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Act of 13 April 2007

on electromagnetic compatibility^{1) 2)}

Chapter 1

General provisions

Article 1. The Act sets out the conditions to maintain capacity by the equipment, including the apparatus, fixed installation, component and mobile installation, for satisfactory operation in the specific electromagnetic environment without introducing to this environment unacceptable electromagnetic disturbances, hereinafter referred to as “electromagnetic compatibility”, and conformity assessment procedures of such an equipment with the following requirements on:

- 1) not causing electromagnetic disturbances of the values exceeding the resistance to such disturbances of another equipment present in this environment; and
- 2) having the required resistance to the electromagnetic disturbances

- hereinafter referred to as “essential requirements”.

Article 2. With regard to the matters not regulated in the act, the relevant provisions of the Act of 30 August 2002 on the conformity assessment system are applicable (Official Journal of Law of 2004, No 204, item 2087, as amended³⁾).

Article 3. The requirement referred to in article 1, section 2, does not refer to the measurement equipment within the meaning of article 4, section 5 of the act dated 11 May 2001- Measuring Instrument Directive (Official Journal of Law of 2004, No 243, item 2441, as amended⁴⁾)

Article 4. The provisions of the act are not applicable to the equipment, which:

- 1) is not capable to generate in their environment the electromagnetic disturbances of the values exceeding the resistance of other equipment present in this environment to these disturbances; and
- 2) is resistant to the electromagnetic disturbances occurring usually while using it in accordance with its purpose

Article 5. The provisions of the act are not applicable also with regard to:

- 1) Telecommunications terminal equipment, within the meaning of article 2, point 43 of the act dated 16 July 2004 – Telecommunications law (Official Journal of Law, No 171, item 1800, as amended⁵⁾), which

¹ This act, within the scope of its regulation, implements the directive 2004/108/EC of the European Parliament and of the Council of 15 December 2004 on the approximation of the laws of the Member States relating to electronic culpability and relating Directive 89/336/EEC (Official Journal of Law EU L 390 of 31.12.2004, p. 24)

² This act replaces the acts: the act of 4 February 1994 – Geological and mining law and the act of 16 July 2004 - Telecommunications law.

³ The amendments to the uniform text of the aforementioned act are noted in Journal of law of 2005, No 64, item 565 and No 267, item 2258 of 2006, No 170, item 1217, No 235, item 1700 and No 249, item 1832 and 1834, as well as of 2007, No 21, item 124.

⁴ The amendments to the uniform text of the aforementioned act are noted in Journal of law of 2005, No 163, item 1362 and No 180, item 1494 and of 2006, No 170 and No 249, item 1834.

- do not use the radio wave spectrum and are designed to be included in the terminations of the public telecommunications network;
- 2) Receiving parts of the radio equipment and radio transmitting equipment as well as the transmit and receive equipment;
 - 3) Equipment designed to be used exclusively in the amateur radio communications service, which is not commercially available, including the sets of parts for equipment assembly as well as the equipment modified by the radio amateurs for their own purposes for the use in the amateur radio communications service;
 - 4) Telecommunications equipment within the meaning of article 2, point 46 of the act of 16 July 2004 – Telecommunications Law, designed exclusively to be used by:
 - a) organisational units and organisational entities subject to the Ministry of National Defence or supervised by it, as well as the bodies and organisational units supervised by or subject to the competent minister of internal affairs – for their own purposes,
 - b) bodies and organisational units subject to the competent minister of internal affairs – in the telecommunications network used by these bodies and units for the purpose of the Chancellery of the President, Chancellery of the Sejm, Chancellery of the Senate and governmental administration,
 - c) foreign states' armed forces and organisational units of other foreign states' bodies, which temporarily reside on the territory of the Republic of Poland under the agreements to which the Republic of Poland is a Party – during the stay,
 - d) organisational units of the Internal Security Agency, Intelligence Agency and Central Anticorruption Bureau – for their own purposes,
 - e) organisational units subject to the competent minister of foreign affairs - for their own purposes,
 - f) diplomatic representatives, consular offices, foreign special missions and representations of international organisations, which benefit from the privileges and immunities within the meaning of acts, agreements and international customs, which have their respective seats on the territory of the Republic of Poland – exclusively within the scope of diplomatic activities of these entities,
 - g) organisational units of the Prison Service – for their own purposes,
 - h) organisational units carrying out the activities of tax intelligence, which are included in the organisational units of fiscal control supervised by or subject to the competent minister of public finance - for their own purposes.
 - 5) Medical devices within the meaning of act of 20 April 2004 on the medical devices (Official Journal of Law, No 93, item 898 and of 2005, No 64, item 565);

