Harmonised Standards, Radio Equipment Directive and System Reference Documents

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ETSI: “One table”

Association of industry players and government bodies...

...manufacturers, network operators, service providers, administrations, ministries, users, industry associations, universities, research bodies...

... with direct participation...

... members from all round the world

ETSI standards applied globally
ETSI produces

✔ European Standards (EN)
  ✔ Including Harmonised Standards (HS)

✔ Technical Reports (TR)
  ✔ Including System Reference Documents (SRDoc)

Also:
* ETSI Standards
* ETSI Guides
* Technical Specifications
* Group Reports & Specifications
* Special Reports
ETSI European Standards (EN): Building a large unified European market
Starting from a need to harmonise equipment, ETSI starts a work item

- At least four supporting members are needed
- Decision of a Technical Committee
- Possibility for any member to object until the end of the following month

Work items published in ETSI Work Programme

- Available from the ETSI portal
The adoption of an EN work item triggers **Standstill** (RoP 3.3)

National Standards Organisations (NSOs) and ETSI Members are required to:

✓ stop any national standards work that could prejudice that EN and

✓ not to publish a new or revised standard which is not completely in line with an existing EN
ETSI European Standards (EN)

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ETSI European Standards (EN)

ETSI Technical Committees draft the EN / HS:

✔ Contributions from **individual members**
  ✔ (not National delegations)

✔ Any Intellectual Property (Patents) are declared
  ✔ Members undertake to make licenses available on Fair Reasonable and Non-Discriminatory (FRAND) terms

✔ Adoption by **consensus**

✔ Voting (by individual members) is possible but very rarely used
National Standards Organisations (NSO) approve and adopt the EN (EN Approval Procedure (ENAP))

✓ NSOs gather National comments and establish a National position for the vote

✓ If any NSO provides a technical comment, the procedure is paused and the comments resolved

✓ NSOs transpose the EN at national level and to withdraw any conflicting National standards
**Comments on draft European Standards (EN)**

Example:
AP 20180130: Comments on Draft EN 302 454 v.2.2.0
Meteorological Aids (Met Aids);
Radiosondes to be used in the 1 668,4 MHz to 1 690 MHz frequency range;
Harmonised Standard for access to radio spectrum
ERM TGAERO Aeronautics

Note to TBs:
Please identify for each comment whether it has been Noted, Accepted, Accepted with modifications or Rejected and, for Technical Comments, give some short explanation.

<table>
<thead>
<tr>
<th>NSO</th>
<th>Clause/Sub-Clause</th>
<th>Paragraph/Figure/Table</th>
<th>Type of comment (Technical or Non-Technical)</th>
<th>COMMENTS</th>
<th>Proposed change</th>
<th>OBSERVATIONS on each comment submitted</th>
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[http://portal.etsi.org/webapp/eApproval/eApprovalDoc/Resolution_meeting.doc](http://portal.etsi.org/webapp/eApproval/eApprovalDoc/Resolution_meeting.doc)
Resolving NSO comments

Comments may be technical, or non-technical

If no comments are received:
✔️ The draft EN/HS is adopted

If only non-technical comments are received:
✔️ The vote is evaluated. If 71% positive (weighted), the draft EN/HS is adopted

If technical comments are received:
✔️ The comments are returned to the Technical Body for a Resolution meeting to produce a (normally revised) draft for a 60-day vote and a resolution report.
ENAP Procedure (simplified)
ENAP Procedure (complete)
ETSI Standards and Radio Spectrum

✔ ETSI co-ordinates with European Radio Regulators in CEPT to develop and align National frequency regulations in parallel to developing standards to radio equipment

✔ MoU first signed between ETSI and the European Radiocommunications Committee (ERC) on 16 December 1993
CEPT-ETSI Memorandum of Understanding

✔ Noting that “that in many areas the work and deliverables of both organisations are complementary and mutually supportive, and close working cooperation between both organisations should be encouraged”

✔ Establishes “a close liaison, flow of information and a process of consultation between the two organisations”

✔ Permits “mutual representation of the organisations in each others' meetings”

✔ Adopts “Procedures for Co-operation between ETSI and the ECC”
ETSI input to CEPT/ECC


✔ Basic description of application
✔ Simple technical description
  ✔ Current ETSI standards
✔ Justified spectrum requirements
  ✔ Possible compatibility issues
✔ Market forecasts
  ✔ Traffic evaluation
  ✔ Economic/social benefit
  ✔ Market window

