

# ETSI Seminar 2023

## Standards & Regulation

Presented by: Igor Minaev, Technical Officer



20/06/2023



# Agenda

**Part 1: European Standards and National Standards Organisations**

**Part 2: Harmonised Standards and the European Union New Legislative Framework (NLF)**

**Part 3: ETSI and CEPT – equipment standardisation & radio spectrum management**



# Purpose of ETSI



“produce [...] the **technical standards** which are necessary **to achieve a large unified European market** for telecommunications, ICT, other electronic communications networks and services and related areas”

[ETSI Statutes: Article 2]

## Standard

“...a **technical specification**, approved by a recognised standardizing body, for repeated or continuous application, **with which compliance is not mandatory.**”

[World Trade Organisation agreement on Technical Barriers to Trade]

# Building a large unified European Market: The ETSI European Standard (EN)



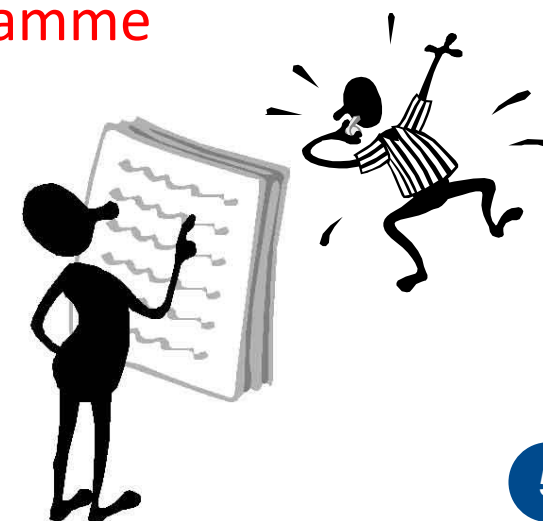
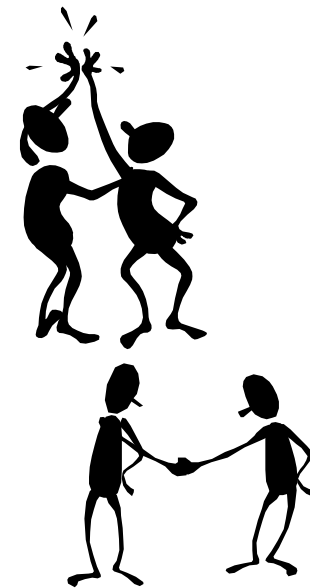
A partnership with National Standards Organisations in 46 CEPT countries



# Starting work



- Starting from a need to harmonise equipment, ETSI initiates a **Work Item**
  - Proposed by at least four supporting members
  - New Work Item adopted by a decision of a Technical Committee
  - *NB: Exceptions for EU “Harmonised Standards” – see part 2*
  
- Work items published in the **ETSI Work Programme**
  - Publicly available from the ETSI Portal
  - Possibility for any member to object until the end of the following month
  - Supports co-operation and limits the risk of overlap



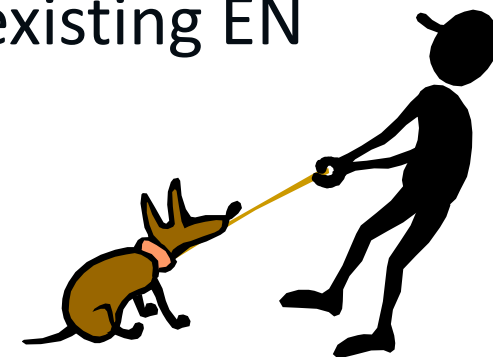
# Concentrating efforts & avoiding National divergence



The adoption of an EN work item triggers **Standstill** (RoP 3.3)

National Standards Organisations (NSOs) and ETSI Members are required to:

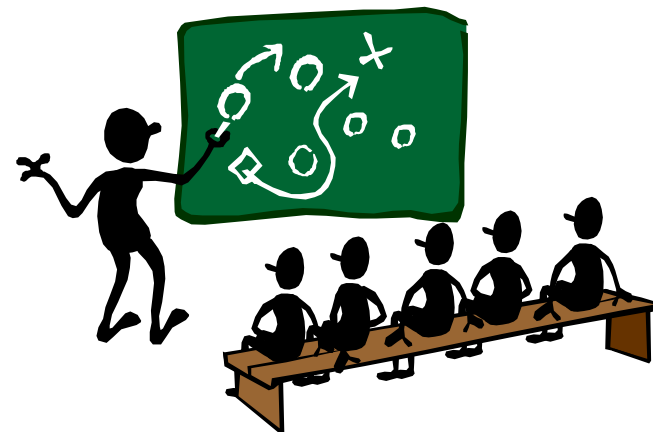
- stop any national standards work that could prejudice that EN and
- not to publish a new or revised standard which is not completely in line with an existing EN



