the technical design of the radio equipment through examination of the technical documentation and supporting evidence referred to in point 3, without examination of a specimen (design type).

3. The manufacturer shall lodge an application for EU-type examination with a single notified body of his choice.

   The application shall include:

   (a) the name and address of the manufacturer and, if the application is lodged by the authorised representative, his name and address as well;

   (b) a written declaration that the same application has not been lodged with any other notified body;

   (c) the technical documentation. The technical documentation shall make it possible to assess the radio equipment's conformity with the applicable requirements of this Directive and shall include an adequate analysis and assessment of the risk(s). The technical documentation shall specify the applicable requirements and cover, as far as relevant for the assessment, the design, manufacture and operation of the radio equipment. The technical documentation shall contain, wherever applicable, the elements set out in Annex V;

   (d) the supporting evidence for the adequacy of the technical design solution. That supporting evidence shall mention any documents that have been used, in particular where the relevant harmonised standards have not been applied or have not been fully applied. The supporting evidence shall include, where necessary, the results of tests carried out in accordance with other relevant technical specifications by the appropriate laboratory of the manufacturer, or by another testing laboratory on his behalf and under his responsibility.

4. The notified body shall examine the technical documentation and supporting evidence to assess the adequacy of the technical design of the radio equipment.

5. The notified body shall draw up an evaluation report that records the activities undertaken in accordance with point 4 and their outcomes. Without prejudice to its obligations as provided in point 8, the notified body shall release the content of that report, in full or in part, only with the agreement of the manufacturer.

6. Where the type meets the requirements of this Directive that apply to the radio equipment concerned, the notified body shall issue an EU-type examination certificate to the manufacturer. That certificate shall contain the name and address of the manufacturer, the conclusions of the examination, the aspects of the essential requirements covered by the examination, the conditions (if any) for its validity and the necessary data for identification of the assessed type. The EU-type examination certificate may have one or more annexes attached.

   The EU-type examination certificate and its annexes shall contain all relevant information to allow the conformity of manufactured radio equipment with the examined type to be evaluated and to allow for in-service control.

   Where the type does not satisfy the applicable requirements of this Directive, the notified body shall refuse to issue an EU-type examination certificate and shall inform the applicant accordingly, giving detailed reasons for its refusal.

7. The notified body shall keep itself apprised of any changes in the generally acknowledged state of the art which indicate that the approved type may no longer comply with the applicable requirements of this Directive, and shall determine whether such changes require further investigation. If so, the notified body shall inform the manufacturer accordingly.

The manufacturer shall inform the notified body that holds the technical documentation relating to the EU-type examination certificate of all modifications to the approved type that may affect the conformity of the radio equipment with the essential requirements of this Directive or the conditions for validity of that certificate. Such modifications shall require additional approval in the form of an addition to the original EU-type examination certificate.

8. Each notified body shall inform its notifying authority concerning the EU-type examination certificates and/or any additions thereto which it has issued or withdrawn, and shall, periodically or upon request, make available to its notifying authority the list of such certificates and/or any additions thereto refused, suspended or otherwise restricted.

Each notified body shall inform the other notified bodies concerning the EU-type examination certificates and/or any additions thereto which it has refused, withdrawn, suspended or otherwise restricted, and, upon request, concerning such certificates and/or additions thereto which it has issued.

Each notified body shall inform the Member States of EU-type examination certificates it has issued and/or additions thereto in those cases where harmonised standards the references of which have been published in the *Official Journal of the European Union* have not been applied or not been fully applied. The Member States, the Commission and the other notified bodies may, on request, obtain a copy of the EU-type examination certificates and/or additions thereto. On request, the Member States and the Commission may obtain a copy of the technical documentation and the results of the examinations carried out by the notified body. The notified body shall keep a copy of the EU-type examination certificate, its annexes and additions, as well as the technical file including the documentation submitted by the manufacturer for 10 years after the radio equipment has been assessed or until the expiry of the validity of that certificate.

9. The manufacturer shall keep a copy of the EU-type examination certificate, its annexes and additions together with the technical documentation at the disposal of the national authorities for 10 years after the radio equipment has been placed on the market.

10. The manufacturer's authorised representative may lodge the application referred to in point 3 and fulfil the obligations set out in points 7 and 9, provided that they are specified in the mandate.

Module C

Conformity to type based on internal production control

1. Conformity to type based on internal production control is the part of a conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in points 2 and 3, and ensures and declares that the radio equipment concerned is in conformity with the type described in the EU-type examination certificate and satisfies the requirements of this Directive that apply to it.

2. **Manufacturing**

The manufacturer shall take all measures necessary so that the manufacturing process and its monitoring ensure conformity of the manufactured radio equipment with the approved type described in the EU-type examination certificate and with the requirements of this Directive that apply to it.

3. **CE marking and EU declaration of conformity**

3.1. The manufacturer shall affix the CE marking in accordance with Articles 19 and 20 to each item of radio equipment that is in conformity with the type described in the EU-type examination certificate and satisfies the applicable requirements of this Directive.

3.2. The manufacturer shall draw up a written EU declaration of conformity for each radio equipment type and keep it at the disposal of the national authorities for 10 years after the radio equipment has been placed on the market. The EU declaration of conformity shall identify the radio equipment type for which it has been drawn up.

A copy of the EU declaration of conformity shall be made available to the relevant authorities upon request.

4. **Authorised representative**

The manufacturer's obligations set out in point 3 may be fulfilled by his authorised representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

ANNEX IV

CONFORMITY ASSESSMENT MODULE H

CONFORMITY BASED ON FULL QUALITY ASSURANCE

1. Conformity based on full quality assurance is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in points 2 and 5, and ensures and declares on his sole responsibility that the radio equipment concerned satisfies the requirements of this Directive that apply to it.

2. **Manufacturing**

The manufacturer shall operate an approved quality system for design, manufacture, final radio equipment inspection and testing of the radio equipment concerned as specified in point 3 and shall be subject to surveillance as specified in point 4.

3. **Quality system**

3.1. The manufacturer shall lodge an application for assessment of his quality system with the notified body of his choice, for the radio equipment concerned.

The application shall include:

(a) the name and address of the manufacturer and, if the application is lodged by the authorised representative, his name and address as well;

(b) the technical documentation for each radio equipment type intended to be manufactured. The technical documentation shall contain, wherever applicable, the elements set out in Annex V;

(c) the documentation concerning the quality system; and

(d) a written declaration that the same application has not been lodged with any other notified body.

3.2. The quality system shall ensure compliance of the radio equipment with the requirements of this Directive that apply to it.

All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. That quality system documentation shall permit a consistent interpretation of the quality programmes, plans, manuals and records.

It shall, in particular, contain an adequate description of:

(a) the quality objectives and the organisational structure, responsibilities and powers of the management with regard to design and product quality;

(b) the technical design specifications, including standards, that will be applied and, where the relevant harmonised standards will not be applied in full, the means that will be used to ensure that the essential requirements of this Directive that apply to the radio equipment will be met;

(c) the design control and design verification techniques, processes and systematic actions that will be used when designing radio equipment pertaining to the radio equipment type covered;

(d) the corresponding manufacturing, quality control and quality assurance techniques, processes and systematic actions that will be used;

(e) the examinations and tests that will be carried out before, during and after manufacture, and the frequency with which they will be carried out;

(f) the quality records, such as inspection reports and test data, calibration data, reports concerning the qualifications of the personnel, etc.;

(g) the means of monitoring the achievement of the required design and product quality and the effective operation of the quality system.

3.3. The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in point 3.2.

It shall presume conformity with those requirements in respect of the elements of the quality system that comply with the corresponding specifications of the relevant harmonised standard.

In addition to experience in quality management systems, the auditing team shall have at least one member experienced as an assessor in the relevant radio equipment field and radio equipment technology concerned, and knowledge of the applicable requirements of this Directive. The audit shall include an assessment visit to the manufacturer's premises. The auditing team shall review the technical documentation referred to in point 3.1(b) to verify the manufacturer's ability to identify the applicable requirements of this Directive and to carry out the necessary examinations with a view to ensuring compliance of the radio equipment with those requirements.

The manufacturer or his authorised representative shall be notified of the decision.

The notification shall contain the conclusions of the audit and the reasoned assessment decision.

3.4. The manufacturer shall undertake to fulfil the obligations arising out of the quality system as approved and to maintain it so that it remains adequate and efficient.

3.5. The manufacturer shall keep the notified body that has approved the quality system informed of any intended change to the quality system.

The notified body shall evaluate any proposed changes and decide whether the modified quality system will continue to satisfy the requirements referred to in point 3.2 or whether a reassessment is necessary.

It shall notify the manufacturer of its decision. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

4. **Surveillance under the responsibility of the notified body**

4.1. The purpose of surveillance is to make sure that the manufacturer duly fulfils the obligations arising out of the approved quality system.

4.2. The manufacturer shall, for assessment purposes, allow the notified body access to the design, manufacture, inspection, testing and storage sites, and shall provide it with all necessary information, in particular:

(a) the quality system documentation;

(b) the quality records as provided for by the design part of the quality system, such as results of analyses, calculations, tests, etc.;

(c) the quality records as provided for by the manufacturing part of the quality system, such as inspection reports and test data, calibration data, reports concerning the qualifications of the personnel, etc.

4.3. The notified body shall carry out periodic audits to make sure that the manufacturer maintains and applies the quality system and shall provide the manufacturer with an audit report.

4.4. In addition, the notified body may pay unexpected visits to the manufacturer. During such visits, the notified body may, if necessary, carry out radio equipment tests, or have them carried out, in order to check the proper functioning of the quality system. It shall provide the manufacturer with a visit report and, if tests have been carried out, with a test report.

5. **CE marking and EU declaration of conformity**

5.1. The manufacturer shall affix the CE marking in accordance with Articles 19 and 20 and, under the responsibility of the notified body referred to in point 3.1, the latter's identification number to each item of radio equipment that satisfies the applicable requirements set out in Article 3.

5.2. The manufacturer shall draw up a written EU declaration of conformity for each radio equipment type and keep it at the disposal of the national authorities for 10 years after the radio equipment has been placed on the market. The EU declaration of conformity shall identify the radio equipment type for which it has been drawn up.

A copy of the EU declaration of conformity shall be made available to the relevant authorities upon request.

6. The manufacturer shall, for a period ending 10 years after the radio equipment has been placed on the market, keep at the disposal of the national authorities:

(a) the technical documentation referred to in point 3.1;

(b) the documentation concerning the quality system referred to in point 3.1;

(c) the change referred to in point 3.5, as approved;

(d) the decisions and reports of the notified body referred to in points 3.5, 4.3 and 4.4.

7. Each notified body shall inform its notifying authority of quality system approvals issued or withdrawn, and shall, periodically or upon request, make available to its notifying authority the list of quality system approvals refused, suspended or otherwise restricted.

Each notified body shall inform the other notified bodies of quality system approvals which it has refused, suspended or withdrawn, and, upon request, of quality system approvals which it has issued.

8. **Authorised representative**

The manufacturer's obligations set out in points 3.1, 3.5, 5 and 6 may be fulfilled by his authorised representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

ANNEX V

CONTENTS OF TECHNICAL DOCUMENTATION

The technical documentation shall, wherever applicable, contain at least the following elements:

(a) a general description of the radio equipment including:

   (i) photographs or illustrations showing external features, marking and internal layout;

   (ii) versions of software or firmware affecting compliance with essential requirements;

   (iii) user information and installation instructions;

(b) conceptual design and manufacturing drawings and schemes of components, sub-assemblies, circuits and other relevant similar elements;

(c) descriptions and explanations necessary for the understanding of those drawings and schemes and the operation of the radio equipment;

(d) a list of the harmonised standards applied in full or in part the references of which have been published in the *Official Journal of the European Union*, and, where those harmonised standards have not been applied, descriptions of the solutions adopted to meet the essential requirements set out in Article 3, including a list of other relevant technical specifications applied. In the event of partly applied harmonised standards, the technical documentation shall specify the parts which have been applied;

(e) copy of the EU declaration of conformity;

(f) where the conformity assessment module in Annex III has been applied, copy of the EU-type examination certificate and its annexes as delivered by the notified body involved;

(g) results of design calculations made, examinations carried out, and other relevant similar elements;

(h) test reports;

(i) an explanation of the compliance with the requirement of Article 10(2) and of the inclusion or not of information on the packaging in accordance with Article 10(10).

ANNEX VI

EU DECLARATION OF CONFORMITY (No XXX) ([1])

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 of the manufacturer.
4. Object of the declaration (identification of the radio equipment allowing traceability; it may include a colour image of sufficient clarity where necessary for the identification of the radio equipment):
5. The object of the declaration described above is in conformity with the relevant Union harmonisation legislation:

   Directive 2014/53/EU

   Other Union harmonisation legislation where applicable
6. References to the relevant harmonised standards used or references to the other technical specifications in relation to which conformity is declared. References must be listed with their identification number and version and, where applicable, date of issue:
7. Where applicable, the notified body … (name, number) … performed … (description of intervention) … and issued the EU-type examination certificate: …
8. Where applicable, description of accessories and components, including software, which allow the radio equipment to operate as intended and covered by the EU declaration of conformity:
9. Additional information:

   Signed for and on behalf of: …

   (place and date of issue):

   (name, function) (signature):

([1]) It is optional for the manufacturer to assign a number to the EU declaration of conformity.

ANNEX VII

SIMPLIFIED EU DECLARATION OF CONFORMITY

The simplified EU declaration of conformity referred to in Article 10(9) shall be provided as follows:

Hereby, [Name of manufacturer] declares that the radio equipment type [designation of type of radio equipment] is in compliance with Directive 2014/53/EU.

The full text of the EU declaration of conformity is available at the following internet address:

ANNEX VIII

CORRELATION TABLE

Directive 1999/5/EC	This Directive
Article 1	Article 1
Article 2	Article 2
Article 3(1) and (2)	Article 3(1) and (2)
Article 3(3) and Article 15a	Article 3(3), with the exception of Article 3(3)(i), and Article 44
Article 4(1) and Articles 13 to 15	Articles 8 and 45
Article 4(2)	—
Article 5(1)	Article 16
Article 5(2) and (3)	—
Article 6(1)	Article 6
Article 6(2)	—
Article 6(3)	Article 10(8), (9) and (10)
Article 6(4)	—
Article 7(1) and (2)	Article 7
Article 7(3), (4) and (5)	—
Article 8(1) and (2)	Article 9
Article 8(3)	—
Article 9	Articles 39 to 43
Article 10	Article 17
Article 11	Articles 22 to 38
Article 12	Articles 19 and 20 and Article 10(6) and (7)
Article 16	—
Article 17	Article 47
Article 18	Article 48
Article 19	Article 49
Article 20	Article 50
Article 21	Article 51
Article 22	Article 52
Annex I	Annex I
Annex II	Annex II
Annex III	—
Annex IV	Annex III
Annex V	Annex IV
Annex VI	Article 26
Annex VII(1) to (4)	Articles 19 and 20
Annex VII(5)	Article 10(10)

STATEMENT OF THE EUROPEAN PARLIAMENT

The European Parliament considers that only when and insofar as implementing acts in the sense of Regulation (EU) No 182/2011 are discussed in meetings of committees, can the latter be considered as 'comitology committees' within the meaning of Annex I to the Framework Agreement on the relations between the European Parliament and the European Commission. Meetings of committees thus fall within the scope of point 15 of the Framework Agreement when and insofar as other issues are discussed.

参考 7　R&TTE 指令整合化規格

（EU 公報　2015 年 7 月 10 日　2015/C 226/07）
（R&TTE 指令に基づく欧州連合の公報により公表された規格）

10.7.2015 EN Official Journal of the European Union C 226/103

Commission communication in the framework of the implementation of the Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity

(Publication of titles and references of harmonised standards under Union harmonisation legislation)

(Text with EEA relevance)

(2015/C 226/07)

ESO [1]	Reference and title of the standard (and reference document)	First publication OJ	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard Note 1	Article of Directive 1999/5/EC
(1)	(2)	(3)	(4)	(5)	(6)
Cenelec	EN 41003:2008 Particular safety requirements for equipment to be connected to telecommunication networks and/or a cable distribution system	10.8.2010	EN 41003:1998 Note 2.1	Date expired (1.7.2011)	Article 3(1)(a) (and Article 2 2006/95/EC)
Cenelec	EN 50360:2001 Product standard to demonstrate the compliance of mobile phones with the basic restrictions related to human exposure to electromagnetic fields (300 MHz — 3 GHz)	26.7.2001			Article 3(1)(a)
	EN 50360:2001/AC:2006	29.12.2010			
	EN 50360:2001/A1:2012	23.10.2012	Note 3	Date expired (13.2.2015)	
Cenelec	EN 50364:2010 Limitation of human exposure to electromagnetic fields from devices operating in the frequency range 0 Hz to 300 GHz, used in Electronic Article Surveillance (EAS), Radio Frequency Identification (RFID) and similar applications	29.12.2010	EN 50364:2001 Note 2.1	Date expired (1.11.2012)	Article 3(1)(a) (and Article 2 2006/95/EC)
Cenelec	EN 50385:2002 Product standard to demonstrate the compliance of radio base stations and fixed terminal stations for wireless telecommunication systems with the basic restrictions or the reference levels related to human exposure to radio frequency electromagnetic fields (110 MHz — 40 GHz) — General public	7.12.2002			Article 3(1)(a)

(1)	(2)	(3)	(4)	(5)	(6)
Cenelec	EN 50401:2006 Product standard to demonstrate the compliance of fixed equipment for radio transmission (110 MHz — 40 GHz) intended for use in wireless telecommunication networks with the basic restrictions or the reference levels related to general public exposure to radio frequency electromagnetic fields, when put into service	21.12.2006			Article 3(1)(a)
	EN 50401:2006/A1:2011	11.4.2012	Note 3	Date expired (29.8.2014)	
Cenelec	EN 50561-1:2013 Power line communication apparatus used in low-voltage installations — Radio disturbance characteristics — Limits and methods of measurement — Part 1: Apparatus for in-home use	12.9.2014	EN 55022:2010 EN 55032:2012 Note 2.3	10.9.2016	Article 3(1)(b)
	EN 50561-1:2013/AC:2015	This is the first publication			
Cenelec	EN 50566:2013 Product standard to demonstrate compliance of radio frequency fields from handheld and body-mounted wireless communication devices used by the general public (30 MHz — 6 GHz)	12.10.2013			Article 3(1)(a)
	EN 50566:2013/AC:2014	12.9.2014			
Cenelec	EN 55022:2010 Information technology equipment — Radio disturbance characteristics — Limits and methods of measurement CISPR 22:2008 (Modified)	21.9.2011	EN 55022:2006 + A1:2007 Note 2.1	Date expired (1.12.2013)	Article 3(1)(b)
	EN 55022:2010/AC:2011	11.4.2012			
Cenelec	EN 55024:2010 Information technology equipment — Immunity characteristics — Limits and methods of measurement CISPR 24:2010	21.9.2011	EN 55024:1998 + A1:2001 + A2:2003	Date expired (1.12.2013)	Article 3(1)(b)
Cenelec	EN 55032:2012 Electromagnetic compatibility of multimedia equipment — Emission requirements CISPR 32:2012	12.10.2013	EN 55022:2010 Note 2.1	5.3.2017	Article 3(1)(b)
	EN 55032:2012/AC:2013	12.9.2014			

(1)	(2)	(3)	(4)	(5)	(6)
Cenelec	EN 60065:2002 Audio, video and similar electronic apparatus — Safety requirements IEC 60065:2001 (Modified)	7.12.2002	EN 60065:1998 Note 2.1	Date expired (1.3.2007)	Article 3(1)(a) (and Article 2 2006/95/EC)
	EN 60065:2002/AC:2006	29.12.2010			
	EN 60065:2002/AC:2007	29.12.2010			
	EN 60065:2002/A1:2006 IEC 60065:2001/A1:2005 (Modified)	25.9.2007	Note 3	Date expired (1.12.2008)	
	EN 60065:2002/A11:2008	10.8.2010	Note 3	Date expired (1.7.2010)	
	EN 60065:2002/A12:2011	21.9.2011	Note 3	Date expired (24.1.2013)	
	EN 60065:2002/A2:2010 IEC 60065:2001/A2:2010 (Modified)	15.4.2011	Note 3	Date expired (1.10.2013)	
Cenelec	EN 60065:2014 Audio, video and similar electronic apparatus — Safety requirements IEC 60065:2014 (Modified)	17.4.2015	EN 60065:2002 + A11:2008 + A12:2011 + A1:2006 + A2:2010 Note 2.1	17.11.2017	Article 3(1)(a) (and Article 2 2006/95/EC)
Cenelec	EN 60215:1989 Safety requirements for radio transmitting equipment IEC 60215:1987	5.4.2001			Article 3(1)(a) (and Article 2 2006/95/EC)
	EN 60215:1989/A1:1992 IEC 60215:1987/A1:1990	5.4.2001	Note 3	Date expired (1.6.1993)	
	EN 60215:1989/A2:1994 IEC 60215:1987/A2:1993	5.4.2001	Note 3	Date expired (15.7.1995)	
Cenelec	EN 60730-1:2011 Automatic electrical controls for household and similar use — Part 1: General requirements IEC 60730-1:2010 (Modified)	23.10.2012			Article 3(1)(a) (and Article 2 2006/95/EC) + Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
Cenelec	EN 60825-1:2007 Safety of laser products — Part 1: Equipment classification and requirements IEC 60825-1:2007	4.11.2008	EN 60825-1:1994 + A11:1996 + A1:2002 + A2:2001 Note 2.1	Date expired (1.9.2010)	Article 3(1)(a) (and Article 2 2006/95/EC)
Cenelec	EN 60825-1:2014 Safety of laser products — Part 1: Equipment classification and requirements IEC 60825-1:2014	This is the first publication	EN 60825-1:2007 Note 2.1	19.6.2017	Article 3(1)(a) (and Article 2 2006/95/EC)
Cenelec	EN 60825-2:2004 Safety of laser products — Part 2: Safety of optical fibre communication systems (OFCS) IEC 60825-2:2004	5.10.2005	EN 60825-2:2000 Note 2.1	Date expired (1.9.2007)	Article 3(1)(a) (and Article 2 2006/95/EC)
	EN 60825-2:2004/A1:2007 IEC 60825-2:2004/A1:2006	25.9.2007	Note 3	Date expired (1.2.2010)	
	EN 60825-2:2004/A2:2010 IEC 60825-2:2004/A2:2010	15.4.2011	Note 3	Date expired (1.10.2013)	
Cenelec	EN 60825-4:2006 Safety of laser products — Part 4: Laser guards IEC 60825-4:2006	25.9.2007	EN 60825-4:1997 + A1:2002 + A2:2003 Note 2.1	Date expired (1.10.2009)	Article 3(1)(a) (and Article 2 2006/95/EC)
	EN 60825-4:2006/A1:2008 IEC 60825-4:2006/A1:2008	15.12.2009	Note 3	Date expired (1.9.2011)	
	EN 60825-4:2006/A2:2011 IEC 60825-4:2006/A2:2011	21.9.2011	Note 3	Date expired (3.5.2014)	
Cenelec	EN 60825-12:2004 Safety of laser products — Part 12: Safety of free space optical communication systems used for transmission of information IEC 60825-12:2004	30.3.2005			Article 3(1)(a) (and Article 2 2006/95/EC)
Cenelec	EN 60950-1:2006 Information technology equipment — Safety — Part 1: General requirements IEC 60950-1:2005 (Modified)	25.9.2007	EN 60950-1:2001 + A11:2004 Note 2.1	Date expired (1.12.2010)	Article 3(1)(a) (and Article 2 2006/95/EC)
	EN 60950-1:2006/A11:2009	10.8.2010	Note 3	Date expired (1.12.2010)	
	EN 60950-1:2006/A12:2011	21.9.2011	Note 3	Date expired (24.1.2013)	
	EN 60950-1:2006/A1:2010 IEC 60950-1:2005/A1:2009 (Modified)	29.12.2010	Note 3	Date expired (1.3.2013)	