⁵ The amendments to the uniform text of the aforementioned act are noted in Journal of law of 2004, No 273, item 2703, of 2005, No 163, item 1363 and No 267, item 2258, of 2006, No 12, item 66, No 104, item 708 and 711, No 170, item 1217, No 220, item 1600, No 235, item 1700 and No 249, item 1834 and of 2007, No 23, item 137 and No 50, item 331.

- 6) Vehicles within the meaning of act of 20 June 1997 – Law on the road traffic (Official Journal of Law, 2005 No 108, item 908, as amended⁶);
- 7) Aeronautical products, parts and equipment within the meaning of ordinance (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common principles for civil aviation and establishment of the European Aviation Safety Agency (Official Journal of Law, EU L 240 of 2007 September 2002, p. 1, as amended: Official Journal of Law EU Polish special edition, Chapter 7, volume 7, page 30).

Article 6. The terms used in the act shall have the following meaning:

- 1) apparatus – each finished product or a set of products, which are available on the market as the separate functional items designed for use or assembly by the user and capable of causing electromagnetic disturbances or prone to it;
- 2) mobile installation – connection of several kinds of apparatus or connection of the apparatus and other products, which are designed to be used in various locations;
- 3) fixed installation - connection of several kinds of apparatus or connection of the apparatus and other products, which are designed to be used in specific and fixed location;
- 4) component – a product with various complexity degrees designed to be assembled in the apparatus by the user, which may generate the electromagnetic disturbances or which may be influenced by such activity or disturbances;
- 5) resistance to electromagnetic disturbances – capacity of the equipment to operate in accordance with its purpose without limiting the performed functions in case electromagnetic disturbances occur;
- 6) CE marking – a marking confirming the conformity of the apparatus with the essential requirements after the conformity assessment has been carried out;
- 7) Electromagnetic environment – a group of electromagnetic phenomena occurring in a particular place;
- 8) Electromagnetic disturbance – any electromagnetic phenomenon, which may lower the quality of equipment operation or adversely influence the living and lifeless matter.

Article 7. The component and mobile installation are governed by the provisions of the act relating to the apparatus.

Chapter 2

Conformity assessment procedures

Article 8. The apparatus and the fixed installation, before introducing them into the market or delivering them for use, are subject to a mandatory conformity assessment with the essential requirements.

Article 9.1. The conformity assessment is performed by the manufacturer or its authorised representative.

2. It is presumed that the apparatus meets the principle requirements, if it is compliant with the harmonised standards within the meaning of provisions of act of 20 August 2002 on the conformity assessment system.

⁶ The amendments to the uniform text of the aforementioned act are noted in Journal of law of 2005, No 109, item 925, No 175, item 1462, No 179, item 1486 and No 180, item 1494 and 1497, of 2006 No 17, item 141, No 104, item 708 and 711, No 190, item 1400, No 191, item 1410 and No 235, item 1701 and of 2007 No 52, item 343 and No 57, item 381.

