



European Radiocommunications Committee (ERC)  
within the European Conference of Postal and Telecommunications Administrations (CEPT)

## ERC/RECOMMENDATION 01-07 E (Bonn 1995, Helsinki 2000)

### HARMONISED REGIME FOR EXEMPTION FROM INDIVIDUAL LICENSING OF RADIO EQUIPMENT

Recommendation adopted by the Working Group "Radio Regulatory" (WGRR):

#### INTRODUCTION

Licensing is an appropriate tool for Administrations to regulate the use of radio equipment and the efficient use of the frequency spectrum. However, the technical characteristics of radio equipment require less intervention from the Administrations as far as the installation and use of equipment is concerned. Administrations and especially users, retailers and manufacturers will benefit from a more deregulated system of authorising the use of radio equipment.

There is a general agreement that when the efficient use of the frequency spectrum is not at risk and as long as harmful interference is unlikely, the installation and use of radio equipment can be exempted from a licence.

In general the CEPT Administrations apply similar systems of licensing and exemption from individual licensing. However, different criteria are used to decide whether radio equipment should be licensed or exempted from an individual licence.

The free movement of radio equipment and the provision of Pan European wide services will be greatly assisted when all CEPT Administrations would exempt the same categories of radio equipment from licensing and apply -to achieve that- the same criteria to decide on this.

This Recommendation lists harmonised criteria for the Administrations to decide whether an exemption of individual licensing should be applied.

When radio equipment is subject to an exemption from individual licensing, anyone can buy, install, possess and use the radio equipment without any prior permission from the Administration. Furthermore, the Administration will not register the individual equipment. The use of the equipment can be subject to general provisions.

"The European Conference of Postal and Telecommunications Administrations,

*considering*

- a) that within the CEPT Administrations there is a growing awareness of a need for harmonisation of licensing regimes in order to facilitate the free circulation of radio equipment;
- b) that it therefore would be desirable for CEPT Administrations to have common licence regimes at their disposal in order to control the installation, ownership and use of radio equipment;
- c) that there is a strong desire within the CEPT Administrations to improve efficiency by reducing the control exercised by Administrations in the form of mandatory provisions;

- d) that national licensing regimes should be as simple as possible, in order to minimise the burden upon the Administrations and users of equipment;
- e) that intervention by the national Administrations with respect to the use of radio equipment should in general not exceed the level necessary for the efficient use of the frequency spectrum;
- f) that Administrations should work towards the exemption of relevant radio equipment from individual licensing based on harmonised criteria;

*noting*

that there is considerable difference in national licensing, laws and regulations and that harmonisation therefore can only be introduced gradually;

*recommends*

1. that CEPT Administrations implement a regime for exemption from individual licensing for categories of radio equipment which meet the following criteria:
  - a) the radio equipment fulfils the technical requirements of the CEPT Administration in question;
  - b) the radio equipment is exactly defined;
  - c) individual frequency assignment is not needed;
  - d) there is a high degree of certainty that the frequency(ies) in question will remain fixed for a long period;
  - e) there is no need to establish individual provisions for each user;
  - f) there is no need for the Administration to register individual users and \ or radio equipment;
  - g) there is little risk of harmful interference being caused."

*Note:*

*Please check the ERO web site (<http://www.ero.dk>) for the up to date position on the implementation of this and other ERC Recommendations.*