



International Amateur Radio Union Region 1 2017 General Conference – Landshut, Germany



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Author:	Séamus McCague EI8BP		

1. Introduction

During the year I was, as Vice Chairman, in regular and close contact with Thilo, DL9KCE, by phone in addition to having several face-to-face meetings with Jacques, ON4AVJ, when I was in Brussels. I also maintain contact with Murray, G6JYB, and, additionally, with Greg, G0DUB, (Emergency Communications). Kurt, DL8DMA, provides regular clippings regarding EU matters, which is very useful.

2. Members

Thilo Kootz, DL9KCE, Chairman, European policy
Seamus McCague, EI8BP, Vice and Acting Chairman, TCAM WP, EMC WP
Jacques Verleijen, ON4AVJ, EmComm, Spectrum
Murray Niman, G6JYB, RSC, RSPG, Spectrum
Kurt Meerkötter, DL8DMA, Internet research, European policy

3. EU Directives

To provide context I am repeating some of the information given by Thilo, DL9KCE, in last year's PRC Annual Report.

2014 saw the publishing of two important Directives by the European Parliament regarding the sale/use of equipment within the Union.

The Electromagnetic Compatibility Directive (EMCD) [2014/30/EU] came into effect on 19 April 2016 replacing the existing directive. The EMC Directive differs from most other CE Marking directives in that its primary requirement is protection of the electromagnetic spectrum rather than safety of the equipment.

The Directive does not apply to **radio** equipment used by radio amateurs unless the equipment is made available on the market (Article 2(c)). Kits of components to be assembled by radio amateurs and equipment made available on the market and modified by and for the use of radio amateurs are not regarded as equipment made available on the market. [*This wording is somewhat unfortunate as I will explain later in the document.*]

The Radio Equipment Directive (RED) [2014/53/EU] came into effect on 13 June 2016 repealing R&TTE Directive [1999/5/EC] will be repealed. The RED also differs from most other CE Marking directives in that its primary requirement is protection of the electromagnetic

spectrum rather than safety of the equipment. For the first-time frequencies below 9 kHz come under the directive; the RED covers all frequencies lower than 3 000 GHz.

All equipment which can either transmit or receive radio signals, either for communications or radio determination purposes, with a very few specific exceptions is within the scope of the directive. The LVD and EMC Directives no longer apply to such equipment: conformity assessment is carried out uniquely under the RED. This gives the Directive a very broad scope including, for example, any equipment which includes a GPS receiver, Bluetooth, or even a Wi-Fi-enabled electric kettle.

The Directive does not apply to radio equipment used by radio amateurs unless the equipment is made available on the market (Article 2(c)). Kits of components to be assembled and used by radio amateurs, radio equipment modified by and for the use of radio amateurs, equipment constructed by individual radio amateurs for experimental and scientific purposes related to amateur radio are not regarded as equipment made available on the market.

4. PRC Participation in EU WP

PRC is participating in both the EMC working party (EMC WP) and the "Telecommunications Conformity Assessment and Market Surveillance Committee" (TCAM WP) which deal with issues regarding the EMCD and RED respectively. I have given a short summary of some of the more relevant topics from these meetings below. More detailed notes/reports are available if needed.

The EMC WP is an assembly of representatives of all European member states plus some observers without the right to vote. They meet 2 - 3 times a year for a one day meeting to discuss issues arising on the handling of the EMC directive in the member states. They also try to resolve issues that are raised up by European Standardization bodies as CENELEC or ETSI.

One topic which has taken up considerable time is the application of the RED vs EMCD on "combined" equipment or "packaged" equipment (for example a cell phone and charger sold together). "Combined" equipment such as a smart washing machine has an appliance part (i.e. washing machine) and a radio part (i.e. Wi-Fi module). The new RED now requires that not only the module is tested for compliance, but that the whole object is. This is different to the situation before the new directives took effect.

In addition, there are two working groups preparing guides to the directives for market surveillance organisations. PRC is actively involved in these. Both Guides are still in final draft form.

