

# **RULEBOOK ON ELECTROMAGNETIC COMPATIBILITY**

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## **I. INTRODUCTORY PROVISIONS**

### **Subject matter**

#### **Article 1**

This rulebook prescribes: essential requirements for electromagnetic compatibility and other requirements that equipment shall comply with in order to be supplied on the market and/or put into service; presumption of conformity; conformity assessment procedures for equipment; contents of technical documentation; conformity marking and affixing thereof; declaration of conformity and model thereof; requirements that conformity assessment body shall comply with and safeguard clause.

### **Scope**

#### **Article 2**

This rulebook shall apply to equipment liable to generate electromagnetic disturbance and/or the performance of which is liable to be affected by such disturbance.

This rulebook shall not apply to:

- 1) radio and telecommunications terminal equipment regulated by specific legislation;
- 2) aeronautical products, parts and appliances regulated by specific legislation in the field of civil aviation;
- 3) radio equipment used by radio amateurs, unless the equipment is made available on the market, whereby kits of components to be assembled by radio amateurs and equipment made available on the market and modified by and for the use of radio amateurs are not regarded as equipment made available on the market;
- 4) equipment the inherent nature of the physical characteristics of which is such that:
  - (1) it is incapable of generating or contributing to electromagnetic emissions which exceed a level allowing radio and telecommunication equipment and other equipment to operate as intended;
  - (2) it operates without unacceptable degradation in the presence of the electromagnetic disturbance normally consequent upon its intended use;
- 5) custom built evaluation kits destined for professionals to be used solely at research and development facilities for such purposes;
- 6) equipment for which the essential requirements for electromagnetic compatibility set out in Annex 1 - Essential requirements electromagnetic compatibility, which is

printed together with this rulebook as its integral part, are laid down more specifically by other legislation.

This rulebook shall not affect the application of legislation regulating the safety of equipment

## Meaning of certain terms

### Article 3

Certain terms used in this rulebook shall have the following meaning:

- 1) *equipment* is any apparatus or fixed installation;
- 2) *apparatus* is any finished appliance or combination thereof made available on the market as a single functional unit, intended for the end-user and liable to generate electromagnetic disturbance, or the performance of which is liable to be affected by such disturbance, as well as:
  - (1) any component or sub-assembly intended for incorporation into an apparatus by the end-user, which is liable to generate electromagnetic disturbance, or the performance of which is liable to be affected by such disturbance;
  - (2) mobile installation defined as a combination of apparatus and, where applicable, other devices, intended to be moved and operated in a range of locations.
- 3) *fixed installation* is a particular combination of several types of apparatus and, where applicable, other devices, which are assembled, installed and intended to be used permanently at a predefined location;
- 4) *electromagnetic compatibility* means the ability of equipment to function satisfactorily in its electromagnetic environment without introducing intolerable electromagnetic disturbances to other equipment in that environment;
- 5) *electromagnetic disturbance* means any electromagnetic phenomenon which may degrade the performance of equipment; an electromagnetic disturbance may be electromagnetic noise, an unwanted signal or a change in the propagation medium itself;
- 6) *immunity* means the ability of equipment to perform as intended without degradation in the presence of an electromagnetic disturbance;
- 7) *safety purpose* means the purpose of safeguarding human life or property;
- 8) *electromagnetic environment* means all electromagnetic phenomena observable in a given location;
- 9) *supply on the market* is any making available of electrical 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;
- 10) *placing on the market* is the first supply of electrical equipment on the market of the Republic of Serbia;
- 11) *putting into service* is the first use of an equipment for its intended purpose in the Republic of Serbia;
- 12) *manufacturer* is an entrepreneur or a legal person who manufactures electrical equipment or has electrical equipment designed or manufactured, with a view to placing it on the market under his name or trade mark;

13) *representative* is an entrepreneur or a legal person established within the Republic of Serbia who has received a written mandate from a manufacturer to perform on his behalf certain tasks prescribed by this rulebook;

14) *importer* is an entrepreneur or a legal person established within the Republic of Serbia who places on the market electrical equipment from other countries;

15) *distributor* is an entrepreneur or a legal person in the supply chain, other than the manufacturer or the importer, which is established within the Republic of Serbia and supplies electrical equipment on the market;

16) *supplier* is the manufacturer, the representative, the importer or the distributor;

17) *technical specification* is a document that prescribes technical requirements to be fulfilled by an electrical equipment;

18) *harmonised standard* is a European standard adopted on the basis of a request made by the European Commission for the application of European Union harmonisation legislation;

19) *conformity assessment* is the process of determining whether an apparatus fulfills the essential requirement for electromagnetic compatibility of this rulebook;