3. The apparatus' conformity assessment is carried out for all the operating conditions of this apparatus, for which it is designed.
4. In case of the apparatus, which may be produced and used in various configurations, apparatus' conformity assessment is carried out for all the representative configurations compliant with the apparatus' purpose.
5. In the situation described in the section 4, it is sufficient just to carry out the apparatus' conformity assessment in the configuration giving the highest level of electromagnetic disturbances and in the configuration showing the lowest resistance to such disturbances.

Article 10. 1. The manufacturer draws up the technical documentation covering the apparatus' design and manufacturing process, which confirms its compliance with the essential requirements.

2. Technical documentation referred to in section 1 includes, in particular:

- 1) apparatus' description including the information enabling its unequivocal identification;
- 2) evidence of compliance with the harmonised standards applied entirely or partially, if such standards are set out;
- 3) the description of actions undertaken in order to ensure the apparatus' compliance with the essential requirements, unless the manufacturer applied the harmonised standards or applied them partially, and in particular:
 - a) explanation of undertaken actions,
 - b) the result of calculations regarding the apparatus' design,
 - c) description of the researches or test carried out and their results

3. The statement is attached to the documentation, described in article 11, section 4, if the notified body took part in the conformity assessment, within the meaning of provisions on the conformity assessment system.

Article 11. 1. The manufacturer or its authorised representative may subject the apparatus to the conformity assessment involving the notified body, authorised by the competent minister of communications, in accordance with the provisions of act dated 30 August 2002 on the conformity assessment system.

2. The manufacturer or its authorised representative submits the technical documentation, described in article 10 of section 1, to the notified body and it indicates the technical aspects proving the compliance of the apparatus with the essential requirements which should be assessed by this entity.

3. The notified body performs the analyses of the submitted technical documentation within the scope described in the section 2, and evaluates whether it proves properly the compliance of the apparatus with the essential requirements in this area.

4. In case the compliance with the essential requirements is confirmed, the notified body issues a statement to the manufacturer or its authorised representative, which confirms the compliance of the apparatus with the essential requirements and indicating the essential requirements, which were the subject of the assessment.

Article 12. Before introducing the apparatus into the market or delivering it for use, the manufacturer or its authorised representative confirms the compliance of the apparatus with the essential requirements by issuing the declaration of conformity and placing CE marking on the apparatus.

Article 13. The conformity declaration, referred to in article 12, includes in particular:

- 1) information on the conformity of the apparatus with the directive 2004/108/EC of the European Parliament and of the Council of 15 December 2004 on the approximation of the laws of the Member States relating to electronic compatibility and relating Directive 89/336/EEC (Official Journal of Law EU L 390 of 31.12.2004, p. 24);
- 2) the description of the apparatus including the information enabling its unequivocal identification;
- 3) a company, indication of seat and producer's address and its authorised representative, if there is such;
- 4) indicating the dated versions of the harmonised standards on the basis of which the conformity of the apparatus with the essential requirements is declared, and the information on other operations involved in order to ensure the conformity of the apparatus with the essential requirements, if they were applied;
- 5) the data of declaration issuance;
- 6) name and surname and signature of a person authorised to issue the declaration.

Article 14. 1. CE marking, referred to in article 12, is placed in a legible and fast manner on the apparatus or its data plate, or in case it is not possible:

- 1) on the apparatus' package, if there is such, and in the instructions for use; or
- 2) in the guarantee document attached to the apparatus.

2. Apart from the CE marking, other markings can also be placed on the apparatus, provided that they shall not reduce the transparency and legibility of the CE marking, and shall not mislead about the meaning and CE marking form.

3. CE marking means as well the conformity of the apparatus with other provisions which require CE marking, if the marked apparatus is subject to such provisions.

4. CE marking pattern is determined by the annexe to the agreement.

Article 15. 1. Placed on the apparatus or its data plate in a legible and fast manner, or in case it is not possible:

- 1) on the apparatus' package, if there is such, and in the instructions for use; or
- 2) in the guarantee document attached to the apparatus

- included details include the name, marking of the parcel and series number or other information enabling its identification.

