

Implementation of Decision 2009/766/EC

Commission Decision of 16 October 2009 on the harmonisation of the 900 MHz and 1800 MHz frequency bands for terrestrial systems capable of providing pan-European electronic communications services in the Community

Deadline for implementation: **09/05/2010**

| Member State | Status of implementation as declared by MS | National legal reference | Date of entry into force |
|----------------|--|--|--------------------------|
| BELGIUM | Implemented | The Decision 2009/766/EC is implemented through the following regulatory instruments: - the Royal Decree of 07/03/1995 art.7 §1; -the Royal Decree of 24/10/1997 art 8 §6; -the Royal Decree of 28/03/2007 makes UMTS in the 900 MHz band available from 01/08/2008; - the Royal Decree of 22/12/2010 art 17 makes UMTS in the 1800 MHz band available from 05/02/2011. | 05/02/2011 |
| CZECH REPUBLIC | Implemented | Plan of Radio Spectrum Utilisation; Part No. PV-P/10/12.2009-18 for frequency band 470-960 MHz of 9 December 2009, Section 2, Article 5, paragraph (19) and Part No. PV-P/12/12.2009-19 for frequency band 1700-1900 MHz of 9 December 2009, Section 2, Article 5, paragraph (1). | 10/01/2010 |
| DENMARK | Implemented | Implemented in Executive Order (bekendtgørelse) No. 1195 of 4 December 2009 (the national frequency allocation table). Title in Danish: Bekendtgørelse nr. 1195 af 4. december 2009 om fastlæggelse af rammerne for anvendelse og indbyrdes prioritering af de samlede radiofrekvensressourcer (frekvensplan). The legal text was published in Lovtidende A on December 11, 2009. Link to legal text: https://www.lovtidende.dk/pdf.aspx?id=128310 | 01/01/2010 |
| GERMANY | Implemented | Entscheidung der Präsidentenkammer der Bundesnetzagentur vom 12. Oktober 2009 zur Flexibilisierung der Frequenznutzungsrechte für drahtlose Netzzugänge zum Angebot von Telekommunikationsdiensten in den Bereichen 450 MHz, 900 MHz, 1800 MHz, 2 GHz und 3,5 GHz. Amtsblatt der Bundesnetzagentur Nummer 20/2009 (siehe Anlage, Seite 3575). | 21/10/2009 |
| ESTONIA | Implemented | Implemented through reference in "The Estonian radio frequency allocation plan". https://www.riigiteataja.ee/ert/act.jsp?id=13343679 or www.tja.ee > ELEKTROONILINE SIDE > Õigusaktid > Määrused > Eesti raadiosagedusplaan (in Estonian). | 18/07/2010 |
| IRELAND | Implemented | Radio Frequency Plan for Ireland (Revision 1) (ComReg Document 08/90R1) www.comreg.ie/_fileupload/publications/Comreg0890R1.pdf . | 22/12/2009 |
| GREECE | Implemented | A sub note referring to Decision 2009/766/EC will be added in the imminent revision of the National Frequency Allocation Table in September/October 2010. The Greek regulator EETT launched a public consultation on refarming GSM bands 900/1800 Mhz in January 2010. | 09/11/2009 |
| SPAIN | Implemented | Order ITC/332/2010 of 12th February 2010 that approves a revision of the National Table of Frequency Allocations. http://www.mityc.es/telecomunicaciones/Espectro/Paginas/CNAF.aspx | 20/02/2010 |

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| FRANCE | Implemented | The Decision is implemented through two regulatory instruments: - the French table of allocation (TNRBF) The legal reference of the last order adopted by the prime minister on the modification of the French allocation table (TNRBF) is the "Arrêté" of 4 August 2010. (NOR=PRMX1020651A). The order includes the reference to the 2009/766/EC Decision in note F51. The note F48d on the band 880-890/925-935 MHz will be modified accordingly. This note F 48d also refers to an agreement between the ARCEP and the Ministry of Defence on the use of the band 880-885/925-930 MHz by Defence within military camps. - the authorisation decisions delivered by ARCEP to operators: they have been modified in order to allow the implementation of UMTS in the 900 MHz band. Concerning the 1800 MHz band, it is mentioned in the public consultation on the 800 MHz and 2.6 GHz bands, that authorisations of mobile operators will be amended in order to allow the implementation of UMTS in the 1800 MHz band in late 2011 or early 2012. | |
| ITALY | Implemented | Commission Decision 2009/766/EC on the 900 and 1800 MHz bands and GSM Directive 2009/114/EC have been adopted by the Ministerial decree of "Ministero dello Sviluppo Economico" dated 4th of November 2010, published in the Official Gazette Nr.280 of 30th of November 2010) revising the National Frequency Allocation Table (d.M. 13th of November 2008). | 15/12/2010 |
| CYPRUS | Implemented | Modification of the Radiofrequency Plan of the Republic. | |
| LATVIA | Implemented | Implemented by the Regulations No.1151 of the Cabinet of Ministers amending the text of the National radio frequency Plan relative to the use of 900/1800 MHz bands for IMT/GSM/UMTS systems. | 06/10/2010 |
| LITHUANIA | Implemented | Implemented by Order No 1V-489 of 22 April 2010 of the Director of the Communications Regulatory Authority of the Republic of Lithuania "On the amendment of Order No 1V-1160 of 24 December 2008 of the Director of the Communications Regulatory Authority of the Republic of Lithuania "On the Approval of the Plan of Use of Radio Frequencies" (Official Gazette "Valstybes Žinios", 2010, No 48-2367). Link: http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=370712&p_query=&p_tr2= | 28/04/2010 |
| LUXEMBOURG | Implemented | Reglement grand-ducal du 19 mai 2010 portant modification du reglement grand-ducal modifie du 29 juillet 2008 determinant le plan d'allotissement et d'attribution des ondes radioelectriques (Plan des frequences). | 19/05/2010 |
| HUNGARY | Implemented | Implemented. Notification was sent to the Commission on 19/8 2011. | |
| MALTA | Implemented | Implemented through an amendment of the National Frequency Plan. The National Frequency Plan is published on the Malta Communications Authority's website: http://www.mca.org.mt/infocentre/openarticle.asp?id=516&pref=24 | |

