



ECC Decision (21)03

ECC Decision on the withdrawal of ERC Decision (95)01
on the free circulation and use of certain radio equipment
in CEPT member countries

approved 5 November 2021

EXPLANATORY MEMORANDUM

1 INTRODUCTION

In 2021, the ERC Decision (95)01 on the free circulation and use of certain radio equipment in CEPT member countries was reviewed as part of a wider review of ECC Decisions relating to exemption from individual licensing and free circulation and use.

It was concluded that ERC Decision (95)01 was suitable for withdrawal and no longer needed following the revision of ERC/DEC/(98)22.

2 BACKGROUND

In 2020, the ECC performed a review of the ECC Decisions related to free circulation and use as well as exemption from individual licensing of mobile terminals.

With respect to exemption from individual licensing and free circulation and use, ERC Decision (95)01 was applicable to:

- GSM;
- DECT;
- Euteltracs (which has ceased operation);
- Inmarsat-C, operating in 1530.0-1544.0MHz (space to Earth) and 1626.5-1645.5MHz (Earth to space);
- Inmarsat-M (which has ceased operation);
- Citizens Band (CB) (PR-27).

Following the review, the ECC concluded that:

- ECC/DEC/(12)01 was covering exemption from individual licensing and free circulation and use of both MSS terminals, including Inmarsat-C, in the frequency range 1-3 GHz and GSM terminals;
- ECC/DEC/(11)03 was covering exemption from individual licensing and free circulation and use of CB radio equipment;
- ERC/DEC/(98)22 was covering exemption from individual licensing of DECT equipment.

A provision on free circulation and use of DECT equipment has been added in the latest revision of ERC/DEC/(98)22. Therefore there is no longer any need to retain a separate ECC Decision on exemption from individual licensing and free circulation for these radio applications and ERC Decision (95)01 can be withdrawn.

3 REQUIREMENT FOR AN ECC DECISION

The ECC Rules of Procedure foresee that the withdrawal of a Decision is subject to the same procedure as the development and adoption of a new Decision. This Decision therefore is developed to withdraw the following ERC Decision:

- ERC Decision of 1 December 1995 on the free circulation and use of certain radio equipment in CEPT member countries (ERC/DEC/(95)01).

ECC DECISION OF 5 NOVEMBER 2021 ON WITHDRAWAL OF ERC/DEC/(95)01 ON THE FREE CIRCULATION AND USE OF CERTAIN RADIO EQUIPMENT IN CEPT MEMBER COUNTRIES (ECC/DEC/(21)03)

“The European Conference of Postal and Telecommunications Administrations,

considering

- a) that ECC Decision (12)01 as amended on 18 November 2016 includes provisions for exemption from individual licensing and free circulation and use of MSS terminals in the frequency range 1-3 GHz and GSM terminals;
- b) that ECC Decision (11)03 includes provisions for exemption from individual licensing and free circulation and use of CB radio equipment;
- c) that ERC Decision (98)22 has been amended 5 November 2021 to include a provision for free circulation and use of DECT equipment, in addition to exemption from individual licensing;

DECIDES

1. to withdraw the ERC Decision of 1 December 1995 on the free circulation and use of certain radio equipment in CEPT member countries (ERC/DEC/(95)01);
2. that this ECC Decision enters into force on 5 November 2021.”