

Pursuant to Article 5, paragraph 1 of the Law on Technical Requirements for Products and Conformity Assessment ("Official Gazette of the Republic of Serbia", No. 49/21), Article 47, paragraph 1 of the Law on Electronic Communications ("Official Gazette of the Republic of Serbia", No. 35/23) and Article 17, paragraph 4 and Article 24, paragraph 2 of the Law on Government ("Official Gazette of the Republic of Serbia", Nos. 55/05, 71/05 - correction, 101/07, 65/08, 16/11, 68/12 - CC, 72/12, 7/14 - CC, 44/14 and 30/18 - other law),

The Minister of Information and Telecommunications hereby adopts this

Rulebook on radio equipment

The Rulebook was published in the "Official Gazette of the Republic of Serbia", No. 24/2024 of 22.3.2024, entered into force on 30.3.2024, and shall apply from 1.6.2024, with the exception of the provisions of Article 4, paragraphs 5–9. which shall apply from 1.8.2025, the provisions of Article 4, paragraph 4, Article 5, Article 12, paragraph 1, item 9), Article 14, paragraph 1, item 3), Article 15, paragraph 1, item 2) and Article 28, paragraph 1, items 7)–9), 11) and 13) which shall apply from 28.12.2024. for categories or classes of radio equipment from Annex 11, part I, items 1.1–1.12. and from 28.4.2026. for categories or classes of radio equipment from Annex 11, Part I, item 1.13. of this Rulebook and the provisions of Articles 7 and 10, Article 12, paragraph 1, item 2) and Article 14, paragraph 1, item 1) of this Rulebook, in the part relating to the possibility of using radio equipment in at least one Member State of the European Union, shall apply from the date of accession of the Republic of Serbia to the European Union.

I. INTRODUCTORY PROVISIONS

Subject of application

Article 1.

This Rulebook stipulates in more detail the requirements relating to radio equipment, in particular the categories or classes of radio equipment, the conformity of combinations of radio equipment and software, the registration of radio equipment, the conformity assessment of radio equipment, as well as other requirements and conditions relating to the making available on the market and putting into service of radio equipment in accordance with the law regulating technical requirements for products and conformity assessment.

Scope of application

Article 2.

This Rulebook shall apply to radio equipment.
The provisions of this Rulebook shall not apply to:

1) radio equipment used by radio amateurs within the meaning of Article 1 definition 56 of the International Telecommunication Union (ITU) Radio Regulations, unless the equipment has been placed on the market;

2) marine equipment subject to the regulations governing marine equipment and the rules for the statutory certification of seagoing ships;

3) the following aviation equipment, subject to the regulations governing the basic rules in the field of civil aviation and the competence of the European Union Aviation Safety Agency and intended exclusively for use in the air:

(1) aircraft, other than unmanned aircraft, as well as their engines, propellers, parts and non-installed equipment;

(2) unmanned aircraft, as well as associated engines, propellers, parts and non-installed equipment, the design of which is certified in accordance with Article 56, paragraph 1 of Annex 1 to Regulation (EU) No 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No. 2111/2005, (EC) No. 1008/2008, (EU) No. 996/2010, (EU) No. 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulation (EC) No. 552/2004 and (EC) No. 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No. 3922/91 and which are intended for use only on radio frequencies allocated by the Radio Regulations of the International Telecommunications Union (ITU) for protected aeronautical use ;

4) custom-built evaluation kits, intended for use by professional personnel and used exclusively in research and development facilities and for those purposes;

5) radio equipment used exclusively for activities related to public security, defense, national security, including the economic well-being of the state in the case of activities related to national security matters and to the activities of the state in the field of criminal law.

For the purposes of paragraph 2, item 1) of this Article, the following shall not be considered radio equipment made available on the market:

1) radio kits for assembly and use by radio amateurs;

2) radio equipment modified by and for the use of radio amateurs; and

3) equipment constructed by individual radio amateurs for experimental and scientific purposes related to amateur radio.

Meaning of certain terms

Article 3.

Certain terms used in this Rulebook have the following meaning:

1) *distributor* means any legal entity or entrepreneur registered in the Republic of Serbia, which is included in the supply chain of radio equipment, other than the manufacturer or the importer;

2) *electromagnetic disturbance* means any electromagnetic phenomenon that may impair the operation of equipment, such as electromagnetic noise, unwanted signal or change in the medium of electromagnetic wave propagation;

3) *representative* means any legal entity or entrepreneur registered in the Republic of Serbia, which has a written mandate from a manufacturer to act on his behalf in relation to specified tasks;

4) *making available on the market of radio equipment* means any making available of radio equipment for distribution, consumption or use on the market of the Republic of Serbia, in the course of a commercial activity, whether in return for payment or free of charge;

5) *supplier* means the manufacturer, the authorized representative, the importer and the distributor;

6) *radio equipment class* means a class identifying particular categories of radio equipment which, under this Rulebook, are considered similar and those radio interfaces for which the radio equipment is designed;

7) *module* means a type of conformity assessment procedure prescribed in the harmonized legislation of the European Union, i.e. in technical regulations;

8) *notified body* means a designated conformity assessment body that has been notified to the European Commission and the Member States of the European Union as an independent third party to carry out conformity assessment tasks for a specific area and entered in the appropriate register of such bodies maintained by the European Commission ("NANDO database");

9) *recall* means any measure aimed at achieving the return of radio equipment that has already been made available to the end-user;

10) *conformity assessment* means the process demonstrating whether the essential requirements of this Rulebook relating to radio equipment have been fulfilled;

11) *withdrawal* means any measure aimed at preventing radio equipment in the supply chain from being made available on the market;

12) *consumer* means any natural person who acquires radio equipment on the market for purposes which are not intended for his business or other commercial activity;

13) *manufacturer* means any legal person or entrepreneur who manufactures radio equipment or has radio equipment designed or manufactured, and markets that equipment under his name or trade mark;

14) *putting into service* means the first use of radio equipment in the Republic of Serbia by its end-user;

15) *radio determination* means the determination of the position, velocity and/or other characteristics of an object, or the obtaining of information relating to those parameters, by means of the propagation properties of radio waves;

16) *radio interface* means the specification of the regulated use of radio spectrum;

17) *radio communication* means communication by means of radio waves;

18) *radio equipment* means an electrical or electronic product, which intentionally emits and/or receives radio waves for the purpose of radio communication and/or radiodetermination, or an electrical or electronic product which must be completed with an accessory, such as antenna, so as to intentionally emit and/or receive radio waves for the purpose of radio communication and/or radiodetermination;

19) *radio waves* means electromagnetic waves of frequencies lower than 3 000 GHz, propagated in space without artificial guide;

20) *CE mark* means a mark by which the manufacturer confirms that the product is in conformity with the applicable requirements of harmonized EU legislation related to it which stipulate such marking;

21) *Serbian conformity mark* means a mark by which it confirms that the radio equipment being placed on the market or put into service in the Republic of Serbia complies with the requirements of this rulebook;

22) *placing on the market* means the first making available of radio equipment on the market of the Republic of Serbia;

23) *conformity assessment body* means any legal entity that performs conformity assessment activities for radio equipment;

24) *technical specification* means a document that prescribes technical requirements to be fulfilled by radio equipment;

25) *importer* means any legal entity or entrepreneur established in the Republic of Serbia who places radio equipment from other countries on the market;

26) *harmonized standard* means a European standard adopted on the basis of a request from the European Commission for implementation in the harmonized legislation of the European Union;

27) *EU harmonization legislation* means any EU legislation harmonising the conditions for the marketing of products;

28) *harmful interference* means interference that endangers the operation of the radio navigation service or of other safety services, or otherwise seriously degrades, disrupts or repeatedly interrupts a radiocommunications service operating in accordance with applicable international and national regulations.

II. ESSENTIAL AND OTHER REQUIREMENTS FOR RADIO EQUIPMENT

Essential requirements

Article 4.

Radio equipment shall be constructed so as to ensure:

1) the protection of health and safety of persons and of domestic animals and the protection of property, including the objectives with respect to safety requirements set out in a special regulation governing the area of electrical equipment intended for use within certain voltage limits, but without applying the voltage limits from that regulation;

2) an adequate level of electromagnetic compatibility as set out in a special regulation governing the field of electromagnetic compatibility.

Radio equipment shall be so constructed that it both effectively uses and supports the efficient use of radio spectrum in order to avoid harmful interference.

Radio equipment within certain categories or classes shall be so constructed that it complies with the following essential requirements:

1) radio equipment interworks with accessories which are not charging devices for the categories or classes of radio equipment referred to in paragraph 4 of this Article and Part I of Annex 11, which is printed with this Rulebook and forms an integral part thereof;

- 2) radio equipment interworks via networks with other radio equipment;
- 3) radio equipment can be connected to interfaces of the appropriate type;
- 4) radio equipment does not harm the network or its functioning nor misuse network resources, thereby causing an unacceptable degradation of service;
- 5) radio equipment incorporates safeguards to ensure that the personal data and privacy of the user and of the subscriber are protected;
- 6) radio equipment supports certain features ensuring protection from fraud;
- 7) radio equipment supports certain features ensuring access to emergency services;
- 8) radio equipment supports certain features in order to facilitate its use by users with a disability;
- 9) radio equipment supports certain features in order to ensure that software can only be loaded into the radio equipment where the compliance of the combination of the radio equipment and software has been demonstrated.