5. EMCD Guide Drafting Group Meeting 2 February 2016 Brussels

At this meeting the issue of kits for radio amateurs had come up. What became apparent from the discussion was that the Directive talked about "radio equipment" rather than "equipment" and therefore most equipment was not covered by the EMCD but RED. I made the point strongly that there was other equipment that was constructed and modified by

radio amateurs. After correspondence with the Chairman of the WG the final draft of the Guide submitted to the Commission prior to EMC WP(24) contained a reference to the exemption of kits not including radio equipment.

6. EMC WP (24) Meeting 10 June 2016

The 80/80 rule was discussed in matters arising from the Minutes. The Commission view was that there is no such thing as the 80/80 rule as regards standards or as a course of action for Market Surveillance. The Commission will not publish standards that reference the 80/80 rule. The EMC Guide WG had submitted a finalised version of the Guide and the Commission would check it internally with their lawyers and bosses and submit a draft for comment in due course. As regards a certification scheme for cables there was a lot of interest in including cables in the scope of the EMCD. However, this would mean legal change and there was not much appetite for that. There was a debate regarding DVB-S/C equipment (Digital Video Broadcast Satellite/Cable). Some wanted RED to apply, others LVD. The matter will be put to TCAM.

7. EMC WP (25) Meeting 1 February 2017

A new version of the EMC Guide (Final Version 13 January 2107) was available following editing by Commission colleagues, mainly lawyers. The reference to the exemption for kits built by radio amateurs agreed with, and inserted by, the EMC Guide WG had been removed. I indicated at the meeting that IARU was unhappy with the removal of this reference to kits in the Guide. I received little support from the Commission Representative NIKOS MICHAILIDIS or anyone else. I reserved the option of providing a written submission.

As I had already indicated in my PRC report following the EMC Guide WG meeting of 2 February 2016 little might gained by looking for explicit mention of kits. We may get an answer we do not want; the fact that the Guide is silent on the subject may be better. Kits are clearly covered in the Directive.

The Guide is just that, a guide. The EMCD reference to “radio equipment used by radio amateurs” is unfortunate in that radio equipment is a defined term. I did point out that, in my opinion, essential and legally-required ancillary equipment forms an integral part of an amateur radio station. However, already the Guide is way behind schedule and items are liable to be guillotined.

On balance, I decided that little was to be gained in a war of words.

In the Guide the text regarding solar PV as an example of fixed-installation document requirements is unchanged.

Tests initiated by Lithuania showed that so-called Edison bulbs with squirrel cage filaments radiated disturbances 27 dB above limit in the FM broadcast range. The Power Factor is 1.0 so the devices are a pure resistance. As such, heretofore they would be seen as “benign” devices. A footnote will be inserted. CENELEC said that ionisation of gas around the long filament probably causes the radiation.

There was a paper from the Commission outlining the position regarding the exemption of custom-built evaluation kits in EMCD, LVD and RED.

Germany presented a paper on packaged products, for example mobile phone and charger. Germany contended that the charger, even if supplied with mobile phone does not come under RED. They were surprised to see commission has different view.

Results of PLC measurements Technical Assessment were shown. While some devices were notched, the notch did not reach the limit. EMC AdCO should ensure compliance with standards. There will be a campaign.

Next meeting end September, beginning October 2017

8. TCAM WG (9) 23 June 2016

Regarding the RED Guide the Commission has had substantial discussion on the “new” exemption for evaluation kits, especially the definition of “custom.” The Commission said that the objective of Guide is to explain Directive. It cannot change the Directive; can clarify but cannot ignore custom built in legislation. The exemption for kits is limited. There is the option not to comment in the Guide. Final decision as to whether to put in Guide can be left until discussion on Guide.

In the case of “Products with Radio Equipment” (“combined” deprecated on ETSI advice), Switzerland said the document from the Commission creates more confusion than it dispels. According to the document one could have two packages, one with emitter only and one with antenna and so not RED. All falls under RED. Germany said the document was not useful and does not clarify. Switzerland said guidelines had been developed by ETSI for so-called combined equipment. They were surprised by this discussion. Nikos (Commission) said nothing has changed between RTTE and RED. It was clear there was no common understanding between everybody on how to interpret this issue. This is a draft paper.

