



EU Regulatory Update

Several people have contacted us recently to get more information about the EU Frequency Regulation changes and what it means for us. Jacques Hulshof, AIM | RAIN's Regulatory consultant and Josef Preishuber Pflügl, ETSI ERM TG34 vice chair, provide some answers:

Do you expect any Member State (MS) to reject the Commission ruling (RSCOM17-60rev3) "Draft Commission Implementing Decision on the harmonisation of radio spectrum for use by short range devices within the 874-876 and 915-921 MHz frequency bands?"

No they cannot but the EU mandate does not apply for non-EU CEPT countries (20 CEPT countries are not EU members). Some non-EU MS closely follow the EU.

(CEPT – European Conference of Postal and telecommunications Administrations)

Can MS "opt-out" or maybe add country specific limitations?

Yes, they can. EU MS will be encouraged by the EC to change to a 3-channel plan by February 2019 but not all EU MS will follow.

Can MS delay their implementation?

No, MS cannot delay the implementation of the Mandate after 01 February 2019. If MS accept the frequency bands mentioned in the Mandate, they have to implement these by 01 February 2019.

Can companies sell compliant reader products within the RFID band 915-921 MHz in MS that haven't yet ratified the regulations (like Germany) before 01 February 2019?

No. And even after 01 February 2019 it may not be possible to sell compliant reader products within the RFID band 915-921 MHz, because of Article 3 Item 2 RSCOM17-60rev3, see below.

Member States may take appropriate measures to protect existing use in the 874-876 MHz and 915-921 MHz spectrum to the extent necessary and where no alternative protective solution may be found through coordination of the various types of uses in those bands. This may include the imposition of additional technical, geographic or operational requirements for the use of the band while complying with the harmonised technical conditions for spectrum access set out in the Annex.

EN 302 208 will be updated. The update will start on 18/19 September 2018 within the first meeting of ETSI ERM TG34 in Rosenheim, Germany

From a practical standpoint it might make sense to implement all 4 channels now and have a software configuration that allows the selection of the supported channels after 01 February 2019, unless the extra effort is rather high.

It shall also be noted that the issue with Germany is not resolved. So, Germany very likely will not implement what the EC asks with the speed of other countries. What this means is unclear. It could be months, years or decades. An update may be expected after the summer break and when the official EC documents are circulated.

We hope the above answers some of the questions that you may have.

We do not have an official list of who passed the vote, who voted negative, and who abstained but we will be working to get that, along with a copy of the official documents and we will announce the information to members as soon as we have it.

For additional information, contact [AIM](#) or phone +1 724.742.4470

