

## **ELECTRONIC COMMUNICATIONS COMMITTEE**

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

(ERC/DEC/(97)05)  
amended 18 March 2005



## EXPLANATORY MEMORANDUM

### 1. INTRODUCTION

A number of new satellite systems offering services for individual users will be introduced before the year 2001. These new satellite systems are identified as providing Satellite Personal Communications Services (S-PCS), and they will provide global or regional coverage. Other terms such as Global Mobile Personal Communications by Satellite (GMPCS) or Satellite-Personal Communication Networks (S-PCN) have also been used in different fora to describe S-PCS.

In dealing with S-PCS systems administrations may have to address several types of licensing requirements; e.g. for network operators, service providers, gateways, and MESSs. This ERC Decision covers free circulation and use, and exemption from the requirement of individual licensing of MESSs. The Decision makes necessary references to conformity assessment to the relevant Technical Basis for Regulation (TBR) and appropriate marking regimes. The free circulation and use referred to in this Decision shall mean the right of the user to carry and use S-PCS Mobile Earth Station(s) within the territory of all administrations participating in this Decision, without requiring individual authorisations or licences.

### 2. BACKGROUND

WARC-92 allocated the bands 1610 - 1626.5 MHz (Earth-to-space), 2483.5 - 2500 MHz (space-to-Earth), 1980 - 2010 MHz (Earth-to-space) and 2170 - 2200 MHz (space-to-Earth) to the mobile satellite service on a primary basis, and the band 1613.8 - 1626.5 MHz (space-to-Earth) on a secondary basis. The designation of the frequencies to individual S-PCS systems in Europe is given in the ERC Decision 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 (ERC/DEC/(97)03).

The European administrations have been following the principle of issuing individual licences for single radio equipment. However, during the last decade administrations have started to exempt a number of these equipments from requiring an individual licence. The CEPT/ERC Recommendation ERC/REC 01-07 on a harmonised regimes for exemption from individual licensing of radio equipment defines the criteria under which radio equipment should be exempt from individual licensing.

### 3 GENERAL APPROACH FOR FREE CIRCULATION AND USE AND LICENSING

Given that S-PCS systems are intended to offer regional or global services, placing a requirement for individual licences for MESSs would be detrimental to the concept of free circulation and use. Therefore, this Decision requires that S-PCS MESSs shall be exempted from individual licensing. The implementation of the concept of free circulation and use requires administrations to accept the use of the S-PCS MESSs without requiring any further authorisations or licences.

The free circulation and use of MESSs and their exemption from individual licensing is predicated upon:

- the use of harmonised frequency bands by MESSs without having the potential to cause harmful interference to other services;
- type approval of MESSs to an agreed standard and also an agreed marking regime.

It is expected that conformity assessment of S-PCS mobile earth stations will be carried out to harmonised standards. There may, however, be an interim period when harmonised standards are not available. During this period the conformity assessment may be carried out to other specifications which demonstrate compliance with the essential requirements.

### 4. REQUIREMENT FOR AN ERC DECISION

The S-PCS systems will provide a global service, which greatly facilitates the mobile communications throughout the world. Therefore there is a need to arrange free circulation and use of S-PCS MESSs without requiring individual licences or other radio regulatory formalities. This Decision has been prepared to facilitate these goals.

**ERC DECISION  
of 30 June 1997, amended 18 March 2005**

**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**

**(ECC/DEC/(97)05)**

“The European Conference of Postal and Telecommunications Administrations,

*considering:*

- a) that WARC-92 allocated the bands 1610 - 1626.5 MHz (E→Sp), 2483.5 - 2500 MHz (Sp→E), 1980 - 2010 MHz (E→Sp) and 2170 - 2200 MHz (Sp→E) to the mobile satellite service on a primary basis, and the band 1613.8 - 1626.5 MHz (Sp→E) on a secondary basis;
- b) that a number of S-PCS systems providing both global and regional coverage are to be brought into operation in the bands mentioned in considering (a) above;
- c) that the spectrum for S-PCS systems will be harmonised via the ERC Decision 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 (ERC/DEC/(97)03);
- n) that S-PCS systems will be assessed in accordance with the milestone criteria given in ERC Decision CEPT/ERC/DEC(97)03 in order to remove as far as possible the possibility of the existence of paper satellites;
- d) that the bringing into operation of S-PCS systems in the bands mentioned in considering (a) above is subject to satisfactory progress of frequency co-ordination in accordance with the procedures established by the ITU Radio Regulations;
- e) that the use of S-PCS MESs could cause interference to other services;
- f) that it is desirable for administrations to implement a harmonised licensing regime for S-PCS MESs within the CEPT;
- g) that the exemption of MESs from requiring an individual licence provides for the concept of free circulation and use which means the right to carry and use an S-PCS MESs without any further authorisation;
- h) that the harmonisation of authorisation conditions and co-ordination of procedures relating to S-PCS are given in the ECTRA Decision on harmonisation of authorisation conditions and co-ordination of procedures in the field of Satellite Personal Communications Services (S-PCS) in Europe; (CEPT/ECTRA/DEC(97)02).
- i) that within the EEA the conformity assessment of S-PCS MESs will be carried out to the relevant harmonised standards, or, pending the adoption thereof, to other specifications, which demonstrate compliance with essential requirements.

DECIDES

1. that this Decision shall not impede EEA member countries from fulfilling their obligations according to community law;
2. that administrations shall not require individual licences for the use of MESs of S-PCS systems, provided that:
  - the satellite system ensures that the MESs operate within the frequency bands identified in the ERC Decision ERC/DEC/(97)03;
  - the provision of S-PCS, within which the MES operates, has been authorised in accordance with national regulations or the ECTRA Decision ECTRA/DEC(97)02;
  - harmful interference to the radio astronomy service in the band 1610.6-1613.8 MHz is not caused by the MES;
  - the MES fulfils the requirements of the country where it is used and is marked accordingly;
3. that administrations which have implemented this Decision shall allow the free circulation and use of all MESs (either single mode or multimode) provided that the MESs fulfils the requirements in decides 2;
4. that free circulation without permission to use for all MESs (either single mode or multi-mode) and not fulfilling the requirements in decides 2, will be allowed by each administration when the MES is prohibited from operating by the S-PCS network operator whilst it is located within the territory of the administration;
5. that this Decision shall be reconsidered each time the ERC Decision 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 (ERC/DEC/(97)03) is revised;
6. that this Decision shall enter into force on 18 March 2005;
7. that CEPT Member administrations shall communicate the national measures implementing this Decision to the ECC Chairman and the Office when the Decision is nationally implemented.”

*Note:*

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