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Summary

Attached is the final version of JPT SAT's Comprehensive Satellite Initiative Report.

This version (JPT SAT doc.(01)153 Rev.010) was on 21.6.2001 sent to ECTRA and ERC members for consideration at their joint meeting on 4.7.2001.

The meeting noted the report, and encouraged JPT SAT and WGRR to start the work proposed in section 7 of the report, taking into account comments agreed between JPT SAT and WGRR, and also comments received at the ERC meeting. JPT SAT was asked to extract the action points and submit them to the appropriate ECTRA and ERC bodies.

The attached report presents a snapshot of the regulatory situation as perceived at the time. Fortunately, there are constant improvements to this situation. Such changes will not be reflected in this CSI Report, but on a daily basis the ERO databases/website are the place to track future improvements to the regulatory situation.

This document may be freely distributed provided this cover page is attached.

Proposal

Background

(See attached cover page)

REPORT

Comprehensive Satellite Initiative, CSI

21 June 2001

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0 Executive summary

This report is an overview of satellite licensing in CEPT starting from the present scenario of what is in place, looking more particularly into measures adopted by CEPT and analysing the licensing regime of some CEPT countries and the questions asked from licence applicants by NRAs, in order to propose harmonised licensing nomenclatura, conditions and procedures.

Licensing regimes for satellite earth stations and services across CEPT countries are characterised by diversity and complexity. This report does not examine licensing of satellite space stations.

The key problems regarding licensing of satellite systems in Europe, as identified by the industry itself, are:

- Lack of implementation of CEPT measures in the large majority of CEPT countries
- Large differences between CEPT countries in the number and substance of licensing conditions
- Onerous conditions for obtaining permission to operate a satellite station in many countries with respect to processing time, licence fees and other requirements.

In order to improve the situation, the following proposals are made in the report:

General proposals

Based on the present report, the following proposals are made, aiming at improving the conditions for licensing of satellite systems in CEPT:

1. The degree of implementation in CEPT countries of existing ERC and ECTRA measures, as well as application of OSS procedures, for the satellite sector should be improved. This could be supported by giving regular updates on national implementation, annual reports on implementation, or other means of informing administrations of implementation. Administrations are asked for other proposals on how to speed up implementation.
2. Without prejudice to Art. 19 of the EU Licensing Directive which specifies the authorisation procedures for new services, the CEPT administrations should facilitate recognition of ERC Decisions as grounds for issuing temporary or provisional authorisations for services and networks until those Decisions are formally implemented into national law or regulations.
3. A package of existing CEPT measures relating to the satellite sector could be developed, so that it could be promoted as a whole, thereby easing the implementation burden on a national level. An information effort towards key persons in administrations might be useful to forward this idea.
4. The countries listed in paragraph 6.6 with recommended licensing procedures can be used as an example for others to try and create simplified licensing procedures across all CEPT countries.
5. In the medium to longer term, satellite industry would like to see even simpler licensing conditions than those used by the countries mentioned above, for instance with more emphasis on general authorisations or exemption from individual licensing of terminals. Some of those measures are already covered by the Authorisation Directive, part of the Rev 99. However, for those satellite networks and services that would still be subject to individual licences, industry has urged movement towards lighter licensing regimes, simplification and harmonisation of authorisations. This is particularly important because of the international nature of satellite coverage.
6. Telecommunications authorities are encouraged to co-ordinate with other domestic authorities that have a say in the siting of Earth Station terminals. The aim would be to minimise the constraints and additional time delays which can result from requirements placed by other authorities.
7. Proposals for simplification of licensing procedures should be developed.
8. CEPT should consider improved transparency and earlier consultation in the Decision-making processes, especially with respect to consumer and small business enterprises that may not otherwise be aware of CEPT activities.

- CEPT should aim towards extending further the elements of harmonised conditions, possibly in areas such as bands and agreed power limits or for site clearance conditions and co-ordination or other technical requirements to reduce further the need for individual licensing.

Detailed proposals

In addition, the following detailed proposals are made:

1. Nature of future decisions

Up to now many Decisions concerned company-specific products such as EUTELTRACS whereas more recent Decisions, like the Decision on the Exemption from Individual Licensing of VSATs cover earth terminals which meet specific technical requirements, usually harmonised standards (European Norms or "ENs") from ETSI. There are advantages in having such generic Decisions, also based on harmonised standards, both for the ERC and also for satellite operators, since one Decision can cover several product names.

Harmonised standards provides a presumption that the functioning of radio systems is in compliance with essential requirements, in compatibility with international norms, notably guaranteeing no harmful interference, efficient use of orbital resources and limited health hazards. They ought to pave the way to easy licensing regime, as it is reflected in the European Union R&TTE Directive and as it should be in future ERC Decisions. It is therefore also recommended that future Decisions on Licence Exemption as well as "Free Carriage and Use" be based on equipment classes meeting particular ETSI standards rather than on specific manufacturers' product names.

2. SNG operating in the 14.25-14.50 GHz band

In several European countries the frequency band from 14.25-14.50 GHz is shared between the FSS and the terrestrial fixed service. In some countries the procedures for obtaining permission to have SNG transmissions in this band can be onerous and time-consuming. In other countries the procedures have been simplified by defining zones in a country where interference from SNG transmissions is unlikely to cause problems and this enables authorisations to be issued rapidly. In those countries where sharing exists, Administrations are requested to apply the principle of zoning to reduce the delays for authorisation.

3. Restoration services

Satellite facilities can be an attractive solution providing restoration services. The licensing environment within the CEPT administrations should be made favourable for such solutions.

4. Licence duration

In some countries the duration of a licence for permanent earth stations is granted only for a period of one or a few years, renewable. This can have a negative impact when decisions are being made by the operator about the new investment since the earth terminals will not be amortised for a period less than 6 years. For VSATs, large gateway stations or TV up-link stations, the licence duration should be for a period of at least 10 years, the period may be shorter in the case when automatic renewal is foreseen.

5. Terminology and nomenclatura

The adoption of a common terminology across CEPT would be one important step towards harmonisation in the satellite area, and facilitating market access. As an example, in national legislation, the definition of a VSAT could be aligned with that of ETSI, which is also given in TBR 28 and EN 301 428. In other words, there should be a reference to the maximum antenna size but no reference to the bit-rate or bandwidth employed. This would make it possible for modern VSAT accessing techniques to be authorised adequately, as systems that have low overall data throughput may be used for transmitting high bit rates but only for a very short period.

6. VSAT bands

One of the current ERC Decisions on licence exemption, the ERC Decision (00) 05 grants exemption from individual licensing of VSATs operating in the 14.0-14.25 GHz band. The band 14.0-14.25 GHz is allocated to satellite services on an exclusive basis. However, in many CEPT countries the contiguous band 14.25-14.50 GHz is also allocated to satellite services on an exclusive basis. In fact CEPT ERC Rec. 13-03 of 1996 recommends unrestricted use of the band to satellite services in those countries where no fixed links have been implemented before 1996.

Several countries that belong to this group and that do not have fixed services in the 14.25-14.50 GHz have already signalled their intention of applying Dec (00)05 across the entire band of 14.00-14.50 GHz.

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Those countries which do not have fixed services in the frequency band 14.25-14.50 GHz should be encouraged to, in practice, apply the Decision (00)05 on the exemption from individual licensing of VSATs operating in the 14.0-14.25 GHz band to the entire band of 14.00-14.50 GHz.

It is recommended that ERC tasks WGRG to produce a similar Decision for the band 14.25 – 14.50 GHz.

7. BSS(S)/S-DAB

There are several proposals to introduce 1.4 GHz BSS(S)/S-DAB services in Europe. Unlike the regulatory framework which exists at a CEPT level for introduction of such pan-European services as S-PCS, UMTS etc, there is a general lack of an appropriate common or harmonised framework for in particular spectrum access at a CEPT level to facilitate the introduction of pan-European S-DAB/BSS(S) services. It is recommended that ERC/ECTRA consider this issue within JPT SAT with a view to taking appropriate action.

Chapter 7.3 lists areas for further work.

1 Introduction

ECTRA and ERC, during their meetings in December 1999 and March 2000, discussed and concluded favourably on the findings and reports of the two special groups established to review satellite issues, SIG SAT OSS as well as ECTRA PT SLC. During their March 2000 meetings, ECTRA and ERC responded to proposals from SIG SAT OSS by requesting JPT SAT to look into implementation of the findings of PT SLC, as well as to examine the scope for harmonisation of regulatory measures in the satellite area in CEPT countries.

This report is an overview of satellite licensing in CEPT starting from the present scenario of what is in place, looking more particularly into measures adopted by CEPT and analysing the licensing regime of some CEPT countries and the questions asked from licence applicants by NRAs, in order to propose harmonised licensing nomenclatura, conditions and procedures.

The report is structured as follows:

- 1 Introduction
- 2 The satellite scenario
- 3 The regulatory context within CEPT and the EU
- 4 Specificities of national licensing regimes
- 5 Analysis of the regulatory situation
- 6 Industry experience with licensing procedures
- 7 "Comprehensive Satellite Initiative" Proposals
- Annex I - Abbreviations*
- Annex II - MRC licensing status as of 7 June 1999*
- Annex III - ERC output documents relevant for the satellite industry, including their implementation by CEPT administrations*
- Annex IV - Licensing regimes in CEPT countries*

The report gives a set of proposals for administrations to consider when improving their regulatory framework. The implementation of these proposals could remove barriers for the satellite industry and could help the further successful development of this industry.

2 The satellite scenario

This section describes what is unique to satellite services and their regulation. In particular, it discusses why the satellite sector is important to development of European society and how that sector relies heavily on the harmonisation efforts of CEPT activities.

By its very nature, the satellite sector is the most "pan-European" of all communications infrastructures and services. Unlike any terrestrial network, satellite networks can provide coverage to all parts of Europe, both urban and rural, congested or sparsely populated, central or peripheral. Also unlike terrestrial networks, satellite services link all regions and member states within CEPT and beyond.

Modern communication satellites have broad regional, if not global, coverage. Once brought into use, a satellite's coverage provides important benefits to CEPT member countries, including some of the traditional goals of regional cohesion and the newest goals of e-commerce. The worldwide revenues of the industry are not inconsequential. Revenues from satellite manufacturing, services, launch and ground equipment are estimated to exceed Euro 74 billion in 2000.¹ These revenues are growing faster than most other industry sectors, even more than many elements of the communications sector as a whole. Mid-2000 figures project global revenues of the satellite industry to exceed Euro 90 billion in 2001 and expand by 2010 to as much as Euro 270 billion.

These revenues directly contribute to employment and economic advancement in Europe -- "the total annual consolidated turnover of the European space industry is of the order of Euro 6 billion, directly providing highly qualified employment to 40.000 people in Europe".²

As of 2000, 67 million households worldwide receive satellite broadcasting signals direct to home, while 610,000 VSAT terminals serve businesses. These services are providing unique benefits within Europe -- 25 million of the satellite-broadcasting households globally are in Western Europe, which has enabled Europe to develop a lead in the implementation of digital broadcasting. Notably, more than 80% of European digital television in 2000 was delivered by satellite, and December 2000 figures predict markets such as France, Italy, Spain and the UK will still have more satellite than cable households in 2004. This service presages the development of two-way interactive broadband services as well.

The satellite industry also is a pioneer in Internet services. Satellite delivery of IP-based services in 2000 increased 800% over the previous two years. About 11% of all ISPs use some satellite links to connect to Internet backbones and it is estimated that in 2001 total ISP demand for satellite links will equal 216 satellite transponders. Internet specific satellite transponder lease revenue will jump from Euro 540 million in 2001 to Euro 7.5 billion in 2006, and equipment associated with ISP satellite multicast should represent Euro 6.3 billion in 2005.

The contribution of satellite services to the information society was explicitly recognised in the recent joint communication of the European Space Agency and European Commission, which stated that "Global information and communications constitute the nervous system of the knowledge society. Satellites, with their ability to cover and to connect virtually every point around the world, are critical to the effective functioning of this neural network."³

Satellite services are provided in all CEPT members. Satellite broadcasting has successfully competed with cable or other terrestrial infrastructure in urban, suburban and rural areas for over a decade. While in some contexts there is a compelling case for terrestrial service, the competitive influence of satellite solutions must also be recognised.

The European influence in satellite solutions also must be recognised. In recent years, a significant change has occurred in the structure of the industry, which no longer is dominated by intergovernmental organisations. Instead, major satellite operators have restructured and are in the process of privatisation, and global alliances amongst operators have provided major opportunities for European industry. Moreover, future opportunities should expand, given appropriate regulatory structures and emphasis on new satellite and space projects such as the Galileo global positioning initiative.

¹ Figures in this section are derived from materials supplied by the Satellite Action Plan Regulatory Group, whose members have prepared a presentation entitled "Satellite Communications -- A Global Industry Critical to e-Europe", 30 October 2000. See also ESA, "The European Space Sector In The World," November 2000. Figures are converted at an exchange rate of 1 Euro = \$.90 USD.

² "Joint ESA / EC Document On A European Strategy For Space", November 2000, page 6, at http://ravel.esrin.esa.it/docs/wisemen_report.pdf.

³ Id. at page 7.

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European institutions have supported the satellite industry and recognised its contributions. The European Parliament on several occasions has declared that the industry is "economically and strategically vital" and can provide a "number of extraordinary advantages over terrestrial systems."⁴ The European Commission has called the industry "an essential component of the global communications infrastructure."⁵ The CEPT has devoted considerable resources to determining regulatory structures adapted to the needs of this critical industry.

One of the greatest strengths of satellite networks also, nonetheless, creates the greatest regulatory challenge. Satellite operators depend on harmonised spectrum allocations, due to their wide coverage. The services that the operator provides, often on a pan-European scale, depend on authorisations and spectrum allocations in each country in its coverage zone. If those authorisations are difficult to obtain or allocations are not uniformly recognised across Europe, then the advantages of satellite services can be blocked or delayed.

In the satellite area, frequency use, network operations, service provision and the use of radio terminals can be considered as the main elements which have been the target of a number of regulatory measures (licensing conditions and procedures) normally meant to help the development of satellite telecommunications and facilitate market access to satellite providers, but which may also act as market barriers.

Such measures may take place at various levels, from a global level (WTO, ITU) to a regional level (CEPT and EU) and further to a national level. Existing measures at CEPT level are described below.

⁴ Opinion of the EP Committee on Research, Technological Development and Energy on the "EU Action Plan: Satellite communications in the Information Society", A4-0279/97, 25 September 1997 PE222.598 fin.

⁵ European Commission, "Towards a Coherent European Approach for Space," SEC(1999) 789 final, 7 June 1999 at page 13.

3 The regulatory context within CEPT and the EU

3.1 ERC and ECTRA Decisions, Recommendations and Reports

The deliverables of the ERC and ECTRA, relevant in the context of this report, consist of Decisions, Recommendations and Reports. The following section gives an overview of those deliverables relevant to the satellite sector. Annex III gives an in depth listing of the 30 such deliverables and implementation by CEPT administrations.

3.1.1 ERC and ECTRA Decisions

ERC and ECTRA Decisions are the most binding deliverables of the three, but also these have to be categorised as voluntary measures that administrations can choose to implement or not. CEPT administrations that commit to Decisions bind themselves to implement them and transpose them in the national set of regulations.

ERC Decisions have been developed and are being developed covering a variety of areas. The ERC Decisions that are of interest to the satellite industry deal with the following topics:

- ERC Decisions on the designation or the use of certain frequency bands
- ERC Decisions on harmonisation of licensing
- ERC Decisions on free circulation and use
- ERC Decisions on the provision of information for inclusion in common databases
- ECTRA Decision on the reduced set of licensing conditions in the area of S-PCS

Most of the Decisions relevant to the satellite industry are ERC Decisions, but in a few cases Decisions with the same or a similar content have also been issued as ECTRA Decisions. In the course of 2001 the ERC and ECTRA Committees will be merged in the context of the overall CEPT reorganisation. Discussions have not been started on the possible influence this will have on the ERC Decisions and ECTRA Decisions, but probably the deliverables could be kept as they are, with the option to merge the ones that are identical.

3.1.2 ERC Recommendations

Administrations are encouraged to apply ERC Recommendations, though implementation is on a voluntary basis. The ERC Recommendations of interest to the satellite industry cover the following topics:

- ERC Recommendation on the use of a frequency band
- ERC Recommendations on interim type approval
- ERC Recommendations on free circulation
- ERC Recommendation on implementation of GMPCS MoU and arrangements
- ERC Recommendation on a one stop shopping procedure for satellite licences and authorisations

The Recommendations on the use of the band 14–14.5 GHz as well as those on the implementation of the GMPCS MoU arrangements and the One Stop Shopping procedure are especially important for the satellite industry.

The Recommendations on interim type approval and free circulation have become more or less superfluous since the R&TTE Directive covers or is going to cover conformity assessment in a large group of CEPT countries and the free circulation of equipment is also covered by ERC Decisions.

3.1.3 ERC Reports

ERC Reports are the results of studies by the ERC, normally in support of harmonisation measures. They are not implemented by CEPT administrations. The ERC Reports of interest to the satellite industry cover the following topics.

- ERC Reports on sharing studies between the satellite services and other services in the same band
- ERC Reports on compatibility studies between the satellite services and other services in adjacent bands
- ERC Reports on interference calculations
- ERC Report on One Stop Shopping

3.2 The EU Context

As a majority of CEPT countries are either members of the EU, negotiating accession to it or linked to its regulatory framework via the EEA agreement, the EU context is of major importance against which CEPT activities should be assessed.

The most common regulatory measures in the EU are Regulations, Decisions, and Directives. While the first two measures are directly applicable across the EU, Directives need to be implemented by the Member States into their national law. It is important to note that all three instruments are legally binding. The European Commission monitors the proper application by the Member States and introduces infringement procedures if necessary. These are decided upon by the European Court of Justice.

In the context of satellite communication the following EU measures are of particular relevance:

- The Licensing Directive (97/13/EC) for services and networks (to be replaced by the Authorisation Directive currently being negotiated)
- The R&TTE Directive (1999/5/EC) for terminal equipment
- The S-PCS Decision (710/97/EC) for the harmonised introduction of S-PCS in the EU (with a system of mandates to CEPT)
- In the future, the Spectrum Decision which would, once agreed, replicate in a generic manner the co-operation mechanism established for S-PCS, include provisions to ensure proper implementation across the EU, and increase transparency

3.3 Substantive issues

3.3.1 Harmonised use of spectrum

ERC Decisions make available a certain frequency band for a specific application or contain sharing criteria for a specific frequency band. Until now these Decisions included the provision that the equipment used has to be in conformity with a specific European Telecommunications Standard. In the light of the R&TTE Directive, which only allows for reference to standards of which the provisions are justified by the essential requirement and also does not allow for the exclusion of other equivalent standards, this practice has to be reviewed.

The Decisions on designation of frequencies as well as the sharing provisions for certain bands are a very important tool for the satellite industry, because without adequate assignment of frequencies the provision of services is not possible.

Most of the work on frequency matters for satellites is done in WGFM, typically aiming for common European allocations for satellite use. A number of ERC Decisions have been produced on the allocation of satellite frequencies and also on sharing of bands between satellite and other services. The work plan for WGFM includes the development of a strategic plan for future satellite use in Europe. This work is related to the development of the Fixed Service in the shared bands, and also to the preparations for certain agenda items for the next WRC.

In July 1998 ERC and ECTRA adopted two decisions (ECTRA/DEC(97)02 and ERC(97)03) on the harmonised use of spectrum and on harmonisation of authorisation conditions and co-ordination of procedures respectively for Satellite Personal Communications Services (S-PCS operating within the bands 1610-1625.5 MHz, 2483.5-2500 MHz, 1980-2110 MHz and 2170-2200 MHz). These decisions were adopted in response to a mandate issued by the European Commission under Decision 710/97/EC on S-PCS.

These two decisions jointly established a Milestones Review Procedure (MRP) which included the S-PCS authorisation scheme, a list of conditions that may be attached to authorisations and the definition of the relevant milestones, and which established a Committee called the "Milestone Review Committee" (MRC).

The milestones against which S-PCS operators have been assessed are:

- 1- the submission of ITU advance publication and co-ordination documents
- 2- satellite manufacturing
- 3- completion of the Critical Design Review
- 4- satellite launch agreement
- 5- gateway earth stations
- 6- launch of satellites
- 7- frequency co-ordination
- 8- provision of satellite service within CEPT

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By the end of 1999, the MRC agreed on recommendations concerning three S-PCS systems, and issued and distributed these to all CEPT administrations. The general view also developed within ECTRA and ERC that the MRC concept should be developed so that it might also cover other satellite systems and other frequency bands than the "Big LEOs" covered in the above MRC base decisions.

The GMR (General Milestones Review) was therefore created and given the task to manage existing and future Milestones Review Processes. GMR membership is open to officials of those CEPT administrations that have committed themselves to implement at least one Decision establishing a MRP for a specific category of satellite system. Those NRAs have the opportunity to initiate a GMR to assess the applicant's fulfilment of the milestone criteria. As with the MRC, the GMR does not grant licences, but NRAs take into consideration GMR recommendations in granting authorisations relating to satellite systems subject to MRPs.

It was decided to develop a Milestone Review Procedure for the S PCS bands below 1 GHz, which is incorporated in ERC/DEC/(99)06 and ECTRA/DEC(99)02, also in response to a mandate issued by the European Commission under Decision 710/97/EC on S-PCS.