## ETSI Technical Committees draft the EN








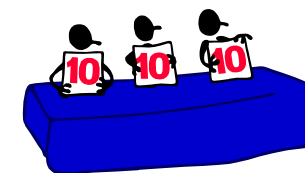
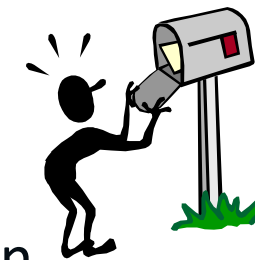
- **Contributions** from individual members  
NB: not National delegations (particularity of ETSI)
- Any interested Member may participate
- Adoption by **consensus**
- Voting (by individual members) is possible but very rarely used



# National Standards Organisations (NSO) adopt and transpose the EN into National Standards

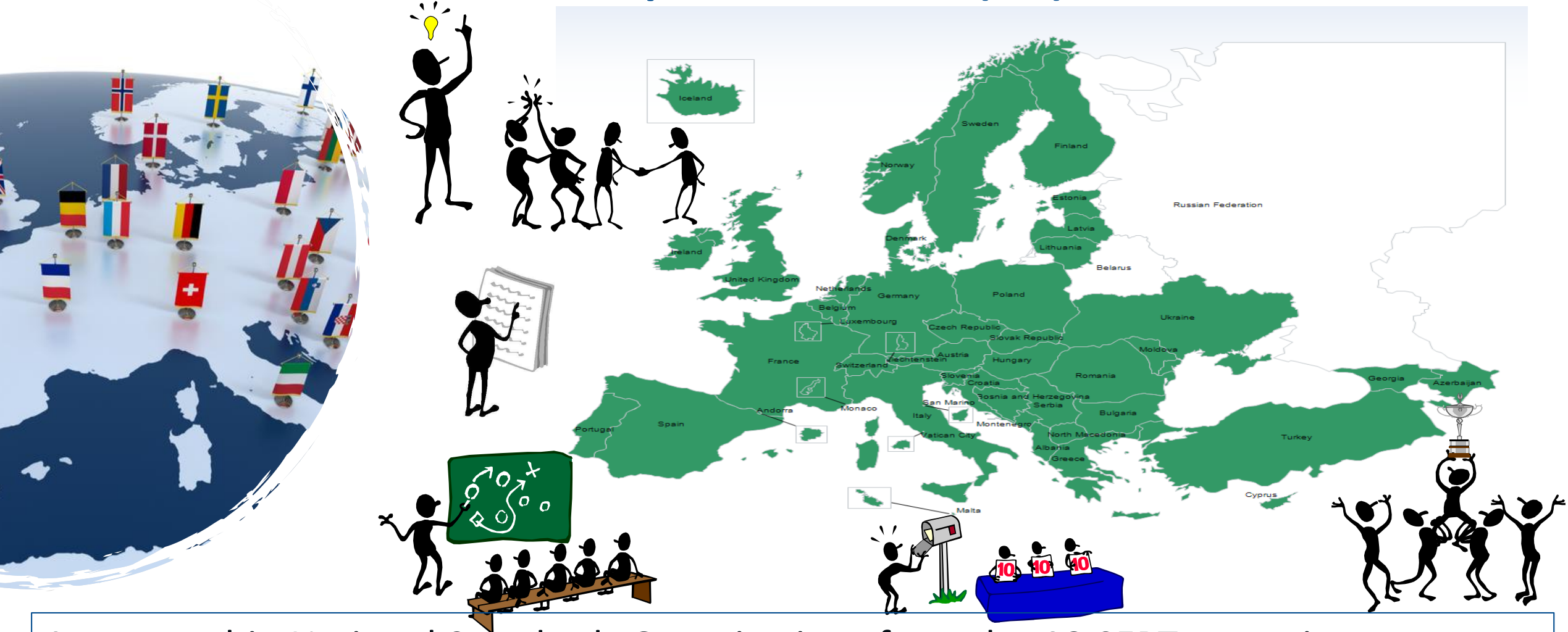
## EN Approval Procedure (ENAP):