(1)	(2)	(3)	(4)	(5)	(6)
	EN 60950-1:2006/A2:2013 IEC 60950-1:2005/A2:2013 (Modified)	12.9.2014	Note 3	2.7.2016	
	EN 60950-1:2006/AC:2011	11.4.2012			
Cenelec	EN 60950-22:2006 Information technology equipment — Safety — Part 22: Equipment installed outdoors IEC 60950-22:2005 (Modified)	25.9.2007			Article 3(1)(a) (and Article 2 2006/95/EC)
	EN 60950-22:2006/AC:2008	29.12.2010			
Cenelec	EN 60950-23:2006 Information technology equipment — Safety — Part 23: Large data storage equipment IEC 60950-23:2005	25.9.2007			Article 3(1)(a) (and Article 2 2006/95/EC)
	EN 60950-23:2006/AC:2008	29.12.2010			
Cenelec	EN 61000-3-2:2006 Electromagnetic compatibility (EMC) — Part 3-2: Limits — Limits for harmonic current emissions (equipment input current <= 16 A per phase) IEC 61000-3-2:2005	25.9.2007	EN 61000-3-2:2000 + A2:2005 Note 2.1	Date expired (1.2.2009)	Article 3(1)(b)
	EN 61000-3-2:2006/A1:2009 IEC 61000-3-2:2005/A1:2008	10.8.2010	Note 3	Date expired (1.7.2012)	
	EN 61000-3-2:2006/A2:2009 IEC 61000-3-2:2005/A2:2009	10.8.2010	Note 3	Date expired (1.7.2012)	
Cenelec	EN 61000-3-2:2014 Electromagnetic compatibility (EMC) — Part 3-2: Limits — Limits for harmonic current emissions (equipment input current ≤ 16 A per phase) IEC 61000-3-2:2014	17.4.2015	EN 61000-3-2:2006 + A1:2009 + A2:2009 + A3:2013 + A3:2013 Note 2.1	30.6.2017	Article 3(1)(b)
Cenelec	EN 61000-3-3:2008 Electromagnetic compatibility (EMC) — Part 3-3: Limits — Limitation of voltage changes, voltage fluctuations and flicker in public low-voltage supply systems, for equipment with rated current <= 16 A per phase and not subject to conditional connection IEC 61000-3-3:2008	15.12.2009	EN 61000-3-3:1995 + A1:2001 Note 2.1	Date expired (1.9.2011)	Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
Cenelec	EN 61000-3-3:2013 Electromagnetic compatibility (EMC) — Part 3-3: Limits — Limitation of voltage changes, voltage fluctuations and flicker in public low-voltage supply systems, for equipment with rated current <= 16 A per phase and not subject to conditional connection IEC 61000-3-3:2013	12.9.2014	EN 61000-3-3:2008 Note 2.1	18.6.2016	Article 3(1)(b)
Cenelec	EN 61000-3-11:2000 Electromagnetic compatibility (EMC) — Part 3-11: Limits — Limitation of voltage changes, voltage fluctuations and flicker in public low-voltage supply systems — Equipment with rated current <= 75 A and subject to conditional connection IEC 61000-3-11:2000	5.4.2001	Relevant generic standard(s) Note 2.1	Date expired (1.11.2003)	Article 3(1)(b)
Cenelec	EN 61000-3-12:2011 Electromagnetic compatibility (EMC) — Part 3-12: Limits — Limits for harmonic currents produced by equipment connected to public low-voltage systems with input current > 16 A and <= 75 A per phase IEC 61000-3-12:2011 + IS1:2012	23.10.2012	EN 61000-3-12:2005 Note 2.1	Date expired (16.6.2014)	Article 3(1)(b)
Cenelec	EN 61000-6-1:2007 Electromagnetic compatibility (EMC) — Part 6-1: Generic standards — Immunity for residential, commercial and light-industrial environments IEC 61000-6-1:2005	25.9.2007	EN 61000-6-1:2001 Note 2.1	Date expired (1.12.2009)	Article 3(1)(b)
Cenelec	EN 61000-6-2:2005 Electromagnetic compatibility (EMC) — Part 6-2: Generic standards — Immunity for industrial environments IEC 61000-6-2:2005	24.8.2006	EN 61000-6-2:2001 Note 2.1	Date expired (1.6.2008)	Article 3(1)(b)
	EN 61000-6-2:2005/AC:2005	29.12.2010			
Cenelec	EN 61000-6-3:2007 Electromagnetic compatibility (EMC) — Part 6-3: Generic standards — Emission standard for residential, commercial and light-industrial environments IEC 61000-6-3:2006	25.9.2007	EN 61000-6-3:2001 + A11:2004 Note 2.1	Date expired (1.12.2009)	Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
	EN 61000-6-3:2007/A1:2011 IEC 61000-6-3:2006/A1:2010	21.9.2011	Note 3	Date expired (12.1.2014)	
	EN 61000-6-3:2007/A1:2011/ AC:2012	12.10.2013			
Cenelec	EN 61000-6-4:2007 Electromagnetic compatibility (EMC) — Part 6-4: Generic standards — Emission standard for industrial environments IEC 61000-6-4:2006	25.9.2007	EN 61000-6-4:2001 Note 2.1	Date expired (1.12.2009)	Article 3(1)(b)
	EN 61000-6-4:2007/A1:2011 IEC 61000-6-4:2006/A1:2010	21.9.2011	Note 3	Date expired (12.1.2014)	
Cenelec	EN 62311:2008 Assessment of electronic and electrical equipment related to human exposure restrictions for electromagnetic fields (0 Hz — 300 GHz) IEC 62311:2007 (Modified)	4.11.2008			Article 3(1)(a) (and Article 2 2006/95/EC)
Cenelec	EN 62368-1:2014 Audio/video, information and communication technology equipment — Part 1: Safety requirements (IEC 62368-1:2014, modified) IEC 62368-1:2014 (Modified)	17.4.2015	EN 60065:2014 EN 60950-1:2006 + A11:2009 + A12:2011 + A1:2010 + A2:2013 Note 2.1		Article 3(1)(a) (and Article 2 2006/95/EC)
	EN 62368-1:2014/AC:2015	This is the first publication			
Cenelec	EN 62479:2010 Assessment of the compliance of low power electronic and electrical equipment with the basic restrictions related to human exposure to electromagnetic fields (10 MHz to 300 GHz) IEC 62479:2010 (Modified)	15.4.2011	EN 50371:2002 Note 2.1	Date expired (1.9.2013)	Article 3(1)(a) (and Article 2 2006/95/EC)
ETSI	EN 300 065-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Narrow-band direct-printing telegraph equipment for receiving meteorological or navigational information (NAVTEX); Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE directive	15.12.2009	EN 300 065-2 V1.1.1 Note 2.1	Date expired (30.4.2011)	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 300 065-3 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Narrow-band direct-printing telegraph equipment for receiving meteorological or navigational information (NAVTEX); Part 3: Harmonized EN covering the essential requirements of article 3.3 (e) of the R&TTE directive	15.12.2009	EN 300 065-3 V1.1.1 Note 2.1	Date expired (28.2.2011)	Article 3(3)
ETSI	EN 300 086-2 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Land Mobile Service; Radio equipment with an internal or external RF connector intended primarily for analogue speech; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010	EN 300 086-2 V1.2.1 Note 2.1	Date expired (31.3.2012)	Article 3(2)
ETSI	EN 300 113-2 V1.5.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Land mobile service; Radio equipment intended for the transmission of data (and/or speech) using constant or non-constant envelope modulation and having an antenna connector; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	11.4.2012	EN 300 113-2 V1.4.2 Note 2.1	Date expired (31.8.2013)	Article 3(2)
ETSI	EN 300 135-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM);Land Mobile Service; Citizens' Band (CB) radio equipment; Angle-modulated Citizens' Band radio equipment (PR 27 Radio Equipment);Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	4.11.2008	EN 300 135-2 V1.1.1 Note 2.1	Date expired (30.11.2009)	Article 3(2)
ETSI	EN 300 219-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Land Mobile Service; Radio equipment transmitting signals to initiate a specific response in the receiver; Part 2: Harmonized EN covering essential requirements under article 3.2 of the R&TTE Directive	26.7.2001			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 300 220-2 V2.4.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Radio equipment to be used in the 25 MHz to 1 000 MHz frequency range with power levels ranging up to 500 mW; Part 2: Harmonized EN covering essential requirements under article 3.2 of the R&TTE Directive	23.10.2012	EN 300 220-2 V2.3.1 Note 2.1	Date expired (28.2.2014)	Article 3(2)
ETSI	EN 300 224-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); On-site paging service; Part 2: Harmonized EN under article 3.2 of the R&TTE Directive	5.4.2001			Article 3(2)
ETSI	EN 300 296-2 V1.4.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Land Mobile Service; Radio equipment using integral antennas intended primarily for analogue speech; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.10.2013	EN 300 296-2 V1.3.1 Note 2.1	Date expired (31.5.2015)	Article 3(2)
ETSI	EN 300 328 V1.8.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Wideband transmission systems; Data transmission equipment operating in the 2,4 GHz ISM band and using wide band modulation techniques; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	23.10.2012	EN 300 328 V1.7.1 Note 2.1	Date expired (31.12.2014)	Article 3(2)
ETSI	EN 300 328 V1.9.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Wideband transmission systems; Data transmission equipment operating in the 2,4 GHz ISM band and using wide band modulation techniques; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	17.4.2015	EN 300 328 V1.8.1 Note 2.1	30.11.2016	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 300 330-2 V1.5.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Radio equipment in the frequency range 9 kHz to 25 MHz and inductive loop systems in the frequency range 9 kHz to 30 MHz; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010	EN 300 330-2 V1.3.1 Note 2.1	Date expired (30.11.2011)	Article 3(2)
ETSI	EN 300 330-2 V1.6.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Radio equipment in the frequency range 9 kHz to 25 MHz and inductive loop systems in the frequency range 9 kHz to 30 MHz; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	17.4.2015	EN 300 330-2 V1.5.1 Note 2.1	30.11.2016	Article 3(2)
ETSI	EN 300 341-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Land Mobile service (RP 02); Radio equipment using an integral antenna transmitting signals to initiate a specific response in the receiver; Part 2: Harmonized EN under article 3.2 of the R&TTE Directive	5.4.2001			Article 3(2)
ETSI	EN 300 373-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Maritime mobile transmitters and receivers for use in the MF and HF bands; Part 2: Harmonized EN covering essential requirements under article 3.2 of the R&TTE Directive	10.8.2010	EN 300 373-2 V1.1.1 Note 2.1	Date expired (30.9.2011)	Article 3(2)
ETSI	EN 300 373-3 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Maritime mobile transmitters and receivers for use in the MF and HF bands; Part 3: Harmonized EN covering essential requirements under article 3.3(e) of the R&TTE Directive; Equipment with integrated or associated equipment for Class E Digital Selective Calling (DSC)	10.8.2010	EN 300 373-3 V1.1.1 Note 2.1	Date expired (30.9.2011)	Article 3(3)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 300 390-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Land Mobile Service; Radio equipment intended for the transmission of data (and speech) and using an integral antenna; Part 2: Harmonized EN covering essential requirements under article 3.2 of the R&TTE Directive	14.2.2001	ETS 300 390/A1 ED.1 Note 2.1	Date expired (30.4.2001)	Article 3(2)
ETSI	EN 300 422-2 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Wireless microphones in the 25 MHz to 3 GHz frequency range; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	11.4.2012	EN 300 422-2 V1.2.2 Note 2.1	Date expired (31.5.2013)	Article 3(2)
ETSI	EN 300 422-2 V1.4.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Wireless microphones in the 25 MHz to 3 GHz frequency range; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	This is the first publication	EN 300 422-2 V1.3.1 Note 2.1	28.2.2017	Article 3(2)
ETSI	EN 300 433-2 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Citizens' Band (CB) radio equipment; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	11.4.2012	EN 300 433-2 V1.1.2 Note 2.1	Date expired (30.3.2013)	Article 3(2)
ETSI	EN 300 440-2 V1.4.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short range devices; Radio equipment to be used in the 1 GHz to 40 GHz frequency range; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	29.12.2010	EN 300 440-2 V1.3.1 Note 2.1	Date expired (31.5.2012)	Article 3(2)
ETSI	EN 300 454-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Wide band audio links; Part 2: Harmonized EN under article 3.2 of the R&TTE Directive	14.2.2001			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 300 471-2 V1.1.1 Electromagnetic Compatibility and Radio spectrum Matters (ERM); Land Mobile Service; Rules for Access and the Sharing of common used channels by equipment complying with EN 300 113; Part 2: Harmonized EN covering essential requirements under article 3.2 of the R&TTE Directive	26.7.2001			Article 3(2)
ETSI	EN 300 609-4 V10.2.1 Global System for Mobile communications (GSM);Part 4: Harmonized EN for GSM Repeaters covering the essential requirements of article 3.2 of the R&TTE Directive	12.10.2013	EN 300 609-4 V9.2.1 Note 2.1	Date expired (31.8.2014)	Article 3(2)
ETSI	EN 300 674-2-1 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Road Transport and Traffic Telematics (RTTT); Dedicated Short Range Communication (DSRC) transmission equipment (500 kbit/s/250 kbit/s) operating in the 5,8 GHz Industrial, Scientific and Medical (ISM) band; Part 2: Harmonized EN under article 3.2 of the R&TTE Directive; Sub-part 1: Requirements for the Road Side Units (RSU)	24.8.2006			Article 3(2)
ETSI	EN 300 674-2-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Road Transport and Traffic Telematics (RTTT); Dedicated Short Range Communication (DSRC) transmission equipment (500 kbit/s/250 kbit/s) operating in the 5,8 GHz Industrial, Scientific and Medical (ISM) band; Part 2: Harmonized EN under article 3.2 of the R&TTE Directive; Sub-part 2: Requirements for the On-Board Units (OBU)	24.8.2006			Article 3(2)
ETSI	EN 300 676-2 V1.5.1 Ground-based VHF hand-held, mobile and fixed radio transmitters, receivers and transceivers for the VHF aeronautical mobile service using amplitude modulation; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	11.4.2012	EN 300 676-2 V1.4.1 Note 2.1	Date expired (31.5.2013)	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 300 698-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Radio telephone transmitters and receivers for the maritime mobile service operating in the VHF bands used on inland waterways; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	10.8.2010	EN 300 698-2 V1.1.1 Note 2.1	Date expired (31.8.2010)	Article 3(2)
ETSI	EN 300 698-3 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Radio telephone transmitters and receivers for the maritime mobile service operating in the VHF bands used on inland waterways; Part 3: Harmonized EN covering essential requirements of article 3.3 (e) of the R&TTE Directive	10.8.2010	EN 300 698-3 V1.1.1 Note 2.1	Date expired (31.8.2010)	Article 3(3)
ETSI	EN 300 718-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Avalanche Beacons; Transmitter-receiver systems; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	26.7.2001			Article 3(2)
ETSI	EN 300 718-3 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Avalanche beacons; Transmitter-receiver systems; Part 3: Harmonized EN covering the essential requirements of article 3.3e of the R&TTE Directive	30.4.2004	EN 300 718-3 V1.1.1 Note 2.1	Date expired (30.11.2005)	Article 3(3)
ETSI	EN 300 720-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Ultra-High Frequency (UHF) on-board vessels communications systems and equipment; Part 2: Harmonized EN under article 3.2 of the R&TTE Directive	3.6.2008	EN 300 720-2 V1.1.1 Note 2.1	Date expired (31.7.2009)	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 300 761-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Automatic Vehicle Identification (AVI) for railways operating in the 2,45 GHz frequency range; Part 2: Harmonized standard covering essential requirements under article 3.2 of the R&TTE Directive	26.7.2001			Article 3(2)
ETSI	EN 301 025-2 V1.5.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); VHF radiotelephone equipment for general communications and associated equipment for Class 'D' Digital Selective Calling (DSC); Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.9.2014	EN 301 025-2 V1.4.1 Note 2.1	Date expired (30.6.2015)	Article 3(2)
ETSI	EN 301 025-3 V1.5.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); VHF radiotelephone equipment for general communications and associated equipment for Class 'D' Digital Selective Calling (DSC); Part 3: Harmonized EN covering the essential requirements of article 3.3(e) of the R&TTE Directive	12.9.2014	EN 301 025-3 V1.4.1 Note 2.1	Date expired (30.6.2015)	Article 3(3)
ETSI	EN 301 091-2 V1.3.2 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices; Road Transport and Traffic Telematics (RTTT); Radar equipment operating in the 76 GHz to 77 GHz; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	25.9.2007	EN 301 091-2 V1.2.1 Note 2.1	Date expired (30.6.2008)	Article 3(2)
ETSI	EN 301 166-2 V1.2.3 Electromagnetic compatibility and Radio spectrum Matters (ERM); Land Mobile Service; Radio equipment for analogue and/or digital communication (speech and/or data) and operating on narrow band channels and having an antenna connector; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	10.8.2010	EN 301 166-2 V1.2.2 Note 2.1	Date expired (31.8.2011)	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 178-2 V1.2.2 Electromagnetic compatibility and Radio spectrum Matters (ERM); Portable Very High Frequency (VHF) radiotelephone equipment for the maritime mobile service operating in the VHF bands (for non-GMDSS applications only); Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	25.9.2007	EN 301 178-2 V1.1.1 Note 2.1	Date expired (31.10.2008)	Article 3(2)
ETSI	EN 301 357-2 V1.4.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Cordless audio devices in the range 25 MHz to 2 000 MHz; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	15.12.2009	EN 301 357-2 V1.3.1 Note 2.1	Date expired (31.8.2010)	Article 3(2)
ETSI	EN 301 360 V1.2.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Satellite Interactive Terminals (SIT) and Satellite User Terminals (SUT) transmitting towards geostationary satellites in the 27,5 GHz to 29,5 GHz frequency bands covering essential requirements under article 3.2 of the R&TTE Directive	24.8.2006	EN 301 360 V1.1.3 Note 2.1	Date expired (30.11.2007)	Article 3(2)
ETSI	EN 301 406 V2.1.1 Digital Enhanced Cordless Telecommunications (DECT); Harmonized EN for Digital Enhanced Cordless Telecommunications (DECT) covering the essential requirements under article 3.2 of the R&TTE Directive; Generic radio	15.12.2009	EN 301 406 V1.5.1 Note 2.1	Date expired (30.4.2011)	Article 3(2)
ETSI	EN 301 423 V1.1.1 Electromagnetic Compatibility and Radio spectrum Matters (ERM); Harmonized Standard for the Terrestrial Flight Telecommunications System under article 3.2 of the R&TTE Directive	5.4.2001	TBR 023 ED.1 Note 2.1	Date expired (30.9.2002)	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 426 V1.2.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Low data rate Land Mobile satellite Earth Stations (LMES) and Maritime Mobile satellite Earth Stations (MMES) not intended for distress and safety communications operating in the 1,5/1,6 GHz frequency bands covering essential requirements under article 3.2 of the R&TTE Directive	9.3.2002	EN 301 426 V1.1.1 Note 2.1	Date expired (30.6.2002)	Article 3(2)
ETSI	EN 301 427 V1.2.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Low data rate Mobile satellite Earth Stations (MESs) except aeronautical mobile satellite earth stations, operating in the 11/12/14 GHz frequency bands covering essential requirements under article 3.2 of the R&TTE directive	30.3.2005	EN 301 427 V1.1.1 Note 2.1	Date expired (31.8.2003)	Article 3(2)
ETSI	EN 301 428 V1.3.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Very Small Aperture Terminal (VSAT); Transmit-only, transmit/receive or receive-only satellite earth stations operating in the 11/12/14 GHz frequency bands covering essential requirements under article 3.2 of the R&TTE directive	24.8.2006	EN 301 428 V1.2.1 Note 2.1	Date expired (30.6.2007)	Article 3(2)
ETSI	EN 301 430 V1.1.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Satellite News Gathering Transportable Earth Stations (SNG TES) operating in the 11-12/13-14 GHz frequency bands covering essential requirements under article 3.2 of the R&TTE Directive	14.2.2001	TBR 030 ED.1 Note 2.1	Date expired (31.1.2001)	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 441 V1.1.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Mobile Earth Stations (MESs), including handheld earth stations, for Satellite Personal Communications Networks (S-PCN) in the 1,6/2,4 GHz bands under the Mobile Satellite Service (MSS) covering essential requirements under Article 3.2 of the R&TTE directive	14.2.2001	TBR 041 ED.1 Note 2.1	Date expired (31.1.2001)	Article 3(2)
ETSI	EN 301 442 V1.2.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Mobile Earth Stations (MESs), including handheld earth stations, for Satellite Personal Communications Networks (S-PCN) in the 2,0 GHz bands under the Mobile Satellite Service (MSS) covering essential requirements under article 3.2 of the R&TTE directive	29.12.2010	EN 301 442 V1.1.1 Note 2.1	Date expired (31.5.2012)	Article 3(2)
ETSI	EN 301 443 V1.3.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Very Small Aperture Terminal (VSAT); Transmit-only, transmit-and-receive, receive-only satellite earth stations operating in the 4 GHz and 6 GHz frequency bands covering essential requirements under article 3.2 of the R&TTE Directive	24.8.2006	EN 301 443 V1.2.1 Note 2.1	Date expired (30.11.2007)	Article 3(2)
ETSI	EN 301 444 V1.2.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Land Mobile Earth Stations (LMES) operating in the 1,5 GHz and 1,6 GHz bands providing voice and/or data communications covering essential requirements of article 3.2 of the R&TTE directive	11.4.2012	EN 301 444 V1.1.1 Note 2.1	Date expired (30.4.2015)	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 444 V1.2.2 Satellite Earth Stations and Systems (SES); Harmonized EN for Land Mobile Earth Stations (LMES) operating in the 1,5 GHz and 1,6 GHz bands providing voice and/or data communications covering essential requirements of article 3.2 of the R&TTE directive	12.10.2013	EN 301 444 V1.2.1 Note 2.1	30.9.2016	Article 3(2)
ETSI	EN 301 447 V1.1.1 Satellite Earth Stations and Systems (SES); Harmonized EN for satellite Earth Stations on board Vessels (ESVs) operating in the 4/6 GHz frequency bands allocated to the Fixed Satellite Service (FSS) covering essential requirements of article 3.2 of the R&TTE directive	3.6.2008			Article 3(2)
ETSI	EN 301 449 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM);Harmonized EN for CDMA spread spectrum base stations operating in the 450 MHz cellular band (CDMA 450) and 410, 450 and 870 MHz PAMR bands (CDMA-PAMR) covering essential requirements of article 3.2 of the R&TTE Directive	21.12.2006			Article 3(2)
ETSI	EN 301 459 V1.4.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Satellite Interactive Terminals (SIT) and Satellite User Terminals (SUT) transmitting towards satellites in geostationary orbit in the 29,5 GHz to 30,0 GHz frequency bands covering essential requirements under article 3.2 of the R&TTE Directive	25.9.2007	EN 301 459 V1.3.1 Note 2.1	Date expired (31.3.2009)	Article 3(2)
ETSI	EN 301 489-1 V1.9.2 Electromagnetic compatibility and Radio spectrum Matters (ERM); ElectroMagnetic Compatibility (EMC) standard for radio equipment and services; Part 1: Common technical requirements	11.4.2012	EN 301 489-1 V1.8.1 Note 2.1	Date expired (30.6.2013)	Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 489-10 V1.3.1 ElectroMagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 10: Specific conditions for First (CT1 and CT1+) and Second Generation Cordless Telephone (CT2) equipment	7.12.2002	EN 301 489-10 V1.2.1 Note 2.1	Date expired (30.11.2005)	Article 3(1)(b)
ETSI	EN 301 489-11 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 11: Specific conditions for terrestrial sound broadcasting service transmitters	24.8.2006	EN 301 489-11 V1.2.1 Note 2.1	Date expired (30.11.2007)	Article 3(1)(b)
ETSI	EN 301 489-12 V2.2.2 Electromagnetic compatibility and Radio spectrum Matters (ERM);Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 12: Specific conditions for Very Small Aperture Terminal, Satellite Interactive Earth Stations operated in the frequency ranges between 4 GHz and 30 GHz in the Fixed Satellite Service (FSS)	15.12.2009	EN 301 489-12 V1.2.1 Note 2.1	Date expired (30.6.2010)	Article 3(1)(b)
ETSI	EN 301 489-13 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 13: Specific conditions for Citizens' Band (CB) radio and ancillary equip-ment (speech and non-speech)	7.12.2002	EN 301 489-13 V1.1.1 Note 2.1	Date expired (30.11.2005)	Article 3(1)(b)
ETSI	EN 301 489-14 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 14: Specific conditions for analogue and digital terrestrial TV broadcasting ser-vice transmitters	12.11.2003	EN 301 489-14 V1.1.1 Note 2.1	Date expired (31.7.2006)	Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 489-15 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 15: Specific conditions for commercially available amateur radio equipment	7.12.2002	EN 301 489-15 V1.1.1 Note 2.1	Date expired (30.11.2005)	Article 3(1)(b)
ETSI	EN 301 489-16 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 16: Specific conditions for analogue cellular radio communications equipment, mobile and portable	7.12.2002	EN 301 489-16 V1.1.1 Note 2.1	Date expired (30.11.2005)	Article 3(1)(b)
ETSI	EN 301 489-17 V2.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment; Part 17: Specific conditions for Broadband Data Transmission Systems	23.10.2012	EN 301 489-17 V2.1.1 Note 2.1	Date expired (31.5.2014)	Article 3(1)(b)
ETSI	EN 301 489-18 V1.3.1 ElectroMagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 18: Specific conditions for Terrestrial Trunked Radio (TETRA) equipment	7.12.2002	EN 301 489-18 V1.2.1 Note 2.1	Date expired (30.11.2005)	Article 3(1)(b)
ETSI	EN 301 489-19 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 19: Specific conditions for Receive Only Mobile Earth Stations (ROMES) operating in the 1,5 GHz band providing data communication	7.12.2002	EN 301 489-19 V1.1.1 Note 2.1	Date expired (30.11.2005)	Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 489-2 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 2: Specific conditions for radio paging equipment	7.12.2002	EN 301 489-2 V1.2.1 Note 2.1	Date expired (30.11.2005)	Article 3(1)(b)
ETSI	EN 301 489-20 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 20: Specific conditions for Mobile Earth Stations (MES) used in the Mobile Satellite Services (MSS)	7.12.2002	EN 301 489-20 V1.1.1 Note 2.1	Date expired (30.11.2005)	Article 3(1)(b)
ETSI	EN 301 489-22 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 22: Specific requirements for ground-based VHF aeronautical mobile and fixed radio equipment	30.4.2004	EN 301 489-22 V1.2.1 Note 2.1	Date expired (28.2.2007)	Article 3(1)(b)
ETSI	EN 301 489-23 V1.5.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 23: Specific conditions for IMT-2000 CDMA, Direct Spread (UTRA and E-UTRA) Base Station (BS) radio, repeater and ancillary equipment	11.4.2012	EN 301 489-23 V1.4.1 Note 2.1	Date expired (31.8.2013)	Article 3(1)(b)
ETSI	EN 301 489-24 V1.5.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 24:Specific conditions for IMT-2000 CDMA Direct Spread (UTRA and E-UTRA) for Mobile and portable (UE) radio and ancillary equipment	29.12.2010	EN 301 489-24 V1.4.1 Note 2.1	Date expired (31.7.2012)	Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 489-25 V2.3.2 Electromagnetic compatibility and radio spectrum matters (ERM); Electromagnetic compatibility (EMC) standard for radio equipment and services; Part 25: Specific conditions for CDMA 1x Spread Spectrum Mobile Stations and ancillary equipment	24.8.2006	EN 301 489-25 V2.2.1 Note 2.1	Date expired (30.4.2007)	Article 3(1)(b)
ETSI	EN 301 489-26 V2.3.2 Electromagnetic compatibility and radio spectrum matters (ERM); Electromagnetic compatibility (EMC) standard for radio equipment and services; Part 26: Specific conditions for CDMA 1x spread spectrum base stations, repeaters and ancillary equipment	24.8.2006	EN 301 489-26 V2.2.1 Note 2.1	Date expired (30.4.2007)	Article 3(1)(b)
ETSI	EN 301 489-27 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 27: Specific conditions for Ultra Low Power Active Medical Implants (ULP-AMI) and related peripheral devices (ULP-AMI-P)	5.10.2005			Article 3(1)(b)
ETSI	EN 301 489-28 V1.1.1 Electromagnetic compatibility and Radio Spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 28: Specific conditions for wireless digital video links	5.10.2005			Article 3(1)(b)
ETSI	EN 301 489-29 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 29: Specific conditions for Medical Data Service Devices (MEDS) operating in the 401 MHz to 402 MHz and 405 MHz to 406 MHz bands	15.12.2009			Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 489-3 V1.6.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 3: Specific conditions for Short-Range Devices (SRD) operating on frequencies between 9 kHz and 246 GHz	12.10.2013	EN 301 489-3 V1.4.1 Note 2.1	Date expired (31.5.2015)	Article 3(1)(b)
ETSI	EN 301 489-31 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 31: Specific conditions for equipment in the 9 kHz to 315 kHz band for Ultra Low Power Active Medical Implants (ULP-AMI) and related peripheral devices (ULP-AMI-P)	24.8.2006			Article 3(1)(b)
ETSI	EN 301 489-32 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 32: Specific conditions for Ground and Wall Probing Radar applications	24.8.2006			Article 3(1)(b)
ETSI	EN 301 489-33 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM);Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 33: Specific conditions for Ultra Wide Band (UWB) communications devices	15.12.2009			Article 3(1)(b)
ETSI	EN 301 489-34 V1.4.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 34: Specific conditions for External Power Supply (EPS) for mobile phones	12.10.2013	EN 301 489-34 V1.3.1 Note 2.1	Date expired (28.2.2015)	Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 489-35 V1.1.2 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 35: Specific requirements for Low Power Active Medical Implants (LP-AMI) operating in the 2 483,5 MHz to 2 500 MHz bands	12.9.2014			Article 3(1)(b)
ETSI	EN 301 489-4 V2.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM);Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 4: Specific conditions for fixed radio links and ancillary equipment	12.10.2013	EN 301 489-4 V1.4.1 Note 2.1	Date expired (31.8.2014)	Article 3(1)(b)
ETSI	EN 301 489-4 V2.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 4: Specific conditions for fixed radio links and ancillary equipment	This is the first publication	EN 301 489-4 V2.1.1 Note 2.1	28.2.2017	Article 3(1)(b)
ETSI	EN 301 489-5 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 5: Specific conditions for Private land Mobile Radio (PMR) and ancillary equipment (speech and non-speech)	7.12.2002	EN 301 489-5 V1.2.1 Note 2.1	Date expired (30.11.2005)	Article 3(1)(b)
ETSI	EN 301 489-50 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 50: Specific conditions for Cellular Communication Base Station (BS), re-peater and ancillary equipment	12.10.2013	EN 301 489-26 V2.3.2 EN 301 489-8 V1.2.1 EN 301 489-23 V1.5.1		Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 489-6 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 6: Specific conditions for Digital Enhanced Cordless Telecommunications (DECT) equipment	15.12.2009	EN 301 489-6 V1.2.1 Note 2.1	Date expired (31.5.2010)	Article 3(1)(b)
ETSI	EN 301 489-6 V1.4.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 6: Specific conditions for Digital Enhanced Cordless Telecommunications (DECT) equipment	This is the first publication	EN 301 489-6 V1.3.1 Note 2.1	28.2.2017	Article 3(1)(b)
ETSI	EN 301 489-7 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 7: Specific conditions for mobile and portable radio and ancillary equipment of digital cellular radio telecommunications systems (GSM and DCS)	24.8.2006	EN 301 489-7 V1.2.1 Note 2.1	Date expired (31.1.2009)	Article 3(1)(b)
ETSI	EN 301 489-8 V1.2.1 ElectroMagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 8: Specific conditions for GSM base stations	7.12.2002	EN 301 489-8 V1.1.1 Note 2.1	Date expired (30.11.2005)	Article 3(1)(b)
ETSI	EN 301 489-9 V1.4.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Electro-Magnetic Compatibility (EMC) standard for radio equipment and services; Part 9: Specific conditions for wireless microphones, similar Radio Frequency (RF) audio link equipment, cordless audio and in-ear monitoring devices	3.6.2008	EN 301 489-9 V1.3.1 Note 2.1	Date expired (31.8.2009)	Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 502 V10.2.1 Global System for Mobile communications (GSM);Harmonized EN for Base Station Equipment covering the essential requirements of article 3.2 of the R&TTE Directive	12.10.2013	EN 301 502 V9.2.1 Note 2.1	Date expired (31.8.2014)	Article 3(2)
ETSI	EN 301 502 V11.1.1 Global System for Mobile communications (GSM);Harmonized EN for Base Station Equipment covering the essential requirements of article 3.2 of the R&TTE Directive	12.9.2014	EN 301 502 V10.2.1 Note 2.1	31.12.2015	Article 3(2)
ETSI	EN 301 502 V12.1.1 Global System for Mobile communications (GSM); Harmonized EN for Base Station Equipment covering the essential requirements of article 3.2 of the R&TTE Directive	This is the first publication	EN 301 502 V11.1.1 Note 2.1	30.11.2016	Article 3(2)
ETSI	EN 301 511 V9.0.2 Global System for Mobile communications (GSM); Harmonized EN for mobile stations in the GSM 900 and GSM 1800 bands covering essential requirements under article 3.2 of the R&TTE directive (1999/5/EC)	12.11.2003	EN 301 511 V7.0.1 Note 2.1	Date expired (30.6.2004)	Article 3(2)
ETSI	EN 301 526 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Harmonized EN for CDMA spread spectrum mobile stations operating in the 450 MHz cellular band (CDMA 450) and 410, 450 and 870 MHz PAMR bands (CDMA-PAMR) covering essential requirements of article 3.2 of the R&TTE Directive	21.12.2006			Article 3(2)
ETSI	EN 301 559-2 V1.1.2 Electromagnetic compatibility and Radio spectrum Matters (ERM);Short Range Devices (SRD); Low Power Active Medical Implants (LP-AMI) operating in the frequency range 2 483,5 MHz to 2 500 MHz; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	23.10.2012			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 598 V1.1.1 White Space Devices (WSD); Wireless Access Systems operating in the 470 MHz to 790 MHz TV broadcast band; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.9.2014			Article 3(2)
ETSI	EN 301 681 V1.4.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Mobile Earth Stations (MESs) of Geostationary mobile satellite systems, including handheld earth stations, for Satellite Personal Communications Networks (S-PCN) in the 1,5/1,6 GHz bands under the Mobile Satellite Service (MSS) covering the essential requirements of article 3.2 of the R&TTE Directive	11.4.2012	EN 301 681 V1.3.2 Note 2.1	Date expired (31.8.2013)	Article 3(2)
ETSI	EN 301 721 V1.2.1 Satellite Earth Stations and Systems (SES); Harmonized EN for Mobile Earth Stations (MES) providing Low Bit Rate Data Communications (LBRDC) using Low Earth Orbiting (LEO) satellites operating below 1 GHz covering essential requirements under Article 3.2 of the R&TTE Directive	26.7.2001	EN 301 721 V1.1.1 Note 2.1	Date expired (31.3.2002)	Article 3(2)
ETSI	EN 301 783-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Land Mobile Service; Commercially available amateur radio equipment; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010	EN 301 783-2 V1.1.1 Note 2.1	Date expired (30.9.2011)	Article 3(2)
ETSI	EN 301 796 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Harmonized EN for CT1 and CT1+ cordless telephone equipment covering essential requirements under article 3.2 of the R&TTE directive	14.2.2001			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 797 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Harmonized EN for CT2 cordless telephone equipment covering essential requirements under article 3.2 of the R&TTE directive	14.2.2001			Article 3(2)
ETSI	EN 301 839-2 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Ultra Low Power Active Medical Implants (ULP-AMI) and Peripherals (ULP-AMI-P) operating in the frequency range 402 MHz to 405 MHz; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	10.8.2010	EN 301 839-2 V1.2.1 Note 2.1	Date expired (30.6.2011)	Article 3(2)
ETSI	EN 301 841-3 V1.1.1 VHF air-ground Digital Link (VDL) Mode 2; Technical characteristics and methods of measurement for ground-based equipment; Part 3: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	11.4.2012			Article 3(2)
ETSI	EN 301 841-3 V1.2.1 VHF air-ground Digital Link (VDL) Mode 2; Technical characteristics and methods of measurement for ground-based equipment; Part 3: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	This is the first publication	EN 301 841-3 V1.1.1 Note 2.1	31.1.2016	Article 3(2)
ETSI	EN 301 843-1 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); ElectroMagnetic Compatibility (EMC) standard for marine radio equipment and services; Part 1: Common technical requirements	23.10.2012	EN 301 843-1 V1.2.1 Note 2.1	Date expired (31.5.2014)	Article 3(1)(b)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 843-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); ElectroMagnetic Compatibility (EMC) standard for marine radio equipment and services; Part 2: Specific conditions for VHF radiotelephone transmitters and receivers	5.10.2005	EN 301 843-2 V1.1.1 Note 2.1	Date expired (31.3.2006)	Article 3(1)(b)
ETSI	EN 301 843-4 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); ElectroMagnetic Compatibility (EMC) standard for marine radio equipment and services; Part 4: Specific conditions for Narrow-Band Direct-Printing (NBDP) NAVTEX receivers	5.10.2005	EN 301 843-4 V1.1.1 Note 2.1	Date expired (31.3.2006)	Article 3(1)(b)
ETSI	EN 301 843-5 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); ElectroMagnetic Compatibility (EMC) standard for marine radio equipment and services; Part 5: Specific conditions for MF/HF radiotelephone transmitters and receivers	5.10.2005			Article 3(1)(b)
ETSI	EN 301 843-6 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); ElectroMagnetic Compatibility (EMC) standard for marine radio equipment and services; Part 6: Specific conditions for Earth Stations on board Vessels operating in frequency bands above 3 GHz	21.12.2006			Article 3(1)(b)
ETSI	EN 301 893 V1.7.1 Broadband Radio Access Networks (BRAN); 5 GHz high performance RLAN; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	23.10.2012	EN 301 893 V1.6.1 Note 2.1	Date expired (31.12.2014)	Article 3(2)
ETSI	EN 301 893 V1.8.1 Broadband Radio Access Networks (BRAN); 5 GHz high performance RLAN; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	This is the first publication	EN 301 893 V1.7.1 Note 2.1	31.12.2016	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 908-1 V6.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 1: Introduction and common requirements	12.10.2013	EN 301 908-1 V5.2.1 Note 2.1	Date expired (31.1.2015)	Article 3(2)
ETSI	EN 301 908-1 V7.1.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 1: Introduction and common requirements	This is the first publication	EN 301 908-1 V6.2.1 Note 2.1	31.12.2016	Article 3(2)
ETSI	EN 301 908-10 V4.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Base Stations (BS), Repeaters and User Equipment (UE) for IMT-2000 Third-Generation cellular networks; Part 10: Harmonized EN for IMT-2000, FDMA/TDMA (DECT) covering essential requirements of article 3.2 of the R&TTE Directive	15.12.2009	EN 301 908-10 V2.1.1 Note 2.1	Date expired (30.4.2011)	Article 3(2)
ETSI	EN 301 908-11 V5.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 11: CDMA Direct Spread (UTRA FDD) (Repeaters)	21.9.2011	EN 301 908-11 V4.2.1 Note 2.1	Date expired (30.4.2013)	Article 3(2)
ETSI	EN 301 908-12 V4.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Base Stations (BS), Repeaters and User Equipment (UE) for IMT-2000 Third-Generation cellular networks; Part 12: Harmonized EN for IMT-2000, CDMA Multi-Carrier (cdma2000) (Repeaters) covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010	EN 301 908-12 V3.1.1 Note 2.1	Date expired (30.11.2011)	Article 3(2)
ETSI	EN 301 908-13 V5.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 13: Evolved Universal Terrestrial Radio Access (E-UTRA) User Equipment (UE)	11.4.2012	EN 301 908-13 V4.2.1 Note 2.1	Date expired (31.1.2013)	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 908-13 V6.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 13: Evolved Universal Terrestrial Radio Access (E-UTRA) User Equipment (UE)	12.9.2014	EN 301 908-13 V5.2.1 Note 2.1	31.7.2015	Article 3(2)
ETSI	EN 301 908-14 V5.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 14: Evolved Universal Terrestrial Radio Access (E-UTRA) Base Stations (BS)	11.4.2012	EN 301 908-14 V4.2.1 Note 2.1	Date expired (31.1.2013)	Article 3(2)
ETSI	EN 301 908-14 V6.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 14: Evolved Universal Terrestrial Radio Access (E-UTRA) Base Stations (BS)	12.9.2014	EN 301 908-14 V5.2.1 Note 2.1	31.7.2015	Article 3(2)
ETSI	EN 301 908-15 V5.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 15: Evolved Universal Terrestrial Radio Access (E-UTRA FDD) (Repeaters)	21.9.2011	EN 301 908-15 V4.2.1 Note 2.1	Date expired (30.4.2013)	Article 3(2)
ETSI	EN 301 908-16 V4.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Base Stations (BS), Repeaters and User Equipment (UE) for IMT-2000 Third-Generation cellular networks; Part 16: Harmonized EN for IMT-2000, Evolved CDMA Multi-Carrier Ultra Mobile Broadband (UMB) (UE) covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 908-17 V4.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Base Stations (BS), Repeaters and User Equipment (UE) for IMT-2000 Third-Generation cellular networks; Part 17: Harmonized EN for IMT-2000, Evolved CDMA Multi-Carrier Ultra Mobile Broadband (UMB) (BS) covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010			Article 3(2)
ETSI	EN 301 908-18 V6.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 18: E-UTRA, UTRA and GSM/EDGE Multi-Standard Radio (MSR) Base Station (BS)	12.10.2013	EN 301 908-18 V5.2.1 Note 2.1	Date expired (31.8.2014)	Article 3(2)
ETSI	EN 301 908-18 V7.1.2 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 18: E-UTRA, UTRA and GSM/EDGE Multi-Standard Radio (MSR) Base Station (BS)	12.9.2014	EN 301 908-18 V6.2.1 Note 2.1	31.3.2016	Article 3(2)
ETSI	EN 301 908-19 V6.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 19: OFDMA TDD WMAN (Mobile WiMAX) TDD User Equipment (UE)	12.10.2013	EN 301 908-19 V5.2.1 Note 2.1	Date expired (31.3.2015)	Article 3(2)
ETSI	EN 301 908-2 V5.4.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 2: CDMA Direct Spread (UTRA FDD) User Equipment (UE)	12.10.2013	EN 301 908-2 V5.2.1 Note 2.1	Date expired (30.9.2014)	Article 3(2)
ETSI	EN 301 908-2 V6.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 2: CDMA Direct Spread (UTRA FDD) User Equipment (UE)	12.9.2014	EN 301 908-2 V5.4.1 Note 2.1	31.7.2015	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 908-20 V6.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 20: OFDMA TDD WMAN (Mobile WiMAX) TDD Base Stations (BS)	12.10.2013	EN 301 908-20 V5.2.1 Note 2.1	Date expired (30.9.2014)	Article 3(2)
ETSI	EN 301 908-21 V5.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 21: OFDMA TDD WMAN (Mobile WiMAX) FDD User Equipment (UE)	11.4.2012			Article 3(2)
ETSI	EN 301 908-22 V5.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 22: OFDMA TDD WMAN (Mobile WiMAX) FDD Base Stations (BS)	11.4.2012			Article 3(2)
ETSI	EN 301 908-3 V5.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 3: CDMA Direct Spread (UTRA FDD) Base Stations (BS)	21.9.2011	EN 301 908-3 V4.2.1 Note 2.1	Date expired (30.4.2013)	Article 3(2)
ETSI	EN 301 908-3 V6.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 3: CDMA Direct Spread (UTRA FDD) Base Stations (BS)	12.9.2014	EN 301 908-3 V5.2.1 Note 2.1	31.7.2015	Article 3(2)
ETSI	EN 301 908-4 V6.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 4: CDMA Multi-Carrier (cdma2000) User Equipment (UE)	12.10.2013	EN 301 908-4 V5.2.1 Note 2.1	Date expired (31.3.2015)	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 908-5 V5.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 5: CDMA Multi-Carrier (cdma2000) Base Stations (BS)	11.4.2012	EN 301 908-5 V4.2.1 Note 2.1	Date expired (30.6.2013)	Article 3(2)
ETSI	EN 301 908-6 V5.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 6: CDMA TDD (UTRA TDD) User Equipment (UE)	21.9.2011	EN 301 908-6 V4.2.1 Note 2.1	Date expired (30.4.2013)	Article 3(2)
ETSI	EN 301 908-7 V5.2.1 IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 7: CDMA TDD (UTRA TDD) Base Stations (BS)	21.9.2011	EN 301 908-7 V4.2.1 Note 2.1	Date expired (30.4.2013)	Article 3(2)
ETSI	EN 301 908-8 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Base Stations (BS) and User Equipment (UE) for IMT-2000 Third Generation cellular networks; Part 8: Harmonized EN for IMT-2000, TDMA Single-Carrier (UWC 136) (UE) covering essential requirements of article 3.2 of the R&TTE Directive	9.3.2002			Article 3(2)
ETSI	EN 301 908-9 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Base Stations (BS) and User Equipment (UE) for IMT-2000 Third Generation cellular networks; Part 9: Harmonized EN for IMT-2000, TDMA Single-Carrier (UWC 136) (BS) covering essential requirements of article 3.2 of the R&TTE Directive	9.3.2002			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 301 929-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM);VHF transmitters and receivers as Coast Stations for GMDSS and other applications in the maritime mobile service; Part 2: Harmonized EN under article 3.2 of the R&TTE Directive	25.9.2007	EN 301 929-2 V1.1.1 Note 2.1	Date expired (30.11.2008)	Article 3(2)
ETSI	EN 301 997-2 V1.1.1 Transmission and Multiplexing (TM); Multipoint equipment; Radio equipment for use in Multimedia Wireless Systems (MWS) in the frequency band 40,5 GHz to 43,5 GHz; Part 2: Harmonized EN covering essential requirements under article 3.2 of the R&TTE Directive	30.4.2004			Article 3(2)
ETSI	EN 302 017-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Transmitting equipment for the Amplitude Modulated (AM) sound broadcasting service; Part 2: Harmonized EN under article 3.2 of the R&TTE Directive	24.8.2006			Article 3(2)
ETSI	EN 302 018-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Transmitting equipment for the Frequency Modulated (FM) sound broadcasting service; Part 2: Harmonized EN under article 3.2 of the R&TTE Directive	24.8.2006	EN 302 018-2 V1.1.1 Note 2.1	Date expired (30.11.2007)	Article 3(2)
ETSI	EN 302 054-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Meteorological Aids (Met Aids); Radiosondes to be used in the 400,15 MHz to 406 MHz frequency range with power levels ranging up to 200 mW; Part 2: Harmonized EN covering essential requirements under article 3.2 of the R&TTE Directive	12.11.2003			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 064-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Wireless Video Links (WVL) operating in the 1,3 GHz to 50 GHz frequency band; Part 2: Harmonized EN under article 3.2 of the R&TTE Directive	21.12.2006			Article 3(2)
ETSI	EN 302 065 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD) using Ultra Wide Band technology (UWB) for communications purposes; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	29.12.2010	EN 302 065 V1.1.1 Note 2.1	Date expired (30.6.2012)	Article 3(2)
ETSI	EN 302 065-1 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD) using Ultra Wide Band technology (UWB); Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 1: Requirements for Generic UWB applications	12.9.2014	EN 302 065 V1.2.1 Note 2.1	31.1.2016	Article 3(2)
ETSI	EN 302 065-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD) using Ultra Wide Band technology (UWB); Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 2: Requirements for UWB location tracking	12.9.2014			Article 3(2)
ETSI	EN 302 065-3 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD) using Ultra Wide Band technology (UWB); Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive; Part 3: Requirements for UWB devices for road and rail vehicles	12.9.2014			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 066-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Ground- and Wall- Probing Radar applications (GPR/WPR) imaging systems; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	4.11.2008	EN 302 066-2 V1.1.1 Note 2.1	Date expired (30.11.2009)	Article 3(2)
ETSI	EN 302 077-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Transmitting equipment for the Terrestrial — Digital Audio Broadcasting (T-DAB) service; Part 2: Harmonized EN under article 3.2 of the R&TTE Directive	5.10.2005			Article 3(2)
ETSI	EN 302 186 V1.1.1 Satellite Earth Stations and Systems (SES); Harmonized EN for satellite mobile Aircraft Earth Stations (AESs) operating in the 11/12/14 GHz frequency bands covering essential requirements under article 3.2 of the R&TTE Directive	30.4.2004			Article 3(2)
ETSI	EN 302 194-2 V1.1.2 Electromagnetic compatibility and Radio spectrum Matters (ERM); Navigation radar used on inland waterways; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	3.6.2008			Article 3(2)
ETSI	EN 302 195-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Radio equipment in the frequency range 9 kHz to 315 kHz for Ultra Low Power Active Medical Implants (ULP-AMI) and accessories; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	5.10.2005			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 208-2 V1.4.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Radio Frequency Identification Equipment operating in the band 865 MHz to 868 MHz with power levels up to 2 W; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	11.4.2012	EN 302 208-2 V1.3.1 Note 2.1	Date expired (31.8.2013)	Article 3(2)
ETSI	EN 302 208-2 V2.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Radio Frequency Identification Equipment operating in the band 865 MHz to 868 MHz with power levels up to 2 W and in the band 915 MHz to 921 MHz with power levels up to 4 W; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	17.4.2015	EN 302 208-2 V1.4.1 Note 2.1	30.11.2016	Article 3(2)
ETSI	EN 302 217-2-2 V2.1.1 Fixed Radio Systems; Characteristics and requirements for point-to-point equipment and antennas; Part 2-2: Digital systems operating in frequency bands where frequency co-ordination is applied; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.10.2013	EN 302 217-2-2 V1.4.1 Note 2.1	Date expired (31.3.2015)	Article 3(2)
ETSI	EN 302 217-2-2 V2.2.1 Fixed Radio Systems; Characteristics and requirements for point-to-point equipment and antennas; Part 2-2: Digital systems operating in frequency bands where frequency co-ordination is applied; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.9.2014	EN 302 217-2-2 V2.1.1 Note 2.1	31.12.2015	Article 3(2)

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ETSI	EN 302 217-3 V2.1.1 Fixed Radio Systems; Characteristics and requirements for point-to-point equipment and antennas; Part 3: Equipment operating in frequency bands where both frequency coordinated or uncoordinated deployment might be applied; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.10.2013	EN 302 217-3 V1.3.1 Note 2.1	Date expired (31.3.2015)	Article 3(2)
ETSI	EN 302 217-3 V2.2.1 Fixed Radio Systems; Characteristics and requirements for point-to-point equipment and antennas; Part 3: Equipment operating in frequency bands where both frequency coordinated or uncoordinated deployment might be applied; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.9.2014	EN 302 217-3 V2.1.1 Note 2.1	31.12.2015	Article 3(2)
ETSI	EN 302 217-4-2 V1.5.1 Fixed Radio Systems; Characteristics and requirements for point-to-point equipment and antennas; Part 4-2: Antennas; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010	EN 302 217-4-2 V1.4.1 Note 2.1	Date expired (31.10.2011)	Article 3(2)
ETSI	EN 302 245-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Transmitting equipment for the Digital Radio Mondiale (DRM) broadcasting service; Part 2: Harmonised EN under article 3.2 of the R&TTE Directive	5.10.2005			Article 3(2)
ETSI	EN 302 248 V1.1.2 Electromagnetic compatibility and Radio spectrum Matters (ERM);Navigation radar for use on non-SOLAS vessels; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	15.12.2009			Article 3(2)

