Draft Regulations laid before Parliament under paragraph 8F(1) of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2024 No.

TELECOMMUNICATIONS, NORTHERN IRELAND

The Radio Equipment (Amendment) (Northern Ireland) Regulations 2024

Made - - - -

Coming into force - - 28th December 2024

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8C(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(**a**).

In accordance with paragraph 8F(1) of Schedule 7 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Radio Equipment (Amendment) (Northern Ireland) Regulations 2024.

(2) These Regulations come into force on 28th December 2024.

(3) These Regulations extend to Northern Ireland only.

Amendment of the Radio Equipment Regulations 2017

2.—(1) The Radio Equipment Regulations 2017(**b**) are amended as follows.

(2) In regulation 2(1) (interpretation and application)—

(a) after the definition of "authorised representative" insert—

> ""Cable and Connector Standard" means the standard referred to in points 2.1 and 2.2, (as amended from time to time), of Part I of Annex Ia of the Directive;";

(b) after the definition of "CE marking" insert—

> ""charging device"means the external power supply part of chargers;

(**a**) 2018 c. 16; section 8C was inserted by section 21 of the European Union (Withdrawal Agreement) Act 2020 (c. 1); paragraph 8F of Schedule 7 was inserted by paragraph 51 of Schedule 5 to that Act; and paragraph 21 of Schedule 7 was amended by paragraph 53 of Schedule 5 to that Act. There are other amendments not relevant to this instrument.

(**b**) S.I. 2017/1206, as amended by S.I. 2018/389, S.I. 2020/1112, S.I. 2020/1460 and S.I. 2023/328. There are other amendments not relevant to this instrument.

"common charger radio equipment" means radio equipment in the following categories or classes—

(a) hand-held mobile phones,

(b) tablets,

(c) digital cameras,

(d) headphones,

(e) headsets,

(f) hand-held videogame consoles,

(g) portable speakers,

(h) e-readers,

(i) keyboards,

(j) mice,

(k) portable navigation systems,

(l) earbuds, and

(m) on or after 28th April 2026, laptops;";

(c) for the definition of "the Directive" substitute—

""the Directive" means 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(**a**);";

(d) after the definition of "UK(NI) indication" insert—

""USB Power Delivery Standard" means the standard referred to in point 3.1, (as amended from time to time), of Part I of Annex Ia of the Directive;".

(3) In regulation 6 (essential requirements), after paragraph (4) insert—

"(5) Common charger radio equipment which is capable of being recharged by wired charging must—

(a) be equipped with a USB Type-C receptacle which must—

(i) meet the description in the Cable and Connector Standard; and

(ii) remain accessible and operational at all times;

(b) be capable of being charged with cables which comply with the Cable and Connector Standard; and

(c) insofar as it is capable of being so recharged at voltages higher than 5 Volts, currents higher than 3 Amperes or powers higher than 15 Watts—

(i) incorporate the USB Power Delivery as described in the USB Power Delivery Standard; and

(ii) ensure that any additional charging protocol allows for the full functionality of the USB Power Delivery, irrespective of the charging device used.".

(4) In regulation 13 (instructions and information to be included with the radio equipment), after paragraph (2) insert—

(**a**) OJ L 153, 22.5.2014, p. 62.

"(2A) When placing common charger radio equipment on the market, a manufacturer must—

(a) also include in the instructions, information on the common charger radio equipment's charging capabilities and compatible charging devices in accordance with Schedule 1A; and

(b) display information on the common charger radio equipment's charging capabilities and compatible charging devices on a label, in accordance with paragraphs (2B) and (2C).

(2B) The label must be—

(a) in the format set out in Schedule 1B;

(b) subject to paragraph (2C), printed on the instructions and on the packaging, or affixed to the packaging as a sticker or, where there is no packaging, affixed to the common charger radio equipment itself; and

(c) displayed in a visible and legible manner and, in the case of distance selling, close to the price indication.

(2C) Where the size of the common charger radio equipment does not allow the label to be printed on or affixed to the packaging or affixed to the common charger radio equipment itself, the label must be printed as a separate document accompanying the radio equipment.".

(5) In regulation 24 (instructions and safety information), after paragraph (2) insert—

"(3) When making common charger radio equipment available to consumers or other end-users, an importer must ensure the radio equipment displays or is supplied with a label which is in accordance with regulation 13(2B) and (2C).".

(6) In regulation 31 (requirements which must be satisfied before a distributor makes radio equipment available on the market), after paragraph (1) insert—

"(1A) When making common charger radio equipment available to consumers or other end-users, a distributor must ensure the radio equipment displays or is supplied with a label which is in accordance with regulation 13(2B) and (2C).".

