

Implementation of Decision 2010/368/EU

Commission Decision 2010/368/EU amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices

Deadline for implementation: **01/11/2010**

Member State	Status of implementation as declared by MS	National legal reference	Date of entry into force
BELGIUM	Implemented	The decision of the BIPT Council of 08/06/2011 on the radio-interfaces B14.1 up to B14.7 implements the Decision 2010/368/EU for the active medical implants and associated peripherals. http://www.bipt.be/ShowDoc.aspx?objectID=3524&lang=FR	08/06/2011
CZECH REPUBLIC	Implemented	General Authorisation No. VO-R/10/09.2010-11 for the use of radio frequencies and for the operation of Short Range Devices of 29 September 2010 and by the General Authorisation No. VO-R/12/09.2010-12 for the use of radio frequencies and for the operation of equipment for wideband data transmission in the 2.4 GHz – 6 GHz bands of 29 September 2010.	29/09/2010
DENMARK	Implemented	Implemented in Executive Order No. 1209 of 15 October 2010. (New revision of the national frequency plan). Official Danish Title: Bekendtgørelse nr. 1209 af 15. oktober 2010 om fastlæggelse af rammerne for anvendelse og indbyrdes prioritering af de samlede radiofrekvensressourcer (frekvensplan).	15/10/2010
GERMANY	Implemented	The Decision has been completely implemented by different General Authorisations for the different types of short-range devices. Administrative Order Nos. 53/2003, 88/2003, 89/2003, 48/2004, 7/2006, 20/2006, 37/2008, 1/2010, 4/2010, 6/2010, 40/2010, 8/2011, 24/2011.	23/03/2011
ESTONIA	Implemented	Regulation No 96 of 7 October 2011 of Minister of Economic Affairs and Communications "Conditions for use of radio frequencies and technical requirements for radio equipment exempted from frequency authorisation". The regulation is available on the website https://www.riigiteataja.ee/akt/l_13102011001 (only in Estonian).	07/10/2011
IRELAND	Implemented	1. Radio Frequency Plan for Ireland (Revision 2) (ComReg Document 08/90R2) http://www.comreg.ie/_fileupload/publications/Comreg0890R2.pdf ; 2. Permitted Short Range Devices in Ireland (Revision 5) (ComReg Document 02/71R5) http://www.comreg.ie/_fileupload/publications/ComReg0271R5.pdf .	23/12/2010
GREECE	Implemented	A sub note referring to Decision 2010/368/EU will be added in the imminent revision of the Hellenic National Frequency Allocation Table in August 2011. Furthermore the HNFAT is harmonized appropriately (in all bands). A copy of the legal text will be submitted formally after its publication in the Government Gazette (FEK). On the basis of Hellenic Legislation, EC Decisions on radio spectrum enter by default into force upon the date of their "entering into force".	01/11/2010

Member State	Status of implementation as declared by MS	National legal reference	Date of entry into force
SPAIN	Under way	It will be specifically implemented according to the National Table of Frequency Allocations in its new version expected for publication in Nov. 2011 Nevertheless, the current version of the National Table of Frequency Allocations, approved by Order ITC/332/2010, of 12th February, includes part of the amendments approved by the Dec 2010/368/EU.	
FRANCE	Under way	Decision 2010/368/EU has been implemented through two regulatory instruments which are the French table of allocation (TNRBF) and the Authorisation decisions delivered by ARCEP. 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 23 June 2011. (NOR=PRMX1117015A). A new draft order including the reference to the 2010/368/EC Directive (as "2006/144/EC modified") has been submitted to the Prime Minister office for publication. Furthermore, 15 Decisions have been published by ARCEP under the following references ARCEP decisions n° 2010-910, n° 2010-911, n° 2010-912, n° 2010-913, n° 2010-914, n° 2010-915, n° 2010-916, n° 2010-916, n° 2010-917, n° 2010-918, n° 2010-919, n° 2010-920, n° 2010-914. Decision 2009/812/EC granting a derogation requested by France (until 30 June 2012) applies within the band 2454-2483.5 MHz ; the power is limited to 10 mW instead of 100 mW. The last version of the TNRBF is under adoption by the Prime Minister and should be published in September (version Mod.8).	
ITALY	Implemented	Most of amendments introduced by Commission Decision 2010/368/EU on SRD were included in the Ministerial decree of "Ministero dello Sviluppo Economico", dated 4th November of 2010. Decision 2010/368/EU has been formally implemented in Italy by the Ministerial decree of "Ministero dello Sviluppo Economico", dated 4th May 2011 and published in the Official Gazette Nr.143 of 22nd June 2011. This decree amended the National Frequency Allocation Table, currently in force (d.M. 13th November 2008).	19/05/2011
CYPRUS	Implemented	The relevant amendment of the Radiofrequency Plan was published in the Official Gazette of the Republic on 3.9.2010. A copy of the relevant pages of the Radiofrequency Plan is attached as Appendix I. The said Order, which is entitled "The Radiocommunications (Use of Radiofrequencies by Radioequipment that is Exempted from the Obligation to obtain an Authorisation) Order of 2010 (P.I. 375/2010, 3.9.2010) is also attached as Appendix II.	03/09/2010
LATVIA	Implemented	Decision 2010/368/EU has been implemented amending the Radio Frequency allotment table (annex 1) of the National Radio Frequency plan regarding short-range devices (SRD) in the respective bands with reference to the new Decision. SRD table "8. Maza darbības attāluma ierīces (SRD)" of the National Radio Frequency plan was proposed in a new redaction. The amended National Radio frequency plan was submitted for approval in the Cabinet of Ministers of the Republic of Latvia.	