2. The apparatus is attached with the information on the company, seat and address of the manufacturer and, if it does not have the seat in the Member States of the European Union, on the company, seat and the address of its authorised representative or a person having its seat in the Member States of the European Union, which is responsible for introducing a particular apparatus into the market in the Member States of the European Union.

3. The manufacturer attaches the information on the precaution measures, which must be taken while monitoring, assembling, maintaining and using the apparatus in order to ensure the apparatus is compliant with the essential requirements.

4. If using the apparatus in the residential area does not secure the compliance with the principle requirements, then the manufacturer includes the restriction indications as to its application along with naming the harmonised

standards, which are competent for a particular kind of apparatus and it place the relevant information on the package, if there is such.

5. Information, referred to in the sections 1 – 4, and other information necessary to use the apparatus in accordance with its purpose, is placed in the instructions for use.

Article 16. 1 The manufacturer or its authorised representative is obliged to make available the declaration of conformity and the technical documentation referred to in article 10 for control purposes for the period of 10 years of the date of manufacturing the last apparatus.

2. If the manufacturer does not have the seat in the Member States of the European Union and does not have the authorised representative, the obligation referred to in the section 1 is laid upon the person responsible for introducing the apparatus to the market in the Member States of the European Union.

Article 17. 1. The contractor, who performs the assembly of fixed installation, carries out the conformity evaluation of this installation before delivering it for the use; article 9, sections 2 – 5 and article 11 are respectively applied.

2. The contractor is a person, who have made the connections of fixed installation in a way which ensure meeting its functions in accordance with its purpose before delivering it for use. The contractor is also deemed to be each person, who performed recent modification in the installation.

3. The apparatus designed exclusively to be assembled in the fixed installation and inaccessible on the market as a separate product is subject to the conformity assessment along with the fixed installation, to which it was assembled. Article 12 is not applicable to this kind of apparatus.

4. The technical documentation will be attached to the fixed installation, which includes:

- 1) the description and scheme of the installation;
- 2) information on the results of the conducted compliance tests of the installation with the essential requirements.
- 3) information on the mode of action during the installation assembly, including the apparatus' content, which ensures the compliance with the essential requirements;
- 4) instructions for installation use and maintenance;
- 5) information which enable the identification of the installation contractor and the manufacturer of the apparatus which is the fixed part of the equipment;
- 6) information referred to in article 15, sections 1 and 2.

Article 18. 1. The contractor for the fixed installation delivers it to its owner or user along with the technical documentation, mentioned in article 17, section 4.

2. The owner or user of the fixed installation is obliged to:

- 1) maintain it in a condition which ensures the conformity with the essential requirements;
- 2) keep it, and if necessary update it, and make it available for the technical documentation control purposes, mentioned in article 17, section 4, for the entire period of using the installation.

Article 19. 1. It is allowed to be exhibited on the trade fairs, exhibitions and displays of the equipments subject to the mandatory conformity assessment without the declaration of conformity and CE marking, to present

their operation, within the meaning of condition that the information about the displayed equipment can not be introduced to the market neither deliver to be used until the conformity assessment is carried out, will be visible.

2. The presentation of the equipment, mentioned in the section 1, is possible within the meaning of condition of taking security measures against the electromagnetic disturbances occurrence.

Chapter 3

Proceeding in the electromagnetic compatibility matters

Article 20. The competent body for electromagnetic compatibility is the President of the Office of Electronic Communications, hereinafter referred to as the “President of OEC”, with the reservation of the separate regulatory empowerments of other bodies.

Article 21. 1. The President of OEC is the body empowered to carry out the control of conformity of the equipment with the requirements with regard to the electromagnetic compatibility, as the body specialised within the meaning of provisions of the act dated 30 August 2002 on the conformity assessment system.

2. OEC President’s obligation include:

- 1) conformity assessment of statements, referred to in article 11, section 4;
- 2) technical documentation storage and update audit, referred to in article 17, section 4;
- 3) control in terms of meeting the terms and conditions, referred to in article 19.