(7) After regulation 39 (prohibition on improper use of CE marking) insert—

"Requirement to offer common charger radio equipment without a charging device

39A.—(1) When making common charger radio equipment available to consumers or other end-users, an economic operator must—

(a) where paragraph (2) applies, also offer the common charger radio equipment without any charging device; and

(b) ensure that where—

(i) a charging device is included with the common charger radio equipment, a pictogram in the form set out in paragraph 1 of Schedule 1C is printed in accordance with paragraphs 3 to 6 of that Schedule; or

(ii) a charging device is not included with the common charger radio equipment, a pictogram in the form set out in paragraph 2 of Schedule 1C is printed in accordance with paragraphs 3 to 6 of that Schedule.

(2) This paragraph applies where an economic operator makes available common charger radio equipment with a charging device.".

(8) In regulation 41 (conformity assessment procedures), in paragraph (4), after "or (b)" insert "or (5)".

(9) In regulation 63 (enforcement action in respect of formal non-compliance), in paragraph (1)—

(a) in sub-paragraph (f)—

(i) after "(2)" insert ", (2A)(a)";

(ii) after "(instructions and information to be included with the radio equipment)" insert "or regulation 14(1) to (2A) (information to be included where there are restrictions on putting into service or requirements for authorisation of use)";

(b) after sub-paragraph (f) insert—

"(fa) the label required by regulations 13(2A)(b), 24(3)(a) or 31(1A)(a) has not been displayed or supplied, or is not otherwise in accordance with regulation 13(2B) or (2C),";

(c) at the end insert—

"(h) the requirement set out in regulation 39A(1)(a) that an economic operator must also offer the common charger radio equipment without any charging device, has not been met,

(i) the pictogram required by regulation 39A(1)(b) is absent, or does not comply with the requirements of regulation 39A(1)(b).".

(10) In regulation 65 (offences), in paragraph (1), after "35(4)" insert "or 39A".

(11) After regulation 77 (transitional provision) insert—

"Transitional provision for common charger radio equipment

77A. Nothing in these Regulations prevents the making available on the market of common charger radio equipment which—

(a) is placed on the market prior to 28th December 2024 or, in relation to laptops, 28th April 2026; and

(b) is in conformity with the requirements of these Regulations in force in relation to such equipment before such date.".

(12) After Schedule 1 insert—

"SCHEDULE 1A

Regulation 13(2A)(a)

Information in relation to charging capabilities and compatible charging devices

1. For all common charger radio equipment, the information set out in paragraph 2 must be included.

2. The information referred to in paragraph 1 consists of a description of the power requirements of the wired charging devices that can be used with that radio equipment, including the minimum power required to charge the radio equipment, and the maximum power required to charge the radio equipment at the maximum charging speed expressed in Watts by displaying the text: "the power delivered by the charger must be between min [xx] Watts required by the radio equipment, and max [yy] Watts in order to achieve the

maximum charging speed". The number of Watts must express, respectively, the minimum power required by the radio equipment, and the maximum power required by the radio equipment to achieve the maximum charging speed.

3. For common charger radio equipment that is capable of being recharged by wired charging at voltages higher than 5 Volts, currents higher than 3 Amperes or powers higher than 15 Watts, the information set out in paragraph 4 must be included.

4. The information referred to in paragraph 3 consists of a description of the specifications relating to charging capabilities of the radio equipment, in so far as it is capable of being recharged by means of wired charging at voltages higher than 5 Volts or currents higher than 3 Amperes or powers higher than 15 Watts, including an indication that the radio equipment supports the USB Power Delivery charging protocol by displaying the text "USB PD fast charging" and an indication of any other supported charging protocol by displaying the name of that charging protocol in text format.