20) *conformity assessment body* is a body that performs conformity assessment activities including calibration, testing, certification and inspection;

21) *recall* is any action or measure achieving the return of electrical equipment that has already been supplied to the end-user;

22) *withdrawal* is any action or measure preventing electrical equipment in the supply chain from being supplied on the market;

23) *European Union harmonisation legislation* is any European Union legislation harmonising the conditions for the placing of products on the market;

24) *conformity marking* is a marking that the manufacturer affixes on electrical equipment indicating that the electrical equipment is in conformity with requirements of all the legislation that prescribe the obligation of its affixing;

25) *notified body* is a conformity assessment body which has been designated in accordance with this rulebook and notified to the European Commission in accordance with the law governing technical requirements for products and conformity assessment and specific legislation adopted pursuant to that law, or a foreign conformity assessment body notified to the European Commission on the basis of the legislation referred to in Article 20 of this rulebook.

Other terms used in this rulebook, which are not defined in paragraph 1 of this article, have the meaning as defined by the laws governing technical requirements for products and conformity assessment, general product safety, market surveillance, and standardisation.

## II. SUPPLY ON THE MARKET AND/OR PUTTING INTO SERVICE

### Article 4

Equipment covered by this rulebook may be supplied on the market and/or put into service in the Republic of Serbia only if it complies with this rulebook when properly installed, maintained and used for its intended purpose..

The equipment referred to in paragraph 1 shall meet the essential requirements for electromagnetic compatibility set out in Annex 1.

## **Free movement**

### **Article 5**

Equipment which complies with the requirements of this rulebook shall be supplied on the market and/or put into service freely, without any restrictions.

The requirements stipulated by this Rulebook shall not affect the application of the following special measures concerning the putting into service or use of equipment:

1) measures to overcome an existing or predicted electromagnetic compatibility issue at a specific site;

2) measures taken for safety reasons to protect public telecommunications networks or receiving or transmitting stations when used for safety purposes in well-defined spectrum situations.

Measures referred to in paragraph 2 of this Article shall be notified to the European Commission and member states of the European Union.

The equipment which does not comply to the requirements of this Rulebook may be displayed at trade fairs, exhibitions or similar events, provided that a visible sign clearly indicates that such equipment will not be placed on the market and /or put into service until it has been brought into conformity, and provided that adequate measures are taken to avoid electromagnetic disturbances.

## **Requirements for apparatus**

### **Article 6**

An apparatus may be supplied on the market and/or put into service only if it complies with the following requirements:

1) that it has been designed and manufactured in accordance with the essential requirements of this rulebook;

2) that, for the apparatus, the manufacturer has drawn up the technical documentation referred to in Annex 2 – Internal production control, which is published together with this rulebook and is integral part thereof, or Annex 3 – Type examination and conformity to type based on internal production control, which is published together with this rulebook and is integral part thereof (hereinafter: technical documentation);

3) that the appropriate conformity assessment procedure has been carried in accordance with Article 8 of this rulebook;

4) that, for the apparatus, the manufacturer has drawn up the declaration of conformity referred to in Article 9 of this rulebook (hereinafter: declaration of conformity) and has affixed the conformity marking, if the apparatus complies with the essential requirements of this rulebook;

5) that the manufacturer has ensured that procedures are in place for series production to remain in conformity with the requirements of this rulebook, adequately taking into account changes in product design or characteristics and changes in the applied standards or other technical specifications on the basis of which conformity of the apparatus is declared;

6) that the manufacturer has indicated on the apparatus a type, batch or serial number or other element allowing its identification, or, where the size or nature of the apparatus does not allow it, that the identification data is provided on its packaging or in a document accompanying it;

7) that the manufacturer has indicated on the apparatus or, where that is not possible, on its packaging or in a document accompanying it, his name or registered trade mark and the postal address at which they can be contacted;

8) that the importer has indicated on the apparatus or, where that is not possible, on its packaging or in a document accompanying it, his name or registered trade mark and the postal address at which they can be contacted, in Serbian language;

9) that the apparatus is accompanied by clear and understandable instructions and information referred to in Article 12 of this rulebook, in Serbian language;

10) that storage or transport conditions do not jeopardise compliance of the apparatus with the essential requirements of this rulebook.

The declaration of conformity and the technical documentation shall be kept, for at least 10 years after the apparatus has been placed on the market, and shall be made available to the competent inspector, in accordance with the law governing technical requirements for products and conformity assessment and the regulation on manner of performing conformity assessment.