Article 22. For the purpose of carrying out the control in terms, referred to in article 21, section 1 and to proceed in the matter of introducing the equipment onto the market or delivering for use, which is not compliant with the essential and other requirements, the provisions of the act of 30 August 2002 on the conformity assessment system and the act of 16 July 2004 – Telecommunications law, are applicable.

Article 23. If after the audit, referred to in article 21, section 1, the President of OEC states that there is unconformity of the statements, referred to in article 11, section 4 with the actual state, he submits the results of the control to the competent minister of communications to undertake the actions in accordance with the provisions of the act of 30 August 2002 on the conformity assessment system.

Article 24. 1. The relevant provisions of the act of 16 July 2004 – Telecommunications law, are applicable to the control of transferring and updating thee technical documentation, referred to in article 17, section 4.

2. If on the basis of the results of the audit, the President of OEC states, that the owner or user of the fixed installation does not meet the obligation, referred to in article 18, section 2, point 2, may, within the specified period, call for submission of technical documentation which meets the requirements, referred to in the act.

3. In case of failure to deliver the documentation, referred to in the section 1, the President of OEC may pass a decision on forbidding the owner or the use to use the fixed installation until he/she delivers the documentation, taking the degree of failure to meet the requirements with regard to the documentation into account.

Article 25. If:

- 1) the operation of the equipment exhibited at the trade fairs, exhibitions and displays may produce the electromagnetic disorders; or
- 2) lack of information referred to in article 19, section 1

- the President of OEC makes the decision on the suspension of the exhibition. The decision is given order of immediate enforceability.

Article 26. 1. In case the decision is passed, referred to in article 41c, section 3, point 1-3 and section 5 of the act of 30 August 2002 on the conformity assessment system, with regard to the equipment which does not meet the essential requirements, the President of OEC will submit to the President of the Office of The Competition and Consumer Protection the information on its issuance along with the note indicating the result of the nonconformity:

- 1) failure to meet the essential requirements, if the equipment is not compliant with the harmonised standards; or
- 2) improper application of the harmonised standards; or
- 3) lack of the relevant harmonised standards.

2. The President of the Office of The Competition and Consumer Protection submits the information, referred to in section 1, to the European Commission and Member States of the European Union in accordance with the article 44 of the act dated 30 August 2002 on the conformity assessment system.

Article 27. With regard too the equipment designed to be used in the mining plant, the tasks referred to in article 21 – 26, are performed by the President of the State Mining Authority .

Chapter 4

Amending, transitional and final provisions

Article 28. In the act of 4 February 1994 – Geological and Mining Law (Official Journal of Law of 2005, No 228, item 1947, as amended⁷), the hitherto content of the article 117a is marked as the section 1 and the section 2 is added with the following wording:

“2. The President of the State Mining Authority is the competent body with reference to the matters referred to in the act of 13 April 2007 on the electromagnetic compatibility (Official Journal of Law, No 82, item 556) within the scope of the products designed to be used in the mining plants.”

Article 29. In the act of 16 July 2004 – Telecommunications law (Official Journal of Law, No 171, item 1800, as amended⁸), the following amendments are introduced:

- 1) in article 1, section 1, point 11 the wording shall be the following:
“11) the requirements, which should be met by the radio equipment and telecommunications terminal equipment”;
- 2) in article 2:
 - a) point 3 shall have the following wording:
“3) the apparatus – the apparatus within the meaning of act of 13 April 2007 on the electromagnetic compatibility (Official Journal of Law, No 82, item 556)”;

⁷ The amendments to the uniform text of the aforementioned act are noted in Journal of law of 2006, No 133, item 934, No 170, item 1217, No 190, item 1399 and No 249, item 1834 and of 2007 No 21, item 125.