✔ Summary of eventual concerns of ETSI members
✔ Requested action from CEPT
Progressing an SRDoc in CEPT

ETSI Liaison Officer provides SRDoc to CEPT/ECC/FM (after discussion in ETSI)

Individual ETSI Members participate in CEPT Project Teams (representing their own organisations)

ETSI Liaison Officer provides information to CEPT/ECC and its WGs (on behalf of ETSI)
Individual National Administrations (48) commit to implement CEPT/ECC Decisions

European Standards transposed in (48) National Administrations
Legal certainty in the European Union

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ETSI, CEPT and the EU
Legal certainty in the European Union: Harmonised Standards for market access

EU Single Market for Goods


✔ European Commission issues a Standardisation Request to provide Harmonised Standards for radio equipment in support of an EU Directive

✔ EU lists Harmonised Standards in Official Journal of the EU

✔ Member States required to “presume conformity”
Listing of harmonized Standards in the Official Journal of the EU

✔ New listings will be via a formal Commission Implementing Decision adopted by the College of Commissioners and preceded by an Inter-Service Consultation

✔ Commission assess the compliance of draft harmonised standards with the standardisation request and the legislative requirements

✔ To be published on the L (Legislation) series of the Official Journal of the EU
  ✔ Previously C (Communication and Notices) series
  ✔ Last listing 14 September 2018

✔ Changed procedures because of EU Standardisation Regulation (1025/2012), not specifically EMCD or RED
EC « Action Plan »

Launched in April 2018 to reduce the current stock of non-cited references to harmonised standards across many sectors, including Radio Equipment Directive (RED)

✔ « to make the process more transparent and accountable leading to a seamless citation »

✔ To ensure that ESOs have “a correct understanding of the content of the standardisation request and its legal objectives from the earliest stage of drafting harmonised standards”.

System of « New Approach Consultants » revitalised: ETSI agreed to join

✔ Harmonised Standards Technical Advisory Consultants (HASTACs) appointed (three for RED)
Alternatives to cited Harmonised Standards

- An adopted HS (as an EN) represents the “generally recognised State of the Art”.

- An HS is:
  - Developed by technical experts in an open process, under a mandate from the European Union
  - Confirmed via National Enquiry and Vote of National Standards Organisations
  - A sound basis for a technical file to be assessed by a Notified Body as part of EU Type Examination

- Many manufacturers use the Notified Body route, even if a cited Harmonised Standard exists

- Presumption of conformity only applies if the HS is cited in the OJEU
Legal certainty in the European Union: Radio spectrum

EU Radio Spectrum Decision (676/2002/EC):

✔️ European Commission requests CEPT to identify frequencies and technical conditions in support of EU policies

✔️ CEPT report codified into a Commission Decision

✔️ Member States required to “designate and make available” identified spectrum
DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2017/1483
of 8 August 2017
amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range
devices and repealing Decision 2006/804/EC
(notified under document C(2017) 5464)
(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on
a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision) (1), and in
particular Article 4(3) thereof,

Whereas:

(1) Commission Decision 2006/771/EC (2) harmonizes the technical conditions for use of spectrum for a wide
variety of short-range devices, including applications such as alarms, local communications equipment, door

Other essential requirements
Other essential requirements

Article 3(3)(g): access to emergency services:

✔ Already invoked for certain marine equipment and avalanche beacons
✔ Now also to ensure caller location in emergency communications from mobile devices (smartphones) (EC Delegated Regulation (EU) 2019/320, 12.12.2018); compliance mandatory from 17 March 2022
✔ Preliminary discussions of a Standardisation Request

✔ Also under discussion:
  ✔ Common charger article 3(3)(a)
  ✔ Internet-connected radio equipment and wearable radio equipment: possible invocation of article 3(3)(e) and (f) for features of safeguards for privacy and against fraud,
  ✔ Reconfigurable Radio Systems: possible invocation of articles 3(3)(i) and 4 regarding radio equipment and software components
Keeping up to date...

✔ Commission web site: http://ec.europa.eu/growth/sectors/electrical-engineering/

✔ ETSI web site

✔ CEPT/ETSI brochure “The European regulatory environment for radio equipment and spectrum”

✔ ETSI Secretariat attends key meetings in CEPT and the Commission, monitors developments in spectrum policy and regulatory issues and provides support and guidance to ETSI members

✔ RADIO_BRIEFING list for ETSI members to brief the Secretariat before key meetings