### III. CONFORMITY OF THE ELECTRICAL EQUIPMENT

#### **Presumption of conformity of equipment**

##### **Article 7**

Equipment which is in conformity with Serbian standards or parts thereof, transposing the relevant harmonised standards or parts thereof, the list of which (hereinafter referred to as: list of standards) has been prepared and published in accordance with the law governing technical requirements for products and conformity assessment shall be regarded to be in conformity with the essential requirements of this rulebook covered by those standards or parts thereof.

#### **Conformity assessment procedures for apparatus**

##### **Article 8**

The procedure to be followed for assessing the conformity of equipment with the essential requirements of this rulebook shall be either of the following, at the choice of the manufacturer:

- 1) Internal production control set out in Annex 2 of this rulebook;
- 2) Type examination and Conformity to type based on internal production control set out in Annex 3 of this rulebook.

The manufacturer may choose to restrict the application of the procedure referred to in point 2) of the first paragraph to some aspects of the essential requirements of this rulebook, provided that for the other aspects of such requirements the procedure referred to in point 1) of the first paragraph is applied.

## **Declaration of conformity**

### **Article 9**

The declaration of conformity shall state that the fulfilment of the essential requirements of this Rulebook has been demonstrated.

Declaration of conformity shall be drawn up in Serbian language and have the model structure prescribed in Annex 5 – Declaration of conformity model, which is printed together with this rulebook and is integral part thereof, so that it contains the elements specified in conformity assessment procedure prescribed in Annex 2 or Annex 3 of this rulebook and shall be continuously updated.

Exceptionally, for the apparatus imported into the Republic of Serbia, if the declaration of conformity hasn't been drawn up in Serbian language, the person placing the apparatus on the market shall ensure that it is translated into Serbian language.

Where apparatus is subject to more than one legislation prescribing the obligation of drawing up a declaration of conformity, a single declaration of conformity shall be drawn up in accordance with all such legislation, with all the legislation being identified in it, and whereby dossier made up of declarations of conformity in accordance with individual applied legislation shall also be considered as being a single declaration of conformity.

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

## **Confirmation of conformity**

### **Article 10**

Before placing apparatus on the market, the manufacturer, the representative or the importer shall obtain, in accordance with the procedure prescribed in Annex 4 – Confirmation of conformity, which is printed together with this rulebook and is integral part thereof, the confirmation of conformity or the extract from register of issued confirmations of conformity, from a conformity assessment body designated for carrying out conformity assessment of apparatus with the essential requirements of this rulebook (hereinafter: designated body).

The confirmation of conformity or the extract from register of issued confirmations of conformity referred to in paragraph 1 of this article shall not be obtained for the following apparatus:

- 1) apparatus supplied on the market without a battery charger or mains network adapter, powered by replacable batteries or by connection to personal computer;
- 2) components of personal computers, other than power units;

3) machinery covered by specific legislation, other than transportable tools with electrical motors with alternating voltage up to 250 V intended for household or similar use;

4) for apparatus for which conformity assessment has been carried out in the Republic of Serbia in accordance with Annex 3 of this rulebook, regarding all aspects of essential requirement of this rulebook.

Confirmation of conformity shall be valid for 5 years from the date of issue, for the same type and/or model of the electrical equipment.

## **Marking of conformity**

### **Article 11**

The apparatus which is in conformity with the requirements of this rulebook shall, before it is placed on the market, be marked with the conformity marking prescribed in Annex 6 – Conformity marking, which is printed together with this rulebook and is integral part thereof.

The conformity marking shall be affixed visibly, legibly and indelibly to the apparatus or to its data plate, or where that is not possible or not warranted on account of the nature of the apparatus, it shall be affixed to its packaging or to the documents accompanying it.

Any other marking, symbol, sign or inscription may be affixed to the electrical equipment provided that the visibility, legibility and meaning of the conformity marking is not thereby impaired.

## **Information concerning the use of apparatus**

### **Article 12**

When supplied on the market, the apparatus shall be accompanied by information on any specific precautions that must be taken when the apparatus is assembled, installed, maintained or used, in order to ensure that, when put into service, the apparatus is in conformity with the essential requirements set out in point 1 of Annex 1 of this rulebook.

Apparatus for which compliance with the essential requirements set out in point 1 of Annex I is not ensured in residential areas shall be accompanied by a clear indication of such restriction of use, where appropriate also on the packaging.

The information required to enable apparatus to be used in accordance with the intended purpose of the apparatus shall be included in the instructions accompanying the apparatus.

## **Fixed installations**

### **Article 13**

Apparatus which has been made available on the market and which may be incorporated into a fixed installation shall be subject to all relevant provisions for apparatus set out in this rulebook.