Radio equipment included in the categories or classes listed in Part I of Annex 11 to this Rulebook shall be constructed in such a way as to comply with the specifications relating to the charging capabilities set out in that Annex for the relevant category or class of radio equipment.

The essential requirement referred to in paragraph 3, item 4) of this Article shall apply to radio equipment capable of establishing communication via the Internet, whether such communication is direct or through any other equipment (hereinafter: Internet-connected radio equipment).

The essential requirement referred to in paragraph 3, item 5) of this Article shall apply to the following radio equipment if such radio equipment is capable of processing personal data within the meaning of the law governing the protection of personal data or traffic data or location data under the law governing the field of electronic communications:

- 1) Internet-connected radio equipment, not included in items 2)-4) of this paragraph;
- 2) radio equipment designed or intended exclusively for childcare;
- 3) radio equipment covered by the regulation governing the safety of toys;
- 4) radio equipment designed or intended to be worn on,, strapped to, or hung on:
 - (1) any part of the human body, including the head, neck, trunk, arms, hands, legs and feet;
 - (2) any clothing, including headwear, hand wear or footwear, worn by people.

The essential requirement from paragraph 3, item 6) of this Article shall apply to all Internet-connected radio equipment if that radio equipment enables the holder or user to transfer money, monetary values or virtual currency.

The essential requirements from paragraph 3, items 4)-6) of this Article shall not apply to radio equipment governed by the regulation applicable to medical devices.

The essential requirements from paragraph 3, items 5) and 6) of this Article shall not apply to radio equipment governed by the regulations applicable to:

- 1) type-approval for motor vehicles and trailers;
- 2) electronic toll collection method, specific conditions and technical requirements for European electronic toll collection and interoperability elements.

The essential requirement referred to in paragraph 3, item 7) of this Article shall apply to mobile phones with functions similar to those of a computer in terms of the ability to process and store data.

Compliance with the requirement from paragraph 10 of this Article shall be ensured by technical solutions for reception and processing data from wireless local area network signals (WLAN/Wi-Fi) and data from Global Navigation Satellite Systems compatible and interoperable at least with the Galileo system, as well as by technical solutions enabling the transmission of such data in communication with emergency services.

Possibility for consumers and other end-users to acquire certain categories or classes of radio equipment without a charging device

Article 5.

A supplier who offers consumers and other end-users the possibility of acquiring radio equipment referred to in Article 4, paragraph 4 of this Rulebook together with a charging device shall also offer consumers and other end-users the possibility of acquiring that radio equipment without a charging device.

The supplier shall ensure that information on whether a charging device is included in the radio equipment referred to in Article 4, paragraph 4 of this Rulebook is displayed in graphic form, using a pictogram that is user-friendly and easily accessible as set out in Part III of Annex 11 to this Rulebook, if such radio equipment is made available to consumers and other end-users. The pictogram shall be printed on the packaging or affixed to the packaging as a sticker. In the case of radio equipment made available to consumers and other end-users, the pictogram shall be displayed in a visible and legible manner and, in the case of distance selling, close to the price indication.

Provision of information on the compliance of combinations of radio equipment and software

Article 6.

The manufacturer of radio equipment and of software that enables the radio equipment to be used in accordance with its intended purpose shall be obliged to provide the designated radio equipment conformity assessment bodies with information on the compliance of intended combinations of radio equipment and software with the essential requirements set out in Article 4 of this Rulebook.

The information referred to in paragraph 1 of this Article shall be the result of the conformity assessment carried out in accordance with Article 18 of this Rulebook and shall be provided by the manufacturer in the form of a statement of compliance containing the data set out in Annex 5 to this Rulebook, which is printed with this Rulebook and forms an integral part thereof.

Depending on the specific combinations of radio equipment and software, the information referred to in paragraph 1 of this Article shall precisely identify the radio equipment and software for which the conformity assessment procedure has been carried out and shall be regularly updated.

Registration of radio equipment types within some categories

Article 7.

The manufacturer shall be obliged to register the types of radio equipment within the categories of radio equipment to which a low level of compliance with the essential requirements referred to in Article 4 of this Rulebook applies in the central system established by the European Commission, prior to radio equipment within those categories being placed on the market of the Republic of Serbia. When registering those types of radio equipment, manufacturers shall provide some, or if justified, all, elements of the technical documentation referred to in items 1), 4), 5) and 9) of Annex 4, which is printed with this Rulebook and forms an integral part thereof. The manufacturer shall be obliged to affix on radio equipment placed on the market of the Republic of Serbia with the registration number assigned by the European Commission to each type of registered radio equipment.

The categories of radio equipment to which the registration obligation referred to in paragraph 1 of this Article applies and the parts of the technical documentation are determined by a special regulation of the European Commission.

Making available on the market

Article 8.

Radio equipment shall be made available on the market of the Republic of Serbia in accordance with the requirements and conditions laid out in this Rulebook.

Putting into service and use

Article 9.

Radio equipment shall be put into service and use in accordance with the requirements and conditions laid out in this Rulebook and when properly installed, maintained and used for its intended purpose.

Notification of radio interface specifications

Article 10.

The Ministry responsible for electronic communications, in accordance with a special regulation governing the notification procedure and the manner of information relating to technical regulations, conformity assessment and standards, shall notify the European Commission of radio interfaces regulated in the Republic of Serbia, except for:

1) the radio interfaces which fully and without any deviation comply with the Commission decisions on the harmonized use of radio spectrum adopted pursuant to the regulations establishing the regulatory framework for radio frequency spectrum policy in the European Union;

2) the radio interfaces which, in accordance with the acts of the European Commission establishing equivalence between notified radio interfaces and the assignment of radio

equipment classes, correspond to radio equipment which can be put into service and used without restrictions within the European Union.

Free movement of radio equipment

Article 11.

Radio equipment, which complies with the requirements and conditions of this Rulebook, shall be made available to the market of the Republic of Serbia freely, without any restrictions.

Radio equipment, which does not comply with the provisions of this Rulebook, may be publicly exhibited and presented at trade fairs, exhibitions and similar events in the Republic of Serbia, provided that a visible sign clearly indicates that such radio equipment may not be made available on the market or put into service in the Republic of Serbia.

Demonstration of radio equipment referred to in paragraph 2 of this Article may only take place provided that adequate measures have been taken to avoid harmful interference, electromagnetic disturbances and risk to the health or safety of persons or of domestic animals or to property.

III. OBLIGATIONS OF SUPPLIERS

Obligations of manufacturers

Article 12.

In addition to the obligations stipulated under the law governing technical requirements for the products and conformity assessment, manufacturer shall be obliged to meet the following conditions:

1) when placing their radio equipment on the market, shall ensure that it has been designed and manufactured in accordance with the essential requirements set out in Article 4 of this Rulebook;

2) shall ensure that radio equipment shall be so constructed that, beside in the Republic of Serbia, it can be operated in at least one EU Member State in accordance with the applicable requirements for the use of radio frequency spectrum;

3) shall draw up the technical documentation referred to in Article 22 of this Rulebook and carry out the relevant conformity assessment procedure referred to in Article 18 of this Rulebook or have it carried out. Where compliance of radio equipment with the applicable requirements has been demonstrated by that conformity assessment procedure, shall draw up a declaration of conformity and affix the conformity mark;

4) shall keep the technical documentation and the declaration of conformity for 10 years after the radio equipment has been placed on the market;

5) shall ensure that procedures are in place for series production to remain in conformity with this Rulebook. Changes in radio equipment design or characteristics and changes in the harmonized standards or in other technical specifications by reference to which conformity of radio equipment is declared shall be adequately taken into account;

6) when deemed appropriate with regard to the risks presented by radio equipment, to protect the health and safety of end-users, shall carry out sample testing of radio equipment made available on the market, investigate, and, if necessary, keep a register of complaints, of non-conforming radio equipment and radio equipment recalls, and shall keep distributors informed of any such monitoring;

7) shall ensure that radio equipment which they have placed on the market bears a type, batch or serial number or other element allowing its identification, or, where the size or nature of the radio equipment does not allow it, that the required information is provided on the packaging, or in a document accompanying the radio equipment;

8) shall indicate on the radio equipment their name, registered trade name or registered trade mark and the postal address at which they can be contacted or, where the size or nature of radio equipment does not allow it, on its packaging, or in a document accompanying the radio equipment. The address shall indicate, in the Serbian language, a single point at which the manufacturer can be contacted;

9) shall ensure that the radio equipment is accompanied by instructions and safety information. Instructions shall include the information required to use radio equipment in accordance with its intended use. Such information shall include, where applicable, a description of accessories and components, including software, which allow the radio equipment to operate as intended. Such instructions and safety information, as well as any labelling, shall be clear, understandable and intelligible.

The following information shall also be included in the case of radio equipment intentionally emitting radio waves:

(a) frequency band(s) in which the radio equipment operates;

(b) maximum radio frequency power transmitted in the frequency band(s) in which the radio equipment operates.

