

**A manufacturer's experiences:**

**Transition to SDoC in the IT/Telecom sector in  
the European Communities**

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## Outline of presentation

- Simplification process in EU
- Adaptation to SDoC without mandatory 3<sup>rd</sup> party intervention
- Some observations
- Addressing a global market

## Simplification process in EU

Two factors contributing to simplification of product regulation

- Realisation of the “internal market”
- Going to SDoC in EU’s product regulation (reducing technical requirements, simplifying administrative requirements)

## Simplification process in EU

### 1. Effects of the "internal market" (1980s)

- National requirements replaced by "EU requirements"
  - One set of requirements instead of fifteen (now 25)
    - European standards, normally aligned with international
    - Shortened time required for design (no adaptation needed to national specific deviations, which often were not technically justified)
  - One approval instead of fifteen
    - Shortened time required for the approvals process (the same experts are usually involved, thus "parallel" approval in 15 countries was in practice not possible)
  - Approval could take place at "home location" for the whole EU

## Simplification process in EU

### 2. Reduction of technical requirements

- The Low Voltage directive (LVD, 1973) paving the way by listing "safety objectives"
- Development of the "New Approach" regulatory technique (1985) with separation of policy objectives and technical standards
  - Minimising the technical requirements to safeguarding essential public interest objectives (e.g. safety, use of scarce resources)
  - Possibility to comply in the absence of standards (ensures market access for products not yet covered by standards)

## Simplification process in EU

### 3. Reduction of administrative requirements

- The Low Voltage directive (LVD) paving the way by not requiring mandatory 3rd party involvement
- Large harmonisation of administrative procedures via amendments to existing directives (via a "Marking directive" in 1993)



SDoC "complete" for EMC, safety

## Simplification process in EU

### 4. Alignment of procedures for radio equipment and telecom terminal equipment

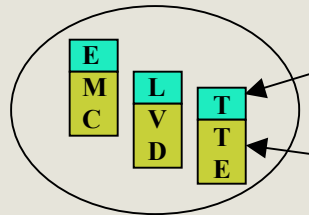
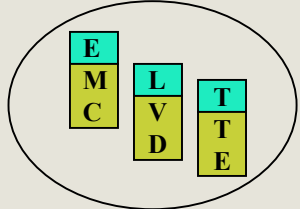
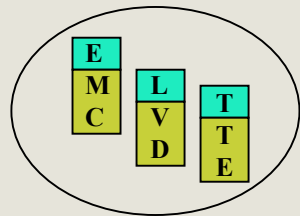
- The radio equipment and telecom terminal equipment directive (R&TTE, 1999) largely aligned administrative obligations with safety/EMC directives
  - Some light-weight 3<sup>rd</sup> party involvement remains for "non-harmonised" radio equipment
  - Currently no specific requirements for telecom terminal attachment