The requirements of Article 4 paragraph 2, Article 6 and Articles 8 to 11 of this rulebook shall not be compulsory in the case of apparatus which is intended for incorporation into a particular fixed installation and is otherwise not made available on the market.

The accompanying documentation for apparatus referred to in paragraph 2 of this Article shall identify the fixed installation and its electromagnetic compatibility characteristics and shall indicate the precautions to be taken for the incorporation of the apparatus into the fixed installation in order not to compromise the conformity of that installation.

The documentation referred to in paragraph 3 of this Article shall also include the information referred to in Article 6 paragraph 1 points 6), 7) and 8) of this rulebook.

The good engineering practices referred to in point 2 of Annex 1 shall be documented and the documentation shall be held by the owner or the user of a fixed installation who shall be responsible for demonstrating the conformity of the fixed installation and, where necessary, he shall obtain evidence of compliance from a designated body.

Where non-compliance of a fixed installation is established, the appropriate measures shall be taken in accordance with the law governing technical requirements for products in order to bring the fixed installation into compliance with the essential requirements of this rulebook.

#### IV. REQUIREMENTS FOR A DESIGNATED CONFORMITY ASSESSMENT BODY

##### **Requirements for carrying out conformity assessment of apparatus**

##### **Article 14**

A conformity assessment body may carry out conformity assessment of apparatus with the essential requirements of this rulebook, if it complies with the requirements set out in Annex 7 – Requirements that a conformity assessment body shall comply with in order to be designated for conformity assessment, which is printed together with this rulebook and is integral part thereof, and if it is designated in accordance with the law governing technical requirements for products and conformity assessment and the regulation adopted pursuant to provisions of that law.

##### **Presumption of conformity with requirements for designated body**

##### **Article 15**

Where a conformity assessment body demonstrates its conformity with the criteria laid down in the appropriate Serbian standards or parts thereof it shall be presumed to comply with the requirements set out in Annex 7, insofar as such standards cover those requirements.

Appropriate Serbian standards referred to in paragraph 1 of this article are the Serbian standards transposing the relevant harmonised standards prescribing requirements to be fulfilled by conformity assessment bodies.

##### **Requirements in relation to subcontracting by designated bodies**



## **Article 16**

Where a designated body subcontracts specific tasks connected with conformity assessment, for carrying out of which it has been designated, it shall ensure that the subcontractor, whether it is established in the Republic of Serbia or abroad, meets the requirements set out in Annex 7 of this rulebook and shall keep evidence attesting to that at the disposal of the minister competent for designation of bodies for conformity assessment of electrical equipment with the essential requirements of this rulebook.

The designated body that subcontracts specific tasks connected with conformity assessment shall have full responsibility for the carrying out of the subcontracted tasks.

## **V. CHECKS OF APPARATUS AFTER IT HAS BEEN SUPPLIED ON THE MARKET AND SAFEGUARD CLAUSE**

### **Requirements for apparatus after it has been supplied on the market and/or put into service, or requirements for apparatus throughout its lifecycle**

## **Article 17**

If the apparatus supplied on the market and/or put into service is not in conformity or there are reasons for supplier to believe that it is not in conformity with this rulebook, the supplier shall without delay make sure that the corrective actions necessary to bring that apparatus into conformity, to withdraw it or recall it, if appropriate, are taken.

Where the apparatus presents a risk to the public interest, and/or it is not in conformity with the requirements of this rulebook, the supplier shall without delay notify the competent market surveillance authority to that effect, providing that authority with relevant information, including the information on the non-compliance and on the corrective actions taken, in accordance with the law governing technical requirements for products and conformity assessment.

Corrective actions referred to in paragraph 1 of this Article shall be taken in respect of all the non-compliant apparatus supplied on the market, and they shall commensurate with the nature of the risk presented by such apparatus.

Where for the apparatus referred to in paragraph 1 of this Article a document of conformity has been issued in accordance with this rulebook, the issuing designated body shall be informed of the non-compliance.

Where the corrective actions have not been taken in accordance with paragraph 1 of this Article, the appropriate measures shall be taken in accordance with the law governing technical requirements for products and conformity assessment.

### **Formal non-compliance of apparatus**

## **Article 18**

Where for the apparatus, after it has been supplied on the market, any of the following non-compliances is established:

- 1) the conformity marking has not been affixed;
- 2) the conformity marking has been affixed in violation of Article 11 of this rulebook;
- 3) the declaration of conformity has not been drawn up;

4) the declaration of conformity has been drawn up in violation of Article 9 and Annex 5 of this rulebook;

5) technical documentation is either not available or not complete;

6) the information referred to in Article 6 paragraph 1 items 7) and 8) of this rulebook is absent, false or incomplete;

7) any requirement provided for in Article 6 of this rulebook is not fulfilled, other than the requirement of paragraph 1 item 1) of that article;

8) any requirement provided for in Article 10 is not fulfilled,

it shall be considered as formally non-compliant and, where such non-compliance is not eliminated or where it is repeated, the measures shall be taken in accordance with the law governing technical requirements for products and conformity assessment.