In the case of radio equipment referred to in Article 4, paragraph 4 of this Rulebook, the instructions shall contain information on the specifications relating to the charging capabilities of the radio equipment and compatible charging devices, as set out in Part II of Annex 11 to this Rulebook. Where the manufacturer make such radio equipment available to consumers and other end-users, in addition to the instructions, the information shall also be displayed on the label, as set out in Part IV of Annex 11 to this Rulebook. The label shall be printed in the instructions and on the packaging or shall be affixed to the packaging as a sticker. If the product has no packaging, the sticker with the label shall be affixed to the radio equipment. If the radio equipment is made available to consumers and other end-users, the label shall be displayed in a visible and legible manner and, in the case of distance selling, close to the price indication. If the size or nature of the radio equipment does not allow otherwise, the label may be printed as a separate document accompanying the radio equipment. The instructions and safety information referred to in this item shall be provided in Serbian;

10) manufacturer shall ensure that each item of radio equipment is accompanied by a copy of a declaration of conformity or by a simplified declaration of conformity. Where a simplified declaration of conformity is provided, it shall contain the exact internet address where the full text of the declaration of conformity can be obtained;

11) in cases of restrictions on putting into service (eg. radio equipment for indoor use only) or of requirements for authorization of use (eg. individual license for the use of radio frequency spectrum), information available on the packaging shall allow the identification

of the restrictions on putting into service or requirements for authorization of use exist. Such information shall be completed in the instructions accompanying the radio equipment.

The manner of presenting the information referred to in paragraph 1, item 11) of this Article is given in Annex 10, which is printed with this Rulebook and forms an integral part thereof.

Representative

Article 13.

A manufacturer may, by a written mandate, appoint an authorized representative, except for the performance of the obligations referred to in Article 12, paragraph 1, item 1) and the drafting of technical documentation referred to in Article 12, paragraph 1, item 3) of this Rulebook.

A representative, in accordance with the law governing technical requirements for products and conformity assessment, shall perform the tasks specified in the authorization, which shall allow him to do at least the following:

- 1) keep the declaration of conformity and the technical documentation at the disposal of competent market surveillance authorities, as per their request, for 10 years after the radio equipment has been placed on the market;
- 2) further to a reasoned request from a competent authority, provide that authority with all the information and documentation necessary to demonstrate the conformity of radio equipment;
- 3) cooperate with the competent authorities, at their request, on any action taken to eliminate the risks posed by radio equipment covered by the representative's mandate.

Obligations of importer

Article 14.

In addition to the obligations stipulated under the law governing technical requirements for products and conformity assessment, importer shall fulfill the following requirements:

- 1) before placing radio equipment on the market shall ensure that the appropriate conformity assessment procedure referred to in Article 18 of this Rulebook has been carried out by the manufacturer and that the radio equipment is so constructed that, beside the Republic of Serbia, it can be operated in at least one EU Member State in accordance with the applicable requirements for the use of radio frequency spectrum. He shall ensure that the manufacturer has drawn up technical documentation, that the radio equipment is marked with the conformity mark prescribed by this Rulebook and that it is accompanied by the information and documents referred to in Article 12, paragraph 1, items 9), 10) and 11) of this Rulebook, and that the manufacturer has complied with the requirements set out in Article 12, paragraph 1, items 7) and 8) of this Rulebook;
- 2) shall indicate on the radio equipment his business name, registered trade name or registered trade mark and the postal address at which he can be contacted, in the Serbian language, or, where that is not possible, on its packaging or in a document accompanying

the radio equipment. This includes cases where the size of radio equipment does not allow it, or where would have to open the packaging in order to indicate his name and address on the radio equipment;

3) shall ensure that radio equipment is accompanied by instructions and safety information in the Serbian language. When radio equipment referred to in Article 4, paragraph 4 of this Rulebook is made available to consumers and other end-users, shall ensure that:

(1) such radio equipment displays, or is supplied with, a label in accordance with Article 12, paragraph 1, item 9) of this Rulebook;

(2) that label is displayed in a visible and legible manner and, in the case of distance selling, close to the price indication;

4) shall ensure that, while radio equipment is under his responsibility, its storage or transport conditions do not jeopardise its compliance with the essential requirements set out in Article 4 of this Rulebook;

5) when deemed appropriate with regard to the risks presented by radio equipment, to protect the health and safety of end-users, shall carry out sample testing of radio equipment made available on the market, investigate, and, if necessary, keep a register of complaints, of non-conforming radio equipment and radio equipment recalls, and shall keep distributors informed of any such monitoring;

6) if consider or have reason to believe that radio equipment which he has placed on the market is not in conformity with this Rulebook shall immediately take the corrective measures necessary to bring that radio equipment into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the radio equipment presents a risk, shall immediately inform the competent authorities, giving details, in particular, of the non-compliance and of any corrective measures taken;

7) for 10 years after the radio equipment has been placed on the market, shall keep a copy of a declaration of conformity at the disposal of the market surveillance authorities and ensure that the technical documentation can be made available to those authorities, upon request;

8) further to a reasoned request from a competent authority, shall provide it with all the information and documentation in paper or electronic form necessary to demonstrate the conformity of radio equipment. He shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by radio equipment which he has placed on the market.

Obligations of distributor

Article 15.

In addition to the obligations stipulated under the law governing technical requirements for products and conformity assessment, distributors shall fulfill the following requirements:

1) when making radio equipment available on the market, shall act with due care in relation to the requirements of this Rulebook;

2) before making radio equipment available on the market shall verify that the radio equipment bears the conformity mark in accordance with this Rulebook, that it is

accompanied by the documents, instructions and safety information in the Serbian language, and that the manufacturer and the importer have complied with the requirements set out in Article 12, paragraph 1, items 2), 7) and 11) and Article 14, paragraph 1, item 2) of this Rulebook. When making radio equipment referred to in Article 4, paragraph 4 of this Rulebook available to consumers and other end-users, distributors shall ensure that:

(1) such radio equipment displays, or is supplied with, a label in accordance with Article 12, paragraph 1, item 9) of this Rulebook;

(2) that label is displayed in a visible and legible manner and, in the case of distance selling, close to the price indication;

(3) further to a reasoned request from a competent authority, shall provide it, in language easily understood by that authority, with all the information and documentation in paper or electronic form necessary to demonstrate the conformity of radio equipment.

Identification of supplier

Article 16.

Supplier shall, on request, identify the following to the market surveillance authorities:

1) any supplier who has supplied them with radio equipment;

2) any supplier to whom they have supplied radio equipment.

The data retention period referred to in paragraph 1 of this Article shall be ten years from the date of supply of the radio equipment to the market.

IV. CONFORMITY OF RADIO EQUIPMENT

Presumption of conformity of radio equipment

Article 17.

If radio equipment is designed in accordance with Serbian standards, which transpose the relevant harmonized standards or parts thereof, such radio equipment shall be presumed to be in conformity with the essential requirements set out in Article 4 of this Rulebook.

The presumption of conformity referred to in paragraph 1 of this Article shall be limited to the scope of the applied standards from the list of Serbian standards, as well as the relevant essential requirements set out in those standards.

The list of Serbian standards transposing harmonized standards in the field of radio equipment shall be compiled and published by the minister responsible for electronic communications in accordance with the law governing technical requirements for products and conformity assessment.

Conformity assessment procedures

Article 18.

The manufacturer shall perform a conformity assessment of the radio equipment with a view to meeting the essential requirements set out in Article 4 of this Rulebook. The conformity assessment shall take into account all intended operating conditions and, for the essential requirement set out in Article 4, paragraph 1, item 1 of this Rulebook, the reasonably foreseeable conditions shall also be taken into account. Where the radio equipment is capable of taking different configurations, the conformity assessment shall confirm whether the radio equipment meets the essential requirements set out in Article 4 of this Rulebook in all possible configurations.

Manufacturers shall demonstrate compliance of radio equipment with the essential requirements set out in Article 4, paragraphs 1 and 4, using any of the following conformity assessment procedures:

1) internal production control set out in Annex 1, which is printed with this Rulebook and represents an integral part thereof;

2) type examination that is followed by the conformity to type based on internal production control set out in Annex 2, which is printed with this Rulebook and represents an integral part thereof;

3) conformity based on full quality assurance set out in Annex 3, which is printed with this Rulebook and represents an integral part thereof.

Where, in assessing the compliance of radio equipment with the essential requirements set out in Article 4, paragraphs 2 and 3 of this Rulebook, the manufacturer has applied harmonized standards from Article 17 of this Rulebook, he shall use any of the following procedures:

1) internal production control set out in Annex 1 of this Rulebook;

2) type examination that is followed by the conformity to type based on internal production control set out in Annex 2 of this Rulebook;

3) conformity based on full quality assurance set out in Annex 3 of this Rulebook.

Where, in assessing the compliance of radio equipment with the essential requirements set out in Article 4, paragraphs 2 and 3 of this Rulebook, the manufacturer has not applied or has applied only in part harmonized standards from Article 17 of this Rulebook, or where such harmonized standards do not exist, he shall use any of the following conformity assessment procedures:

1) type examination that is followed by the conformity to type based on internal production control set out in Annex 2 of this Rulebook;

2) conformity based on full quality assurance set out in Annex 3 of this Rulebook.

Declaration of conformity

Article 19.

The declaration of conformity represents a statement by the manufacturer that the radio equipment complies with the essential requirements set out in Article 4 of this Rulebook.

The declaration of conformity shall have the model structure and shall contain the elements set out in set out in Annex 5, which is printed with this Rulebook and forms an integral part thereof. The declaration of conformity shall be drawn up in Serbian and is regularly updated.

The simplified declaration of conformity referred to in Article 12, paragraph 1, item 10) of this Rulebook contains the data set out in Annex 6, which is printed with this Rulebook and forms an integral part of it. The simplified declaration of conformity shall be drawn up in the Serbian language, shall contain information about the internet address where the full text of the declaration of conformity can be found and shall be regularly updated.

