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# User Guidelines

## 1. Introduction

<b>Title of Regulations</b>	Radio Equipment (Amendment) Regulations, 2024
<b>Activity to be regulated</b>	The making available on the market of radio equipment and the technical specifications for the charging receptacle and charging communication protocol for all the categories or classes of radio equipment capable of being recharged by means of wired charging.
<b>Responsible entity</b>	The Technical Regulations Division (TRD) within the Malta Competition and Consumer Affairs Authority (MCCAA)

## 2. Objectives & Purpose of the Legislation

Directive 2014/53/EU (the Radio Equipment Directive) lays down rules on placing radio equipment on the market, while ensuring a single market by setting essential requirements for health and safety, electromagnetic compatibility, and the efficient use of the radio spectrum.

Information on the **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 may be accessed through the following link:

[https://single-market-economy.ec.europa.eu/sectors/electrical-and-electronic-engineering-industries-eei/radio-equipment-directive-red\\_en](https://single-market-economy.ec.europa.eu/sectors/electrical-and-electronic-engineering-industries-eei/radio-equipment-directive-red_en)

Directive 2014/53/EU and subsequent amendments thereto, have been transposed into local legislation by means of **Subsidiary Legislation 427.41** (S.L. 427.41), entitled the Radio Equipment Regulations, which may be accessed through the following link:

<https://legislation.mt/eli/sl/427.41/eng>

The objective of the proposed regulations is to transpose into Maltese law further amendments carried out to Directive 2014/53/EU. The amendments are included in Directive (EU) 2022/2380, as indicated in regulation 1(2) of the proposed regulations.

The Directive which is being transposed by means of the draft Legal Notice and the link where it may be accessed are:

**Directive (EU) 2022/2380 of the European Parliament and of the Council** of 23<sup>rd</sup> November 2022, amending Directive 2014/53/EU on the harmonisation of the laws of the Member States, relating to the making available on the market of radio equipment.

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022L2380>

The objectives of this Directive are:

The European Commission completed an impact assessment, which has shown that the European market is not exploiting its full potential as continuing fragmentation of the market for charging interfaces and charging communication protocols for mobile phones and other similar radio equipment is resulting in a lack of consumer convenience and an increase in electronic waste.

The absence of harmonisation of the charging interfaces and charging communication protocols may lead to substantial differences between laws, regulations, administrative provisions, or practices regarding the interoperability of mobile phones and similar categories or classes of radio equipment with their charging devices, and regarding the supply of radio equipment without charging devices.

Thus Directive (EU) 2022/2380, amending the Radio Equipment Directive, introduces the requirements of the ‘common charging’ solution. The main requirements are:

- *A harmonised charging port for electronic devices:*  
USB-C will be the common port. This will allow consumers to charge their devices with any USB-C charger, regardless of the device brand.
- *Unbundling the sale of a charger from the sale of the electronic device:*  
Consumers will be able to purchase a new electronic device without a new charger. This will limit the number of chargers on the market or left unused, while reducing production, disposal of new chargers and electronic waste.
- *Improved visual and written information for consumers:*  
Relevant visual and written information about charging characteristics, including information on the power that the device requires and whether it supports fast charging will be provided. This will help consumers understand if their existing chargers meet their new device’s requirements and/or help them select a compatible charger.

These measures will improve consumers’ convenience by limiting the number of new chargers purchased while saving them money, reduce the environmental footprint associated with the production and disposal of chargers, and maintaining innovation.

Provisions from Directive (EU) 2022/2380 shall apply as from 28<sup>th</sup> December 2024, for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41 (handheld mobile phones, tablets, digital cameras, headphones, headsets, handheld videogame consoles, portable speakers, e-readers, keyboards, mice, portable navigation systems and earbuds), and from 28<sup>th</sup> April 2026 for the categories or classes of radio equipment referred to in Part I, point 1.13, of Schedule VIII of S.L. 427.41 (laptops).

### 3. Commentary on parts and articles

<b>Regulation No. of draft L.N.</b>	<b>Meaning &amp; obligations placed on user</b>
1	The title, the scope, and the dates of entry into force of the proposed regulations of the draft Legal Notice.

2	<p>Directive (EU) 2022/2380 provides for an amendment to the essential requirements.</p> <p>Paragraph (a) of sub-regulation (3) of regulation 4 is being substituted and a new sub-regulation (5) is being added, for the purpose of including the requirements for the categories and classes of radio equipment listed in Schedule VIII of S.L. 427.41.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>
3	<p>Directive (EU) 2022/2380 provides for a new regulation ‘Possibility for consumers and other end-users to acquire certain categories or classes of radio equipment without a charging device’.</p> <p>Regulation 4A is being added to S.L. 427.41.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>
4	<p>Directive (EU) 2022/2380 provides an amendment to the obligations of manufacturers.</p> <p>Sub-regulation (8) of regulation 10 in S.L. 427.41 is being amended to include the new obligations for the manufacturers with regard to the added instructions and labels.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>
5(a)	<p>Directive (EU) 2022/2380 provides an amendment to the obligations of importers.</p> <p>Sub-regulation (4) of regulation 12 in S.L. 427.41 is being amended to include the new obligations for the importers with regard to the added labels.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>

