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ENTERPRISE DIRECTORATE-GENERAL

New Approach Industries, Tourism and CSR
Mechanical, Electrical and Telecom Equipment
TCAM Secretariat

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STANDARDISATION MANDATE FORWARDED TO CEN/CENELEC/ETSI FOR HARMONISED STANDARDS FOR EQUIPMENT OPERATING IN FLEXIBLE BANDS

PURPOSE

The purpose of this mandate is to establish a set of Harmonised Standards for equipment operating in so-called "flexible bands" to be recognised under Directive 1999/5/EC (the R&TTE Directive) giving a presumption of conformity with its requirements.

JUSTIFICATION

This mandate derives from the R&TTE Directive. This Directive, following the New Approach on Technical Harmonisation and Standards¹, defines the essential requirements R&TTE equipment must meet to be placed on the market and to be put into service for its intended purpose.

Introducing flexibility in spectrum management aims at lowering and speeding up access to the radio frequency spectrum for new applications and services. There are various ways through which the Community and Member States are currently introducing more flexibility in the use of the radio frequency spectrum:

1. Through more generic allocations for license exempt bands (e.g. developments in 862-870 MHz SRD band);
2. Through granting of exclusive rights to use frequency bands without setting specific conditions for their use other than the obligation to avoid interference to the adjacent bands users;
3. Through granting of shared rights to use frequency bands without setting specific conditions for their use other than the obligation to avoid interference to the other sharing users.

Policies on this matter are still under development, noting that views of the Member States

¹ Council Resolution of 7 May 1985 on a new approach concerning technical harmonisation and standardisation (85/C 136/01).

have been expressed in the Radio Spectrum Policy Group, in particular the RSPG Opinion on WAPECS. The RSC, COCOM and CEPT are also engaged in studies for the possible introduction of WAPECS and flexible bands concepts. The Commission has stated its views on a more flexible use of spectrum in a Communication² covering frequency bands with individual rights of use for electronic communications services.

Discussions around first interface regulations for flexible bands that have been designated by individual Member States have however already demonstrated that there is an urgent need for guidelines for the equipment market. Such can be achieved by having generic harmonised standards that amongst others harmonise mechanisms and limits to avoid interference to adjacent bands and sharing mechanisms and mitigation techniques within bands. Guidance on which frequency bands and adjacent users are likely to be involved should be given by CEPT, COCOM and RSCOM

The European Standardisation Organisations should assess, under the current EU legal framework, the impact of these developments on the principles according to which harmonised standards should be drafted, and on the existing set of harmonised standards that have been developed under the R&TTE Directive.

DESCRIPTION OF THE MANDATED WORK

The European Standardisation Organisations are requested in two phases to:

Phase 1

- Assess in a report to the Commission the impact of the trend towards flexibilisation on the design of harmonised standards, on the corresponding work programme, and make proposals for an update to this work programme;
- Report the progress of the work on this phase 1 to the Commission at regular intervals and at least prior to each meeting of the TCAM³;

Phase 2

- Deliver a comprehensive set of harmonised standards for equipment operating in flexible bands, the references of which will be published in the official journal of the European Communities as giving presumption of conformity with the R&TTE Directive.
- Report the progress of the work on this phase 2 to the Commission at regular intervals and at least prior to each meeting of the TCAM

RECOMMENDATIONS

The experts should liaise as appropriate with regulatory bodies and their experts in the context of the Memorandum of Understanding between ETSI and the European

² Commission Communication COM(2007)50 of 8.2.2007 on "Rapid access to spectrum for wireless electronic communications services through more flexibility", COM(2007)50

³ Telecommunications Conformity Assessment and Market Surveillance Committee, which is the standing Committee set-up by the Directive.

Communications Committee (ECC).

PROPOSED SCHEDULE

July 2007	Report on the impact of flexible use on the design of harmonised standards under the R&TTE Directive and propose an update of their work programme
1 st half 2008	Delivery of a first set of harmonised standards for flexible bands

ALIGNMENT WITH OTHER INTERNATIONAL WORK

Where appropriate, alignment with equivalent activities in the ITU and in ISO/IEC should be ensured. Due account should be taken of regulations and draft regulations adopted in other economies so as to ensure a global market for equipment.

STANDSTILL

Acceptance of this mandate by the responsible standardisation organisation starts the standstill period referred to in Article 7 of Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998

PUBLICATION IN THE OFFICIAL JOURNAL

The titles of the standards developed shall be forwarded to the Commission in the official languages of the European Union.