-  NSOs carry out a **Public Enquiry** on a draft EN which has been approved by an ETSI Technical Committee, classify and consolidate National comments and establish a National position (yes/no)
-  Any technical comment causes the procedure to be paused and the comments is resolved before a weighted National Vote
-  If 71% (weighted) of NSOs are in favour, the EN is adopted
-  NSOs **transpose** the EN to a National standard and commit to withdraw any conflicting National standards before an agreed **date of withdrawal (dow)** (46 countries)
-  *NB: Exceptions for EU “Harmonised Standards” – see part 2*



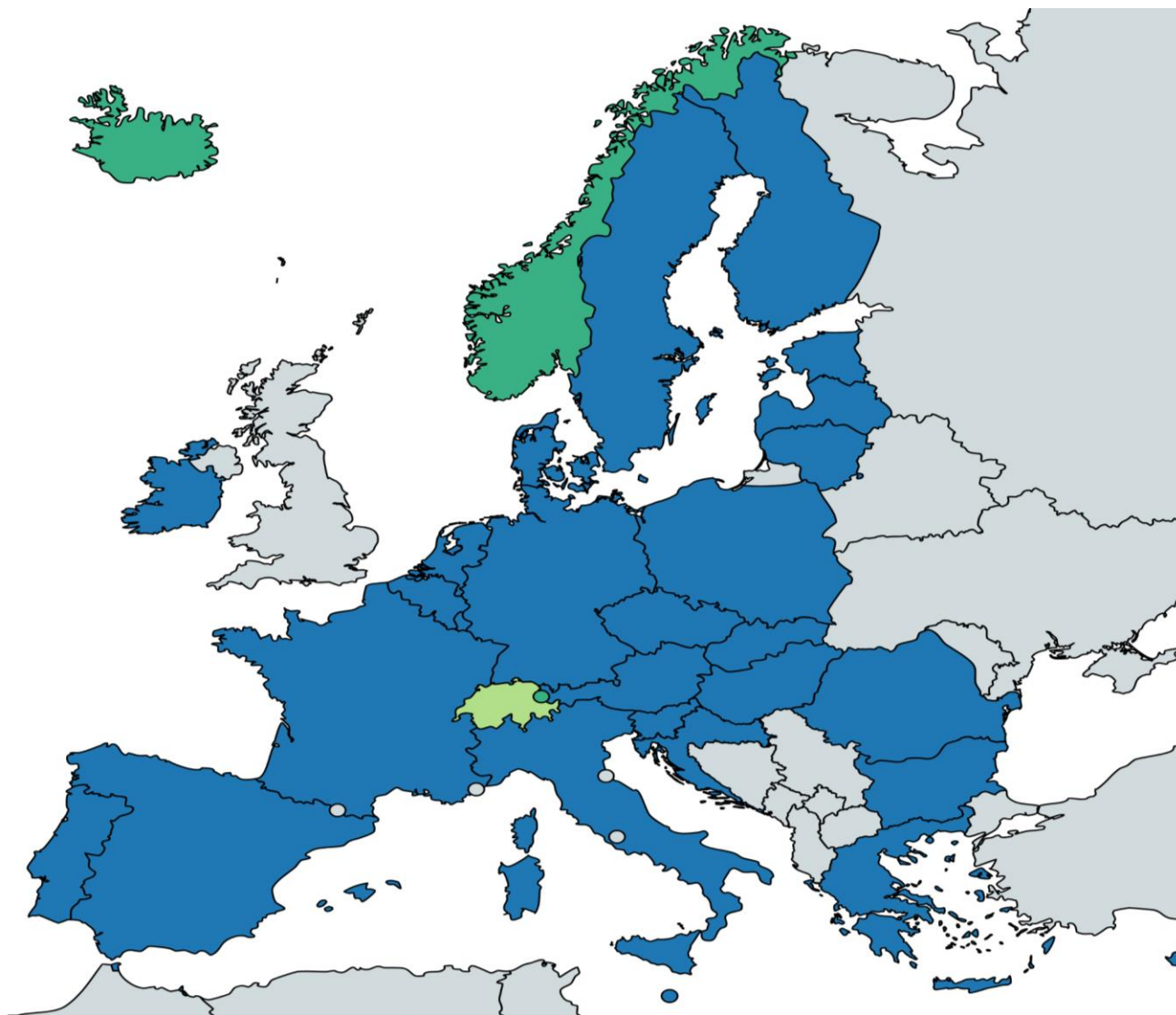


# Building a large unified European Market: The ETSI European Standard (EN)



A partnership National Standards Organisations from the 46 CEPT countries

## Part 2: Harmonised Standards and the European Union New Legislative Framework (NLF)



## Part 2: Harmonised Standards and the European Union New Legislative Framework (NLF)

- Mandatory “**Essential Requirements**” set down in EU product legislation
  - Qualitative (e.g. “the equipment shall not create a disturbance”)
- Voluntary **Harmonised Standards**
  - European Standard (EN) adopted on the basis of a **Standardisation Request** (previously “mandate”) issued by the European Commission
  - **Adoption of SR, HS work items and adoption of HS exclusively by National Standards Bodies of EEA countries (EU27 + 3)**
- Manufacturers may make an **EU Declaration of Conformity** on their own responsibility if they apply an EN/HS which has **been cited in the OJEU**; Member States are required to **presume compliance**
- Alternatively, manufacturers may demonstrate compliance to essential requirements by obtaining an **EU Type Examination Certificate** from a **Notified Body**
- National **Market Surveillance Authorities** enforce Essential Requirements
- For a detailed explanation, see the Commission’s “**Blue Guide**”



# Standardisation Requests for Harmonised Standards (*inter alia*)

- **Standardisation Requests (SR)** via a Commission Implementing Decision
  - clearly spell out policy objectives and public interests,
  - identify all standards needed after transparent consultations,
  - express the content requirements,
  - set deadlines for adoption and expiration dates for all requests
- “Pre-consultation” with ESOs to ensure that the SR is feasible
  - Any modification to an SR requires a new Commission Implementing Decision
- EC also issues SRs for other (non-NLF) deliverables supporting EU policy