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ETSI	EN 302 248 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM);Navigation radar for use on non-SOLAS vessels; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.9.2014	EN 302 248 V1.1.2 Note 2.1	31.8.2015	Article 3(2)
ETSI	EN 302 264-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices; Road Transport and Traffic Telematics (RTTT); Short Range Radar equipment operating in the 77 GHz to 81 GHz band; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	15.12.2009			Article 3(2)
ETSI	EN 302 288-2 V1.6.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices; Road Transport and Traffic Telematics (RTTT); Short range radar equipment operating in the 24 GHz range; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	23.10.2012	EN 302 288-2 V1.3.2 Note 2.1	Date expired (31.12.2013)	Article 3(2)
ETSI	EN 302 291-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Close Range Inductive Data Communication equipment operating at 13,56 MHz; Part 2: Harmonised EN under article 3.2 of the R&TTE Directive	24.8.2006			Article 3(2)
ETSI	EN 302 296-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Transmitting equipment for the digital television broadcast service, Terrestrial (DVB-T); Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	21.9.2011	EN 302 296 V1.1.1 Note 2.1	Date expired (28.2.2013)	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 297 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Transmitting equipment for the analogue television broadcasting service; Harmonized EN under article 3.2 of the R&TTE Directive	5.10.2005			Article 3(2)
ETSI	EN 302 326-2 V1.2.2 Fixed Radio Systems; Multipoint Equipment and Antennas; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive for Digital Multipoint Radio Equipment	25.9.2007	EN 302 326-2 V1.1.2 Note 2.1	Date expired (31.3.2009)	Article 3(2)
ETSI	EN 302 326-3 V1.3.1 Fixed Radio Systems; Multipoint Equipment and Antennas; Part 3: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive for Multipoint Radio Antennas	4.11.2008	EN 302 326-3 V1.2.2 Note 2.1	Date expired (31.10.2009)	Article 3(2)
ETSI	EN 302 340 V1.1.1 Satellite Earth Stations and Systems (SES); Harmonized EN for satellite Earth Stations on board Vessels (ESVs) operating in the 11/12/14 GHz frequency bands allocated to the Fixed Satellite Service (FSS) covering essential requirements under article 3.2 of the R&TTE directive	24.8.2006			Article 3(2)
ETSI	EN 302 372-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Equipment for Detection and Movement; Tanks Level Probing Radar (TLPR) operating in the frequency bands 5,8 GHz, 10 GHz, 25 GHz, 61 GHz and 77 GHz; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	15.4.2011	EN 302 372-2 V1.1.1 Note 2.1	Date expired (30.11.2012)	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 426 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Harmonized EN for CDMA spread spectrum repeaters operating in the 450 MHz cellular band (CDMA450) and the 410, 450 and 870 MHz PAMR bands (CDMA PAMR) covering essential requirements of article 3.2 of the R&TTE Directive	21.12.2006			Article 3(2)
ETSI	EN 302 435-2 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Technical characteristics for SRD equipment using Ultra WideBand technology (UWB); Building Material Analysis and Classification equipment applications operating in the frequency band from 2,2 GHz to 8,5 GHz; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010	EN 302 435-2 V1.2.1 Note 2.1	Date expired (30.9.2011)	Article 3(2)
ETSI	EN 302 448 V1.1.1 Satellite Earth Stations and Systems (SES);Harmonized EN for tracking Earth Stations on Trains (ESTs) operating in the 14/12 GHz frequency bands covering essential requirements under article 3.2 of the R&TTE directive	4.11.2008			Article 3(2)
ETSI	EN 302 454-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Meteorological Aids (Met Aids); Radiosondes to be used in the 1 668,4 MHz to 1 690 MHz frequency range; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	25.9.2007			Article 3(2)
ETSI	EN 302 480 V1.1.2 Electromagnetic compatibility and Radio spectrum Matters (ERM); Harmonized EN for the GSM onboard aircraft system covering the essential requirements of Article 3.2 of the R&TTE Directive	4.11.2008			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 498-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Technical characteristics for SRD equipment using Ultra WideBand technology (UWB); Object Discrimination and Characterization Applications for power tool devices operating in the frequency band from 2,2 GHz to 8,5 GHz; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010			Article 3(2)
ETSI	EN 302 500-2 V2.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD) using Ultra WideBand (UWB) technology; Location Tracking equipment operating in the frequency range from 6 GHz to 9 GHz; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	29.12.2010	EN 302 500-2 V1.2.1 Note 2.1	Date expired (31.7.2012)	Article 3(2)
ETSI	EN 302 502 V1.2.1 Broadband Radio Access Networks (BRAN); 5,8 GHz fixed broadband data transmitting systems; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	4.11.2008	EN 302 502 V1.1.1 Note 2.1	Date expired (31.3.2010)	Article 3(2)
ETSI	EN 302 510-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Radio equipment in the frequency range 30 MHz to 37,5 MHz for Ultra Low Power Active Medical Membrane Implants and Accessories; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	3.6.2008			Article 3(2)
ETSI	EN 302 536-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Radio equipment in the frequency range 315 kHz to 600 kHz; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	25.9.2007			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 537-2 V1.1.2 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Ultra Low Power Medical Data Service Systems operating in the frequency range 401 MHz to 402 MHz and 405 MHz to 406 MHz; Part 2: Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	4.11.2008			Article 3(2)
ETSI	EN 302 544-1 V1.1.2 Broadband Data Transmission Systems operating in the 2 500 MHz to 2 690 MHz frequency band; Part 1: TDD Base Stations; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010	EN 302 544-1 V1.1.1 Note 2.1	Date expired (30.9.2011)	Article 3(2)
ETSI	EN 302 544-2 V1.1.1 Broadband Data Transmission Systems operating in the 2 500 MHz to 2 690 MHz frequency band; Part 2: TDD User Equipment Stations; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	15.12.2009	EN 301 908-19 V6.2.1 Note 2.1		Article 3(2)
ETSI	EN 302 561 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Land Mobile Service; Radio equipment using constant or non-constant envelope modulation operating in a channel bandwidth of 25 kHz, 50 kHz, 100 kHz or 150 kHz; Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	10.8.2010	EN 302 561 V1.1.1 Note 2.1	Date expired (31.8.2011)	Article 3(2)
ETSI	EN 302 561 V1.3.2 Electromagnetic compatibility and Radio spectrum Matters (ERM); Land Mobile Service; Radio equipment using constant or non-constant envelope modulation operating in a channel bandwidth of 25 kHz, 50 kHz, 100 kHz or 150 kHz; Harmonized EN covering essential requirements of article 3.2 of the R&TTE Directive	17.4.2015	EN 302 561 V1.2.1 Note 2.1	30.6.2016	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 567 V1.2.1 Broadband Radio Access Networks (BRAN); 60 GHz Multiple-Gigabit WAS/RLAN Systems; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	11.4.2012	EN 302 567 V1.1.1 Note 2.1	Date expired (31.10.2013)	Article 3(2)
ETSI	EN 302 571 V1.2.1 Intelligent Transport Systems (ITS); Radiocommunications equipment operating in the 5 855 MHz to 5 925 MHz frequency band; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.9.2014	EN 302 571 V1.1.1 Note 2.1	Date expired (31.5.2015)	Article 3(2)
ETSI	EN 302 574-1 V1.1.1 Satellite Earth Stations and Systems (SES); Harmonized Standard for satellite earth stations for MSS operating in the 1 980 MHz to 2 010 MHz (earth-to-space) and 2 170 MHz to 2 200 MHz (space-to-earth) frequency bands; Part 1: Complementary Ground Component (CGC) for wideband systems: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	29.12.2010			Article 3(2)
ETSI	EN 302 574-2 V1.1.1 Satellite Earth Stations and Systems (SES); Harmonized Standard for satellite earth stations for MSS operating in the 1 980 MHz to 2 010 MHz (earth-to-space) and 2 170 MHz to 2 200 MHz (space-to-earth) frequency bands; Part 2: User Equipment (UE) for wideband systems: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	29.12.2010			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 574-3 V1.1.1 Satellite Earth Stations and Systems (SES); Harmonized Standard for satellite earth stations for MSS operating in the 1 980 MHz to 2 010 MHz (earth-to-space) and 2 170 MHz to 2 200 MHz (space-to- earth) frequency bands; Part 3: User Equipment (UE) for narrowband systems: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	29.12.2010			Article 3(2)
ETSI	EN 302 608 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM);Short Range Devices (SRD); Radio equipment for Eurobalise railway systems; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	15.12.2009			Article 3(2)
ETSI	EN 302 609 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM);Short Range Devices (SRD); Radio equipment for Euroloop railway systems; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	15.12.2009			Article 3(2)
ETSI	EN 302 617-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Ground-based UHF radio transmitters, receivers and transceivers for the UHF aeronautical mobile service using amplitude modulation; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	15.4.2011			Article 3(2)
ETSI	EN 302 623 V1.1.1 Broadband Wireless Access Systems (BWA) in the 3 400 MHz to 3 800 MHz frequency band; Mobile Terminal Stations; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	15.12.2009	EN 301 908-13 V6.2.1 Note 2.1		Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 625 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); 5 GHz BroadBand Disaster Relief applications (BBDR); Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010			Article 3(2)
ETSI	EN 302 645 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices; Global Navigation Satellite Systems (GNSS) Repeaters; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010			Article 3(2)
ETSI	EN 302 686 V1.1.1 Intelligent Transport Systems (ITS); Radiocommunications equipment operating in the 63 GHz to 64 GHz frequency band; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	15.4.2011			Article 3(2)
ETSI	EN 302 729-2 V1.1.2 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Level Probing Radar (LPR) equipment operating in the frequency ranges 6 GHz to 8,5 GHz, 24,05 GHz to 26,5 GHz, 57 GHz to 64 GHz, 75 GHz to 85 GHz; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	21.9.2011			Article 3(2)
ETSI	EN 302 752 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Active radar target enhancers; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	10.8.2010			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 774 V1.2.1 Broadband Wireless Access Systems (BWA) in the 3 400 MHz to 3 800 MHz frequency band; Base Stations; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	23.10.2012	EN 302 774 V1.1.1 EN 301 908-18 V7.1.2 EN 301 908-14 V6.2.1 Note 2.1	Date expired (31.12.2013)	Article 3(2)
ETSI	EN 302 858-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Road Transport and Traffic Telematics (RTTT); Short range radar equipment operating in the 24,05 GHz to 24,25 GHz frequency range for automotive application; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	11.4.2012			Article 3(2)
ETSI	EN 302 858-2 V1.3.1 Electromagnetic compatibility and Radio spectrum Matters (ERM);Road Transport and Traffic Telematics (RTTT); Automotive radar equipment operating in the 24,05 GHz up to 24,25 GHz or 24,50 GHz frequency range; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.9.2014	EN 302 858-2 V1.2.1 Note 2.1	31.7.2015	Article 3(2)
ETSI	EN 302 885-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Portable Very High Frequency (VHF) radiotelephone equipment for the maritime mobile service operating in the VHF bands with integrated handheld class D DSC; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	11.4.2012			Article 3(2)
ETSI	EN 302 885-2 V1.2.2 Electromagnetic compatibility and Radio spectrum Matters (ERM);Portable Very High Frequency (VHF) radiotelephone equipment for the maritime mobile service operating in the VHF bands with integrated handheld class D DSC; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.9.2014	EN 302 885-2 V1.1.1 Note 2.1	31.12.2015	Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 885-3 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Portable Very High Frequency (VHF) radiotelephone equipment for the maritime mobile service operating in the VHF bands with integrated handheld class D DSC; Part 3: Harmonized EN covering the essential requirements of article 3.3 (e) of the R&TTE Directive	11.4.2012			Article 3(3)
ETSI	EN 302 885-3 V1.2.2 Electromagnetic compatibility and Radio spectrum Matters (ERM);Portable Very High Frequency (VHF) radiotelephone equipment for the maritime mobile service operating in the VHF bands with integrated handheld class D DSC; Part 3: Harmonized EN covering the essential requirements of article 3.3 (e) of the R&TTE Directive	12.9.2014	EN 302 885-3 V1.1.1 Note 2.1	31.12.2015	Article 3(3)
ETSI	EN 302 961-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Maritime Personal Homing Beacon intended for use on the frequency 121,5 MHz for search and rescue purposes only; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.10.2013	EN 300 152-2 V1.1.1 Note 2.1	Date expired (30.4.2015)	Article 3(2)
ETSI	EN 302 977 V1.1.2 Satellite Earth Stations and Systems (SES); Harmonized EN for Vehicle-Mounted Earth Stations (VMES) operating in the 14/12 GHz frequency bands covering the essential requirements of article 3.2 of the R&TTE directive	10.8.2010			Article 3(2)
ETSI	EN 302 998-1 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Transmitting equipment for terrestrial mobile TV to provide multimedia multicast service; Part 1: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive, Common requirements	21.9.2011			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 302 998-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Transmitting equipment for terrestrial mobile TV to provide multimedia multicast service; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive, Test Arrangements for transmitters utilizing OFDM technology	21.9.2011			Article 3(2)
ETSI	EN 303 035-1 V1.2.1 Terrestrial Trunked Radio (TETRA); Harmonized EN for TETRA equipment covering essential requirements under article 3.2 of the R&TTE directive; Part 1: Voice plus Data (V+D)	10.8.2002	EN 303 035-1 V1.1.1 Note 2.1	Date expired (30.9.2003)	Article 3(2)
ETSI	EN 303 035-2 V1.2.2 Terrestrial Trunked Radio (TETRA); Harmonized EN for TETRA equipment covering essential requirements under article 3.2 of the R&TTE directive; Part 2: Direct Mode Operation (DMO)	26.3.2003	EN 303 035-2 V1.2.1 Note 2.1	Date expired (31.10.2004)	Article 3(2)
ETSI	EN 303 039 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Land Mobile Service; Multichannel transmitter specification for the PMR Service; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.9.2014			Article 3(2)
ETSI	EN 303 084 V1.1.1 Ground Based Augmentation System (GBAS) VHF ground-air Data Broadcast (VDB); Technical characteristics and methods of measurement for ground-based equipment; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	12.10.2013			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 303 098-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Maritime low power personal locating devices employing AIS; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	17.4.2015			Article 3(2)
ETSI	EN 303 135 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Coastal Surveillance, Vessel Traffic Services and Harbour Radars (CS/VTS/HR); Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	17.4.2015			Article 3(2)
ETSI	EN 303 203-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Medical Body Area Network Systems (MBANSs) operating in the 2 483,5 MHz to 2 500 MHz range; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	17.4.2015			Article 3(2)
ETSI	EN 303 204-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Network Based Short Range Devices (SRD); Radio equipment to be used in the 870 MHz to 876 MHz frequency range with power levels ranging up to 500 mW; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	17.4.2015			Article 3(2)
ETSI	EN 303 213-6-1 V1.1.1 Advanced Surface Movement Guidance and Control System (A-SMGCS); Part 6: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive for deployed surface movement radar sensors; Sub-part 1: X-band sensors using pulsed signals and transmitting power up to 100 kW	11.4.2012			Article 3(2)

(1)	(2)	(3)	(4)	(5)	(6)
ETSI	EN 303 213-6-1 V1.2.1 Advanced Surface Movement Guidance and Control System (A-SMGCS);Part 6: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive for deployed surface movement radar sensors; Sub-part 1: X-band sensors using pulsed signals and transmitting power up to 100 kW	12.9.2014	EN 303 213-6-1 V1.1.1 Note 2.1	31.8.2015	Article 3(2)
ETSI	EN 303 978 V1.1.2 Satellite Earth Stations and Systems (SES);Harmonized EN for Earth Stations on Mobile Platforms (ESOMP) transmitting towards satellites in geostationary orbit in the 27,5 GHz to 30,0 GHz frequency bands covering the essential requirements of article 3.2 of the R&TTE Directive	12.10.2013			Article 3(2)
ETSI	EN 305 550-2 V1.1.1 Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Radio equipment to be used in the 40 GHz to 246 GHz frequency range; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	11.4.2012			Article 3(2)
ETSI	EN 305 550-2 V1.2.1 Electromagnetic compatibility and Radio spectrum Matters (ERM);Short Range Devices (SRD); Radio equipment to be used in the 40 GHz to 246 GHz frequency range; Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive	17.4.2015	EN 305 550-2 V1.1.1 Note 2.1	31.7.2016	Article 3(2)
ETSI	ETS 300 487/A1 ED.1 Satellite Earth Stations and Systems (SES); Receive-Only Mobile Earth Stations (ROMES) operating in the 1,5 GHz band providing data communications; Radio Frequency (RF) specifications	5.4.2001			Article 3(2)

(1) ESO: European standardisation organisation:
— CEN: Avenue Marnix 17, B-1000, Brussels, Tel. +32 2 5500811; fax + 32 2 5500819 (http://www.cen.eu)
— CENELEC: Avenue Marnix 17, B-1000, Brussels, Tel. +32 2 5196871; fax + 32 2 5196919 (http://www.cenelec.eu)
— ETSI: 650, route des Lucioles, F-06921 Sophia Antipolis, Tel. +33 492 944200; fax +33 493 654716, (http://www.etsi.eu)

Note 1: Generally the date of cessation of presumption of conformity will be the date of withdrawal ('dow'), set by the European standardisation organisation, but attention of users of these standards is drawn to the fact that in certain exceptional cases this can be otherwise.

Note 2.1: The new (or amended) standard has the same scope as the superseded standard. On the date stated, the superseded standard ceases to give presumption of conformity with the essential or other requirements of the relevant Union legislation.

Note 2.2: The new standard has a broader scope than the superseded standard. On the date stated the superseded standard ceases to give presumption of conformity with the essential or other requirements of the relevant Union legislation.

Note 2.3: The new standard has a narrower scope than the superseded standard. On the date stated the (partially) superseded standard ceases to give presumption of conformity with the essential or other requirements of the relevant Union legislation for those products or services that fall within the scope of the new standard. Presumption of conformity with the essential or other requirements of the relevant Union legislation for products or services that still fall within the scope of the (partially) superseded standard, but that do not fall within the scope of the new standard, is unaffected.

Note 3: In case of amendments, the referenced standard is EN CCCCC:YYYY, its previous amendments, if any, and the new, quoted amendment. The superseded standard therefore consists of EN CCCCC:YYYY and its previous amendments, if any, but without the new quoted amendment. On the date stated, the superseded standard ceases to give presumption of conformity with the essential or other requirements of the relevant Union legislation.

NOTE:

— In addition standards published under Directives 2006/95/EC, 2004/108/EC, 90/385/EEC and 93/42/EEC may be used to demonstrate compliance with articles 3.1.a and 3.1.b of Directive 1999/5/EC.

— Products are presumed to comply with the Directive when they meet the requirements within the usage conditions for which they are intended.

— Any information concerning the availability of the standards can be obtained either from the European standardisation organisations or from the national standardisation bodies the list of which is published in the *Official Journal of the European Union* according to Article 27 of the Regulation (EU) No 1025/2012 ([1]).

— Standards are adopted by the European standardisation organisations in English (CEN and Cenelec also publish in French and German). Subsequently, the titles of the standards are translated into all other required official languages of the European Union by the national standardisation bodies. The European Commission is not responsible for the correctness of the titles which have been presented for publication in the Official Journal.

— References to Corrigenda '.../AC:YYYY' are published for information only. A Corrigendum removes printing, linguistic or similar errors from the text of a standard and may relate to one or more language versions (English, French and/or German) of a standard as adopted by a European standardisation organisation.

— Publication of the references in the *Official Journal of the European Union* does not imply that the standards are available in all the official languages of the European Union.

— This list replaces all the previous lists published in the *Official Journal of the European Union*. The European Commission ensures the updating of this list.

— More information about harmonised standards and other European standards on the Internet at

http://ec.europa.eu/growth/single-market/european-standards/harmonised-standards/index_en.htm

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([1]) OJ L 316, 14.11.2012, p. 12.

参考 8

適合性評価手続の結果の相互承認に関する日本国とアメリカ合衆国との間の協定

（平成19年2月16日署名・平成20年1月1日発効）

日本国及びアメリカ合衆国（以下「両締約国」という。）は、

両締約国間の伝統的な友好関係を考慮し、

適合性評価手続の結果を相互に承認することが両締約国の間での市場への進出及び両締約国のそれぞれの領域内の経済活動を促進する重要な手段であることを認識し、

このような相互承認においては、各締約国による他方の締約国の適合性評価手続に対する信頼が必要であることを認識し、

世界貿易機関（WTO）の加盟国として両締約国が負う義務に留意し、特に、世界貿易機関を設立するマラケシュ協定（以下「世界貿易機関設立協定」という。）附属書1A 貿易の技術的障害に関する協定（以下「貿易の技術的障害に関する協定」という。）及び附属書1C 知的所有権の貿易関連の側面に関する協定（以下「知的所有権の貿易関連の側面に関する協定」という。）に基づく両締約国の義務を認識し、

適合性評価手続の結果の相互承認を規定する合意が機器の供給者にとって特に利益となることを認識して、

次のとおり協定した。

第1条　協定の目的

この協定は、両締約国の領域内及び領域の間におけるこの協定の対象となる機器に関連する経済活動を促進するため、一方の締約国が他方の締約国の領域内に所在する適合性評価機関の実施する当該機器についての適合性評価手続の結果を受け入れる手続について定める。

第2条　定義

1　この協定の適用上、

(a)「適合性評価手続」とは、機器又は工程が締約国の技術法規に適合するか否かを決定するための手続をいう。

(b)「適合性評価機関」とは、適合性評価手続を実施する機関をいう。

(c)「技術法規」とは、機器の技術上の要件、適合性評価手続及び指定基準に関する締約国の関係法令及び運用規則であって、附属書第1節に定めるものをいう。

(d)「指定当局」とは、附属書第2節に特定する締約国の当局であって、自国の領域内に所在する適合性評価機関の指定、監視、指定の取消し、指定の効力の停止及び指定の効力の停止の解除を行う権限を有するものをいう。

(e)「指定」とは、第5条及び付属書第3節に定める手続に従って行う適合性評価機関の指定をいう。

(f)「指定基準」とは、一方の締約国の領域内に所在する適合性評価機関が当該一方の締約国の指定当局による指定を受け、及び当該指定を維持するために適合しなければならない基準であって、他方の締約国の技術法規並びに附属書第3節に定める関連する国際標準化機構・国際電気標準会議指針書及び規格書に定めるものをいう。

(g)「指定を受けた適合性評価機関」とは、締約国の領域内に所在する適合性評価機関であって、第5条及び附属書第3節に定める手続に従って当該締約国の指定当局による指定を受けたものをいう。

(h)「規制当局」とは、附属書第 4 節に特定する締約国の当局であって、自国の技術法規との適合性に関し、この協定の対象となる機器の規制を行う権限を有するものをいう。

(i)「登録」とは、第6条に定める手続に従って行う適合性評価機関の登録をいう。

(j)「登録を受けた適合性評価機関」とは、第 6 条に定める手続に従って登録を受けた適合性評価機関をいう。

(k)「適合性評価手続の結果」とは、適合性評価手続の実施により得られる決定であって、機器又は工程が締約国の技術法規に適合するか否かについてのもの（肯定的な決定を反映した証明書及び表示を含む。）をいう。

(l) 日数は、暦日による。

2　この協定で使用するすべての用語であって 1 に定義されていないものは、附属書第 5 節に定める国際標準化機構・国際電気標準会議規格書において与えられている意味を有する。

第 3 条 一般規定

1　この協定は、附属書第 6 節の対象となる通信端末機器及び無線機器並びにこれらの機器に係る工程についての適合性評価手続について適用する。この協定は、これらの機器について、供給者の所在地又は機器の原産地（日本国又はアメリカ合衆国以外の原産地を含む。）にかかわりなく適用する。

2　各締約国は、他方の締約国の領域内に所在する登録を受けた適合性評価機関がこの協定の対象となる機器について実施する適合性評価手続の結果であって、当該機器又は当該機器に係る工程が自国の技術法規に適合する旨の決定を行うものを、この協定に従って受け入れる。

3　1 に規定する適合性評価手続の結果は、試験所の所在地（日本国又はアメリカ合衆国以外の国を含む。）にかかわりなく当該試験所における試験の結果に基づくことができる。

4　附属書は、この協定の不可分の一部を成し、次の内容を定める。

(a) 各締約国の技術法規

(b) 各締約国の指定当局

(c) 各締約国における適合性評価機関の指定手続

(d) 各締約国の規制当局

(e) この協定に定義されていない用語に関する国際標準化機構・国際電気標準会議規格書

(f) 各締約国においてこの協定の対象となる機器

(g) 適合性評価機関の登録に関する情報

(h) 合同委員会の共同議長

5　各締約国は、次のことを行う。

(a) 技術法規及びその改正を公表すること。

(b) 登録を受けた適合性評価機関の一覧を公表すること。

(c) 自国が登録を受けた適合性評価機関を登録するための提案において提供した情報が正確なものでなくなり、かつ、その不正確さがこの協定の運用に影響を及ぼし得る場合には、他方の締約国に通報し、及び当該登録を受けた適合性評価機関に関する訂正された情報を提供すること。

(d) 附属書第 2 節及び第 4 節にそれぞれ特定する当局のほかに指定当局又は規制当局を指名するときは、他方の締約国に通報すること。

6　各締約国は、他方の締約国からの次の事項に関する照会に回答する。

(a) この協定の対象となる適合性評価手続及び自国の技術法規（適合性評価手続に適用される技術法規の特定の条項、附属書、節又は部に関する照会を含む。）

(b) この協定の実施

(c) 技術法規に係る予定される何らかの変更であって、その効力を生ずる前のもの

7　各締約国は、一方の締約国の領域内に所在する適合性評価機関が指定基準（他方の締約国の技術法規を含む。）を理解し、及びこれに適合することを確保するためには適合性評価機関との協力が不可欠であることを

認識し、このため、適合性評価機関がこの協定により利益を得る能力を向上させる手段としての研修会その他の適合性評価機関との情報交換を奨励すべきである。

8　各締約国は、自国の領域内に所在する適合性評価機関に対し、それらが自国の技術法規への理解を増進することを目的として行う活動に他方の締約国の領域内に所在する適合性評価機関を含めるよう奨励すべきである。

第4条　指定当局

1　各締約国は、附属書第2節に特定する自国の指定当局が、自国の領域内に所在する適合性評価機関の指定、監視、適合性の検証、指定の取消し、指定の効力の停止及び指定の効力の停止の解除を行うために必要な権限を有することを確保する。

2　締約国が1又は2以上の機関に任じて適合性評価機関の審査を行わせる場合においても、そのことは、この協定に定める指定当局の義務に影響を及ぼすものではない。

第5条　指定

1　各締約国の指定当局は、この協定の適用上、自国の領域内において適合性評価機関を指定するか否かについて決定する際には、附属書第3節に定める手続を適用する。

2　各締約国は、自国の領域内に所在する登録を受けた適合性評価機関が指定基準に適合することを、監査、検査、監視その他の適切な方法を通じて確保する。

3　各締約国は、他方の締約国の要請により、適合性評価機関の指定を行うために用いる方法について当該他方の締約国に情報を提供する。

第6条　登録

1　適合性評価機関の登録には、次の手続を適用する。

(a) 締約国は、この協定の下で指定を受けた適合性評価機関の登録を求めるときは、他方の締約国及び合同委員会に対して提案を行う。当該提案は、書面により行い、次のものを含める。

(ⅰ) 当該指定を受けた適合性評価機関を登録する旨の合同委員会による決定書の案文（提案を行う締約国の合同委員会の共同議長が署名したもの）

(ⅱ) 附属書第7節に特定する適合性評価機関の登録に関する情報

(b) 提案を受けた締約国は、適合性評価機関が指定基準に適合するか否かについて審査する。提案を受けた締約国の規制当局は、当該適合性評価機関が指定基準に適合するか否かを審査するために追加的な情報を必要とする場合には、提案を行った締約国の指定当局を通じ、提案を行った締約国からの追加的な情報を要請することができる。この規定に基づく追加的な情報の要請が行われた場合には、提案を受けた締約国が当該追加的な情報を受け取るまでの間、(c) に規定する30日の期間については、その進行を停止する。

(c) 提案を受けた締約国は、(a) に規定する提案を受領した日から30日以内に、適合性評価機関が指定基準に適合するか否かについての審査に基づき、(d) 又は (e) の規定に従って当該提案を受け入れるか又は拒否するかを、提案を行った締約国及び合同委員会の共同議長に対して書面により通告する。

(d) 提案を受けた締約国が当該提案を受け入れる場合には、提案を受けた締約国の合同委員会の共同議長は、当該提案に係る合同委員会による決定書の案文に署名するものとし、合同委員会の決定を成立させる。提案を受けた締約国は、(c) に規定する通告に決定書の写しを含めるものとする。適合性評価機関の登録については、提案を受けた締約国の合同委員会の共同議長が決定書に署名した日にその効力を生ずる。

(e) 提案を受けた締約国が提案を受け入れない場合には、

(ⅰ) 提案を受けた締約国は、(c) に規定する通告にその理由を付するものとする。

(ⅱ) 合同委員会は、いずれか一方の締約国の要請があった場合には、(c) に規定する通告を受領した日か

ら60日以内にこの問題について検討する。合同委員会は、提案を行った締約国に対し、提案の対象とされた適合性評価機関が指定基準に適合するか否かについて検証を実施するよう要請することができる。この規定に基づき要請される検証については、第9条2及び3の規定を準用する。

2　提案を受けた締約国は、提案を行った締約国の領域内に所在する適合性評価機関が1（d）に規定する合同委員会の決定により登録を受けた日以後に実施する適合性評価手続の結果を受け入れる。

第7条　指定の取消し及び効力の停止並びに登録の取消し及び効力の停止

1　各締約国は、自国の登録を受けた適合性評価機関が指定基準に適合しなくなったと認める時点において、自国の指定当局が当該登録を受けた適合性評価機関の指定を取り消すことを確保する。

2　一方の締約国の指定当局が登録を受けた適合性評価機関の指定を取り消した場合には、当該一方の締約国は、その旨を直ちに他方の締約国及び合同委員会の共同議長に通告する。この規定に基づく通告は、合同委員会が別段の決定を行う場合を除くほか、当該登録を受けた適合性評価機関の登録を取り消す合同委員会の決定とみなす。登録の取消しは、当該他方の締約国の合同委員会の共同議長がこの規定に基づく通告を受領した日にその効力を生ずる。当該他方の締約国は、当該一方の締約国の指定当局が当該登録を受けた適合性評価機関の指定を取り消した日前に当該登録を受けた適合性評価機関が実施した適合性評価手続の結果を受け入れる。

3　一方の締約国の指定当局が登録を受けた適合性評価機関の指定の効力を停止した場合には、当該一方の締約国は、その旨を直ちに他方の締約国及び合同委員会の共同議長に通告する。この規定に基づく通告は、当該登録を受けた適合性評価機関の登録の効力を停止する合同委員会の決定とみなす。登録の効力の停止は、当該他方の締約国の合同委員会の共同議長がこの規定に基づく通告を受領した日にその効力を生ずる。当該他方の締約国は、当該一方の締約国の指定当局が当該登録を受けた適合性評価機関の指定の効力を停止した日前に当該登録を受けた適合性評価機関が実施した適合性評価手続の結果を受け入れる。

4　一方の締約国の指定当局が登録を受けた適合性評価機関の指定の効力の停止を解除した場合には、当該一方の締約国は、その旨を直ちに他方の締約国及び合同委員会の共同議長に通告する。この規定に基づく通告は、当該登録を受けた適合性評価機関の登録の効力の停止を解除する合同委員会の決定とみなす。登録の効力の停止の解除は、当該他方の締約国の合同委員会の共同議長がこの規定に基づく通告を受領した日にその効力を生ずる。当該他方の締約国は、当該登録を受けた適合性評価機関が登録の効力の停止を解除された日以後に実施する適合性評価手続の結果を受け入れる。

第8条　異議の申立て

1　一方の締約国は、他方の締約国の領域内に所在する登録を受けた適合性評価機関が指定基準に適合していないと認める場合には、当該登録を受けた適合性評価機関の指定基準への適合性に対する異議の申立てを当該他方の締約国及び合同委員会の共同議長に通告することができる。その通告は、書面により行い、かつ、当該異議の申立ての理由を付するものとする。合同委員会は、当該一方の締約国が当該通告を行った日の後60日以内に、当該申立てについて検討する。

2　1の規定に基づく通告は、合同委員会が当該通告を受領した日の後30日以内に別段の決定を行う場合を除くほか、当該通告を合同委員会が受領した日の後30日目の日に当該登録を受けた適合性評価機関の登録の効力を停止する合同委員会の決定とみなす。異議の申立てを行った締約国は、当該登録を受けた適合性評価機関が登録の効力を停止された日前に実施した適合性評価手続の結果を受け入れる。

3　異議の申立てを行った締約国が異議の申立てを撤回する時又は合同委員会が異議の申立ての対象とされた適合性評価機関の登録の効力の停止を解除する決定を行う時のうちいずれか早い時までの間、当該登録を受けた適合性評価機関の登録は、その効力を停止する。異議の申立てを行った締約国は、他方の締約国及び合

同委員会の共同議長に通告することにより当該異議の申立てを撤回することができる。この規定に基づく通告は、当該登録を受けた適合性評価機関の登録の効力の停止を解除する合同委員会の決定とみなす。異議の申立てを行った締約国は、当該登録を受けた適合性評価機関が登録の効力の停止を解除された日以後に実施する適合性評価手続の結果を受け入れる。

第 9 条　検証

1　合同委員会は、締約国に対し、当該締約国の領域内に所在する登録を受けた適合性評価機関が指定基準に適合するか否かについて検証を実施するよう要請することができる。その要請は、書面により行い、かつ、理由を付するものとする。

2　検証の実施を要請された締約国は、時宜を失することなく、これを行う。他方の締約国の規制当局の 1 人又は 2 人以上の代表は、適当な場合には、当該検証の開始前に当該登録を受けた適合性評価機関が同意することを条件として、当該検証にオブザーバーとして参加することできる。

3　検証の実施を要請された締約国は、他方の締約国及び合同委員会の共同議長に検証の結果を速やかに通報する。

第 10 条　合同委員会

1　両締約国は、この協定により 1 人又は 2 人以上の各締約国の代表から成る合同委員会を設立する。合同委員会は附属書第 8 節に定めるところにより各締約国の代表 1 人を共同議長とする。

2　合同委員会は、次の事項について決定を行う権限を有する。

(a) 第 6 条から第 8 条までに定める適合性評価機関の登録、登録の効力の停止、登録の効力の停止の解除及び登録の取消し

(b) 第 6 条及び前条に定める検証の実施の要請

3　合同委員会は、手続規則を採択する。

4　合同委員会は、いずれかの締約国の要請により開催する。

5　合同委員会は、共同議長の合意又はこの協定の定めるところにより決定を行う。すべての合同委員会の決定は、書面により行う。

6　合同委員会は、この協定の運用に関するいかなる事項も検討することができる。

7　合同委員会は、各締約国がこの協定に基づき登録を受けた適合性評価機関の一覧を公表することを確認する。

8　合同委員会は、第 3 条 5 及び 6 並びに第 5 条 3 にそれぞれ定める情報の交換及び照会への回答を行うための適切な方法（関係する連絡先を含む。）を定める。

9　締約国は、この協定の解釈又は適用に関する疑義又は懸念を合同委員会に提起することができるものとし、合同委員会は、両締約国が受入れ可能な方法により当該疑義に回答し、又は懸念を解決するよう努める。

第 11 条　規制当局

一方の締約国の規制当局は、他方の締約国の領域内に所在する登録を受けた適合性評価機関に対し、当該登録を受けた適合性評価機関が実施する適合性評価手続の結果に関する質問への回答を求め、又は情報を提供するよう要請することができる。その要請に応ずることは、登録を受けた適合性評価機関の任意とする。両締約国は、当該要請に応ずることが他方の締約国の指定当局の権限に影響を及ぼすものではないことを認める。一方の締約国の規制当局は、この条の規定に基づいて行った適合性評価機関に対する要請について、他方の締約国の規制当局に通報する。

第 12 条　秘密性

各締約国は、自国の法令に従い、この協定の運用において秘密のものとして提供された情報であって、その

開示が公私の特定の企業の正当な商業上の利益を害することとなるものの秘密性を保持する。

第 13 条　見出し

この協定中の条の見出しは、引用上の便宜のためにのみ付されたものであって、この協定の解釈に影響を及ぼすものではない。

第 14 条　雑則

1　この協定のいかなる規定も、いずれか一方の締約国が他方の締約国の任意規格又は強制規格を受け入れることを求めるものではない。

2　この協定のいかなる規定も、締約国の次の権限を制限するものと解釈してはならない。

(a) 健康若しくは安全（医療機器の安全性及び有効性並びに放射線の健康に及ぼす影響を含む。）、環境又は誤認させる若しくは詐欺的な行為に関し、適切と認める保護の水準を決定すること。

(b) 健康若しくは安全（医療機器の安全性及び有効性並びに放射線の健康に及ぼす影響を含む。）の保護、環境の保護又は誤認させる若しくは詐欺的な行為の防止のために必要と認める措置をとること。

(c) 特定の機器が当該特定の機器に関する技術法規その他法令若しくは運用規則又は政策に適合しないと認める場合には、その他のあらゆる適切な措置をとること。

3　この協定のいかなる規定も、貿易の技術的障害に関する協定及び知的所有権の貿易関連の側面に関する協定を含む世界貿易機関設立協定の下で各締約国が有する権利及び義務に影響を及ぼすものと解釈してはならない。

第 15 条　効力発生

この協定は、両締約国がこの協定の効力発生に必要なそれぞれの内部手続が完了した旨を相互に通知する外交上の公文を交換する日の属する月の翌々月の初日に効力を生ずる。

第 16 条　改正

1　この協定は、両締約国の合意によって改正することができる。両締約国は附属書第 1 節、第 2 節、第 4 節、第 5 節又は第 8 節の改正については、日本国政府とアメリカ合衆国政府との間において外交上の公文の交換を通じて合意することにより、これを行うことができるものとする。

2　締約国は、自国の法令に係る何らかの変更により、附属書第 1 節、第 2 節、第 4 節又は第 8 節に定めるいずれかの情報が正確なものでなくなり、又は完全なものでなくなった場合には、時宜を失することなく 1 の規定に従って日本国政府とアメリカ合衆国政府との間の外交上の公文の交換を行うことにより、関連する節を改正するものとする。

第 17 条　終了

いずれの締約国も、他方の締約国に対し、この協定を終了させる意思を書面により通告することができる。一方の締約国がこの通告を行った場合には、この協定は、他方の締約国が当該通告を受領した日の後 180 日目の日に終了する。

以上の証拠として、下名は、正当に委任を受けてこの協定に署名した。

2007 年 2 月 16 日にワシントンで、ひとしく正文である日本語及び英語により本書 2 通を作成した。

日本国のために

齋木昭隆

アメリカ合衆国のために
カラン・バティア

附属書
第1節　技術法規

合衆国	日本国
1　1996年の電気通信法により改正された1934年の通信法（合衆国法典第47編）及びその改正	1　電気通信事業法（昭和59年法律第86号）及びその改正
2　次に掲げる連邦規則集第47編（以下「CFR第47編」という。）及びその改正	2　端末設備等規則（昭和60年郵政省令第31号）及びその改正
第2部　周波数の分配及び電波に関する条約に定める事項の一般原則及び規則 第11部　緊急警報システム（EAS） 第15部　無線周波装置 第18部　産業科学医療用機器 第20部　営利を目的とする移動業務 第22部　公衆移動業務 第24部　パーソナル通信業務 第25部　衛星通信 第27部　各種用途に供する無線通信業務 第68部　電気通信回線設備への端末機器の接続 第73部　放送業務 第74部　試験放送、中継放送、特別放送その他番組の配信に係る業務 第78部　有線テレビジョン放送の中継に係る業務 第80部　海上移動業務用の無線局 第87部　航空移動業務 第90部　自営陸上移動業務 第95部　個人用無線業務 第97部　アマチュア無線に係る業務 第101部　マイクロ波帯の周波数の電波を使用する固定業務	3　端末機器の技術基準適合認定等に関する規則（平成16年総務省令第15号）及びその改正 4　電波法（昭和25年法律第131号）及びその改正 5　無線設備規則（昭和25年電波監理委員会規則第18号）及びその改正 6　特定無線設備の技術基準適合証明等に関する規則（昭和56年郵政省令第37号）及びその改正
3　1及び2に定める法令に関する運用規則	

第２節　指定当局

合衆国	日本国
国立標準技術研究所（NIST）又はこれを承継する当局	総務省又はこれを承継する当局

第３節　適合性評価機関の指定手続

合衆国	日本国
1　合衆国の指定当局は、１又は２以上の機関に任じて適合性評価機関の審査を行わせることができる。合衆国の指定当局は、任じられた機関が国際標準化機構・国際電気標準会議規格書第 17011 巻に定める要件に適合することを確保する。合衆国の指定当局は、日本国の技術法規に係る適合性評価手続を実施する適合性評価機関の能力を、当該任じられた機関が審査する権限を有することを確保する。	1　日本国の指定当局は、１又は２以上の機関に任じて適合性評価機関の審査を行わせることができる。日本国の指定当局は、任じられた機関が国際標準化機構・国際電気標準会議規格書第 17011 巻に定める要件に適合することを確保する。日本国の指定当局は、合衆国の技術法規に係る適合性評価手続を実施する適合性評価機関の能力を、当該任じられた機関が審査する権限を有することを確保する。
2　合衆国の指定当局又は任じられた機関は、適合性評価機関が日本国の技術法規並びに国際標準化機構・国際電気標準会議指針書第 65 巻及び国際標準化機構・国際電気標準会議規格書第 17025 巻に定める指定基準に適合するか否かについて審査を行う。	2　日本国の指定当局又は任じられた機関は、適合性評価機関が合衆国の技術法規並びに国際標準化機構・国際電気標準会議指針書第 65 巻及び国際標準化機構・国際電気標準会議規格書第 17025 巻に定める指定基準に適合するか否かについて審査を行う。
3　合衆国の指定当局は、２の規定に従って行われた審査の結果に基づき、適合性評価機関が指定基準に適合するか否かを決定する。合衆国の指定当局は、適合性評価機関が指定基準に適合すると決定した場合には、当該適合性評価機関を指定することができる。	3　日本国の指定当局は、２の規定に従って行われた審査の結果に基づき、適合性評価機関が指定基準に適合するか否かを決定する。日本国の指定当局は、適合性評価機関が指定基準に適合すると決定した場合には、当該適合性評価機関を指定することができる。
4　適合性評価機関が指定基準に適合するか否かについて審査する際には、合衆国の指定当局又は任じられた機関は、当該適合性評価機関が日本国の技術法規を理解しているか否かを考慮する。	4　適合性評価機関が指定基準に適合するか否かについて審査する際には、日本国の指定当局又は任じられた機関は、当該適合性評価機関が合衆国の技術法規を理解しているか否かを考慮する。

第４節　規制当局

合衆国	日本国
連邦通信委員会（FCC）又はこれを承継する当局	総務省又はこれを承継する当局

第５節　この協定に定義されていない用語に関する国際標準化機構・国際電気標準会議規格書

国際標準化機構・国際電気標準会議規格書第 17000 巻の 2004 年版（「適合性評価に関する用語及び一般原則」）

第６節　この協定の対象となる機器

合衆国	日本国
CFR 第 47 編の第 2 部 907 に定義する認証の対象となる機器であって、附属書第 1 節 2 に掲げる CFR 第 47 編の対象となるすべてのもの（CFR 第 47 編の第 15 部 3（z）に定義する非意図的放射機器及び第 18 部 107（c）に定義する産業科学医療用機器を除く。）	1　電波法（昭和 25 年法律第 131 号）及びその改正に規定する特定無線設備に該当するすべての機器 2　電気通信事業法（昭和 59 年法律第 86 号）及びその改正に規定する端末機器に該当するすべての機器

第７節　適合性評価機関の登録に関する情報

合衆国	日本国
1　適合性評価機関を特定する情報（名称、連絡担当者、住所、電話番号及び電子メールアドレスを含む。） 2　適合性評価機関が適合性評価手続を実施することが認められている機器（すなわち、指定の範囲） 3　適合性評価機関が引き続き指定基準に適合するか否かについて、指定当局又は任じられた機関が再審査を行う間隔	1　適合性評価機関を特定する情報（名称、連絡担当者、住所、電話番号及び電子メールアドレスを含む。） 2　適合性評価機関が適合性評価手続を実施することが認められている機器（すなわち、指定の範囲） 3　適合性評価機関が引き続き指定基準に適合するか否かについて、指定当局又は任じられた機関が再審査を行う間隔

4　適合性評価機関が指定基準に適合することについての審査に関する資料	4　適合性評価機関が指定基準に適合することについての審査に関する資料

第８節

合衆国	日本国
合衆国においては、合同委員会の共同議長は、次のとおりとする。 1　日本国の領域内に所在する適合性評価機関の登録、登録の取消し、登録の効力の停止及び登録の効力の停止の解除に関する第 6 条及び第７条に定める任務の場合　FCC 2　合衆国の領域内に所在する適合性評価機関の登録、登録の取消し、登録の効力の停止及び登録の効力の停止の解除に関する第 6 条及び第７条に定める任務の場合　NIST 3　合衆国の領域内に所在する適合性評価機関の指定に係る異議の申立てに関する第 8 条に定める任務の場合　NIST 4　日本国の領域内に所在する適合性評価機関の指定に係る異議の申立てに関する第 8 条に定める任務の場合　FCC 5　合衆国の領域内に所在する適合性評価機関の検証に関する第 9 条に定める任務の場合　NIST 6　日本国の領域内に所在する適合性評価機関の検証に関する第 9 条に定める任務の場合　FCC 7　その他のすべての任務の場合 合衆国通商代表部（USTR）	日本国においては、合同委員会の共同議長は、すべての任務について外務省とする。

参考 9　FCC 規則第 2 部サブパート J

ELECTRONIC CODE OF FEDERAL REGULATIONS

e-CFR data is current as of May 16, 2016

Title 47 → Chapter I → Subchapter A → Part 2 → Subpart J

Title 47: Telecommunication
PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Subpart J—Equipment Authorization Procedures

Contents

SOURCE: 39 FR 5919, Feb. 15, 1974, unless otherwise noted.

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GENERAL PROVISIONS

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§2.901 Basis and purpose.

(a) In order to carry out its responsibilities under the Communications Act and the various treaties and international regulations, and in order to promote efficient use of the radio spectrum, the Commission has developed technical standards for radio frequency equipment and parts or components thereof. The technical standards applicable to individual types of equipment are found in that part of the rules governing the service wherein the equipment is to be operated. In addition to the technical standards provided, the rules governing the service may require that such equipment be verified by the manufacturer or importer, be authorized under a Declaration of Conformity, or receive a grant of Certification from a Telecommunication Certification Body.

(b) Sections 2.902 through 2.1077 describe the verification procedure, the procedure for a Declaration of Conformity, and the procedures to be followed in obtaining certification and the conditions attendant to such a grant.

[80 FR 33439, June 12, 2015]

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§2.902 Verification.

(a) Verification is a procedure where the manufacturer makes measurements or takes the necessary steps to insure that the equipment complies with the appropriate technical standards. Submittal of a sample unit or representative data to the Commission demonstrating compliance is not required unless specifically requested by the Commission pursuant to §2.957, of this part.

(b) Verification attaches to all items subsequently marketed by the manufacturer or importer which are identical as defined in §2.908 to the sample tested and found acceptable by the manufacturer.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

[46 FR 23249, Apr. 24, 1981]

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§2.906 Declaration of Conformity.

(a) A Declaration of Conformity is a procedure where the responsible party, as defined in §2.909, makes measurements or takes other necessary steps to ensure that the equipment complies with the appropriate technical standards. Submittal of a sample unit or representative data to the Commission demonstrating compliance is not required unless specifically requested pursuant to §2.945.