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| NETHERLANDS | Implemented | 1. Besluit van de Staatssecretaris van Economische Zaken van 10 januari 2010, nr. EZ/ICT/10002050, houdende wijziging van het Nationaal Frequentieplan 2005. Measure: Ministerieel besluit. Publication journal: Staatscourant. Number: 2010, 668. Publication date: 19-01-2010. Pages: 1-13. 2. The draft licences have been published on the Dutch government's central website. (see: http://rijksoverheid.nl/onderwerpen/frequentiebeleid/beleid-in-voorbereiding/flexibilisering-vergunning-en-voor-mobiele-communicatietoepassingen). | 15/08/2010 |
| AUSTRIA | Implemented | It will be implemented in the frequency utilisation ordinance. The national public consultation of a revision of the national frequency utilisation plan containing the implementation of the Commission Decision 2009/766/EC has been started and will end on 15 November 2010. The public consultation can be found under http://www.bmvit.gv.at/telekommunikation/bekanntmachung/begutachtung_fnv.html . | |
| POLAND | Implemented | 1) National Frequency Allocation Table: http://isap.sejm.gov.pl/Download?id=WDU20051341127&type=2 2a) For frequency band 880-890/925-935 MHz: Official Journal of Office of Electronic Communications from 2007, No. 51, item 143. http://www.uke.gov.pl/_gALLERY/24/21/24217/UKE_51-2009.pdf 2b) For frequency band 890-915/935-960 MHz: Official Journal of Office of Electronic Communications from 2007, No. 138, item 144. http://www.uke.gov.pl/_gALLERY/24/21/24217/UKE_51-2009.pdf 2c) For frequency band 1710-1785/1805-1880 MHz: Official Journal of Office of Electronic Communications from 2009, No. 138, item 145. http://www.uke.gov.pl/_gALLERY/24/21/24217/UKE_51-2009.pdf | 17/12/2009 |
| PORTUGAL | Implemented | Articles 15. ^o , 16. ^o , 19. ^o and 20. ^o of Law ner 5/2004, of 10 February 2010: http://www.anacom.pt/render.jsp?contentId=930940&langugeld=1 . The modified National Frequency Allocation Table: http://www.anacom.pt/render.jsp?contentId=1036521 . | 31/03/2010 |
| SLOVENIA | Implemented | General Act on amendments to the General Act on frequency utilisation plan (NURF-1a) (OJ RS, no. 42/10), http://www.uradni-list.si//content?id=97983 | 29/05/2010 |
| SLOVAKIA | Implemented | Decision 2009/766/EC has been implemented in the National Table of Frequency Allocations and in the Plan of frequency utilization. http://www.vus.sk/ntfs/ http://www.teleoff.sov.sk/index.php?ID=95 see file: FP/MS - 01/rev.I. FP/MS - 01 (Príloha k plánu využitia frekvencného spektra pre úsek 925 - 960 MHz) - only Slovak version. | 26/07/2010 |
| FINLAND | Implemented | Implemented by Radio Frequency Regulation No. 4, see http://www.ficora.fi/en/index/saadokset/maaraykset.html . | 04/11/2009 |

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| SWEDEN | Implemented | Update of the Swedish frequency allocation table (PTSFS 2010:2) - link (in Swedish): http://www.pts.se/upload/Foreskrifter/Radio/ptsfs-2010-2-allmanna-rad-frekvensplanen.pdf | 15/03/2010 |
| BULGARIA | Implemented | The National Radio Frequency Allocation Plan, as amended, may be found at: http://www.crc.bg/files/_en/647.pdf . The Technical requirements for the operation of mobile terrestrial networks and related facilities, as amended, may be found at: http://www.crc.bg/files/_bg/Tehnicheski_iziskvania_mobilni_04062010_last.pdf . | 23/04/2010 |
| ROMANIA | Implemented | Decision no. 168/2010 of the President of the National Authority for Management and Regulation in Communications of Romania on the harmonization of the usage for the paired radio frequencies bands 880-915 MHz, 925-960 MHz, 1710-1747.5 MHz and 1805-1842.5 MHz, published in the Official Journal of Romania, no. 163, Part I, of March 15, 2010. http://www.ancom.org.ro/DesktopDefault.aspx?tabid=1130 . National Table for Frequency Bands Allocation (NTFA) approved by the Order of the Minister of Communications and Information Society no. 789/2009, published in the Official Journal of Romania, no. 834 bis, Part I, of December 3, 2009. http://www.ancom.org.ro/DesktopDefault.aspx?tabid=3998 . | 15/03/2010 |
| UNITED KINGDOM | Implemented | The 2008 version of the UK Frequency Allocation Table already identifies the 900MHz and 1800MHz bands as being available for the provision of electronic communications services without limitation as to the service that can be provided or technology that can be deployed. The UK Government made an Order on 20 December 2010 instructing Ofcom to vary the existing licences for the use of frequencies in both the 900MHz and 1800MHz bands to permit the deployment of UMTS as well as GSM systems. Ofcom issued revised licences to the existing licensees on 6 January 2011. | 06/01/2011 |