By way of exception to the provisions of paragraphs 2 and 3 of this Article, for radio equipment imported into the Republic of Serbia, where the declaration of conformity has not been drawn up in the Serbian language, the person placing the radio equipment on the market shall ensure its translation into the Serbian language.

Where radio equipment is subject to more than one regulation requiring a declaration of conformity, a single declaration of conformity shall be drawn up in respect of all such regulations, including their publication references.

By drawing up the declaration of conformity, the manufacturer shall assume responsibility for the compliance of the radio equipment with the requirements laid down in this Rulebook.

Certificate of conformity

Article 20.

Before placing radio equipment on the market, the manufacturer, their authorized representative or the importer of the radio equipment, in accordance with the procedure referred to in Annex 7, shall obtain from the body responsible for assessing the conformity of radio equipment with the essential requirements referred to in Article 4 of this Rulebook, a certificate of conformity or an extract from the register of issued certificates of conformity.

A certificate of conformity or an extract from the register of issued certificates of conformity shall be provided for the following radio equipment:

- 1) user equipment operating within GSM/UTRA/E-UTRA/NRA IMT cellular networks;
- 2) unspecified short-range devices (SRD);
- 3) short-range devices (SRD) for tracking, tracing and data acquisition;
- 4) wideband data transmission systems (WAS/RLANs);
- 5) railway applications;
- 6) transport and traffic telematics (TTT);
- 7) radiodetermination applications;
- 8) alarms;
- 9) model control applications;
- 10) inductive applications;
- 11) radio microphones, hearing aids and cordless audio and multimedia streaming systems;
- 12) radio frequency identification applications (RFID);
- 13) active medical implants and their associated peripherals;
- 14) medical data acquisition.

The certificate of conformity, or an extract from the register of issued certificates of conformity, shall not be provided for the radio equipment referred to in paragraph 2 of this Article, for which the conformity assessment procedure referred to in Annex 2 and Annex

3 of this Rulebook has been carried out in the Republic of Serbia for all aspects of the essential requirements referred to in Article 4 of this Rulebook.

The certificate of conformity shall be valid for the same type and/or model of radio equipment from the same manufacturer for five years from the date of its issuance.

Conformity marking

Article 21.

Radio equipment that complies with the essential requirements referred to in Article 4 of this Rulebook shall, before being placed on the market, be marked with the conformity mark set out in Annex 8, which is printed with this Rulebook and forms an integral part thereof.

The conformity mark shall be affixed to the radio equipment or its data plate in a visible, legible and indelible manner, and if this is not possible or justified due to the characteristics of the radio equipment, to its packaging or accompanying documentation.

Other marks, symbols, signs or other markings may be affixed to the radio equipment, provided that the visibility, legibility and/or meaning of the conformity mark is not thereby reduced.

Technical documentation

Article 22.

The technical documentation shall contain all relevant data or details of the means used by the manufacturer to ensure that radio equipment complies with the essential requirements set out in Article 4 of this Rulebook, and in particular it shall contain the data set out in Annex 4, which is printed with this Rulebook and forms an integral part thereof.

The technical documentation shall be drawn up before radio equipment is placed on the market and shall be continuously updated.

The technical documentation and correspondence relating to any type examination procedure shall be drawn up in Serbian or in a language acceptable to the designated body for the assessment of radio equipment conformity.

Where the technical documentation does not comply with paragraphs 1- 3 of this Article, the market surveillance authority, in accordance with the law governing technical requirements for products and conformity assessment, may ask the manufacturer or the importer to have a test performed by a body acceptable to the market surveillance authority, within a specified period and at their own expense, in order to verify compliance with the essential requirements set out in Article 4 of this Rulebook.

V. CONFORMITY ASSESSMENT BODY

Conformity assessment body

Article 23.

A conformity assessment body may carry out the task of assessing the conformity of radio equipment with the essential requirements referred to in Article 4 of this Rulebook if it meets the requirements set out in Annex 9, which is printed with this Rulebook and forms an integral part thereof, and if it has been designated in accordance with the law governing technical requirements for products and conformity assessment and the regulation adopted on the basis of that law (hereinafter referred to as: the designated body).

Presumption of conformity of designated body

Article 24.

It shall be presumed that a conformity assessment body that demonstrates conformity with the requirements of the relevant Serbian standards or parts thereof also meets the requirements of Annex 9 to this Rulebook, to the extent that those requirements are covered by the said standards. The relevant Serbian standards referred to in paragraph 1 of this Article are Serbian standards that transpose relevant harmonized standards containing requirements for a conformity assessment body.

Subcontracting by designated bod

Article 25.

Where a designated body subcontracts specific tasks connected with conformity assessment, for which it was designated, in the country or abroad, it shall ensure that the subcontractor meets the requirements set out in Annex 9 of this Rulebook and shall keep evidence thereof and shall inform the designating authority in accordance with the law governing technical requirements for products and conformity assessment.

Designated bodies that subcontract specific tasks connected with conformity assessment, shall take full responsibility for the tasks performed by subcontractors.

The designated body may conclude a contract with a subcontractor to carry out the activities or the subcontractor may carry out those activities exclusively with the consent of the applicant for conformity assessment.-

VI. CONTROL OF RADIO EQUIPMENT ENTERING THE MARKET AND/OR BEING PUT INTO SERVICE AND SAFEGUARD PROCEDURE

Procedure for dealing with radio equipment presenting a risk or not icompliance with essential requirements

Article 26.

Where the market surveillance authorities have sufficient reason to believe that radio equipment presents a risk to the health or safety of persons or to other aspects of public interest protection or does not comply with at least one of the applicable essential

requirements laid down in Article 4 of this Rulebook, they shall carry out an evaluation in relation to the radio equipment concerned covering all relevant requirements laid down in this Rulebook. The supplier shall cooperate as necessary with the market surveillance authorities for that purpose.

Where, in the course of the evaluation referred to in paragraph 1 of this Article, the market surveillance authorities find that the radio equipment does not comply with the requirements laid down in this Rulebook, they shall without delay require the relevant supplier to take all appropriate corrective actions to bring the radio equipment into compliance with those requirements, to withdraw the radio equipment from the market, or to recall it within a reasonable period, commensurate with the nature of the risk, as they may prescribe.

The competent authority shall inform the designated body that issued the document of conformity for that radio equipment of the established non-compliance referred to in paragraph 3 of this Article.

The supplier shall ensure that the corrective actions referred to in paragraph 3 of this Article are taken for all radio equipment that he has placed on the market and which presents a risk.

If the corrective actions referred to in paragraph 4 of this Article are not implemented, appropriate measures shall be taken in accordance with the law governing technical requirements for products and conformity assessment.

Compliant radio equipment which presents a risk

Article 27.

Where, having carried out an evaluation under Article 26, paragraph 1 of this Rulebook, the competent authority finds that although radio equipment is in compliance with this Rulebook, it presents a risk to the health or safety of persons or to other aspects of public interest protection covered by this Rulebook, it shall require the supplier to take appropriate measures to ensure that the radio equipment concerned, when placed on the market, no longer presents that risk, to withdraw the radio equipment from the market or to recall it within a reasonable period, commensurate with the nature of the risk, as it may prescribe.

The supplier shall ensure that corrective action is taken in respect of all the radio equipment concerned that he has made available on the market, which has been identified as presenting a risk.

If the corrective actions referred to in paragraph 2 of this Article are not implemented, appropriate measures shall be taken in accordance with the law governing technical requirements for products and conformity assessment.

Formal non-compliance of radio equipment

Article 28.

Radio equipment shall be deemed formally non-compliant if one of the following defects is found:

- 1) conformity mark has not been affixed in accordance with Article 21 of this Rulebook;
- 2) conformity mark has not been affixed;
- 3) the identification number of the designated body, where the conformity assessment procedure set out in Annex 3 is applied, has been affixed in violation of Article 21 or has not been affixed;
- 4) declaration of conformity has not been drawn up;
- 5) declaration of conformity has not been drawn up correctly;
- 6) technical documentation is either not available or not complete;
- 7) the pictogram from Article 5, paragraph 2 or the label from Article 12, paragraph 1, item 9) of this Rulebook is not correctly drawn up;
- 8) the label referred to in Article 12, paragraph 1, item 9) of this Rulebook does not accompany the radio equipment;
- 9) the pictogram or the label is not affixed or displayed in accordance with Article 5, paragraph 2 or Article 12, paragraph 1, item 9) of this Rulebook;
- 10) the information referred to in Article 12, paragraph 1, items 7) and 8) or Article 14, paragraph 1, item 2) of this Rulebook is missing, incorrect or incomplete;
- 11) the information referred to in Article 12, paragraph 1, item 9), the declaration of conformity referred to in Article 12, paragraph 1, item 10) or the information on restrictions on use referred to in Article 12, paragraph 1, item 11) of this Rulebook does not accompany the radio equipment;
- 12) the requirements for supplier identification referred to in Article 16 of this Rulebook are not met;
- 13) failure to meet the requirements referred to in Article 5, paragraph 1 or Article 7 of this Rulebook;
- 14) failure to meet the requirements referred to in Article 20 of this Rulebook.

In the event of failure to eliminate the formal non-compliance referred to in paragraph 1 of this Article or repetition thereof, measures shall be taken in accordance with the law governing technical requirements for products and conformity assessment.