(b) The Declaration of Conformity attaches to all items subsequently marketed by the responsible party which are identical, as defined in §2.908, to the sample tested and found acceptable by the respons ble party.

[61 FR 31045, June 19, 1996, as amended at 80 FR 33439, June 12, 2015]

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§2.907 Certification.

(a) Certification is an equipment authorization approved by the Commission or issued by a Telecommunication Certification Body (TCB) and authorized under the authority of the Commission, based on representations and test data submitted by the applicant.

(b) Certification attaches to all units subsequently marketed by the grantee which are identical (see §2.908) to the sample tested except for permissive changes or other variations authorized by the Commission pursuant to §2.1043.

[39 FR 5919, Feb. 15, 1974, as amended at 39 FR 27802, Aug. 1, 1974; 63 FR 36597, July 7, 1998; 80 FR 33439, June 12, 2015]

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§2.908 Identical defined.

As used in this subpart, the term *identical* means identical within the variation that can be expected to arise as a result of quantity production techniques.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

[46 FR 23249, Apr. 24, 1981]

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§2.909 Responsible party.

The following parties are responsible for the compliance of radio frequency equipment with the applicable standards:

(a) In the case of equipment which requires the issuance of a grant of certification, the party to whom that grant of certification is issued (the grantee). If the radio frequency equipment is modified by any party other than the grantee and that party is not working under the authorization of the grantee pursuant to §2.929(b), the party performing the modification is responsible for compliance of the product with the applicable administrative and technical provisions in this chapter.

(b) In the case of equipment subject to authorization under the verification procedure, the manufacturer or, in the case of imported equipment, the importer. If subsequent to manufacture and importation, the radio frequency equipment is modified by any party not working under the authority of the responsible party, the party performing the modification becomes the new responsible party.

(c) In the case of equipment subject to authorization under the Declaration of Conformity procedure:

(1) The manufacturer or, if the equipment is assembled from individual component parts and the resulting system is subject to authorization under a Declaration of Conformity, the assembler.

(2) If the equipment, by itself, is subject to a Declaration of Conformity and that equipment is imported, the importer.

(3) Retailers or original equipment manufacturers may enter into an agreement with the responsible party designated in paragraph (c)(1) or (c)(2) of this section to assume the responsibilities to ensure compliance of equipment and become the new respons ble party.

(4) If the radio frequency equipment is modified by any party not working under the authority of the responsible party, the party performing the modifications, if located within the U.S., or the importer, if the equipment is imported subsequent to the modifications, becomes the new responsible party.

(d) If, because of modifications performed subsequent to authorization, a new party becomes responsible for ensuring that a product complies with the technical standards and the new party does not obtain a new equipment authorization, the equipment shall be labelled, following the specifications in §2.925(d), with the following: "This product has been modified by [insert name, address and telephone number of the party performing the modifications]."

[54 FR 17712, Apr. 25, 1989, as amended at 61 FR 31045, June 19, 1996; 62 FR 10470, Mar. 7, 1997; 62 FR 41880, Aug. 4, 1997; 80 FR 33439, June 12, 2015]

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§2.910 Incorporation by reference.

(a) The materials listed in this section are incorporated by reference in this part. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on the date of the approval, and notice of any change in these materials will be published in the FEDERAL REGISTER. All approved material is available for inspection at the Federal Communications Commission, 445 12th St. SW., Reference Information Center, Room CY-A257, Washington, DC 20554, (202) 418-0270 and is available from the sources below. It is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(b) International Electrotechnical Commission (IEC), IEC Central Office, 3, rue de Varembe, CH-1211 Geneva 20, Switzerland, Email: *inmail@iec.ch, www.iec.ch.*

(1) CISPR 16-1-4:2010-04: “Specification for radio disturbance and immunity measuring apparatus and methods—Part 1-4: Radio disturbance and immunity measuring apparatus—Antennas and test sites for radiated disturbance measurements”, Edition 3.0, 2010-04, IBR approved for §§2.948(d) and 2.950(f).

(2) [Reserved]

(c) Institute of Electrical and Electronic Engineers (IEEE), 3916 Ranchero Drive, Ann Arbor, MI 48108, 1-800-699-9277, *http://www.techstreet.com/ieee;* (ISO publications can also be purchased from the American National Standards Institute (ANSI) through its NSSN operation (*www.nssn.org*), at Customer Service, American National Standards Institute, 25 West 43rd Street, New York, NY 10036, telephone (212) 642-4900.)

(1) ANSI C63.4-2014: “American National Standard for Methods of Measurement of Radio-Noise Emissions from Low-Voltage Electrical and Electronic Equipment in the Range of 9 kHz to 40 GHz,” ANSI approved June 13, 2014, IBR approved for §2.950(h) and:

(i) Sections 5.4.4 through 5.5, IBR approved for §§2.948(d) and 2.950(f); and

(ii) [Reserved]

(2) ANSI C63.10-2013, “American National Standard of Procedures for Compliance Testing of Unlicensed Wireless Devices,” ANSI approved June 27, 2013, IBR approved for §2.950(g).

(d) International Organization for Standardization (ISO), 1, ch. De la Voie-Creuse, CP 56, CH-1211, Geneva 20, Switzerland; *www.iso.org* ; Tel.: + 41 22 749 01 11; Fax: + 41 22 733 34 30; email: *central@iso.org*. (ISO publications can also be purchased from the American National Standards Institute (ANSI) through its NSSN operation (*www.nssn.org*), at Customer Service, American National Standards Institute, 25 West 43rd Street, New York, NY 10036, telephone (212) 642-4900.)

(1) ISO/IEC 17011:2004(E), “Conformity assessment—General requirements for accreditation bodies accrediting conformity assessment bodies,” First Edition, 2004-09-01, IBR approved for §§2.948(e), 2.949(b), 2.950(c) and (d), and 2.960(c).

(2) ISO/IEC 17025:2005(E), “General requirements for the competence of testing and calibration laboratories,” Section Edition, 2005-05-15, IBR approved for §§2.948(e), 2.949(b), 2.962(c) and (d).

(3) ISO/IEC 17065:2012(E), “Conformity assessment—Requirements for bodies certifying products, processes and services,” First Edition, 2012-09-15, IBR approved for §§2.950(b), 2.960(b), 2.962(b), (c), (d), (f), and (g).

(4) ISO/IEC Guide 58:1993(E), “Calibration and testing laboratory accreditation systems—General requirements for operation and recognition”, First Edition 1993, IBR approved for §2.950(d).

(5) ISO/IEC Guide 61:1996(E), “General requirements for assessment and accreditation of certification/registration bodies”, First Edition 1996, IBR approved for §2.950(c).

(6) ISO/IEC Guide 65:1996(E), “General requirements for bodies operating product certification systems,” First Edition 1996, IBR approved for §2.950(b).

[80 FR 33439, June 12, 2015]

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APPLICATION PROCEDURES FOR EQUIPMENT AUTHORIZATIONS

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§2.911 Application requirements.

(a) All requests for equipment authorization shall be submitted in writing to a Telecommunication Certification Body (TCB) in a manner prescribed by the TCB.

(b) A TCB shall submit an electronic copy of each equipment authorization application to the Commission pursuant to §2.962(f)(6) on a form prescr bed by the Commission at *https://www.fcc.gov/eas.*

(c) Each application that a TCB submits to the Commission shall be accompanied by all information required by this subpart and by those parts of the rules governing operation of the equipment, the applicant's certifications required by paragraphs (d)(1) and (2) of this section, and by requisite test data, diagrams, photographs, etc., as specified in this subpart and in those sections of rules under which the equipment is to be operated.

(d) The applicant shall provide to the TCB all information that the TCB requests to process the equipment authorization request and to submit the application form prescribed by the Commission and all exhibits required with this form.

(1) The applicant shall provide a written and signed certification to the TCB that all statements it makes in its request for equipment authorization are true and correct to the best of its knowledge and belief.

(2) The applicant shall provide a written and signed certification to the TCB that the applicant complies with the requirements in §1.2002 of this chapter concerning the Anti-Drug Abuse Act of 1988.

(3) Each request for equipment authorization submitted to a TCB, including amendments thereto, and related statements of fact and authorizations required by the Commission, shall be signed by the applicant if the applicant is an individual; by one of the partners if the applicant is a partnership; by an officer, if the applicant is a corporation; or by a member who is an officer, if the applicant is an unincorporated association: Provided, however, that the application may be signed by the applicant's authorized representative who shall indicate his title, such as plant manager, project engineer, etc.

(4) Information on the Commission's equipment authorization requirements can be obtained from the Internet at *https://www.fcc.gov/eas.*

(e) Technical test data submitted to the TCB and to the Commission shall be signed by the person who performed or supervised the tests. The person signing the test data shall attest to the accuracy of such data. The Commission or TCB may require the person signing the test data to submit a statement showing that they are qualified to make or supervise the required measurements.

(f) Signed, as used in this section, means an original handwritten signature; however, the Office of Engineering and Technology may allow signature by any symbol executed or adopted by the applicant or TCB with the intent that such symbol be a signature, including symbols formed by computer-generated electronic impulses.

[80 FR 33440, June 12, 2015]

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§2.915 Grant of application.

(a) A Commission recognized TCB will grant an application for certification if it finds from an examination of the application and supporting data, or other matter which it may officially notice, that:

(1) The equipment is capable of complying with pertinent technical standards of the rule part(s) under which it is to be operated; and,

(2) A grant of the application would serve the public interest, convenience and necessity.

(b) Grants will be made in writing showing the effective date of the grant and any special condition(s) attaching to the grant.

(c) Certification shall not attach to any equipment, nor shall any equipment authorization be deemed effective, until the application has been granted.

(d) Grants will be from the date of publication on the Commission Web site and shall show any special condition(s) attaching to the grant. The official copy of the grant shall be maintained on the Commission Web site.

(e) The grant shall identify the approving TCB and the Commission as the issuing authority.

(f) In cases of a dispute the Commission will be the final arbiter.

[39 FR 5919, Feb. 15, 1974, as amended at 48 FR 3621, Jan. 26, 1983; 62 FR 10470, Mar. 7, 1997; 63 FR 36598, July 7, 1998; 80 FR 33440, June 12, 2015]

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§2.917 Dismissal of application.

(a) An application which is not in accordance with the provisions of this subpart may be dismissed.

(b) Any application, upon written request signed by the applicant or his attorney, may be dismissed prior to a determination granting or denying the authorization requested.

(c) If an applicant is requested to file additional documents or information and fails to submit the requested material within the specified time period, the application may be dismissed.

[39 FR 5919, Feb. 15, 1974, as amended at 62 FR 10470, Mar. 7, 1997; 80 FR 33441, June 12, 2015]

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§2.919 Denial of application.

If the Commission is unable to make the findings specified in §2.915(a), it will deny the application. Notification to the applicant will include a statement of the reasons for the denial.

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§2.921 Hearing on application.

Whenever it is determined that an application for equipment authorization presents substantial factual questions relating to the qualifications of the applicant or the equipment (or the effects of the use thereof), the Commission may designate the application for hearing. A hearing on an application for an equipment authorization shall be conducted in the same manner as a hearing on a radio station application as set out in subpart B of part 1 of this chapter.

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§2.923 Petition for reconsideration; application for review.

Persons aggrieved by virtue of an equipment authorization action may file with the Commission a petition for reconsideration or an application for review. Rules governing the filing of petitions for reconsideration and applications for review are set forth in §§1.106 and 1.115, respectively, of this chapter.

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§2.924 Marketing of electrically identical equipment having multiple trade names and models or type numbers under the same FCC Identifier.

The grantee of an equipment authorization may market devices having different model/type numbers or trade names without additional authorization, provided that such devices are electrically identical and the equipment bears an FCC Identifier validated by a grant of certification. A device will be considered to be electrically identical if no changes are made to the authorized device, or if the changes made to the device would be treated as class I permissive changes within the scope of §2.1043(b)(1). Changes to the model number or trade name by anyone other than the grantee, or under the authorization of the grantee, shall be performed following the procedures in §2.933.

[80 FR 33441, June 12, 2015]

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§2.925 Identification of equipment.

(a) Each equipment covered in an application for equipment authorization shall bear a nameplate or label listing the following:

(1) FCC Identifier consisting of the two elements in the exact order specified in §2.926. The FCC Identifier shall be preceded by the term FCC ID in capital letters on a single line, and shall be of a type size large enough to be leg ble without the aid of magnification.

(2) Any other statements or labeling requirements imposed by the rules governing the operation of the specific class of equipment, except that such statement(s) of compliance may appear on a separate label at the option of the applicant/grantee.

(3) Equipment subject only to registration will be identified pursuant to part 68 of this chapter.

(b) Any device subject to more than one equipment authorization procedure may be assigned a single FCC Identifier. However, a single FCC Identifier is required to be assigned to any device consisting of two or more sections assembled in a common enclosure, on a common chassis or circuit board, and with common frequency controlling circuits. Devices to which a single FCC Identifier has been assigned shall be identified pursuant to paragraph (a) of this section.

(1) Separate FCC Identifiers may be assigned to a device consisting of two or more sections assembled in a common enclosure, but constructed on separate sub-units or circuit boards with independent frequency controlling circuits. The FCC Identifier assigned to any transmitter section shall be preceded by the term *TX FCC ID,* the FCC Identifier assigned to any receiver section shall be preceded by the term *RX FCC ID* and the identifier assigned to any remaining section(s) shall be preceded by the term *FCC ID.*

(2) Where telephone equipment subject to part 68 of this chapter, and a radiofrequency device subject to equipment authorization requirements are assembled in a common enclosure, the nameplate/label shall display the FCC Registration Number in the format specified in part 68 and the FCC Identifier in the format specified in paragraph (a) of this section.

(3) For a transceiver, the receiver portion of which is subject to verification pursuant to §15.101 of this chapter, the FCC Identifier required for the transmitter portion shall be preceded by the term *FCC ID.*

(c) [Reserved]

(d) In order to validate the grant of equipment authorization, the nameplate or label shall be permanently affixed to the equipment and shall be readily visible to the purchaser at the time of purchase.

(1) As used here, *permanently affixed* means that the required nameplate data is etched, engraved, stamped, indelibly printed, or otherwise permanently marked on a permanently attached part of the equipment enclosure. Alternatively, the required information may be permanently marked on a nameplate of metal, plastic, or other material fastened to the equipment enclosure by welding, riveting, etc., or with a permanent adhesive. Such a nameplate must be able to last the expected lifetime of the equipment in the environment in which the equipment will be operated and must not be readily detachable.

(2) As used here, *readily visible* means that the nameplate or nameplate data must be visible from the outside of the equipment enclosure. It is preferable that it be visible at all times during normal installation or use, but this is not a prerequisite for grant of equipment authorization.

(e) A software defined radio may be equipped with a means such as a user display screen to display the FCC identification number normally contained in the nameplate or label. The information must be readily accessible, and the user manual must describe how to access the electronic display.

(f) Where it is shown that a permanently affixed nameplate is not desirable or is not feasible, an alternative method of positively identifying the equipment may be used if approved by the Commission. The proposed alternative method of identification and the justification for its use must be included with the application for equipment authorization.

NOTE: As an example, a device intended to be implanted within the body of a test animal or person would probably require an alternate method of identification.

(g) The term *FCC ID* and the coded identification assigned by the Commission shall be in a size of type large enough to be readily legible, consistent with the dimensions of the equipment and its nameplate. However, the type size for the FCC Identifier is not required to be larger than eight-point.

[44 FR 17177, Mar. 21, 1979, as amended at 44 FR 55574, Sept. 27, 1979; 46 FR 21013, Apr. 8, 1981; 52 FR 21687, June 9, 1987; 54 FR 1698, Jan. 17, 1989; 62 FR 10470, Mar. 7, 1997; 66 FR 50840, Oct. 5, 2001; 77 FR 43536, July 25, 2012; 80 FR 33441, June 12, 2015]

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§2.926 FCC identifier.

(a) A grant of certification will list the validated FCC Identifier consisting of the grantee code assigned by the FCC pursuant to paragraph (b) of this section, and the equipment product code assigned by the grantee pursuant to paragraph (c) of this section. *See* §2.925.

(b) The grantee code assigned pursuant to paragraph (c) of this section is assigned permanently to applicants/grantees and is valid only for the party specified as the applicant/grantee in the code assignment(s).

(c) A grantee code may consist of Arabic numerals, capital letters, or other characters. The format for this code will be specified by the Commission's Office of Engineering and Technology. A prospective grantee or its authorized representative may receive a grantee code electronically via the Internet at *http://www.fcc.gov/eas.* The code may be obtained at any time prior to submittal of the application for equipment authorization. However, the fee required by §1.1103 of this chapter must be submitted and validated within 30 days of the issuance of the grantee code, or the code will be removed from the Commission's records and a new grantee code will have to be obtained.

(1) After assignment of a grantee code each grantee will continue to use the same grantee code for subsequent equipment authorization applications. In the event the grantee name is changed or ownership is transferred, the circumstances shall be reported to the Commission so that a new grantee code can be assigned, if appropriate. See §2.929(c) and (d) for additional information.

In the event the grantee name is changed or ownership is transferred, the circumstances shall be reported to the Commission so that a new grantee code can be assigned, if appropriate. See §§2.934 and 2.935 for additional information.

(2) [Reserved]

(d) The equipment product code assigned by the grantee shall consist of a series of Arabic numerals, capital letters or a combination thereof, and may include the dash or hyphen (-). The total of Arabic numerals, capital letters and dashes or hyphens shall not exceed 14 and shall be one which has not been previously used in conjunction with:

(1) The same grantee code, or

(2) An application denied pursuant to §2.919 of this chapter.

(e) No FCC Identifier may be used on equipment to be marketed unless that specific identifier has been validated by a grant of equipment certification. This shall not prohibit placement of an FCC identifier on a transceiver which includes a verified receiver subject to §15.101 of this chapter, provided that the transmitter portion of such transceiver is covered by a valid grant of type acceptance or certification. The FCC Identifier is uniquely assigned to the grantee and may not be placed on the equipment without authorization by the grantee. See §2.803 for conditions applicable to the display at trade shows of equipment which has not been granted equipment authorization where such grant is required prior to marketing. Labelling of such equipment may include model or type numbers, but shall not include a purported FCC Identifier.

[44 FR 17179, Mar. 21, 1979, as amended at 46 FR 21014, Apr. 8, 1981; 52 FR 21687, June 9, 1987; 54 FR 1698, Jan. 17, 1989; 62 FR 10471, Mar. 7, 1997; 69 FR 54033, Sept. 7, 2004; 77 FR 43536, July 25, 2012; 80 FR 33441, June 12, 2015]

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§2.927 Limitations on grants.

(a) A grant of certification is valid only when the FCC Identifier is permanently affixed on the device and remains until set aside, revoked, withdrawn, surrendered, or terminated.

(b) A grant of certification recognizes the determination that the equipment has been shown to be capable of compliance with the applicable technical standards if no unauthorized change is made in the equipment and if the equipment is properly maintained and operated. The issuance of a grant of equipment certification shall not be construed as a finding with respect to matters not encompassed by the Commission's rules, especially with respect to compliance with 18 U.S.C. 2512.

(c) No person shall, in any advertising matter, brochure, etc., use or make reference to an equipment authorization in a deceptive or misleading manner or convey the impression that such certification reflects more than a Commission-authorized determination that the device or product has been shown to be capable of compliance with the applicable technical standards of the Commission's rules.

[80 FR 33441, June 12, 2015]

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§2.929 Changes in name, address, ownership or control of grantee.

(a) An equipment authorization may not be assigned, exchanged or in any other way transferred to a second party, except as provided in this section.

(b) The grantee of an equipment authorization may license or otherwise authorize a second party to manufacture the equipment covered by the grant of the equipment authorization provided:

(1) The equipment manufactured by such second party bears the FCC Identifier as is set out in the grant of the equipment authorization.

NOTE TO PARAGRAPH (b)(1): Any change in the FCC Identifier desired as a result of such production or marketing agreement will require the filing of a new application for an equipment authorization as specified in §2.933.

(2) The grantee of the equipment authorization shall continue to be responsible to the Commission for the equipment produced pursuant to such an agreement.

(c) Whenever there is a change in the name and/or address of the grantee of certification, notice of such change(s) shall be submitted to the Commission via the Internet at *https://apps.fcc.gov/eas* within 30 days after the grantee starts using the new name and/or address.

(d) In the case of transactions affecting the grantee, such as a transfer of control or sale to another company, mergers, or transfer of manufacturing rights, notice must be given to the Commission via the Internet at *https://apps.fcc.gov/eas* within 60 days after the consummation of the transaction. Depending on the circumstances in each case, the Commission may require new applications for certification. In reaching a decision the Commission will consider whether the acquiring party can adequately ensure and accept responsibility for continued compliance with the regulations. In general, new applications for each device will not be required. A single application for certification may be filed covering all the affected equipment.

[63 FR 36598, July 7, 1998, as amended at 69 FR 54033, Sept. 7, 2004; 80 FR 33441, June 12, 2015]

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§2.931 Responsibility of the grantee.

In accepting a grant of an equipment authorization, the grantee warrants that each unit of equipment marketed under such grant and bearing the identification specified in the grant will conform to the unit that was measured and that the data (design and rated operational characteristics) filed with the application for certification continues to be representative of the equipment being produced under such grant within the variation that can be expected due to quantity production and testing on a statistical basis.

[63 FR 36598, July 7, 1998]

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§2.932 Modification of equipment.

(a) A new application for an equipment authorization shall be filed whenever there is a change in the design, circuitry or construction of an equipment or device for which an equipment authorization has been issued, except as provided in paragraphs (b) through (d) of this section.

(b) Permissive changes may be made in certificated equipment, and equipment that was authorized under the former type acceptance procedure, pursuant to §2.1043.

(c) Permissive changes may be made in equipment that was authorized under the former notification procedure without submittal of information to the Commission, unless the equipment is currently subject to authorization under the certification procedure. However, the grantee shall submit information documenting continued compliance with the pertinent requirements upon request.

(d) All requests for permissive changes must be accompanied by the anti-drug abuse certification required under §1.2002 of this chapter.

[63 FR 36598, July 7, 1998, as amended at 66 FR 50840, Oct. 5, 2001; 70 FR 23039, May 4, 2005; 80 FR 33441, June 12, 2015]

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§2.933 Change in identification of equipment.

(a) A new application for certification shall be filed whenever there is a change in the FCC Identifier for the equipment with or without a change in design, circuitry or construction. However, a change in the model/type number or trade name performed in accordance with the provisions in §2.924 of this chapter is not considered to be a change in identification and does not require additional authorization.

(b) An application filed pursuant to paragraph (a) of this section where no change in design, circuitry or construction is involved, need not be accompanied by a resubmission of equipment or measurement or test data customarily required with a new application, unless specifically requested. In lieu thereof, the applicant shall attach a statement setting out:

(1) The original identification used on the equipment prior to the change in identification.

(2) The date of the original grant of the equipment authorization.

(3) How the equipment bearing the modified identification differs from the original equipment.

(4) Whether the original test results continue to be representative of and applicable to the equipment bearing the changed identification.

(5) The photographs required by §2.1033(b)(7) or (c)(12) showing the exterior appearance of the equipment, including the operating controls available to the user and the identification label. Photographs of the construction, the component placement on the chassis, and the chassis assembly are not required to be submitted unless specifically requested.

(c) If the change in the FCC Identifier also involves a change in design or circuitry which falls outside the purview of a permissive change described in §2.1043, a complete application shall be filed pursuant to §2.911.

[63 FR 36598, July 7, 1998, as amended at 80 FR 33441, June 12, 2015]

§2.937 Equipment defect and/or design change.

When a complaint is filed with the Commission concerning the failure of equipment subject to this chapter to comply with pertinent requirements of the Commission's rules, and the Commission determines that the complaint is justified and arises out of an equipment fault attributable to the respons ble party, the Commission may require the respons ble party to investigate such complaint and report the results of such investigation to the Commission. The report shall also indicate what action if any has been taken or is proposed to be taken by the responsible party to correct the defect, both in terms of future production and with reference to articles in the possession of users, sellers and distributors.

[61 FR 31046, June 19, 1996]

§2.938 Retention of records.

(a) For each equipment subject to the Commission's equipment authorization standards, the responsible party shall maintain the records listed as follows:

(1) A record of the original design drawings and specifications and all changes that have been made that may affect compliance with the standards and the requirements of §2.931.

(2) A record of the procedures used for production inspection and testing to ensure conformance with the standards and the requirements of §2.931.

(3) A record of the test results that demonstrate compliance with the appropriate regulations in this chapter.

(b) The provisions of paragraph (a) of this section shall also apply to a manufacturer of equipment produced under the provisions of §2.929(b). The retention of the records by the manufacturer under these circumstances shall satisfy the grantee's responsibility under paragraph (a) of this section.

(c) The records listed in paragraph (a) of this section shall be retained for one year for equipment subject to authorization under the certification procedure or former type acceptance procedure, or for two years for equipment subject to authorization under any other procedure, after the manufacture of said equipment has been permanently discontinued, or until the conclusion of an investigation or a proceeding if the responsible party (or, under paragraph (b) of this section, the manufacturer) is officially notified that an investigation or any other administrative proceeding involving its equipment has been instituted.

(d) If radio frequency equipment is modified by any party other than the original responsible party, and that party is not working under the authorization of the original responsible party, the party performing the modifications is not required to obtain the original design drawings specified in paragraph (a)(1) of this section. However, the party performing the modifications must maintain records showing the changes made to the equipment along with the records required in paragraphs (a)(3) of this section. A new equipment authorization may also be required. See, for example, §§2.909, 2.924, 2.933, and 2.1043.

[62 FR 10471, Mar. 7, 1997, as amended at 63 FR 36599, July 7, 1998]

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§2.939 Revocation or withdrawal of equipment authorization.

(a) The Commission may revoke any equipment authorization:

(1) For false statements or representations made either in the application or in materials or response submitted in connection therewith or in records required to be kept by §2.938.

(2) If upon subsequent inspection or operation it is determined that the equipment does not conform to the pertinent technical requirements or to the representations made in the original application.

(3) If it is determined that changes have been made in the equipment other than those authorized by the rules or otherwise expressly authorized by the Commission.

(4) Because of conditions coming to the attention of the Commission which would warrant it in refusing to grant an original application.

(b) Revocation of an equipment authorization shall be made in the same manner as revocation of radio station licenses.

(c) The Commission may withdraw any equipment authorization in the event of changes in its technical standards. The procedure to be followed will be set forth in the order promulgating such new technical standards (after appropriate rulemaking proceedings) and will provide a suitable amortization period for equipment in hands of users and in the manufacturing process.

[39 FR 5919, Feb. 15, 1974, as amended at 51 FR 39535, Oct. 29, 1986]

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§2.941 Availability of information relating to grants.

(a) Grants of equipment authorization, other than for receivers and equipment authorized for use under parts 15 or 18 of this chapter, will be publicly announced in a timely manner by the Commission. Information about the authorization of a device using a particular FCC Identifier may be obtained by contacting the Commission's Office of Engineering and Technology Laboratory.

(b) Information relating to equipment authorizations, such as data submitted by the applicant in connection with an authorization application, laboratory tests of the device, etc., shall be available in accordance with §§0.441 through 0.470 of this chapter.

[62 FR 10472, Mar. 7, 1997]

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§2.944 Software defined radios.

(a) Manufacturers must take steps to ensure that only software that has been approved with a software defined radio can be loaded into the radio. The software must not allow the user to operate the transmitter with operating frequencies, output power, modulation types or other radio frequency parameters outside those that were approved. Manufacturers may use means including, but not limited to the use of a private network that allows only authenticated users to download software, electronic signatures in software or coding in hardware that is decoded by software to verify that new software can be legally loaded into a device to meet these requirements and must describe the methods in their application for equipment authorization.

(b) Any radio in which the software is designed or expected to be modified by a party other than the manufacturer and would affect the operating parameters of frequency range, modulation type or maximum output power (either radiated or conducted), or the circumstances under which the transmitter operates in accordance with Commission rules, must comply with the requirements in paragraph (a) of this section and must be certified as a software defined radio.

(c) Applications for certification of software defined radios must include a high level operational description or flow diagram of the software that controls the radio frequency operating parameters.

[70 FR 23039, May 4, 2005]

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§2.945 Submission of equipment for testing and equipment records.

(a) *Prior to certification.* (1) The Commission or a Telecommunication Certification Body (TCB) may require an applicant for certification to submit one or more sample units for measurement at the Commission's laboratory or the TCB.

(2) If the applicant fails to provide a sample of the equipment, the TCB may dismiss the application without prejudice.

(3) In the event the applicant believes that shipment of the sample to the Commission's laboratory or the TCB is impractical because of the size or weight of the equipment, or the power requirement, or for any other reason, the applicant may submit a written explanation why such shipment is impractical and should not be required.

(4) The Commission may take administrative sanctions against a grantee of certification that fails to respond within 21 days to a Commission or TCB request for an equipment sample, such as suspending action on applications for equipment authorization submitted by that party while the matter is being resolved. The Commission may consider extensions of time upon submission of a showing of good cause.

(b) *Subsequent to equipment authorization.* (1) The Commission may request that the responsible party or any other party marketing equipment subject to this chapter submit a sample of the equipment, or provide a voucher for the equipment to be obtained from the marketplace, to determine the extent to which production of such equipment continues to comply with the data filed by the applicant or on file with the responsible party for equipment subject to verification or Declaration of Conformity. The Commission may request that a sample or voucher to obtain a product from the marketplace be submitted to the Commission, or in the case of equipment subject to certification, to the TCB that certified the equipment.

(2) A TCB may request samples of equipment that it has certified from the grantee of certification, or request a voucher to obtain a product from the marketplace, for the purpose of performing post-market surveillance as described in §2.962. TCBs must document their sample requests to show the date they were sent and provide this documentation to the Commission upon request.

(3) The cost of shipping the equipment to the Commission's laboratory and back to the party submitting the equipment shall be borne by the party from which the Commission requested the equipment.

(4) In the event a party believes that shipment of the sample to the Commission's laboratory or the TCB is impractical because of the size or weight of the equipment, or the power requirement, or for any other reason, that party may submit a written explanation why such shipment is impractical and should not be required.

(5) Failure of a responsible party or other party marketing equipment subject to this chapter to comply with a request from the Commission or TCB for equipment samples or vouchers within 21 days may be cause for actions such as such as suspending action on applications for certification submitted by a grantee or forfeitures pursuant to §1.80 of this chapter. The Commission or TCB requesting the sample may consider extensions of time upon submission of a showing of good cause.

(c) *Submission of records.* Upon request by the Commission, each responsible party shall submit copies of the records required by §§2.938, 2.955, and 2.1075 to the Commission. Failure of a responsible party or other party marketing equipment subject to this chapter to comply with a request from the Commission for records within 21 days may be cause for forfeiture, pursuant to §1.80 of this chapter. The Commission may consider extensions of time upon submission of a showing of good cause.

(d) *Inspection by the Commission.* Upon request by the Commission, each responsible party shall make its manufacturing plant and facilities available for inspection.

[80 FR 33442, June 12, 2015]

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§2.947 Measurement procedure.

(a) Test data must be measured in accordance with the following standards or measurement procedures:

(1) Those set forth in bulletins or reports prepared by the Commission's Office of Engineering and Technology. These will be issued as required, and specified in the particular part of the rules where applicable.

(2) Those acceptable to the Commission and published by national engineering societies such as the Electronic Industries Association, the Institute of Electrical and Electronic Engineers, Inc., and the American National Standards Institute.

(3) Any measurement procedure acceptable to the Commission may be used to prepare data demonstrating compliance with the requirements of this chapter.

(b) Information submitted pursuant to paragraph (a) of this section shall completely identify the specific standard or measurement procedure used.

(c) In the case of equipment requiring measurement procedures not specified in the references set forth in paragraphs (a) (1) and (2) of this section, the applicant shall submit a detailed description of the measurement procedures actually used.

(d) A listing of the test equipment used shall be submitted.

(e) If deemed necessary, additional information may be required concerning the measurement procedures employed in obtaining the data submitted for equipment authorization purposes.

[42 FR 44987, Sept. 8, 1977, as amended at 44 FR 39181, July 5, 1979; 51 FR 12616, Apr. 14, 1986; 80 FR 33442, June 12, 2015]

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§2.948 Measurement facilities.

(a) Equipment authorized under the certification or Declaration of Conformity (DoC) procedure shall be tested at a laboratory that is accredited in accordance with paragraph (e) of this section.

(b) A laboratory that makes measurements of equipment subject to an equipment authorization under the certification, DoC or verification procedure shall compile a description of the measurement facilities employed.

(1) The description of the measurement facilities shall contain the following information:

(i) Location of the test site.

(ii) Physical description of the test site accompanied by photographs that clearly show the details of the test site.

(iii) A drawing showing the dimensions of the site, physical layout of all supporting structures, and all structures within 5 times the distance between the measuring antenna and the device being measured.

(iv) Description of structures used to support the device being measured and the test instrumentation.

(v) List of measuring equipment used.

(vi) Information concerning the calibration of the measuring equipment, *i.e.,* the date the equipment was last calibrated and how often the equipment is calibrated.

(vii) For a measurement facility that will be used for testing radiated emissions, a plot of site attenuation data taken pursuant to paragraph (d) of this section.

(2) The description of the measurement facilities shall be provided to a laboratory accreditation body upon request.

(3) The description of the measurement facilities shall be retained by the party responsible for verification of equipment and provided to the Commission upon request.

(i) The party responsible for verification of equipment may rely upon the description of the measurement facilities retained by an independent laboratory that performed the tests. In this situation, the party responsible for verification of the equipment is not required to retain a duplicate copy of the description of the measurement facilities.

(ii) No specific site calibration data is required for equipment that is verified for compliance based on measurements performed at the installation site of the equipment. The description of the measurement facilities may be retained at the site at which the measurements were performed.

(c) The Commission will maintain a list of accredited laboratories that it has recognized. The Commission will make publicly available a list of those laboratories that have indicated a willingness to perform testing for the general public. Inclusion of a facility on the Commission's list does not constitute Commission endorsement of that facility. In order to be included on this list, the accrediting organization (or Designating Authority in the case of foreign laboratories) must submit the information listed below to the Commission's laboratory:

(1) Laboratory name, location of test site(s), mailing address and contact information;

(2) Name of accrediting organization;

(3) Scope of laboratory accreditation;

(4) Date of expiration of accreditation;

(5) Designation number;

(6) FCC Registration Number (FRN);

(7) A statement as to whether or not the laboratory performs testing on a contract basis;

(8) For laboratories outside the United States, the name of the mutual recognition agreement or arrangement under which the accreditation of the laboratory is recognized;

(9) Other information as requested by the Commission.

(d) When the measurement method used requires the testing of radiated emissions on a validated test site, the site attenuation must comply with the requirements of Sections 5.4.4 through 5.5 of the following procedure: ANSI C63.4-2014 (incorporated by reference, see §2.910). Measurement facilities used to make radiated emission measurements from 30 MHz to 1 GHz shall comply with the site validation requirements in ANSI C63.4-2014 (clause 5.4.4) and for radiated emission measurements from 1 GHz to 40 GHz shall comply with the site validation requirement of ANSI C63.4-2014 (clause 5.5.1 a) 1)), such that the site validation criteria called out in CISPR 16-1-4:2010-04 (incorporated by reference, see §2.910) is met. Test site revalidation shall occur on an interval not to exceed three years.

(e) A laboratory that has been accredited with a scope covering the measurements required for the types of equipment that it will test shall be deemed competent to test and submit test data for equipment subject to verification, Declaration of Conformity, and certification. Such a laboratory shall be accredited by a Commission recognized accreditation organization based on the International Organization for Standardization/International Electrotechnical Commission International Standard ISO/IEC 17025, (incorporated by reference, see §2.910). The organization accrediting the laboratory must be recognized by the Commission's Office of Engineering and Technology, as indicated in §0.241 of this chapter, to perform such accreditation based on International Standard ISO/IEC 17011 (incorporated by reference, see §2.910). The frequency for reassessment of the test facility and the information that is required to be filed or retained by the testing party shall comply with the requirements established by the accrediting organization, but shall occur on an interval not to exceed two years.

(f) The accreditation of a laboratory located outside of the United States, or its possessions, will be acceptable only under one of the following conditions:

(1) If the accredited laboratory has been designated by a foreign Designating Authority and recognized by the Commission under the terms of a government-to-government Mutual Recognition Agreement/Arrangement (MRA); or

(2) If the laboratory is located in a country that does not have an MRA with the United States, then it must be accredited by an organization recognized by the Commission under the provisions of §2.949 for performing accreditations in the country where the laboratory is located.

[80 FR 33442, June 12, 2015]

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§2.949 Recognition of laboratory accreditation bodies.

(a) A party wishing to become a laboratory accreditation body recognized by OET must submit a written request to the Chief of OET requesting such recognition. OET will make a determination based on the information provided in support of the request for recognition.

(b) Applicants shall provide the following information as evidence of their credentials and qualifications to perform accreditation of laboratories that test equipment to Commission requirements, consistent with the requirements of §2.948 (e). OET may request additional information, or showings, as needed, to determine the applicant's credentials and qualifications.

(1) Successful completion of an ISO/IEC 17011 (incorporated by reference, see §2.910) peer review, such as being a signatory to an accreditation agreement that is acceptable to the Commission.

(2) Experience with the accreditation of electromagnetic compat bility (EMC), radio and telecommunications testing laboratories to ISO/IEC 17025 (incorporated by reference, see §2.910).

(3) Accreditation personnel/assessors with specific technical experience on the Commission equipment authorization rules and requirements.

(4) Procedures and policies developed for the accreditation of testing laboratories for FCC equipment authorization programs.

[80 FR 33443, June 12, 2015]

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§2.950 Transition periods.

(a) As of July 13, 2015 the Commission will no longer accept applications for Commission issued grants of equipment certification.

(b) Prior to September 15, 2015 a TCB shall be accredited to either ISO/IEC Guide 65 or ISO/IEC 17065 (incorporated by reference, see §2.910). On or after September 15, 2015 a TCB shall be accredited to ISO/IEC 17065.

(c) Prior to September 15, 2015 an organization accrediting the prospective telecommunication certification body shall be capable of meeting the requirements and conditions of ISO/IEC Guide 61 or ISO/IEC 17011 (incorporated by reference, see §2.910). On or after September 15, 2015 an organization accrediting the prospective telecommunication certification body shall be capable of meeting the requirements and conditions of ISO/IEC 17011.

(d) Prior to September 15, 2015 an organization accrediting the prospective accredited testing laboratory shall be capable of meeting the requirements and conditions of ISO/IEC Guide 58 or ISO/IEC 17011. On or after September 15, 2015 an organization accrediting the prospective accredited testing laboratory shall be capable of meeting the requirements and conditions of ISO/IEC 17011.

(e) The Commission will no longer accept applications for §2.948 test site listing as of July 13, 2015. Laboratories that are listed by the Commission under the §2.948 process will remain listed until the sooner of their expiration date or July 13, 2016 and may continue to submit test data in support of certification applications for October 13, 2016. Laboratories with an expiration date before July 13, 2016 may request the Commission to extend their expiration date to July 13, 2016.

(f) Measurement facilities used to make radiated emission measurements from 1 GHz to 40 GHz shall comply with the site validation option of ANSI C63.4-2014, (clause 5.5.1a)1)) which references CISPR 16-1-4:2010-04 (incorporated by reference, see §2.910) by July 13, 2018.

(g) Measurements for intentional radiators subject to part 15 of this chapter are to be made using the procedures in ANSI C63.10-2013 (incorporated by reference, see §2.910) by July 13, 2016.

(h) Measurements for unintentional radiators are to be made using the procedures in ANSI C63.4, except clauses 4.5.3, 4.6, 6.2.13, 8.2.2, 9, and 13 (incorporated by reference, see §2.910), by July 13, 2016.

[80 FR 33443, June 12, 2015]

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VERIFICATION

AUTHORITY: Sections 2.951 through 2.957 are issued under secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307.

SOURCE: Sections 2.951 through 2.957 appear at 46 FR 23249, Apr. 24, 1981, unless otherwise noted.

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§2.951 Cross reference.

The provisions of §2.901, *et seq.,* shall apply to equipment subject to verification.

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§2.952 Limitation on verification.

(a) Verification signifies that the manufacturer or importer has determined that the equipment has been shown to be capable of compliance with the applicable technical standards if no unauthorized change is made in the equipment and if the equipment is properly maintained and operated. Compliance with these standards shall not be construed to be a finding by the manufacturer or importer with respect to matters not encompassed by the Commission's rules.

(b) Verification of the equipment by the manufacturer or importer is effective until a termination date is otherwise established by the Commission.

(c) No person shall, in any advertising matter, brochure, etc., use or make reference to a verification in a deceptive or misleading manner or convey the impression that such verification reflects more than a determination by the manufacturer or importer that the device or product has been shown to be capable of compliance with the applicable technical standards of the Commission's rules.

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§2.953 Responsibility for compliance.

(a) In verifying compliance, the responsible party, as defined in §2.909 warrants that each unit of equipment marketed under the verification procedure will be identical to the unit tested and found acceptable with the standards and that the records maintained by the responsible party continue to reflect the equipment being produced under such verification within the variation that can be expected due to quantity production and testing on a statistical basis.

