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Press Release

New Radio Equipment Act (FuAG) in force

Extended transitional regulation governing equipment for the German market

Bad Birnbach, 5 September 2017 – On April 27, the German Bundestag approved the [FuAG](#), the act governing the distribution of radio equipment on the market, and it has been in force since July 4. This national implementation of Directive 2014/53/EU (RED – Radio Equipment Directive) replaces the FTEG or “Gesetz über Funkanlagen und Telekommunikationsendeinrichtungen” (Radio Equipment and Telecommunications Terminal Equipment Act) with immediate effect. The scope now only covers radio equipment and pure radio receiving equipment, although it also includes familiar exemption clauses from the FTEG for amateur radio equipment (kits, DIY or converted equipment). The FuAG includes important new regulations that concern “economic agents” (manufacturers, importers/distributors, retailers): They must identify their radio equipment with a type, batch or serial number and their trade brand as well as postal address (under certain circumstances, also on packaging or in accompanying documentation). Also added is the obligation for every economic agent to document where a device comes from or to whom it was supplied (excluding end users). The aim here is to make it possible to track the sales route.

The FBDi also points out the comprehensive identification and documentation obligations contained in the FuAG. For instance, each item of radio equipment must be accompanied by a user manual and safety information, which are ‘required for the proper use of the radio equipment’. In the case of radio equipment for non-commercial users, these documents must be provided in German language. In addition, every radio transmitter must be accompanied by details of the frequency range, max. radiated transmitting power as well as information regarding the EU countries in which and the conditions under which the equipment may be operated.

Retailers may only place suitably identified equipment along with all necessary documents on the market.

Since not all harmonised standards for the RED – which is mandatory since June 12, 2017 – have been published in the Official Journal of the EU, manufacturers are still permitted to refer to the list of standards published under the preceding directive (1995/5/EC) as part of the conformity procedure. This move by German legislators aims to avoid an existential threat to manufacturers and an unacceptable impediment to the legally compliant distribution of radio equipment. Section 38 of the FuAG states: “Radio equipment that complies with the previous harmonised standards may also be placed on the market after the 12.6.2017 until such time as the harmonised standards are published.” This quasi extension to the transitional regulation only applies to dealers placing their radio equipment on the market in Germany. The FBDi recommends that, from this point on, you declare conformity with the RED based on the R&TTE standards.

The FBDi also informs that violations of the above-mentioned statutory instrument will, as before, be sanctioned with fines.

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About FBDi e. V. (www.fbdi.de):

The FBDi e.V. – Fachverband der Bauelemente Distribution e.V. (Professional Association of Component Distribution), founded in 2003, is well-established in the German association community and represents a large portion of distributors of electronic components with operations in Germany. In addition to the preparation and advancement of numerical data and statistics concerning the German distribution market for electronic components, work group engagement and reporting on important industry themes (amongst others, education, liability and rights, traceability, and environmental themes) form essential pillars of the association’s work. The FBDi is a member of the International Distribution of Electronics Association (IDEA).

Member companies (as of January 2017):

Acal BFi Germany, Arrow Central Europe, Avnet EMG EMEA (Avnet Abacus, Avnet Silica, EBV, MSC Technologies), Beck Elektronische Bauelemente, Blume Elektronik Distribution, Bürklin Elektronik, CODICO, Conrad Electronic SE, ECOMAL Europe, Endrich Bauelemente, EVE, Farnell, Future Electronics Deutschland, Haug Components Holding, Glyn, Hy-Line Holding, JIT electronic, Kruse Electronic Components, MB Electronic, Memphis Electronic, MEV Elektronik Service, Mouser Electronics, pk components, RS Components, Rutronik Elektronische Bauelemente, Schukat electronic, Distrelec Schuricht, SHC, TTI Europe.
Supporting members: Amphenol FCI, elotronics, mewa electronic, TDK Europe.

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