The tasks of the GMR encompass:

- applying the Milestones criteria applicable to the category of satellite system in question in accordance with relevant ERC and ECTRA Decisions;
- monitoring the compliance with milestones by applicants, in a transparent and non-discriminatory manner, and in accordance with the procedures established in section on working procedures;
- seeking information as necessary from the applicant, on the compliance with milestones;
- making recommendations to administrations, ERC and ECTRA; and
- monitoring the implementation of satellite networks and reporting on a regular basis to NRAs, ERC and ECTRA on whether scarcity of frequency spectrum is likely to represent, at some point in time, a constraint on the number of satellite systems which can provide services within CEPT in the relevant bands, and proposing the necessary harmonised measures to overcome any difficulties.

ECTRA and ERC have succeeded, through the GMR and the S-PCS Decisions upon which it has been developed, in setting up a procedure to facilitate co-ordinated granting of licences to S-PCS systems within the CEPT and contribute towards a realistic estimation of the spectrum demand for S-PCS.

3.3.2 Licensing Procedures - OSS

Another key element of the harmonisation efforts pursued by the EU in co-operation with CEPT member countries has been the establishment of a one-stop shopping procedure to facilitate simultaneous applications for and granting of licences in several Member States. The establishment of an OSS procedure by CEPT had been foreseen both in the EU Decision on S-PCS and in the EU Licensing Directive and also would be strongly encouraged under proposals set forth in the European Commission's 1999 Communications Review.

With a view to enlarging the scope of the already existing OSS procedure which applied to a first group of liberalised services (e.g. data, value-added services), CEPT carried out a first study on the feasibility of extending the concept to satellite networks and satellite services. The early 1998 findings of the study proved the advantages of OSS for satellite networks and revealed considerable support from industry. CEPT therefore set up a special investigation group (SIG) to study and develop proposals for an OSS procedure intended to cover all kinds of satellite systems. The satellite industry and administrations co-operated through this group to define the requirements for a database and an electronic application form.

The adoption of ECTRA/ERC Decisions regarding the provision of regulatory information in December 1999 and of ECTRA/ERC Recommendations about an OSS for satellites licences and authorisations in March 2000 are the results of a joint effort between the CEPT and the European Commission.

With the release of an electronic application form for the applicant and enhanced regulatory information database, the OSS should fulfil its goal of facilitating market access to satellite operators and service providers. Users thus have access to databases that provide comprehensive information about the licensing regimes and requirements in CEPT countries and are able to use an online application form that significantly facilitates the application process. The electronic on-line application form is complemented by an offline version that allows users to fill in the form on their local computer and to send it to the shop when the form is completed. The structure of the software system provides for support in many languages, which should help overcome further barriers.

OSS is a first step. When successfully implemented, further steps in facilitating licensing could be taken if agreement can be reached. These steps could include the introduction of mutual recognition of licences or the issuing of European licences.

Mutual recognition of licences exists at the moment for most aeronautical and maritime radio licences on a world-wide basis and for radio amateur licences on a CEPT basis, with the possibility of non-CEPT countries participating. This means that one administration issues the licence and the other administrations accept the licence without additional formalities.

A system for European licences where a central office in Europe issues a licence, which is valid in a number of countries, is not introduced yet.

In preparing the ERO report on VSAT/SNG⁶, published in 1995, CEPT administrations were asked the question what system they would prefer in future, OSS, mutual recognition of licences or European licences. It is noteworthy that, already at that time, the opinions were split on the issue. The comments were as follows:

“On the question about ‘One Stop Shopping’ versus ‘Mutual Recognition of Licences’ and a ‘Single European Licence’ there was a slight majority view expressed in favour of One Stop Shopping. Some clearly indicate to favour a One Stop Shopping arrangement. Some indicate to be in favour of One Stop Shopping as a first step and then moving to Mutual Recognition and as a last step a Single European Licence. Some are still studying the possibilities. Finally, the majority of the administrations use only one procedure for licensing in all cases, although, some of them (other than the MoU countries) will agree to give a temporary licence if the operator of the earth station is already licensed in another country.”

Some administrations asked when harmonisation in this respect would finally be undertaken and indicated their intention to follow CEPT Decisions or Recommendations in this field.”

3.3.3 *Licensing conditions*

Directive 97/13/EC of 10 April 1997 (the "Licensing Directive") provides that priority should be given to market access arrangements that do not require authorisations or that rely on general authorisations, in order to facilitate Community-wide provision of telecommunications services. The Commission's proposed Directive on authorisation of electronic communications networks and services, which is part of the 1999 Communications Review, would extend this principle and adopt strict conditions regarding the limitation of rights of use for radio frequencies. This approach would be of particular benefit to the satellite industry, by avoiding excessive reliance on individual licenses and would be consistent with ERC/REC 01-07 as well as ERC decisions adopted under that recommendation.

Decision No 710/97/EC of the European Parliament and of the Council of 24 March 1997 on a co-ordinated authorisation approach in the field of satellite personal communication services in the Community (the S-PCS Decision) established a new framework for the co-ordinated introduction, of S-PCS. The Decision which has been extended until 31 December 2003 introduced a co-operation mechanism between the EU and the CEPT whereby the European Commission, in consultation with EU Member States, asked the CEPT by way of mandates to take measures necessary for the co-ordinated introduction of these services.

The ECTRA project team PT SLC was asked by ECTRA to examine authorisation conditions listed in the Licensing Directive 97/13/EC noted above, and to select from that list a sub-set of conditions which are relevant to S-PCS. The objective was to extend throughout the CEPT the EU's best practise of limiting the conditions that may be attached to authorisations on grounds of equality, transparency and proportionality and to arrive at a reduced maximum set applicable to S-PCS.

PT SLC was also tasked with developing guidelines for Administrations in order to promote a common understanding of the conditions thereby reducing the scope for the conditions to be interpreted differently by different States.

Following the adoption in December 1999 of an interim report of PT SLC which annexed a matrix containing a sub-set of conditions, and guidelines for Administrations, ECTRA adopted a Recommendation aimed at making license applications in Europe easier and more transparent, which would contribute to the promotion of a single market for satellite services.

3.3.4 *Free circulation and putting into service of terminals*

The ERC has developed a free circulation regime for several types of mobile satellite terminals on the market in Europe. This implies that CEPT administrations that have implemented these ERC Decisions allow users to take along and/or use their terminals in the country. These Decisions have been useful in diminishing the administrative burden on users who travel around in Europe.

⁶ Study by ERO performed under contract for the EC, "VSAT and SNG", August 1995.

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It has been discussed whether, since the R&TTE Directive includes free circulation (defined in the R&TTE Directive as: equipment which complies with the requirements of the Directive is allowed to be put on the market throughout the EU), separate free circulation Decisions are still necessary for those countries that implement the Directive. However, the provisions of the R&TTE Directive do not apply to visitors from outside the countries that have implemented the Directive. Also, when visitors from within the group of countries that have implemented the Directive visit other CEPT countries these Decisions are useful. Therefore it was proposed to decide on a case by case basis whether in the future ERC Decisions on free circulation should be developed. It is proposed that in future these Decisions should use the wording "carriage and use of radio equipment by visitors" instead of the expression "free circulation" in their title in order to avoid confusion with the EU expression free circulation.

Some of the free circulation Decisions, and also the licensing Decisions, are generic in the sense that they mention the system and the relevant frequency band. Others cover only one proprietary system in a certain band. This last system means that a new Decision must be drawn up every time a new system is introduced in that band. This is cumbersome for all parties involved.

In 1995, CEPT/ERC adopted ERC/REC 01-07 recommending that CEPT Administrations should exempt from individual licensing those categories of radio equipment that meet the following criteria:

- a) The radio equipment is type approved or fulfils the technical regulation 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 with other categories of radio equipment.

The free movement of satellite 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.

The ERC and ECTRA have adopted a series of decisions applying those criteria to various categories of satellite terminals. For instance, CEPT/ERC/DEC(00)05 exempts certain VSAT terminals from licensing; CEPT/ERC/DEC(00)03 and 04 exempt two classes of consumer terminals called satellite interactive terminals and satellite user terminals (SITs and SUTs) using the Ku and Ka-bands. These licensing exemptions are the first steps towards widespread implementation of broadband high density satellite services to consumer and enterprise markets. (But the satellite industry has noted that there is unacceptably slow national implementation of these decisions, which limits their value.)

The principles of ERC/REC 01-07 are consistent with EU law. Directive 94/46/EC of 13 October 1994 amending Directive 88/301/EEC and Directive 90/388/EEC in particular with regard to satellite communications provides that "Licensing is not justified when a mere declaration procedure would suffice to attain the relevant objective. For example, in the case of provision of a satellite service which involves only the use of a dependent VSAT earth station in a Member State, the latter should impose no more than a declaration procedure." (Whereas 15)

The R&TTE Directive, which had to be implemented by the Member States by the 8th of April 2000 and which will be implemented by the EEA countries (Norway, Iceland and Liechtenstein) and a number of other CEPT countries either at the same date or at a later date, replaces the current national and CEPT conformity assessment procedures.

The Directive covers all radio equipment (apart from in the broadcasting area and exceptions indicated in Annex 1 of the Directive), so alternative conformity assessment regulations in the area of radio (national or CEPT wide) have to be withdrawn. It does away with mandatory standards, which will influence the ERC Decisions implementing standards and might influence the mentioning of standards in ERC Decisions designating frequency bands. Further, the Directive entails free placing on the market in the EU for equipment, which conforms to the requirements of the Directive, and will therefore have an impact on free circulation regulations of the CEPT, and also simplifies the procedures for approval for manufactures. The most common procedure in the Directive is manufacturers' self declarations. Involvement of a test house or notified body is only in some cases obligatory, for instance when no use is made of so called harmonised standards.

For the satellite industry this means that as soon as the Harmonised Standards, covering satellite terminals, have been prepared, which is already the case for some of them and is expected for others, manufacturers can declare their equipment to be in conformity with the requirements of the Directive, using the applicable Harmonised Standards.

If no Harmonised Standard exists, the manufacturer has the possibility to self declare compliance with the R&TTE Directive with a Notified Body.

After following one of the Conformity Assessment procedures the manufacturer can market the equipment in the EU and in the other CEPT countries that have implemented the Directive. Additional national procedures are no longer possible.

These new procedures are expected to lead to simplification and less bureaucracy for the satellite industry.

The ERC has developed over the years a number of ERC Decisions covering the exemption of individual licensing of various satellite terminals. The existence of these ERC Decisions has assisted in the introduction by CEPT administrations of regulation to implement the exemption of individual licences of satellite terminals in their national legislation.

In relation to Directive 1999/5/EC (the R&TTE Directive), the Commission has raised the issue whether such ERC Decisions were in conformity with this Directive. The view was that the issuing of individual licences could only be based on the grounds provided in article 7.2 of the R&TTE Directive, and was therefore more of an exception than a common rule. Taking into account this principle, current licensing regimes might need to be reviewed.

The ERC is therefore considering to develop a new approach, e.g. a catalogue of conditions that would indicate in which cases the delivery of an individual licence is necessary, rather than producing further Decisions on licence exemption.

3.3.5 Databases

The ERC has adopted Decisions on “licensing requirements for VSAT/SNG” and the one on the “Establishment of a Regulatory Database of licensing regimes for telecommunication networks and services.” These Decisions are important to the satellite industry, since having the information on licensing regimes collected in one place provides for transparency and openness and makes it considerably less time consuming to get an insight in the national requirements. The VSAT/SNG Decision can be withdrawn as soon as all the countries that have implemented it have also implemented the last mentioned Decision, since this includes also the VSAT/SNG information. The last mentioned Decision forms part of the One Stop Shopping procedure.

4 Specificities of national licensing regimes

Licensing regimes for satellite earth stations and services across CEPT countries are characterised by diversity and complexity (this report does not examine licensing of satellite space stations).

The following chapter is a general description of licensing regimes that are being applied in CEPT countries for the authorisation of satellite networks, services, and terminals. A more detailed description of licensing regimes on a country-to-country basis can be found in Annex II. An analysis of where these licensing regimes cause barriers to entry is found in Chapter 6.

In countries with light licensing regimes, such as for instance Denmark or Norway, only the use of frequencies may be subject to licensing and no further steps have to be taken by operators in order to provide their services. In other countries, the network part, the service part and the frequency part of the system may have to be authorised. Consequently operators providing the same service across CEPT countries face very different licensing situations and have to fulfil very diverging requirements.

In CEPT countries where only one entity, the NRA, is responsible for all licensing issues (e.g. Nordic countries) procedures may be easier and shorter than in countries where several entities have to give their approval. In a number of CEPT countries, the licensing of frequencies remains the responsibility of the Ministry while the authorisation to provide a service is granted by the regulator. However in The Netherlands, even though the Ministry, OPTA and the Radio-communications Agency are involved in the licensing process, experience shows that the division of responsibility does not necessarily mean delays and heavier procedures. On the other hand, in countries like Belgium where the regulator is responsible for licensing both frequencies and services, the procedures can be a more difficult process. In that case, the number of requirements and the nature of the licensing regime itself are the main reason for problems encountered by operators.

The liberalisation of telecommunications has resulted in the separate licensing of networks and terminals. In general network operators have to apply for a service authorisation and for a radio license. In some countries the service authorisation is subject to free regime (e.g. Norway, Finland, Sweden), whereas other countries have implemented class-license regimes (e.g. UK, Denmark) or a mix of notification and individual licence regimes (e.g. Austria, Belgium, Germany, Luxembourg, Switzerland). The authorisation of spectrum in most CEPT countries is subject to individual radio licenses.

The service authorisation is used for the overall regulation of telecommunications networks, for example the feasibility of establishing and operating a certain network from the standpoint of providing services. The radio licence is used to regulate the detailed technical aspects of radio networks.

As far as terminals are concerned, various regimes may apply. These regimes range from individual licence, class licence, or general authorisation regimes to regimes where licensing is exempted according to different CEPT Decisions.

One barrier to entry is the necessity to have a local presence (e.g. Hungary, Poland, and Lithuania). This requirement which has disappeared in most EU licensing regimes renders the task of operators more difficult in non-EU CEPT countries. In general in non-EU CEPT countries more conditions seem to have to be fulfilled by applicants before market entry.

The conditions to be fulfilled by satellite operators are generally more extensive in cases where frequency coordination is needed. Nevertheless, some countries ask a lot more information from operators than other countries, about e.g. technical details, for exactly the same type of system or earth station. One can therefore wonder if there are any objective reasons why the extent of the information requested should vary so much across CEPT countries.

Another element characteristic of the complexity witnessed across CEPT countries may be the fact that national telecommunications legislation has traditionally been technology related. Specific provisions for certain types of services therefore make it very difficult to adapt the national framework to new systems and new technologies.

On the other hand the licensing of VSAT and SNG terminals may be the area which benefited most from measures taken at CEPT level and those are, in a number of countries, subject to lighter licensing conditions than other systems.

Nevertheless, even VSATs, which have been established for some time in the telecom arena and which are familiar to NRAs, are not understood in the same way in all CEPT countries. In some countries, terminals that qualify as VSAT in other countries are considered "permanent earth stations". This means that different licensing requirements are applied and more onerous licence fees are being charged.

5 Analysis of the regulatory situation

5.1 Licensing regimes and procedures

The diversity of licensing regimes across CEPT countries is reflected in the variety of information requested from applicants. As demonstrated in ETO's study on information for verification⁷, those requirements can become real barriers to market entry.

The complexity of the licensing regime accounts for one part of the burden imposed on operators. In a number of countries, applicants may have to address different authorities in order to secure all the necessary licences. In addition to licences for the use of frequencies, network or service provision licences may be necessary which means that several procedures may have to be initiated. The fact that individual licences are necessary implies that applicants have to provide more extensive information and go through longer licensing procedures.

The different interpretation of a same service in the national legislation of CEPT countries often makes it impossible for operators to provide exactly the same service across several countries. An ideal situation for operators would be to have mutual recognition of licences unless complete harmonisation of the licensing regimes could be achieved. Since both mutual recognition and harmonisation seem to be very difficult to achieve in the short term, lighter licensing regimes and lighter procedures should at least be a CEPT goal for the short-term.

As was concluded in ETO's study on categories of authorisations⁸, "the only categories of authorisation to be identified and specifically regulated should be those involving the assignment of individual rights for the use of scarce

⁷ ETO Report, "Information for verification", Work Order No. 48466, October 1999.

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resources." In countries with light licensing regimes such as class licences or registration, only the use of frequencies is subject to individual licences (which implies the provision of more extensive information). Denmark, Norway, Sweden, Finland or The Netherlands are examples of countries where applicants should encounter the least difficulty in understanding the requirements and securing authorisations.

In general, more transparency about national licensing regimes would help operators to understand fully national requirements. The efforts undertaken by CEPT in order to provide extensive regulatory information that enables comparisons between countries is hampered by the fact that the corresponding Decisions are not supported fully across all member countries.

The adoption by the European Commission of a package of five directives on the harmonisation of legislation addresses the shortcomings of current telecom legislation in the EU member states. In particular the Directive on Authorisations which is intended to replace Directive 97/13/EC on authorisations and licences, will oblige member countries to apply general authorisations regimes except for the granting of numbers and when use of radio spectrum could cause harmful interference. It also sets new limits on the conditions that can be imposed on service providers. The directive would simplify the procedures for seeking authorisations, by suppressing information requirements and diminishing the scope of conformity controls.

Nevertheless, until the new package is adopted and national implementation can start, operators will still be facing difficulties in EU countries. Furthermore a majority of CEPT member countries are not EU Members and are therefore not directly compelled to modify their licensing regimes.

In particular, the information requested from applicants in CEPT countries varies considerably for each of the main areas addressed in the OSS combined application form. A thorough review of those requirements should help enable the streamlining of licensing procedures in the satellite area.

The following is a broad overview of each type of information asked in the OSS CAF:

- **Applicant details**
The information asked ranges from a single address and contact name, to that of several key persons in the company. Even though this type of information does not involve any complexity, the burden could be reduced to essential points of contacts (applicant, billing address).
- **Type of network**
The questions asked refer to both the type of network in case of VSAT for instance (star, mesh etc.), to the fact that a network is open to the public or offered to CUG, to transfer via leased lines or PSTN. All those question do not seem to add considerable burden and can be justified for NRAs to understand the type of service provided.
- **Type of service**
The questions asked within this chapter vary greatly. Some countries only ask for a two-word description of the service (international, national, voice, data etc) while others encompass a whole range of questions related to rights and obligations, emergency procedures or back-up procedures for instance. There seems to be scope for reducing that type of questions.
- **Technical data**
The technical details regarding the earth station stem from the ITU APS4 form. The level of details however varies from country to country. There may be scope for reduction of those requirements as well.
- **Attachments**
A number of additional documents are requested in some countries. A copy of the company's business registration is the most asked document. Proof of right to use the space segment is also asked in many countries. Further requirements such as business plans, network plans, experience in telecommunications, commercial strategy for instance add to the burden of applying for licences and there may be scope for reducing the amounts of documents to be sent and allowing companies to self certify their own business documents.

Building upon information gleaned during the One-Stop-Shop exercise, JPT-SAT convened a subgroup (CAF-R) to analyse the questions in the OSS Combined Application Form to try to produce a reduced "common" application form.

Having discussed a number of options and agreed an approach, CAF-R worked to create a Common Application Form, which sought to capture all the questions which a licensor would genuinely require pursuant to granting authorisations for satellite services in the CEPT coverage area.

⁸ ETO Report, "Categories of authorisations", Work Order No. 48463, October 1999.

Taking the OSS Combined Application Form as its starting point, the group examined carefully each question and began the process of deleting those which were unnecessary, unhelpful or repeated in slightly different forms. Explanations for the deletions have been maintained in each case. The remainder were placed in logical order in a DRAFT version of the Common Application Form. In some cases, the questions were modified when they were moved across. The group resisted doing this except in cases where the meaning was ambiguous.

A large number of questions were extracted which are asked currently by individual NRAs, some times on the basis of national law requirements, which, it was felt, do not belong in a generic Common form. These were listed in a separate document and CAF-R is continuing to look at ways of accommodating the wishes and requirements of those NRAs.

5.2 CEPT Satellite Decisions: Implementation outlook

The following chapter deals with the status of implementation of ERC Decisions and Recommendations. More specifically, an analysis is made of the following:

- Charts 1 and 2 showing, for each Decision or Recommendation, how many countries have implemented, committed or planned to implement, or provided no information regarding implementation;
- Chart 3 showing the total number of Decisions implemented for each CEPT country; and
- Chart 4 showing the implementation record of Decisions for EU countries compared to non-EU countries.