Regarding DVB-S/C Germany said that the concept is that receiver is piece of equipment that is part of chain. DVB-C falls outside of scope. Belgium said DVB-S has to process from satellite. One cannot judge system on LNB alone. It falls under RED, but DVB-C does not.

9. TCAM WG (10) 3 November 2016

The Chairman of the RED Guide Drafting Group said he expected to circulate a draft of the Guide the following week. The Index was circulated to the meeting. Horizontal issues should be in the BLUE Guide. The RED covers frequencies under 9kHz which are unregulated in many countries. There were issues with wireless chargers, inductor switches and RFID tags. All unmanned RPAS systems will be under EASA and therefore excluded from RED. This is under discussion as is the machinery directive and its relationship with RED. So-called “Combined” equipment has to be discussed under NLF. While a good document is wanted that could take 10 years. The plan is to issue a first version where all agree and then when other discussions are completed review the content of the Guide. There would be a F2F Meeting of the RED

Guide WG in Brussels in February 2017.

For final drafting the Commission was anxious to have only one or two people - One from industry and the RED Guide WG Chairman. Only a technical drafting issue involved.

Finland prepared a contribution to TCAM regarding Drones. Below 150 kg such devices are currently under RED. Above that it is a matter for EASA. New EASA regulations cover design production and operation, control equipment of any type, but no reference to RED interference or use of spectrum.

The Netherlands introduced a document on Intelligent Transport Systems (ITS) as these are becoming of more importance

The report of the Expert Group on Reconfigurable Radio system is now with political people, awaiting final decision.

Next meeting early June 2017

10. RED Guide WG

The RED Guide WG held meetings which I attended in September and October 2016 to prepare a draft for the TCAM WP (10) meeting (see above).

As there were no major items outstanding it was decided not to have the February F2F meeting. However, a small sub-group met in March to discuss so-called “combined equipment.”

The final draft for submission to the Commission has just become available (March 2017). The references to amateur radio and amateur radio kits exemptions remain as originally agreed.

11. Spectrum: RSPG Stakeholder Workshop (2,3): Update on Work Programme for 2016/17 and beyond 3 October 2016 Brussels, March 2017 Paris

The Radio Spectrum Policy Group (RSPG) is a high-level advisory group that assists the European Commission in the development of radio spectrum policy. The Members of the Group are senior representatives of the Member States and the official representative of the European Commission. Delegations include representatives from both the regulatory authorities and the ministries having responsibility for radio spectrum related matters in each Member State. As such there is no provision for observer status and I do not consider that such an option would be available to IARU.

As Jacques, ON4AVJ, was not available I attended two Stakeholders Workshops by the RSPG on their Work Programme for the coming years These are quite high-level briefings. At the end of the first meeting I introduced myself and IARU to Philip Marnick, Chairman of RSPG.

The agenda of the Workshops is

1. 5G – spectrum roadmap and next steps

2. Framework Review proposals
3. RSPG Peer Review of spectrum awards
4. Internet of Things and Intelligent Transport
5. PMSE [Programme Making Special Events]
6. Good Offices [assisting in the resolution of interference cases]

The subject of 5G is of particular relevance to the amateur service as there is strong support for 5G at 3,4 to 3,8 GHz and a proposal to extend to 4,2 GHz. ESA (European Space Agency) expressed concerns with regards to constraints/licencing of the satellite service.

The second meeting did not add much of direct relevance but I decided it was important that IARU be seen to be engaged

12. EMCOMM

At my request, Greg, G0DUB, with input from PRC prepared a paper which I submitted to the EC Open Public Consultation on the Union Civil Protection Mechanism (UCPM).

In addition to a formal acknowledgement I received a personal note from Gaetano Vivo, Policy Officer, who is licenced. "In my previous job (with the World Bank in Haiti) I witnessed directly the contribution of the local amateur radio association during the post-earthquake relief efforts (2010). Also, as an amateur radio myself (KC3DCE), I am particularly passionate about this topic!"

I expect to call on him on my next visit to Brussels as this may well open some doors for us.

13. Transparency Register

I have made updates to the IARU listing on the EU Transparency register. The Register is a public website where organisations representing particular interests at EU level register and up-to-date information about those interests.

Séamus McCague EI8BP