⁸ The amendments to the aforementioned act are noted in Journal of law of 2004, No 273, item 2703, of 2005, No 163, item 1362 and No 267, item 2258, of 2006 No 12, item 66, No 104, item 708 and 711, No 170, item 1217, No 220, item 1600, No 235, item 1700 and No 249, item 1834 and of 2007 No 23, item 137 and No 50, item 331.

- b) points 16 and 24 are overruled,
- c) point 40 shall have the following wording:
- “40) harmful electromagnetic disturbances - electromagnetic disturbances within the meaning of provisions within the meaning of act of 13 April 2007 on the electromagnetic compatibility, which:
- a) threatens the functionality of the radio navigation services or radio-communications services used permanently or temporarily in order to provide human’s life or property protection; or
 - b) in a severe manner it deteriorates, hampers or in a repeated way it interrupts the delivery of the radio-communications service, which works in accordance with the legal provisions;”
- d) point 51 is overruled;
- 3) in article 148, section 1, point 2, a letter c shall have the following wording:
- c) may be protected against the electromagnetic disturbances within the meaning of provisions of 13 April 2007 on the electromagnetic compatibility”;
- 4) in the part VI, the title of chapter 3 shall have the following wording:
- “The requirements for the telecommunications terminal equipment and radio equipment”;
- 5) article 152 shall have the following wording:
- “Article 152. The provisions of the act of 30 September 2002 on the conformity assessment system (Official Journal of Law of 2004, No 204, item 2087, as amended⁹) and the act of 13 April 2007 on the electromagnetic compatibility are applicable to the requirements telecommunications terminal equipment and radio equipment, including their exhibition on the trade fairs, exhibits and displays, as well as the control of this equipment in the matters not regulated in this chapter. ”
- 6) in article 153 of the section 1, point 3 shall have the following wording:
- “3) of electronic compatibility within the meaning of provisions on the electronic compatibility, in the scope resulting from their purpose”;
- 7) in article 155, section 1 shall have the following wording:
- “1. The body introducing the telecommunications terminal or radio equipment onto the market or delivering it for use, is obliged to deliver to the President of OEC, at each his request, an explanation concerning this equipment, its purpose and technical and exploitation properties, as well as to indicate the scope of its application, with the reservation of section 2. ”;
- 8) article 156 shall have the following wording:

⁹ The amendments to the uniform text of the aforementioned act are noted in Journal of law of 2005, No 64, item 565 and No 267, item 2258, of 2006 No 170, item 1217, No 235, item 1700 and No 249, item 1832 and 1834 and of 2007 No 21, item 124.

“Article 156. It is allowed for the radio equipment and telecommunications terminal equipment to be exhibited on the trade fairs, exhibitions and displays, which are subject to the mandatory conformity assessment without the declaration of conformity and marking with the conformity mark in order to present them, under the condition of making visible the information on the equipment, which can not be introduced onto the market neither delivered to be used until the conformity assessment is carried out in terms of conformity of the equipment with the principle requirements.”;

9) article 157 is overruled;

10) in article 158, section 1 shall have the following wording:

“1. The manufacturer or its authorised representative, who introduces to the market radio equipment and telecommunications terminal equipment or delivers it to be used, is obliged to provide access to, for the purpose of audit, the documentation with regard to the conformity assessment for the period of time not shorter than 10 years of the day of manufacturing the last piece of equipment”;

11) in article 200:

a) in section 1, point 6 shall have the following wording:

“6) sampling free of charge of the apparatus introduced to the market or delivered for use, including radio equipment and telecommunications terminal equipment, for the purpose of carrying out the research with regard to the scope of meeting the essential requirements by the apparatus, and to keep the samples until the legal finalisation of the proceeding”;

b) after section 1, section 1a is added with the following wording:

“1a. The operations, referred to in the section 1, point 3 and from 5 to 7, concern the equipment within the meaning of provisions of the act of 13 April 2007 on the electromagnetic compatibility”;

12) article 204 shall have the following wording:

“Article 204. 1. In case it is stated, that the equipment within the meaning of provisions on electromagnetic compatibility, generating electromagnetic field interrupts the operation of another equipment which meets the essential requirements within the meaning of provisions of act of 13 April 2007 on electromagnetic compatibility, the President of OEC may pass a decision on:

- 1) temporary suspension in the use of the equipment which produce the electromagnetic disorders;
- 2) changing the equipment’s mode of use;
- 3) applying the technical measures leading to the reduction of the disturbances at the expense of the entity, which made the decision;
- 4) temporary impound of the equipment in order to perform the testing necessary to state the reasons for the disorders.

