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RADIO SPECTRUM COMMITTEE

Working Document

Opinion of the RSC

pursuant to Article 4.2 of Radio Spectrum Decision 676/2002/EC

Subject: **Final and adopted version of the EC Mandate to CEPT on Mobile Communication services on Vessels (MCV)**

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1. SUMMARY

This amended draft EC Mandate to the CEPT on the use of mobile communication services on vessels (MCV) takes into account the results of the discussions of the RSC in its April meeting as well as the subsequent comments provided by the MS. The aim of the Commission is to seek an advisory opinion of the RSC on the Mandate at the RSC#24 meeting.

2 THE MS COMMENTS

Comments were received from ten RSC members and observers, including the CEPT.

The substantial comments were mainly related to the scope of the application of the Mandate. The text has now been clarified to highlight that only the operation of MCV in territorial seas of the MS will be included, but not for example the operation in inland waterways like rivers or canals, which are covered by national licences for GSM/UMTS networks.

It was also proposed to list potentially affected radio service technologies in the Order and Schedule section, but the Commission services consider that there is no need for such a list, as the selection of compatibility studies is for CEPT to determine. A specific list might limit unduly the scope of the studies to be carried out under the mandate. The same applies to the possible consideration of GMDSS systems or offshore oil drilling units in the compatibility studies.

A number of additional wording suggestions have been considered and taken into account, including in the title of the Mandate.

Finally, the CEPT suggested to postpone the deadline to March 2009, which has now been done. The current timing would enable having the final report to be submitted to the RSC for its 27th meeting on 25-26 March 2009.

3 OTHER CONSIDERATIONS

The Commission services propose to limit the work on MCV to the identification of common technical parameters to avoid harmful interference, and not to investigate licensing issues (in terms of mutual recognition, which was the approach in the context of the MCA case) for the time being. However, in case there is a real demand from Member States for such considerations, they could be addressed at a later stage in the appropriate forum (the AUTH ad-hoc group).

Members of the Radio Spectrum Committee are invited to express their views on whether licensing matters for MCV should be considered, and if so when would be the optimal point in the process.

3. CONCLUSIONS

This draft Mandate has also been sent to the CEPT for their information and for preliminary considerations in the ECC plenary meeting in the end of June 2008, in order to facilitate a timely organisation of the development of the CEPT response.

The RSC members will be asked for their advisory opinion on this draft Mandate at the 24th RSC meeting on 8-9 July 2008.

Members of the Radio Spectrum Committee are invited to give their advisory opinion on this draft EC Mandate to CEPT.

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ANNEX:

ADOPTED

MANDATE TO CEPT ON MOBILE COMMUNICATION SERVICES ON VESSELS (MCV)

Title

Mandate to CEPT to identify the technical and operational conditions required to ensure the avoidance of harmful interference to the operation of radiocommunication services together with GSM systems on vessels in the 900 MHz and 1800 MHz frequency ranges in the territorial seas of Member States. This should also include conditions required to avoid connections from land-based mobile terminals to GSM systems on vessels when this system is in use at territorial waters.

Purpose

Pursuant to Art. 4 of the Radio Spectrum Decision, CEPT is mandated to undertake the work required to identify the most appropriate technical criteria for the timely and harmonised introduction of MCV applications in the European Union.

This present mandate limits itself to the study of technical and operational conditions of mobile communication systems on vessels based on GSM-900 and GSM-1800 technology to ensure the avoidance of harmful interference to the operation of existing land-based mobile networks and to ensure that land-based mobile terminals are not connected to a MCV system when this system is in use at the territorial waters. The limitation in technology is justified by the expectation that MCV services will be implemented using the GSM technology at first, which therefore needs to be prioritised. Further EC mandates targeting other technologies may be prepared in the future.

Seaworthiness and safety of MCV equipment are addressed by entities at national, European and global level other than spectrum management administrations and are outside the scope of this Mandate. This Mandate addresses only the operation of MCV in territorial seas of the Member States. All other operation (on the high seas, in inland waterways, lakes, ports and harbours etc.), including operation of backhaul connections (e.g. satellite link) is outside the scope of this Mandate.

Justification

Allowing people to be connected everywhere at all time is a recurring theme of the policy on the Information Society and of the i2010 initiative. The development of additional means of communicating is likely to be beneficial for growth in the mobile telephony market. Seaborne connectivity applications have a pan-European dimension as a significant proportion of sea travel concerns journeys between European Union members. A coordinated approach to the regulation of such services would support the objectives of the EU Single Market.

Order and Schedule

CEPT is hereby mandated to undertake all required activities to assess the technical and operational parameters applicable to seaborne GSM-900 and GSM-1800 systems that

will ensure avoidance of harmful interference to the operation of all radio services in these bands and that will ensure that land-based mobile terminals are not connected to MCV systems when these systems are in use at the territorial waters.

CEPT is mandated to provide deliverables according to the following schedule:

Delivery date	Deliverable	Subject
16th March 2009	Final Report from CEPT to the Commission - subject to public consultation	Description of work undertaken and final results (for public consultation) under this Mandate.
29th June 2009	Final Report from CEPT to the Commission (including possible amendments resulting from public consultation)	Description of work undertaken and final results under this Mandate based on the outcome of the public consultation.

In addition, CEPT is requested to report on the progress of its work pursuant to this Mandate to all the meetings of the Radio Spectrum Committee taking place during the course of the Mandate.

The result of this Mandate can be made applicable in the European Community pursuant to Article 4 of the Radio Spectrum Decision[2].

In implementing this Mandate, the CEPT shall take the utmost account of Community law applicable.

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[2] Decision 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, OJ L 108 of 24.4.2002, p.1.