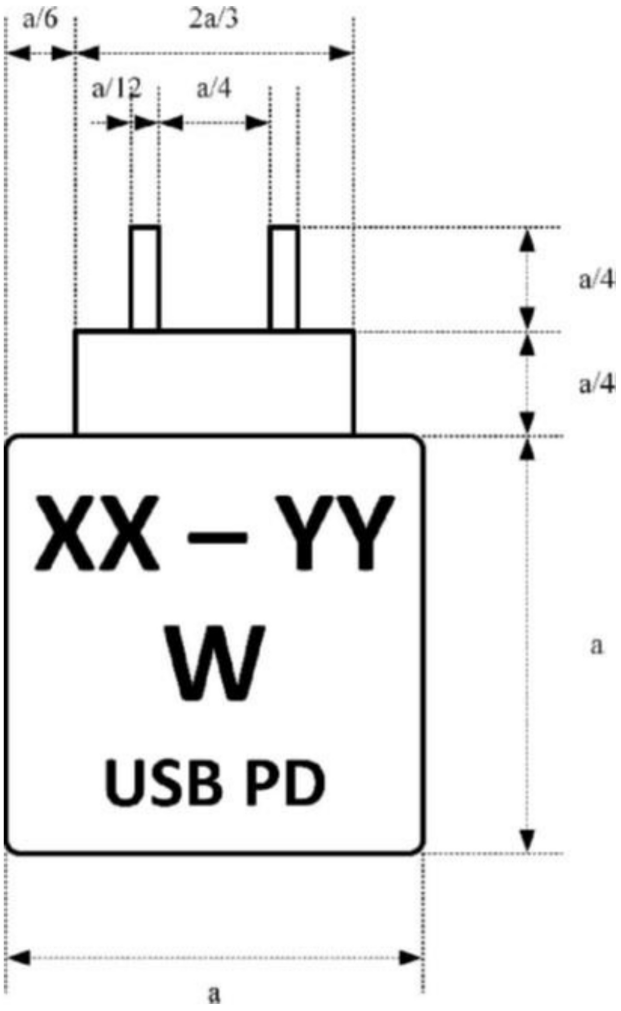
5. The information referred to at paragraphs 1, 2, 3 and 4 may be made available in addition by means of QR codes or similar electronic solutions.

SCHEDULE 1B

Regulation 13(2B)(a)

Label in relation to charging capabilities and compatible charging devices.

1. Subject to paragraphs 2 to 6, an economic operator who either places or makes available common charger radio equipment on the market must use a label in the following format—



2. The letters “XX” must be replaced by the figure corresponding to the minimum power required by the radio equipment to charge, which determines the minimum power that a charging device needs to supply to charge the radio equipment.

3. The letters “YY” must be replaced by the figure corresponding to the maximum power required by the radio equipment to achieve maximum charging speed, which determines the power that a charging device needs to supply at least to achieve that maximum charging speed.

4. The abbreviation “USB PD” (USB Power Delivery) must be displayed if the radio equipment supports that charging protocol.

5. The label may vary in appearance (for example as to its colour, solid or hollow, line thickness) and, subject to paragraph 6, it may be reduced or enlarged, but in the event of any variation in appearance the label must remain visible and legible.

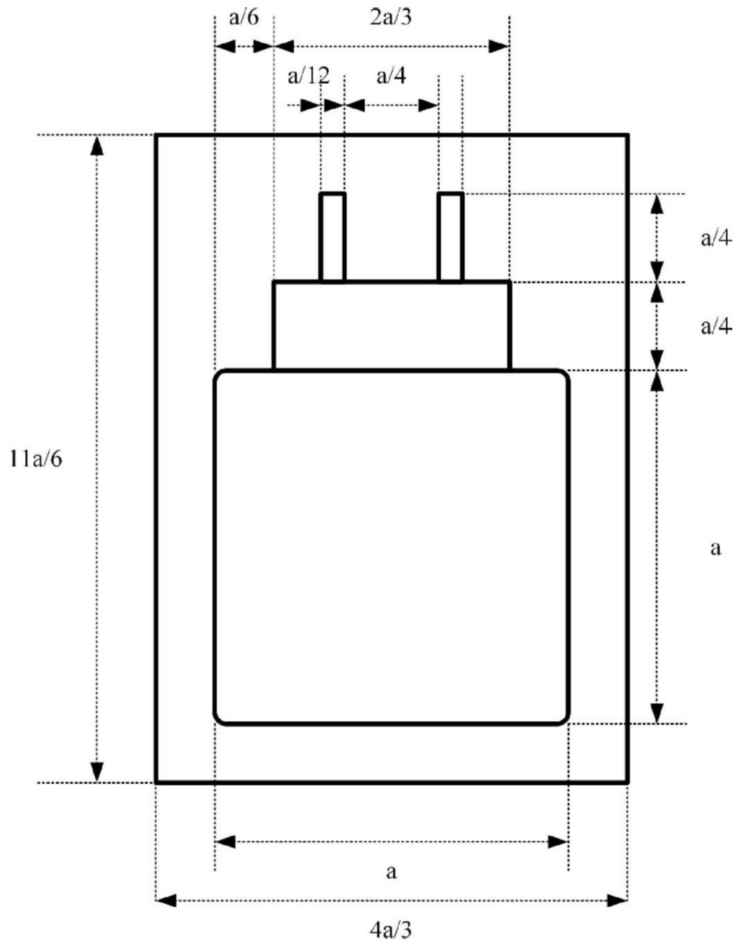
6. If the label is reduced or enlarged, the proportions set out in the drawing at paragraph 1 of this Schedule must be used. The dimension “a” referred to in the pictogram at paragraph 1 must be greater than or equal to 7 mm, irrespective of any variation in appearance permitted by paragraph 5.