5(b)	<p>Sub-regulation (8) of regulation 12 in S.L. 427.41 is renumbered as sub-regulation (7).</p> <p>This provision shall be deemed to apply as from 28th December, 2023.</p>
6	<p>Directive (EU) 2022/2380 provides an amendment to the obligations of distributors.</p> <p>Sub-regulation (2) of regulation 13 in S.L. 427.41 is being amended to include the new obligations for the distributors with regard to the added labels.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>
7	<p>Directive (EU) 2022/2380 provides an amendment to the conformity assessment procedures.</p> <p>Sub-regulation (2) of regulation 17 in S.L. 427.41 is being amended to include the reference to the new regulation on the requirements for the categories and classes of radio equipment listed in Schedule VIII.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>
8	<p>A reference in sub-regulation (4) of regulation 20 in S.L. 427.41 is being amended.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>
9	<p>References in sub-regulations (2) and (6) of regulation 26 in S.L. 427.41 are being amended.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>
10	<p>A reference in regulation 27 in S.L. 427.41 is being amended.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>
11	<p>A reference in sub-regulation (1) of regulation 28 in S.L. 427.41 is being amended.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>

12	<p>Regulation 28A, ‘Application for notification’, is being added to S.L. 427.41.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>
13	<p>References in sub-regulations (1) and (4) of regulation 29 in S.L. 427.41 are being amended.</p> <p>This provision shall be deemed to apply as from the 28th December 2023..</p>
14	<p>A reference in sub-regulation (4) of regulation 31 in S.L. 427.41 is being amended.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>
15(a)	<p>Directive (EU) 2022/2380 provides an amendment to update the title to ‘Procedure at national level for dealing with radio equipment presenting a risk or not in compliance with essential requirements’.</p> <p>The title for regulation 36 in S.L. 427.41 is being substituted.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>
15(b)	<p>Directive (EU) 2022/2380 provides for an amendment to the procedure at national level for dealing with radio equipment presenting a risk or not in compliance with essential requirements.</p> <p>Paragraph (a) of sub-regulation (1) of regulation 36 in S.L. 427.41 is being substituted, for the purpose of considering the new essential requirements by the market surveillance authorities.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>
15(c)	<p>A reference in sub-regulation (4) of regulation 36 in S.L. 427.41 is being amended.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>
16	<p>A reference in sub-regulation (1) of regulation 37 in S.L. 427.41 is being amended.</p>

	This provision shall be deemed to apply as from the 28th December 2023.
<b>17(a)</b>	<p>Directive (EU) 2022/2380 provides for an amendment to the formal non-compliance article.</p> <p>Paragraphs (fa), (fb) and (fc) are being added to sub-regulation (1) of regulation 38 in S.L. 427.41, for the purpose of considering the new essential requirements and new obligations of the economic operators, by the market surveillance authorities.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>
<b>17(b)</b>	<p>References in paragraph (g) of regulation 38 in S.L. 427.41 are being amended.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>
<b>17(c)</b>	<p>Directive (EU) 2022/2380 provides for an amendment to the formal non-compliance article.</p> <p>Paragraph (h) to sub-regulation (1) of regulation 38 in S.L. 427.41 is being substituted, for the purpose of considering the new essential requirements and new obligations of the economic operators, by the market surveillance authorities.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>
<b>17(d)</b>	<p>Directive (EU) 2022/2380 provides for an amendment to the formal non-compliance article.</p> <p>Paragraph (j) to sub-regulation (1) of regulation 38 in S.L. 427.41 is being substituted, for the purpose of considering the new essential requirements and new obligations of the economic operators, by the market surveillance authorities.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>

18	<p>Regulation (EU) 2018/1139 provides an amendment to the list of equipment not covered by the Directive in relation to aviation equipment.</p> <p>Item 3 in Schedule I of S.L. 427.41 is being substituted to exclude certain aviation equipment that is intended exclusively for airborne use.</p> <p>This provision shall be deemed to apply as from the 28th December 2023..</p>
19	<p>References in items 6(c), 6(d) and 8 of Schedule IV in S.L. 427.41 are being amended.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>
20	<p>A reference in item (f) of Schedule V in S.L. 427.41 is being amended.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>
21	<p>The title is being substituted and a footnote is being added in Schedule VI in S.L. 427.41 with regards to the option for assigning a DoC number.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>
22	<p>Schedule VII is being added in S.L. 427.41, as regards to the Simplified EU Declaration of Conformity.</p> <p>This provision shall be deemed to apply as from the 28th December 2023.</p>
23	<p>Directive (EU) 2022/2380 provides for a new Annex ‘Specifications and Information relating to Charging applicable to Certain Categories or Classes of Radio Equipment’.</p> <p>Schedule VIII is being added to S.L. 427.41, to provide the specifications relating to charging capabilities, the information on specifications relating to charging capabilities and the compatible charging devices, the pictogram indicating whether or not a charging device is included with the radio equipment, and the content and format of the label.</p> <p>This provision shall apply for radio equipment falling within the categories or classes specified in Part I, points 1.1 to 1.12, of Schedule VIII of S.L. 427.41, from 28<sup>th</sup> December 2024, while for point 1.13, this provision shall apply from 28<sup>th</sup> April 2026.</p>

**Disclaimer:** *The information contained within this document is intended only as guidelines and is not intended, nor should be construed, as legislation. Please refer to the related legal notice for a more comprehensive understanding.*

*For any other information kindly contact the Regulatory Affairs Directorate within the Technical Regulations Division of the Malta Competition and Consumer Affairs Authority using the following contact details:*

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