- ESOs given one month to accept/reject an SR (**decided exclusively by EEA NSOs**)





## EC Consultants assess HS during drafting

- Aim: “Transparent and accountable process leading to seamless citation\*”
  - “EC contributions and/or comments are encouraged all throughout the drafting life-cycle of the standard”
  - “ETSI shall continuously assess the compliance of the HS with the initial Standardisation Request in coordination with the EC”
- Programmed assessments during drafting:
  - Mature draft (5V/5Vr)
  - Before ENAP (7V/7Vr) & Weighted National Vote (9CV/9CVr) [where needed]
- After submission for listing:
  - EC request for clarification (12VA/12VB) before listing [where needed]

\* EC Action Plan 14 Sept 2017



# OJ citation via a Commission Implementing Decision

L 127/22

EN

Official Journal of the European Union

22.4.2020

## COMMISSION IMPLEMENTING DECISION (EU) 2020/553

of 21 April 2020

amending Implementing Decision (EU) 2020/167 as regards harmonised standards for certain international mobile telecommunications cellular networks equipment

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/24/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament

*For the Commission*

*The President*

Ursula VON DER LEYEN



# OJ citation via a Commission Implementing Decision



In Annex I to Implementing Decision (EU) 2020/167, the following rows are added:

No	Reference of the standard
4.	EN 301 908-1 V13.1.1 IMT cellular networks; Harmonised Standard for access to radio spectrum common requirements
5.	EN 301 908-3 V13.1.1 IMT cellular networks; Harmonised Standard for access to radio spectrum

In Annex III to Implementing Decision (EU) 2020/167, the following rows are added:

No	Reference of the standard	Date of withdrawal
8.	EN 301 908-1 V11.1.1 IMT cellular networks; Harmonised Standard covering the essential requirements of article 3.2 of the Directive 2014/53/EU; Part 1: Introduction and common requirements	22 October 2021
9.	EN 301 908-3 V11.1.3	22 October 2021

The Commission may cite Harmonised Standards with a restriction

# Alternatives to cited Harmonised Standards

- An adopted HS (as an EN) represents the “generally recognised State of the Art”.
  - Developed by technical experts in an open process, following a request the European Commission
  - Confirmed via National Enquiry and Vote of National Standards Organisations
- A manufacturer may request an **EU Type Examination certificate** from a **Notified Body**, using the ETSI EN as part of his technical file.
- Presumption of conformity only applies if the HS is cited in the OJEU