## **Safeguard clause**

### **Article 19**

The supply or use of apparatus supplied on the market and/or put into service, the conformity of which has been assessed in accordance with this rulebook, to which the conformity marking has been affixed and for which the declaration of conformity has been drawn up, that is accompanied by the prescribed documents and that is used in accordance with its intended purpose or in conditions that can be reasonably foreseen, but for which it is determined that it presents a risk to the the public interest covered by this rulebook, may be restricted or prohibited, or it 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.

## **VI. ALIGNMENT TO THE EUROPEAN UNION LEGISLATION**

### **Article 20**

This rulebook is aligned to the Directive 2014/30/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility.

## **VII. TRANSITIONAL AND FINAL PROVISIONS**

### **Article 21**

From the date of entry into force of a ratified international agreement on conformity assessment and acceptance of industrial products with the European Union (hereinafter: the ACAA) for the apparatus covered by this rulebook, or if such agreement is not concluded, from the date of Republic of Serbia's accession to the European Union, in all provisions and titles within this rulebook where they are used, the words: "conformity marking" shall be construed as: "CE marking", words: "declaration of conformity" shall be construed as: "EU declaration of conformity", words: „type examination" shall be construed as: „EU type examination", words: „type examination certificate" shall be construed as: „EU type examination certificate", in Article 14 of this rulebook, word: „designated" shall be construed as: „designated and notified", in

Articles 15 and 16 and titles thereof, in Article 17 paragraph 3, as well as in Annex 3, words: „designated body” shall be construed as: „notified body”, in the used case and number; in point 7 of Annex 7, words: „ registry number of the designated body and/or identification number of the notified body” shall be construed as: „identification number of the notified body”; in point 11 of Annex 7, words „designated and/or notified” shall be construed as: „ notified”.

From the date of Republic of Serbia’s accession to the European Union, in Article 3 of this rulebook the words: “Republic of Serbia” shall be construed as: “European Union”, in Article 6 paragraph 1 pts. 8) and 9) the words: “in Serbian language” shall be construed as: “in a language easily understood by end-users and competent inspector”.

Article 5 paragraph 3 of this rulebook shall apply from the date of Republic of Serbia’s accession to the European Union.

## **Article 22**

From the date of entry into application of this rulebook until the date of entry into force of the ACAA for the apparatus covered by this rulebook or, if such agreement is not concluded, until the date of Republic of Serbia’s accession to the European Union, the marking of conformity of electrical equipment shall be carried out by affixing the Serbian conformity marking in accordance with this rulebook and specific legislation.

From the date of entry into force of the ACAA for the apparatus covered by this rulebook or, if such agreement is not concluded, from the date of Republic of Serbia’s accession to the European Union, the marking of conformity of the apparatus shall be carried out by affixing the CE marking in accordance with this rulebook and specific legislation.

Notwithstanding the paragraph 2 of this article, where the apparatus which is in conformity with this rulebook and which, on the date of entry into force of the ACAA for the apparatus covered by this rulebook or, if such agreement is not concluded, on the date of Republic of Serbia’s accession to the European Union, is in the stocks of the supplier and the CE marking is not affixed to it, such apparatus may be supplied in the territory of the Republic of Serbia until the stocks exist, but at the latest until 2 years after the date of Republic of Serbia’s accession to the European Union.

## **Article 23**

With effect from the date of entry into force of the ACAA for the apparatus covered by this rulebook or, if such agreement is not concluded, from the date of Republic of Serbia’s accession to the European Union, the provisions of Article 10, Article 18 paragraph 1 point 8) and of Annex 4 are repealed.

## **Article 24**

With effect from the date of entry into application of this rulebook, the Rulebook on electromagnetic compatibility (“Official Gazette of RS”, number 13/10) is repealed.

Conformity assessment bodies designated in accordance with the legislation referred to in paragraph 1 of this article shall carry out those tasks, in accordance with Article

10 of this rulebook, from the date of entry into application of this rulebook until the completion of designation procedure in accordance with this rulebook.

The conformity assessment bodies referred to in paragraph 2 of this article may submit their requests for designation in accordance with this rulebook to the competent designating authority within the period of 6 months after the date of its entry into application.