Safeguard clause

Article 29.

The supply or use of radio equipment that has been placed on the market and/or put into service, the conformity of which has been assessed in accordance with this Rulebook, which has been marked with a conformity mark and for which a declaration of conformity has been drawn up, which is accompanied by the prescribed documentation and which is used in accordance with its intended purpose or under conditions that can be reasonably foreseen, and which is found to present a risk from the aspect of the protection of the public interest covered by this Rulebook, may be restricted or prohibited, or that radio equipment may be withdrawn or recalled, in accordance with the laws governing technical requirements for products and conformity assessment and market surveillance and with this Rulebook.

VII. FINAL AND TRANSITIONAL PROVISIONS

Article 30.

From the date of entry into force of the ratified international Agreement on Conformity Assessment and Acceptance of Industrial Products with the European Union (hereinafter: the ACAA Agreement) or if that agreement is not concluded from the date of accession of the Republic of Serbia to the European Union, in the text of this Rulebook the words: "conformity mark" shall have the meaning of "CE mark", "declaration of conformity" shall have the meaning of "EU declaration of conformity", "type examination" shall have the meaning of "EU type examination", "type examination certificate" shall have the meaning of "EU type examination certificate", in Article 23 of this Rulebook the word "designated" shall have the meaning of "designated and notified", in Art. 24 and 25 and the titles above those articles, in Article 26, paragraph 3, as well as in Annex 5, item 7 and Annex 9 of this Rulebook, the words "designated body" shall have the meaning of "notified body", in item 11 of Annex 9 of this Rulebook, the words "designated and/or notified" shall have the meaning of "notified".

Article 31.

From the date of entry into force of this Rulebook until the date of entry into force of the ACAA Agreement or if that agreement is not concluded from the date of accession of the Republic of Serbia to the European Union, the conformity marking of radio equipment shall be carried out by affixing the Serbian conformity mark in accordance with this Rulebook and special regulations.

From the date of entry into force of the ACAA Agreement or if that agreement is not concluded from the date of accession of the Republic of Serbia to the European Union, the conformity marking of radio equipment shall be carried out by affixing the CE mark in accordance with this Rulebook and special regulations.

Article 32.

Conformity assessment bodies designated for conformity assessment by examination of technical documentation with the issuance of a Certificate of Conformity, in accordance with the Rulebook on Radio Equipment and Telecommunications Terminal Equipment ("Official Gazette of the Republic of Serbia", No. 11/12), shall carry out conformity assessment activities in accordance with Article 20 of this Rulebook, until the completion of the designation procedure, in accordance with this Rulebook.

Conformity assessment bodies designated for conformity assessment by examination of technical documentation with the issuance of a Statement of Conformity, in accordance with the regulation referred to in paragraph 1 of this Article, shall carry out conformity assessment activities in accordance with Annex 2, Module B of this Rulebook, until the completion of the designation procedure, in accordance with this Rulebook.

Conformity assessment bodies referred to in paragraphs 1 and 2 of this Article may submit a request for designation to the designating authority, in accordance with this Rulebook, within six months from the date of entry into force of this Rulebook.

Conformity assessment bodies referred to in paragraphs 1 and 2 of this Article that do not submit a request for designation within the period referred to in paragraph 3 of this Article, or conformity assessment bodies for which the designating authority, upon

application, determines that they do not meet the requirements of this Rulebook, may not perform conformity assessment activities as designated bodies in accordance with this Rulebook.

Documents of conformity issued by the bodies referred to in paragraphs 1 and 2 of this Article prior to the date of entry into force of this Rulebook shall be valid until the expiry of the period for which they were issued.

Article 33.

On the date of entry into force of the ACAA Agreement or if that agreement is not concluded from the date of accession of the Republic of Serbia to the European Union, the provisions of Annex 8, item 2 of this Rulebook shall cease to apply. The provisions of Article 20 and Article 28, paragraph 1, item 14) and Annex 7 of this Rulebook shall cease to apply on 31 December 2026.

Article 34.

On the date of commencement of application of this Rulebook, the Rulebook on Radio Equipment and Telecommunications Terminal Equipment ("Official Gazette of the Republic of Serbia", No. 11/12) shall cease to be valid.

Article 35.

This Rulebook shall enter into force on the eighth day after its publication in the "Official Gazette of the Republic of Serbia", and shall apply from 1 June 2024, with the exception of the provisions of Article 4, paragraphs 5–9, which shall apply from 1 August 2025, and the provisions of Article 4, paragraph 4, Article 5, Article 12, paragraph 1, item 9), Article 14, paragraph 1, item 3), Article 15, paragraph 1, item 2) and Article 28, paragraph 1, items 7)–9), 11) and 13) which shall apply from 28 December 2024 for the categories or classes of radio equipment from Annex 11, part I, items 1.1–1.12. and from 28 April 2026 for the categories or classes of radio equipment from Annex 11, Part I, item 1.13. of this Rulebook.

The provisions of Articles 7 and 10, Article 12, paragraph 1, item 2) and Article 14, paragraph 1, item 1) of this Rulebook, in the part relating to the possibility of using radio equipment in at least one Member State of the European Union, shall apply from the date of accession of the Republic of Serbia to the European Union.

No. 000094406 2024 13460 004 001 012 001
In Belgrade, 15 March 2024

Minister,
Dr. Mihailo Jovanović, m.p.

ANNEX 1.

Module A: Internal production control

1. Internal production control is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in items 2, 3 and 4 of this Annex, and ensures and declares on his sole responsibility that the radio equipment concerned satisfies the essential requirements set out in Article 4 of this Rulebook.

2. Technical documentation

The manufacturer shall establish the technical documentation in accordance with Article 22 of this Rulebook.

3. Manufacturing

The manufacturer shall take all measures necessary so that the manufacturing process and its monitoring ensure compliance of the manufactured radio equipment with the technical documentation and the relevant essential requirements referred to in Article 4 of this Rulebook.

4. Conformity mark and declaration of conformity

4.1. The manufacturer shall affix the conformity mark in accordance with Article 21 of this Rulebook to each item of radio equipment that meets all applicable requirements of the law and this Rulebook.

4.2. The manufacturer shall draw up a written declaration of conformity for each radio equipment type and keep it together with the technical documentation at the disposal of the competent authorities, upon request, for 10 years after the radio equipment has been placed on the market. The declaration of conformity shall identify the radio equipment for which it has been drawn up.

A copy of the declaration of conformity shall be made available to the relevant authorities upon request.

5. Representative

The manufacturer's obligations set out in item 4 of this Annex may be fulfilled by his authorized representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

ANNEX 2.

Conformity assessment modules B and C for type examination and conformity to type based on internal production control

Module B: Type examination

1. Type examination is the part of a conformity assessment procedure in which a designated body examines the technical design of the radio equipment and verifies and attests that the technical design of the radio equipment meets the essential requirements set out in Article 4 of this Rulebook.

2. Type examination shall be carried out by assessment of the adequacy of the technical design of the radio equipment through examination of the technical documentation and supporting evidence referred to in item 3 of this Annex, without examination of a specimen (design type). The examination may be limited to certain

aspects of the essential requirements, as determined by the manufacturer or his authorized representative.

3. The manufacturer shall lodge an application for type examination with a single designated body of his choice. The application shall specify precisely the aspects of the essential requirements referred to in Article 4, paragraphs 1–3 of this Rulebook for which an examination is requested.

The application shall include:

(a) the business name and address of the manufacturer and, if the application is lodged by the authorized representative, the latter's business name and address as well;

(b) a written declaration that the same application has not been lodged with any other designated body;

(c) the technical documentation from Annex 4 of this Rulebook, which shall make it possible to assess the radio equipment's conformity with the applicable requirements of Article 4 of this Rulebook and shall include an adequate analysis and assessment of the risk(s). The technical documentation shall specify the applicable requirements and cover, as far as relevant for the assessment, the design, manufacture and operation of the radio equipment;

(d) the supporting evidence for the adequacy of the technical design solution. That supporting evidence shall mention any documents that have been used, in particular where the relevant Serbian/harmonized standards have not been applied or have not been fully applied. The supporting evidence shall include, where necessary, the results of tests carried out in accordance with other relevant technical specifications by the appropriate laboratory of the manufacturer, or by another testing laboratory on his behalf and under his responsibility.

4. The designated body shall examine the technical documentation and supporting evidence to assess the adequacy of the technical design of the radio equipment.

5. The designated body shall draw up an evaluation report that records the activities undertaken in accordance with item 4 of this Annex and their outcomes. Without prejudice to its obligations towards the designating authority, the designated body shall release the content of that report, in full or in part, only with the consent of the manufacturer.

6. Where the type meets the requirements of this Rulebook that apply to the radio equipment concerned, the designated body shall issue a type examination certificate to the manufacturer. That certificate shall contain the business name and address of the manufacturer, the conclusions of the examination, the aspects of the essential requirements covered by the examination, the conditions (if any) for its validity and the necessary data for identification of the assessed type.

The type examination certificate may have one or more annexes. The type examination certificate and its annexes shall contain all relevant information to allow the conformity of manufactured radio equipment with the examined type to be evaluated and to allow for in-service control. Where the type does not satisfy the applicable requirements of this Rulebook, the designated body shall refuse to issue a type examination certificate and shall inform the applicant accordingly, giving detailed reasons for its refusal.