# Part 3: ETSI and CEPT – equipment standardisation & radio spectrum management

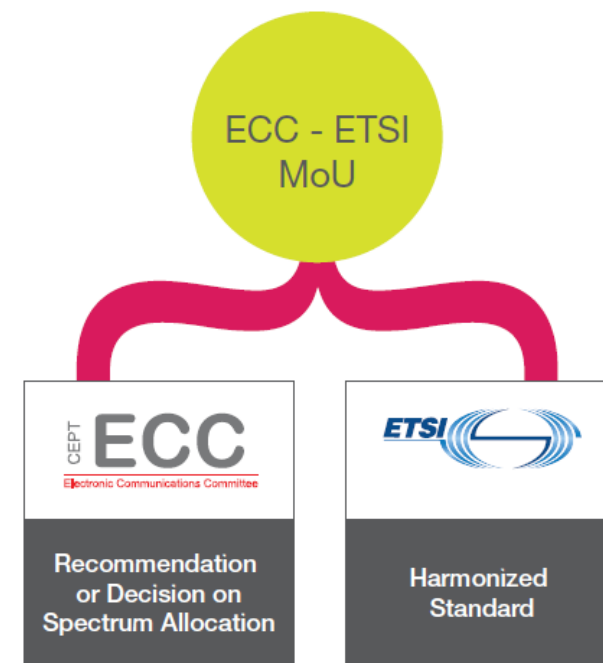


A partnership (“MoU”) with 46 National Frequency Regulators in CEPT

# Harmonised radio spectrum use in Europe



- 
 ETSI co-ordinates with European Radio Regulators in CEPT to develop and align National frequency regulations in parallel to developing standards to radio equipment
- 
 ETSI System Reference Documents (SRDoc): Technical Reports describing spectrum needs associated with ETSI ENs for radio equipment
- 
 ETSI HS and CEPT frequency harmonisation measures address 46 countries, by voluntary agreement





# Initiating Harmonised radio spectrum use in ETSI: The System Reference Document



ETSI System Reference Document (SRDoc): an ETSI Technical Report (TR) produced by TC ERM with:

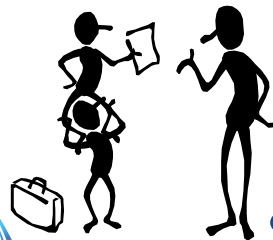
- ✔ A basic summary of application and a simple technical description
- ✔ Justified spectrum requirements with possible compatibility issues
- ✔ Market forecasts, including social/economic benefit and market window
- ✔ Requested action from CEPT

ETSI TC ERM carries out ETSI internal coordination

- ✔ If necessary a summary of concerns of ETSI members is included



# Progressing ETSI System Reference Documents in CEPT



SRDdoc

ETSI Liaison Officer provides SRDoc to CEPT/ECC/FM (after discussion in ETSI)

Individual ETSI Full Members participate in spectrum-sharing studies in CEPT Project Teams (representing their own organisations)  
ETSI Liaison Officers represent ETSI in CEPT decision-making groups



**Agreed regulatory conditions and spectrum-sharing criteria**

**To be respected in the HS and implemented in frequency regulations.**



# ETSI Standards and CEPT Radio Spectrum harmonisation



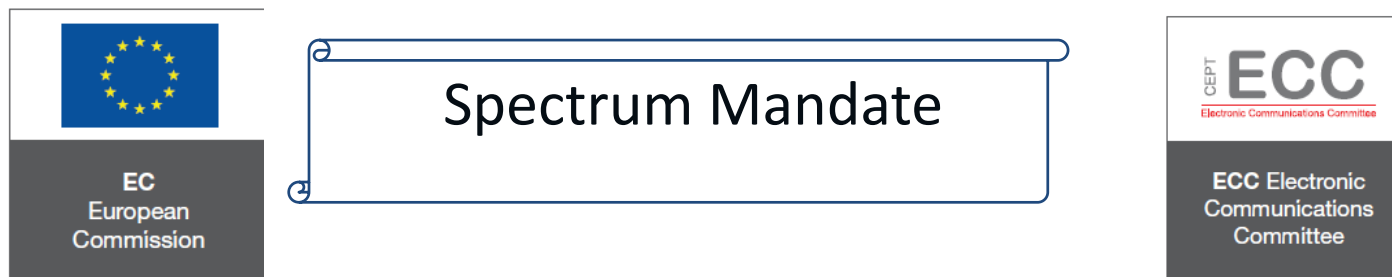
- Individual National Administrations (46) commit to implement CEPT/ECC frequency harmonisation Decisions