(b) The importer of equipment subject to verification may, upon receiving a written statement from the manufacturer that the equipment complies with the appropriate technical standards, rely on the manufacturer or independent testing agency to verify compliance. The test records required by §2.955 however should be in the English language and made available to the Commission upon a reasonable request, in accordance with §2.945.

(c) In the case of transfer of control of equipment, as in the case of sale or merger of the grantee, the new manufacturer or importer shall bear the responsibility of continued compliance of the equipment.

(d) Verified equipment shall be reverified if any modification or change adversely affects the emanation characteristics of the modified equipment. The party designated in §2.909 bears responsibility for continued compliance of subsequently produced equipment.

[39 FR 5919, Feb. 15, 1974, as amended at 62 FR 10472, Mar. 7, 1997; 80 FR 33444, June 12, 2015]

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§2.954 Identification.

Devices subject only to verification shall be uniquely identified by the person responsible for marketing or importing the equipment within the United States. However, the identification shall not be of a format which could be confused with the FCC Identifier required on certified, notified or type accepted equipment. The importer or manufacturer shall maintain adequate identification records to facilitate positive identification for each verified device.

[62 FR 10472, Mar. 7, 1997]

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§2.955 Retention of records.

(a) For each equipment subject to verification, the responsible party, as shown in §2.909 shall maintain the records listed as follows:

(1) A record of the original design drawings and specifications and all changes that have been made that may affect compliance with the requirements of §2.953.

(2) A record of the procedures used for production inspection and testing (if tests were performed) to insure the conformance required by §2.953. (Statistical production line emission testing is not required.)

(3) A record of the measurements made on an appropriate test site that demonstrates compliance with the applicable regulations in this chapter. The record shall:

(i) Indicate the actual date all testing was performed;

(ii) State the name of the test laboratory, company, or individual performing the verification testing. The Commission may request additional information regarding the test site, the test equipment or the qualifications of the company or individual performing the verification tests;

(iii) Contain a description of how the device was actually tested, identifying the measurement procedure and test equipment that was used;

(iv) Contain a description of the equipment under test (EUT) and support equipment connected to, or installed within, the EUT;

(v) Identify the EUT and support equipment by trade name and model number and, if appropriate, by FCC Identifier and serial number;

(vi) Indicate the types and lengths of connecting cables used and how they were arranged or moved during testing;

(vii) Contain at least two drawings or photographs showing the test set-up for the highest line conducted emission and showing the test set-up for the highest radiated emission. These drawings or photographs must show enough detail to confirm other information contained in the test report. Any photographs used must be focused originals without glare or dark spots and must clearly show the test configuration used;

(viii) List all modifications, if any, made to the EUT by the testing company or individual to achieve compliance with the regulations in this chapter;

(ix) Include all of the data required to show compliance with the appropriate regulations in this chapter; and

(x) Contain, on the test report, the signature of the individual responsible for testing the product along with the name and signature of an official of the responsible party, as designated in §2.909.

(4) For equipment subject to the provisions in part 15 of this chapter, the records shall indicate if the equipment was verified pursuant to the transition provisions contained in §15.37 of this chapter.

(b) The records listed in paragraph (a) of this section shall be retained for two years after the manufacture of said equipment item has been permanently discontinued, or until the conclusion of an investigation or a proceeding if the manufacturer or importer is officially notified that an investigation or any other administrative proceeding involving his equipment has been instituted.

[54 FR 17713, Apr. 25, 1989, as amended at 62 FR 10472, Mar. 7, 1997]

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TELECOMMUNICATION CERTIFICATION BODIES (TCBS)

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§2.960 Recognition of Telecommunication Certification Bodies (TCBs).

(a) The Commission may recognize Telecommunication Certification Bodies (TCBs) which have been designated according to requirements of paragraph (b) or (c) of this section to issue grants of certification as required under this part. Certification of equipment by a TCB shall be based on an application with all the information specified in this part. The TCB shall review the application to determine compliance with the Commission's requirements and shall issue a grant of equipment certification in accordance with §2.911.

(b) In the United States, TCBs shall be accredited and designated by the National Institute of Standards and Technology (NIST) under its National Voluntary Conformity Assessment Evaluation (NVCASE) program, or other recognized programs based on ISO/IEC 17065 (incorporated by reference, see §2.910) to comply with the Commission's qualification criteria for TCBs. NIST may, in accordance with its procedures, allow other appropriately qualified accrediting bodies to accredit TCBs. TCBs shall comply with the requirements in §2.962 of this part.

(c) In accordance with the terms of an effective bilateral or multilateral mutual recognition agreement or arrangement (MRA) to which the United States is a party, bodies outside the United States shall be permitted to authorize equipment in lieu of the Commission. A body in an MRA partner economy may authorize equipment to U.S. requirements only if that economy permits bodies in the United States to authorize equipment to its requirements. The authority designating these telecommunication certification bodies shall meet the following criteria.

(1) The organization accrediting the prospective telecommunication certification body shall be capable of meeting the requirements and conditions of ISO/IEC 17011 (incorporated by reference, see §2.910).

(2) The organization assessing the telecommunication certification body shall appoint a team of qualified experts to perform the assessment covering all of the elements within the scope of accreditation. For assessment of telecommunications equipment, the areas of expertise to be used during the assessment shall include, but not be limited to, electromagnetic compatibility and telecommunications equipment (wired and wireless).

[64 FR 4995, Feb. 2, 1999, as amended at 80 FR 33444, June 12, 2015]

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§2.962 Requirements for Telecommunication Certification Bodies.

(a) Telecommunication certification bodies (TCBs) designated by NIST, or designated by another authority pursuant to an bilateral or multilateral mutual recognition agreement or arrangement to which the United States is a party, shall comply with the requirements of this section.

(b) *Certification methodology.* (1) The certification system shall be based on type testing as identified in ISO/IEC 17065 (incorporated by reference, see §2.910).

(2) Certification shall normally be based on testing no more than one unmodified representative sample of each product type for which certification is sought. Additional samples may be requested if clearly warranted, such as when certain tests are likely to render a sample inoperative.

(c) *Criteria for designation.* (1) To be designated as a TCB under this section, an entity shall, by means of accreditation, meet all the appropriate specifications in ISO/IEC 17065 for the scope of equipment it will certify. The accreditation shall specify the group of equipment to be certified and the applicable regulations for product evaluation.

(2) The TCB shall demonstrate expert knowledge of the regulations for each product with respect to which the body seeks designation. Such expertise shall include familiarity with all applicable technical regulations, administrative provisions or requirements, as well as the policies and procedures used in the application thereof.

(3) The TCB shall have the technical expertise and capability to test the equipment it will certify and shall also be accredited in accordance with ISO/IEC 17025 (incorporated by reference, see §2.910) to demonstrate it is competent to perform such tests.

(4) The TCB shall demonstrate an ability to recognize situations where interpretations of the regulations or test procedures may be necessary. The appropriate key certification and laboratory personnel shall demonstrate knowledge of how to obtain current and correct technical regulation interpretations. The competence of the TCB shall be demonstrated by assessment. The general competence, efficiency, experience, familiarity with technical regulations and products covered by those technical regulations, as well as compliance with applicable parts of ISO/IEC 17025 and ISO/IEC 17065 shall be taken into consideration during assessment.

(5) A TCB shall participate in any consultative activities, identified by the Commission or NIST, to facilitate a common understanding and interpretation of applicable regulations.

(6) The Commission will provide public notice of the specific methods that will be used to accredit TCBs, consistent with these qualification criteria.

(7) A TCB shall be reassessed for continued accreditation on intervals not exceeding two years.

(d) *External resources.* (1) In accordance with the provisions of ISO/IEC 17065 the evaluation of a product, or a portion thereof, may be performed by bodies that meet the applicable requirements of ISO/IEC 17025 in accordance with the applicable provisions of ISO/IEC 17065 for external resources (outsourcing) and other relevant standards. Evaluation is the selection of applicable requirements and the determination that those requirements are met. Evaluation may be performed using internal TCB resources or external (outsourced) resources.

(2) A TCB shall not outsource review and certification decision activities.

(3) When external resources are used to provide the evaluation function, including the testing of equipment subject to certification, the TCB shall be responsible for the evaluation and shall maintain appropriate oversight of the external resources used to ensure reliability of the evaluation. Such oversight shall include periodic audits of products that have been tested and other activities as required in ISO/IEC 17065 when a certification body uses external resources for evaluation.

(e) *Recognition of a TCB.* (1)(i) The Commission will recognize as a TCB any organization in the United States that meets the qualification criteria and is accredited and designated by NIST or NIST's recognized accreditor as provided in §2.960(b).

(ii) The Commission will recognize as a TCB any organization outside the United States that meets the qualification criteria and is designated pursuant to an bilateral or multilateral MRA as provided in §2.960(c).

(2) The Commission will withdraw its recognition of a TCB if the TCB's designation or accreditation is withdrawn, if the Commission determines there is just cause for withdrawing the recognition, or if the TCB requests that it no longer hold its designation or recognition. The Commission will limit the scope of equipment that can be certified by a TCB if its accreditor limits the scope of its accreditation or if the Commission determines there is good cause to do so. The Commission will notify a TCB in writing of its intention to withdraw or limit the scope of the TCB's recognition and provide at least 60 days for the TCB to respond. In the case of a TCB designated and recognized pursuant to an bilateral or multilateral mutual recognition agreement or arrangement (MRA), the Commission shall consult with the Office of the United States Trade Representative (USTR), as necessary, concerning any disputes arising under an MRA for compliance with the Telecommunications Trade Act of 1988 (Section 1371-1382 of the Omnibus Trade and Competitiveness Act of 1988).

(3) The Commission will notify a TCB in writing when it has concerns or evidence that the TCB is not certifying equipment in accordance with the Commission's rules and policies and request that it explain and correct any apparent deficiencies. The Commission may require that all applications for the TCB be processed under the pre-approval guidance procedure in §2.964 for at least 30 days, and will provide a TCB with 30 days' notice of its intent to do so unless good cause exists for providing shorter notice. The Commission may request that a TCB's Designating Authority or accreditation

body investigate and take appropriate corrective actions as required, and the Commission may initiate action to limit or withdraw the recognition of the TCB as described in §2.962(e)(2).

(4) If the Commission withdraws its recognition of a TCB, all certifications issued by that TCB will remain valid unless specifically set aside or revoked by the Commission under paragraph (f)(5) of this section.

(5) A list of recognized TCBs will be published by the Commission.

(f) *Scope of responsibility*. (1) A TCB shall certify equipment in accordance with the Commission's rules and policies.

(2) A TCB shall accept test data from any Commission-recognized accredited test laboratory, subject to the requirements in ISO/IEC 17065 and shall not unnecessarily repeat tests.

(3) A TCB may establish and assess fees for processing certification applications and other Commission-required tasks.

(4) A TCB may only act on applications that it has received or which it has issued a grant of certification.

(5) A TCB shall dismiss an application which is not in accordance with the provisions of this subpart or when the applicant requests dismissal, and may dismiss an application if the applicant does not submit additional information or test samples requested by the TCB.

(6) Within 30 days of the date of grant of certification the Commission or TCB issuing the grant may set aside a grant of certification that does not comply with the requirements or upon the request of the applicant. A TCB shall notify the applicant and the Commission when a grant is set aside. After 30 days, the Commission may revoke a grant of certification through the procedures in §2.939.

(7) A TCB shall follow the procedures in §2.964 of this part for equipment on the pre-approval guidance list.

(8) A TCB shall supply an electronic copy of each certification application and all necessary exhibits to the Commission prior to grant or dismissal of the application. Where appropriate, the application must be accompanied by a request for confidentiality of any material that may qualify for confidential treatment under the Commission's rules.

(9) A TCB shall grant or dismiss each certification application through the Commission's electronic filing system.

(10) A TCB may not:

(i) Grant a waiver of the rules;

(ii) Take enforcement actions; or

(iii) Authorize a transfer of control of a grantee.

(11) All TCB actions are subject to Commission review.

(g) *Post-market surveillance requirements.* (1) In accordance with ISO/IEC 17065 a TCB shall perform appropriate post-market surveillance activities. These activities shall be based on type testing a certain number of samples of the total number of product types which the certification body has certified.

(2) The Chief of the Office of Engineering and Technology (OET) has delegated authority under §0.241(g) of this chapter to develop procedures that TCBs will use for performing post-market surveillance. OET will publish a document on TCB post-market surveillance requirements, and this document will provide specific information such as the number and types of samples that a TCB must test.

(3) OET may request that a grantee of equipment certification submit a sample directly to the TCB that performed the original certification for evaluation. Any equipment samples requested by the Commission and tested by a TCB will be counted toward the minimum number of samples that the TCB must test.

(4) TCBs may request samples of equipment that they have certified directly from the grantee of certification in accordance with §2.945.

(5) If during post market surveillance of a certified product, a TCB determines that a product fails to comply with the technical regulations for that product, the TCB shall immediately notify the grantee and the Commission in writing of its findings. The grantee shall provide a report to the TCB describing the actions taken to correct the situation, and the TCB shall provide a report of these actions to the Commission within 30 days.

(6) TCBs shall submit periodic reports to OET of their post-market surveillance activities and findings in the format and by the date specified by OET.

[80 FR 33444, June 12, 2015]

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§2.964 Pre-approval guidance procedure for Telecommunication Certification Bodies.

(a) The Commission will publish a “Pre-approval Guidance List” identifying the categories of equipment or types of testing for which Telecommunication Certification Bodies (TCBs) must request guidance from the Commission before approving equipment on the list.

(b) TCBs shall use the following procedure for approving equipment on the Commission's pre-approval guidance list.

(1) A TCB shall perform an initial review of the application and determine the issues that require guidance from the Commission. The TCB shall electronically submit the relevant exhibits to the Commission along with a specific description of the pertinent issues.

(2) The TCB shall complete the review of the application in accordance with the Commission's guidance.

(3) The Commission may request and test a sample of the equipment before the application can be granted.

(4) The TCB shall electronically submit the application and all exhibits to the Commission along with a request to grant the application.

(5) The Commission will give its concurrence for the TCB to grant the application if it determines that the equipment complies with the rules. The Commission will advise the TCB if additional information or equipment testing is required, or if the equipment cannot be certified because it does not comply with the Commission's rules.

[80 FR 33445, June 12, 2015]

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CERTIFICATION

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§2.1031 Cross reference.

The general provisions of this subpart §2.901 *et seq.* shall apply to applications for and grants of certification.

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§2.1033 Application for certification.

(a) An application for certification shall be filed on FCC Form 731 with all questions answered. Items that do not apply shall be so noted.

(b) Applications for equipment operating under Parts 11, 15 and 18 of the rules shall be accompanied by a technical report containing the following information:

(1) The full name and mailing address of the manufacturer of the device and the applicant for certification.

(2) FCC identifier.

(3) A copy of the installation and operating instructions to be furnished the user. A draft copy of the instructions may be submitted if the actual document is not available. The actual document shall be furnished to the FCC when it becomes available.

(4) A brief description of the circuit functions of the device along with a statement describing how the device operates. This statement should contain a description of the ground system and antenna, if any, used with the device.

(5) A block diagram showing the frequency of all oscillators in the device. The signal path and frequency shall be indicated at each block. The tuning range(s) and intermediate frequency(ies) shall be indicated at each block. A schematic diagram is also required for intentional radiators.

(6) A report of measurements showing compliance with the pertinent FCC technical requirements. This report shall identify the test procedure used (e.g., specify the FCC test procedure, or industry test procedure that was used), the date the measurements were made, the location where the measurements were made, and the device that was tested (model and serial number, if available). The report shall include sample calculations showing how the measurement results were converted for comparison with the technical requirements.

(7) A sufficient number of photographs to clearly show the exterior appearance, the construction, the component placement on the chassis, and the chassis assembly. The exterior views shall show the overall appearance, the antenna used with the device (if any), the controls available to the user, and the required identification label in sufficient detail so that the name and FCC identifier can be read. In lieu of a photograph of the label, a sample label (or facsimile thereof) may be submitted together with a sketch showing where this label will be placed on the equipment. Photographs shall be of size A4 (21 cm × 29.7 cm) or 8 × 10 inches (20.3 cm × 25.4 cm). Smaller photographs may be submitted provided they are sharp and clear, show the necessary detail, and are mounted on A4 (21 cm × 29.7 cm) or 8.5 × 11 inch (21.6 cm × 27.9 cm) paper. A sample label or facsimile together with the sketch showing the placement of this label shall be on the same size paper.

(8) If the equipment for which certification is being sought must be tested with peripheral or accessory devices connected or installed, a brief description of those peripherals or accessories. The peripheral or accessory devices shall be unmodified, commercially available equipment.

(9) For equipment subject to the provisions of part 15 of this chapter, the application shall indicate if the equipment is being authorized pursuant to the transition provisions in §15.37 of this chapter.

(10) Applications for the certification of scanning receivers shall include a statement describing the methods used to comply with the design requirements of all parts of §15.121 of this chapter. The application must specifically include a statement assessing the vulnerability of the equipment to poss ble modification and descr bing the design features that prevent the modification of the equipment by the user to receive transmissions from the Cellular Radiotelephone Service. The application must also demonstrate compliance with the signal rejection requirement of §15.121 of this chapter, including details on the measurement procedures used to demonstrate compliance.

(11) Applications for certification of transmitters operating within the 59.0-64.0 GHz band under part 15 of this chapter shall also be accompanied by an exhibit demonstrating compliance with the provisions of §15.255(g) of this chapter.

(12) An application for certification of a software defined radio must include the information required by §2.944.

(13) Applications for certification of U-NII devices in the 5.15-5.35 GHz and the 5.47-5.85 GHz bands must include a high level operational description of the security procedures that control the radio frequency operating parameters and ensure that unauthorized modifications cannot be made.

(14) Contain at least one drawing or photograph showing the test set-up for each of the required types of tests applicable to the device for which certification is requested. These drawings or photographs must show enough detail to confirm other information contained in the test report. Any photographs used must be focused originals without glare or dark spots and must clearly show the test configuration used.

(c) Applications for equipment other than that operating under parts 15, 11 and 18 of this chapter shall be accompanied by a technical report containing the following information:

(1) The full name and mailing address of the manufacturer of the device and the applicant for certification.

(2) FCC identifier.

(3) A copy of the installation and operating instructions to be furnished the user. A draft copy of the instructions may be submitted if the actual document is not available. The actual document shall be furnished to the FCC when it becomes available.

(4) Type or types of emission.

(5) Frequency range.

(6) Range of operating power values or specific operating power levels, and description of any means provided for variation of operating power.

(7) Maximum power rating as defined in the applicable part(s) of the rules.

(8) The dc voltages applied to and dc currents into the several elements of the final radio frequency amplifying device for normal operation over the power range.

(9) Tune-up procedure over the power range, or at specific operating power levels.

(10) A schematic diagram and a description of all circuitry and devices provided for determining and stabilizing frequency, for suppression of spurious radiation, for limiting modulation, and for limiting power.

(11) A photograph or drawing of the equipment identification plate or label showing the information to be placed thereon.

(12) Photographs (8″ × 10″) of the equipment of sufficient clarity to reveal equipment construction and layout, including meters, if any, and labels for controls and meters and sufficient views of the internal construction to define component placement and chassis assembly. Insofar as these requirements are met by photographs or drawings contained in instruction manuals supplied with the certification request, additional photographs are necessary only to complete the required showing.

(13) For equipment employing digital modulation techniques, a detailed description of the modulation system to be used, including the response characteristics (frequency, phase and amplitude) of any filters provided, and a description of the modulating wavetrain, shall be submitted for the maximum rated conditions under which the equipment will be operated.

(14) The data required by §§2.1046 through 2.1057, inclusive, measured in accordance with the procedures set out in §2.1041.

(15) The application for certification of an external radio frequency power amplifier under part 97 of this chapter need not be accompanied by the data required by paragraph (b)(14) of this section. In lieu thereof, measurements shall be submitted to show compliance with the technical specifications in subpart C of part 97 of this chapter and such information as required by §2.1060 of this part.

(16) An application for certification of an AM broadcast stereophonic exciter-generator intended for interfacing with existing certified, or formerly type accepted or notified transmitters must include measurements made on a complete stereophonic transmitter. The instruction book must include complete specifications and circuit requirements for interconnecting with existing transmitters. The instruction book must also provide a full description of the equipment and measurement procedures to monitor modulation and to verify that the combination of stereo exciter-generator and transmitter meet the emission limitations of §73.44.

(17) Applications for certification required by §25.129 of this chapter shall include any additional equipment test data required by that section.

(18) An application for certification of a software defined radio must include the information required by §2.944.

(19) Applications for certification of equipment operating under part 27 of this chapter, that a manufacturer is seeking to certify for operation in the:

(i) 1755-1780 MHz, 2155-2180 MHz, or both bands shall include a statement indicating compliance with the pairing of 1710-1780 and 2110-2180 MHz specified in §§27.5(h) and 27.75 of this chapter.

(ii) 1695-1710 MHz, 1755-1780 MHz, or both bands shall include a statement indicating compliance with §27.77 of this chapter.

(iii) 600 MHz band shall include a statement indicating compliance with §27.75 of this chapter.

(20) Applications for certification of equipment operating under part 90 of this chapter and capable of operating on the 700 MHz interoperability channels (See §90.531(b)(1) of this chapter) shall include a Compliance Assessment Program Supplier's Declaration of Conformity and Summary Test Report or, alternatively, shall include a document detailing how the applicant determined that its equipment complies with §90.548 of this chapter and that the equipment is interoperable across vendors.

(21) Contain at least one drawing or photograph showing the test set-up for each of the required types of tests applicable to the device for which certification is requested. These drawings or photographs must show enough detail to confirm other information contained in the test report. Any photographs used must be focused originals without glare or dark spots and must clearly show the test configuration used.

(d) Applications for certification of equipment operating under part 20 of this chapter, that a manufacturer is seeking to certify as hearing aid compat ble, as set forth in §20.19 of this chapter, shall include a statement indicating compliance with the test requirements of §20.19 of this chapter and indicating the appropriate M-rating and T-rating for the equipment. The manufacturer of the equipment shall be responsible for maintaining the test results.

(e) A single application may be filed for a composite system that incorporates devices subject to certification under multiple rule parts, however, the appropriate fee must be included for each device. Separate applications must be filed if different FCC Identifiers will be used for each device.

[63 FR 36599, July 7, 1998, as amended at 63 FR 42278, Aug. 7, 1998; 64 FR 22561, Apr. 27, 1999; 67 FR 42734, June 25, 2002; 68 FR 54175, Sept. 16, 2003; 68 FR 68545, Dec. 9, 2003; 69 FR 5709, Feb. 6, 2004; 70 FR 23039, May 4, 2005; 77 FR 41928, July 17, 2012; 78 FR 59850, Sept. 30, 2013; 79 FR 24578, May 1, 2014; 79 FR 32410, June 4, 2014; 79 FR 48536, Aug. 15, 2014; 79 FR 71325, Dec. 2, 2014; 80 FR 33446, June 12, 2015]

EFFECTIVE DATE NOTE: At 79 FR 71325, Dec. 2, 2014, §2.1033 was amended by adding paragraph(20). This paragraph contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

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§2.1035 [Reserved]

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§2.1041 Measurement procedure.

For equipment operating under parts 15 and 18, the measurement procedures are specified in the rules governing the particular device for which certification is requested. For equipment operating in the authorized radio services, measurements are required as specified in §§2.1046, 2.1047, 2.1049, 2.1051, 2.1053, 2.1055 and 2.1057. See also §2.947.

[63 FR 36600, July 7, 1998]

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§2.1043 Changes in certificated equipment.

(a) Except as provided in paragraph (b)(3) of this section, changes to the basic frequency determining and stabilizing circuitry (including clock or data rates), frequency multiplication stages, basic modulator circuit or maximum power or field strength ratings shall not be performed without application for and authorization of a new grant of certification. Variations in electrical or mechanical construction, other than these indicated items, are permitted provided the variations either do not affect the characteristics required to be reported to the Commission or the variations are made in compliance with the other provisions of this section. Changes to the software installed in a transmitter that do not affect the radio frequency emissions do not require any additional filings and may be made by parties other than the holder of the grant of certification.

(b) Three classes of permissive changes may be made in certificated equipment without requiring a new application for and grant of certification. None of the classes of changes shall result in a change in identification.

(1) A Class I permissive change includes those modifications in the equipment which do not degrade the characteristics reported by the manufacturer and accepted by the Commission when certification is granted. No filing is required for a Class I permissive change.

(2) A Class II permissive change includes those modifications which degrade the performance characteristics as reported to the Commission at the time of the initial certification. Such degraded performance must still meet the minimum requirements of the applicable rules. When a Class II permissive change is made by the grantee, the grantee shall provide complete information and the results of tests of the characteristics affected by such change. The modified equipment shall not be marketed under the existing grant of certification prior to acknowledgement that the change is acceptable.

(3) A Class III permissive change includes modifications to the software of a software defined radio transmitter that change the frequency range, modulation type or maximum output power (either radiated or conducted) outside the parameters previously approved, or that change the circumstances under which the transmitter operates in accordance with Commission rules. When a Class III permissive change is made, the grantee shall provide a description of the changes and test results showing that the equipment complies with the applicable rules with the new software loaded, including compliance with the applicable RF exposure requirements. The modified software shall not be loaded into the equipment, and the equipment shall not be marketed with the modified software under the existing grant of certification, prior to acknowledgement that the change is acceptable. Class III changes are permitted only for equipment in which no Class II changes have been made from the originally approved device.

NOTE TO PARAGRAPH (b)(3): Any software change that degrades spurious and out-of-band emissions previously reported at the time of initial certification would be considered a change in frequency or modulation and would require a Class III permissive change or new equipment authorization application.

(4) Class I and Class II permissive changes may only be made by the holder of the grant of certification, except as specified.

(c) A grantee desiring to make a change other than a permissive change shall file a new application for certification accompanied by the required information as specified in this part and shall not market the modified device until the grant of certification has been issued. The grantee shall attach a description of the change(s) to be made and a statement indicating whether the change(s) will be made in all units (including previous production) or will be made only in those units produced after the change is authorized.

(d) A modification which results in a change in the identification of a device with or without change in circuitry requires a new application for, and grant of certification. If the changes affect the characteristics required to be reported, a complete application shall be filed. If the characteristics required to be reported are not changed the abbreviated procedure of §2.933 may be used.

(e) Equipment that has been certificated or formerly type accepted for use in the Amateur Radio Service pursuant to the requirements of part 97 of this chapter may be modified without regard to the conditions specified in paragraph (b) of this section, provided the following conditions are met:

(1) Any person performing such modifications on equipment used under part 97 of this chapter must possess a valid amateur radio operator license of the class required for the use of the equipment being modified.

(2) Modifications made pursuant to this paragraph are limited to equipment used at licensed amateur radio stations.

(3) Modifications specified or performed by equipment manufacturers or suppliers must be in accordance with the requirements set forth in paragraph (b) of this section.

(4) Modifications specified or performed by licensees in the Amateur Radio Service on equipment other than that at specific licensed amateur radio stations must be in accordance with the requirements set forth in paragraph (b) of this section.

(5) The station licensee shall be responsible for ensuring that modified equipment used at his station will comply with the applicable technical standards in part 97 of this chapter.

(f) For equipment other than that operating under parts 15 or 18 of this chapter, when a Class II permissive change is made by other than the grantee of certification, the information and data specified in paragraph (b)(2) of this section shall be supplied by the person making the change. The modified equipment shall not be operated under an authorization prior to acknowledgement that the change is acceptable.

(g) The interconnection of a certificated or formerly type accepted AM broadcast stereophonic exciter-generator with a certificated or formerly type accepted AM broadcast transmitter in accordance with the manufacturer's instructions and upon completion of measurements showing that the modified transmitter meets the emission limitation requirements of §73.44 is defined as a Class I permissive change for compliance with this section.

(h) The interconnection of a multiplexing exciter with a certificated or formerly type accepted AM broadcast transmitter in accordance with the manufacturer's instructions without electrical or mechanical modification of the transmitter circuits and completion of equipment performance measurements showing the transmitter meets the minimum performance requirements applicable thereto is defined as a Class I permissive change for compliance with this section.

(i) The addition of TV broadcast subcarrier generators to a certificated or formerly type accepted TV broadcast transmitter or the addition of FM broadcast subcarrier generators to a type accepted FM broadcast transmitter, provided the transmitter exciter is designed for subcarrier operation without mechanical or electrical alterations to the exciter or other transmitter circuits.

(j) The addition of TV broadcast stereophonic generators to a certificated or formerly type accepted TV broadcast transmitter or the addition of FM broadcast stereophonic generators to a certificated or formerly type accepted FM broadcast transmitter, provided the transmitter exciter is designed for stereophonic sound operation without mechanical or electrical alterations to the exciter or other transmitter circuits.

(k) The addition of subscription TV encoding equipment for which the FCC has granted advance approval under the provisions of §2.1400 in subpart M and §73.644(c) of part 73 to a certificated or formerly type accepted transmitter is considered a Class I permissive change.

(l) Notwithstanding the provisions of this section, broadcast licensees or permittees are permitted to modify certificated or formerly type accepted equipment pursuant to §73.1690 of the FCC's rules.

[63 FR 36600, July 7, 1998, as amended at 66 FR 50840, Oct. 5, 2001; 70 FR 23040, May 4, 2005; 80 FR 33446, June 12, 2015]

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§2.1046 Measurements required: RF power output.

(a) For transmitters other than single sideband, independent sideband and controlled carrier radiotelephone, power output shall be measured at the RF output terminals when the transmitter is adjusted in accordance with the tune-up procedure to give the values of current and voltage on the circuit elements specified in §2.1033(c)(8). The electrical characteristics of the radio frequency load attached to the output terminals when this test is made shall be stated.

(b) For single sideband, independent sideband, and single channel, controlled carrier radiotelephone transmitters the procedure specified in paragraph (a) of this section shall be employed and, in addition, the transmitter shall be modulated during the test as follows. In all tests, the input level of the modulating signal shall be such as to develop rated peak envelope power or carrier power, as appropriate, for the transmitter.

(1) Single sideband transmitters in the A3A or A3J emission modes—by two tones at frequencies of 400 Hz and 1800 Hz (for 3.0 kHz authorized bandwidth), or 500 Hz and 2100 Hz (3.5 kHz authorized bandwidth), or 500 Hz and 2400 Hz (for 4.0 kHz authorized bandwidth), applied simultaneously, the input levels of the tones so adjusted that the two principal frequency components of the radio frequency signal produced are equal in magnitude.

(2) Single sideband transmitters in the A3H emission mode—by one tone at a frequency of 1500 Hz (for 3.0 kHz authorized bandwidth), or 1700 Hz (for 3.5 kHz authorized bandwidth), or 1900 Hz (for 4.0 kHz authorized bandwidth), the level of which is adjusted to produce a radio frequency signal component equal in magnitude to the magnitude of the carrier in this mode.

(3) As an alternative to paragraphs (b) (1) and (2) of this section other tones besides those specified may be used as modulating frequencies, upon a sufficient showing of need. However, any tones so chosen must not be harmonically related, the third and fifth order intermodulation products which occur must fall within the −25 dB step of the emission bandwidth limitation curve, the seventh and ninth order intermodulation product must fall within the 35 dB step of the referenced curve and the eleventh and all higher order products must fall beyond the −35 dB step of the referenced curve.

(4) Independent sideband transmitters having two channels by 1700 Hz tones applied simultaneously in both channels, the input levels of the tones so adjusted that the two principal frequency components of the radio frequency signal produced are equal in magnitude.

(5) Independent sideband transmitters having more than two channels by an appropriate signal or signals applied to all channels simultaneously. The input signal or signals shall simulate the input signals specified by the manufacturer for normal operation.

(6) Single-channel controlled-carrier transmitters in the A3 emission mode—by a 2500 Hz tone.

(c) For measurements conducted pursuant to paragraphs (a) and (b) of this section, all calculations and methods used by the applicant for determining carrier power or peak envelope power, as appropriate, on the basis of measured power in the radio frequency load attached to the transmitter output terminals shall be shown. Under the test conditions specified, no components of the emission spectrum shall exceed the limits specified in the applicable rule parts as necessary for meeting occupied bandwidth or emission limitations.

[39 FR 5919, Feb. 15, 1974. Redesignated and amended at 63 FR 36599, July 7, 1998]

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§2.1047 Measurements required: Modulation characteristics.

(a) *Voice modulated communication equipment.* A curve or equivalent data showing the frequency response of the audio modulating circuit over a range of 100 to 5000 Hz shall be submitted. For equipment required to have an audio low-pass filter, a curve showing the frequency response of the filter, or of all circuitry installed between the modulation limiter and the modulated stage shall be submitted.

(b) *Equipment which employs modulation limiting.* A curve or family of curves showing the percentage of modulation versus the modulation input voltage shall be supplied. The information submitted shall be sufficient to show modulation limiting capability throughout the range of modulating frequencies and input modulating signal levels employed.

(c) *Single sideband and independent sideband radiotelephone transmitters which employ a device or circuit to limit peak envelope power.* A curve showing the peak envelope power output versus the modulation input voltage shall be supplied. The modulating signals shall be the same in frequency as specified in paragraph (c) of §2.1049 for the occupied bandwidth tests.

(d) *Other types of equipment.* A curve or equivalent data which shows that the equipment will meet the modulation requirements of the rules under which the equipment is to be licensed.

[39 FR 5919, Feb. 15, 1974. Redesignated and amended at 63 FR 36599, July 7, 1998]

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§2.1049 Measurements required: Occupied bandwidth.

The occupied bandwidth, that is the frequency bandwidth such that, below its lower and above its upper frequency limits, the mean powers radiated are each equal to 0.5 percent of the total mean power radiated by a given emission shall be measured under the following conditions as applicable:

(a) Radiotelegraph transmitters for manual operation when keyed at 16 dots per second.

(b) Other keyed transmitters—when keyed at the maximum machine speed.

(c) Radiotelephone transmitters equipped with a device to limit modulation or peak envelope power shall be modulated as follows. For single sideband and independent sideband transmitters, the input level of the modulating signal shall be 10 dB greater than that necessary to produce rated peak envelope power.

(1) Other than single sideband or independent sideband transmitters—when modulated by a 2500 Hz tone at an input level 16 dB greater than that necessary to produce 50 percent modulation. The input level shall be established at the frequency of maximum response of the audio modulating circuit.

(2) Single sideband transmitters in A3A or A3J emission modes—when modulated by two tones at frequencies of 400 Hz and 1800 Hz (for 3.0 kHz authorized bandwidth), or 500 Hz and 2100 Hz (for 3.5 kHz authorized bandwidth), or 500 Hz and 2400 Hz (for 4.0 kHz authorized bandwidth), applied simultaneously. The input levels of the tones shall be so adjusted that the two principal frequency components of the radio frequency signal produced are equal in magnitude.

(3) Single sideband transmitters in the A3H emission mode—when modulated by one tone at a frequency of 1500 Hz (for 3.0 kHz authorized bandwidth), or 1700 Hz (for 3.5 kHz authorized bandwidth), or 1900 Hz (for 4.0 kHz authorized bandwidth), the level of which is adjusted to produce a radio frequency signal component equal in magnitude to the magnitude of the carrier in this mode.

(4) As an alternative to paragraphs (c) (2) and (3) of this section, other tones besides those specified may be used as modulating frequencies, upon a sufficient showing of need. However, any tones so chosen must not be harmonically related, the third and fifth order intermodulation products which occur must fall within the −25 dB step of the emission bandwidth limitation curve, the seventh and ninth order products must fall within the −35 dB step of the referenced curve and the eleventh and all higher order products must fall beyond the −35 dB step of the referenced curve.

(5) Independent sideband transmitters having two channels—when modulated by 1700 Hz tones applied simultaneously to both channels. The input levels of the tones shall be so adjusted that the two principal frequency components of the radio frequency signal produced are equal in magnitude.

(d) Radiotelephone transmitters without a device to limit modulation or peak envelope power shall be modulated as follows. For single sideband and independent sideband transmitters, the input level of the modulating signal should be that necessary to produce rated peak envelope power.

(1) Other than single sideband or independent sideband transmitters—when modulated by a 2500 Hz tone of sufficient level to produce at least 85 percent modulation. If 85 percent modulation is unattainable, the highest percentage modulation shall be used.

(2) Single sideband transmitters in A3A or A3J emission modes—when modulated by two tones at frequencies of 400 Hz and 1800 Hz (for 3.0 kHz authorized bandwidth), or 500 Hz and 2100 Hz (for 3.5 kHz authorized bandwidth), or 500 Hz and 2400 Hz (for 4.0 kHz authorized bandwidth), applied simultaneously. The input levels of the tones shall be so adjusted that the two principal frequency components of the radio frequency signal produced are equal in magnitude.

(3) Single sideband transmitters in the A3H emission mode—when modulated by one tone at a frequency of 1500 Hz (for 3.0 kHz authorized bandwidth), or 1700 Hz (for 3.5 kHz authorized bandwidth), or 1900 Hz (for 4.0 kHz authorized bandwidth), the level of which is adjusted to produce a radio frequency signal component equal in magnitude to the magnitude of the carrier in this mode.

(4) As an alternative to paragraphs (d) (2) and (3) of this section, other tones besides those specified may be used as modulating frequencies, upon a sufficient showing of need. However any tones so chosen must not be harmonically related, the third and fifth order intermodulation products which occur must fall within the −25 dB step of the emission bandwidth limitation curve, the seventh and ninth order products must fall within the −35 dB step of the referenced curve and the eleventh and all higher order products must fall beyond the −35 dB step of the referenced curve.

(5) Independent sideband transmitters having two channels—when modulated by 1700 Hz tones applied simultaneously to both channels. The input levels of the tones shall be so adjusted that the two principal frequency components of the radio frequency signal produced are equal in magnitude.

(e) Transmitters for use in the Radio Broadcast Services:

(1) AM broadcast transmitters for monaural operation—when amplitude modulated 85% by a 7,500 Hz input signal.

(2) AM broadcast stereophonic operation—when the transmitter operated under any stereophonic modulation condition not exceeding 100% on negative peaks and tested under the conditions specified in §73.128 in part 73 of the FCC rules for AM broadcast stations.

(3) FM broadcast transmitter not used for multiplex operation—when modulated 85 percent by a 15 kHz input signal.

(4) FM broadcast transmitters for multiplex operation under Subsidiary Communication Authorization (SCA)—when carrier is modulated 70 percent by a 15 kHz main channel input signal, and modulated an additional 15 percent simultaneously by a 67 kHz subcarrier (unmodulated).

(5) FM broadcast transmitter for stereophonic operation—when modulated by a 15 kHz input signal to the main channel, a 15 kHz input signal to the stereophonic subchannel, and the pilot subcarrier simultaneously. The input signals to the main channel and stereophonic subchannel each shall produce 38 percent modulation of the carrier. The pilot subcarrier should produce 9 percent modulation of the carrier.

(6) Television broadcast monaural transmitters—when modulated 85% by a 15 kHz input signal.

(7) Television broadcast stereophonic sound transmitters—when the transmitter is modulated with a 15 kHz input signal to the main channel and the stereophonic subchannel, any pilot subcarrier(s) and any unmodulated auxiliary subcarrier(s) which may be provided. The signals to the main channel and the stereophonic subchannel must be representative of the system being tested and when combined with any pilot subcarrier(s) or other auxiliary subcarriers shall result in 85% deviation of the maximum specified aural carrier deviation.

(f) Transmitters for which peak frequency deviation (D) is determined in accordance with §2.202(f), and in which the modulating baseband comprises more than 3 independent speech channels—when modulated by a test signal determined in accordance with the following:

(1) A modulation reference level is established for the characteristic baseband frequency. (Modulation reference level is defined as the average power level of a sinusoidal test signal delivered to the modulator input which provides the specified value of per-channel deviation.)

(2) Modulation reference level being established, the total rms deviation of the transmitter is measured when a test signal consisting of a band of random noise extending from below 20 kHz to the highest frequency in the baseband, is applied to the modulator input through any preemphasis networks used in normal service. The average power level of the test signal shall exceed the modulation reference level by the number of decibels determined using the appropriate formula in the following table:

Number of message circuits that modulate the transmitter	Number of dB by which the average power (P_{avg}) level test signal shall exceed the modulation reference level	Limits of P_{avg} (dBm0)
More than 3, but less than 12	To be specified by the equipment manufacturer subject to FCC approval	
At least 12, but less than 60	$X + 2 \log_{10} N_c$	X: −2 to + 2.6
At least 60, but less than 240	$X + 4 \log_{10} N_c$	X: −5.6 to −1.0
240 or more	$X + 10 \log_{10} N_c$	X: −19.6 to −15.0

Where X represents the average power in a message circuit in dBm0; N_c is the number of circuits in the multiplexed message load. P_{avg} shall be selected by the transmitter manufacturer and included with the technical data submitted with the application for type acceptance. (See §2.202(e) in this chapter.)

(g) Transmitters in which the modulating baseband comprises not more than three independent channels—when modulated by the full complement of signals for which the transmitter is rated. The level of modulation for each channel should be set to that prescribed in rule parts applicable to the services for which the transmitter is intended. If specific modulation levels are not set forth in the rules, the tests should provide the manufacturer's maximum rated condition.