The decision is given the order of immediate enforceability.

2. The President of OEC may subject the delivery of the temporarily seized equipment to the consent of its user to remove, at the user's expense, the reasons for the equipment not being compliant with the essential requirements, in particular the reasons for disturbances.”;

13) after article 204, article 204a is added with the following wording:

“Article 204a. 1. In case it is stated that the equipment within the meaning of provisions of act of 13 April 2007 on electromagnetic compatibility, generating electromagnetic field may cause in certain locations the interruption in the operation of another equipment which meets the essential requirements within the meaning of provisions on electromagnetic compatibility, the President of OEC may pass a decision on the activities aiming to explain the circumstances in which such disturbance may occur, and pass a decision on the post-control activities, which will help to eliminate the possibility of occurring of such disturbance

2. The President of OEC informs the European Commission and the Member States of the European Union on the activities undertaken in case, referred to in article 204 or 204a.”;

14) in article 205:

a) section 2 shall have the following wording:

“2. The Prime Minister shall establish, by passing the ordinance, the modes of proceeding in case it is stated, that the equipment within the meaning of provisions on electromagnetic compatibility, generating electromagnetic field, used by the entities, referred to in article 4, points 1- 6 and 8, disturbs the operation of another equipment, which meets the essential requirements within the meaning of provisions on electromagnetic compatibility, taking into account the nature of the actions implemented by these entities, as well as the legitimate interest of the user of the equipment, which operation is disturbed.”

b) Section 3 shall have the following wording:

“3. The competent minister of communications shall state in the agreement with the Minister of Justice, by means of the ordinance, the manner of conducting the control and post-control proceeding by the president of OEC with regard to the organisational units of the Prison Service, taking the nature of the actions implemented by these units into account, as well as the legitimate interest of the users of the equipment, which operation may be disturbed.”

Article 30. The up to date provisions are applicable to the conformity assessment procedures launched and not finalised before this act became effective.

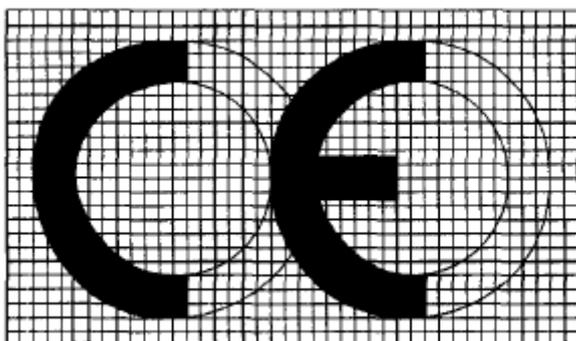
Article 31. The equipment referred to in article 1 may be introduced into the market or delivered for use in accordance with the provisions applicable before the day of this act becoming effective until 20 July 2009.

Article 32. The executive provisions issued within the meaning of article 205, sections 2 and 3 of the act referred to in article 29, remain in force until the executive provisions issued within the meaning of article 205, sections 2 and 3 of this act become effective, in the wording provided for in this act.

Article 32. The act becomes effective on 20 July 2007.

The President of The Republic of Poland: *L. Kaczyński*

Pattern of CE marking



1. The proposals presented in this picture must be followed both in case of enlarging, and diminishing the size of the marking.
2. The height of the conformity marking can not be lesser than 5 mm, unless it is impossible due to the apparatus' construction.