7. The designated body shall keep itself apprised of any changes in the generally acknowledged state of the art which indicate that the approved type may no longer comply with the applicable requirements of this Rulebook, and shall determine whether such

changes require further investigation, in which case it shall inform the manufacturer accordingly.

The manufacturer shall inform the designated body that holds the technical documentation relating to the type examination certificate of all modifications to the approved type that may affect the conformity of the radio equipment with the essential requirements of this Rulebook or the conditions for validity of that certificate. Such modifications shall require additional approval in the form of an addition to the original type examination certificate.

8. The designated body shall inform its designating authority concerning the type examination certificates and/or any additions thereto which it has issued or withdrawn, and shall, periodically or upon request, make available to its designating authority the list of such certificates and/or any additions thereto refused, suspended or otherwise restricted.

The designated body shall inform the other designated bodies concerning the type examination certificates and/or any additions thereto which it has refused, withdrawn, suspended or otherwise restricted, and, upon request, concerning such certificates and/or additions thereto which it has issued.

Where the Serbian/harmonized standards have not been applied, or have been partially applied, the designated body shall be obliged to inform the competent minister thereof and, at his request or at the request of another designated body, provide him with a copy of the type examination certificate and/or its additions. The designated body shall, at the request of the competent authorities and other designated bodies, provide copies of the type examination certificate and/or its additions. At the request of the competent authorities, the designated body shall also provide copies of the technical documentation and the results of the examinations it has carried out.

The designated body shall keep a copy of the type examination certificate, its annexes and additions, as well as the technical file including the documentation submitted by the manufacturer for 10 years after the radio equipment has been assessed or until the expiry of the validity of that certificate.

9. The manufacturer shall keep a copy of the type examination certificate, its annexes and additions together with the technical documentation at the disposal of the competent authorities for 10 years after the radio equipment has been placed on the market.

10. The representative may lodge the application referred to in item 3 of this Annex and fulfil the obligations set out in items 7 and 9 of this Annex, provided that they are specified in the mandate.

Module C: Conformity to type based on internal production control

1. Conformity to type based on internal production control is the part of a conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in items 2 and 3 of this Annex, and ensures and declares that the radio equipment concerned is in conformity with the type described in the type examination certificate and satisfies the requirements of this Rulebook that apply to it.

2. Manufacturing

The manufacturer shall take all measures necessary so that the manufacturing process and its monitoring ensure conformity of the manufactured radio equipment with the

approved type described in the type examination certificate and with the requirements of this Rulebook that apply to it.

3. Conformity mark and declaration of conformity

3.1. The manufacturer shall affix the conformity mark to each item of radio equipment that is in conformity with the type described in the type examination certificate and satisfies the requirements of this Rulebook which apply to that radio equipment.

3.2. The manufacturer shall draw up a written declaration of conformity for each radio equipment type and keep it at the disposal of the competent authorities for 10 years after the radio equipment has been placed on the market.

The declaration of conformity shall identify the radio equipment type for which it has been drawn up.

A copy of the declaration of conformity shall be made available to the relevant authorities upon request.

4. Authorized representative

The manufacturer's obligations set out in item 3 of this Annex may be fulfilled by his representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

ANNEX 3.

ModuleH: Full quality assurance

1. Conformity based on full quality assurance is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in items 2 and 5 of this Annex, and ensures and declares on his sole responsibility that the radio equipment concerned satisfies the requirements of this Rulebook that apply to it.

2. Manufacturing

The manufacturer shall operate an approved quality system for design, manufacture, final radio equipment inspection and testing of the radio equipment concerned as specified in item 3 of this Annex and shall be subject to surveillance as specified in item 4 of this Annex.

3. Quality system

3.1. The manufacturer shall lodge an application for assessment of his quality system with the designated body of his choice, for the radio equipment concerned.

The application shall include:

(a) the business name and address of the manufacturer and, if the application is lodged by the representative, his business name and address as well;

(b) the technical documentation for each radio equipment type intended to be manufactured. The technical documentation shall contain, wherever applicable, the elements set out in Annex 4 of this Rulebook;

(c) the documentation concerning the quality system; and

(d) a written declaration that the same application has not been lodged with any other designated body.

3.2. The quality system shall ensure compliance of the radio equipment with the requirements of this Rulebook. All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of

written policies, procedures and instructions. That quality system documentation shall permit a consistent interpretation of the quality programmes, plans, manuals and records.

It shall, in particular, contain an adequate description of:

(a) the quality objectives and the organizational structure, responsibilities and powers of the management with regard to design and product quality;

(b) the technical design specifications, including Serbian/harmonized standards, that will be applied and, where the relevant Serbian/harmonized standards will not be applied in full, the means that will be used to ensure that the essential requirements of this Rulebook that apply to the radio equipment will be met;

(c) the design control and design verification techniques, processes and systematic actions that will be used when designing radio equipment pertaining to the radio equipment type covered;

(d) the corresponding manufacturing, quality control and quality assurance techniques, processes and systematic actions that will be used;

(e) the examinations and tests that will be carried out before, during and after manufacture, and the frequency with which they will be carried out;

(f) the quality records, such as inspection reports and test data, calibration data, reports concerning the qualifications of the personnel, etc;

(g) the means of monitoring the achievement of the required design and product quality and the effective operation of the quality system.

3.3. The designated body shall assess the quality system to determine whether it satisfies the requirements referred to in item 3.2 of this Annex, whereby quality systems that implement the relevant Serbian/harmonized standard shall be presumed to satisfy the requirements referred to in item 3.2 of this Annex.

In addition to experience in quality management systems, the auditing team shall have at least one member experienced as an assessor in the relevant radio equipment field and radio equipment technology concerned, and knowledge of the applicable requirements of this Rulebook. The audit shall include an assessment visit to the manufacturer's premises. The auditing team shall review the technical documentation referred to in item 3.1(b) of this Annex to verify the manufacturer's ability to identify the applicable requirements of this Rulebook and to carry out the necessary examinations with a view to ensuring compliance of the radio equipment with those requirements.

The manufacturer or his representative shall be notified of the decision. The notification shall contain the conclusions of the audit and the reasoned assessment decision.

3.4. The manufacturer shall undertake to fulfil the obligations arising out of the quality system as approved and to maintain it so that it remains adequate and efficient.

3.5. The manufacturer shall keep the designated body that has approved the quality system informed of any intended change to the quality system.

The designated body shall evaluate any proposed changes and decide whether the modified quality system will continue to satisfy the requirements referred to in item 3.2 of this Annex or whether a reassessment is necessary.

It shall notify the manufacturer of its decision. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

4. Surveillance under the responsibility of the designated body

4.1. The purpose of surveillance is to make sure that the manufacturer duly fulfils the obligations arising out of the approved quality system.

4.2. The manufacturer shall, for assessment purposes, allow the designated body access to the design, manufacture, inspection, testing and storage sites, and shall provide it with all necessary information, in particular:

(a) the quality system documentation;

(b) the quality records as provided for by the design part of the quality system, such as results of analyses, calculations, tests, etc;

(c) the quality records as provided for by the manufacturing part of the quality system, such as inspection reports and test data, calibration data, reports concerning the qualifications of the personnel, etc.

4.3. The designated body shall carry out periodic audits to make sure that the manufacturer maintains and applies the quality system and shall provide the manufacturer with an audit report.

4.4. In addition, the designated body may pay unexpected visits to the manufacturer, during which the designated body may, if necessary, carry out radio equipment tests, or have them carried out, in order to check the proper functioning of the quality system. It shall provide the manufacturer with a visit report and, if tests have been carried out, with a test report.

5. Conformity mark and declaration of conformity

5.1. The manufacturer shall affix the conformity mark in accordance with Article 21 of this Rulebook, under the responsibility of the designated body referred to in item 3.1 of this Annex, the latter's identification number to each item of radio equipment that satisfies the applicable requirements set out in Article 4 of this Rulebook.

5.2. The manufacturer shall draw up a written declaration of conformity for each radio equipment type and keep it at the disposal of the competent authorities, upon request, for 10 years after the radio equipment has been placed on the market. The declaration of conformity shall identify the radio equipment type for which it has been drawn up.

6. The manufacturer shall, for a period ending 10 years after the radio equipment has been placed on the market, keep at the disposal of the competent authorities:

(a) the technical documentation referred to in item 3.1 of this Annex;

(b) the documentation concerning the quality system referred to in item 3.1 of this Annex;

(c) the change referred to in item 3.5 of this Annex, as approved;

(d) the decisions and reports of the designated body referred to in items 3.5, 4.3 and 4.4 of this Annex.

7. The designated body shall inform its designating authority of quality system approvals issued or withdrawn, and shall, periodically or upon request, make available to its designating authority the list of quality system approvals refused, suspended or otherwise restricted. The designated body shall inform the other designated bodies of quality system approvals which it has refused, suspended or withdrawn, and, upon request, of quality system approvals which it has issued.