- ETSI European Standards transposed in (46) National Administrations



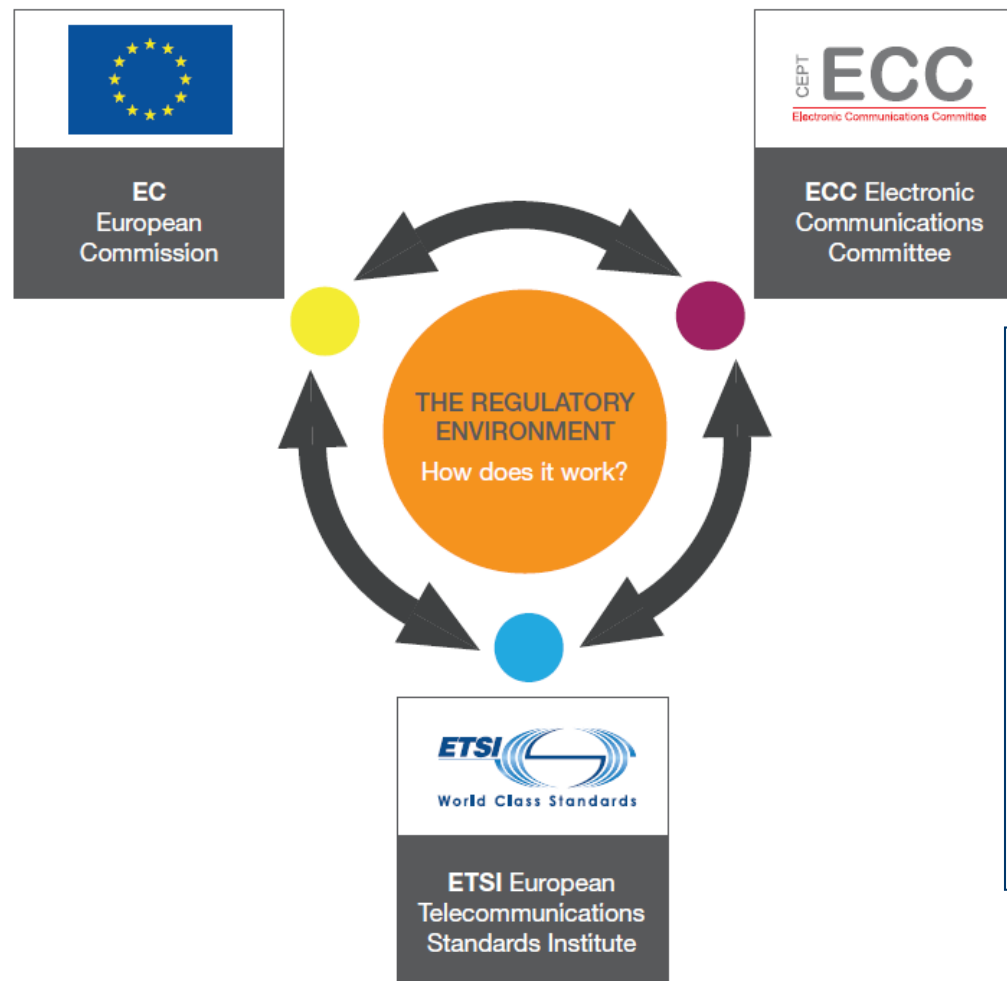
# Spectrum Harmonisation initiated by European Commission: Mandate to CEPT



- European Commission requests CEPT to identify frequencies and technical conditions in support of EU policies (spectrum mandate)
- Alignment with ETSI HS ensured via ECC-ETSI MoU
  - CEPT may request ETSI to provide an SRDoc with technical background
- ETSI Full Members may participate in spectrum-sharing studies
- CEPT Report delivered to EC; CEPT usually also develop an ECC Decision in parallel addressing all CEPT members
- EC adopts Commission Implementing Decision (binding on EU27) after consulting Radio Spectrum Committee (RSCOM)



# Harmonised radio equipment and spectrum use in the European Union



ETSI Harmonised  
Standard and EC  
Spectrum Decision:  
access to market and  
right to use spectrum  
with legal certainty in  
EU27



## More information

---

ETSI Secretariat participates in meetings of CEPT/ECC & key meetings of the European Commission

ETSI arranges conference calls to brief ETSI representatives and ensure that information is complete & accurate

ETSI Members may join the RADIO\_BRIEFING list to be informed of briefing calls



# Any further questions?

Contact me:

[michael.sharpe@etsi.org](mailto:michael.sharpe@etsi.org)





**Thank you for your attention**

Follow us on:    