(h) Transmitters employing digital modulation techniques—when modulated by an input signal such that its amplitude and symbol rate represent the maximum rated conditions under which the equipment will be operated. The signal shall be applied through any filter networks, pseudo-random generators or other devices required in normal service. Additionally, the occupied bandwidth shall be shown for operation with any devices used for modifying the spectrum when such devices are optional at the discretion of the user.

(i) Transmitters designed for other types of modulation—when modulated by an appropriate signal of sufficient amplitude to be representative of the type of service in which used. A description of the input signal should be supplied.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

[39 FR 5919, Feb. 15, 1974, as amended at 39 FR 35664, Oct. 3, 1974; 47 FR 13164, Mar. 29, 1982; 48 FR 16493, Apr. 18, 1983; 49 FR 18105, Apr. 27, 1984. Redesignated at 63 FR 36599, July 7, 1998]

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§2.1051 Measurements required: Spurious emissions at antenna terminals.

The radio frequency voltage or powers generated within the equipment and appearing on a spurious frequency shall be checked at the equipment output terminals when properly loaded with a suitable artificial antenna. Curves or equivalent data shall show the magnitude of each harmonic and other spurious emission that can be detected when the equipment is operated under the conditions specified in §2.1049 as appropriate. The magnitude of spurious emissions which are attenuated more than 20 dB below the permissible value need not be specified.

[39 FR 5919, Feb. 15, 1974. Redesignated and amended at 63 FR 36599, July 7, 1998]

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§2.1053 Measurements required: Field strength of spurious radiation.

(a) Measurements shall be made to detect spurious emissions that may be radiated directly from the cabinet, control circuits, power leads, or intermediate circuit elements under normal conditions of installation and operation. Curves or equivalent data shall be supplied showing the magnitude of each harmonic and other spurious emission. For this test, single sideband, independent sideband, and controlled carrier transmitters shall be modulated under the conditions specified in paragraph (c) of §2.1049, as appropriate. For equipment operating on frequencies below 890 MHz, an open field test is normally required, with the measuring instrument antenna located in the far-field at all test frequencies. In the event it is either impractical or impossible to make open field measurements (e.g. a broadcast transmitter installed in a building) measurements will be accepted of the equipment as installed. Such measurements must be accompanied by a description of the site where the measurements were made showing the location of any possible source of reflections which might distort the field strength measurements. Information submitted shall include the relative radiated power of each spurious emission with reference to the rated power output of the transmitter, assuming all emissions are radiated from halfwave dipole antennas.

(b) The measurements specified in paragraph (a) of this section shall be made for the following equipment:

(1) Those in which the spurious emissions are required to be 60 dB or more below the mean power of the transmitter.

(2) All equipment operating on frequencies higher than 25 MHz.

(3) All equipment where the antenna is an integral part of, and attached directly to the transmitter.

(4) Other types of equipment as required, when deemed necessary by the Commission.

[39 FR 5919, Feb. 15, 1974. Redesignated and amended at 63 FR 36599, July 7, 1998]

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§2.1055 Measurements required: Frequency stability.

(a) The frequency stability shall be measured with variation of ambient temperature as follows:

(1) From −30° to + 50° centigrade for all equipment except that specified in paragraphs (a) (2) and (3) of this section.

(2) From −20° to + 50° centigrade for equipment to be licensed for use in the Maritime Services under part 80 of this chapter, except for Class A, B, and S Emergency Position Indicating Radiobeacons (EPIRBS), and equipment to be licensed for use above 952 MHz at operational fixed stations in all services, stations in the Local Television Transmission Service and Point-to-Point Microwave Radio Service under part 21 of this chapter, equipment licensed for use aboard aircraft in the Aviation Services under part 87 of this chapter, and equipment authorized for use in the Family Radio Service under part 95 of this chapter.

(3) From 0° to + 50° centigrade for equipment to be licensed for use in the Radio Broadcast Services under part 73 of this chapter.

(b) Frequency measurements shall be made at the extremes of the specified temperature range and at intervals of not more than 10° centigrade through the range. A period of time sufficient to stabilize all of the components of the oscillator circuit at each temperature level shall be allowed prior to frequency measurement. The short term transient effects on the frequency of the transmitter due to keying (except for broadcast transmitters) and any heating element cycling normally occurring at each ambient temperature level also shall be shown. Only the portion or portions of the transmitter containing the frequency determining and stabilizing circuitry need be subjected to the temperature variation test.

(c) In addition to all other requirements of this section, the following information is required for equipment incorporating heater type crystal oscillators to be used in mobile stations, for which type acceptance is first requested after March 25, 1974, except for battery powered, hand carried, portable equipment having less than 3 watts mean output power.

(1) Measurement data showing variation in transmitter output frequency from a cold start and the elapsed time necessary for the frequency to stabilize within the applicable tolerance. Tests shall be made after temperature stabilization at each of the ambient temperature levels; the lower temperature limit, 0° centigrade and + 30° centigrade with no primary power applied.

(2) Beginning at each temperature level specified in paragraph (c)(1) of this section, the frequency shall be measured within one minute after application of primary power to the transmitter and at intervals of no more than one minute thereafter until ten minutes have elapsed or until sufficient measurements are obtained to indicate clearly that the frequency has stabilized within the applicable tolerance, whichever time period is greater. During each test, the ambient temperature shall not be allowed to rise more than 10° centigrade above the respective beginning ambient temperature level.

(3) The elapsed time necessary for the frequency to stabilize within the applicable tolerance from each beginning ambient temperature level as determined from the tests specified in this paragraph shall be specified in the instruction book for the transmitter furnished to the user.

(4) When it is impracticable to subject the complete transmitter to this test because of its physical dimensions or power rating, only its frequency determining and stabilizing portions need be tested.

(d) The frequency stability shall be measured with variation of primary supply voltage as follows:

(1) Vary primary supply voltage from 85 to 115 percent of the nominal value for other than hand carried battery equipment.

(2) For hand carried, battery powered equipment, reduce primary supply voltage to the battery operating end point which shall be specified by the manufacturer.

(3) The supply voltage shall be measured at the input to the cable normally provided with the equipment, or at the power supply terminals if cables are not normally provided. Effects on frequency of transmitter keying (except for broadcast transmitters) and any heating element cycling at the nominal supply voltage and at each extreme also shall be shown.

(e) When deemed necessary, the Commission may require tests of frequency stability under conditions in addition to those specifically set out in paragraphs (a), (b), (c), and (d) of this section. (For example measurements showing the effect of proximity to large metal objects, or of various types of antennas, may be required for portable equipment.)

[39 FR 5919, Feb. 14, 1974, as amended at 51 FR 31304, Sept. 2, 1986; 56 FR 11682, Mar. 20, 1991. Redesignated at 63 FR 36599, July 7, 1998. 68 FR 68545, Dec. 9, 2003]

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§2.1057 Frequency spectrum to be investigated.

(a) In all of the measurements set forth in §§2.1051 and 2.1053, the spectrum shall be investigated from the lowest radio frequency signal generated in the equipment, without going below 9 kHz, up to at least the frequency shown below:

(1) If the equipment operates below 10 GHz: to the tenth harmonic of the highest fundamental frequency or to 40 GHz, whichever is lower.

(2) If the equipment operates at or above 10 GHz and below 30 GHz: to the fifth harmonic of the highest fundamental frequency or to 100 GHz, whichever is lower.

(3) If the equipment operates at or above 30 GHz: to the fifth harmonic of the highest fundamental frequency or to 200 GHz, whichever is lower.

(b) Particular attention should be paid to harmonics and subharmonics of the carrier frequency as well as to those frequencies removed from the carrier by multiples of the oscillator frequency. Radiation at the frequencies of multiplier stages should also be checked.

(c) The amplitude of spurious emissions which are attenuated more than 20 dB below the permissible value need not be reported.

(d) Unless otherwise specified, measurements above 40 GHz shall be performed using a minimum resolution bandwidth of 1 MHz.

[61 FR 14502, Apr. 2, 1996. Redesignated and amended at 63 FR 36599, July 7, 1998]

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§2.1060 Equipment for use in the amateur radio service.

(a) The general provisions of §§2.925, 2.1031, 2.1033, 2.1041, 2.1043, 2.1051, 2.1053 and 2.1057 shall apply to applications for, and grants of, certification for equipment operated under the requirements of part 97 of this chapter, the Amateur Radio Service.

(b) When performing the tests specified in §§2.1051 and 2.1053 of this part, the center of the transmitted bandwidth shall be within the operating frequency band by an amount equal to 50 percent of the bandwidth utilized for the tests. In addition, said tests shall be made on at least one frequency in each of the bands within which the equipment is capable of tuning.

(c) Certification of external radio frequency power amplifiers may be denied when denial would prevent the use of these amplifiers in services other than the Amateur Radio Service.

[63 FR 36601, July 7, 1998, as amended at 71 FR 66461, Nov. 15, 2006]

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Declaration of Conformity

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§2.1071 Cross reference.

The general provisions of this subpart, shall apply to equipment subject to a Declaration of Conformity.

[61 FR 31046, June 19, 1996]

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§2.1072 Limitation on Declaration of Conformity.

(a) The Declaration of Conformity signifies that the responsible party, as defined in §2.909, has determined that the equipment has been shown to comply with the applicable technical standards if no unauthorized change is made in the equipment and if the equipment is properly maintained and operated. Compliance with these standards shall not be construed to be a finding by the responsible party with respect to matters not encompassed by the Commission's rules.

(b) A Declaration of Conformity by the responsible party is effective until a termination date is otherwise established by the Commission.

(c) No person shall, in any advertising matter, brochure, etc., use or make reference to a Declaration of Conformity in a deceptive or misleading manner or convey the impression that such a Declaration of Conformity reflects more than a determination by the responsible party that the device or product has been shown to be capable of complying with the applicable technical standards of the Commission's rules.

[61 FR 31046, June 19, 1996]

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§2.1073 Responsibilities.

(a) The responsible party, as defined in §2.909, must warrant that each unit of equipment marketed under a Declaration of Conformity is identical to the unit tested and found acceptable with the standards and that the records maintained by the responsible party continue to reflect the equipment being produced under the Declaration of Conformity within the variation that can be expected due to quantity production and testing on a statistical basis.

(b) The responsible party, if different from the manufacturer, may upon receiving a written statement from the manufacturer that the equipment complies with the appropriate technical standards, relies on the manufacturer or independent testing agency to determine compliance. However, the test records required by §2.1075 shall be in the English language and shall be made available to the Commission upon a reasonable request in accordance with the provisions of §2.945.

(c) In the case of transfer of control of the equipment, as in the case of sale or merger of the responsible party, the new responsible party shall bear the responsibility of continued compliance of the equipment.

(d) Equipment shall be retested to demonstrate continued compliance with the applicable technical standards if any modifications or changes that could adversely affect the emanation characteristics of the equipment are made by the respons ble party. The respons ble party bears responsibility for the continued compliance of subsequently produced equipment.

(e) If any modifications or changes are made by anyone other than the responsible party for the Declaration of Conformity, the party making the modifications or changes, if located within the U.S., becomes the new responsible party. The new responsible party must comply with all provisions for the Declaration of Conformity, including having test data on file demonstrating that the product continues to comply with all of the applicable technical standards.

[61 FR 31046, June 19, 1996, as amended at 80 FR 33446, June 12, 2015]

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§2.1074 Identification.

Devices subject only to a Declaration of Conformity shall be uniquely identified by the responsible party. This identification shall not be of a format which could be confused with the FCC Identifier required on certified, notified, type accepted or type approved equipment. The responsible party shall maintain adequate identification records to facilitate positive identification for each device.

[61 FR 31047, June 19, 1996]

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§2.1075 Retention of records.

(a) Except as shown in paragraph (b) of this section, for each product subject to a Declaration of Conformity, the respons ble party, as shown in §2.909, shall maintain the following records:

(1) A record of the original design drawings and specifications and all changes that have been made that may affect compliance with the requirements of §2.1073.

(2) A record of the procedures used for production inspection and testing (if tests were performed) to insure the conformance required by §2.1073. (Statistical production line emission testing is not required.)

(3) A record of the measurements made on an appropriate test site that demonstrates compliance with the applicable regulations. The record shall contain:

(i) The actual date or dates testing was performed;

(ii) The name of the test laboratory, company, or individual performing the testing. The Commission may request additional information regarding the test site, the test equipment or the qualifications of the company or individual performing the tests;

(iii) A description of how the device was actually tested, identifying the measurement procedure and test equipment that was used;

(iv) A description of the equipment under test (EUT) and support equipment connected to, or installed within, the EUT;

(v) The identification of the EUT and support equipment by trade name and model number and, if appropriate, by FCC Identifier and serial number;

(vi) The types and lengths of connecting cables used and how they were arranged or moved during testing;

(vii) At least two photographs showing the test set-up for the highest line conducted emission and showing the test set-up for the highest radiated emission. These photographs must be focused originals which show enough detail to confirm other information contained in the test report;

(viii) A description of any modifications made to the EUT by the testing company or individual to achieve compliance with the regulations;

(ix) All of the data required to show compliance with the appropriate regulations;

(x) The signature of the individual responsible for testing the product along with the name and signature of an official of the responsible party, as designated in §2.909; and

(xi) A copy of the compliance information, as described in §2.1077, required to be provided with the equipment.

(b) If the equipment is assembled using modular components that, by themselves, are subject to authorization under a Declaration of Conformity and/or a grant of certification, and the assembled product is also subject to authorization under a Declaration of Conformity but, in accordance with the applicable regulations, does not require additional testing, the assembler shall maintain the following records in order to show the basis on which compliance with the standards was determined:

(1) A listing of all of the components used in the assembly;

(2) Copies of the compliance information, as described in §2.1077 for all of the modular components used in the assembly;

(3) A listing of the FCC Identifier numbers for all of the components used in the assembly that are authorized under a grant of certification;

(4) A listing of equipment modifications, if any, that were made during assembly; and

(5) A copy of any instructions included with the components that were required to be followed to ensure the assembly of a compliant product, along with a statement, signed by the assembler, that these instructions were followed during assembly. This statement shall also contain the name and signature of an official of the responsible party, as designated in §2.909.

(c) The records listed in paragraphs (a) and (b) of this section shall be retained for two years after the manufacture or assembly, as appropriate, of said equipment has been permanently discontinued, or until the conclusion of an investigation or a proceeding if the responsible party is officially notified that an investigation or any other administrative proceeding involving the equipment has been instituted. Requests for the records described in this section and for sample units also are covered under the provisions of §2.945.

[61 FR 31047, June 19, 1996, as amended at 80 FR 33447, June 12, 2015]

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§2.1077 Compliance information.

(a) If a product must be tested and authorized under a Declaration of Conformity, a compliance information statement shall be supplied with the product at the time of marketing or importation, containing the following information:

(1) Identification of the product, e.g., name and model number;

(2) A statement, similar to that contained in §15.19(a)(3) of this chapter, that the product complies with part 15 of this chapters; and

(3) The identification, by name, address and telephone number, of the responsible party, as defined in §2.909. The respons ble party for a Declaration of Conformity must be located within the United States.

(b) If a product is assembled from modular components that, by themselves, are authorized under a Declaration of Conformity and/or a grant of certification, and the assembled product is also subject to authorization under a Declaration of Conformity but, in accordance with the applicable regulations, does not require additional testing, the product shall be supplied, at the time of marketing or importation, with a compliance information statement containing the following information:

(1) Identification of the assembled product, e.g., name and model number.

(2) Identification of the modular components used in the assembly. A modular component authorized under a Declaration of Conformity shall be identified as specified in paragraph (a)(1) of this section. A modular component

authorized under a grant of certification shall be identified by name and model number (if applicable) along with the FCC Identifier number.

(3) A statement that the product complies with part 15 of this chapter.

(4) The identification, by name, address and telephone number, of the responsible party who assembled the product from modular components, as defined in §2.909. The responsible party for a Declaration of Conformity must be located within the United States.

(5) Copies of the compliance information statements for each modular component used in the system that is authorized under a Declaration of Conformity.

(c) The compliance information statement shall be included in the user's manual or as a separate sheet. In cases where the manual is provided only in a form other than paper, such as on a computer disk or over the Internet, the information required by this section may be included in the manual in that alternative form, provided the user can reasonably be expected to have the capability to access information in that form.

[61 FR 31048, June 19, 1996, as amended at 62 FR 41880, Aug. 4, 1997; 69 FR 71383, Dec. 9, 2004]

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Radiofrequency Radiation Exposure

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§2.1091 Radiofrequency radiation exposure evaluation: mobile devices.

(a) Requirements of this section are a consequence of Commission respons bilities under the National Environmental Policy Act to evaluate the environmental significance of its actions. See subpart I of part 1 of this chapter, in particular §1.1307(b).

(b) For purposes of this section, a mobile device is defined as a transmitting device designed to be used in other than fixed locations and to generally be used in such a way that a separation distance of at least 20 centimeters is normally maintained between the transmitter's radiating structure(s) and the body of the user or nearby persons. In this context, the term “fixed location” means that the device is physically secured at one location and is not able to be easily moved to another location. Transmitting devices designed to be used by consumers or workers that can be easily re-located, such as wireless devices associated with a personal computer, are considered to be mobile devices if they meet the 20 centimeter separation requirement.

(c)(1) Mobile devices that operate in the Commercial Mobile Radio Services pursuant to part 20 of this chapter; the Cellular Radiotelephone Service pursuant to part 22 of this chapter; the Personal Communications Services pursuant to part 24 of this chapter; the Satellite Communications Services pursuant to part 25 of this chapter; the Miscellaneous Wireless Communications Services pursuant to part 27 of this chapter; the Maritime Services (ship earth station devices only) pursuant to part 80 of this chapter; the Specialized Mobile Radio Service, and the 3650 MHz Wireless Broadband Service pursuant to part 90 of this chapter; and the Citizens Broadband Radio Service pursuant to part 96 of this chapter are subject to routine environmental evaluation for RF exposure prior to equipment authorization or use if:

(i) They operate at frequencies of 1.5 GHz or below and their effective radiated power (ERP) is 1.5 watts or more, or

(ii) They operate at frequencies above 1.5 GHz and their ERP is 3 watts or more.

(2) Unlicensed personal communications service devices, unlicensed millimeter wave devices and unlicensed NII devices authorized under §§15.253(f), 15.255(g), 15.257(g), 15.319(i), and 15.407(f) of this chapter are also subject to routine environmental evaluation for RF exposure prior to equipment authorization or use if their ERP is 3 watts or more or if they meet the definition of a portable device as specified in §2.1093(b) requiring evaluation under the provisions of that section.

(3) All other mobile and unlicensed transmitting devices are categorically excluded from routine environmental evaluation for RF exposure prior to equipment authorization or use, except as specified in §§1.1307(c) and 1.1307(d) of this chapter.

(4) Applications for equipment authorization of mobile and unlicensed transmitting devices subject to routine environmental evaluation must contain a statement confirming compliance with the limits specified in paragraph (d) of this section. Technical information showing the basis for this statement must be submitted to the Commission upon request.

(d) The limits to be used for evaluation are specified in §1.1310 of this chapter. All unlicensed personal communications service (PCS) devices and unlicensed NII devices shall be subject to the limits for general population/uncontrolled exposure.

(1) For purposes of analyzing mobile transmitting devices under the occupational/controlled criteria specified in §1.1310 of this chapter, time-averaging provisions of the guidelines may be used in conjunction with typical maximum duty factors to determine maximum likely exposure levels.

(2) Time-averaging provisions may not be used in determining typical exposure levels for devices intended for use by consumers in general population/uncontrolled environments as defined in §1.1310 of this chapter. However, “source-based” time-averaging based on an inherent property or duty-cycle of a device is allowed. An example of this is the determination of exposure from a device that uses digital technology such as a time-division multiple-access (TDMA) scheme for transmission of a signal. In general, maximum average power levels must be used to determine compliance.

(3) If appropriate, awareness of exposure from devices in this section can be accomplished by the use of visual advisories (such as labeling, embossing, or on an equivalent electronic display) and by providing users with information concerning minimum separation distances from radiating structures and proper installation of antennas.

(i) Visual advisories shall be legible and clearly visible to the user from the exterior of the device.

(ii) Visual advisories used on devices that are subject to occupational/controlled exposure limits must indicate that the device is for occupational use only, must refer the user to specific information on RF exposure, such as that provided in a user manual, and must note that the advisory and its information is required for FCC RF exposure compliance. Such instructional material must provide the user with information on how to use the device in order to ensure compliance with the occupational/controlled exposure limits.

(iii) A sample of the visual advisory, illustrating its location on the device, and any instructional material intended to accompany the device when marketed, shall be filed with the Commission along with the application for equipment authorization.

(iv) For occupational devices, details of any special training requirements pertinent to limiting RF exposure should also be submitted. Holders of grants for mobile devices to be used in occupational settings are encouraged, but not required, to coordinate with end-user organizations to ensure appropriate RF safety training.

(4) In some cases, e.g., modular or desktop transmitters, the potential conditions of use of a device may not allow easy classification of that device as either mobile or portable (also see §2.1093). In such cases, applicants are responsible for determining minimum distances for compliance for the intended use and installation of the device based on evaluation of either specific absorption rate (SAR), field strength or power density, whichever is most appropriate.

[61 FR 41017, Aug. 7, 1996, as amended at 62 FR 4655, Jan. 31, 1997; 62 FR 9658, Mar. 3, 1997; 62 FR 47966, Sept. 12, 1997; 68 FR 38638, June 30, 2003; 69 FR 3264, Jan. 23, 2004; 70 FR 24725, May 11, 2005; 78 FR 21559, Apr. 11, 2013; 78 FR 29062, May 17, 2013; 78 FR 33651, June 4, 2013; 80 FR 36221, June 23, 2015]

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§2.1093 Radiofrequency radiation exposure evaluation: portable devices.

(a) Requirements of this section are a consequence of Commission respons bilities under the National Environmental Policy Act to evaluate the environmental significance of its actions. See subpart I of part 1 of this chapter, in particular §1.1307(b).

(b) For purposes of this section, a portable device is defined as a transmitting device designed to be used so that the radiating structure(s) of the device is/are within 20 centimeters of the body of the user.

(c)(1) Portable devices that operate in the Cellular Radiotelephone Service pursuant to part 22 of this chapter; the Personal Communications Service (PCS) pursuant to part 24 of this chapter; the Satellite Communications Services pursuant to part 25 of this chapter; the Miscellaneous Wireless Communications Services pursuant to part 27 of this chapter; the Maritime Services (ship earth station devices only) pursuant to part 80 of this chapter; the Specialized Mobile Radio Service, the 4.9 GHz Band Service, and the 3650 MHz Wireless Broadband Service pursuant to part 90 of this chapter; the Wireless Medical Telemetry Service (WMTS) and the Medical Device Radiocommunication Service (MedRadio), pursuant to subparts H and I of part 95 of this chapter, respectively, unlicensed personal communication service, unlicensed NII devices and millimeter wave devices authorized under §§15.253(f), 15.255(g), 15.257(g), 15.319(i), and 15.407(f) of this chapter; and the Citizens Broadband Radio Service pursuant to part 96 of this chapter are subject to routine environmental evaluation for RF exposure prior to equipment authorization or use.

(2) All other portable transmitting devices are categorically excluded from routine environmental evaluation for RF exposure prior to equipment authorization or use, except as specified in §§1.1307(c) and 1.1307(d) of this chapter.

(3) Applications for equipment authorization of portable transmitting devices subject to routine environmental evaluation must contain a statement confirming compliance with the limits specified in paragraph (d) of this section. Technical information showing the basis for this statement must be submitted to the Commission upon request.

(d) The limits to be used for evaluation are based generally on criteria published by the American National Standards Institute (ANSI) for localized specific absorption rate ("SAR") in Section 4.2 of "IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," ANSI/IEEE C95.1-1992, Copyright 1992 by the Institute of Electrical and Electronics Engineers, Inc., New York, New York 10017. These criteria for SAR evaluation are similar to those recommended by the National Council on Radiation Protection and Measurements (NCRP) in "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," NCRP Report No. 86, Section 17.4.5. Copyright NCRP, 1986, Bethesda, Maryland 20814. SAR is a measure of the rate of energy absorption due to exposure to an RF transmitting source. SAR values have been related to threshold levels for potential biological hazards. The criteria to be used are specified in paragraphs (d)(1) and (d)(2) of this section and shall apply for portable devices transmitting in the frequency range from 100 kHz to 6 GHz. Portable devices that transmit at frequencies above 6 GHz are to be evaluated in terms of the MPE limits specified in §1.1310 of this chapter. Measurements and calculations to demonstrate compliance with MPE field strength or power density limits for devices operating above 6 GHz should be made at a minimum distance of 5 cm from the radiating source.

(1) The SAR limits for occupational/controlled exposure are 0.4 W/kg, as averaged over the whole body, and a peak spatial-average SAR of 8 W/kg, averaged over any 1 gram of tissue (defined as a tissue volume in the shape of a cube). Exceptions are the parts of the human body treated as extremities, such as hands, wrists, feet, ankles, and pinnae, where the peak spatial-average SAR limit for occupational/controlled exposure is 20 W/kg, averaged over any 10 grams of tissue

(defined as a tissue volume in the shape of a cube). Exposure may be averaged over a time period not to exceed 6 minutes to determine compliance with occupational/controlled SAR limits.

(i) Occupational/Controlled limits apply when persons are exposed as a consequence of their employment provided these persons are fully aware of and exercise control over their exposure. Awareness of exposure can be accomplished by use of visual advisories (such as labeling, embossing, or on an equivalent electronic display) or by specific training or education through appropriate means, such as an RF safety program in a work environment.

(ii) Visual advisories on portable devices designed only for occupational use can be used as part of an applicant's evidence of the device user's awareness of occupational/controlled exposure limits.

(A) Such visual advisories shall be legible and clearly visible to the user from the exterior of the device.

(B) Visual advisories must indicate that the device is for occupational use only, refer the user to specific information on RF exposure, such as that provided in a user manual and note that the advisory and its information is required for FCC RF exposure compliance.

(C) Such instructional material must provide the user with information on how to use the device in order to ensure compliance with the occupational/controlled exposure limits.

(D) A sample of the visual advisory, illustrating its location on the device, and any instructional material intended to accompany the device when marketed, shall be filed with the Commission along with the application for equipment authorization. Details of any special training requirements pertinent to limiting RF exposure should also be submitted.

(E) Holders of grants for portable devices to be used in occupational settings are encouraged, but not required, to coordinate with end-user organizations to ensure appropriate RF safety training.

(2) The SAR limits for general population/uncontrolled exposure are 0.08 W/kg, as averaged over the whole body, and a peak spatial-average SAR of 1.6 W/kg, averaged over any 1 gram of tissue (defined as a tissue volume in the shape of a cube). Exceptions are the parts of the human body treated as extremities, such as hands, wrists, feet, ankles, and pinnae, where the peak spatial-average SAR limit is 4 W/kg, averaged over any 10 grams of tissue (defined as a tissue volume in the shape of a cube). Exposure may be averaged over a time period not to exceed 30 minutes to determine compliance with general population/uncontrolled SAR limits.

(i) General Population/Uncontrolled limits apply when the general public may be exposed, or when persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or do not exercise control over their exposure.

(ii) Visual advisories (such as labeling, embossing, or on an equivalent electronic display) on consumer devices such as cellular telephones will not be sufficient reason to allow these devices to be evaluated subject to limits for occupational/controlled exposure in paragraph (d)(1) of this section.

(3) Compliance with SAR limits can be demonstrated by either laboratory measurement techniques or by computational modeling. The latter must be supported by adequate documentation showing that the test device and exposure conditions have been correctly modeled in accordance with the operating configurations for normal use. Guidance regarding SAR measurement techniques can be found in the Office of Engineering and Technology (OET) Laboratory Division Knowledge Database (KDB). The staff guidance provided in the KDB does not necessarily represent the only acceptable methods for measuring RF exposure or emissions, and is not binding on the Commission or any interested party.

(4) For purposes of analyzing portable transmitting devices under the occupational/controlled criteria, the time-averaging provisions of the MPE guidelines identified in §1.1310 of this chapter can be used in conjunction with typical maximum duty factors to determine maximum likely exposure levels.

(5) Time-averaging provisions of the MPE guidelines identified in §1.1310 of this chapter may not be used in determining typical exposure levels for portable devices intended for use by consumers, such as hand-held cellular telephones, that are considered to operate in general population/uncontrolled environments as defined above. However, “source-based” time-averaging based on an inherent property or duty-cycle of a device is allowed. An example of this would be the determination of exposure from a device that uses digital technology such as a time-division multiple-access (TDMA) scheme for transmission of a signal. In general, maximum average power levels must be used to determine compliance.

[61 FR 41017, Aug. 7, 1996, as amended at 62 FR 4655, Jan. 31, 1997; 62 FR 9658, Mar. 3, 1997; 62 FR 47967, Sept. 12, 1997; 65 FR 44007, July 17, 2000; 68 FR 38638, June 30, 2003; 69 FR 3264, Jan. 23, 2004; 70 FR 24725, May 11, 2005; 74 FR 22704, May 14, 2009; 76 FR 67607, Nov. 2, 2011; 78 FR 21559, Apr. 11, 2013; 78 FR 33652, June 4, 2013; 80 FR 36221, June 23, 2015]

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参考 10　FCC 公報 DA 99-1640「TCB の要件」

PUBLIC NOTICE

Federal Communications Commission
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DA 99-1640
Released: August 17, 1999

FCC Provides Further Information on the
Accreditation Requirements for Telecommunication Certification Bodies
GEN Docket 98-68

In December 1998, the Commission adopted new rules to streamline its equipment authorization requirements by allowing Telecommunications Certification Bodies (TCBs) to certify equipment under Parts 2 and 68 of the Commission's Rules. This notice provides further information on the accreditation requirements for TCBs.

The requirements for TCBs were specified in the Commission's Report and Order (R&O) in GEN Docket 98-68 (FCC 98-338), adopted on December 17, 1998, http://www.fcc.gov/Engineering_Technology/Orders/1998/fcc98338.pdf/. TCBs are required to be accredited by the National Institute of Standards and Technology (NIST), or NIST may allow, in accordance with its procedures, other appropriate qualified accrediting bodies to accredit TCBs.

TCBs are to be accredited in accordance with ISO/IEC Guide 65 (1996), General Requirements for Bodies Operating Product Certification Systems and the appropriate FCC Rules. The staff of the FCC's Office of Engineering and Technology (OET) and Common Carrier Bureau (CCB) have worked closely with NIST, equipment manufacturers and test laboratories to develop an accreditation process that is consistent with the requirements of ISO/IEC Guide 65 and the FCC Rules.

Accreditation will be available for several different scopes of equipment subject to certification. TCBs can choose to obtain accreditation for any or all of the available scopes, depending on their needs. The scopes are defined in the attachment to this notice. The attachment also specifies the capabilities that must be demonstrated to obtain accreditation within each scope. Finally, the attachment clarifies certain aspects of the TCB requirements in the Rules.

NIST will announce the administrative details for applying for TCB accreditation in the near future. The Commission will continue working with NIST to assist in the accreditation of TCBs.

TCBs located outside the United States may certify equipment in accordance with the terms of an effective bilateral or multilateral mutual recognition agreement. Accreditation of TCBs outside the United States shall be consistent with this public notice and the attachment to this notice.

For further information about this notice, please contact Art Wall of the Office of Engineering and Technology at: (202) 418-2442, email: awall@fcc.gov, or Bill Howden of the Common Carrier Bureau at (202) 418-2343, email: whowden@fcc.gov, TTY: (202) 418-0484.

Attachment

Attachment

PROCEDURES FOR ACCREDITING A TELECOMMUNICATION CERTIFICATION BODY

I. TCB Designation Process and Requirements

The process for designation of TCBs and requirements that must be met are contained in the FCC rules. See, in particular, 47 CFR Sections 2.960, 2.962, 68.160 and 68.162.

Accreditation Requirements

TCBs shall be capable of testing equipment to a core set of equipment tests for each scope of accreditation, as stated below. TCBs must be accredited in accordance with the general guidelines in ISO/IEC Guide 65 (1996), *General requirements for bodies operating certification systems*. To ensure that it is capable of performing the tests within the scope of accreditation, the TCB must also be accredited to ISO/IEC Guide 25, *General requirements for the competence of calibration and testing laboratories*. Both ISO/IEC Guides are available through the American National Standards Institute, Customer Service, 11 West 42nd Street, New York, NY – 10036, telephone 212-642-4900, facsimile 212-302-1286, or e-mail to jrichard@ansi.org.

III. Accreditation Scopes

TCBs will be accredited to certify one or more of the following scopes of equipment:

A. Unlicensed Radio Frequency Devices

1. Low power transmitters operating on frequencies below 1 GHz (with the exception of spread spectrum devices), emergency alert systems, unintentional radiators (e.g., personal computers and associated peripherals and TV Interface Devices) and consumer ISM devices subject to certification (e.g., microwave ovens, RF lighting and other consumer ISM devices)
2. Low power transmitters operating on frequencies above 1 GHz, with the exception of spread spectrum devices
3. Unlicensed Personal Communication System (PCS) devices
4. Unlicensed National Information Infrastructure (UNII) devices and low power transmitters using spread spectrum techniques

B. Licensed Radio Service Equipment

1. Personal Mobile Radio Services in 47 CFR Parts 22 (cellular), 24, 25, 26, and 27

2. General Mobile Radio Services in the following 47 CFR Parts 22 (non-cellular), 74, 90, 95 and 97
3. Maritime and Aviation Radio Services in 47 CFR Parts 80 and 87
4. Microwave Radio Services in 47 CFR Parts 21, 74 and 101

C. Telephone Terminal Equipment (47 CFR Part 68)

1. Telephone terminal equipment in 47 CFR Part 68

Notes for Accreditation Scopes A, B and C:

The TCB is not required to have the capability to perform each required test, but must have the minimum testing capabilities specified below for each type of equipment.

(2) The measurement procedures for licensed PCS devices and UNII devices and the procedures for determining RF exposure for hand-held transmitters have not been published. Accreditation and designation of a TCB to certify such equipment will be withheld until the appropriate procedures have been published.

IV. Specific Capabilities: Unlicensed Radio Frequency Devices

The TCB must:

A. Possess a thorough knowledge of FCC Rules contained in 47 CFR Parts 2, 11, 15 & 18, including latest interpretations thereof;

B. Possess a thorough knowledge of all appropriate procedures (e.g., ANSI C63.4 - 1992, FCC MP-5, etc.) for testing and evaluating radio frequency devices;

C. Possess a thorough understanding of the FCC equipment authorization program and specifically, 47 CFR Part 2, Subparts I, J and K;

D. Have copies of all applicable FCC Rules and test procedures and be able to demonstrate an ability to obtain recent rules and interpretations;

E. Be capable of evaluating the application and results of each of the following types of tests that are appropriate for the scope of accreditation:
1. Radiated emission tests from 9 kHz to 1 GHz;
2. Radiated emission tests from 1 GHz to 231 GHz *(for devices having emissions on frequencies above 1 GHz)*;
3. Line conducted emission tests from 9 kHz to 30 MHz;
4. Power density measurements;
5. RF bandwidth measurements;

6. Frequency stability measurements;
7. RF exposure measurements and computations, as specified in FCC OET Bulletin 65 -- Supplement C and 47 CFR §§ 2.1091 and 2.1093 *(see note 3 in Section I, above)*;
8. Site attenuation measurements per ANSI C63.4-1992;
9. RF output power measurements, per 47 CFR § 15.247 and 47 CFR Part 15, Subparts D and E;
10. RF antenna conducted measurements;
11. Processing gain for direct sequence spread spectrum systems (47 CFR § 15.247);
12. UPCS monitoring tests (47 CFR Part 15, subpart D).

F. Be capable of evaluating test reports and associated documentation to determine the compliance of devices operating under the general provisions of Part 15, as well as the following specific devices that are appropriate for the scope of accreditation:
1. Swept-frequency anti-pilferage systems (47 CFR § 15.223);
2. Low power transmitters, e.g. R/C toys and baby monitors (47 CFR §§ 15.227 and 15.235)
3. Remote control and security systems (47 CFR § 15.231);
4. Cordless telephones (47 CFR § 15.233);
5. Frequency-hopping & direct-sequence spread spectrum systems (47 CFR § 15.247);
6. Cordless telephones (47 CFR § 15.249)
7. Field disturbance sensors, intrusion detectors (47 CFR § 15.245);
8. Biomedical telemetry devices (47 CFR §§ 15.241 and 15.242);
9. Auditory assistance devices (47 CFR § 15.237);
10. Automatic vehicle identification systems (47 CFR § 15.251);
11. Vehicle radar systems (47 CFR § 15.253);
12. Unlicensed Personal Communication Systems (47 CFR Part 15, subpart D);
13. Unlicensed NII devices (47 CFR Part 15, Subpart E);

G. Be capable of performing the following core set of tests that are within the scope of accreditation *(see note 1 in Section III, above)*:
1. Radiated emission tests (9 kHz to 1 GHz);
2. Radiated emission tests above 1 GHz that are appropriate for the scope of accreditation;
3. Line conducted emission tests (9 kHz to 30 MHz);
4. Power density measurements;
5. RF bandwidth measurements;
6. Frequency stability measurements (-20°C to +50°C);
7. Site attenuation measurements per ANSI C63.4-1992 (30 MHz to 1000 MHz);
8. RF output power measurements, per 47 CFR § 15.247 and Subparts D & E of Part 15*; (see note 3 in Section I, above)*
9. RF antenna conducted measurements;

H. Have detailed knowledge and equipment for electronic filing and access to the FCC Internet database. The grants of certification issued by the TCB must include the same information (e.g., grantee codes, note codes, FCC ID, equipment classifications, rules parts, etc.) as the grants issued by the FCC. The information for each grant can be obtained from the FCC database.

V. Specific Capabilities: Licensed Radio Service Equipment

The TCB must:

A. Possess a thorough knowledge of FCC Rules contained in 47 CFR Parts 2, 22, 24, 25, 26, 27, 74, 80, 87, 90, 95, 97 and 101, including latest interpretations thereof;

B. Possess a thorough knowledge of all appropriate standards and procedures (e.g., 47 CFR Part 2, EIA/TIA Standard 603, etc.) for testing and evaluating licensed radio equipment;

C. Possess a thorough understanding of the FCC equipment authorization program covered in 47 CFR Part 2, Subparts I, J and K, including the required government coordination with other U.S. government agencies (e.g., FAA and USCG);

D. Have copies of all applicable FCC rules and test procedures and be able to obtain recent rules and interpretations;

E. Be capable of evaluating each of the following types of tests within the scope of accreditation:
   1. RF power output measurements (47 CFR § 2.1046);
   2. Modulation characteristics measurements (47 CFR § 2.1047);
   3. Occupied bandwidth measurements (47 CFR § 2.1049);
   4. Spurious emissions at antenna terminals (47 CFR § 2.1051);
   5. Field strength of spurious radiation measurements (47 CFR § 2.1053);
   6. Frequency stability measurements (47 CFR § 2.1055);
   7. RF exposure measurements and computations, as specified in FCC OET Bulletin 65 -- Supplement C and 47 CFR §§ 2.1091 and 2.1093 *(see note 3, above)*;

F. Be capable of evaluating test reports and associated documentation to determine the compliance of the following specific devices within the scope of accreditation:
   1. Cellular services (47 CFR Part 22);
   2. Licensed personal communication service (47 CFR Part 24);
   3. Satellite communication services – GMPCS (47 CFR Part 25);
   4. Wireless communication services – WCS (47 CFR Parts 26 & 27);
   5. Radio & auxiliary broadcast services (47 CFR Part 74);
   6. Aviation radio services (47 CFR Part 87);
   7. Maritime radio services (47 CFR Part 80);

8. Private land mobile radio services (47 CFR Part 90);
9. Fixed microwave radio services (47 CFR Part 101);
10. Personal radio services (47 CFR Part 95);
11. Amateur amplifiers under 47 CFR Part 97);

G. Be capable of performing the following core set of tests that are within the scope of accreditation *(see note 1 in Section I, above)*:
    1. RF conducted and radiated power output measurements;
    2. Modulation characteristics measurements;
    3. Occupied bandwidth measurements;
    4. Spurious emissions at antenna terminals;
    5. Field strength measurements (9 kHz to 40 GHz) that are appropriate for the scope of accreditation;
    6. Frequency stability measurements (-30°C to +50°C);

H. Have detailed knowledge and equipment for electronic filing and access to the FCC Internet database. (The grants of certification must include the same information (e.g., grantee codes, note codes, FCC ID, equipment classifications, rules parts, etc.) as the grants issued by the FCC. The information for each grant can be obtained from the FCC database.)

VI. Specific Capabilities: Telephone Terminal Equipment

The TCB must:

A. Possess a thorough knowledge of 47 CFR Part 68, including latest interpretations thereof.

B. Possess a thorough understanding of all appropriate procedures (e.g., TIA/TSB 31B) for testing and evaluating telephone terminal equipment.

C. Possess a thorough understanding of the FCC equipment authorization program and specifically FCC Form 730 Application Guide.