SCHEDULE 1C

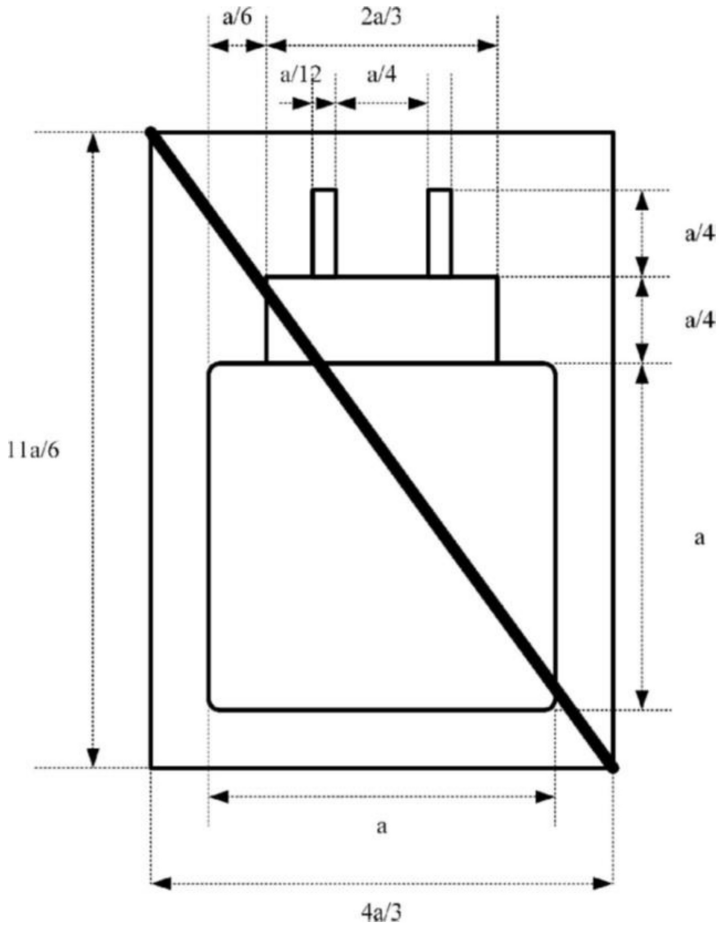
Regulation 39A(1)(b)

Pictograms indicating whether a charging device is or is not included with the common charger radio equipment

1. The pictogram to be used where a charging device is included with the common charger radio equipment is:



2. The pictogram to be used where a charging device is not included with the common charger radio equipment is:



3. The pictogram may vary in appearance (for example as to its colour, solid or hollow, line thickness) and, subject to paragraph 4, it may be reduced or enlarged, but in the event of any variation in appearance the pictogram used must remain visible and legible.

4. If the pictogram is reduced or enlarged, the proportions set out in the relevant drawing at paragraph 1 or 2 must be used and the dimension marked "a" in the relevant drawing must be greater than or equal to 7mm, irrespective of any variation in appearance permitted by paragraph 3.

5. The pictogram must be printed onto the packaging or affixed to the packaging as a sticker.

6. Where the common charger radio equipment is made available by distance selling, the pictogram must be positioned close to the price indication.".

Name
Title
Department for Business and Trade

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Windsor Framework requires that the European Union ("EU") legislation listed in its Annex 2 is implemented in Northern Ireland. One of the Directives listed in Annex 2 is Directive 2014/53/EU of the European Parliament and of the Council 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(96), (OJ L 153, 22.5.2014, pp. 62–106) ("the Radio Equipment Directive").The Radio Equipment Regulations 2017 implemented the Radio Equipment Directive into UK law.

On 23rd November 2022 the European Parliament and the Council of the European Union adopted Directive (EU) 2022/2380 ("the Common Charger Directive") amending the Radio Equipment Directive.

The Common Charger Directive introduces new requirements for certain categories of radio equipment to have a common charging solution based on USB-C, harmonised fast charging technology, the unbundling of the sale of a charger with the sale of the radio equipment and the provision to consumers of visual and written information about the charging characteristics of the radio equipment.

This instrument amends the Radio Equipment Regulations 2017, as they apply in Northern Ireland, in order to implement the Common Charger Directive in Northern Ireland, as required under the terms of the Windsor Framework.

This instrument comes into force on 28th December 2024 and the new requirements will apply to all common charger radio equipment placed on the market on or after this date with the exception of laptops. The new requirements will apply to laptops placed on the market on or after 28th April 2026.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or business sectors is foreseen.

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