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ERC Decisions

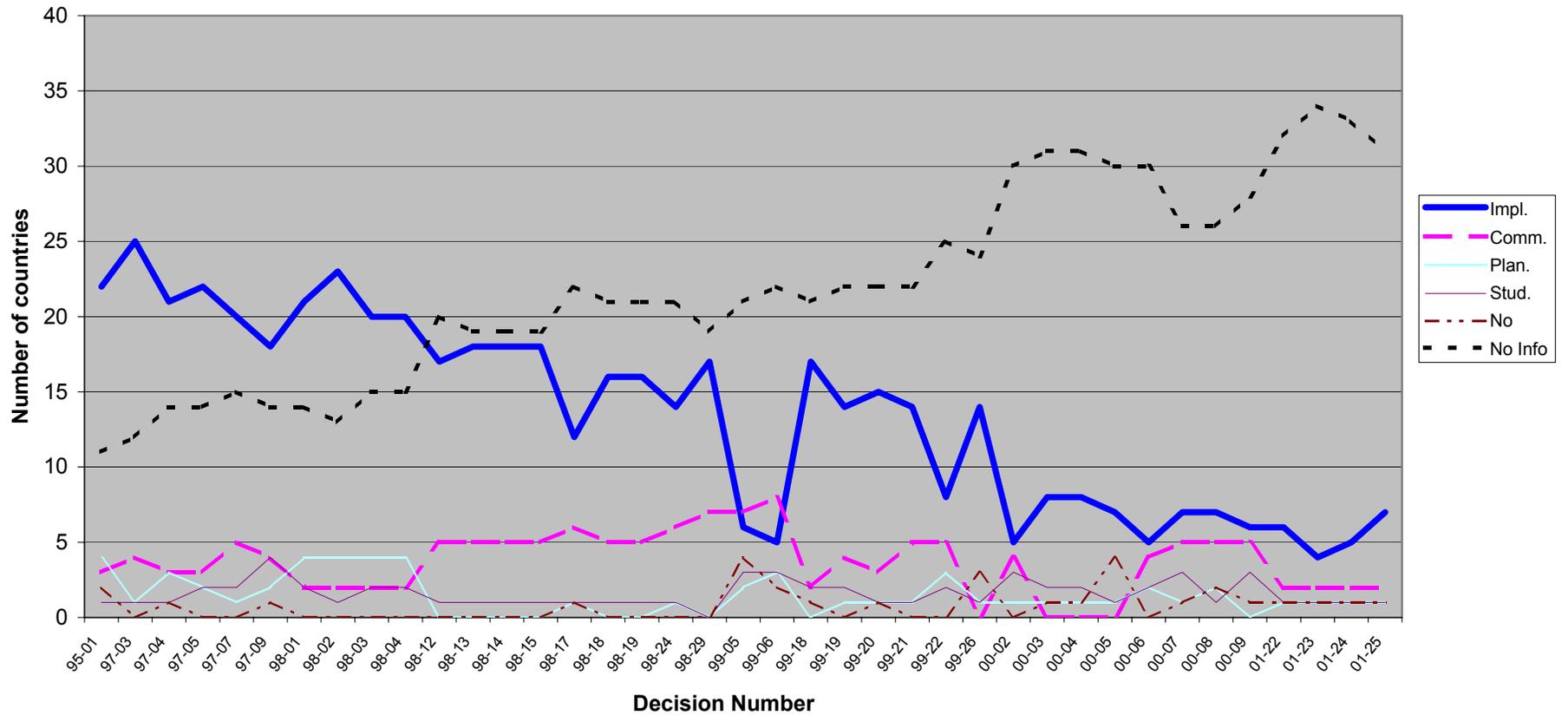


Chart 1: This chart shows the number of countries which have either implemented, committed, planned to implement, are studying, have said no or have provided no information with regard to each ERC Decision relevant to the Satellite area (as of 21 June 2001)

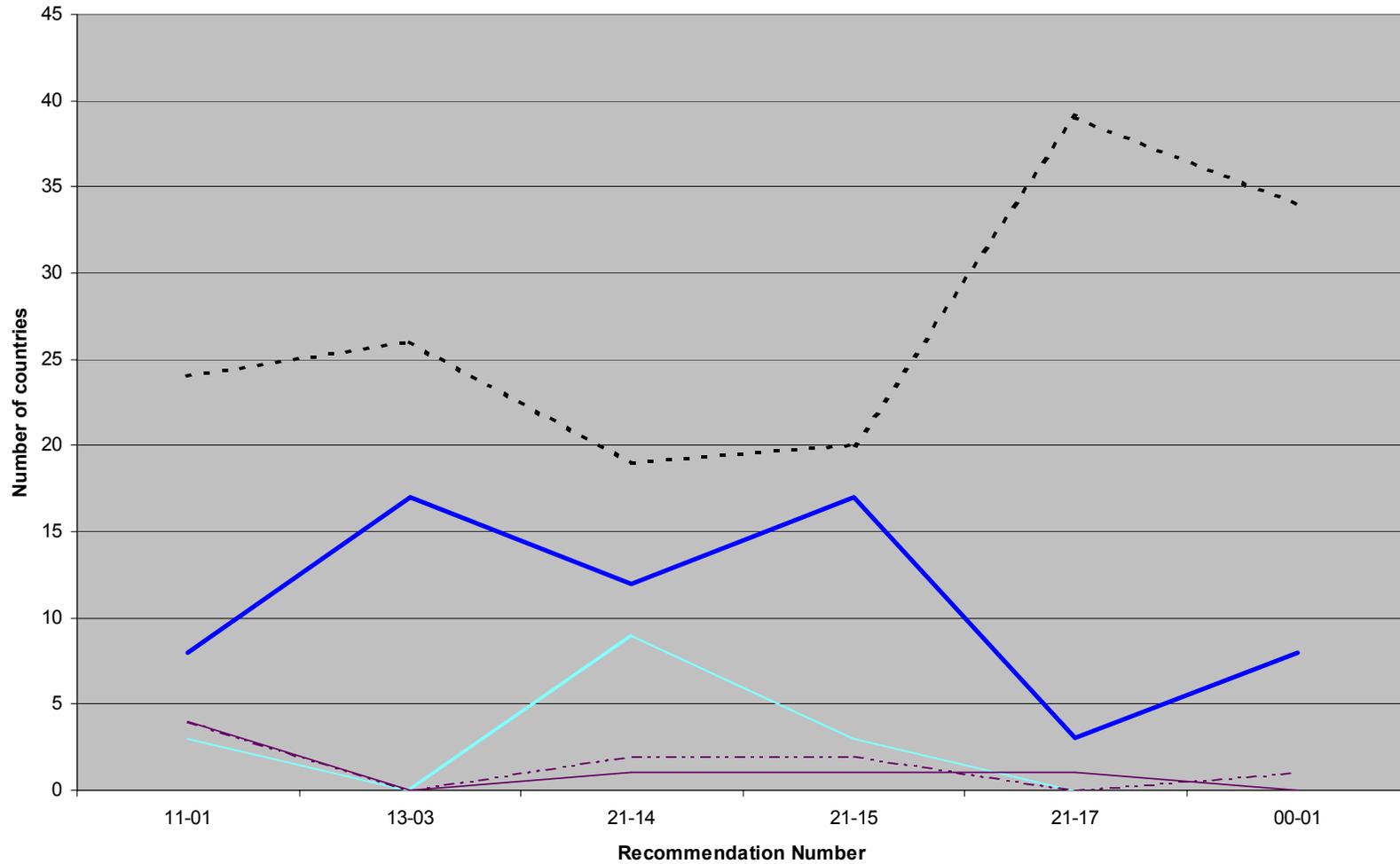
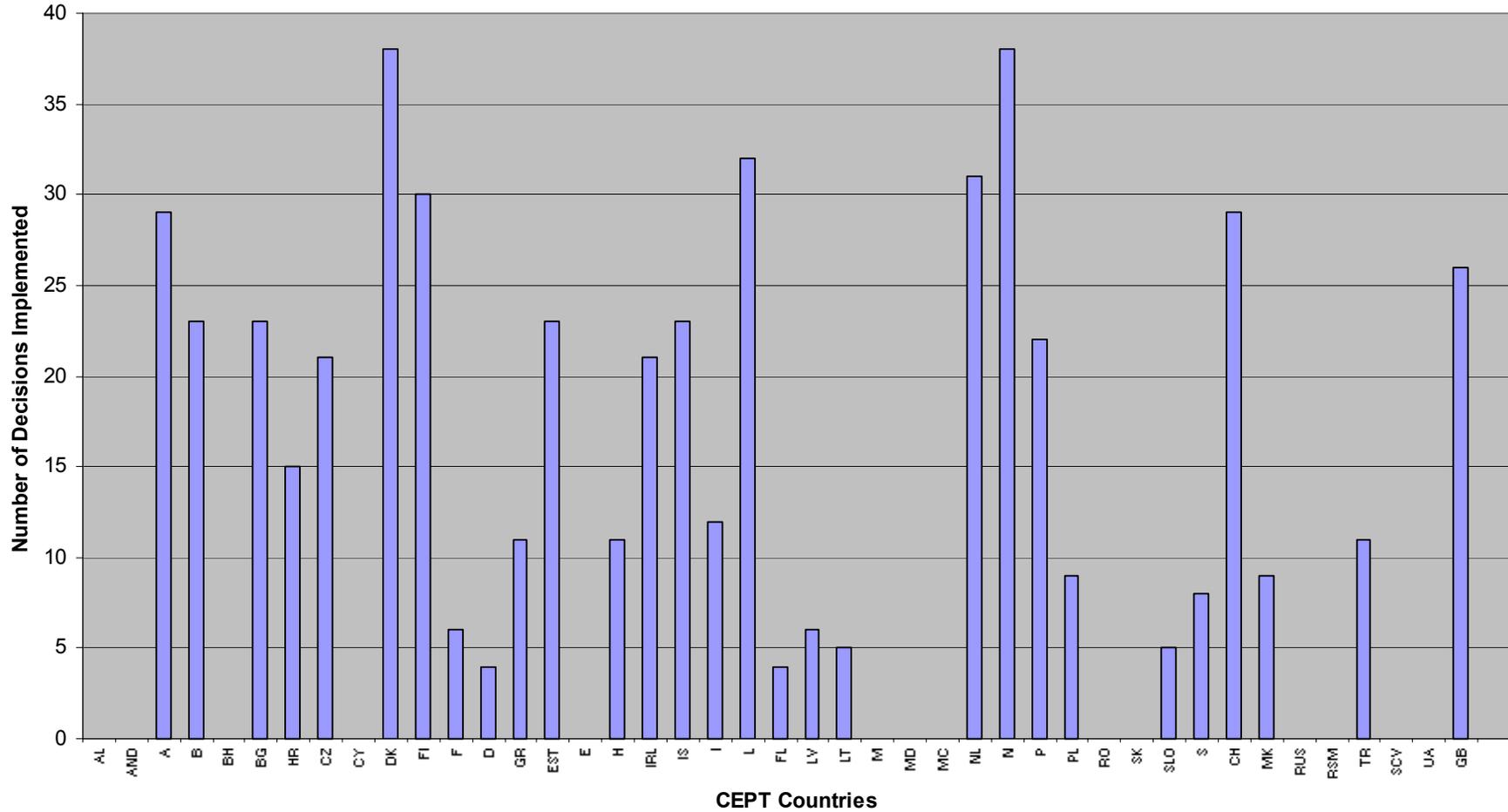


Chart 2: The above chart shows the number of countries which have either implemented, planned to implement, are studying, have said no or have provided no information with regard to each ERC Recommendation relevant to the Satellite area (as of 21 June 2001)

Decisions Implemented by Country



- **Chart 3:** The above chart shows the number of ERC Decisions that have been implemented in each country (as of 21 June 2001)

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5.2.1 Implementation of ERC Decisions

(The comments below reflect the situation on 8 May 2001, before the information in the graphs and the Annexes of this report was slightly changed, to reflect that for a large number of Recommendations or Decisions, a couple of countries had now changed implementation status.)

The above charts 1 to 3 show that the implementation level of the measures applicable to the satellite area tapers off for more recent Decisions and Recommendations. A possible reason could be the increasing complexity of these ERC measures, which may also require changes in national legislation. At the same time the number of countries which have not provided any information concerning implementation increases proportionally over time. This may be explained by the fact that NRAs need quite some time to implement CEPT instruments at national level. Therefore Decisions or Recommendations from 1995-1998 have been implemented by more countries than those of 1999-2000 or 2001.

The four 2001 Decisions have been implemented respectively by 2 countries while the 2000 Decisions have been implemented by an average of 7 countries. This lack of support can be explained by the time factor.

Nevertheless, the level of implementation of older Decisions and Recommendations is not satisfactory.

The implementation of 1995-1997 Decisions oscillates between 25 and 18 countries while that of 1998-99 Decisions decrease from 23 to around 5 countries. This means that since 1997 only three Decisions have been implemented by just half of CEPT member countries.

Furthermore, the level of commitment to Decisions never goes beyond 8 countries, i.e. a maximum of 18% of countries have committed to implementing a particular Decision. The level of commitment does not therefore leave hope for a subsequent significant increase in implementation, at least for the short term.

If one looks at the sum of countries that have either implemented or committed to implement a given Decision in the 1995-1998 period, the minimum score is 18 countries and the maximum 29 countries, with an average of 22 countries. For Decisions from 1999 and 2000, a minimum of 7 countries and a maximum of 18 countries have either implemented or committed to implement any given Decision, with an average of 11 countries. Over the 1995-1999 period Decisions 99-05 (12 countries), 99-06 and 22 (13 countries), 99-26 (14 countries), 99-19 (16 countries), have the lowest level of implementation and commitment.

These Decisions refer mainly to exemption, free circulation and S-PCS below 1 GHz:

- 99-05: Free circulation, use and exemption from individual licensing of MES (S-PCS<1GHz)
- 99-06: Harmonised introduction of S-PCS operating below 1 GHz.
- 99-22: Establishment of a regulatory database of licensing regimes
- 99-26: Exemption from individual licensing for ROES
- 99-19: Free circulation and use of Inmarsat B terminals

The Decisions which have reached the highest level of implementation and commitment are 97-03 (29 countries) followed by 95-01, 97-05 and 98-02 (25 countries), 97-04 and 97-07 (24 countries), which refer to:

- 97-03: Harmonised use of spectrum for S-PCS operating between 1610-1626.5, 2483.5-2500, 1980-2010, 2170-2200 MHz
- 95-01: Free circulation of radio-equipment in CEPT member countries
- 97-04: Transitional arrangements for the Fixed Service and the Mobile Satellite Service in the bands 1980-2010 and 2170-2200 MHz in order to facilitate the harmonised introduction and development of S-PCS
- 97-05: Free circulation, use and licensing of Mobile Earth Station of S-PCS within the bands 1610-1626.5, 2483.5-2500, 1980-2010, 2170-2200 MHz
- 97-07: Frequency bands for the introduction of UMTS
- 98-02: Free circulation of Inmarsat Phone terminals in CEPT countries, enlarging 95-01

The above shows that the most supported Decisions deal with harmonisation of spectrum in order to help the introduction of new systems (S-PCS and UMTS), with the exception of the 1995 Decision (the older of all satellite related ERC Decisions) and its enlargement of 1998 which deal with free circulation of equipment (GSM mobile phones, DECT, Omnitrac for Euteltracs1, Inmarsat-C and M terminals, PR-27 mobile stations).

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Frequency Decisions seem to be easier to implement than other types of Decisions. This can be explained by the fact that they require the updating of frequency tables and in most cases do not require any change in legislation. On the contrary licensing Decisions such as Decisions on free circulation may collide with national regulation thus making modification to the law necessary, which in turns means longer and more difficult implementation processes.

It seems that Decisions covering broader areas such as the ERC (99) 22 Decision regarding the establishment of a regulatory information database do not encounter widespread support. This may be explained by the fact that several entities within a same administration need to co-operate in order to reach implementation or commitment and therefore internal co-ordination/bureaucracy problems may be at stake.

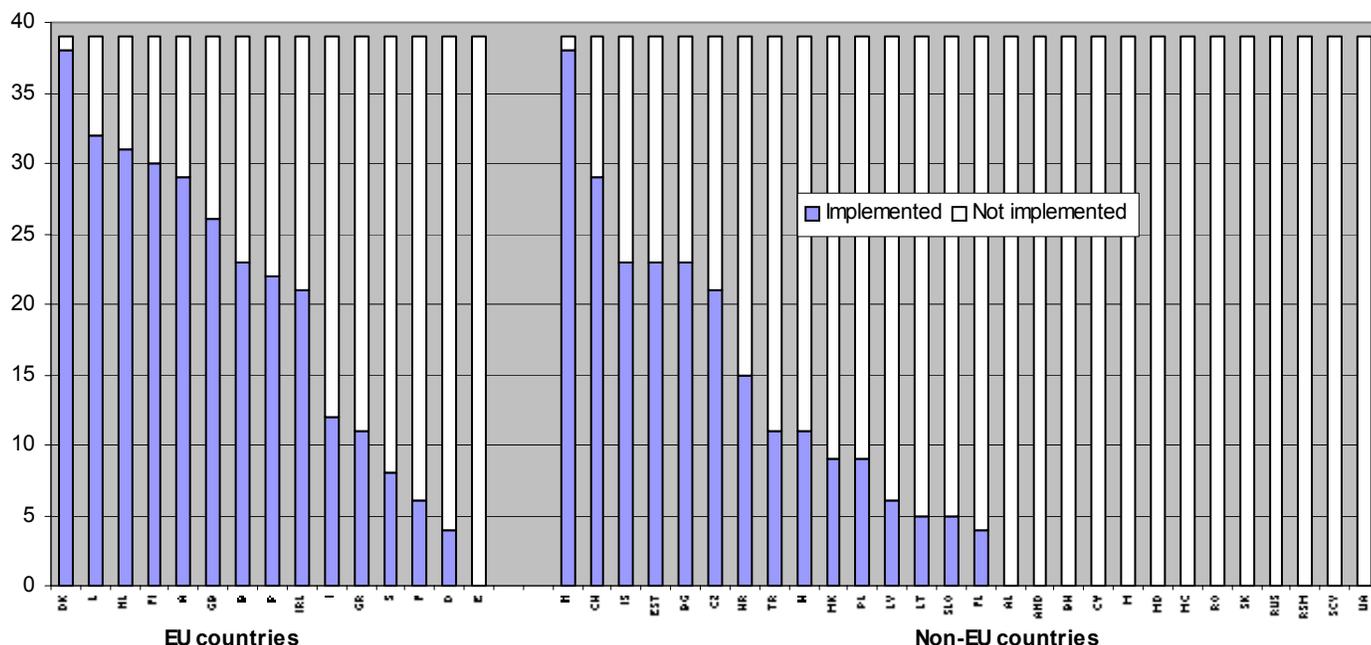
In addition, Decisions regarding free circulation and exemption may reach a low level of implementation because of interference reasons. Nevertheless, their utmost importance for industry should encourage a higher support, especially for radio equipment based on harmonised standards from ETSI (European Norms, or ENs), for which risks of interference are limited.

In general it should be considered that most administrations have been formally involved in the adoption of these measures. Further, the adoption of these measures took a long time in the first place, so further delay for national implementation is not satisfactory.

5.2.2 EU Perspective

Chart 4: Decisions implemented and not implemented by Country (EU countries vs. non-EU countries) as of 21 June 2001

Implementation of Decisions: EU vs non-EU countries



This chart shows the countries and their individual implementation record. The 15 EU Member States are on the left side, the other non-EU countries in the middle and right side of the chart.

For the 39 satellite-specific ERC decisions identified, the implementation record on 8 May 2001 could be described as the following:

- Among the EU countries, Denmark has the highest record, with 38 decisions implemented, followed by Luxembourg, Finland, Austria, the UK, the Netherlands and Portugal. At the bottom Belgium has a record of 6, France 6, Germany 4, and Spain 0 Decisions implemented. **The average implementation for EU countries is therefore 17 (i.e. only 44 percent). On a population-related weighed average basis, this number would be considerably smaller.**
- As for non-EU countries, the implementation record looks as follows: Switzerland, Norway, Estonia and Iceland are at the top (on a par with the “best” EU countries). The Czech Republic and Croatia follow. Major countries with a poor implementation record include Ukraine (0) and the Russian Federation (0). **The average for non-EU countries is 7 decisions implemented out of 39, i.e. 18 percent.**
- **The average for CEPT overall is 10 decisions implemented out of 39, i.e. 25 percent.**

The distinction elaborated in the above chart between EU Member States and other CEPT administrations sheds some light on the co-operation mechanism between the EU and CEPT in general. Throughout the 1990s, EU Member States argued against further harmonisation at EU level by pointing to the expertise and the broader geographical reach of CEPT. As a result, a draft Directive on the mutual recognition of licenses proposed by the European Commission in 1994, or other ideas about single European licenses for telecommunication services and networks were not taken up by the Council of Ministers. Member States preferred to opt for a co-operation mechanism with the CEPT instead. This mechanism – spelled out in the S-PCS Decision as well as in the Licensing Directive - foresaw that the European Commission, after discussion with the EU Member States, would

mandate CEPT to carry out the necessary harmonisation measures. S-PCS, One Stop Shopping and UMTS have been the pertinent examples to-day.

While it is true that most CEPT measures adopted under the 'EC mandate mechanism' enjoy a higher-than-average level of implementation as compared to most other CEPT measures, it has to be noted that a large number of CEPT Member States – and, sometimes, even EU Member States - have not committed to, or implemented, these measures at national level. This puts the claim for a broader geographical reach of CEPT into doubt. In addition, one may question the effectiveness of the EU-CEPT co-ordination mechanism as such, as the European Commission has no tool at its disposal to monitor and enforce EU-wide implementation as would be the case for EU Decisions or Directives. The reliance on the EU-CEPT co-ordination mechanism, however, rests on the assumption that the single market objectives for satellite communications in the EU can be achieved. To-date, despite considerable efforts deployed by many actors in the regulatory field, this conclusion is far from certain.