D. Have copies of all applicable FCC Rules and test procedures and be able to obtain recent rules and interpretations;

E. Possess an ability to evaluate each of the following types of tests:
    1. Environmental simulation measurements. Specifically, demonstrate ability to perform Type A and Type B surge tests. (47 CFR § 68.302)
    2. Leakage current measurements. (47 CFR § 68.304)
    3. Hazardous voltage measurements. (47 CFR § 68.306)
    4. Analog signal power measurements. (47 CFR § 68.308)
    5. Digital signal power measurements. (47 CFR § 68.308)

6. Transverse balance measurements. (47 CFR § 68.310)
7. On-hook impedance measurements. (47 CFR § 68.312)
8. Billing protection measurements. (47 CFR § 68.314)
9. Hearing aid compatibility measurements. Specifically demonstrate an understanding of magnetic field strength measurements (ANSI/EIA/TIA-RS-504) and acoustics measurements (ANSI/EIA/TIA-579-1991 and ANSI/EIA/TIA-470-A-1987)) (47 CFR §§ 68.316 and 68.317)
10. Additional Limitations. (47 CFR § 68.318)

F. Be capable of evaluating test reports and associated documentation to determine the compliance of devices operating under the general provisions of Part 68, as well as the following specific devices:
   1. Data Modem with a loop-start interfaces.
   2. Single line telephone set with a loop-start interface.
   3. PBX with loop-start, ground-start, reverse battery, E&M tie trunk, and OPS interfaces.
   4. PBX with digital trunks that require decoding encoded analog signals. (T-1, ISDN Basic Rate, and ISDN Primary Rate Interfaces)
   5. CSU with a T-1 (1.544 Mbps) interface.
   6. Digital data modem with sub-rate digital interfaces.

G. Be capable of performing the following core set of tests that are within the scope of accreditation *(see note 1 in Section I, above)*:
   1. Environmental simulation measurements. Specifically demonstrate ability to perform Type A and Type B surge tests.
   2. Leakage current measurements.
   3. Hazardous voltage measurements.
   4. Analog signal power measurements.
   5. Digital signal power measurements.
   6. Transverse balance measurements.
   7. On-hook impedance measurements.
   8. Billing protection measurements.
   9. Hearing aid compatibility measurements. Specifically demonstrate an understanding of magnetic field strength measurements (ANSI/EIA/TIA-RS-504) and acoustics measurements (ANSI/EIA/TIA-579-1991 and ANSI/EIA/TIA-470-A-1987))
   10. Automatic redialing.

H. Have detailed knowledge for conveying information to FCC required by FCC procedures for telephone terminal equipment.

VII. Clarification of TCB Requirements

TCB acceptance of test data and sub-contracting. A TCB may accept test data from a manufacturer or independent laboratory for purposes of equipment certification. The TCB shall review the test data and must be confident that the product meets the relevant requirements before it approves product. Alternatively, the TCB may perform the required tests itself on a contract basis with the applicant for certification of the product. In such situations, the TCB may subcontract a portion of, or all, the required testing to an independent laboratory. In such cases, the TCB is responsible for all tests performed by the subcontractor and must maintain appropriate oversight of the subcontractor to ensure reliability of the test results. A subcontractor that is accredited to ISO/IEC Guide 25 should not normally require any additional accreditation by the TCB.

TCB auditing requirements. In the Report and Order, the Commission noted that ISO/IEC Guide 65 requires a certification body to perform surveillance activities. The Commission did not specify a number or percentage of products that a TCB should test to satisfy this guideline, since our experience has shown that different levels of scrutiny are required for different products to ensure compliance. We will rely on TCBs to use judgment in complying with this guideline. In general, a TCB is expected to test at least several samples each year for the various types of products it certified. The TCB may perform other types of surveillance, provided such activities are no more burdensome than type testing on the grantee of certification. This will provide TCBs some flexibility in determining continuing compliance of products that they certify. If a product fails to comply with the FCC Rules during the auditing process, the TCB shall immediately notify the grantee and the FCC. A follow-up report shall also be provided to the FCC within 30 days of the action taken by the grantee to correct the situation. The TCB shall also submit to the FCC within 30 days of such a request, reports of surveillance activities carried out by the TCB. A TCB may be also be required to test a product certified by the TCB and report its findings to the FCC within 30 days to support compliance investigations.

Records retention. The TCB shall retain for five years all documentation associated with the approval of a product subject to certification by the Commission.

Multiple Sites. A TCB may be accredited for multiple test sites in accordance with guidelines established by NIST.

参考 11　FCC 技術開発局文書 641163
「TCB プログラムの役割と責任」

Federal Communications Commission
Office of Engineering and Technology
Laboratory Division

July 31, 2015

TCB PROGRAM ROLES AND RESPONSIBILITIES

I. INTRODUCTION

On December 17, 1998, the Federal Communications Commission (FCC) adopted rules for the establishment of Telecommunication Certification Bodies (TCB). A TCB is a private third party organization, which is authorized to issue grants, within its scope of designation, for equipment subject to the FCC's certification procedure. Under these rules, a TCB has the authority to review and grant an application for certification to the FCC rules. The rules also established procedures for foreign TCBs under the terms of a government-to-government Mutual Recognition Agreement/Arrangement (MRA).

II. TCB PROGRAM ROLES AND RESPONSIBILTIES

A. TCB Requirements

The requirements for TCBs were adopted in the FCC Report and Order in GEN Docket No. 98-68 (FCC 98-338) on December 17, 1998.[1] Further information on the accreditation requirements for TCBs was provided in FCC Public Notice DA 99-1640 issued on August 17, 1999. The rules were revised under ET Docket No. 03-201 (FCC 04-165) adopted on July 8, 2004, and ET Docket No. 13-44 (FCC 14-208) adopted on December 17, 2014. The designation process and the requirements that a TCB shall meet are contained in these rules.

TCBs are required to be accredited in accordance with ISO/IEC 17065:2012 *Conformity assessment—Requirements for bodies certifying products, processes and services*,[2] and with the appropriate FCC Rules. In the United States this is managed by the National Institute of Standards and Technology (NIST). NIST may allow other appropriate qualified accrediting bodies to accredit TCBs in accordance with its procedures. NIST has recognized the American National Standards Institute (ANSI) and the American Association for Laboratory Accreditation (A2LA) to accredit TCBs located in the United States in accordance with ISO/IEC 17011:2004, *Conformity assessment—General Requirements for Accreditation bodies accrediting conformity assessment bodies.*[3] These accreditation bodies in turn accredit TCBs in accordance with the TCB product certification program requirements and with ISO/IEC 17065:2012.

[1] *See* 47 CFR §§ 2.960 to 2.964 and §§ 68.160 to 68.162.

[2] ISO/IEC Guide 65:1996 has been replaced by ISO/IEC 17065:2012. As of September 15, 2015, a TCB is required to be accredited to ISO/IEC 17065 instead of ISO/IEC Guide 65. See 47 CFR § 2.950(b).

[3] ISO/IEC Guide 61 was replaced by ISO/IEC 17011:2004.

Certification bodies located outside of the United States may be recognized as a TCB when there is a government-to-government MRA between the country they are located in and the United States.[4] It is the responsibility of the designating authority in that country to assess the competence of the TCB. The organization accrediting the prospective TCBs shall be capable of meeting the requirements and conditions in ISO/IEC 17011:2004.[5]

In order to ensure the continued integrity of the accreditation program, the FCC Office of Engineering and Technology (OET) will periodically review the accreditation process, and maintain close coordination with each of the organizations that NIST has recognized to perform accreditations and with each of our MRA partners. OET will pursue opportunities to participate in peer review assessments under the International Accreditation Forum (IAF) Multilateral Recognition Agreements (MLA) process, and to observe on-site assessments of NIST/National Voluntary Conformity Assessment System Evaluation (NVCASE) recognized accreditations. This will help ensure their continued acceptable performance, and provide us with information to assess periodically their qualifications to maintain their status as Commission-recognized accreditation bodies.

B. Accreditation Requirements

A TCB is required to be accredited to the following:[6]

1. ISO/IEC 17065:2012, *Conformity Assessment—Requirements for bodies certifying products, processes and services,* and
2. ISO/IEC 17025:2005, *General requirements for the competence of testing and calibration laboratories.*

C. Apply for ISO/IEC ISO/IEC 17065:2012 Accreditation

Those organizations in the United States desiring ISO/IEC 17065:2012 accreditation as a TCB should contact one of the following:

Mr. Reinaldo Figueiredo
American National Standards Institute
Director, Conformity Assessment
1899 L Street, NW
11th Floor
Washington, DC 20036
Tel: 202-331-3611
Fax: 202-293-9287
E-mail: rfigueir@ansi.org
Web Page: www.ansi.org

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[4] *See* 47 CFR § 2.960(c).

[5] *See* fn. 3, *supra.*

[6] ISO/IEC documents are available through the American National Standards Institute, at: http://webstore.ansi.org/default.aspx.

Mr. Adam Gouker
American Association for Laboratory Accreditation
A2LA Accreditation Manager/EMC Program Manager
5202 Presidents Court
Suite 220
Frederick, MD 21703
Tel: 301-644-3217
Fax: 301-622-2974
E-mail: agouker@A2LA.org
Web Page: www.a2la.org

Organizations outside of the United States should determine if there is a government-to-government Telecommunications MRA with the United States that covers their location, and then contact the designating authority for their country. A list of FCC recognized TCB designating authorities is available at: https://apps.fcc.gov/oetcf/tcb/reports/accreditor_report.cfm. Information regarding applicable MRAs can be found at: http://www.fcc.gov/oet/ea/mra/.

D. TCB Scope of Accreditation

TCBs may be accredited to certify products to one or more of the scopes of accreditation listed in Table 1. It is not necessary to be accredited to all of Scope A, B, or C. The TCB may choose which of the following scopes they wish to be accredited to perform.

Table 1 – TCB Scope of Accreditation

Scope A – Unlicensed Radio Frequency Devices	
A1	Low power transmitters operating on frequencies below 1 GHz (with the exception of spread spectrum devices), emergency alert systems, unintentional radiators (e.g., personal computers and associated peripherals and TV Interface Devices), and consumer ISM devices subject to certification (*e.g.*, microwave ovens, RF lighting and other consumer ISM devices)
A2	Low power transmitters operating on frequencies above 1 GHz, with the exception of spread spectrum devices
A3	Unlicensed Personal Communications Service (PCS) Devices
A4	Unlicensed National Information Infrastructure (U-NII) devices and low power transmitters using spread spectrum techniques
Scope B – Licensed Radio Service Equipment	
B1	Commercial Mobile (Radio) Services in 47 CFR Parts 20, 22 (cellular), 24, 25, and 27
B2	General Mobile Radio Services in 47 CFR Parts 22 (non-cellular), 73, 74, 90, 95, 96, and 97

B3	Maritime and Aviation Radio Services in 47 CFR Parts 80 and 87
B4	Microwave Radio Services in 47 CFR Parts 27, 74, and 101
Scope C – Telephone Terminal Equipment	
C1	Telephone terminal equipment in 47 CFR Part 68

E. Evaluation, Review, and Decision on Certification

Evaluation includes the testing of a device to the technical requirements of the FCC rules by a measurement facility that meets the requirements of ISO/IEC 17025.

Review includes the assessing the test report and related supporting information to determine compliance with the applicable FCC requirements.

Decision on Certification includes an assessment of the evaluation and review processes to determine that the device is compliant with all applicable requirements and may be authorized.

For a TCB accredited to ISO/IEC 17065:2012, the evaluation of the product,[7] including type-testing of a product sample and evaluation of supporting documentation to determine compliance with the FCC requirements, must be performed by different individuals than those who review all information and results related to the evaluation,[8] and those that make the decision on certification.[9] ISO/IEC 17065 notes in 7.6.2 that the Review and Decision on Certification processes may be completed by the same person or group of persons. However, for the TCB program a minimum of two individuals is required to perform the Review and Certification Decision functions, as the FCC requires that different individuals at a TCB perform the Review function and the Certification Decision function for a specific device.

F. Impartiality

As required by ISO/IEC 17065:2012, a TCB shall ensure that activities of related bodies do not affect the confidentiality, objectivity, and impartiality of its decision on certification.[10] As part of its assessment, a TCB shall show how it manages impartiality and ensures that the certification body does not allow commercial, financial or other pressures to compromise impartiality. Particular attention should be made to ensure that certification personnel meet the requirements in ISO/IEC 17065:2012 regarding consultancy.

G. Location of TCB

A TCB is required to be permanently located in the territory in which it is designated, which may be within the United States or in an MRA partner territory. TCB personnel may perform their duties while

[7] ISO/IEC 17065:2012, 7.4.

[8] ISO/IEC 17065:2012, 7.5.

[9] ISO/IEC 17065:2012, 7.6.

[10] ISO/IEC 17065:2012, 4.2.

remotely located from the permanent TCB facility. When certification personnel work remotely, the TCB shall have appropriate management controls in place to assure that the quality system is followed. The TCB facility and the TCB accredited testing laboratory may be in different physical locations, but must be located within the same country. In such cases, the TCB shall show what procedures are in place to provide reasonable access to a testing facility by the certification personnel. An employee who evaluates applications for certification shall have access to appropriate testing facilities and be able to test products for their given area of expertise, when necessary. The ability to perform such testing by the certification personnel who perform the evaluation function shall be considered during the ISO/IEC 17065:2012 assessment.

H. TCB Grants of Certification

In accordance with the requirements in 47 CFR Part 2, a TCB shall not grant waivers of Commission rules; certify equipment where FCC rules do not apply; or act on rules that are unclear; in addition, the TCB shall not authorize a transfer of grantee control; and may not interpret the FCC rules.[11] TCBs are allowed to certify all equipment subject to certification in the FCC rules, but in cases where the FCC has not provided specific guidance or the applicant intends to use alternatives to published procedures or guidelines to demonstrate compliance, such applications are subject to approval using the Pre-Approval Guidance procedures.[12]

As part of the approval process, TCBs are expected to validate the contact information on file for a grantee prior to issuing a grant of certification, and correct the information on file with the FCC where needed. The Pre-Approval Guidance procedure is intended to allow FCC oversight for those types of devices that are not sufficiently “technically-mature” for unrestricted TCB approval. TCBs may approve devices on the Pre-Approval Guidance list, but must obtain FCC guidance prior to issuing the grant of certification.

I. Testing Capability

A TCB is required to have the capability to perform a “core” set of tests, for each scope of accreditation. Requirements for “core” test capability are given in FCC Public Notice DA 99-1640, released August 17, 1999. The TCB laboratory is required to have the test instrumentation necessary to perform each of the “core” tests identified in DA 99-1640. To ensure that it is capable of performing the tests within its scope of accreditation, the TCB shall be accredited to ISO/IEC 17025:2005 with an appropriate scope of accreditation, and the TCB shall have available the test equipment necessary to perform the “core” tests during the ISO/IEC 17065:2012 on-site assessment.[13]

J. Scope of Accreditation for TCB Laboratory

TCBs are required to have a testing laboratory accredited to ISO/IEC 17025 and recognized by the FCC as accredited. The testing laboratory portion of the TCB shall be accredited to ISO/IEC 17025:2005, with a scope of accreditation covering the regulations and meeting the requirements of KDB Publication

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[11] *See* §§ 2.962(f)(10), 2.962(f)(1), and 2.962(c)(4).

[12] The Pre-Approval Guidance procedures were formerly known as the Permit-But-Ask (PBA) procedures, and were adopted in Report and Order FCC 14-208. See 47 CFR § 2.964. The Pre-Approval Guidance procedures are described in KDB Publication 388624. The Commission may, in very special circumstances, revise the Exclusion List. *See also* KDB Publication 628591.

[13] ISO/IEC 17025 17025:2005, *General requirements for the competence of testing and calibration laboratories.*

974614. It should be noted that further guidance on the measurement techniques to be used for a given regulation may be found in the associated FCC Report and Order, FCC Public Notice, FCC Bulletin, or guidance as found in related KDB Publications.

When the TCB does not have the capability to perform Hearing Aid Compatibility (HAC) and/or Radio Frequency (RF) exposure testing, it is acceptable for the TCB to use external resources for the HAC and/or RF exposure testing, using a ISO/IEC 17025 accredited testing laboratory that has a scope of accreditation covering the applicable HAC and/or RF exposure standard(s) listed in KDB Publication 974614, and that has been recognized by the FCC as accredited for the applicable scope.[14]

K. Key Personnel

As required in 6.1.2.1 of ISO/IEC 17065:2012, the TCB must establish, implement, and maintain a procedure for the management of competencies of personnel involved in the certification process. The TCB shall maintain a list of the names, qualifications, experience, and terms of reference of the senior executive and other certification personnel, both internal and external.

As required in 6.1.2.2 of ISO/IEC 17065:2012, information on the relevant qualifications, training, and experience of each member of the personnel involved in the certification process shall be maintained by the certification body. Records of training and experience shall be kept up to date, in particular for the following:

1. Name and address
2. Employer(s) and position held
3. Educational qualification and professional status
4. Experience and training in each field of the certification body's competence
5. The assessment of competence
6. Performance monitoring
7. Authorizations held within the certification body
8. Date of most recent updating of each record

Each TCB shall have a key administrative employee who is the central contact for all non-technical inquiries to and from the FCC. The name and email address of this employee will be provided to the FCC by the designating authority.

Each employee that performs the certification functions of evaluation, review, and decision on certification shall be interviewed during the accreditation assessment at least once every two years. The accreditation body may request in advance of an assessment that the personnel involved with a particular area of interest be available during an assessment. For all initial TCB accreditation assessments, all employees performing these functions must be physically present; however, during subsequent surveillance and renewal assessments, the accreditation body may perform remote assessments of these individuals at its own discretion (based on the TCB's performance or other relevant factors).

[14] In accordance with Report and Order FCC 14-208 that became effective July 13, 2015, after July 12, 2016, accredited testing laboratories assessed to the appropriate scope, and recognized by the FCC for the scope, are required for testing all equipment subject to the equipment authorization Certification procedure.

A TCB shall notify their designating authority and accreditation body within 30 days of any changes in key employees. The TCB may be subject to a reassessment when there is a change in key employees that affects the technical competence of the TCB. When a TCB adds a new key employee, the employee shall be assessed (either on-site, or remotely, at the accreditation body's discretion) prior to the employee information being entered in the FCC database by the designating authority.

L. Resources for Evaluation (Testing), Review, and Decision Making

A TCB may utilize resources subject to the following.

1. Evaluation is the selection of the applicable requirements and determining compliance with the requirements. A TCB may use either internal or external (outsourcing) resources for the evaluation process. When a TCB outsources testing, as allowed (*e.g.*, for post-market surveillance and RF exposure testing) by the FCC procedures, 6.2 of ISO/IEC 17065:2012 shall be met. The TCB shall ensure that all evaluation activities are managed in a manner that provides confidence in the results, and that the TCB has records to justify that confidence. All TCB personnel, including external personnel under contract, are required to comply with the procedures defined by the certification body.[15]
2. A TCB may also accept evaluation reports from other competent sources. When a TCB accepts test data from another source, the outsourcing requirements of 7.4 of ISO/IEC 17065:2012 does not apply, but the TCB needs to have confidence in the results, justification documentation for the acceptance of the test data, follow the requirements of subclause O of this publication, ensure that the scope of the testing entity is applicable to the testing that is being performed, and periodically verify the qualifications (including proper FCC recognition per § 2.948 of the FCC rules) of the testing body. If a TCB accepts evaluation reports from other sources, the TCB shall ensure that the other source meets all requirements of KDB Publication 974614. If a TCB accepts evaluation reports from other sources, the review process must verify that the evaluation was completed properly.
3. Adequate oversight and quality control procedures shall be in place to ensure that all applications for certification are evaluated consistently.
4. The TCB shall ensure that the external resource or body that provides the outsourced services, and the personnel that it uses, are not involved, either directly or through any other employer, in such a way that the impartiality of the results could be compromised or questioned. The TCB shall maintain impartiality as required by ISO/IEC 17065:2012.[16]
5. The contract(s) under which the external resource or outsourced activities are performed are reviewed during the accreditation assessment, to ensure that all TCB and ISO/IEC 17065:2012 requirements are met.
6. The "Review" and "Decision on Certification" functions shall be undertaken by internal resources, and shall not be outsourced. Note that the use of external personnel under contract, and individuals working as personnel under contract, are considered employees for the purpose of these functions, and are expected to be fully familiar with procedures and systems of the TCB, and are not considered as outsourced.[17] "Review" is a verification that the evaluation process was properly completed, and may include testing to verify evaluation

[15] ISO/IEC 17065:2012, 6.1.3.

[16] ISO/IEC 17065:2012, 4.2.

[17] ISO/IEC 17065:2012, 6.2.2.1, NOTE 2.

results. "Decision on Certification" is a determination that the evaluation and review processes were properly completed. ISO/IEC 17065 notes in 7.6.2 that the Review and Decision on Certification processes may be completed by the same person or group of persons. A minimum of two individuals is required, because the FCC requires that different individuals at a TCB perform the Review function and the Decision on Certification function for a specific device.

7. The persons who review applications for certification, as well as the persons making the decision for granting certification, shall be identified as key employees in the FCC Equipment Authorization Electronic Filing System.
8. An employee who reviews applications for certification shall have access to appropriate testing facilities, and be able to perform product testing, when necessary.
9. The TCB shall take responsibility for all activities outsourced to another body and/or performed by an external resource.
10. The grant of certification is the responsibility of, and shall be issued by, the TCB recognized by the FCC.

M. TCB Information Maintenance

TCBs are expected to keep the FCC informed of current contact information, as shown in the FCC database (https://apps.fcc.gov/tcb/TcbHome.do). TCBs shall notify their designating authority when there are changes to key information, such as changes in the key employees, address, name, and accreditation expiration date. For TCBs located in the United States, the TCB shall contact NIST. For TCBs outside of the United States, recognized under the terms of a government-to-government MRA, the TCB shall contact their designating authority to report any changes. The designating authority will then update the information in the FCC database.

N. TCB Personnel Training

As required in 6.1.2.2 of ISO/IEC 17065:2012, the TCB shall maintain information on the relevant qualifications, training, and experience of each member of the personnel involved in the certification process. The TCB shall provide records demonstrating that each of their certification personnel that perform an evaluation, review, and decisions on certification of products subject to certification has successfully completed training covering their area of operation. The TCB as an entity shall have personnel trained covering their scope as a TCB. This training may consist of either attendance at relevant external training courses, or internal training courses. Records shall be maintained of such training courses including: attendance, instructors, instructor qualifications, course content, and results of any tests given during the course.

TCBs are also strongly encouraged to participate in additional training opportunities, including conference calls with the FCC, TCB workshops, and/or any other applicable conformity assessment and/or equipment authorization workshops.

O. TCB Acceptance of Test Data

After July 12, 2016, all equipment subject to certification is required to be tested at measurement facilities that have been recognized by the FCC as accredited to ISO/IEC 17025 and the FCC requirements.[18] The accreditation and recognition of a test site applies to a specific test facility. All testing, including testing by external resources and subcontracted testing, must be performed at an accredited test facility that is recognized by the FCC. It is not permitted for a TCB to accept test reports for which an FCC recognized accredited testing laboratory did not perform the testing, but instead only reviewed testing completed at a non-recognized site, without full re-test. When filing an application for certification, the TCB is required to enter the name of the test site from the list of recognized test sites, as shown in the Equipment Authorization System (EAS). If a product was tested at more than one site, the test report should specify what tests were performed at which locations.[19]

When accepting test data in support of an application for certification, the TCB shall review the test report and verify the testing laboratory was recognized for the scope of the device. The TCB needs to be confident that the product meets the relevant requirements before it certifies the product. The process used by the TCB for the acceptance of test data will be reviewed during the ISO/IEC 17065:2012 assessment. All testing for certification must be completed at an accredited testing laboratory that is recognized by the FCC as accredited.[20]

P. Test Procedures

When evaluating an application for certification, a TCB shall assure that the appropriate test procedures have been followed. Any party making measurements to show compliance with the FCC rules needs to select the appropriate measurement methods as required and specified in the particular section of the FCC rules. For example, for Part 15 devices, see §§ 15.31, 15.32, 15.33, and 15.35. The FCC Knowledge Database provides additional guidance on testing devices subject to the FCC rules.

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[18] *See* 47 CFR 2.948(a). Prior to July 13, 2016 only equipment subject to certification under Part 15 or 18 is required to be tested at measurement facilities that have either been listed with the FCC, or at an FCC recognized accredited testing laboratory.

[19] A TCB should accept test data from any qualified test facility, *i.e.*, an FCC recognized accredited testing laboratory. 47 CFR § 2.962(f)(2) states that "a TCB shall accept test data from any source, subject to the requirements in ISO/IEC 17065:2012, and shall not unnecessarily repeat tests." This rule is conditioned on the qualification of the test laboratory, which means the testing is performed by an FCC recognized accredited testing laboratory. ISO/IEC 17065:2012 in 6.2 requires that the certification body observe, as appropriate, the requirements for the suitability and competence of bodies or persons carrying out testing as specified in ISO/IEC 17025:2005.

[20] After July 12, 2016 all testing for certified devices must be completed at an accredited testing laboratory that is recognized by the FCC as accredited. Prior to July 13, 2016, testing may be completed at an accredited and FCC recognized testing laboratory, or the current procedures may be applied. Under the existing procedures for certification to Parts 15 and 18, the TCB at a minimum needs to require that the product be tested at a measurement facility that has either been § 2.948 listed with the FCC, or at a measurement facility that has been accredited and FCC-recognized. Under the current procedures for certification to the licensed device rule sections of 47 CFR, the TCB shall have confidence in the test data, as established under the TCB procedure for acceptance of test data. See 47 CFR § 2.950(e).

Q. Dismissal of Application

A TCB may request a dismissal of an application that they have been requested to approve, prior to issuing the certification or certifications which they approved, within 30 days of the approval, for non-compliance with FCC requirements.

R. Records Retention

The TCB shall retain for five years all documentation associated with the approval of a product subject to certification by the FCC.

S. Interpretation of FCC Rules

A TCB may not interpret the FCC rules, and questions regarding the interpretation of the FCC rules need to be directed to the FCC. A TCB may not grant a waiver of the FCC rules, or certify equipment for which the Commission rules or requirements do not exist, or for which the application of the rules or requirements is unclear.[21]

T. TCB Post-Market Surveillance Requirements

47 CFR § 2.962(g) requires a TCB to perform appropriate post-market surveillance activities. These activities shall be based on type testing a few samples of the total number of product types that the TCB has certified. The FCC has provided guidance in KDB Publication 610077 for performing post-market surveillance.

U. List of TCBs

A list of recognized TCBs and their scope of accreditation may be searched on the FCC webpage at https://apps.fcc.gov/tcb/TcbHome.do. The TCB search link allows searching for a specific TCB, or if the search fields are left blank, a listing of all recognized TCBs will be returned.

III. REFERENCES

1. FCC 98-338, GEN Docket No. 98-68, *Amendment of Parts 2, 25 and 68 of the Commission's Rules to Further Streamline The Equipment Authorization Process for Radio Frequency Equipment, Modify the Equipment Authorization Process for Telephone Terminal Equipment, and Implement Mutual Recognition Agreements.* http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-98-338A1.pdf

2. DA 00-1223, *Office of Engineering and Technology and Common Carrier Bureau Announce The Designation Of Telecommunication Certification Bodies (TCBs) to Approve Radiofrequency and Telephone Terminal Equipment.* http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-00-1223A1.pdf

3. DA 01-180, *European Conformity Assessment Bodies Accepted to Certify or Test Radiofrequency and Telephone Terminal Equipment in Accordance with the Terms of the US-EU Mutual Recognition Agreement.* http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-01-180A1.pdf

4. DA 99-1640, *FCC Provides Further Information On The Accreditation Requirements For Telecommunication Certification Bodies GEN Docket 98-68.*

[21] *See* 47 CFR § 2.962(f)(10).

http://www.fcc.gov/Bureaus/Engineering_Technology/Public_Notices/1999/da991640.doc

5. DA 00-2224, *FCC Will No Longer Accept Equipment Authorization Applications For Class B Computers and Peripheral that Can Be Self-Approved.* http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-00-2224A1.pdf

CHANGE NOTICE

04/04/2014: 641163 D01 TCB Program Roles and Resp v02 replaces 641163 D01 TCB Program Roles and Resp v01r01. Changes to the document including the following items:

- Updated document to include references to ISO/IEC 17065:2012.
- Modified Key Employee guidance.
- Updated outdated web links.
- Added ISO/IEC 17065 transition clause.
- Added requirement for accredited lab assessment for C63.19.
- Removed reference to TIA-968-A.
- Updated information on contract employees/external resources and outsourcing.
- Modified acceptance of testing report section.
- Clarified requirements for evaluation, review and decision on certification.

07/31/2015: 641163 DO1 TCB Program Roles and Resp v03 replaces 641163 D01 TCB Program Roles and Resp v02. Changes to the document including the following items:

- Updated to incorporate the changes from FCC 14-208
- Clarified requirements for evaluation, review and decision on certification
- Updated reference for ANSI C63.17 from 2006 to 2013
- Combined core testing requirements paragraphs

参考 12　FCC 技術開発局文書 610077
「TCB による市場監査」

Federal Communications Commission
Office of Engineering and Technology
Laboratory Division

June 26, 2015

TCB POST-MARKET SURVEILLANCE

One of the responsibilities of a Telecommunication Certification Body (TCB) is to perform appropriate post-market surveillance activities in accordance with ISO/IEC Guide 65 or ISO/IEC 17065.[1] These activities are based on Section 2.962(g), which requires a TCB to perform post-market surveillance activities based on type testing of products that the TCB has certified.[2] The following are typical processes that may be used to meet this obligation.

A. **Sample Test Plan.** TCBs shall have a plan that demonstrates how they intend to ensure that the proper number of samples will be tested. As part of this plan, TCBs shall notify the applicant/grantee in writing of the sampling requirement, advise them that they are required to make provision to have “production” samples available for at least one year after the last production date, and that they may be required to submit the equipment for post-market surveillance testing. These samples may be requested, at any time, by either the TCB or the Commission.[3]

B. **Sample Selection.** Samples audited by a TCB are selected from the products certified by that TCB. When selecting the samples to be audited, a TCB shall give consideration to the following:

(1) New technologies.

(2) New applicant.

(3) New testing laboratory.

(4) Products with a history of non-compliance.

(5) Products whose test report may be sufficient for approval, but may raise a question of continued compliance.

[1] ISO/IEC Guide 65:1996 has been replaced by ISO/IEC 17065:2012 *Conformity assessment — Requirements for bodies certifying products, processes, and services*. The Commission has adopted Report and Order FCC 14-208 to update the references in the rules to require that TCBs be accredited to ISO/IEC 17065:2012. TCBs are required to be in compliance with ISO/IEC 17065:2012 by September 15, 2015 to remain recognized by the Commission.

[2] The requirements for Telecommunication Certification Bodies (TCBs) were specified in the Commission’s Report and Order in GEN Docket No. 98-68 (FCC 98-338), adopted on December 17, 1998, and were updated in FCC 14-208 (ET Docket No. 13-44) adopted on December 17, 2014. Additional guidance on the requirements for TCBs was given in Public Notice DA 99-1640, *FCC Provides Further Information on the Accreditation Requirements for Telecommunication Certification Bodies GEN Docket 98-68*, released on August 17, 1999.

[3] *See* 47 CFR §§ 2.943, 2.945 and 2.946.

(6) Requests from the FCC for an audit to be performed on specific product or a group of products.[4]

(7) Potential impact from a non-compliant device on licensed radio services, the public switched telephone network (PSTN), or a user.

C. **Sample Rate.** The number of samples audited by a TCB shall be based on the following:

(1) The total number of products audited by a TCB shall consist of at least five percent of the total number of products certified by the TCB for the calendar year, under Scope A – Unlicensed Radio Frequency Devices, and Scope B – Licensed Radio Service Equipment. A "product" is considered to be each grant of Certification issued.[5] Surveillance shall be performed on a proportional basis based on the number of products authorized per TCB Scopes A and B. The number of products audited shall also represent the same proportion of FCC-recognized accredited test laboratory reports versus Section 2.948-listed test laboratory reports as the total number of products certified for a given year.

(2) The total number of products audited by the TCB under Scope C – Telephone Terminal Equipment, shall consist of at least two percent of the total number of products certified by the TCB for the calendar year under Scope C.

(3) As part of the TCB's post-market surveillance responsibility, a TCB is required to submit an annual report of their post-market surveillance activities for the calendar year to the FCC by January 31 of the following year. The post-market surveillance report is for all audits performed by the TCB in the previous calendar year.

(4) If the TCB has certified products subject to RF Radiation Exposure requirements, then such products shall be included in the total number of samples audited. At least one percent of the products subject to SAR measurements and certified by the TCB for the surveillance year shall be audited. A sample tested for the one percent SAR surveillance can also count as satisfying surveillance under the five percent EMC surveillance requirement, if the TCB also tests the EMC parameters.

(5) When calculating the number of samples to be audited, the number shall be rounded up to the next whole number.

(6) A product certified in a prior surveillance year, but tested in the present surveillance year, will be credited as surveillance in the present surveillance year.

[4] The FCC may request that a product previously approved by a TCB be submitted directly to the TCB for post-market surveillance. Such sample requests may be included in the annual sample count by the TCB for the year in which the sample was tested.

[5] For a composite device, multiple grants of Certification are issued under one FCC ID, and each portion shall be counted individually when calculating the total number of products granted for determining the number of audits required. When auditing a device with permissive changes associated with the device, each permissive change receives a separate grant of Certification and shall be counted individually when calculating the total number products granted for determining the total number of audits required.

D. **Obtain Sample.** The TCB shall obtain a sample by one of the following methods:

(1) Request the grantee submit a sample of the product certified.

The FCC shall be notified when a grantee refuses or fails to comply with a request. The grantee is expected to have samples available to respond to a request from the TCB or the FCC. The TCB is expected to notify the grantee of the requirement for having 'production' samples available (as noted under A. **Sample Test Plan**).[6]

Stating that a device is no longer manufactured is not a sufficient justification for not providing a sample. Also, stating that the device will not be marketed in the United States does not absolve a grantee of the requirement to provide post-grant production samples upon request by the TCB or the FCC.

An applicant may not be required to maintain a sample on hand if the production run is very limited in quantity (*i.e.*, 10 or fewer), or for some other reason that makes keeping a production sample on hand onerous to the applicant. In this case, the justification to avoid maintaining a sample on hand for surveillance purposes shall be documented in the application records. A determination by the TCB that the justification to not keep a production sample on hand is acceptable shall also be included as part of the application records.

(2) Request that the grantee provide a voucher or authorization for the sample to be obtained from the marketplace.

(3) Purchase a sample of the product from the marketplace.

E. **Evaluation.** The sample shall be evaluated by the TCB to determine compliance with the Commission's Rules.

(1) The sample shall be tested to qualify as meeting the FCC post-market surveillance requirements. Complete testing to all of the Commission's requirements is not required; however, sufficient testing shall be performed to allow the TCB to evaluate those requirements most likely to be in non-compliance, and to provide a high level of confidence that the sample complies with the FCC Rules.

(2) Testing may be performed at either the TCB's testing facilities or at an outsourced test facility. Use of outsourced test facilities is subject to the conditions in 4.4 of ISO/IEC Guide 65:1996 or 6.2.2 of ISO/IEC 17065:2012. The TCB shall take full responsibility for the work, and is responsible for ensuring that the outsourced body is competent to perform the testing and complies with all applicable requirements.

(3) The test data and sample shall be compared to the information submitted in the Certification filing. All information shall be consistent. The internal photos of the sample shall also be inspected to ensure that there have been no modifications to the test sample. All radio parameters such as power, frequency, and operational modes shall be consistent. Any substantial

[6] The TCB must make it clear in the contract terms when accepting an application for review that a sample may be requested for surveillance. This shall be made clear to the applicant and their agents. It may also be advisable to include an additional reminder when the grant is issued to the applicant.

variation shall be reported to the FCC.

(4) The TCB shall examine the sample to determine compliance with the Commission's labeling and user instruction requirements.

(5) The test report documenting surveillance shall specify key technical parameters, such as the tests that were conducted, the test instrumentation used, whether the test instrumentation was within calibration, the test methods used, the test site used; also the report shall be signed by the person(s) performing the tests.

(6) A review and decision by the "certification body personnel" shall be made after completion of the evaluation, as to whether the sample complies with the applicable FCC requirements.

F. **Follow-up Actions.** The following actions are to be taken based on the finding(s) of the surveillance audit:

(1) If during the audit process the TCB finds that a sample fails to comply with the FCC requirements, the TCB shall immediately notify the grantee and the FCC. The TCB shall provide the details of the product and non-compliance found by submitting an inquiry to www.fcc.gov/labhelp using the "submit an inquiry" link. The TCB should select a first category of "TCB Market Surveillance" and a second category of "non-compliant device." Within 30 days of the notification of non-compliance, a follow-up report on the action taken, or that will be taken, by the grantee to correct the situation shall be provided to the FCC by the TCB. If the issues are not resolved prior to the follow-up report being submitted to the FCC, the TCB shall continue to work with the applicant until the issues are resolved, or until it is determined that they are not resolvable. In these cases, the TCB shall send an additional follow-up summary to the FCC indicating the final resolution or the failure to resolve the issues. The follow-up report shall be submitted to the FCC by responding to the KDB Inquiry created initially.

(2) The TCB shall file, with the FCC, an annual report of all surveillance audits performed. The data shall be provided along with details on the surveillance performed for each of the TCB Scopes (A, B, and C). The annual report, and any follow-up associated with it, shall be uploaded thru the "Submit Surveillance Report" link. At a minimum, the report shall include the following:

i. The dates of the surveillance period.

ii. The number of EMC grants for the surveillance period.

iii. The number of SAR grants for the surveillance period.

iv. The number of EMC audits for the surveillance period.

v. The number of SAR audits for the surveillance period.

vi. A list of each FCC ID/Form 731 Confirmation number audited and the specific testing performed on the device, including the date of each audit. Indicate if the device was found to be compliant or not, and if not compliant include a summary of the issue(s) found.

(3) If the TCB finds that the sample submitted for surveillance is different from the product described in the Certification application, the TCB shall immediately notify the grantee and the FCC.

(4) If the applicant does not respond or fails to submit a sample to the TCB, the TCB should provide details to the FCC at www.fcc.gov/labhelp using the link for "submit an inquiry." The first category selected shall be "TCB Surveillance" and the second category selected shall be "sample not received."

Each TCB is required to submit an annual report of their post-market surveillance activities for the calendar year to the FCC by January 31 of the following year.

The TCB shall submit reports of surveillance activities carried out by the TCB, within 30 days of a request by the FCC. In support of a compliance investigation, the TCB may also be required to test a sample of a product certified by the TCB, and report its findings to the FCC within 30 days.

Change Notice

06/26/2015: 610077 D01 TCB Post Market Surveillance v06r01 replaces 610077 D01 TCB Post Market Surveillance v06. Changes were made to update references resulting from Equipment Authorization Order (FCC 14-208).

参考 13 TCB プログラム用 ISO/IEC ガイド 65 及び ISO/IEC 17065 技術審査員チェックリスト

Federal Communications Commission
Office of Engineering and Technology
Laboratory Division

February 29, 2016

TCB PROGRAM TECHNICAL ASSESSMENT ISO/IEC 17065 CHECKLIST

Instructions to the Assessor: This checklist provides a common set of questions to be addressed as part of the ISO/IEC 17065 assessment of a Telecommunication Certification Body (TCB) to determine the capability and competence of the TCB to approve equipment subject to the certification requirements contained in the FCC Rules and Regulations (47 CFR Parts 0 through 101). It is intended for use during the assessment phase of the accreditation process as a guide to evaluate the competence of the TCB and its personnel to perform the required evaluations for certification. It is not intended to replace the good engineering judgment of the technical assessor or a thorough evaluation of the facility. Other points may and should be amended in this checklist while an on-site assessment progresses.[1]

Mark all items the assessor observed and verified at the TCB. Mark the box with the letter "Y," representing "acceptable" to show conformance with the criteria. **Mark the box with the letter "N," representing "Not Acceptable," to show a deficiency.** If an item is "Not Applicable," mark the box with the letter "N/A" beside the item.

Certification Body	
Accreditation Body	
Date Completed	
Completed by (Assessor Name(s))	
Type of Assessment (Check One)	☐ Initial Assessment (complete checklist in full) ☐ Surveillance Assessment ☐ Renewal Assessment

[1] ISO/IEC 17065:2012 replaces ISO/IEC Guide 65:1996 as of September 15, 2015. Prior to September 15, 2015, TCBs may be assessed to either ISO/IEC Guide 65 or ISO/IEC 17065. On or after September 15, 2015, TCBs must be assessed and compliant with ISO/IEC 17065:2012.

General TCB Requirements				
Y	**N**	**N/A**	**Question**	**Comments**
			1. Is knowledgeable of its responsibilities and limitations for certifying products subject to certification under the FCC Rules and Regulations. Copies of appropriate documentation governing a TCB are available for reference *(e.g., R&O in FCC ET Docket 98-68, Public Notice DA 99-1640, FCC 14-208, and TCB Roles and Responsibilities KDB Publication 641163).*	
			2. Has a testing laboratory accredited to ISO/IEC 17025 with the appropriate scope. See KDB Publication 974614 for the list of scopes.	
			3. Procedure is in place to accept test data from an external testing laboratory, ensure that device was properly tested, and ensure that the external testing laboratory is properly recognized.	
			4. Procedure is in place that complies with KDB Publication 610077, and is being followed for performing post market surveillance audits of equipment that the TCB has certified.	
			5. TCB has responded and satisfactorily addressed FCC correspondence relating to applications for certification. (*Note: This question is not applicable for initial assessment.*)	
			6. Demonstrates an understanding of overall structure of the FCC Rules, and is capable of locating specific rule sections.	
			7. Demonstrates an understanding of administrative and technical guidance provided in KDB Publications.	
			8. Demonstrates an understanding of rules governing confidentiality (47 CFR 0.457, KDB Publication 726920, et al.), and capable of making the appropriate filing for confidential material.	
			9. Can explain the difference between Verification, Declaration of Conformity, and Certification, and explain when Certification is required.	

