



Air Traffic Management Equipment

In accordance with Article 1.4 and Annex 1.6 of the Radio and Telecommunications Terminal Equipment (RTTE) Directive 1999/5/EC, Air Traffic Management (ATM) equipment and systems within the meaning of Article 1 of Council Directive 93/65/EEC of 19 July 1993 are currently not covered by the RTTE Directive but are subject to Type Examination under the EMC Directive 89/336/EEC.

On 20 October 2005, as a result of the repeal of Directive 93/65/EEC by Regulation (EC) No 552/2004 of 10 March 2004 on the interoperability of the European Air Traffic Management network, the RTTE Directive exclusion will cease to apply. Accordingly, from that date, such ATM equipment will no longer be subject to Type Examination under the EMC Directive and will be covered by the RTTE Directive unless the equipment is amongst the "Products, appliances and components" within the meaning of Article 2 of Council Regulation (EEC) No 3922/91 of 16 December 1991 which continue to be excluded under Annex 1.5 of the R&TTE Directive.

In general, this means that ATM ground-based radio equipment will be subject to the RTTE Directive from 20 October 2005. Interoperability aspects will continue to be covered by Regulation 522/2004.

The RTTE Directive regulatory committee (TCAM) is presently working on a guidance document for manufacturers and importers of ATM equipment and appointed RTTE Notified Bodies. As there are presently no equipment standards harmonised under the RTTE Directive it will be necessary for manufacturers to use the services of a RTTE Notified Body in the conformity assessment process.

It is recognised that there is no provision for a transition period between the repeal of the previous exemption and the application of the RTTE Directive. It is therefore not expected that Member States will immediately enforce the provisions of the RTTE Directive in respect of ATM equipment placed on the EU market on or after 20 October 2005 where such equipment has previously been placed on the market under the existing regulatory regime.

Further information on the RTTE Directive and its application may be obtained from the Department for Trade and Industry website at: <http://www.dti.gov.uk/innovation/strd/ecdirect/page12647.html>

or via the European Commission website at: http://ec.europa.eu/enterprise/rtte/index_en.htm.