5.2.3 *Appraisal of the statistics on the level of implementation in CEPT countries*

In spite of the poor implementation records it should be noted that there is in some cases a difference between the implementation of the instruments and the actual situation in the countries. Some countries have legal problems with implementing certain Decisions and Recommendations in their legislation, but they live up to the spirit of the instruments. This is particularly the case in some countries with regard to free circulation Decisions. Thus, the reality may be better than what the statistics would indicate. A solution that some countries have chosen and which should be promoted is that they indicate in the Remarks section the actual situation. Nevertheless, the lack of information on actual or pragmatic implementation is non-transparent and raises costs to industry to confirm the real regulatory situation in CEPT countries.

Another problem that occurs is that some countries can agree to most part of a Decision, but not to a small subsection of it and therefore can not implement the Decision, since it was decided that Decisions should be implemented without deviations, in order to create security for the outside world.

From a national perspective, out of the 39 satellite Decisions, Denmark is leading with 38 Decisions implemented followed by Luxembourg (32), Switzerland (29), Finland (28) and Norway (27). The following group of countries has implemented over half of the Decisions: Austria, Czech Republic, Denmark, Estonia, Finland, Iceland, Ireland, Luxembourg, Netherlands, Norway, Portugal, Switzerland and the UK. Out of the EU countries, France, Germany and Belgium have implemented six or fewer Decisions while Spain never implemented any of the satellite-related ERC Decisions. Those countries may have committed to implementing some Decisions though. A further 13 countries have never implemented any of the ERC Decisions.

A greater level of implementation of ERC Decisions seems to be a pre-requisite for reducing the burden of licensing and facilitating market access in Europe. The low level of implementation reflects the difficulties encountered at national level by operators. Nevertheless the group of leading countries in the implementation record shows that it is possible to adopt most CEPT measures in the satellite field. It seems that CEPT has to take some steps in order to encourage further countries to follow this example. Unless further improvement can be demonstrated, the current state of play indicates that the various ERC and ECTRA Decisions do not achieve the desired harmonisation effect at pan-European level.

5.2.4 *Implementation of ERC Recommendations*

As far as Recommendations are concerned, the picture looks even bleaker than the one for Decisions. Implementation of Recommendations reaches a maximum of only 16 countries, i.e. less than half of CEPT member countries. Most Recommendations in Chart 2 were adopted in the period 1994-1996, while of the two Recommendations from 2000 one has been implemented by one country and the other by five countries only.

6 Industry experience with licensing procedures

This section is based on a survey of members of the Regulatory Working Group of the Satellite Action Plan and the members of the Global VSAT Forum. The following information is based on industry's current understanding of regulations in CEPT countries. Industry has urged national administrations to clarify or correct this information in order to obtain transparent and full details on national requirements.

6.1 Regulatory framework

On a national level, satellite regulations often are not transparent and are not easily accessible to researchers. In many countries it is difficult to determine how and where frequencies are being used. Furthermore, once found, regulations are often difficult to interpret.

Examples:

- Poland: No clear legislative framework for telecom regulations in place.
- Turkey: Implementation of new telecom regulations in Turkey has been slow. The procedures are unclear.

The laws in some countries do not adequately address VSAT or satellite communication services. In some instances existing earth station regulations are geared to the broadcast industry and do not consider current uses such as data, Internet, and private voice networks. Other countries base their regulations only on a TDMA hub-network scenario.

Example:

- Italy

Some countries do not permit use of certain BSS frequencies for FSS services in contravention of international radio regulations. An example is Hungary. Other countries make it difficult to use certain BSS frequencies for FSS services.

The regulatory framework in some countries requires changes to national law before some CEPT decisions or changes to tables of allocation can be changed.

Examples:

- Germany: approval from both houses of the German legislator is necessary to implement licensing exemptions for VSATs, SITs, and SUTs.
- Hungary: Governmental approval is necessary to change certain footnotes in the national table of frequency allocations.

6.2 Application process

6.2.1 License application forms

Due to some NRAs not having licence application forms, operators do not know which information is required. The CEPT OSS electronic application form may partially address this problem, provided the remaining 40 NRAs (Netherlands, Norway and Ireland have already implemented OSS) are willing to implement OSS.

6.2.2 Language

A large number of CEPT countries only accept application forms in their national language. This creates an issue if a country office or representative has not been established as all applications would have to be translated and monitored by a local agent. By contrast, for example, Switzerland and the Netherlands accept license applications in English, which makes the process easier.

6.2.3 Application requirements

In some countries the dossier to prepare an application for a satellite network license is too cumbersome with a lot of information required such as network specifications, business plans, financial requirements, etc. Sometimes additional information is required, which is not in the original application form and this slows the application process down further.

Examples:

- Spain: The documentation required for VSAT licensing is unreasonable with detailed information needed which includes business plans and technical specifications. There is also ad hoc documentation that is required, which may not have appeared on the original application form.

6.2.4 Self-declarations

In some countries self-declarations are not accepted on corporate data. All the information requested must be translated, certified, apostilled and legalised.

Examples:

- Greece: Self-declarations are not permitted and each document presented to the authorities during the license application process must be certified as true and accurate by a public notary. All documents submitted have to be in Greek and the range of documents required is extensive.
- Italy: The documentation required by the authorities for the licensing procedures is excessive – for example a police certificate and anti-Mafia declaration from the CEO is required to prove that he/she has no criminal or Mafia background. All documents have to be translated into Italian, which adds to the cost and time to submit the application.
- Spain: Self-declarations are not permitted and each document presented to the authorities during the license application process must be certified as true, apostilled and submitted through a Spanish lawyer.

6.2.5 Commercial presence requirements

A legal or commercial presence (defined as establish a corporate subsidiary or having a local agent) is often required by administrations as a precondition for license issuance. This is a major obstacle to the effective roll-out of satellite communication services in the countries concerned, because it increases overhead costs to operators and service costs to end users.

Examples:

- Slovenia, Hungary, Spain, Greece, Albania, Bulgaria, Croatia, Czech Republic, Estonia, Latvia, Lithuania, Poland, Russia, Ukraine, Slovak Republic, require local agent or commercial presence.

6.2.6 Processing time frames

Time periods for issuing regulatory licenses are too long. It is very difficult to predict the schedule of equipment rollout and service implementation due to NRAs operating at different paces.

Examples:

- Italy: 8 months' lead-time in practice for private line, Ku-band VSAT
- France: 3 months' lead-time for private line, Ku-band VSAT; domestic inter-service frequency co-ordination can take up to 4 months
- Spain: Unreasonable delays experienced with VSAT and SNG applications. The minimum average processing time is six weeks if all the accompanying documentation (in Spanish) is in order. For a network license the average processing time is four months.
- Russia: There are difficulties within the licensing process due to bureaucratic procedures which is time consuming and makes applications a lengthy process. This is still the case even if the satellite operator has a separate entity established in Russia.
- Turkey: License for two-way VSAT can take up to 6 months due to long approval process with Turkish authorities

6.2.7 Administration

A major source of confusion is that in some countries the regulatory function is split between the Ministry of Communications and a subordinate NRA, which in some countries seem to lack the necessary administrative resources needed to carry out their functions.

Examples:

- Romania
- Greece
- Italy: The procedures and jurisdictions for licensing are also fragmented with the licensing being done both by the NRA and the Ministry of Communications.

6.2.8 Other conditions/restrictions

Certain administrations insist that VSAT's and other satellite user terminals undergo a site clearance procedure during which checks are made for potential interference and EMC threats to other services. This procedure is equally applicable in exclusive satellite bands and can constitute a considerable obstacle due to the time delays introduced by the process.

Such a procedure is normally triggered by any application to operate terminals which exceed an EIRP (or transmitted power into the antenna) threshold of a certain value, usually a stringent value which is less than the power level of a typical user terminal.

In the UK, the site clearance/co-ordination trigger value for use any radio transmitter equipment is +17dBW. However, to facilitate the rollout of satellite networks in a timely manner the Radiocommunications Agency has introduced a rapid clearance procedure for terminals which have an eirp of less than +45 dBW for compliance with the site clearance procedure.

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Whilst industry would encourage other CEPT administrations to take such steps to minimise the time delays, the precise power levels which are chosen as a trigger need urgently to be reviewed. In the case of the UK, the higher VSAT trigger level of 45 dBW is considered to still be too low to allow for unhindered deployment of mass-market broadband user terminals. As an example, this power level would limit a VSAT return channel to less than 2 Mb/s.

Other issues:

- Luxembourg: Recent laws introduced are creating unreasonable licensing procedures. An example of this is a recent law that has been passed that limits a Class 1 license to a satellite terminal of 34 dBW EIRP. With a low limit such as this there is effectively a barrier to the implementation of larger VSAT networks in Luxembourg.

6.2.9 Foreign ownership limits

Some countries maintain foreign ownership limits that seriously constrain the ability of pan-European operations.

Example:

- Ukraine

6.3 Fees

6.3.1 License fees

Licensing fees remain too high in most markets. Fees should not exceed the average resource hours required to process an application. In all instances where no license is required - such as blanket licenses - no fee should be imposed. Extremely high fees tend to be prohibitive and make satellite services non-competitive.

Examples:

- Italy: 7,230 Euro annually (100 kHz, 64 Kbps, Ku-band VSAT) whereas Germany has a fee of only 18 Euro annually (100 kHz, 64 Kbps, Ku-band VSAT)
- France imposes a quarter million-franc licence fee for first year of operation of a two-way VSAT used for Internet backbone connection and an eighth million francs each following year, because France defines this as a public network service. Prohibitive licence fees equally apply to a Receive-Only terminal used by ISP (even though France has adopted ERC Decision (99)26 on individual licence exemption for ROES). France is also very restrictive on the definition of closed-user group licensing, which is much less expensive than what France considers public network licensing.
- Austria 6000ATS per VSAT/per year for a remote license.
- Spain: a public network licence (C2) costs about Euro 500 for the use of frequencies in a 50 GHz bandwidth + 0.15% of annual turnover of the applicant undertaking

6.3.2 Space segment mark-ups

Some countries only allow sale of space capacity via the incumbent operator or regulator (who is the Signatory) and thereby ask for a portion of revenue in form of a mark up of around 5 to 15%. Other countries give preferential treatment to their national satellite system, followed by the intergovernmental satellite systems to whom they are signatory. Under an "open skies" policy satellite network operators should have unrestricted access to the space segment provider of their choice, including Eutelsat and Intelsat following their privatisation.

Examples:

- Russia
- Bulgaria
- Poland

In countries where operations and regulation have not yet been separated, obtaining VSAT authorisation often requires a bilateral arrangement between the service provider and the monopoly operator (PTT). The bilateral arrangement may require a "landing right fee" or tariff be paid to the PTT - even if the PTT does not participate in the service chain.

In other monopoly jurisdictions, the PTT is the only entity that may install and service VSATs. In other jurisdictions, the monopoly operator is the only entity that may own, operate and maintain VSATs.

Examples:

- Turkey: It is necessary to enter into agreement with Turk Telekom and the tariffs, even though they may have decreased, are still comparatively high.
- Bulgaria: Monopoly held by BTC. Slow implementation of privatisation process.
- Malta: Maltacom implemented but then rescinded deregulation. Bypassing Maltacom for point-to-point FSS satellite services not possible (although SNG service is possible)
- Cyprus: A monopoly is held by CYTA and there is no transparent licensing procedure. Each license is granted on a case-by-case process.

6.3.3 Excessive fee structures

The type of fee structures and the amounts charged differ substantially throughout CEPT. Industry has urged that the EU seek to achieve an effective harmonisation of fees and charges in the Community, keeping fees and charges to the minimum in order to reduce the cost of service to satellite customers. Departing from reasonable and proportionate administrative costs incurred forces the cost of that service to be excessive. Also, resorting to auctions for assigning spectrum would impede pan-European services and networks.

6.4 Licensing structures

6.4.1 General authorisations and licensing exemptions

Many jurisdictions require earth station licenses for satellite earth stations when no application should be necessary. Earth station licenses are generally needed to prevent unreasonable interference. Licenses are often required, even though unreasonable interference cannot occur technically.

Licensing exemptions are far from being implemented in all EEA countries. Lack of implementation of CEPT Decisions exempting the use of certain radio terminals such as VSATs, SITs, SUTs and land mobile satellite terminals from individual licensing constitutes a serious problem.

In particular, some EU countries do not exempt VSATs, SITs, and SUTs from individual licenses even though they meet the operational parameters of the CEPT Decisions and are compliant with the R&TTE Directive. For example, some EU countries (e.g., UK) maintain restrictions, including site clearance for all radio equipment.

The implementation of these decisions, already adopted by CEPT, at the national level is important for industry, since it normally means that Administrations should require no more than a registration process before the terminal equipment can be put into use.

6.4.2 Pan-European licensing and mutual recognition

Satellite communications service provider licenses issued in one country are not recognised by other administrations. In regions of the world where sovereign nations form regional economic or telecom alliances, a service provider license should be recognised on a regional cross-border basis.

A pan European operator has to go to each individual country not part of the OSS to apply for a license, contacting each appropriate official (who is often not well identified), to obtain appropriate forms in a specific language. A tight follow-up is also required to gain additional information/explanations. This requires an increased use of resources, time and money, which in the end is to the disadvantage of customers.

6.4.3 Multiple licensing requirements

On the regional level, service providers are required to complete multiple application forms, as well as contact details for the officials responsible for processing them, among the jurisdictions where they provide services.

Example:

- Hungary imposes multi-stage licence application procedures: frequency licence, and radio licence.
- Russia

6.4.4 Additional service provider license

In some jurisdictions, satellite service providers must obtain a license - in addition to an end-user earth station terminal license. Duplicative license processes should be avoided. Once facilities are licensed for use, such as a VSAT, no further license should be required.

Examples:

- Italy
- Hungary (until 23 December 2001)
- Czech Republic

6.4.5 Temporary authorisations

Satellite communication services for satellite users involved in temporary uses, including news coverage or demos require an expedited approval process that many jurisdictions lack. The Administrations should implement expedited processes for special cases.

Example:

- France: A temporary VSAT authorisation to allow day demonstrations in show rooms, does not exist in the law. Instead, the full price for one year for a limited number of terminals (5) is charged. Similar issues in the UK, but lower prices are incurred.

6.5 Equipment issues

6.5.1 Type approvals

Some administrations require redundant type approvals for antennas operating with a variety of satellite systems. This requires users to obtain type approvals for antennas repeatedly even though the antenna type is already being used in many jurisdictions for the particular satellite system being requested. The manufacturer, not the end-user, should be qualified to obtain homologation certificates. VSAT type approvals obtained by the antenna manufacturer for trans-border applications should be mutually recognised by each administration.

Examples:

- Russia
- Ukraine: It is uncertain if equipment can be re-exported due to the mandatory transfer of ownership to the customer during delivery.

6.5.2 Customs

Difficult customs procedures and sometimes high customs tariffs unreasonably delay and restrict importation of satellite earth station equipment.

Examples:

- Greece: No acceptance of CEPT decisions for free circulation and use of terminals.
- Turkey: Very cumbersome customs procedure.
- Russia: In certain cases equipment can only be used if a specific and usually large fee is paid (on the order of 50,000 Euro).

6.6 Countries with recommended licensing procedures

There are CEPT countries that have generally efficient licensing procedures for certain classes of satellite services or facilities. Industry recommends those procedures in CEPT countries that are simple and expeditious, fully transparent with a clear and equitable fee structure. In particular, it is important to have legal certainty as to what must be included with necessary applications, so that business planning and customer needs can be satisfied.

The procedures noted for each of the following countries can be used as examples for others to try and create simplified CEPT licensing across all countries:

- Finland: Simple and transparent licensing procedures.
- Germany: Applications are processed in a timely manner and self-declarations are accepted. While procedures are relatively transparent, the requirements are overly complex and can be cumbersome.
- Netherlands: Applications are processed in a very timely manner. Self-declaration accepted.
- Norway: Has simplified procedures that are time efficient.
- Sweden: Efficient and time conscious licensing procedures have been implemented.
- United Kingdom: The first steps in the application process are easy to follow and if the license is for a terminal below 45 dBW it may be issued in 24 hours. (As note above, however, industry believes this power level is too low and seeks greater reliance on licensing exemptions altogether.) Self-declaration is accepted and online documentation is available.

7 "Comprehensive Satellite Initiative" proposals

7.1 General proposals

Based on the previous chapters, the following proposals are made, aiming at improving the conditions for licensing of satellite systems in CEPT:

1. The degree of implementation in CEPT countries of existing ERC and ECTRA measures, as well as application of OSS procedures, for the satellite sector should be improved. This could be supported by giving regular updates on national implementation, annual reports on implementation, or other means of informing administrations of implementation. Administrations are asked for other proposals on how to speed up implementation.
2. Without prejudice to Art. 19 of the EU Licensing Directive which specifies the authorisation procedures for new services, the CEPT administrations should facilitate recognition of ERC Decisions as grounds for issuing temporary or provisional authorisations for services and networks until those Decisions are formally implemented into national law or regulations.
3. A package of existing CEPT measures relating to the satellite sector could be developed, so that it could be promoted as a whole, thereby easing the implementation burden on a national level. An information effort towards key persons in administrations might be useful to forward this idea.
4. The countries listed in paragraph 6.6 with recommended licensing procedures can be used as an example for others to try and create simplified licensing procedures across all CEPT countries.
5. In the medium to longer term, satellite industry would like to see even simpler licensing conditions than those used by the countries mentioned above, for instance with more emphasis on general authorisations or exemption from individual licensing of terminals. Some of those measures are already covered by the Authorisation Directive, part of the Rev 99. However, for those satellite networks and services that would still be subject to individual licences, industry has urged movement towards lighter licensing regimes, simplification and harmonisation of authorisations. This is particularly important because of the international nature of satellite coverage.
6. Telecommunications authorities are encouraged to co-ordinate with other domestic authorities that have a say in the siting of Earth Station terminals. The aim would be to minimise the constraints and additional time delays which can result from requirements placed by other authorities.
7. Proposals for simplification of licensing procedures should be developed.
8. CEPT should consider improved transparency and earlier consultation in the Decision-making processes, especially with respect to consumer and small business enterprises that may not otherwise be aware of CEPT activities.
9. CEPT should aim towards extending further the elements of harmonised conditions, possibly in areas such as bands and agreed power limits or for site clearance conditions and co-ordination or other technical requirements to reduce further the need for individual licensing.

7.2 Detailed proposals

In addition, the following detailed proposals are made:

1. Nature of future decisions

Up to now many Decisions concerned company-specific products such as EUTELTRACS whereas more recent Decisions, like the Decision on the Exemption from Individual Licensing of VSATs cover earth terminals which meet specific technical requirements, usually harmonised standards (European Norms or "ENs") from ETSI. There are advantages in having such generic Decisions, also based on harmonised standards, both for the ERC and also for satellite operators, since one Decision can cover several product names.

Harmonised standards provides a presumption that the functioning of radio systems is in compliance with essential requirements, in compatibility with international norms, notably guaranteeing no harmful interference, efficient use of orbital resources and limited health hazards. They ought to pave the way to easy licensing regime, as it is reflected in the European Union R&TTE Directive and as it should be in future ERC

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Decisions. It is therefore also recommended that future Decisions on Licence Exemption as well as “Free Carriage and Use” be based on equipment classes meeting particular ETSI standards rather than on specific manufacturers’ product names.

2. SNG operating in the 14.25-14.50 GHz band

In several European countries the frequency band from 14.25-14.50 GHz is shared between the FSS and the terrestrial fixed service. In some countries the procedures for obtaining permission to have SNG transmissions in this band can be onerous and time-consuming. In other countries the procedures have been simplified by defining zones in a country where interference from SNG transmissions is unlikely to cause problems and this enables authorisations to be issued rapidly. In those countries where sharing exists, Administrations are requested to apply the principle of zoning to reduce the delays for authorisation.

3. Restoration services

Satellite facilities can be an attractive solution providing restoration services. The licensing environment within the CEPT administrations should be made favourable for such solutions.

4. Licence duration

In some countries the duration of a licence for permanent earth stations is granted only for a period of one or a few years, renewable. This can have a negative impact when decisions are being made by the operator about the new investment since the earth terminals will not be amortised for a period less than 6 years. For VSATs, large gateway stations or TV up-link stations, the licence duration should be for a period of at least 10 years, the period may be shorter in the case when automatic renewal is foreseen.

5. Terminology and nomenclatura

The adoption of a common terminology across CEPT would be one important step towards harmonisation in the satellite area, and facilitating market access. As an example, in national legislation, the definition of a VSAT could be aligned with that of ETSI, which is also given in TBR 28 and EN 301 428. In other words, there should be a reference to the maximum antenna size but no reference to the bit-rate or bandwidth employed. This would make it possible for modern VSAT accessing techniques to be authorised adequately, as systems that have low overall data throughput may be used for transmitting high bit rates but only for a very short period.

6. VSAT bands

One of the current ERC Decisions on licence exemption, the ERC Decision (00) 05 grants exemption from individual licensing of VSATs operating in the 14.0-14.25 GHz band. The band 14.0-14.25 GHz is allocated to satellite services on an exclusive basis. However, in many CEPT countries the contiguous band 14.25-14.50 GHz is also allocated to satellite services on an exclusive basis. In fact CEPT ERC Rec. 13-03 of 1996 recommends unrestricted use of the band to satellite services in those countries where no fixed links have been implemented before 1996.