			10. Understands and has working knowledge of 47 CFR Part 2, Subparts I, J, and K.	
			11. Can explain and document what equipment the TCB is authorized to certify.	
			12. Understands and has a working knowledge of the Pre-Approval Guidance (PAG) Procedure and PAG List in KDB Publication 388624.	
			13. Understands and has a working knowledge of permissive change procedures and KDB Publication 178919.	
			14. Understands and has a working knowledge of the FCC electronic filing system.	
			15. Has procedures and evaluation checklists for each type of product it certifies.	
			16. Understands and has working knowledge of FCC note codes, grantee notes, and equipment specification Form 731 grant line entries.	
			17. Understands and has a working knowledge of FCC Grantee codes and KDB Publication 204515.	
			18. Has access to all FCC Rules for which it will approve equipment.	
			19. Has access to all measurement standards, bulletins, and procedures related to all equipment that it will approve.	
			20. Understands and has a working knowledge of Software Defined Radio (SDR) requirements and KDB Publication 442812.	
			21. Understands and has a working knowledge of Software Configuration and Control and KDB Publication 594280.	
			22. Understands and has a working knowledge of RF Exposure requirements for the specific types of equipment covered by the TCB's scope of accreditation (A and B) performed by the TCB. See: 47 CFR 1.1307, 2.1091 and 2.1093 and the following KDB publications: 248227, 447498, 615223, 616217, 643646, 648474, 680106, 690783, 865664, and 941225.	

Scope A – Unlicensed Radio Frequency Devices				
General Part 15 Requirements				
Y	**N**	**N/A**	**Question**	**Comments**
			23. Testing Capability and Core Test Facilities *Note: A TCB shall have the following minimum facilities and equipment. It shall also demonstrate that it has a procedure in place and is capable of performing tests for each of the products it will certify.* ▪ An accredited and recognized radiated emissions test site that is compliant with ANSI C63.4-2014. *Note: A one-year transition period is provided such that older editions of ANSI C63.4 listed in FCC DA 09-2478 may be used for testing prior to July 13, 2016.* ▪ Calibrated EMI receivers or spectrum analyzers covering 9 kHz to 40 GHz for radiated emission measurements. ▪ Loop antenna(s) from 9 MHz to 30 MHz, and linearly polarized antenna 30 MHz to 40 GHz. ▪ A conducted emissions test site that is compliant with ANSI C63.4-2014. *Note: The site should include at least two calibrated LISNs rated at 115V/60 Hz, and the test site should have 115V/60 Hz power available.* ▪ A spectrum analyzer for power density and RF bandwidth measurements. ▪ A temperature chamber covering the temperature range of -20 °C to +50 °C. ▪ A frequency counter with an upper range of at least 40 GHz or other means to measure transmitter frequencies accurately.	
			24. Understands and has a working knowledge of 47 CFR Part 15.	
			25. Understands the requirements and has a working knowledge of restricted band requirements of 47 CFR 15.205.	
			26. Understands the requirements and has working knowledge of KDB Publication 996369 and FCC policy for modular transmitters.	

			27. Understands the requirements for equipment subject to both certification and Declaration of Conformity *(e.g., Consumer ISM, CB receiver, super-regenerative and other receivers, TV interface device, Personal Computers and associated equipment).*	
			28. Understands the requirements and has a working knowledge of 47 CFR Subpart F Ultra Wide-Band devices, KDB Publication 393764, and the procedures of ANSI C63.10-2013. *Note: Per FCC 14-208 either the 2009 or 2013 version of ANSI C63.10 may be used prior to July 13, 2016. After July 13, 2016, only the ANSI C63.10-2013 may be used.*	
			29. Understands the requirements and has a working knowledge of 47 CFR Subpart H TV band devices and KDB Publication 416721.	
A1 – Low power transmitters operating on frequencies below 1 GHz (with the exception of spread spectrum devices), emergency alert systems, unintentional radiators (e.g., personal computers and associated peripherals, and TV Interface Devices), and consumer ISM devices subject to certification (e.g., microwave ovens, RF lighting, and other consumer ISM devices)				
			30. Understands and has a working knowledge of how to measure and compute the average field strength of pulsed emissions from a remote control and security transmitter.	
			31. Understands and has a working knowledge of the procedures for measuring band-edge emissions.	
			32. Understands and has a working knowledge of the requirements for Emergency Alert System devices (see 47 CFR Part 11).	
A2 – Low power transmitters operating on frequencies above 1 GHz, with the exception of spread spectrum devices				
			33. Understands and can explain the requirements for low power transmitters operating on frequencies above 1 GHz. *(See 47 CFR 15.207, 15.209, 15.214, 15.245, 15.249, 15.251, 15.253, and 15.255.)*	
			34. Understands the requirements and has a working knowledge of 47 CFR 15.256 Level Probing Radar (LPR) devices and KDB Publication 890966.	

			35. Understands the requirements and has a working knowledge of Millimeter Wave devices and KDB Publication 200443.	
A3 – Unlicensed Personal Communications Service (PCS) Devices				
			36. Understands and can explain the requirements and measurement procedures for unlicensed Personal Communications System devices. *(See 47 CFR 15 Subpart D)*	
A4 – UNII devices and low power transmitters using spread spectrum techniques				
			37. Understands and can explain the requirements and measurement procedures for spread spectrum systems. *(See 47 CFR 15.247)*	
			38. Understands and has a working knowledge of the requirements for digital transmission systems of 47 CFR 15.247, 47 CFR 15.407, and KDB Publication 558074.	
			39. Understands and can explain the requirements and measurement procedures for Unlicensed National Information Infrastructure systems. *(See 47 CFR 15 Subpart E).*	
			40. Understands and has a working knowledge of Dynamic Frequency Selection (DFS) devices and the following KDB Publications: 905462, 848637, and 644545.	
			41. Understands and has a working knowledge of Multiple Input and Multiple Output (MIMO) devices and KDB Publication 662911.	

<table>
<tr><td colspan="5">Scope B – Licensed Radio Service Equipment</td></tr>
<tr><td colspan="5">General Requirements for the Licensed Radio Services</td></tr>
<tr><td>Y</td><td>N</td><td>N/A</td><td>Question</td><td>Comments</td></tr>
<tr><td></td><td></td><td></td><td>42. Testing Capability and Core Test Facilities (A TCB shall have the following minimum facilities and equipment. It shall also demonstrate that it has a procedure in place and is capable of performing tests for each of the products it will certify.)
▪ RF wattmeter and probes up to 40 GHz
▪ Spectrum analyzer or receiver and antennas up to 40 GHz
▪ Temperature chamber covering -30 ºC to +50 ºC
▪ Frequency counter or other means of measuring accurately up to 40 GHz
▪ Facilities for performing each of the core tests described in the next item</td><td></td></tr>
<tr><td></td><td></td><td></td><td>43. Understands and has working knowledge of the general measurement procedures for licensed transmitters:
▪ RF power output
▪ Modulation characteristics
▪ Occupied bandwidth
▪ Spurious emissions at antenna terminals
▪ Field strength of spurious emissions
▪ Frequency spectrum
▪ Specific tests for the amateur radio service</td><td></td></tr>
<tr><td></td><td></td><td></td><td>44. Understands and is capable of creating line entries for the grant of certification, consisting of the following parameters:
▪ Grant notes
▪ Rule parts
▪ Frequency range
▪ Power output
▪ Frequency tolerance
▪ Emission designator</td><td></td></tr>
<tr><td></td><td></td><td></td><td>45. Understands and has a working knowledge of Signal Boosters and KDB Publication 935210.</td><td></td></tr>
</table>

			46. Understands and has a working knowledge of procedures for power measurements of devices with a bandwidth of greater than 1 MHz and KDB Publication 971168.	
B1 – Commercial Mobile (Radio) Services in 47 CFR Parts 20, 22 (cellular), 24, 25, and 27				
			47. Understands and has working knowledge of Cellular Radiotelephone Service equipment described in 47 CFR Part 22 Subpart H.	
			48. Understands and has working knowledge of narrowband PCS equipment contained in 47 CFR Part 24 Subpart D.	
			49. Understands and has working knowledge of broadband PCS equipment contained in 47 CFR Part 24 Subpart E.	
			50. Understands and has working knowledge of Satellite communication equipment contained in 47 CFR Part 25, including ITU GMPCS MOU.	
			51. Understands and has working knowledge of Wireless Communication Service (WCS) equipment contained in 47 CFR Part 27.	
			52. Understands and has a working knowledge of hearing aid compatibility requirements of 47 CFR 20.19 and KDB Publication 285076.	
B2 – General Mobile Radio Services in 47 CFR Parts 22 (non-cellular), 73, 74, 90, 95, 96 and 97				
			53. Understands and has working knowledge of non-cellular public mobile radio service equipment contained in 47 CFR Part 22 Subparts E, F and G.	
			54. Understands and has working knowledge of auxiliary broadcast service equipment contained in 47 CFR Part 74 Subparts D, E and H.	
			55. Understands and has working knowledge of private land mobile radio services equipment contained in 47 CFR Part 90 and KDB Publication 579009.	
			56. Understands and has working knowledge of Part 90Z (also Part 96) requirements for devices operating in 3650-3700 MHz band, and KDB Publications 552295 and 965270	

			57. Understands and has working knowledge of personal radio services equipment contained in 47 CFR Part 95 Subparts A to L, including the special requirement for equipment in each of the following radio services: ▪ General Mobile (GMRS) ▪ Family Radio Service (FRS) ▪ Radio Control (R/C) ▪ Citizen Band (CB) ▪ Medical Device Radiocommunication Service (MedRadio) ▪ 218-219 MHz Service ▪ Low Power Radio Service (LPRS) ▪ Wireless Medical Telemetry Service (WMTS) ▪ Multi-Use Radio Service (MURS) ▪ Personal Locator Beacons (PLB) ▪ Dedicated Short Range Communications Service On-Board Units (DSRCS-OBUs)	
			58. Understands and has working knowledge of amateur radio service equipment contained in 47 CFR Part 97, including the special requirements for kits in 47 CFR 2.1060.	
B3 – Maritime and Aviation Radio Services in 47 CFR Parts 80 and 87				
			59. Understands and has working knowledge of maritime radio service equipment contained in 47 CFR Part 80, including the special requirements for EPIRBs, as well as those contained in 47 CFR 80.203.	
			60. Understands and has working knowledge of aviation radio service equipment contained in 47 CFR Part 87, including the special requirements for ELTs and the requirement in 47 CFR 87.147(d)(2).	
B4 – Microwave Radio Services in 47 CFR Parts 27, 74, and 101				
			61. Understands and has working knowledge of Broadband Radio Services and Educational Broadband Services equipment contained in 47 CFR 27 Subpart M.	
			62. Understands and has working knowledge of microwave television auxiliary broadcast service equipment contained in 47 CFR 74 Subparts F including the special requirements in public notice DA-95-1854 and Docket No. MM 97-217.	

			63. Understands and has working knowledge of microwave radio service equipment contained in 47 CFR 101 Subparts C, G, J and I, including the special requirements minimum data rate and 47 CFR 101.109.	
Scope C – ACTA and Part 68 Telephone Equipment				
Y	**N**	**N/A**	**Question**	**Comments**
			64. Understands and has a working knowledge of ACTA requirements, filing ACTA applications, completing ACTA forms, and submitting related documents.	
			65. Understands and has a working knowledge of evaluating test results for TSB31, TIA 968-B-2, and T1.TRQ.6.	
			66. Understands and has a working knowledge of 47 CFR Part 68 and hearing aid compatibility requirements.	
			67. Understands which tests are needed for each type of connection (loop start, ground start, reverse battery, lossless two wire tie-trunk, lossless four wire tie-trunk, off premises circuit, local area data channels, ring down signaling private lines, metallic signaling private lines, in-band signaling private lines, digital PSDS lines, ISDN lines, DS1 lines).	
			68. Ability to evaluate claims of test results before and after surge tests TIA-968-B-2.	
			69. Has procedures to evaluate and maintain copies of test procedures (provided by test laboratories, including laboratories of applicants) associated with applications (47 CFR 68.200(d)).	
			70. Ability to create or obtain, and maintain applicant, manufacturer, and equipment codes.	
			71. Ability to create or obtain, and maintain audit trail for addition of trade names and model numbers to registrations.	
			72. Ability to generate certificate containing all required data.	
			73. Demonstrate ability to provide the ACTA with the ACTA Form information.	

			74. Has a thorough understanding of the ACTA equipment authorization program and specifically the following: Operating Principles and Procedures; ACTA Customer Information and TIA-TSB168-B Labeling Requirements.	
			75. Understands the procedure for approval of components.	

CHANGE NOTICE

07/31/2015: 668797 D01 TCB Accreditation Checklist v03 replaces 668797 D01 TCB Accreditation Checklist v02.

- Updated to incorporate changes resulting from FCC 14-208.

02/29/2016: 668797 D01 TCB Accreditation Checklist v03r01 replaces 668797 D01 TCB Accreditation Checklist v03.

- Editorial corrections to questions 23 and 28.

参考 14 認定試験所プログラムの役割と責任

Federal Communications Commission
Office of Engineering and Technology
Laboratory Division

June 23, 2015

ACCREDITED TESTING LABORATORY PROGRAM
ROLES AND RESPONSIBILITIES

1. Introduction

The requirements for the Commission's equipment authorization program are defined in the FCC regulations.[1] An Accredited Testing Laboratory is required to be used when testing products subject to the Certification and Declaration of Conformity (DoC) procedures.[2]

Certification constitutes the most rigorous equipment authorization procedure, and is typically applied to RF equipment employing new technologies for which the testing methodologies are relatively complex or not well defined, or that otherwise are considered to have the highest potential for causing interference.[3] Examples of devices subject to certification include, but are not limited to: mobile phones, wireless local area networking equipment, land mobile radio transmitters, wireless medical telemetry transmitters, and cordless telephones. All certified equipment is listed in a Commission database that contains the application for certification, test report, and other supporting information.[4]

DoC is a self-approval process that requires the responsible party to use a recognized accredited test laboratory when testing devices.[5] The responsible party also must include with the product a compliance information statement that identifies the product and a responsible party within the United States.[6] A

[1] *See* 47 C.F.R. Part 2 Subpart J.

[2] On or after July 13, 2015 the FCC rules no longer allow recognition of testing laboratories as "2.948 listed" for testing of equipment subject to certification under Parts 15 and 18 and will stop accepting requests to recognize new "2.948 listed test sites". "2.948 listed test sites" that are recognized prior to July 13, 2015 and have an expiration date after July 13, 2016 may remain recognized until July13, 2016. "2.948 listed test sites" that are recognized prior to July 13, 2015 but expire prior to July 13, 2016 will expire on their expiration date but may request a renewal to remain recognized until July 13, 2016. FCC recognized "2.948 listed test sites" will be searchable on the FCC website until July 13, 2016. Testing completed by recognized "2.948 listed test sites" prior to July 13, 2016 will be accepted in applications for certification if uploaded to the FCC EAS system before October 13, 2016. All testing performed on or after July 13, 2016 on applications for certification will be required to be based on testing performed by an accredited testing laboratory recognized by the FCC as accredited. A list of recognized accredited testing laboratories is provided at: https://apps.fcc.gov/oetcf/eas/reports/TestFirmSearch.cfm.

[3] *See* 47 C.F.R. § 2.907.

[4] The Commission's Equipment Authorization System (EAS) can be accessed at https://apps.fcc.gov/oetcf/eas/reports/GenericSearch.cfm.

[5] *See* 47 C.F.R. § 2.906. The party responsible for compliance is defined in 47 C.F.R. § 2.909.

[6] *See* 47 C.F.R. §§ 2.1077, 15.19(a)(3), and 18.209(b). Only Part 15 and Part 18 equipment is currently covered by DoC. For example, Part 15 devices subject to the DoC rules must be labeled with the following statement: "This device complies with part 15 of the FCC Rules. Operation is subject to the following two conditions: (1) This device
(continued....)

wide variety of devices are currently subject to the DoC procedures, including personal computers and peripherals, consumer ISM equipment (such as microwave ovens), radio receivers, and TV interface devices.

Devices subject to certification or DoC procedures are required to be tested to show compliance with the FCC technical regulations by a recognized accredited testing laboratory.[7] Besides EMC and radio parameter testing, the FCC technical regulations may require additional testing which includes, but is not limited to, testing for Hearing Aid Compatibility (HAC) and RF exposure testing. The testing laboratory must be accredited by a Commission-recognized accreditation body, or an accreditation body recognized under the terms of a government-to-government Mutual Recognition Agreement (MRA).[8] A list of FCC-recognized accredited testing laboratories is published on the FCC Webpage.[9]

2. Key Players

Accreditation Body. An Accreditation Body (AB) is an authoritative body that performs accreditation. Accreditation is a third-party attestation related to a conformity assessment body conveying formal demonstration of its competence to carry out specific conformity assessment tasks.[10]

Conformity Assessment Body. A conformity assessment body (CAB) is a body that performs conformity assessment services.[11] Testing laboratories and certification bodies are considered to be conformity assessment bodies.

Designating Authority. A Designating Authority (DA) is a body responsible for determining that the testing laboratory is competent and capable of performing testing within the scope of the designation.[12]

Testing laboratory. The testing laboratory is responsible to make a determination of the applicable test procedures and to properly test to those requirements.

3. Accreditation Body Recognition Procedure

Organizations accrediting domestic testing laboratories must be approved by the Commission's Office of Engineering and Technology (OET) to perform accreditation to ISO/IEC 17025, "*General Requirements for the Competence of Testing and Calibration Laboratories*" with respect to the FCC requirements, based on ISO/IEC 17011, *Conformity assessment — General requirements for accreditation bodies*

(...continued from previous page)
may not cause harmful interference, and (2) this device must accept any interference received, including interference that may cause undesired operation." *See also* 47 C.F.R. §§ 2.1075 and 2.946 (describing circumstances in which the responsible party must submit to the Commission records of the original design drawings and specifications, the procedures used for production inspection and testing, a report of RF emission measurements, the compliance information statement, and a sample of the device).

[7] *See* 47 C.F.R. § 2.948(a).

[8] http://www.fcc.gov/oet/ea/mra/.

[9] *See* https://apps.fcc.gov/oetcf/eas/reports/TestFirmSearch.cfm.

[10] ISO/IEC 17000 (2004), 2.6 and 5.6.

[11] ISO/IEC 17000 (2004), 2.5.

[12] ISO/IEC 17000 (2004), 7.3.

accrediting conformity assessment bodies. Organizations accrediting testing laboratories in MRA-partner economies are approved by the FCC recognized designating authority in the MRA-partner economy.[13]

OET has established a minimum set of qualifying information that an accreditation body located in the United States, who desires to be recognized by the Commission as a laboratory accreditation body shall provide in support of its application.[14] An applicant must submit to the Chief of OET a request for such recognition, and provide the qualifying information described below. The Chief of OET will make a determination of recognition based on the information provided in support of an application. To demonstrate its credentials and qualifications to perform accreditation of laboratories that test equipment to Commission requirements, an applicant shall provide, at a minimum, evidence of:

(a) Successful completion of an ISO/IEC 17011,:2004, "Conformity assessment – General requirements for accreditation bodies accrediting conformity assessment bodies" peer review, such as being a signatory to an accreditation agreement that is acceptable to the Commission.[15]

(b) Procedures to ensure the impartiality and objectivity of its activities as required by 4.3 of ISO/IEC 17011, Specifically "the accreditation body shall not offer or provide any service that affects its impartiality, such as those conformity assessment services that CABs perform, or consultancy."

(c) Experience with the accreditation of electromagnetic compatibility (EMC), radio and telecom testing laboratories to ISO/IEC 17025:2005. This can be demonstrated by having OET staff participate in a witness audit of the accreditation body performing an assessment of an EMC/Radio/Telecom testing laboratory; or by having OET staff review the report(s) generated by the National Institute of Standards and Technology (NIST) laboratory accreditation evaluation program conducted to support the Asia Pacific Economic Cooperation (APEC) MRA for Conformity Assessment of Telecommunications Equipment. An applicant that offers other evidence has the burden of demonstrating that the information would enable OET to evaluate its experience with the accreditation of electromagnetic compatibility (EMC), radio and telecom testing laboratories to ISO/IEC 17025.[16]

(d) Accreditation personnel/assessors with specific technical experience on the Commission equipment authorization rules and requirements.

(e) Procedures and policies developed for the accreditation of testing laboratories for FCC equipment authorization programs.

To ensure the continued integrity of the laboratory accreditation program, OET will periodically review the accreditation process and maintain close coordination with each of the organizations that it has recognized to perform accreditations. OET will pursue opportunities to observe peer review assessments and to observe and participate in the NIST witness assessments of these laboratory accreditation bodies.

[13] In the APEC TEL MRA, the term "economy" is used to indicate the country which is party to the agreement.

[14] *See* 47 C.F.R. § 2.949. The FCC, in consultation with the Office of United States Trade Representative, is reviewing potential requirements and procedures for recognizing foreign accrediting bodies in non-MRA countries or for allowing currently recognized accreditation bodies to accredit test firms in non-MRA countries. This guidance will be updated if such procedures are established.

[15] Examples of laboratory accreditation body arrangements include: International Laboratory Accreditation Cooperation (ILAC) (http://www.ilac.org/ilacarrangement.html); the European cooperation for Accreditation (EA); the Asia Pacific Laboratory Accreditation Cooperation (APLAC); the Inter-American Accreditation Cooperation (IAAC); and the National Cooperation for Laboratory Accreditation (NACLA) (http://www.nacla.net/).

[16] Domestic laboratory accreditation bodies that successfully complete the NIST evaluation program are listed by NIST as acceptable for use by domestic laboratories seeking to be designated to foreign MRA partner economies.

This will help ensure their continued acceptable performance and provide OET with information to assess periodically their qualifications to maintain their status as Commission-recognized laboratory accreditation bodies.

4. Accredited Testing Laboratory Recognition Procedure

The following procedure is used to permit a testing laboratory to be recognized by the FCC as an accredited testing laboratory and thus be deemed competent to test products subject to the Certification and DoC procedures, as well as be allowed to test products to be authorized under the Verification procedure.

(a) The FCC or an FCC-recognized Designating Authority (DA) shall determine which accreditation bodies meet ISO/IEC 17011 and are qualified to accredit conformity assessment bodies (CABs) within their territory to perform testing to the FCC requirements.

(b) The testing laboratory shall meet the requirements of ISO/IEC 17025 accreditation with a scope covering the applicable FCC requirements and test procedures.

(c) The FCC has developed the Accredited Test Laboratory Technical Assessment Evaluation checklist to be used by the accreditation body to aid in the assessment of testing laboratories.[17]

(d) Requests for designation should be submitted to the DA, in the laboratory's own country, requesting the CAB be designated to the FCC for recognition by the FCC as an accredited testing laboratory. Note that for CABs in the United States, the recognized accreditation body designates the CAB directly to the FCC, and the recognized accreditation body is considered the DA.

(e) The DA reviews the accreditation information and makes a determination as to whether the CAB meets the requirements for designation.

(f) Once the DA determines that the requirements have been met, it designates the CAB to the FCC by providing the information listed below for review and recognition by the FCC.

(g) When reviewing a request to recognize a CAB the FCC will:

   (1) Evaluate the information submitted regarding the CAB.

   (2) Make a determination on whether to recognize the CAB.

   (3) Notify the DA of the decision on request for recognition.

(h) When reviewing a request to recognize a testing laboratory, FCC Staff will look for the following information:

   (1) Procedure used by the DA to designate the CAB.

   (2) Name, location, mailing, and contact information. The CAB shall be physically located in the country from which it is being designated.

   (3) Designation number and FCC Registration Number (FRN).

   (4) A statement as to whether the testing laboratory is available to perform measurement services for the public on a fee basis.

   (5) ISO/IEC 17025 Certificate of Accreditation. In cases where the accrediting body does not issue a certificate, equivalent information must be provided.

[17] KDB Publication 853844, https://apps.fcc.gov/oetcf/kdb/forms/FTSSearchResultPage.cfm?switch=P&id=44615.

(6) The FCC rule sections the accreditation applies to.

(7) The FCC related test procedures the accreditation applies to (see Table 1 and Table 2 in scope of accreditation section below).

(8) The expiration date and period of the accreditation. The FCC rules require that a testing laboratory must be re-evaluated by the accreditation body at least every two years.

(9) Completed Accredited Laboratory FCC Technical Assessment checklist. For the designation of a newly accredited testing laboratory, a completed checklist shall be provided. For a renewal of the designation of an accredited testing laboratory, a statement indicating continued compliance with a previously submitted checklist is acceptable.

(10) Compliance with all provisions of this document, i.e., Accredited Testing Laboratory Program Roles and Responsibilities.

(i) For a renewal of the recognition of an accredited testing laboratory, the FCC database expiration date shall be updated by the DA.

(j) The FCC-required information may only be submitted by the DA, and should not be submitted directly to the FCC from the CAB. The DA shall submit the information by completing fields on the designation web page and uploading any required attachments.

Note: Information provided in support of the designation of an accredited testing laboratory is publicly available on the FCC webpage.

5. Accreditation Requirements

An accredited testing laboratory is required to be accredited to ISO/IEC 17025 with a scope covering the required measurements.

External Resources for Testing/ Subcontracting. When a testing laboratory uses external resources to perform testing, after the transition date (see footnote 2), it is required that such testing be performed by testing laboratories that have also been recognized by the Commission as an accredited testing laboratory with the appropriate scope of accreditation.

Domestic Accredited Testing Laboratories. Organizations located in the United States, desiring ISO/IEC 17025 accreditation as an EMC/Radio testing laboratory, should contact one of the following accreditation bodies.

A2LA
American Association for Laboratory Accreditation
5202 Presidents Court
Suite 220
Frederick, MD 21703
Tel: 301-644-3217
Fax: 301-622-2974
Contact: Adam Gouker
agouker@a2la.org
www.a2la.org

ANAB
ANSI-ASQ National Accreditation Board (formerly ACLASS)
500 Montgomery Street, Suite 625

Alexandria, VA 22314
Contact: Roger Muse
rmuse@anab.org
www.anab.org

L-A-B
Laboratory Accreditation Bureau
11617 Coldwater Road
Suite 101
Fort Wayne, IN 46845
Contact: Randy Long
RLong@L-A-B.com
www.L-A-B.com

NVLAP
National Voluntary Accreditation Program
Standards Services Division
National Institute of Standards and Technology
100 Bureau Drive, Stop 2140
Gaithersburg, MD 20899-2140
Contact: Brad Moore
nvlap@nist.gov or Brad.Moore@nist.gov
http://ts.nist.gov/standards/accreditation/index.cfm

Foreign Accredited Testing Laboratories. For organizations outside of the United States, first determine if there is a MRA that covers the location, and then contact the designating authority for the applicable country to determine how to become accredited. A list of test-firm designating authorities/test-firm accrediting bodies is available at: https://apps.fcc.gov/tcb.[18] FCC-recognized designating authorities are only able to designate testing laboratories within their own economy. Information regarding MRAs and the designation procedures can be found on the OET webpage.[19]

6. Scope of Accreditation

Guidance on the measurement procedures to be used for a given technical requirement may be found in the associated report and order, FCC public notice, FCC bulletin, FCC measurement procedures webpage, or guidance documents found on the OET Knowledge Database (KDB).

For the test methods in the following Tables 1 and 2 that identify a standard and/or a KDB publication, to be recognized for the scope the testing laboratory must be assessed to the standard and have a working knowledge of the version of the applicable KDB publication at the time of the assessment. The testing laboratory shall follow the applicable standard and guidance in KDB publications. If a KDB publication is updated after the assessment, the accredited testing laboratory may follow the updated guidance and does not generally need to be reassessed until their next scheduled assessment, unless the standard associated with the KDB publication is changed or upon notification from the FCC. In general, to reflect new technology the KDB publications are updated more quickly than the standards.

[18] *See* https://apps.fcc.gov/oetcf/mra/reports/AccreditingBodyReport.cfm.

[19] *See* http://www.fcc.gov/oet/ea/mra/.

When designating test methods for scopes with associated KDB publications, the FCC will assume that the testing laboratory was assessed to the version of the KDB publication available at the time of the assessment, thus the accrediting body doesn't need to identify the KDB publication date to the FCC unless a different version of the publication was assessed.

At the time of publication of this guidance document the FCC is in the process of implementing the identification and management of accredited test laboratory scopes into the equipment authorization electronic filing system. Until that implementation is completed, accrediting bodies shall provide the FCC with a list of scopes the testing laboratory was assessed to and in compliance with.

DoC Testing. A testing laboratory performing tests in support of the FCC's DoC requirements shall be accredited to ISO/IEC 17025 with a scope of accreditation covering the regulations and measurement procedures listed in Table 1.[20] A testing laboratory is not required to be assessed and recognized for all scopes, but for each scope in Table 1 that a testing laboratory is recognized for they must be assessed and compliant with all requirements within the scope. The accredited testing laboratory shall have the applicable standards included in their scope of accreditation from the list in Table 1.

TABLE 1: Scope of Accreditation for testing performed in support of DoC

Scope	**Test Method(s)**
Part 15, Unintentional Radiators • CB Receiver • Superregenerative Receiver • All other receivers subject to part 15 • TV interface device • Cable system terminal device • Class B personal computers and peripherals • CPU boards and internal power supplies used with Class B personal computers • Class B personal computers assembled using authorized CPU boards or power supplies	ANSI C63.4-2014, *American National Standard for Methods of Measurement of Radio-Noise Emissions from Low-Voltage Electrical and Electronic Equipment in the Range of 9 kHz to 40 GHz*
Part 18, Industrial, Scientific, and Medical Equipment • Consumer ISM equipment	FCC MP-5 (February 1986), *FCC Methods of Measurements of Radio Noise Emissions From Industrial, Scientific, and Medical Equipment*

Certification Testing. A testing laboratory performing tests in support of the FCC's Certification requirements shall be accredited to ISO/IEC 17025 with a scope of accreditation covering the regulations and measurement procedures listed in Table 2. A testing laboratory is not required to be assessed and recognized for all scopes, but for each scope in table 2 that a testing laboratory is recognized for they must be assessed and compliant with all requirements within the scope. The accredited testing laboratory shall have the applicable standards included in their scope of accreditation from the list in Table 2.

[20] *See* the FCC equipment authorization web page for links to the referenced measurement procedures: http://www.fcc.gov/oet/ea/eameasurements.html.

TABLE 2: Scope of Accreditation for testing performed in support of Certification

Scope	Test Method(s)
Part 15 Intentional Radiators below 26.5 GHz – except Part 15D and Part 15E (non-DFS) • Intentional Radiators	ANSI C63.10-2013, *American National Standard for Testing Unlicensed Wireless Devices*[21] *KDB 789033*
Part 15 Intentional Radiators above 26.5 GHz – except Part 15D and Part 15E (non-DFS) • Intentional Radiators	ANSI C63.10-2013, *American National Standard for Testing Unlicensed Wireless Devices*
Part 15, Subpart D • Unlicensed Personal Communication Systems devices.	ANSI C63.17-2013, *American National Standard Methods of Measurement of the Electromagnetic and Operational Compatibility of Unlicensed Personal Communications Services (UPCS) Devices*
Part 15 Subpart E • Dynamic Frequency Selection (DFS) Devices	*KDB 905462*
Part 18, Industrial, Scientific, and Medical Equipment • Consumer ISM equipment	FCC MP-5 (February 1986), *FCC Methods of Measurements of Radio Noise Emissions From Industrial, Scientific, and Medical Equipment*
Licensed Radio Service Equipment • Commercial Mobile Services o Part 20 o Part 22 (cellular) o Part 24 o Part 25 o Part 27	ANSI/TIA-603-D (2010), *Land Mobile FM or PM Communications Equipment Measurement and Performance Standards* KDB 971168[22]
Licensed Radio Service Equipment • General Mobile Radio Services o Part 22 (non-cellular) o Part 90 o Part 95 o Part 97	ANSI/TIA-603-D (2010), *Land Mobile FM or PM Communications Equipment Measurement and Performance Standards*
Licensed Radio Service Equipment • Part 96 Citizens Broadband Radio Service	ANSI/TIA-603-D (2010), *Land Mobile FM or PM Communications Equipment Measurement and Performance Standards* *KDB 971168*
Licensed Radio Service Equipment • Maritime and Aviation Radio Services o Part 80 o Part 87	ANSI/TIA-603-D (2010), *Land Mobile FM or PM Communications Equipment Measurement and Performance Standards*
Licensed Radio Service Equipment • Microwave Radio Services o Part 27 o Part 74 o Part 101	ANSI/TIA-603-D (2010), *Land Mobile FM or PM Communications Equipment Measurement and Performance Standards*

[21] FCC 14-208 allows the use of ANSI C63.10-2013 on or after July 13, 2015 and § 2.950 applies transition requirements that allow the currently accepted older version of the standard to be used for a limited time.

[22] KDB Publication 971168, https://apps.fcc.gov/oetcf/kdb/forms/FTSSearchResultPage.cfm?switch=P&id=47466.

Licensed Radio Service Equipment • Broadcast Radio Services o Part 73 o Part 74	ANSI/TIA-603-D (2010), *Land Mobile FM or PM Communications Equipment Measurement and Performance Standards*
RF Radiation Exposure • Devices subject to MPE or SAR requirements	IEEE Std 1528™-2013, *IEEE Recommended Practice for Determining the Peak Spatial-Average Specific Absorption Rate (SAR) in the Human Head from Wireless Communications Devices: Measurement Techniques* KDB 865664 KDB 447498[23]
Part 20 Hearing Aid Compatibility (HAC) • Commercial mobile services	ANSI C63.19-2007, *American National Standard for Methods of Measurement of Compatibility Between Wireless Communication Devices and Hearing Aids* ANSI C63.19-2011, *American National Standard for Methods of Measurement of Compatibility Between Wireless Communication Devices and Hearing Aids* Note: Testing laboratories must be assessed and compliant with both versions of C63.19 to be recognized by the FCC for this scope. KDB 285076[24]

7. Technical Assessment Evaluation

The FCC has developed the Accredited Test Laboratory Technical Assessment Evaluation checklist to be used by the accreditation body to aid in the assessment of testing laboratories.[25] For the designation of a newly accredited testing laboratory, a completed checklist shall be provided to the Commission by the accreditation body or the designating authority. For a renewal of the designation of an accredited testing laboratory, a statement indicating continued compliance with a previously submitted checklist is acceptable.

The checklist identifies specific items to be evaluated during the technical assessment of a testing laboratory, to determine the capability and competence of that laboratory to perform tests to show compliance with FCC regulatory requirements under the FCC Regulations contained in 47 CFR. The checklist is intended to serve as a guide, and it provides a minimum list of items to be included in the technical evaluation of the test laboratory as part of the complete ISO/IEC 17025 assessment. The checklist is not intended to replace good engineering judgment of the technical assessor(s) or a thorough evaluation of the facility. As such, other related items not shown on the checklist may be evaluated by the assessor(s). The accreditation body shall attest that all responses on this checklist are complete and accurate. The checklist provided to the FCC for each testing laboratory is publicly available.

[23] https://apps.fcc.gov/oetcf/kdb/forms/FTSSearchResultPage.cfm?switch=P&id=20676

[24] https://apps.fcc.gov/oetcf/kdb/forms/FTSSearchResultPage.cfm?switch=P&id=36388

[25] KDB Publication 853844, https://apps.fcc.gov/oetcf/kdb/forms/FTSSearchResultPage.cfm?switch=P&id=44615.

8. Radiated Emissions Test Facility

Antenna Calibration. Test laboratories performing radiated emission measurements and NSA measurements, as required by the FCC rules, are required to use antennas calibrated in accordance with ANSI C63.5-2006, *American National Standard Electromagnetic Compatibility-Radiated Emission Measurements in Electromagnetic Interference (EMI) Control-Calibration of Antennas (9 kHz to 40 GHz).*[26]

Site Validation Requirements. When using radiated emission test procedures that require the use of a validated test site (e.g., ANSI C63.4-2014 and ANSI C63.10-2013) the test site used shall meet the following site validation requirements:[27]

- Test facilities used to make radiated emission measurements from 30 MHz to 1 GHz are required to meet the site validation requirements in ANSI C63.4-2014.
- For radiated emissions 1 GHz to 40 GHz the test facility used can use either site validation option in 5.5 of ANSI C63.4-2014. On and after the transition date, July 13, 2018, the test facility is required to comply with the site validation requirements in CISPR 16-1-4:2010-04.

Validation of the acceptability criterion shall be confirmed no less than once every three years.

Description of radiated emission test facility. A description of the measurement facilities used by the testing laboratory are required to be maintained in accordance with § 2.948(b).

Compliance Testing Experimental Radio Licenses. A test laboratory located in the United States or territory of the United States that performs testing at an open area test site is required to have a valid compliance testing experimental radio license, per Subpart G of Part 5 of the rules.[28]

[26] *See* KDB Publication 822428. *See* also 4.5 of ANSI C63.4-2014 and 4.3 of ANSI C63.10-2013 for guidance on the types of measurement antennas for use in making radiated emission measurements. *See* also Tables 1, 2, and 3 of ANSI C63.4-2014 for a summary of the types of antennas that may be used when making exploratory measurements, final compliance measurements, and site validation measurements, respectively. Antennas used for radiated emission measurements shall be calibrated in accordance with ANSI C63.5-2006.

[27] *See* KDB Publication 704992.

[28] Compliance Testing Licenses will not become available until the FCC Experimental Licensing Branch establishes a mechanism to apply for and obtain these licenses. When these become available, a public notification will be made and a transition period specified.

9. Testing Reports and Location

For a test laboratory that has multiple facilities or uses external resources, the specific test facility used for testing the device must be at a location assessed as part of the ISO/IEC 17025 accreditation; and the facility must be recognized by the FCC. It is not permitted for a device that is required to be tested at an FCC recognized test laboratory to be tested at a non-recognized test laboratory and have an FCC recognized test laboratory review the test report, without performing all the testing at the recognized test facility indicate that testing was performed at the FCC recognized test laboratory. An FCC recognized test laboratory shall not issue a test report based on data collected at a non-recognized test facility and indicate that the device testing was performed at the FCC recognized test laboratory.

For each test performed, the test report shall specify the location that each test was performed, and the person(s) that performed each test.

10. Transition Period for New Measurement Methods

The FCC rules provide for a transition period when new measurement standards are adopted, to allow time for an accredited testing laboratory to update their ISO/IEC 17025 scope of accreditation. Testing laboratories shall be assessed to the scopes identified in Tables 1 and 2 of Section 6, and have their scopes updated in the FCC database prior to July 13, 2016.[29]

11. List of Accredited Testing Laboratories

To view a listing of accredited laboratories, choose "Accredited" at the Test Firm Type pull-down arrow at https://apps.fcc.gov/oetcf/eas/reports/TestFirmSearch.cfm. The information in this database is maintained by the applicable accreditation body or designating authority. Any corrections to this information will need to be made by them, and change requests should not be submitted directly to the FCC from the accredited testing laboratory.

12. References

(a) ET Docket No. 09-161, *Recognition of Laboratory Accreditation Bodies, and ACLASS Application for Recognition*.

(b) ET Docket No. 95-19, *Amendment of Parts 2 and 15 of the Commission's Rules to Deregulate the Equipment Authorization Requirements for Digital Devices*.

(c) DA 09-2478, *Office of Engineering and Technology Clarifies Use of Recently Published ASC C63® Measurement Standards for Compliance Testing of Intentional and Unintentional Radiators under Part 15*.

(d) ET Docket No. 13-44, *Amendment of Parts 0, 1, 2, and 15 of the Commission's Rules regarding Authorization of Radiofrequency Equipment* (Report and Order FCC 14-208).

[29] *See* Equipment Authorization Report and Order (FCC 14-208). A one-year transition period ending July 13, 2016 is provided for use of ANSI C63.4-2014 and ANSI C63.10-2013. A three-year transition period ending July 13, 2018 is provided for use of CISPR 16-1-4:2010-04 to demonstrate compliance with the site validation requirements from 1 GHz to 40 GHz.

CHANGE NOTICE

06/23/2015: 974614 DO2 Accredited Test Lab Roles and Resp v03 replaces 974614 D01 Accredited Test Lab Roles and Resp v02. Changes to the document include the following:

- Updated address for A2LA
- Updated name and contact for ACLASS
- Updated to incorporate changes required by FCC 14-208
    - Scope of accreditation and test methods
    - 2.949 Recognition of Test Firm Accreditation Bodies
    - Site validation requirements
    - Accredited laboratory required for all DoC and Certified Devices
    - Compliance testing experimental radio license

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