Where the conformity assessment bodies referred to in paragraph 2 of this article do not submit their requests for designation within the period referred to in paragraph 3 of this article and/or where the designating authority, after submission of those requests, determines that they do not comply with the requirements of this rulebook, they shall not be able to carry out conformity assessment as designated bodies in accordance with this rulebook.

The documents of conformity that the bodies referred to in paragraph 2 of this article have issued with a limited validity period, shall be valid until their validity expiration date, and the documents of conformity that those bodies have issued, in accordance with the legislation referred to in paragraph 1 item 1) of this article, with unlimited validity period, shall be valid for the period of 1 year from the date of entry into application of this rulebook.

## **Article 25**

This rulebook shall enter into force on the eighth day from the date of its publication in the “Official Gazette of the Republic of Serbia”, and shall enter into application on July 1<sup>st</sup> 2017.

## **Annex 1 ESSENTIAL REQUIREMENTS FOR ELECTROMAGNETIC COMPATIBILITY**

### **1. General requirements for equipment**

Equipment shall be so designed and manufactured, having regard to the state of art, as to ensure that:

- 1) the electromagnetic disturbances generated does not exceed the level above which radio and telecommunications equipment or other equipment cannot operate as intended;
- 2) it has a level of immunity to the electromagnetic disturbances to be expected in its intended use which allows it to operate without unacceptable degradation of its intended use.

### **2. Specific requirements for fixed installations**

A fixed installation shall be installed applying good engineering practices and respecting the information on the intended use of its components, in order to meet protection requirements set out in Point 1 of this Annex. Such good engineering practice shall be documented and the documentation shall be held by the person(s) responsible at the disposal of the relevant authorities for inspection purposes for as long as the fixed installation is in operation.

## **Annex 2 CONFORMITY ASSESSMENT PROCEDURE CONDUCTED BY THE MANUFACTURER (INTERNAL PRODUCTION CONTROL)**

1. The manufacturer shall perform the assessment of electromagnetic compatibility of the apparatus, on the basis of the relevant phenomena, with a view to meeting the protection requirements set out in Annex 1 point 1. The apparatus shall be considered meeting requirements regarding electromagnetic compatibility set out in Appendix 1, Point 1 if all relevant harmonised standards stated in the list of standards under Article 7 of this Rulebook have been correctly applied during its design and manufacturing.
2. The electromagnetic compatibility assessment shall take into account all normal intended operating conditions of the apparatus. Where the apparatus is capable of taking different configurations, the electromagnetic compatibility assessment shall confirm whether the apparatus meets the requirements set out in Annex 1, Point 1 in all the possible configurations identified by the manufacturer for its intended use.
3. The manufacturer, in accordance with Annex 4, shall draw up technical documentation providing evidence of the conformity of the apparatus with the essential requirements set out in Annex 1.
4. The manufacturer shall take all necessary measures in order to provide that the apparatus are manufactured in accordance with technical documentation referred to in Point 3 of this Annex and requirements under this Rulebook.
5. The compliance of apparatus with all essential requirements shall be certified by the Declaration of Conformity issued by the manufacturer or his authorised representative.
6. Technical documentation and Declaration of Conformity shall be drawn up in accordance with Annex 4.
7. The manufacturer or his authorised representative shall keep technical documentation and the Declaration of Conformity with a translation into Serbian language if the apparatus has not been manufactured in the Republic of Serbia, at the disposal of the competent authorities for at least 10 years after the date on which such apparatus was last manufactured.
8. If neither the manufacturer nor his authorised representative is established in the Republic of Serbia, the importer of such apparatus in the Republic of Serbia is obliged to keep the Declaration of conformity and technical documentation, as well as to be at the disposal of competent authorities within the period specified under Point 7 of this Annex.

### **Annex 3 CONFORMITY ASSESSMENT PROCEDURE CONDUCTED BY THE NOTIFIED BODY**

The conformity assessment as per this Annex shall be conducted by means of conformity assessment procedure set out in Annex 2 and following additional procedures:

1. The manufacturer or his authorised representative shall communicate the technical documentation to the Notified Body and the application for assessment thereof, specifying which aspects of the essential requirements should be assessed.
2. The Notified Body shall inspect the technical documentation and assess whether the technical documentation demonstrates that the requirements of this Rulebook have been met. If the compliance of the apparatus has been confirmed, the Notified Body shall issue a statement to the manufacturer or his authorised representative confirming the compliance of the apparatus.
3. The statement as per Point 2 of this Annex is limited to aspects of the essential requirements which are assessed by the Notified Body.

The manufacturer or his authorised representative shall enclose the statement referred to in Paragraph 1 of this Point to the technical documentation referred to in Annex 4.