8. Representative

The manufacturer's obligations set out in items 3.1, 3.5, 5 and 6 of this Annex may be fulfilled by his representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

Contents of technical documentation

The technical documentation shall, wherever applicable, contain at least the following elements:

- 1) a general description of the radio equipment including:
 - (i) photographs or illustrations showing external features, marking and internal layout;
 - (ii) versions of software or firmware affecting compliance with essential requirements;
 - (iii) user information and installation instructions;
- 2) conceptual design and manufacturing drawings and schemes of components, sub-assemblies, circuits and other relevant similar elements;
- 3) descriptions and explanations necessary for the understanding of those drawings and schemes and the operation of the radio equipment;
- 4) a list of the Serbian/harmonized standards applied in full or in part, and, where those standards have not been applied, descriptions of the solutions adopted to meet the essential requirements set out in Article 4 of this Rulebook, including a list of other relevant technical specifications applied. In the event of partly applied Serbian/harmonized standards, the technical documentation shall specify the parts which have been applied;
- 5) copy of the declaration of conformity;
- 6) where the conformity assessment module in Annex 2 of this Rulebook has been applied, copy of the type examination certificate and its annexes as delivered by the designated body involved;
- 7) results of design calculations made, examinations carried out, and other relevant similar elements;
- 8) test reports;
- 9) an explanation of the compliance with the requirement of Article 12, paragraph 1, item 2) and of the inclusion or not of information on the packaging in accordance with Article 12, paragraph 1, item 11) of this Rulebook.

ANNEX 5.

Declaration of conformity (No. XXX)

1. Radio equipment (product, type, batch or serial number):
2. Business name and address of the manufacturer or his representative:
3. This declaration of conformity is issued under the sole responsibility of the manufacturer.
4. Object of the declaration (identification of the radio equipment allowing traceability; it may include a colour image of sufficient clarity where necessary for the identification of the radio equipment):
5. The object of the declaration described above is in conformity with the requirements of the following regulations:
6. References to the relevant Serbian/harmonized standards used or references to the other technical specifications in relation to which conformity is declared. References shall be listed with their identification number and version and, where applicable, date of issue:
7. Where applicable, the designated body ... (name, number) ... performed ... (description of intervention) ... and issued the type examination certificate: ...

8. Where applicable, description of accessories and components, including software, which allow the radio equipment to operate as intended and covered by the declaration of conformity:

9. Additional information:

Signed for and on behalf of: ...

(place and date of issue):

(name, function) (signature):

ANNEX 6.

Simplified declaration of conformity

The simplified declaration of conformity referred to in Article 12, paragraph 1, item 10) shall be provided as follows:

Hereby, [Name of manufacturer] declares that the radio equipment type [designation of type of radio equipment] is in compliance with the requirements of the following regulations:

The full text of the declaration of conformity is available at the following internet address:

ANNEX 7.

Procedure for issuing a certificate of conformity

1. The certificate of conformity is a document of conformity issued by a designated body on the basis of an examination of the documentation referred to in item 2 of this Annex, by which it certifies that the type and/or model of radio equipment meets the essential requirements referred to in Article 4 of this Rulebook.

2. The manufacturer, his authorized representative or the importer shall submit an application for the issuance of a certificate of conformity to the designated body of his choice.

The application shall contain information on the identification of the radio equipment (manufacturer, type and/or model), as well as:

1) the business name and address of the applicant;

2) a written declaration that the same application has not been submitted to another designated body;

3) documentation, including the declaration of conformity and the relevant parts of the technical documentation referred to in Annex 2 or Annex 3 to this Rulebook, enabling the conformity of the radio equipment with the requirements applicable to that radio equipment to be assessed.

3. The designated body shall examine the documentation referred to in item 2 of this Annex in order to assess whether the type and/or model of radio equipment meets the essential requirements referred to in Article 4 of this Rulebook.

4. The designated body shall draw up an assessment report, which shall describe the activities carried out in accordance with item 3 of this Annex and the results of those activities. Without prejudice to its obligations towards the designating authority, the

designated body may release the content of the report drawn up, in full or in part, only with the prior consent of the applicant.

5. If the type and/or model of radio equipment meets the requirements of this Rulebook that apply to the radio equipment in question, the designated body shall draw up and issue a certificate of conformity to the applicant.

The certificate of conformity shall contain in particular:

- 1) the business name, i.e. the name or title and address of the registered office of the designated body that issued the certificate of conformity;
- 2) the unique number of the designated body from the register of designated bodies;
- 3) the number of the certificate of conformity;
- 4) the business name, i.e. the name or title and address of the registered office of the manufacturer;
- 5) the business name, i.e. the name or title and address of the registered office of the applicant;
- 6) the name of the radio equipment, including the brand, type or model or other data for closer identification of the radio equipment;
- 7) an explicit statement confirming that the radio equipment complies with the requirements of this Rulebook, its title and the number of the official gazette in which it was published, and a statement confirming that the radio equipment complies with the requirements of the applied standards;
- 8) the number of the test report or other appropriate document on the basis of which the certificate of conformity was issued;
- 9) the validity period of the certificate of conformity;
- 10) the identification and signature of the authorized person responsible for issuing the certificate of conformity;
- 11) the place and date of issue of the certificate of conformity.

If the type and/or model of radio equipment does not meet the relevant requirements of this Rulebook, the designated body shall refuse to issue a certificate of conformity and shall inform the applicant thereof, giving detailed reasons for the refusal.

6. The designated body shall keep and publish on its official website a register of issued certificates of conformity, containing in particular the data referred to in item 5 of this Annex, and shall, at the request of the manufacturer or his authorized representative, or the importer, issue an extract from that register, containing in particular the identification of the manufacturer and the kind, as well as the type and/or model of radio equipment for which the certificate of conformity has been issued, the number and date of issue of that certificate.

7. The designated body shall, periodically or upon request, communicate to the designating authority and the competent market surveillance authority a list of certificates of conformity which it has refused to issue, as well as a list of certificates of conformity and extracts from the register of certificates of conformity issued by it.

The designated body shall inform the other designated bodies of certificates of conformity which it has refused to issue and, at their request, of certificates of conformity which it has issued.

The designated body shall, at the request of the competent authorities and other designated bodies, provide copies of certificates of conformity. At the request of the competent authorities, the designated body shall also provide copies of the

documentation on the basis of which it issued the certificate of conformity and of the results of the examinations it has carried out.

The designated body shall keep a copy of the certificate of conformity, the assessment report referred to in item 4 of this Annex, as well as the documentation submitted by the applicant, at least until the expiry of the validity of the certificate of conformity.

8. The manufacturer, his authorized representative or the importer shall keep a copy of the certificate of conformity or an extract from the records of issued certificates of conformity at the disposal of the competent authorities for at least ten years after the last piece of that type or model of radio equipment has been placed on the market.

9. Conformity marking

The manufacturer, his authorized representative or the importer shall affix the Serbian conformity marking to each individual piece of radio equipment of the same type and/or model of radio equipment described in the certificate of conformity.

ANNEX 8.

Conformity mark

8. 1. CE conformity mark

The CE conformity mark consists of the stylized Latin letters "CE" in the following form:

The height of the CE mark shall, as a rule, be at least 5 mm.

If the CE mark is reduced or enlarged, the proportions shown in this drawing shall be taken into account.

8. 2. Serbian conformity mark

The Serbian conformity mark consists of three capital letters A interconnected in the shape of an equilateral triangle (3A), having the appearance and content as shown in the figure:

The size of the mark shall be determined by the height B of the mark, which may only have rounded values of preferred numbers, to the order of magnitude R10 expressed in millimeters (mm) as per the Serbian standard SRPS A.A 0.001 Preferred numbers –Series of preferred numbers.

The height B of the mark shall be, as a rule, at least 5 mm.

The Serbian conformity mark shall be accompanied by the registration number of the designated body from the register of designated conformity assessment bodies, as well as the last two digits of the year of issuing the certificate of conformity, if that body conducted, or participated in the conformity assessment.

ANNEX 9.

Requirements to be met by conformity assessment body to be designated for conformity assessment

1. To be designated to carry out conformity assessment tasks under this Rulebook, a conformity assessment body shall meet the requirements set out in items 2–11 of this Annex.

2. A conformity assessment body shall have the status of a legal entity registered in the Republic of Serbia.

3. A conformity assessment body shall be independent of all parties with an interest in the results of the conformity assessment (“third party”) and independent of the organization or the radio equipment whose conformity it assesses.

A conformity assessment body which is a member of a business or professional association representing organizations involved in the design, manufacturing, provision, assembly, use or maintenance of radio equipment the conformity of which it assesses may be designated provided that it demonstrates its independence and the absence of any conflict of interest.

4. A conformity assessment body, its director, or the members of the executive board of directors, executive directors or members of the supervisory board, etc. of that body (hereinafter: management bodies), as well as employees and other persons engaged in carrying out conformity assessment activities (hereinafter: personnel) shall not be designers, manufacturers, suppliers, installers, purchasers, users or maintainers of the radio equipment the conformity of which they assess, nor shall they be representatives of any of those parties. This shall not preclude the use of radio equipment necessary for the operation of that body or the use of radio equipment for personal purposes.

Management bodies of a conformity assessment body and its personnel shall not be directly involved in the design, manufacture, provision, installation, use or maintenance of the radio equipment concerned, nor shall they act as representatives of any party engaged in those activities. They shall not engage in any activity that may conflict with their judgment and integrity in relation to the conformity assessment tasks for which they have been designated, in particular the provision of consultancy services.

The conformity assessment body shall ensure that the activities of its subcontractors do not compromise the confidentiality, objectivity and impartiality of the conformity assessment activities.

5. A conformity assessment body shall carry out its conformity assessment activities with the highest degree of professional integrity and with the necessary technical competence in the specific field and shall not be subject to any pressure or other inducement, in particular financial, which might influence its decision-making and the results of the conformity assessment activities carried out, especially from persons or groups of persons with an interest in the results of those activities.