Member State	Status of implementation as declared by MS	National legal reference	Date of entry into force
LITHUANIA	Implemented	Decision 2010/368/EU has been implemented into Lithuanian national law by Order No IV-1004 of 20 October 2010 of the Director of the Communications Regulatory Authority of the Republic of Lithuania "On the amendment of Order No 1V-893 of 9 September 2010 of the Director of the Communications Regulatory Authority of the Republic of Lithuania "On the Approval of the List of Radio Frequencies which May be used without an individual authorisation" (Official Gazette "Valstybes Žinios", 2010, No 126 6480). The above mentioned legal act came into force on 27 October 2010. http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=384378&p_query=&p_tr2=	27/10/2010
LUXEMBOURG	Implemented	Decision 2010/368/EU on SRD (modification of the national frequency plan) was implemented by "Règlement grand-ducal du 25 janvier 2011" and published in the Memorial.	25/01/2011
HUNGARY	Under way	Hungary has not yet implemented the Decision.	
MALTA	Implemented	The Decision was implemented through amendments to the National Frequency Plan. National Frequency Plan: http://www.mca.org.mt/sites/default/files/articles/NFP_May_2011.pdf .	01/11/2010
NETHERLANDS	Implemented	Technical parameters have been implemented in the "Regeling gebruik van frequentieruimte zonder vergunning 2008". Publication in the Staatscourant 2010, number 17307. Regulation concerning the use of active medical implants in the frequency range 401- 402 MHz will be implemented on the 1st of October 2011.	01/10/2011
AUSTRIA	Under way	Frequency Utilisation Ordinance, Federal Law Gazette BGB1. II Nr. 068/2011. With the last Revision of the Austrian frequency utilisation ordinance only some bands (790-960 MHz, 1710 – 1930 MHz and 2500 – 2690 MHz, "digital dividend" and "Refarming") have been updated. Accordingly only some parts of the Decision 2010/368/EU have been implemented. The rest of this Decision will be implemented with the following revision of the frequency utilisation plan.	25/02/2011
POLAND	Under way	The SRD decision is to be implemented by modifying the list of license-exempted radio transceivers defined in the ordinance of the Minister of Infrastructure. The ordinance is at the final stage of the legal process and is expected to be officially authorized by the Minister at the beginning of August 2011. It will enter into force (all parts covered by the SRD decision) 14 days after its publication. The exact date of entering into force and a link to the official text will be sent as soon as it is published.	
PORTUGAL	Under way	By determination of 24 March 2011, ANACOM has given approval to the draft revision of the National Frequency Allocation Plan (NFAP), 2010/2011 edition. http://www.anacom.pt/render.jsp?contentId=1079853	
SLOVENIA	Implemented	The Decision was implemented in accordance with Art. 3 of Rules on radio frequencies that may be used without a decision on radio frequency allocation (Off.G RS, Nos 45/05, 37/06, 13/08, 27/10). http://www.uradni-list.si/1/content?id=55938 ; http://www.uradni-list.si/1/content?id=97020	02/04/2010

Member State	Status of implementation as declared by MS	National legal reference	Date of entry into force
SLOVAKIA	Implemented	General Authorisation No. VPR 4/2010 (full text available only in Slovak language at http://www.teleoff.gov.sk/index.php?ID=3861), General Authorisation No. VPR 5/2010 (full text available only in Slovak language at http://www.teleoff.gov.sk/index.php?ID=3871), General Authorisation No. VPR 6/2010 (full text available only in Slovak language at http://www.teleoff.gov.sk/index.php?ID=3881)	01/02/2011
FINLAND	Implemented	Implemented by Regulations FICORA 4 on radio frequency regulation and FICORA 15 on collective frequencies for licence-exempt radio transmitters and on their use, see http://www.ficora.fi/en/index/palvelut/palvelutaihei .	11/02/2011
SWEDEN	Implemented	Implemented through PTS Exemption Regulation (PTSFS 2010:8). Link to the regulation (only available in Swedish): http://www.pts.se/upload/Foreskrifter/Radio/foreskrifter_undantag_101209.pdf	01/01/2011
BULGARIA	Implemented	Official notification on the implementation was sent to the Commission on 17 February 2011. http://www.crc.bg/files/_bg/lzmenenie_Spisak_2010_DV_(2).pdf	03/12/2010
ROMANIA	Under way	On 16th of May 2011 ANCOM-Romania has submitted to public consultation a Draft Decision on the radio frequencies and frequency bands excepted from licensing, and we estimate that the technical regulations will be published in the Official Journal of Romania and on ANCOM web-site (www.ancom.org.ro) at the end of June 2011.	
UNITED KINGDOM	Implemented	Implemented within the timescale required by the Decision (1 November 2010). SI will come into force on 1 November 2011. See section 5 of; http://www.legislation.gov.uk/ukSI/2010/2512/contents/made	01/11/2011