Several countries that belong to this group and that do not have fixed services in the 14.25-14.50 GHz have already signalled their intention of applying Dec (00)05 across the entire band of 14.00-14.50 GHz.

Those countries which do not have fixed services in the frequency band 14.25-14.50 GHz should be encouraged to, in practice, apply the Decision (00)05 on the exemption from individual licensing of VSATs operating in the 14.0-14.25 GHz band to the entire band of 14.00-14.50 GHz.

It is recommended that ERC tasks WGRR to produce a similar Decision for the band 14.25 – 14.50 GHz.

7. BSS(S)/S-DAB

There are several proposals to introduce 1.4 GHz BSS(S)/S-DAB services in Europe. Unlike the regulatory framework which exists at a CEPT level for introduction of such pan-European services as S-PCS, UMTS etc, there is a general lack of an appropriate common or harmonised framework for in particular spectrum access at a CEPT level to facilitate the introduction of pan-European S-DAB/BSS(S) services. It is recommended that ERC/ECTRA consider this issue within JPT SAT with a view to taking appropriate action.

7.3 Areas for further work

The following areas for further work have been identified:

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1. The report from the ECTRA PT SLC on a reduced set of licensing conditions should be followed up in the light of recent developments within the CEPT and the EU, and administrations should be encouraged to apply the reduced set.
2. The number of and complexity of the questions in the OSS SAT CAF should be further considered with a view to reduction and simplification.
3. Further work should be done in order to facilitate expedited authorisation procedures for special cases, e.g. short term authorisations.
4. Any future proposals from the satellite industry may be discussed in J PT SAT in co-operation with relevant CEPT groups.
5. It would be beneficial if the CEPT record of implementation of Decisions and Recommendations could be improved. The following possible measures could be considered for forming the basis of concrete measures to improve the implementation record:
 - *As indicated above the ERO addresses the administrations once a year with a request to update the implementation database. This was done the last time in January 2001. Although this is not generally part of the procedure, the results could be presented in the ERC if the results are particularly positive or negative. Reason for this could be that the implementation situation has not been on the agenda since the above-mentioned questionnaire in 1998/1999.*
 - *Awaiting the reception and approval of the CSI report in the ERC, a specific letter could be written with regard to the 35 satellite Decisions. This should be done in such a way that it does not merely duplicate the activity mentioned above, but goes further in requesting specific information.*
 - *As mentioned at one of the previous J PT SAT meetings, satellite operators have made considerable efforts, time and money wise, by visiting individual administrations and trying to convince them to implement ERC Decisions. It should be considered if further effort should be invested in determining why Decisions and Recommendations are not implemented.*
 - *At relevant meetings satellite workshops could be organised (for instance at WGRR, since there are a large number of Eastern European administrations present). This has been undertaken already once before (May 1998), but this time it could be combined with a presentation of the CSI report and it should be organised in such a way that there is the possibility to discuss matters in small groups.*
 - *A CEPT news bulletin could be issued, for instance quarterly, informing about new implementations. This could be done electronically and in the usual format for ERO News bulletins.*

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ANNEX I - Abbreviations

1. Abbreviations used throughout CSI

BSS	Broadcast Satellite Service
CAF	Combined Application Form
CEPT	European Conference of Postal and Telecommunications Administrations
CUG	Closed User Group
DECT	Digital Enhanced Cordless Telecommunications
EEA	European Economic Area
EC	European Commission
ECTRA	European Committee for Telecommunications Regulatory Affairs
EIRP	Effective Isotropic Radiated Power
ERC	European Radiocommunications Committee
ERO	European Radiocommunications Office
ETSI	European Telecommunications Standard Institute
EU	European Union
FS	Fixed Service
FSS	Fixed Satellite Service
GMR	General Milestones Review
GMPCS MoU	Global Mobile Personal Communications by Satellite Memorandum of Understanding
GSM	Global System for Mobile Communications
ISP	Internet Service Provider
ITU	International Telecommunication Union
J PT SAT	Joint CEPT ECTRA ERC Project Team in the area of Satellite Communications
MES	Mobile Earth Station
MRC	Milestones Review Committee
MRP	Milestones Review Process
MSS	Mobile Satellite Service
NRA	National Regulatory Authority
OSS	One-Stop-Shopping
PSTN	Public Switched Telephone Network
PT SLC	ECTRA/ERC Project Team on a reduced Set of Licensing Conditions
ROES	Receive Only Earth Station
R&TTE	Radio and Telecommunications Terminal Equipment Directive
SIG SAT OSS	Special Investigative Group on Satellite One-Stop-Shopping
SIT	Satellite Interactive Terminal
SNG	Satellite News Gathering
S-PCS	Satellite Personal Communications Service
SUT	Satellite User Terminal
TDMA	Time Division Multiple Access
UMTS	Universal Mobile Telecommunications System
VSAT	Very Small Aperture Terminal
WGFM	ERC Working Group Frequency Management
WRC	World Radio Conference
WTO	World Trade Organisation

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2. Abbreviations for CEPT countries

ALBANIA	AL
ANDORRA	AND
AUSTRIA	A
BELGIUM	B
BOSNIA AND HERZEGOVINA	BH
BULGARIA	BG
CROATIA	HR
CYPRUS	CY
CZECH REPUBLIC	CZ
DENMARK	DK
ESTONIA	EST
FINLAND	FI
FORMER YUGOSLAV REPUBLIC OF MACEDONIA	MK
FRANCE	F
GERMANY	D
GREECE	GR
HUNGARY	H
ICELAND	IS
IRELAND	IRL
ITALY	I
LATVIA	LV
LIECHTENSTEIN	FL
LITHUANIA	LT
LUXEMBOURG	L
MALTA	M
MOLDOVA	MD
MONACO	MC
NETHERLANDS	NL
NORWAY	N
POLAND	PL
PORTUGAL	P
ROMANIA	RO
RUSSIAN FEDERATION	RUS
SAN MARINO	RSM
SLOVAK REPUBLIC	SK
SLOVENIA	SLO
SPAIN	E
SWEDEN	S
SWITZERLAND	CH
TURKEY	TR
UKRAINE	UA
UNITED KINGDOM	GB
VATICAN CITY	SCV

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ANNEX II - MRC licensing status as of 7 June 1999

To: MRC
Copy: ECTRA and ERC Chairmen
From: Knut Smaaland, Chairman CEPT ECTRA ERC MRC
Date: 7-June-1999
File: 16-sq-22.rtf

**Title: FACTUAL INFORMATION ABOUT STATUS QUO
REGARDING "LICENSING"**

This document is a **non-authoritative** list of information regarding the relevant applications and licences in the MRC countries.

The information in this document is based on oral information conveyed during MRC meetings and information otherwise communicated to the MRC Chairman from representatives of the relevant administrations.

In this document the term LICENCE is used loosely, referring to any kind of legal permission or administrative "go ahead" from the relevant authorities.

The term may refer to, among other instruments, individual licences, service provision licences, network licences, frequency assignments etc.

AUSTRIA	National authorisation procedure for Iridium and Globalstar was completed during 1998.
BELGIUM	Licence applications have been received from Globalstar and Iridium. A provisional licence has been issued to Iridium September 22nd, 1998.
CROATIA	Applications from Iridium and Globalstar received. No licences granted.
DENMARK	No information yet available.
FINLAND	Licences are not required for the service provision of S-PCS systems. Iridium and Globalstar handsets are allowed to be used without any licences. Also, Globalstar is licensed to operate a feeder link earth station.
FRANCE	Applications from Iridium and Globalstar received. Licence for 15 years granted to Iridium in October 1998. Licence for 15 years granted to Globalstar in November 1998.
GERMANY	Licence limited in accordance with MRC Rec.#4 has been granted to Iridium under the conditions given in German information documents MRC doc. (98)181-184. Application received from Globalstar.
IRELAND	National authorisation procedure has been completed in the case of Iridium.
ITALY	Applications from Iridium and Globalstar received. Provisional licence granted to Iridium.
LIECHTENSTEIN	Application from Iridium received. Provisional licence has been granted to Iridium A permanent licence for Iridium is expected to be granted before the date of 31 st March 1999
LITHUANIA	Applications from Iridium Service Providers received, two licences granted.
NETHERLANDS	For S-PCS systems (like Iridium and Globalstar) individual licences are not required for the provision of these networks and services. A high level letter has been sent out to Iridium and Globalstar addressing these points.
NORWAY	Application regarding Iridium received. Licence limited in time, in accordance with MRC Rec.#4 has been granted to Iridium.
PORTUGAL	Applications regarding Globalstar and Iridium received. Licence granted to Iridium in November 1998 for 15 years.
SPAIN	A license for a 20 year-period has been granted to Iridium.
SWEDEN	Provision of S-PCS based services are subject to registration. Regarding

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Iridium the terminal equipment is exempted from licensing requirements until 31st December 2000. The NRA currently handles the same provisions for Globalstar..

SWITZERLAND

Licence has been granted to Iridium.

Licence has been granted to Globalstar.

UNITED KINGDOM

The UK has introduced a new regulation (SI 1999 No. 930) that exempts those terminals of Iridium, ICO, Globalstar, Inmarsat, Italsat and Eutelsat treated by ERC/ECTRA Decisions on Free Circulation and Use, from licensing on an individual basis.

Telecommunications Act Class license for handset operation for all S-PCS is in place.

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ANNEX III - ERC output documents relevant for the satellite industry, including their implementation by CEPT administrations

CEPT/ERC/DEC(95)01		
ERC Decision of 1st December 1995 on the free circulation of radio equipment in CEPT member countries Date: 1995		
Short description: This is the general ERC Decision arranging for free circulation in the sense of taking along equipment as well as taking along and use of the equipment. The annex contains a list of equipment (satellite and non-satellite) that is covered by the Decision. Subsequent Decisions extend this Decision by covering separate systems.		
Implementation:	22	A, B, HR, DK, EST, FI, D, GR, IS, I, LV, FL, LT, NL, N, PL, SLO, S, CH, MK, TR, GB
Commitment:	3	BG, CZ, E
Planned	4	H, L, P, SK
Under study:	1	RO
No:	2	F, IRL
No info:	11	AL, AND, BH, CY, M, MD, MC, RUS, RSM, UA, SCV
CEPT/ERC/DEC(97)03		
ERC Decision of 30 June 1997 on the Harmonised Use of Spectrum for Satellite Personal Communication Services (S-PCS) operating within the bands 1610-1626.5 MHz, 2483.5-2500 MHz, 1980-2010 MHz and 2170-2200 MHz Date: The Hague 1997		
Short description: The aim of this Decision is to provide a common approach for CEPT administrations: <ul style="list-style-type: none"> • for the provisional designation and identification of spectrum within the bands for the use by Mobile Earth Stations (MESs) of individual S-PCS systems as shown in this Decision; • to use certain milestone criteria and procedures and the findings of the Milestone Review Committee (MRC), to monitor the progress of each S-PCS system towards the offering of service within the CEPT. 		
Implementation:	25	A, BG, HR, DK, EST, FI, D, GR, H, IS, IRL, I, LV, L, FL, LT, NL, N, P, SLO, S, CH, MK, TR, GB
Commitment:	4	B, CY, E, F
Planned	1	CZ,
Under study:	1	SK
No:	-	
No info:	12	AL, AND, BH, M, MD, MC, PL, RO, RUS, RSM, UA, SCV
CEPT/ERC/DEC(97)04		
ERC Decision of 30 June 1997 on transitional arrangements for the Fixed Service and the Mobile-Satellite Service in the bands 1980-2010 MHz and 2170-2200 MHz in order to facilitate the harmonised introduction and development of Satellite Personal Communications Services Date: The Hague 1997		
Short description: This ERC Decision gives provisions and timeframes for the phasing out of the FS in the bands designated to S-PCS.		
Implementation:	21	A, HR, DK, EST, FI, D, GR, H, IS, IRL, I, LV, LT, NL, N, P, SLO, CH, MK, TR, GB
Commitment:	3	E, F, S
Planned	3	BG, CZ, L
Under study:	1	SK
No:	1	B

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No info:	14	AL, AND, BH, CY, FL, M, MD, MC, PL, RO, RUS, RSM, UA, SCV
<p>CEPT/ERC/DEC(97)05 ERC Decision of 30 June 1997 on free circulation, use and licensing of Mobile Earth Stations of Satellite Personal Communications Services (S-PCS) operating within the bands 1610-1626.5 MHz, 2483.5-2500 MHz, 1980-2010 MHz and 2170-2200 MHz within the CEPT Date: The Hague 1997</p> <p>Short description: This Decision provides for the exemption of MESSs from requiring an individual licence and provides for the concept of free circulation and use which means the right to carry and use an S-PCS MESSs without any further authorisation</p>		
Implementation:	22	A, B, HR, DK, EST, FI, F, FL, D, IS, IRL, I, L, NL, N, P, SLO, S, CH, MK, TR, GB
Commitment:	3	CZ, E, LT
Planned	2	BG, H
Under study:	2	LV, SK
No:		
No info:	14	AL, AND, BH, CY, GR, M, MD, MC, PL, RO, RUS, RSM, UA, SCV
<p>CEPT/ERC/DEC(97)07 ERC Decision of 30 June 1997 on the frequency bands for the introduction of the Universal Mobile Telecommunications System (UMTS) Date: The Hague 1997</p> <p>Short description: This Decision provides for the accommodation of the UMTS satellite component applications within the bands 1980 - 2010 MHz and 2170 - 2200 MHz</p>		
Implementation:	20	A, HR, DK, EST, FI, GR, H, IS, I, LT, LV, L, NL, N, P, SLO, CH, MK, TR, GB
Commitment:	5	CZ D, E, IRL, S
Planned	1	B
Under study:	2	F, SK
No:	-	
No info:	15	AL, AND, BH, BG, CY, FL, M, MD, MC, PL, RO, RUS, RSM, UA, SCV
<p>CEPT/ERC/DEC(97)09 ERC Decision of 30 June 1997 on the provision of information for a data base of licensing requirements for VSAT/SNG Date: The Hague 1997</p> <p>Short description: In order to simplify the procedures for applying for licences to operate VSAT and SNG services, administrations shall provide information to a central database. Comment: This Decision can be withdrawn, when all administrations that have implemented it, have also implemented ERC Decision (99)22 on the Establishment of a Regulatory Database of licensing regimes for telecommunication networks and services.</p>		
Implementation:	18	A, B, BG, HR, DK, EST, FI, F, IRL, IS, FL, NL, N, P, S, CH, TR, GB
Commitment:	4	D, I, SLO, MK
Planned	2	LT, E
Under study:	4	H LV, L, SK
No:	1	CZ
No info:	14	AL, AND, BH, CY, GR, M, MD, MC, PL, RO, RUS, RSM, UA, SCV
<p>CEPT/ERC/DEC(98)01 ERC Decision of 20 March 1998 on free circulation and use of Inmarsat-D terminals in CEPT member countries enlarging the field of application of ERC/DEC/(95)01 Date: Paris 1998</p>		

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Short description: This Decision arranges free circulation and use of Inmarsat-D		
Implementation:	21	A, B, BG, HR, CZ, DK, EST, FI, GR, IRL, IS, I, L, NL, N, P, S, CH, MK, TR, GB
Commitment:	2	F, SLO
Planned	4	D, H, SK, E
Under study:	2	LV, LT
No:		
No info:	14	AL, AND, BH, CY, FL, M, MD, MC, PL, RO, RUS, RSM, UA, SCV
<p>CEPT/ERC/DEC(98)02 ERC Decision of 20 March 1998 on free circulation and use of Inmarsat-phone (also known as Inmarsat Mini-M) terminals in CEPT member countries enlarging the field of application of ERC/DEC/(95)01 Date: Paris 1998</p> <p>Short description: This Decision arranges free circulation and use of Inmarsat-phone.</p>		
Implementation:	23	A, B, BG, HR, CZ, DK, EST, FI, GR, IRL, IS, I, LV, L, NL, N, PL, P, S, CH, MK, TR, GB
Commitment:	2	F, SLO
Planned	4	D, H, SK, E
Under study:	1	LT
No:		
No info:	13	AL, AND, BH, CY, FL, M, MD, MC, RO, RUS, RSM, UA, SCV
<p>CEPT/ERC/DEC(98)03 ERC Decision of 20 March 1998 on free circulation and use of EMS-PRODAT terminals in CEPT member countries enlarging the field of application of ERC/DEC/(95)01 Date: Paris 1998</p> <p>Short description: This Decision arranges free circulation and use of EMS-PRODAT terminals.</p>		
Implementation:	20	A, B, BG, HR, CZ, DK, EST, FI, IRL, IS, I, L, NL, N, P, S, CH, MK, TR, GB
Commitment:	2	F, SLO
Planned	4	D, H, SK, E
Under study:	2	LV, LT
No:		
No info:	15	AL, AND, BH, CY, GR, FL, M, MD, MC, PL, RO, RUS, RSM, UA, SCV
<p>CEPT/ERC/DEC(98)04 ERC Decision of 20 March 1998 on free circulation and use of EMS-MSSAT terminals in CEPT member countries enlarging the field of application of ERC/DEC/(95)01 Date: Paris 1998</p> <p>Short description: This Decision arranges free circulation and use of EMS-MSSAT terminals.</p>		
Implementation:	20	A, B, BG, HR, CZ, DK, EST, FI, IRL, IS, I, L, NL, N, P, S, CH, MK, TR, GB
Commitment:	2	F, SLO
Planned	4	D, H, SK, E
Under study:	2	LV, LT
No:		
No info:	15	AL, AND, BH, CY, GR, FL, M, MD, MC, PL, RO, RUS, RSM, UA, SCV
<p>CEPT/ERC/DEC(98)12 ERC Decision of 23 November 1998 on Exemption from Individual Licensing of Inmarsat-D terminals</p>		

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for land mobile applications Date: Krakow 1998		
Short description: This Decision arranges exemption from individual licensing of Inmarsat-D terminals.		
Implementation:	17	A, B, BG, CZ, DK, EST, FI, GR, H, IS, IRL, L, NL, N, P, CH, GB
Commitment:	5	HR, D, I, MK, TR,
Planned	0	
Under study:	1	LV
No:		
No info:	20	AL, AND, BH, CY, F, FL, LT M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, S, UA, SCV
CEPT/ERC/DEC(98)13 ERC Decision of 23 November 1998 on Exemption from Individual Licensing of Inmarsat-C terminals for land mobile applications Date: Krakow 1998		
Short description: This Decision arranges the exemption of individual licensing of Inmarsat-C terminals		
Implementation:	18	A, B, BG, CZ, DK, EST, FI, GR, H, IS, IRL, L, NL, N, PL, P, CH, GB
Commitment:	5	HR, D, I, MK, TR,
Planned	0	
Under study:	1	LV
No:		
No info:	19	AL, AND, BH, CY, F, FL, LT M, MD, MC, RO, RUS, RSM, SK, SLO, E, S, UA, SCV
CEPT/ERC/DEC(98)14 ERC Decision of 23 November 1998 on Exemption from Individual Licensing of Inmarsat-M terminals for land mobile applications Date: Krakow 1998		
Short description: This Decision arranges the exemption of individual licensing of Inmarsat-M terminals		
Implementation:	18	A, B, BG, CZ, DK, EST, FI, GR, H, IS, IRL, L, NL, N, PL, P, CH, GB
Commitment:	5	HR, D, I, MK, TR,
Planned	0	
Under study:	1	LV
No:		
No info:	19	AL, AND, BH, CY, F, FL, LT M, MD, MC, RO, RUS, RSM, SK, SLO, E, S, UA, SCV
CEPT/ERC/DEC(98)15 ERC Decision of 23 November 1998 on Exemption from Individual Licensing of Omnitrac terminals for the Euteltracs system Date: Krakow 1998		
Short description: This Decision arranges the exemption of individual licensing of Omnitrac terminals for the Euteltracs system		
Implementation:	18	A, B, BG, CZ, DK, EST, FI, GR, H, IS, IRL, L, NL, N, PL, P, CH, GB
Commitment:	5	HR, D, I, MK, TR,
Planned	0	
Under study:	1	LV

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No:		
No info:	19	AL, AND, BH, CY, F, FL, LT M, MD, MC, RO, RUS, RSM, SK, SLO, E, S, UA, SCV
<p>CEPT/ERC/DEC(98)17 ERC Decision of 23 November 1998 on Exemption from Individual Licensing of ARCANET Suitcase terminals Date: Krakow 1998</p> <p>Short description: This Decision arranges the exemption of individual licensing of ARCANET Suitcase terminals</p>		
Implementation:	12	B, BG, CZ, DK, EST, FI, IS, IRL, L, NL, N, CH
Commitment:	6	A, HR, D, I, MK, TR
Planned	1	H
Under study:	1	P
No:	1	GB
No info:	22	AL, AND, BH, CY, F, GR, LV, FL, LT, M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, S, UA, SCV
<p>CEPT/ERC/DEC(98)18 ERC Decision of 23 November 1998 on Exemption from Individual Licensing of EMS-PRODAT terminals for land mobile applications Date: Krakow 1998</p> <p>Short description: This Decision arranges the exemption of individual licensing of EMS-PRODAT terminals for land mobile applications</p>		
Implementation:	16	A, B, BG, CZ, DK, EST, FI, H, IS, IRL, L, NL, N, P, CH, GB
Commitment:	5	HR, D, I, MK, TR
Planned		,
Under study:	1	LV
No:		
No info:	21	AL, AND, BH, CY, F, GR, FL, LT, M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, S, UA, SCV
<p>CEPT/ERC/DEC(98)19 ERC Decision of 23 November 1998 on Exemption from Individual Licensing of EMS-MSSAT terminals for land mobile applications Date: Krakow 1998</p> <p>Short description: This Decision arranges the exemption of individual licensing of EMS-MSSAT terminals for land mobile applications</p>		
Implementation:	16	A, B, BG, CZ, DK, EST, FI, H, IS, IRL, L, NL, N, P, CH, GB
Commitment:	5	HR, D, I, MK, TR
Planned	0	
Under study:	1	LV
No:		
No info:	21	AL, AND, BH, CY, F, GR, FL, LT, M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, S, UA, SCV
<p>CEPT/ERC/DEC(98)24 ERC Decision of 23 November 1998 on free circulation and use of ARCANET Suitcase terminals in CEPT member countries enlarging the field of application on ERC/DEC/(95)01 Date: Krakow 1998</p> <p>Short description: This Decision arranges free circulation and use of free circulation and use of</p>		