6. A conformity assessment body shall be competent to carry out the conformity assessment activities in accordance with the conformity assessment procedures set out in Annex 2 and Annex 3 to this Rulebook for which it seeks designation, whether those activities are carried out by that body or under its responsibility.

For each kind or category of radio equipment, and for each conformity assessment procedure, for which a conformity assessment body seeks designation, that body s, both before and after designation, shall have at its disposal:

1) personnel with technical knowledge and sufficient and appropriate experience to carry out conformity assessment tasks;

2) descriptions of the procedures in accordance with which conformity assessment is carried out, ensuring transparency and ensuring uniform application of those procedures. The conformity assessment body shall also have and apply rules and procedures that clearly distinguish between the conformity assessment activities it carries out as a designated body and the activities it carries out in another capacity or any other activities;

3) procedures for carrying out conformity assessment activities that take into account relevant aspects of the supplier's organization and the radio equipment whose conformity it assesses, such as: the size, activity and structure of the supplier, the level of complexity of the technology of the radio equipment in question, the mass or serial nature of the production process.

The conformity assessment body shall have and apply an appropriate procedure for deciding on complaints against the work of that body and the decisions taken.

The conformity assessment body shall have at its disposal all the means necessary to enable it to perform, in an appropriate manner, the technical and administrative tasks connected with the conformity assessment activities, as well as to have access to all necessary equipment or facilities.

7. The personnel responsible for carrying out conformity assessment tasks shall also have:

1) appropriate professional and technical education and work experience, i.e. appropriate technical and professional training covering all conformity assessment activities for which the body has been designated;

2) appropriate knowledge of the requirements for the assessments it carries out and the authority to carry out those assessments;

3) appropriate knowledge and understanding of the essential requirements referred to in Article 4 of this Rulebook, of the relevant Serbian standards from the list of standards and relevant provisions of the law governing technical requirements for products and conformity assessment and regulations adopted on the basis of that law, in particular regulations ensuring compliance with the EU harmonized legislation;

4) the ability to prepare documents on conformity, records and reports on conformity assessment activities carried out in accordance with this Rulebook.

8. The impartiality of the conformity assessment body, i.e. its top management and the personnel carrying out conformity assessment activities shall be guaranteed.

The salaries, remunerations or rewards of the personnel carrying out conformity assessment activities shall not depend on the number of assessments carried out or on the results of such assessments.

9. The conformity assessment body shall have a liability insurance for damage from professional activity.

10. The conformity assessment body shall respect the confidentiality of data and information related to the conformity assessment, in accordance with the law. This shall not call into question the obligations of the conformity assessment body towards the competent authorities. Property rights shall be protected in accordance with the law.

11. The conformity assessment body shall participate in the relevant activities of standardization organizations and in the activities of groups established with the aim of ensuring the coordination of designated and/or notified bodies, or to ensure that its

personnel carrying out conformity assessment activities are informed of the activities of those organizations and groups. The designated body shall, as a rule, apply the guidelines and other acts of the coordination groups of designated and/or notified bodies, with the aim of consistent and equally high-quality performance of work and implementation of conformity assessment activities.

ANNEX 10.

Manner of presenting the information regarding restrictions on putting into service or requirements for authorisation of the use of radio equipment

1. If radio equipment is subject to restrictions on putting into service or to requirements for authorisation of use referred to in Article 12, paragraph 1, item 11) of this Rulebook, the following information shall be indicated visibly and legibly on the packaging of the radio equipment:

1) a pictogram the appearance and content of which is set out in items 3–5 of this Annex or;

2) the words “Restrictions or Requirements in”, in Serbian, followed by, in addition to the designations of the Member States of the European Union where restrictions on putting into service or requirements for authorisation of use exist, the designation of the Republic of Serbia (RS).

2. If radio equipment is subject to restrictions on putting into service or requirements for authorization of use referred to in Article 12, paragraph 1, item 11) of this Rulebook, the instructions accompanying the radio equipment shall indicate, in addition to the list of Member States of the European Union and geographical areas within Member States of the European Union where such restrictions or requirements exist, the designation of the Republic of Serbia (RS), and in addition to the types of restrictions or requirements applicable in each Member State of the European Union and each geographical area within a Member State of the European Union, the types of restrictions or requirements applicable in the Republic of Serbia.

3. The pictogram shall be in the form of a table.

4. The pictogram shall include the following sign:

5. The pictogram shall include, below or next to the sign referred to in item 4 of this Annex, in addition to the designations of the Member States of the European Union, the designation RS if restrictions on putting into service of radio equipment or an obligation to obtain an authorization for use exist in the Republic of Serbia.

6. The pictogram and its content may have different variations (e.g. color, solid or hollow, line thickness), provided that they are still visible and legible.

7. Examples of pictograms are given in the following figure:

ANNEX 11.

Specifications and information relating to the charging capability of a particular category or class of radio equipment

Part I

Specifications related to charging capabilities

1. The requirements in items 2 and 3 of this Part shall apply to the following categories or classes of radio equipment:

- 1.1. mobile phones;
- 1.2. tablets;
- 1.3. digital cameras;
- 1.4. headphones;
- 1.5. headsets with microphone;
- 1.6. handheld video game consoles;
- 1.7. portable speakers;
- 1.8. e-readers;
- 1.9. keyboards;
- 1.10. mice;
- 1.11. portable navigation systems;
- 1.12. earbuds;
- 1.13. notebook computers.

2. Categories or classes of radio equipment in item 1 of this Part that can be recharged using a cable shall:

2.1. be equipped with a USB Type-C receptacle, as described in the standard SRPS EN IEC 62680-1-3:2022, USB interfaces for data and power supply – Part 1-3: Common components – USB Type-C® Cable and Connector Specification, and that receptacle shall remain accessible and operational at all times;

2.2. be capable of being recharged using cables that comply with the standard SRPS EN IEC 62680-1-3:2022, USB interfaces for data and power – Part 1-3: Common components – USB Type-C® cable and connector specification.

3. categories or classes of radio equipment referred to in item 1 of this Part that are capable of being recharged using a cable at a voltage greater than 5 V, a current greater than 3 A or a power greater than 15 W shall:

3.1. be equipped with the USB Power Delivery function, as described in the standard SRPS EN IEC 62680-1-2:2022, USB interfaces for data and power – Part 1-2: Common components – USB Power Delivery specification;

3.2. ensure that all additional charging protocols enable the full USB Power Delivery functionality referred to in item 3.1, regardless of the charging device used.

Part II

Information on specifications related to charging capabilities and compatible charging devices

In the case of radio equipment to which Article 4, paragraph 4 of this Rulebook applies, the following information shall be indicated in accordance with the requirements set out in Article 12, paragraph 1, item 9 of this Rulebook and may be additionally made available by means of QR (Quick Response) codes or similar electronic solutions:

1) in the case of all categories or classes of radio equipment subject to the requirements set out in Part I of this Annex, a description of the power requirements for charging devices using a cable that can be used with that radio equipment, including the minimum and maximum power requirements for charging the radio equipment at the maximum charging speed, expressed in W, by displaying the following text: "the power delivered by the charger must be between min [xx] W required by the radio equipment and max [yy] W in order to achieve the maximum charging speed." The number of W shall express the minimum power required by the radio equipment, and the maximum power required by the radio equipment to achieve the maximum charging speed;

2) in the case of radio equipment to which the requirements of item 3, Part I of this Annex apply, a description of the specifications relating to the charging capabilities of the radio equipment, in so far as it is capable of being recharged using a cable at a voltage higher than 5 V or a current higher than 3 A or a power higher than 15 W, including an indication that the radio equipment supports the USB charging protocol by displaying the text "USB PD fast charging" and an indication of all other supported protocols by displaying their name in text form.

Part III

Pictogram indicating whether the charging device is included with the radio equipment

1. The pictogram shall have the following forms:

1.1. If a charging device is included with the radio equipment:

1.2. If a charging device is not included with the radio equipment:

2. The pictogram may vary in appearance (e.g. in terms of colour, solid or hollow, line thickness), provided that it remains visible and legible. If the pictogram is reduced or enlarged, the proportions of the drawing specified in item 1 of this Part shall be maintained. The dimension "a" from item 1 of this Part shall be greater than or equal to 7 mm, regardless of the variations.

Part IV

Content and form of the label

1. The label shall be displayed in the following form:

2. The letters "XX" shall be replaced by the figure corresponding to the minimum power required by the radio equipment for charging purposes, which determines the minimum power that the charging device needs to supply to charge the radio equipment for charging. The letters "YY" shall be replaced by the figure corresponding to the maximum power required by the radio equipment to achieve maximum charging speed and which determines the power that the charging device needs to supply at least to achieve the maximum charging speed. The abbreviation "USB PD" (USB Power Delivery) shall be displayed if the radio equipment supports this charging communication protocol. "USB PD" is a protocol that delivers current the fastest from the charging device to the radio equipment without reducing battery lifetime.

3. The label may vary in appearance (e.g. in terms of colour, solid or hollow, line thickness), provided that it remains visible and legible. If the label is reduced or enlarged, the proportions from the drawing specified in item 1 of this Part shall be maintained. The dimension "a" from item 1 of this Part shall be greater than or equal to 7 mm, regardless of the variations.