## **Annex 4 TECHNICAL DOCUMENTATION AND DECLARATION OF CONFORMITY**

### **1. Technical documentation**

Technical documentation must enable the conformity of the apparatus with the essential requirements to be assessed.

It must include the design and manufacture of the apparatus, in particular:

- 1) General description of apparatus;
- 2) The list of Serbian standards applied from the list of standards set out in Article 7 of this Rulebook;
- 3) Where the manufacturer has not applied Serbian standards from the list of standards set out in Article 7 of this Rulebook, or partially applied them or such standards do not exist, a description and explanation of the procedures applied to meet the essential requirements set out in Annex 1, including a description of the electromagnetic compatibility assessment set out in Annex 2, Point 1, results of design calculations made, examinations carried out, test reports, etc;
- 4) A statement from the Notified Body, where the conformity assessment procedure referred to in Annex 3 has been conducted.

### **2. Declaration of Conformity** Declaration of Conformity must contain, in

particular: 1) Reference to this Rulebook; 2) Information on identification of the apparatus as set in Article 12 (1) of this Rulebook; 3) Business name, name and address of the manufacturer, and where applicable, business name, or name and address of his authorised representative;

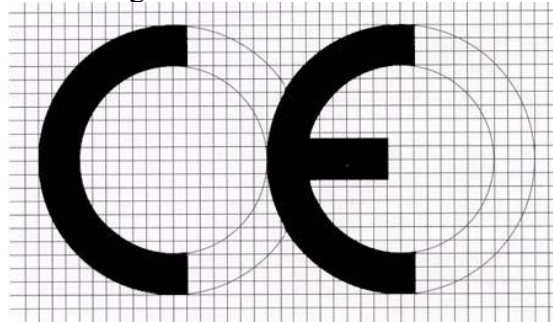
4) Information on the statement of conformity issued by the Notified Body, as well as information on such Body; 5) Place and date of issuing of the Declaration of Conformity;



6) Identity and signature of the authorized person responsible for issuing of the Declaration of conformity on behalf of the manufacturer or his authorised representative.

## **Annex 5 CONFORMANCE MARKS**

1. “CE” MARK CE marking shall consist of the initiated letters “CE” taking the following form:



The CE marking must have a vertical dimension of at least 5mm.

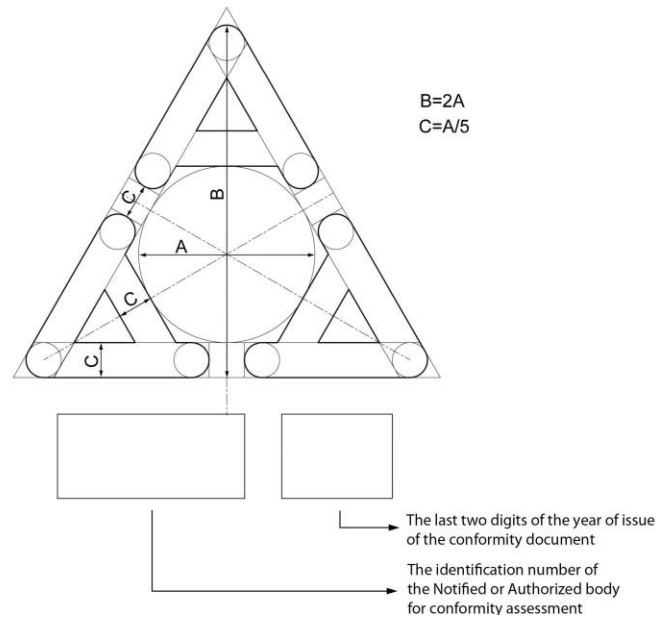
If the CE marking is reduced and enlarged the proportions given in the above graduated drawing must be respected.

The CE marking must be affixed to the apparatus or to its data plate, where this is not possible or not warranted on account of the nature of the apparatus, it shall be affixed to the packaging, if any, and to the accompanying documents.

## **2. SERBIAN CONFORMITY MARKS**

Serbian conformity marks must consists of three capital letters “A” interconnected in the equilateral triangle (3A), the appearance and content as per the figure below:

1. The conformity assessment body, its director, the members of managing board of



Size of the mark must be determined by the height B of the mark which may only have values of standard numbers rounded up, to the order of magnitude R10 expressed in millimetres (mm), as per Serbian standard – Standard numbers, numerical values and definitions – SRPS A.A0.001.

The height B of the mark must be, as a rule, at least five millimetres.