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ARCANET Suitcase terminals.		
Implementation:	14	A, BG, CZ, DK, EST,FI, IS, IRL, L, NL, N, P, CH , GB
Commitment:	6	B, HR, D, I, MK, TR
Planned	1	H
Under study:	1	LV
No:		
No info:	21	AL, AND, BH, CY, F, GR, FL, LT, M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, S, UA, SCV
<p>CEPT/ERC/DEC(98)29 ERC Decision of 23 November 1998 on Exemption from Individual Licensing of Inmarsat- phone terminals (also known as Inmarsat mini-M) for land mobile applications Date: Krakow 1998</p> <p>Short description: This Decision arranges the exemption of individual licensing of Inmarsat- phone terminals for land mobile applications</p>		
Implementation:	17	A, BG, CZ, DK, EST, FI, GR, H, IS, IRL, L, NL, N, PL, P, CH , GB
Commitment:	7	B, HR, D, I, LV, MK, TR
Planned	0	
Under study:	-	
No:		
No info:	19	AL, AND, BH, CY, F, FL, LT, M, MD, MC, RO, RUS, RSM, SK, SLO, E, S, UA, SCV
<p>CEPT/ERC/DEC(99)05 ERC Decision of 10 March 1999 on Free Circulation, Use and Exemption from Individual Licensing of Mobile Earth Stations.(S-PCS < 1GHz) Date: Helsinki 1999</p> <p>Short description: This Decision arranges free circulation and use and exemption of individual licensing of Mobile Earth Stations.(S-PCS < 1GHz)</p>		
Implementation:	6	B, DK, IRL, N, P, GB
Commitment:	7	HR, EST, FI, F, D, I, S,
Planned	2	CZ, L
Under study:	3	A, LV, MK,
No:	4	H, NL, CH, TR
No info:	21	AL, AND, BH, BG, CY, GR, IS, FL, LT, M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, UA, SCV

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<p>CEPT/ERC/DEC(99)06 ERC Decision of 10 March 1999 on the harmonised introduction of satellite personal communication systems operating in the bands below 1 GHz (S-PCS<1GHz) Date: Helsinki 1999 Revision: 2000</p> <p>Short description: The aim of this Decision is to provide a common approach for CEPT Administrations and a procedure, based on a case-by-case analysis:</p> <ul style="list-style-type: none"> • to identify the bands below 1 GHz for the Mobile Earth Stations (MESs) of individual S-PCS<1GHz systems; • to establish technical and operational constraints in order to ensure the compatibility with terrestrial services and among S-PCS<1GHz systems; • to enhance the possibility of competition among different systems and technologies; • to adopt a due diligence procedure in order to remove “paper satellites”. 		
Implementation:	5	DK, IRL, N, TR, GB
Commitment:	8	HR, EST, FI, F, D, I, LT, S,
Planned	3	CZ, H, L
Under study:	3	A, P, MK
No:	2	NL, CH
No info:	22	AL, AND, B, BH, BG, CY, GR, IS, LV, FL, M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, UA, SCV
<p>CEPT/ERC/DEC(99)18 ERC Decision of 29 November 1999 on Exemption from Individual Licensing of Inmarsat-B terminals for land mobile applications Date: Oslo 1999</p> <p>Short description: This Decision arranges the exemption of individual licensing of Inmarsat- B terminals for land mobile applications</p>		
Implementation:	17	A, B, BG, HR, CZ, DK, EST, FI, F, H, IS, L, NL, N, PL, P, GB
Commitment:	2	E, , TR,
Planned	0	
Under study:	2	IRL, LV
No:	1	CH
No info:	21	AL, AND, BH, CY, D, GR, I, FL, LT M, MD, MC, RO, RUS, RSM, SK, SLO, , S, MK, UA, SCV
<p>CEPT/ERC/DEC(99)19 ERC Decision of 29 November 1999 on free circulation and use of Inmarsat-B terminals in CEPT member countries enlarging the field of application of ERC/DEC/(95)01 Date: Oslo 1999</p> <p>Short description: This Decision arranges free circulation and use of Inmarsat B terminals</p>		
Implementation:	14	A, B, BG, HR, CZ, DK, IS, L, NL, N, PL, P, CH, GB
Commitment:	4	EST, E, FI, TR
Planned	1	H
Under study:	2	IRL, LV
No:		
No info:	22	AL, AND, BH, CY, F, D, GR, I, FL, LT M, MD, MC, RO, RUS, RSM, SK, SLO, S, MK, UA, SCV

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<p>CEPT/ERC/DEC(99)20 ERC Decision of 29 November 1999 on Exemption from Individual Licensing of Inmarsat-M4 terminals for land mobile applications Date: Oslo 1999</p> <p>Short description: This Decision arranges exemption of individual licensing of Inmarsat-M4 terminals</p>		
Implementation:	15	A, B, BG, HR, CZ, DK, EST, FI, F, IS, L, NL, N, P, GB
Commitment:	3	E, LV, TR
Planned	1	H
Under study:	1	IRL,
No:	1	CH
No info:	22	AL, AND, BH, CY, D, GR, I, FL, LT M, MD, MC, PL, RO, RUS, RSM, SK, SLO, S, MK, UA, SCV
<p>CEPT/ERC/DEC(99)21 ERC Decision of 29 November 1999 on free circulation and use of Inmarsat-M4 terminals in CEPT member countries enlarging the field of application of ERC/DEC/(95)01 Date: Oslo 1999</p> <p>Short description: This Decision arranges free circulation and use of Inmarsat-M4 terminals</p>		
Implementation:	14	A, B, BG, HR, CZ, DK, EST, IS, L, NL, N, P, CH, GB
Commitment:	5	E, FI, I, LV, TR
Planned	1	H
Under study:	1	IRL,
No:		
No info:	22	AL, AND, BH, CY, F, D, GR, FL, LT M, MD, MC, PL, RO, RUS, RSM, SK, SLO, S, MK, UA, SCV
<p>CEPT/ERC/DEC(99)22 ERC Decision of 29 November 1999 on the Establishment of a Regulatory Database of licensing regimes for telecommunication networks and services Date: Oslo 1999</p> <p>Short description: The aim of this Decision is to have administrations provide information to a central database on licensing issues. The main purposes of this regulatory database as well as this Decision is to support “One Stop Shopping” already developed within the CEPT and to encourage its extension to telecommunications networks and services not yet covered.</p>		
Implementation:	8	HR, DK, F, IRL, N, NL, CH, GB
Commitment:	5	A, FI, LV, LT, TR
Planned	3	CZ, EST, H
Under study:	2	L, P
No:		
No info:	25	AL, AND, B, BH, BG, CY, , D, GR, IS, I, FL, M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, S, MK, UA, SCV
<p>CEPT/ERC/DEC(99)26 ERC Decision of 29 November 1999 on Exemption from Individual Licensing of Receive Only Earth Stations (ROES) Date: Oslo 1999</p> <p>Short description: This Decision arranges exemption of individual licensing of ROES.</p>		
Implementation:	14	A, BG, CZ, DK, EST, FI, F, IRL, LV, LT, NL, N, PL, GB

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Commitment:	-	
Planned	1	L
Under study:	1	H
No:	3	P, CH, TR
No info:	24	AL, AND, B, BH, HR, CY, D, GR, IS, I, FL, M, MD, MC, RO, RUS, RSM, SK, SLO, E, S, MK, UA, SCV
<p>CEPT/ERC/DEC(00)02 on the use of the band 37.5 - 40.5 GHz by the fixed service and Earth stations of the fixed - satellite service (space to Earth) Date: Nicosia 2000</p> <p>Short description: This ERC Decision addresses the use of the band 37.5-40.5 GHz by the fixed service (FS) and Earth stations of the fixed-satellite service (FSS) (space-to-Earth) in relation to the requirements and priorities of CEPT Administrations.</p>		
Implementation:	5	CH, DK, EST, FI, L
Commitment:	4	A, NL, N, GB
Planned	1	P
Under study:	3	CZ, H, IRL
No info:	30	AL, AND, B, BH, BG, HR, CY, F, D, GR, IS, I, LV, FL, LT, M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, S, MK, TR, UA, SCV
<p>CEPT/ERC/DEC(00)03 on Exemption from Individual Licensing of Satellite Interactive Terminals (SITs) operating within the Frequency Bands 10.70 - 12.75 GHz space-to-Earth and 29.50 - 30.00 GHz Earth-to-Space Date: Nicosia 2000</p> <p>Short description: This Decision arranges exemption of individual licensing of SITs.</p>		
Implementation:	8	A, CH, CZ, FI, DK, L, NL, N
Commitment:		
Planned	1	P
Under study:	2	H, IRL,
No	1	GB
No info:	31	AL, AND, B, BH, BG, HR, CY, EST, F, D, GR, IS, I, LV, FL, LT, M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, S, MK, TR, UA, SCV
<p>CEPT/ERC/DEC(00)04 on Exemption from Individual Licensing of Satellite User Terminals (SUTs) operating within the Frequency Bands 19.70 - 20.20 GHz space-to-Earth and 29.50 - 30.00 GHz Earth-to-space Date: Nicosia 2000</p> <p>Short description: This Decision arranges exemption of individual licensing of SUTs.</p>		
Implementation:	8	A, CH, CZ, DK, FI, L, NL, N
Commitment:		
Planned	1	P
Under study:	2	H, IRL
No	1	GB
No info:	31	AL, AND, B, BH, BG, HR, CY, EST, F, D, GR, IS, I, LV, FL, LT, M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, S, MK, TR, UA, SCV
<p>CEPT/ERC/DEC(00)05 on Exemption from Individual Licensing of Very Small Aperture Terminals (VSAT) operating in the</p>		

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frequency bands 14.0 - 14.25 GHz Earth-to-space and 12.5 - 12.75 GHz space-to-Earth Date: Nicosia 2000		
Short description: This Decision arranges exemption of individual licensing of VSATs operating in certain bands in conformity with certain conditions.		
Implementation:	7	BG, CZ, DK, FI, L, NL, N
Commitment:		
Planned:	1	P
Under Study	1	H
No	4	A, IRL, CH, GB
No info:	30	AL, AND, B, BH, HR, CY, EST, F, D, GR, IS, I, LV, FL, LT, M, MD, MC, PL, RO, RUS, RSM, SK, SLO, E, S, MK, TR, UA, SCV
<p>CEPT/ERC/DEC(00)06 ERC Decision of 19 October 2000 on the licensing and global circulation and use of IMT-2000 terrestrial and satellite mobile terminals Date: Lisbon 2000</p> <p>Short description: This Decision arranges exemption of individual licensing and free circulation and use of IMT-2000 terrestrial and satellite mobile terminals.</p>		
Implementation:	5	A, CH, DK, L, N
Commitment:	4	FI, GB, S, E
Planned:	2	CZ, H
Under study	2	EST, P
No		
No info:	30	AL, AND, B, BG, BH, HR, CY, F, D, GR, IS, I, IRL, LV, FL, LT, M, MD, MC, NL, PL, RO, RUS, RSM, SK, SLO, MK, TR, UA, SCV
<p>CEPT/ERC/DEC(00)07 ERC Decision of 19 October 2000 on the shared use of the band 17.7 - 19.7 GHz by the fixed service and Earth stations of the fixed-satellite service (space-to-Earth) Date: Lisbon 2000</p> <p>Short description: This ERC Decision addresses the use of the band 17.7 - 19.7 GHz by the fixed and fixed-satellite service in relation to the requirements and priorities of CEPT administrations.</p>		
Implementation:	7	FI, CH, DK, I, L, NL, N,
Commitment:	5	A, GB, SK, E, TR
Planned:	1	P
Study	3	CZ, EST, H
No	1	S
No info:	26	AL, AND, B, BG, BH, HR, CY, F, D, GR, IS, IRL, LV, FL, LT, M, MD, MC, PL, RO, RUS, RSM, SLO, MK, UA, SCV
<p>CEPT/ERC/DEC(00)08 ERC Decision of 19 October 2000 on the use of the band 10.7 - 12.5 GHz by the fixed service and Earth stations of the broadcasting-satellite and fixed-satellite Service (space-to-Earth) Date: Lisbon 2000</p> <p>Short description: This ERC Decision addresses the use of the band 10.7 - 12.5 GHz by the fixed service and Earth stations of the broadcasting-satellite service and fixed-satellite service (space-to-Earth) in relation to the requirements and priorities of CEPT administrations.</p>		
Implementation:	7	A, FI, I, L, NL, N, CH

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Commitment:	5	GB, SK, E, EST, TR
Planned:	2	H, P
Study	1	CZ
No	2	S (in practice yes), DK
No info:	26	AL, AND, B, BG, BH, HR, CY, F, D, GR, IS, IRL, LV, FL, LT, M, MD, MC, PL, RO, RUS, RSM, SLO, MK, UA, SCV
<p>CEPT/ERC/DEC(00)09 ERC Decision of 19 October 2000 on the use of the band 27.5 - 29.5 GHz by the fixed service and uncoordinated Earth stations of the fixed-satellite service (Earth-to-space) Date: Lisbon 2000</p> <p>Short description: This ERC Decision addresses the use of the band 27.5 - 29.5 GHz by the fixed (FS) and fixed-satellite service (FSS) in relation to the requirements and priorities of CEPT administrations.</p>		
Implementation:	6	DK, I, L, NL, N, CH
Commitment:	5	A, FI, GB, SK, TR
Planned:		
No	1	S (in practice yes),
Under study	3	CZ, EST, H
No info:	28	AL, AND, B, BG, BH, HR, CY, F, D, GR, IS, IRL, LV, FL, LT, M, MD, MC, PL, P, RO, RUS, RSM, SLO, E, MK, UA, SCV
<p>CEPT/ERC/DEC(01)22 ERC Decision of 12 March 2001 on Exemption from Individual Licensing of SpaceChecker S-SMS Mobile User Terminals Date: Groningen 2001</p> <p>Short description: This ERC Decision arranges the exemption from individual licensing of SpaceChecker SMS Mobile user terminals.</p>		
Implementation:	6	A, B, DK, FI, L, N,
Commitment:	2	GB, SK
Planned:	1	CZ,
Under Study	1	H
No	1	NL
No info:	32	AL, AND, BG, BH, HR, CY, EST, F, D, GR, IS, I, IRL, LV, FL, LT, M, MD, MC, PL, P, RO, RUS, RSM, SLO, E, MK, , S, CH, TR, UA, SCV
<p>CEPT/ERC/DEC(01)23 ERC Decision of 12 March 2001 on free circulation and use of SpaceChecker S-SMS Mobile User Terminals in CEPT Member Countries enlarging the field of application of ERC/DEC/(95)01 Date: Groningen 2001</p> <p>Short description: This ERC Decision arranges the free circulation and use of SpaceChecker SMS Mobile user terminals.</p>		
Implementation:	4	B, DK, L, N
Commitment:	2	GB, SK
Planned:	1	CZ,
Under Study	1	H
No	1	NL
No info:	34	AL, AND, A, BG, BH, HR, CY, EST, F, FI, D, GR, IS, I, IRL, LV, FL, LT, M, MD, MC, PL, P, RO, RUS, RSM, SLO, E, MK, , S, CH, TR, UA, SCV
<p>CEPT/ERC/DEC(01)24</p>		

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<p>ERC Decision of 12 March 2001 on free circulation and use of Thuraya mobile user terminals in CEPT member countries enlarging the field of application of ERC/DEC/(95)01 Date: Groningen 2001</p> <p>Short description: This Decision arranges free circulation and use of Thuraya mobile user terminals.</p>		
Implementation:	5	B, BG, DK, L, N
Commitment:	2	GB, SK
Planned:	1	CZ
Under Study	1	H
No	1	NL
No info:	33	AL, AND, A, BH, HR, CY, EST, F, FI, D, GR, IS, I, IRL, LV, FL, LT, M, MD, MC, PL, P, RO, RUS, RSM, SLO, E, MK, S, CH, TR, UA, SCV
<p>CEPT/ERC/DEC(01)25 ERC Decision of 12 March 2001 on Exemption from Individual Licensing of Thuraya mobile user terminals Date: Groningen 2001</p> <p>Short description: This Decision arranges exemption from individual licensing of Thuraya mobile user terminals.</p>		
Implementation:	7	A, B, BG, DK, FI, L, N
Commitment:	2	GB, SK
Planned:	1	CZ
Under Study	1	H
No	1	NL
No info:	31	AL, AND, BH, HR, CY, EST, F, D, GR, IS, I, IRL, LV, FL, LT, M, MD, MC, PL, P, RO, RUS, RSM, SLO, E, MK, S, CH, TR, UA, SCV
<p>ECTRA Decisions</p>		
<p>CEPT/ECTRA Decision ECTRA/DEC(97)01 of 12 March 1997 on the Provision of Information for a Database of Licensing Requirements for VSAT/SNG</p> <p>Short description: In order to simplify the procedures for applying for licences to operate VSAT and SNG services, administrations shall provide information to a central database.</p> <p>Comment: This Decision can be withdrawn, when all administrations that have implemented it, have also implemented ECTRA Decision (99)05 on the Establishment of a Regulatory Database of licensing regimes for telecommunication networks and services.</p>		
Implementation:	10	B, DK, F, D, NL, N, P, E, S, GB
Commitment:		
No info:	33	AL, AND, A, BH, BG, HR, CY, CZ, EST, FI, GR, H, IS, IRL, I, FL, LV, LT, L, M, MD, MC, MK, PL, RO, RSM, RUS, SK, SLO, CH, TR, UA, SCV
<p>CEPT / ECTRA Decision ECTRA/DEC(97)02 of 03 July 1997</p> <p>On harmonisation of authorisation conditions and co-ordination of procedures in the field of Satellite Personal Communications Services (S-PCS) in Europe, operating within the bands 1610-1626.5 MHz, 2483.5-2500 MHz, 1980-2010 MHz and 2170-2200 MHz</p> <p>Short description: The aim of this Decision is to provide a common approach for CEPT administrations:</p>		

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<ul style="list-style-type: none"> • for the provisional designation and identification of spectrum within the bands for the use by Mobile Earth Stations (MESs) of individual S-PCS systems as shown in this Decision; • to use certain milestone criteria and procedures and the findings of the Milestone Review Committee (MRC), to monitor the progress of each S-PCS system towards the offering of service within the CEPT. 		
Implementation:	10	B, HR, F, D, NL, N, E, S, CH, GB
Commitment:		
No info:	33	AL, AND, A, BH, BG, CY, CZ, DK, EST, FI, GR, H, IS, IRL, I, FL, LV, LT, L, M, MD, MC, MK, PL, RO, RSM, RUS, SK, SLO, CH, TR, UA, SCV
<p>CEPT / ECTRA Decision ECTRA/DEC(99)01 of 3 March 1999</p> <p>On harmonisation of authorisation conditions in the field of Satellite Personal Communications Services (S-PCS) in Europe, operating within the bands 1525-1544/1545-1559 MHz, 1626.5-1645.5/1646.5-1660.5 MHz</p> <p>Short description: The aim of this Decision is to provide a common approach for CEPT administrations: that when granting authorisations, NRAs take into account the agreements reached in the 1.5/1.6 GHz band MoU with regard to frequency assignments for systems that have complied with the milestones specified by the 1.5/1.6 GHz band MoU</p>		
Implementation:	4	DK, I, P, CH
Commitment:		
No info:	39	AL, AND, A, B, BH, HR, BG, CY, CZ, EST, FI, F, D, GR, H, IS, IRL, FL, LV, LT, L, M, MD, MC, MK, NL, N, PL, RO, RSM, RUS, SK, SLO, E, S, TR, UA, SCV, GB
<p>CEPT / ECTRA Decision ECTRA/DEC(99)02 of 3 March 1999</p> <p>on Harmonisation of authorisation conditions in the field of Satellite Personal Communications Services (S-PCS) in Europe, operating in the bands below 1 GHz (S-PCS < 1 GHz)</p> <p>Short description: The aim of this Decision is to provide a common approach for CEPT Administrations and a procedure, based on a case-by-case analysis:</p> <ul style="list-style-type: none"> • to identify the bands below 1 GHz for the Mobile Earth Stations (MESs) of individual S-PCS<1GHz systems; • to establish technical and operational constraints in order to ensure the compatibility with terrestrial services and among S-PCS<1GHz systems; • to enhance the possibility of competition among different systems and technologies; • to adopt a due diligence procedure in order to remove “paper satellites”. 		
Implementation:	3	DK, I, CH
Commitment:		
No info:	40	AL, AND, A, B, BH, HR, BG, CY, CZ, EST, FI, F, D, GR, H, IS, IRL, FL, LV, LT, L, M, MD, MC, MK, NL, N, PL, P, RO, RSM, RUS, SK, SLO, E, S, TR, UA, SCV, GB
<p>CEPT/ECTRA Decision ECTRA/DEC(99)05 of 3 March 1999</p> <p>on the Establishment of a Regulatory Database of licensing regimes for telecommunication networks and services</p> <p>Short description: The aim of this Decision is to have administrations provide information to a central database on licensing issues. The main purposes of this regulatory database as well as this Decision is to support “One Stop Shopping” already developed within the CEPT and to encourage its extension to telecommunications</p>		

