Commission Implementing Decision (EU) 2020/553 of 21 April 2020 amending Implementing Decision (EU) 2020/167 as regards harmonised standards for certain international mobile telecommunications cellular networks equipment

COMMISSION IMPLEMENTING DECISION (EU) 2020/553

of 21 April 2020

amending Implementing Decision (EU) 2020/167 as regards harmonised standards for certain international mobile telecommunications cellular networks equipment

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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[(1)], and in particular Article 10(6) thereof,

Whereas:

(1) In accordance with Article 16 of Directive 2014/53/EU of the European Parliament and of the Council,[(2)] 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*, is to be presumed to be in conformity with the essential requirements set out in Article 3 of that Directive, covered by those standards or parts thereof.

(2) By Commission Implementing Decision C(2015) 5376[(3)], the Commission made a request to the European Committee for Electrotechnical Standardisation and the European Telecommunications Standards Institute (ETSI) for the drafting and revision of harmonised standards for radio equipment in support of Directive 2014/53/EU.

(3) On the basis of the request set out in Implementing Decision C(2015) 5376, ETSI revised harmonised standards EN 301 908-1 V11.1.1, EN 301 908-3 V11.1.3, EN 301 908-14 V11.1.2 and EN 301 908-18 V11.1.2. This resulted in adoption of, respectively, harmonised standards EN 301 908-1 V13.1.1, EN 301 908-3 V13.1.1, EN 301 908-14 V13.1.1 and EN 301 908-18 V13.1.1, on access to radio spectrum for International Mobile Telecommunications ('IMT') cellular networks equipment.

(4) The Commission, together with ETSI, has assessed whether those harmonised standards comply with the request set out in Implementing Decision C(2015) 5376.

(5) Harmonised standards EN 301 908-1 V13.1.1, EN 301 908-3 V13.1.1, EN 301 908-14 V13.1.1 and EN 301 908-18 V13.1.1 satisfy the essential requirements which they aim to cover and which are set out in Directive 2014/53/EU. It is therefore appropriate to publish the references of those standards in the *Official Journal of the European Union.*

(6) References of harmonised standards drafted in support of Directive 2014/53/EU are published in Commission Implementing Decision (EU) 2020/167[(4)]. In order to ensure that the references of harmonised standards drafted in support of Directive 2014/53/EU are listed in one act, the references of standards EN 301 908-1 V13.1.1, EN 301 908-3 V13.1.1, EN 301 908-14 V13.1.1 and EN 301 908-18 V13.1.1 should be included in that Implementing Decision.

(7) The harmonised standards EN 301 908-1 V13.1.1, EN 301 908-3 V13.1.1, EN 301 908-14 V13.1.1 and EN 301 908-18 V13.1.1 replace respectively harmonised standards EN 301 908-1 V11.1.1, EN 301 908-3 V11.1.3, EN 301 908-14 V11.1.2 and EN 301 908-18 V11.1.2, the references of which are published in the C series of the *Official Journal of the European Union*[(5)].

(8) It is therefore necessary to withdraw the references of harmonised standards EN 301 908-1 V11.1.1, EN 301 908-3 V11.1.3, EN 301 908-14 V11.1.2 and EN 301 908-18 V11.1.2, from the C series of the *Official Journal of the European Union*. Annex III to Implementing Decision (EU) 2020/167 lists the references of harmonised standards drafted in support of Directive 2014/53/EU that are withdrawn from the C series of the *Official Journal of the European Union.* It is therefore appropriate to include those references in that Annex. In order to give manufacturers sufficient time to prepare for applying harmonised standards EN 301 908-1 V13.1.1, EN 301 908-3 V13.1.1, EN 301 908-14 V13.1.1 and EN 301 908-18 V13.1.1, it is necessary to defer the withdrawal of the references of harmonised standards EN 301 908-1 V11.1.1, EN 301 908-3 V11.1.3, EN 301 908-14 V11.1.2 and EN 301 908-18 V11.1.2.

(9) Implementing Decision (EU) 2020/167 should therefore be amended accordingly.

(10) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the day of its publication,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Implementing Decision (EU) 2020/167 is amended in accordance with Annex I to this Decision.

Article 2

Annex III to Implementing Decision (EU) 2020/167 is amended in accordance with Annex II to this Decision.

Article 3

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/553. (See end of Document for details)*

Done at Brussels, 21 April 2020.

For the Commission

The President

Ursula VON DER LEYEN