SDoC complete for most IT/Telecom products

## Summary: Development of product regulation for IT/Telecom within the EU

Different national laws

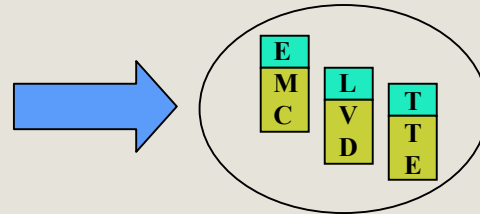


”Essential reqs” – policy goals

Administrative requirements

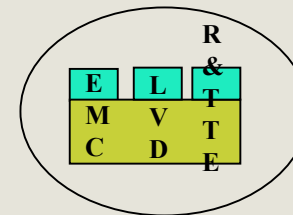
Pre-1980s

European Union  
Different directives  
with different  
administrative reqs

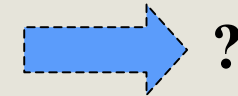


1980s

EU with  
basically same  
administrative  
requirements



2000





## Adaptation to SDoC without mandatory 3<sup>rd</sup> party intervention (1)

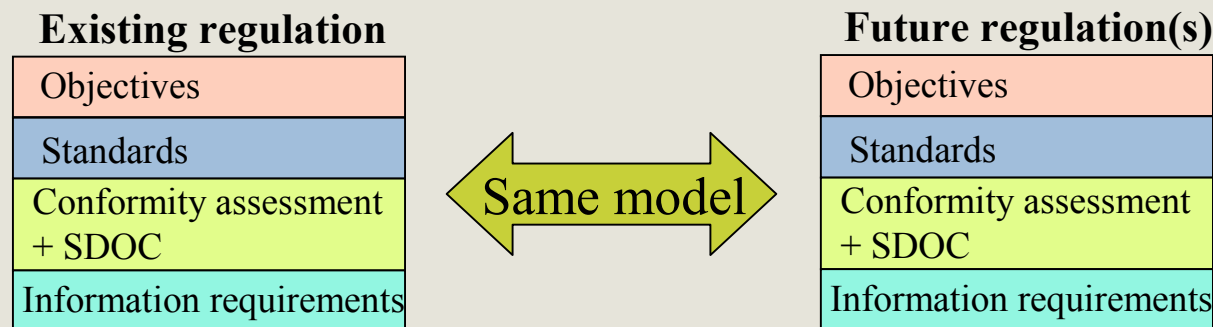
- Clear responsibility placed on the manufacturer for compliance by signing the SDoC
  - Closer involvement of management in approvals
- Reduced costs for approval
- Reduced time to market
- Reduced price of products

## Adaptation to SDoC without mandatory 3<sup>rd</sup> party intervention (2)

- Possibility to integrate approvals in the design process
  - Wider knowledge about regulatory compliance within the company
  - With similar administrative requirements, the internal working methods can be optimised to ensure compliance
- Use of external test laboratories on commercial basis
  - Partial or full testing where internal resources are too costly (e.g. instrumentation)
  - Can assist also in the design process with their expertise

## Some observations

1. Market surveillance (needed also where 3<sup>rd</sup> party is involved) by the authorities is crucial to maintain trust in the system and ensure a level playing field
  - Should be performed effectively and "intelligently"
  - Should concentrate on technical compliance
2. Any new product regulation should follow the simplest regulatory model already in place for a given sector, or in any case not add administrative obligations



### Following the same model: New Approach aspects in EU Directives in the IT/Telecom sector

Note: The coloured areas indicate: **Red** – deviations from New Approach, **Yellow** – excessive compared to generally agreed level for the IT/Telecom sector, **Blue** – missing compared to generally agreed level for the IT/Telecom sector.

Aspect of New Approach	EMC (New: 2004/108/EC)	LVD (73/23/EEC)	R&TTE (1999/5/EC)	Draft Eco-design (EuP) (Common Position 9/2005)
Essential requirements given in non-technical terms	Yes	Yes	Yes	No, technical values given in implementing measures (IM)
Role of standardisation	Technical values and measurement methods	Technical values and measurement methods	Technical values and measurement methods	Only measurement methods
Free circulation	Yes	Yes	Yes. Commission Decisions – similar to IM – may apply as a prerequisite.	Only for product meeting applicable IM
Conformity assessment	No 3rd party, but manufacturer may use light-weight 3rd party	Manufacturer may use a 3rd party Notified Body if challenged	No 3rd party, except a light-weight 3rd party for radio if standards are not used	No 3rd party in general but 3rd party may be required in special cases
Supplier's declaration	Yes	Yes	Yes + a declaration with the product	Yes
Technical documentation	Requires compliance only with requirements of the directive.	Requires compliance only with requirements of the directive.	Requires compliance only with requirements of the directive.	Requires compliance with aspects beyond requirements of EuP and IM
CE-marking + product-id, manufacturer's name (for traceability)	CE-marking + product-id, manufacturer's name	CE-marking + manufacturer's name, no product-id	CE-marking + product-id, manufacturer's name	CE-marking, but no product-id, no manufacturer's name
Information provision	Correct installation and use, warning if not intended for residential use	Information enabling safe use.	Intended use	Related to manufacturing
			Notification: Intention to place non-harmonised radio on national market	To users on performance To users on installation and return after use
Market surveillance	Safeguard procedures	Safeguard procedures	Safeguard procedures	Safeguard procedures + general procedures leading towards excessive checking Information for "Enhanced market surveillance"

## Addressing a global market (1)

- Technical requirements still differ between countries
  - EMC, safety – the situation is improving towards the use of international standards
  - Attachment to telecom networks, spectrum requirements – still large disparities between countries
- Administrative requirements form de facto trade barriers, particularly for SMEs
  - Conformity assessment procedures often overly burdensome
  - Requirements for provision of technical information widely varying

## Addressing a global market (2)

- A shift to SDoC without mandatory 3<sup>rd</sup> party intervention in all countries would remove most trade barriers (formal as well as de-facto)!
  - Clear responsibilities on the manufacturer for all aspects of conformity assessment
  - Use of international standards
  - Signing a declaration of conformity
  - Market surveillance by the authorities to ensure adherence to regulation and a level playing field

**Thank you for your attention !**