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networks and services not yet covered.		
Implementation:	5	DK, FI, F, D, CH
Commitment:		
No info:	38	AL, AND, A, B, BH, HR, BG, CY, CZ, EST, GR, H, IS, IRL, I, FL, LV, LT, L, M, MD, MC, MK, NL, N, PL, P, RO, RSM, RUS, SK, SLO, E, S, TR, UA, SCV, GB
ERC Recommendations		
CEPT/ERC/REC 11-01		
Type approval for satellite earth stations equipment VSAT (Very Small Aperture Terminals) and SNG (Satellite News Gathering) Date: Turku 1996		
Short description: Equipment covered by this Recommendation was within the scope of directive 93/97/EEC supplementing directive 91/263/EEC, since however a CTR had not been developed in 1996 for the equipment the mentioned directive could not yet be applied in practice and therefore an interim CEPT type approval procedure was developed to make mutual recognition of type approval possible already now, when the equipment is in conformity with the relevant ETS.		
Comment: The Recommendation has become redundant for the EEA countries at the moment CTRs became available for this equipment. Non-EEA countries could make use of the general Recommendation on Type Approval, ERC/REC 01-06, but this covers only recognition of test reports. Another reason for keeping them could be that equipment which is marked in accordance with the Recommendations is still on the market. It is therefore recommended not to withdraw the Recommendations.		
Implementation:	8	HR, H, IS, LT, SLO, CH, TR, GB
Planned	3	CZ, DK, L
Under study:	4	EST, I, N, P
No:	4	A, FI, NL, E
No info:	24	AL, AND, B, BH, BG, CY, F, D, GR, IRL, LV, FL, M, MD, MC, PL, RO, RUS, RSM, SK, S, MK, UA, SCV
CEPT/ERC/REC 13-03		
The use of the band 14.0 - 14.5 GHz for Very Small Aperture Terminals (VSAT) and Satellite News Gathering (SNG) Date: The Hague 1996		
Short description: The aim of the Recommendation is to discourage the use of the band 14.25 - 14.5 GHz for the Fixed Service in those countries that have not already implemented radio links in the band.		
Implementation:	17	A, BG, HR, CZ, EST, FI, H, IS, I, LT, NL, N, P, E, SLO, TR, GB
Planned	-	
Under study:	-	
No:	-	
No info:	26	AL, AND, B, BH, CY, DK, F, D, GR, IRL, LV, L, FL, M, MD, MC, PL, RO, RUS, RSM, SK, S, CH, MK, UA, SCV
CEPT/ERC/REC 21-14		
Satellite paging service terminal equipment in Europe		

CEPT ECTRA ERC J PT SAT doc. (01) 153 Rev.010

Date: Brussels 1994		
<p>Short description: This Recommendation arranges the interim type approval, free circulation and exemption of individual licences for satellite paging equipment.</p> <p>Comment: Free circulation and use of Inmarsat D is covered by ERC-REC 21-15 and ERC/DEC(98)01, so for these aspects the Recommendation is superfluous. With regard to type approval the R&TTE applies and the general Recommendation on Type Approval could apply for non-EEA countries.</p>		
Implementation:	12	A, EST, FI, F, IS, LT, L, NL, N, SLO, S, TR,
Planned	9	HR, CZ, DK, H, IRL, FL, P, CH, MK,
Under study:	1	I
No:	2	E, GB
No info:	19	AL, AND, B, BH, BG, CY, D, GR, LV, M, MD, MC, PL, RO, RUS, RSM, SK, UA, SCV
<p>CEPT/ERC/REC 21-15 Free circulation and use of land mobile satellite service terminals in Europe Date: Turku 1996 Revision: Groningen 1998</p> <p>Short description: This Recommendation arranges free circulation and use of various satellite terminals.</p> <p>Comment: This Recommendation is covering various satellite terminals. The Recommendation was drafted as a temporary measure until the Decisions on free circulation were implemented by a sufficient number of countries. Since there are at the moment CEPT countries, which have implemented this Recommendation but not yet the Decisions it is proposed not to withdraw this Recommendation.</p>		
Implementation:	17	A, BG, HR, CZ, DK, EST, FI, H, IS, L, NL, N, P, RSM, SLO, TR, GB
Planned	3	FL, CH, MK,
Under study:	1	LT
No:	2	I, E
No info:	20	AL, AND, B, BH, CY, F, D, GR, IRL, LV, M, MD, MC, PL, S, RO, RUS, SK, UA, SCV
<p>CEPT/ERC/REC 21-16 Type approval for Land Mobile Satellite Service terminals, LMSS Date: Turku 1996 Revision: Groningen 1998</p> <p>Short description: This Recommendation arranges interim type approval for various satellite terminals.</p> <p>Comment: The Recommendation has become redundant for the EEA countries at the moment CTRs became available for this equipment. Non-EEA countries could make use of the general Recommendation on Type Approval, ERC/REC 01-06, but this covers only recognition of test reports. Another reason for keeping them could be that equipment which is marked in accordance with the Recommendations is still on the market. It is therefore recommended not to withdraw the Recommendations.</p>		

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<p>CEPT/ERC/REC 21-17 Implementation of GMPCS MoU and arrangements Date: Helsinki 2000</p> <p>Short description: The aim of this Recommendation is to encourage CEPT administrations to sign the MoU and implement its procedures.</p>		
Implementation:	3	A, FI, NL
Study	1	D
No info:	39	AL, AND, B, BH, BG, HR, CY, CZ, DK, E, EST, F, GR, H, IS, IRL, I, FL, LV, LT, L, M, MD, MC, MK, N, PL, P, RO, RSM, RUS, SK, SLO, S, CH, TR, GB, UA, SCV
<p>CEPT/ERC/REC 00-01 / ECTRA/REC(00)02 on the establishment of a CEPT one stop shopping procedure for satellite licences and authorisations Date: 2000</p> <p>Short description: The aim of this Recommendation is to encourage CEPT administrations to implement the OSS procedures for satellite.</p>		
Implementation	8	A, DK, FI, F, IRL, N, NL, GB
No	1	D
No info:	34	AL, AND, B, BH, BG, HR, CY, CZ, E, EST, GR, H, IS, I, FL, LV, LT, L, M, MD, MC, MK, PL, P, RO, RSM, RUS, SK, SLO, S, CH, TR, UA, SCV
ERC Reports		
<p>ERC Report 025 Frequency band 29.7 MHz to 105 GHz and associated European table of frequency allocations and utilisations Date: Brussels 1994 Revision: Bonn 1995, Brugge 1998</p>		
<p>ERC Report 026 Compatibility study between Mobile Satellite Service in the 1610-1626.5 MHz band and Radio Astronomy service in the 1610.6-1613.8 MHz band Date: Brussels 1994</p>		
<p>ERC Report 027 Compatibility study between Mobile Satellite Service in the 1610-1626.5 MHz and GLONASS Date: Brussels 1994</p>		
<p>ERC Report 028 Compatibility study between MSS in the 1610-1626.5 MHz band and Swedish radars Date: Brussels 1994</p>		
<p>ERC Report 029 Compatibility study between mobile satellite service in the 1610-1626.5 MHz band and fixed service operating under RR730 Date: Brussels 1994</p>		
<p>ERC Report 030 Frequency sharing implications of feeder-links for non-GSO/MSS networks in FSS bands Date: Brussels 1994</p>		
<p>ERC Report 037 Sharing the band 11.7 GHz - 12.5 GHz between ENG/OB and direct-to-home TV broadcasting satellites</p>		

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Date: Chester 1995
ERC Report 039 Possibility of sharing between fixed links and SNG in the 14.25 - 14.5 GHz band Date: Rome 1996
ERC Report 043 Application Form for VSAT/SNG Satellite Earth Station Radio Licences Date: Warsaw 1997
ERC Report 045 Sharing between the Fixed and Earth Exploration Satellite (passive) Services in the band 50.2 - 66 GHz Date: Sesimbra 1997
ERC Report 046 Further sharing study between the fixed service and Earth exploration-satellite service in the band 55.22 - 55.78 GHz Date: Luxembourg 1997
ERC Report 049 ERC Report on sharing between mobile earth stations and radioastronomy observatories Date: Moscow 1997
ERC Report 050 ERC Report on interference calculations from MSS satellites into radio astronomy observations Date: Moscow 1997
ERC Report 054 Interference from unwanted emissions of mobile earth stations in S-PCN systems operating in the band 1610 - 1626.5 MHz into GSO MSS satellites operating above 1626.5 MHz Date: Sesimbra 1997
ERC Report 055 Unwanted emission interference from mobile earth stations into fixed service receivers in the 2 GHz band Date: Sesimbra 1997
ERC Report 065 Adjacent band compatibility between UMTS and other services in the 2 GHz band Date: Menton 1999 Revision: Helsinki 1999
ERC Report 067 Study of the Frequency sharing between HIPERLANs and MSS feeder links in the 5 GHz band Date: Marbella, February 1999
ERC Report 070 Compatibility between MSS (Space to earth) in the band 1559 - 1567 MHz and ARNS/RNSS including GNSS in the band 1559 - 1610 MHz Date: Marbella 1999
ERC Report 071 Sharing studies between the unwanted emissions of MSS mobile earth stations, operating in the band 1610 - 1626.5 MHz and the Radio Navigation-Satellite Service receiver operating in the band 1559 - 1610 MHz Date: Luxembourg 1999
ERC Report 080 One stop shopping for satellite licences and authorisations Date: Nicosia 2000

ERC Report 091

Assessment of interference from unwanted emissions of NGSO MSS satellite transmitters operating in the space-to-Earth direction in the band 1621.35 - 1626.5 MHz to GSO MSS satellite receivers operating in the Earth-to-space direction in the band 1626.5 - 1660.5 MHz

Date: Vilnius 2000

ANNEX IV - Licensing regimes in CEPT countries

Austria

Licensing regime

Providers of telecommunications networks, providers of mobile voice telephony service and other public mobile communications services by means of mobile communications networks that the provider operates himself are subject to individual licences. The provision of services is subject to registration. The use of radio frequencies is subject to individual licence.

Authority

The Regulatory Authority (Telecom Control GmbH) is responsible for granting network/service licences and assigning frequencies. The regional Telecommunications Offices are responsible for issuing licences for all civil users of frequencies in the land mobile and fixed services.

Information required

1- Applicant details	applicant ID, billing address, technical person details
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, planned termination
4- Service	type of service
5- Technical data	frequency band used, satellite details, earth station details, compliance with TBRs, control channel transmission, hub station details, compliance with essential requirements, space segment authorisation details
6- Attachments	proof of right to use space segment

Belgium:

Licensing regime

The provision of mobile public switched networks, satellite public switched networks and mobile, personal and satellite communications services are subject to individual licences.

The use of terminal equipment able to connect to those networks is free of license, once the services have been licensed.

Satellite earth stations are to submit to individual licensing.

Receive only earth stations are subject to declaration except for broadcast receive-only earth stations which are free of licensing or declaration.

Authority

The regulator, BIPT, is responsible for registration and granting of licences. On the basis of the information received in an application, BIPT formulates a recommendation and makes it public to the applicant and the Minister at the latest 60 days after the introduction of the demand. This period can be extended in cases of requests for the use of frequencies. When the recommendation is positive, it takes the form of a proposal for an individual licence. The applicant disposes of a period of maximum 30 days to communicate remarks on the recommendation of the Institute to the Minister. Following this delay, the Minister has 30 days to decide and to grant or refuse the individual licence. If the Minister does not reply within this delay, the proposal enters into force.

Information required

1- Applicant details	applicant ID, billing address, other contact person, technical person details, representative in Belgium, previous application, business registration number, shareholders details
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination

4- Service	type of service, description, description of CUG where applicable, procedures for introducing new earth stations, availability of service, emergency services provision, compliance with customer data protection, description of how information will be provided to users
5- Technical data	frequency band used, satellite details, earth station details, control channel transmission, hub station details, compliance with essential requirements, back up procedures if service offered to the public, downtime, type approval details, earth station planning permission details, details about space segment
6- Attachments	proof of right to use space segment, copy of business registration, copy of most recent annual accounts, copy of business plan if service offered to the public, description of telecom experience of staff, network plan

Bulgaria

Licensing regime

Fixed satellite links can be used by public telecommunications operators for carrier both for regional and international traffic. After the adoption of the secondary legislation in telecommunications sector in Bulgaria, the construction and use of satellite earth stations including VSAT networks have been liberalised.

Authority

In the agreement with EUTELSAT and INTELSAT Bulgaria is represented by STC.

Croatia

Licensing regime

Basic Telecommunications Services are operated by the incumbent. Mobile public telecommunications networks and other services are subject to concessions.

Licences are required for the establishment and use of radio stations.

Authority

The Telecommunications Council is in charge of granting concessions. The Sector of Post and Telecommunication, in the Ministry of Maritime Affairs, Transport and Communications, is the body in charge of granting radio licences.

Information required

1- Applicant details	applicant ID, other contact person, technical person details, director details, financial officer details, legal counsel details, criminal offence information, business registration number
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, description of CUG where applicable, procedures for introducing new earth stations, availability of service, emergency services provision, compliance with customer data protection, description of how information will be provided to users
5- Technical data	frequency band used, satellite details, earth station details, area of operation of earth station, hours of operation of earth station, compliance with TBRs, control channel transmission, hub station details, compliance with essential requirements, type approval details, back up procedures if service offered to the public, earth station planning permission details, details about space segment
6- Attachments	proof of right to use space segment,

Czech Republic

Licensing regime

The provision of public telecommunications networks and the use of frequencies will be subject to individual licence under the new Telecommunications Act with effect from January 2001.

A "general licence" will be required to operate radio transmission equipment which does not require individual allocation of frequency, to provide telecommunications services, where the law does not require an allocated licence, to establish and operate public telecommunications networks purely for the purpose of one way broadcast of television or radio signals along lines, or to provide telecommunications services of leasing telecommunications circuits, provision of which is not included in the licence.
Radio transmitting equipment can be operated only on the basis of a permit to operate radio transmitting equipment.

Authority

The Czech Telecommunications Office is the body in charge of granting licences.

Information required

1- Applicant details	applicant ID, director details, legal counsel details, criminal offence information, business registration number, previous authorisation
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, description of CUG where applicable, procedures for introducing new earth stations, availability of service, description of how information will be provided to users
5- Technical data	frequency band used, satellite details, earth station details, compliance with TBRs, control channel transmission, hub station details, type approval details, earth station planning permission details
6- Attachments	proof of right to use space segment, statement about equipment conformity with ETSI standards, type approval certificate, notarised copy of company registration document, most recent annual accounts, business plan, telecom experience of staff, network plan

Denmark

Licensing regime

All telecommunications services including voice telephony as well as the related infrastructure have been liberalised as of 1 July 1996.

Consequently, telecommunications networks and services may be provided in Denmark by any person on the conditions defined by the relevant Executive Order (n. 569 of 22 June 2000)

A service provider is not required to obtain an individual licence or notify the National Telecom Agency for the establishment and operation of the service. Interconnection to other networks is subject to the telecommunications regulation on competition and interconnection.

A separate licence granted by the National Telecom Agency is required for the establishment and operation of mobile communication networks.

Supplementary licence requirements apply to the use of scarce resources as frequencies and numbers.

Authority

NTA is in charge of granting licences for the use of frequencies.

Information required

1- Applicant details	Address
2- Type of network	n.a.
3- Activity schedule	n.a.
4- Service	n.a.
5- Technical data	frequency band used, satellite details, earth station details, compliance with essential requirements
6- Attachments	n.a.

Finland

Licensing regime

The provision of all telecommunications networks and services is subject to notification to the Ministry of Transport and Communications.

The establishment and provision of mobile public telecommunications networks is subject to an individual licence. Furthermore a licence for the use of frequencies is needed.

Authority

The Ministry of Transport and Communications is in charge of granting licences and acknowledging notification.

TAC is the body in charge of the frequency management and control of the use of frequencies.

For Private land mobile radio networks, the customer first sends in a radio network pl. an. TAC checks the plan and assigns suitable frequencies. After this the customer sends in an application for a licence to use radio equipment, including technical data, and TAC grants the licence including technical requirements.

For public land mobile networks the granting of frequency licences is related to the granting of operating licences by the Ministry.

For fixed links, the customer sends in an application form on the basis of which TAC assigns frequencies.

Information required

1- Applicant details	applicant ID, billing address, business registration number
2- Type of network	type of access
3- Activity schedule	start of operation of earth station,
4- Service	type of service, procedures for introducing new earth stations
5- Technical data	frequency band used, satellite details, earth station details, area of operation of earth station, compliance with TBRs, control channel transmission, hub station details, details about space segment
6- Attachments	proof of right to use space segment, map with geographical location of earth station

France

Licensing regime

In France the provision of public networks and the provision of independent networks requires an individual licence.

Public telecommunications services other than telephone services are subject to general authorisation.

Providers of public telecommunications services other than telephone services using radio frequency spectrum on a new network or on a network using radio frequency spectrum allocated by a non-telecommunications authority are subject to an individual licence.

Operators establishing radio network facilities which do not use an individual frequency assignment are subject to a general authorisation.

Authority

ART is responsible for the granting of licences

Information required

1- Applicant details	applicant ID, technical person details, business registration number, previous application, shareholders details
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, description, description of users and CUG where applicable, service access description, procedures for introducing new earth stations

5- Technical data	frequency band used and channels assigned, satellite details, earth station details, hub station details, description of emergency procedures used for the network exploitation, compliance with essential requirements, reference of ETSI standards, , details about space segment and access to it
6- Attachments	telecom experience of staff, network plan

Germany

Licensing regime

A licence class 2 is needed for the operation of transmission lines, by the licensee or by another party, for the provision of satellite services to the public. (Satellite Licence). A licence class 1 is needed for the operation of transmission lines, by the licensee or by another party, for the provision of mobile radio services to the public. (Mobile Radio Licence). Telecommunications services are subject to general authorisation.

When the licensee is absolutely reliant on frequency assignment (not being able to use cable, for instance, which is the case with mobile radio licences) a proof a availability of spectrum is a prerequisite. When the licensee is not absolutely reliant on frequencies the licence can be granted separate from the frequencies.

Authority

Frequency usage requires prior assignment by the Regulatory Authority for Telecommunications and Post, RegTP which is also in charge of granting licences and carrying out registration.

Information required

1- Applicant details	applicant details, billing address, technical person details, director details, financial officer details, criminal offence information, information about previous telecom related sanctions, previous authorisations, shareholders details, business registration number
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, description of CUG where applicable, procedures for introducing new earth stations, emergency services provision,
5- Technical data	frequency band used, satellite details, earth station details, hours of operation of earth station, compliance with TBRs, control channel transmission, hub station details, compliance with essential requirements,
6- Attachments	proof of right to use space segment, proof of CE Mark, proof of equipment compliance with ETSI standards, notarised copy of business registration, business plan, if EIRP >10W certificate from RegTP, network plan

Greece

Licensing regime

The Greek telecommunications regulatory framework is at the moment going through a transitional period towards the full liberalisation of the sector, which will take place on 31-12-2000.

Authority

Licenses should be issued by the Minister for Transport and Communications, on the basis of a proposal by the regulator NTC, within a period of 6 months .

Information required

1- Applicant details	applicant ID, other contact person, technical person details, director details, financial officer details, legal counsel details, criminal offence information, business registration number, previous registrations, agency to which annual accounts are submitted, shareholders
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination

4- Service	type of service, availability of service, compliance with customer data protection, description of how information will be provided to users
5- Technical data	frequency band used, satellite details, earth station details, compliance with TBRs, control channel transmission, hub station details, compliance with essential requirements, earth station planning permission details, details about space segment and access to it
6- Attachments	proof of right to use space segment, proof of CE mark, proof of equipment compliance with ETSI standards, notarised copy of business registration, business plan

Hungary

Licensing regime

Public mobile phone services are subject to concessions. All other telecommunications services are subject to licences.

For radio telecommunications networks and public mobile telephone networks a preliminary building licence shall be issued for installation of the network.

A frequency assignment decision shall be issued for installation of radio station(s) and network(s) . A radio licence: shall be issued for regular operation of network., but radio equipment operating on harmonised frequency bands are exempt from individual licence.

Authority

The Prime Minister's Office Government Commissioner's Office for ICT is in charge of tendering procedures/concessions. The regulator Communications Authority (HIF) is in charge of granting licences and registrations.

