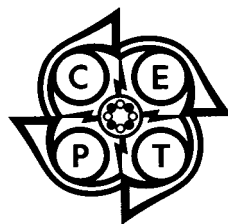


ELECTRONIC COMMUNICATIONS COMMITTEE

ECC Decision
of 15 November 2002
on free circulation and use of
Satellite User Terminals
operating within the frequency bands
1525 - 1559 MHz space-to-Earth
and 1626.5 - 1660.5 MHz Earth-to-space,
in CEPT countries, enlarging the field of
application of ERC/DEC/(95)01

(ECC/DEC/(02)08)



EXPLANATORY MEMORANDUM

1 INTRODUCTION

The ERC/Decision/(95)01 identifies three levels of free circulation of radio equipment in CEPT countries as follows:

1. free circulation without permission of using the radio equipment;
2. free circulation with permission of using the radio equipment;
3. free circulation with the permission of placing the radio equipment on the market.

The ERC/DEC/(95)01 only covers levels 1 and 2 on free circulation of GSM and DECT mobile equipment, Omnitrac terminals for the Euteltrac system, Inmarsat-C terminals, Inmarsat-M terminals and PR-27 mobile stations. Subsequent Decisions have extended the scope of application to additional radio equipment terminals.

This new Decision, however, deals with only level two of free circulation since level one is already covered by ERC/DEC/(95)01.

2 BACKGROUND

It is a general aim of the Electronic Communications Committee (ECC) to facilitate free circulation of radio equipment.

The aim of this Decision is to allow free circulation of terminals in the same way as ERC/DEC/(95)01 does for the radio equipment categories identified therein. The terminals covered are those operating in the frequency bands 1525 - 1559 MHz space-to-earth and 1626.5 - 1660.5 MHz Earth-to-space, for diverse applications.

Separate Decisions have been developed for free circulation and use of other categories of equipment.

3 REQUIREMENT FOR AN ECC DECISION

According to the ERC/ECC Rules of Procedure, a Decision cannot be amended without abrogating the existing one. Therefore, there is a need for a separate Decision to allow for free circulation and use of other satellite user terminals. In order to avoid a proliferation of Decisions for each new standard specific for a particular company, this Decision is generic for terminals operating with a harmonised range of frequencies, i.e. 1525 - 1559 MHz space-to-Earth and 1626.5 - 1660.5 MHz Earth-to-space.

4 RELATIONSHIP AND STATUS WITH RESPECT TO PREVIOUS ERC DECISIONS

This Decision covers the same band as earlier similar Decisions. The formulation of this Decision makes it possible for administrations to use it in combination with the earlier Decisions, or as the sole Decision for the free circulation and use in this band, as it fits the national regime.

Whereas previous Decisions on free circulation and use have been each for a specific type of terminal operating within a particular system, the present Decision is generic in the sense that it applies in a general way to terminals and associated services which operate in the specified harmonised frequency bands and which fully meet the principles of ERC/DEC/(95)01. In this respect, the present Decision shall apply both to new categories of terminals and services that are not specifically covered by earlier Decisions on free circulation and use in the same harmonised frequency bands and to the existing categories.

All previous ERC Decisions on free circulation and use in these bands will remain in force irrespective of this present Decision. Administrations have carefully to consider their choice as to whether to implement these previous Decisions, making the necessary adaptations in their legal frameworks as required, for which the operation of the associated terminals and systems currently rely. It is up to each administration whether it will base its provisions for this band on the existing Decisions or this generic Decision or a combination of these.

It is specifically noted that an administration's position regarding implementation of the present Decision shall not be considered in any way to give rise to an implicit position with respect to the implementation of any or all past Decisions on free circulation and use covering the same harmonised frequency bands.

**ECC Decision
of 15 November 2002**

**on free circulation and use of satellite user terminals operating within
the frequency bands 1525 - 1559 MHz space-to-Earth and 1626.5 - 1660.5 MHz Earth-to-space,
in CEPT countries, enlarging the field of application of ERC/DEC/(95)01**

(ECC/DEC/(02)08)

“The European Conference of Postal and Telecommunications Administrations,

considering

- a) that ERC/DEC/(95)01 provides for free circulation and use of a limited number of radio equipment categories;
- b) that satellite user terminals operating within the frequency bands 1525 - 1559 MHz space-to-Earth and 1626.5 - 1660.5 MHz Earth-to-space also fulfil the conditions for free circulation and use under the general principles of ERC/DEC/(95)01;
- c) that these terminals are capable of operating in the frequency bands 1525 - 1559 MHz space-to-Earth and 1626.5 - 1660.5 MHz Earth-to-space under the control of the satellite system;
- d) that services in the frequency bands 1525 - 1559 MHz space-to-Earth and 1626.5 - 1660.5 MHz Earth-to-space operate under the control of the satellite system and that with regards to the bands 1544 - 1545 MHz and 1645.5 - 1646.5 MHz the footnotes 5.356 and 5.375 of the Radio Regulations apply;
- e) that the band 1660 - 1660.5 MHz is allocated to the mobile satellite service (Earth-to-space) and to the radio astronomy service on a primary basis whereas No. 5.376A of the Radio Regulations specifies that mobile earth stations in the band 1660 - 1660.5 MHz shall not cause harmful interference to stations of the radio astronomy service;
- f) that the satellite system limits the frequency use of the terminals in accordance with the frequency allocations of the ITU Radio Regulations, the requirements of national administrations and the co-ordination agreements with other satellite systems, which are agreed between administrations;
- g) that previous Decisions on free circulation and use shall remain in force and that the choice of an administration as to implementation or non-implementation of such previous Decisions shall be entirely independent with respect to their choice on implementation of the present Decision;
- h) that this Decision shall not impede EEA member countries from fulfilling their obligations according to Community law.

DECIDES

1. that administrations shall allow free circulation and use of satellite user terminals operating within the frequency bands 1525 - 1559 MHz space-to-Earth and 1626.5 - 1660.5 MHz Earth-to-space under the same principles as described in ERC/DEC/(95)01;
2. that this Decision shall enter into force on 15 November 2002;
3. that administrations shall communicate the national measures implementing this Decision to the ECC Chairman and the Office when the Decision is nationally implemented.”

Note:

Please check the CEPT web site (<http://www.cept.org>) for the up to date position on the implementation of this and other ERC/ECC Decisions.