The identification number of the Notified, or Authorized conformity assessment body from the Registry of notified or authorized conformity assessment bodies, and the last two digits of the year of issue of the conformity document, if this body performed, or participated in, conformity assessment, must be placed next to the Serbian mark.

## ANNEX 6

### REQUIREMENTS THAT A CONFORMITY ASSESSMENT BODY SHALL COMPLY WITH IN ORDER TO BE DESIGNATED FOR CONFORMITY ASSESSMENT

1. For the purpose of designation for conformity assessment in accordance with this rulebook, a conformity assessment body shall comply with the requirements laid down in points 2 to 11 of this annex.
2. A conformity assessment body shall have a legal personality and shall be registered in the Republic of Serbia.

3. A conformity assessment body shall be a third-party body independent of the organisation or the product it assesses.

A body belonging to a business association or professional federation representing undertakings involved in the design, manufacturing, provision, assembly, use or maintenance of the product which it assesses, may, on condition that its independence and the absence of any conflict of interest are demonstrated, be considered such a body.

4. A conformity assessment body, its director, the members of its executive board of directors, the members of its supervising board etc. (hereinafter: top level management), as well as its employees and other persons responsible for carrying out the conformity assessment tasks (hereinafter: personnel) shall not be the designer, manufacturer, supplier, installer, purchaser, owner, user or maintainer of the product which they assess, nor the representative of any of those parties. This shall not preclude the use of assessed product that is necessary for the operations of the conformity assessment body or the use of such product for personal purposes.

The top level management and the personnel shall not be directly involved in the design, manufacture or construction, the marketing, installation, use or maintenance of those apparatus, or represent the parties engaged in those activities. They shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to conformity assessment activities for which they are designated. This shall in particular apply to consultancy services.

A conformity assessment body shall ensure that the activities of its subcontractors do not affect the confidentiality, objectivity or impartiality of their conformity assessment activities.

5. A conformity assessment body and its personnel shall carry out the conformity assessment activities with the highest degree of professional integrity and the requisite technical competence in the specific field and shall be free from all pressures and inducements, particularly financial, which might influence their judgement or the results of their conformity assessment activities, especially as regards persons or groups of persons with an interest in the results of those activities.

6. A conformity assessment body shall be competent for carrying out conformity assessment tasks in accordance with the conformity assessment procedure in relation to which it requests designation, whether those tasks are carried out by the conformity assessment body itself or on its behalf and under its responsibility.

For each kind or category of the product and for each conformity assessment procedure, for which a conformity assessment body requests designation, that body shall, before and after the designation, have at its disposal the necessary:

1) personnel with technical knowledge and sufficient and appropriate experience to perform the conformity assessment tasks;

2) descriptions of procedures in accordance with which conformity assessment is carried out, ensuring the transparency and the ability of reproduction of those procedures. It shall have appropriate policies and procedures in place that distinguish between tasks it carries out as a designated body and other activities;

3) procedures for the performance of activities which take due account of the size of an undertaking, the sector in which it operates, its structure, the degree of complexity

of the electrical equipment technology in question and the mass or serial nature of the production process.

A conformity assessment body shall also have in place and shall apply the appropriate procedure for consideration of and deciding on appeals against its operation and its decisions.

A conformity assessment body shall have the means necessary to perform the technical and administrative tasks connected with the conformity assessment activities in an appropriate manner and shall have access to all necessary equipment or facilities.

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

1) sound technical and vocational training covering all the conformity assessment activities;

2) satisfactory knowledge of the requirements of the assessments they carry out and adequate authority to carry out those assessments;

3) appropriate knowledge and understanding of the safety objectives set out in Article 5 and Annex 1 of this rulebook, of the applicable standards referred to in Articles 9 to 11 of this rulebook and of the relevant provisions of the law governing technical requirements for products and conformity assessment and of legislation adopted pursuant to provisions of that law, in particular the legislation adopted for the purpose of alignment to the Union harmonisation legislation;

4) the ability to draw up documents of conformity, records and reports demonstrating that assessments have been carried out.

8. The impartiality of the conformity assessment body, its top level management and of the personnel responsible for carrying out the conformity assessment tasks shall be guaranteed.

The remuneration of the personnel responsible for carrying out the conformity assessment tasks shall not depend on the number of assessments carried out or on the results of those assessments.

9. A conformity assessment body shall take out liability insurance covering damages that may result from its occupational activities.

10. A conformity assessment body and its personnel shall observe professional secrecy with regard to all data and information obtained in carrying out conformity assessments, in accordance with the law. Proprietary rights shall be protected in accordance with the law.

11. A conformity assessment body shall participate in, or ensure that its personnel responsible for carrying out the conformity assessment tasks is informed of, the relevant standardisation activities.