Information required

1- Applicant details	applicant ID, details of representative in the country, billing address, business registration number, previous authorisations, telecom must be activity of the company
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, description of CUG where applicable, coverage of service, service description, statistical number, availability of service, emergency services provision, compliance with customer data protection, description of how information will be provided to users
5- Technical data	frequency band used, satellite details, earth station details, compliance with TBRs, control channel transmission, hub station details, earth station planning permission details, details about space segment and access to it
6- Attachments	proof of right to use space segment, proof of CE mark, proof of equipment compliance with ETSI standards, business plan, declaration of conformity, copy of ITU notification form, maps of co-ordination contour, calculation of link attenuation for gateways, hubs and coast stations

Iceland

Licensing regime

The provision of telecommunications services and networks is subject to licences.

Authority

The Post and Telecommunications Administration is responsible for the granting of licences and radio licences.

<i>Information required</i>	
1- Applicant details	applicant ID, billing address, technical person details, director details, company secretary details, financial officer details, shareholders details, business registration number
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, description of CUG where applicable, procedures for introducing new earth stations, availability of service, emergency services provision, compliance with customer data protection, description of how information will be provided to users
5- Technical data	frequency band used, satellite details, earth station details, area of operation of earth station, hours of operation of earth station, compliance with TBRs, control channel transmission, hub station details, compliance with essential requirements, type approval details, back up procedures if service offered to the public, earth station planning permission details, details about space segment and access to it
6- Attachments	proof of CE mark, proof of equipment compliance with ETSI standards, most recent annual accounts, business plan,

Ireland

Licensing regime

Operators providing public telecommunications networks or public telecommunication services must hold a licence.

A **General Licence** permits the licensee to provide telecommunications networks and services, including voice telephony, to the general public. Holders of such licences may apply for telephone numbers from the national numbering scheme.

A **Basic Licence** does not cover voice telephony and services involving numbers, and so is designed to meet the needs of specialised companies providing, for example, data, Internet and cable-based services.

Operators providing mobile telephony services are subject to an individual licences.

Services using radio-based infrastructure are also required to be licensed under the Wireless Telegraphy Act, 1926.

Authority

ODTR (Office of the Director of Telecommunications Regulation) is the National Regulatory Authority which is in charge of granting licences.

Information required

1- Applicant details	applicant details, other contact person, billing address, technical person details, business registration number, previous registrations
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, planned termination
4- Service	type of service, description of CUG where applicable
5- Technical data	frequency band used, satellite details, earth station details, compliance with TBRs, control channel transmission, hub station details, description of how control is carried out, compliance with essential requirements, details about space segment and access to it
6- Attachments	proof of right to use space segment, proof of CE mark, type approval certificate, initialised copy of Basic Licence

Italy

Licensing regime

Operators establishing and/or providing public telecommunications networks, providers of mobile and personal communications services, operators establishing and/or providing satellite network services are subject to individual licences.

Providers of satellite communications services are subject to general authorisation with notification.

Operators needing access to radio frequencies need an individual licence.

Authority

The regulator - Autorità per le Garanzie nelle Comunicazioni- is responsible for the granting of licences and authorisations.

1- Applicant details	applicant details, other contact person, director details, criminal offence details, business registration number
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station
4- Service	type of service, description
5- Technical data	frequency band used, satellite details, earth station details, SNG stations list and approval of space segment operator, compliance with TBRs, control channel transmission, compliance with essential requirements, details about space segment
6- Attachments	proof of right to use space segment, proof of CE mark, equipment compliance with ETSI standards, anti-Mafia certificate, network plan, extract of "Casellario giudiziale"

Latvia

Licensing regime

The provision of networks is under monopoly. The use of radio communications is subject to licences.

If equipment is to be connected to the PSTN the applicant needs a written agreement of the Latvia telephone operator (Lattelekom).

To establish a radio-communication service to a third party the applicant must apply first for a business licence and then for a radio licence.

To establish a broadcasting service it is necessary to apply first for the agreement of the Latvian National Broadcasting Council.

Authority

The Latvia Telecommunication State Inspection -LTSI is in charge of granting of frequencies. The Department of Communications, Ministry of Transport is in charge of issuing Business Licences.

Information required

1- Applicant details	applicant details, billing address, details of representative in the country, technical person details, director details, company secretary details, financial officer details, legal counsel details, criminal offence information, business registration number, shareholders details, previous authorisations, government agency for submission of annual accounts,
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, description of CUG where applicable, procedures for introducing new earth stations, availability of service
5- Technical data	frequency band used, satellite details, earth station details, compliance with TBRs, control channel transmission, hub station details, compliance with essential requirements, type approval details,
6- Attachments	proof of CE mark, type approval certificate, statement about equipment conformity with ETSI standards, notarised copy of company registration document,

Luxembourg

Licensing regime

The operation of a telecommunications network and the accompanying services, including the provision of fixed links and the telephony services (voice telephony and network) are subject to an individual licence (licence A)

The operation of a service of mobile communications, including the equipment and the related means necessary to put in place the radio part of the network and satellite communications are subject to individual licence (mobile – Licence D)

The provision of telecom services are subject to general authorisation with registration.

Authority

ILT is the regulator in charge of the granting of frequencies and registrations. Licences are granted by the Ministry after proposal from the ILT.

Information required

1- Applicant details	applicant details, billing address, technical person details, director details, business registration number, previous authorisations,
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, description of CUG where applicable, procedures for introducing new earth stations, availability of service, compliance with customer data protection,
5- Technical data	frequency band used, satellite details, earth station details, earth station planning permission details
6- Attachments	notarised copy of company registration document, most recent annual accounts, business plan

Netherlands

Licensing regime

Service and network provision are subject to registration.

A licence is needed for the use of frequencies. Receive-only terminals and mobile satellite terminals are licence exempted.

Authority

Registration is the responsibility of OPTA, the Dutch Regulatory Authority. Licences for the use of frequencies are granted by the Radio-communications Agency

Information required

1- Applicant details	applicant ID, other contact person details, billing address, technical person details, business registration number,
2- Type of network	type of network,
3- Activity schedule	start of operation of earth station, planned termination
4- Service	type of service
5- Technical data	frequency band used, satellite details, earth station details, hub station details
6- Attachments	notarised copy of company registration document

Norway

Licensing regime

In Norway network operators with a Strong Market Position need an individual licence. Providers of mobile telephony services need additionally a licence for the use of frequencies.

Providers without a strong market position need to register.
 The use of radio frequencies is subject to either individual licence or registration.
 Satellite receive only systems are licence-exempted with the exception of the Svalbard region.
 No licence is needed for a gateway or hub station.

Authority

NPT is in charge of granting licences and of registration.

Information required

1- Applicant details	applicant details, other contact person, billing address, business registration number, previous authorisations, government agency for submission of annual accounts,
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	description of CUG where applicable, procedures for introducing new earth stations, compliance with customer data protection
5- Technical data	frequency band used, satellite details, earth station details, way control of the station is carried out, compliance with essential requirements, type approval details, details about space segment
6- Attachments	proof of right to use space segment, proof of CE mark, statement about equipment conformity with ETSI standards, registration in the country

Poland

Licensing regime

The provision of telecommunications services is subject to licences. The provision of Radio equipment and networks is subject to permits.

Authority

The Ministry of Posts and Telecommunications is in charge of granting licences. Permits are processed by PAR (National Radio Agency under the Ministry) and issued by the Minister.

Information required

1- Applicant details	applicant details, other contact person details, technical person details, director details, business registration number, shareholders details, previous authorisations
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, service description, type of users, description of CUG where applicable, procedures for introducing new earth stations
5- Technical data	satellite details, earth station details, hours of operation of earth station, type approval details, details about space segment
6- Attachments	proof of right to use space segment, type approval certificate, registration in the country, notarised copy of company registration document, business plan, network plan,

Portugal

Licensing regime

The provision of telecommunications services is subject to registration.

The establishment and exploitation of a public telecommunications network and the granting of the right to use frequencies for the establishment of a network or the provision of a service are subject to individual licences.

Authority

ICP is in charge of licensing.

Information required

1- Applicant details	applicant details ID, other contact person, billing address, technical person details, director details, business registration number, previous authorisations, government agency for submission of annual accounts, telecom is activity of the company
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station and of service provision, planned termination
4- Service	type of service, availability of service, emergency services provision, compliance with customer data protection
5- Technical data	satellite details, earth station details, compliance with TBRs, control channel transmission, hub station details, description of the way control of the station is carried out, back up procedures if service offered to the public, maximum downtime, compliance with essential requirements, details about space segment
6- Attachments	proof of right to use space segment, statement about equipment conformity with ETSI standards, notarised copy of company registration document, most recent annual accounts, proof of no debts to the State, network plan,

Slovak Republic

Licensing regime

The provision of public telecommunications networks and the use of frequencies are subject to individual licences. All services not subject to individual licence are subject to a general authorisation.

Authority

The Telecommunications Office of the Slovak Republic is in charge of granting licences.

Information required

1- Applicant details	applicant details and ID, billing address, technical person details, company secretary details, business registration number, previous authorisations, government agency for submission of annual accounts
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, description of CUG where applicable, procedures for introducing new earth stations, availability of service, emergency services provision, compliance with customer data protection, description of how information will be provided to users
5- Technical data	frequency band used, satellite details, earth station details, compliance with TBRs, control channel transmission, hub station details, back up procedures if service offered to the public, maximum downtime, compliance with essential requirements, type approval details, earth station planning permission details, details about space segment
6- Attachments	proof of right to use space segment, proof of CE mark, type approval certificate, notarised copy of company registration document, most recent annual accounts, business plan, telecom experience of staff, network plan

Republic of Slovenia

Licensing regime

VSAT are subject to a licence.

Mobile and satellite communications except radio broadcasting, transmission and emission of radio broadcasting programmes by terrestrial networks and by satellites except the transmission and emission of programmes of RTV Slovenia are subject to concessions for the use of frequency spectrum.

Authority

The Telecommunications Administration is the entity in charge of granting licences for the provision of telecommunications services as well as for issuing radio licences.

Information required

Information required

1- Applicant details	applicant details, business registration number
2- Type of network	type of network, equipment to be used
3- Activity schedule	?
4- Service	type of service, coverage area, further information defining the service
5- Technical data	technical characteristics, other
6- Attachments	?

Spain

Licensing regime

The establishment or exploitation of private networks requiring the exclusive use of the public radio-electric domain⁹ and self-provision of telecommunications services, through the exploitation of these private networks is subject to an individual licence; The provision of services and establishment or exploitation of telecommunications public networks, offered to third parties is also subject to individual licence

A licence type B2 is required for the provision of mobile telephone service to the public, through the establishment or exploitation of a mobile public telephone network.(i.e.terrestrial networks or networks based on medium or low orbit satellites)

A licence type C2 is required for the establishment and exploitation of a public network without the possibility of providing a public telephone service. In this case, the public network implies the use of the public radio-electric domain. These networks can be terrestrial networks or networks based on satellites.

Telecommunications services that are not licensed are subject to registration.

Authority

CMT is the regulator in charge of granting licences and of registration. Licences for the use of frequencies are the responsibility of the Secretariat of Communications.

Information required

1- Applicant details	applicant ID, details of representative in the country, shareholders details,
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision
4- Service	type of service, description of CUG where applicable, availability of service, emergency services provision, compliance with customer data protection, description of how information will be provided to users
5- Technical data	frequency band used, satellite details, earth station details, hub station details, back up procedures if service offered to the public, maximum downtime, details about space segment
6- Attachments	proof of right to use space segment, proof of CE mark, statement about equipment conformity with ETSI standards, notarised copy of company registration document, most recent annual accounts, declaration of non debtor to the state and non bankruptcy, business plan, telecom experience of staff, technical plan, network plan, commercial strategy,

⁹ In this and in the following provisions, a network implies the use of the public radio-electric domain when it is technically impossible, in any way, to provide the service without the use of the public radio-electric domain.

Sweden*Licensing regime*

Providers of mobile telecommunications services are either subject to registration or to an individual licence, if the activity is of considerable extent.

Frequencies are subject to a licence.

Authority

PT is the regulator in charge of granting individual licences and of registration.

Information required

1- Applicant details	applicant details, other contact person, billing address
2- Type of network	n.a.
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, service description
5- Technical data	satellite details, earth station details
6- Attachments	notarised copy of company registration document

Switzerland*Licensing regime*

Telecommunications services in general can be subject to concession or to notification.

- Any party offering a telecommunications service and running independently a substantive part of the telecommunications installations offered for transmissions, is subject to a concession.

- Any party offering a telecommunications service of any kind needs to notify this to OFCOM.

“Running independently a substantive part of the telecommunications installations offered for transmissions” means that the service provider

- runs his transmission system with or without a switching system

- runs the physical access to the connection of the user

- offers transmission services to third parties.

Authority

OFCOM is the regulator in charge of licensing.

Information required

1- Applicant details	applicant details, other contact person, billing address, technical person details, director details, business registration number, shareholders details, previous authorisations
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, and of service provision, planned termination
4- Service	type of service, description of CUG where applicable, procedures for introducing new earth stations, availability of service, emergency services provision, compliance with customer data protection, description of how information will be provided to users
5- Technical data	frequency band used, satellite details, earth station details, compliance with TBRs, control channel transmission, hub station details, back up procedures if service offered to the public, maximum downtime, compliance with essential requirements, type approval details, earth station planning permission details, details about space segment
6- Attachments	proof of right to use space segment, proof of CE mark, type approval certificate, statement about equipment conformity with ETSI standards, notarised copy of company registration document, most recent annual accounts, business plan, telecom experience of staff, technical capability and technical plan, effects on competition, reliability and organisational measures

United Kingdom

Licensing regime

A Satellite Service Class Licence allows the running of satellite transmit and/or receive terminals (of any kind, whether fixed, mobile or transportable) for the provision of a wide range of services, provided that the satellite transmitting and receiving terminals are not connected directly or indirectly to the PSN (Public Switched Network). However, if an earth station at the far end is authorised for connection to the PSN (e.g. through an individual licence which authorises connection to the PSN), it is possible to run a remote earth station under the Satellite Services Class Licence. Messages from a mobile or transportable (not fixed) earth station which are intended to be received by an overseas down-link connected to the PSN are also permitted under the Licence.

Individual licences are required for the use of radio-frequencies.

Authority

DTI is responsible for the granting of licences. Within DTI the Radio Agency is in charge of granting radio frequencies licences.

Information required

1- Applicant details	applicant details, other contact person, contact for administration, technical person details
2- Type of network	type of network, type of access
3- Activity schedule	start of operation of earth station, planned termination
4- Service	n.a.
5- Technical data	satellite details, earth station details
6- Attachments	n.a.

Annex on MRC licensing status as of April 2002

Countries which have replied:

Austria
Belgium
Cyprus
Denmark
Finland
France
Hungary
Iceland
Ireland
Malta
Netherlands
Poland
Portugal
Sweden
Turkey

All new comments are marked in bold

AUSTRIA	For S-PCS systems (like Iridium, Globalstar or ICO) individual licences are not required for the provision of these networks and services. A high level letter has been sent out to Iridium and Globalstar addressing these points.
BELGIUM	Globalstar: Licence granted 06 April 2000. (Official Journal 23.08.2000) Iridium: A provisional licence has been issued to Iridium on 22 September 1998. Licence application received 20 October 1999; licensing procedure aborted on request of Iridium Italia S.p.A; all activities stopped in Belgium on 31 August 2000. Iridium Italia s.r.l. contacted NRA in February 2002 to acquire licence. If licence application introduced, no obstacles exist for licence to be granted. ICO-P: no licence application received by the NRA to date (22 February 2002). Remark: licence duration is 10 years, tacite prolongation of 5 years thereafter.
CROATIA	Applications from Iridium and Globalstar received. No licences granted.
CYPRUS	<ol style="list-style-type: none">1. The Cyprus Telecommunications Authority, the single telecommunications service provider in Cyprus so far, has proceeded and completed roaming agreements with the companies Iridium, ICO, Globalstar and Thuraya2. Up to now none of these companies has applied for a licence to be provided
DENMARK	No licence or authorisation is required to provide satellite Services in Denmark. Service providers need to observe the relevant rule, stipulated in particular in Executive order no. 1169 of 15 December 2000 on the Provision of Telecommunications Networks and Telecommunications Services. A licence is only required if Gateway Earth stations will be installed in Denmark. In this case a licence for the use of frequencies would be required. With regard to S-PCS terminal they have all been exempted from individual licensing in accordance with relevant ECC Decisions. This can be seen from Executive order no 235 of 30 March 2000 on Frequency Use etc. without an Individual Licence. ICO, Iridium, Globalstar etc. have been informed about this. So none of these have received a license or authorisation.

FINLAND	<p>Licences are not required for the service provision of S-PCS systems. Iridium and Globalstar handsets are allowed to be used without any licences. Also, Globalstar is licensed to operate a feeder link earth station. If there is a need to exempt the ICO-handsets from licensing Finland is ready to do so.</p>
FRANCE	<p>Licenses for Iridium Italia (Iridium) and Tesam (Globalstar) are currently being abrogated.</p>
GERMANY	<p>In Germany there are currently 3 S-PCS-Licences, i.e. Satellite radio licences, which relate to mobile satellite services. Those licences are valid for 20 years.</p> <ol style="list-style-type: none"> 1. Iridium - the licence was granted in December 1997 but withdrawn in September 2000. As the system has not been disconnected as foreseen and is still in operation a new licence should actually be applied for. 2. Globalstar - the licence was granted in December 1997 as well and is still valid until 2017 (The licence holder is Elsacom). 3. Thuraya - the licence was granted in March this year and is valid until 2022.
HUNGARY	<p>No licence or provisional licence for the S-PCS systems Iridium, ICO or Globalstar has been granted in Hungary</p> <p>The frequency bands harmonised by ERC/DEC/(97)03 for S-PCS are planned for S-PCS but frequency assignments are not yet possible</p>
ICELAND	<p>Licence was granted to an Iridium Service Provider in April 1999. Cancelled in July 2000.</p> <p>Licence was granted to a Globalstar Service Provider in October 1999. Valid for 10 years.</p> <p>No licence application has been received from ICO</p>
IRELAND	<p>National authorisation procedure had been completed in the case of Iridium but licence has been withdrawn.</p> <p>None of the systems Iridium, ICO or Globalstar have a licence.</p>
ITALY	<p>Applications from Iridium and Globalstar received.</p> <p>Provisional licence granted to Iridium.</p>
LIECHTENSTEIN	<p>Application from Iridium received.</p> <p>Provisional licence has been granted to Iridium</p> <p>A permanent licence for Iridium is expected to be granted before the date of 31st March 1999</p>
LITHUANIA	<p>Applications from Iridium Service Providers received, two licences granted.</p>
MALTA	<p>Iridium was granted a licence on the 3rd February 1999 in terms of the Telecommunication Regulation Act 1997. This licence was valid for seven years.</p>
NETHERLANDS	<p>For S-PCS systems (like Iridium and Globalstar) individual licences are not required for the provision of these networks and services. A high level letter has been sent out to Iridium and Globalstar addressing these points.</p>

NORWAY	Application regarding Iridium received. Licence limited in time, in accordance with MRC Rec.#4 has been granted to Iridium.
POLAND	1)Iridium Any license applications have not been received. Iridium system is included into draft Order of Minister of Infrastructure concerning exemption of handsets from individual licensing. This document isn't sign yet. 2) Globalstar One license application has been received from Telekomunikacja Polska S.A. Globalstar system is also included into draft Order of Minister of Infrastructure concerning exemption of handsets from individual licensing. 3) ICO Any license applications have not been received. There is compatibility collision in 2 GHz frequency band between ICO and polish military systems, which has not been, solve up to now.
PORTUGAL	Licences were granted to Iridium in November 1998 and to TE.SA.M/-Globalstar (*) in August 1999. Both licences were granted for 15 years. On the 7 th September 2000, the Portuguese Authority declared, upon request, the forfeiture of the licence granted to Iridium. Meanwhile, TE.SA.M/Globalstar has required the revocation of the licence granted in August 1999". (*) <i>TE.SA.M – Télécommunication par Satellite Mobiles</i> intends to use Globalstar satellite network to offer telecommunications services in Portugal after August 2000.
SPAIN	A license for a 20 year-period has been granted to Iridium. A licence for 20 year-period has been granted to Globalstar in November 1999. By the moment, no application has been received for ICO.
SWEDEN	<u>Globalstar</u> : All mobile terminals transmitting under the control of the Globalstar Satellite System are exempted from licence obligations and can be used without any restrictions up to 31 December 2003 <u>Iridium</u> : All mobile terminals transmitting under the control of the Iridium Satellite System are exempted from licence obligations and can be used without any restrictions up to 31 December 2003 <u>ICO</u> : All mobile terminals transmitting under the control of the ICO Satellite System must have individual licence.
SWITZERLAND	Licence has been granted to Iridium. Licence has been granted to Globalstar.
TURKEY	Iridium and Globalstar have been operating in Turkey by signing agreements with the incumbent telecommunications operator Turk Telekom. After the enactment of the Communiqué (published in the Official Gazette on 4 February 2002), licence applications have been received from ICO and Globalstar. The second type telecommunication licence have been granted to Globalstar and it is expected to be granted to ICO soon.
UNITED KINGDOM	The UK has introduced a new regulation (SI 1999 No. 930) that exempts those terminals of Iridium, ICO, Globalstar, Inmarsat, Italsat and Eutelsat treated by ERC/ECTRA Decisions on Free Circulation and Use, from licensing on an individual basis. Telecommunications Act Class license for handset operation for all S-PCS is in place.