

REGULATION

Rules governing the identification and signalling of radiocommunication stations

Radiocommunication stations emit non-ionising radiation, thus being required, according to Decree-Law no. 11/2003, of 18 January, to comply with the reference levels set out in law for the purpose of the assessment of exposure to electromagnetic fields.

Without prejudice to this obligation, Decree-Law no. 151-A/2000, of 20 July, lays down in paragraph 2 of article 21 that in places where fixed radiocommunication stations and respective accessories, i.e. aerials, are installed, signs indicating the risks of the referred installation must be displayed.

Decree-Law no. 11/2003 of 18 January provides alongside, in paragraph 4 of article 11, that ICP - Autoridade Nacional de Comunicações (ICP – ANACOM) may adopt measures constraining the installation and functioning of radiocommunication stations.

In this context, as this subject-matter may potentially be of concern to populations and local authorities, ICP-ANACOM hereby defines that aerials, structures supporting them and respective places of installation must duly bear signs indicating the levels of radiation emission and the degree of hazardousness, if any, to populations close to these infrastructures. Likewise, the placing of appropriate fences that do not allow for a contact with aerials within reach is also provided for.

An additional concern for ICP-ANACOM is to ensure that fixed radiocommunication stations bear the identification of the respective user, as well as means of contact with the person responsible for granting access to the facility.

In fact, this obligation was imposed by Decree-Law no. 151-A/2000 [paragraph h) of article 10], nevertheless it was necessary to define the places where identification signboards were placed, and their characteristics, thus making the obligation practicable.

Therefore, pursuant to paragraph 1 c) and h) of article 6 and to article 9 a) of its Statutes, approved by Decree-Law no. 309/2001, the Board of Directors of ICP-ANACOM hereby approves the following regulation:

Chapter I

General Provisions

Article 1

Purpose and scope

1. This Regulation aims to lay down rules governing the identification of fixed radiocommunication stations and information signs in places where the referred stations and respective accessories, namely aerials, are installed.
2. Rules herein apply to all fixed radiocommunication stations, including those referred to in paragraph 2 of article 1 of Decree-Law no. 151-A/2000 of 20 July.
3. Rules established in chapter III hereof do not apply:

- a) To radiocommunication stations that integrate the license exempt networks and license exempt radiocommunication stations, identified in both cases in the National Frequency Allocation Plan (NFAP);
- b) To single radiocommunication stations assigned to the Amateur Service;
- c) To radiocommunication stations assigned to the Personal Radio Service (CB);
- d) To radiocommunication stations onboard aircrafts or vessels and subject to specific law;
- e) To radiocommunication stations referred to in paragraph 2 a) of article 1 of Decree-Law no. 151-A/2000 of 20 July;
- f) To radiocommunication stations, the specific nature of the purposes to which they are assigned, namely security, advises against the placing of the respective identification signs, which must be defined on a case-by-case basis by ICP-ANACOM.

Article 2

Definitions

1. The definitions in Decree-Law no. 151-A/2000 of 20 July apply hereto.
2. Specifically for the purposes hereof, the following definitions apply:
 - a) Symbol or pictogram means a figure which describes a situation or prescribes specific behaviour and which is used on a signboard or illuminated surface;
 - b) Signboard means a sign which provides specific information by a combination of a geometric shape, colours and a symbol or pictogram.

Chapter II

Signalling of stations

Article 3

Inaccessibility

1. Where aerials are within reach, without resorting to auxiliary means and/or climbing masts and poles, appropriate fences must be placed that do not allow for a contact therewith by the population.
2. The inaccessibility to conductive objects must be ensured, if appropriate by placing appropriate fences, where the reference levels for contact currents, set out in Administrative Rule no. 1421/2004, of 23 November, approved under paragraph 1 of article 11 of Decree-Law no. 11/2003, of 18 January, are not guaranteed.
3. Fences are compulsory to define boundaries where reference levels set out in the Administrative Rule mentioned in the preceding paragraph may be exceeded.

Article 4

Information signboards

1. Aerials, structures supporting them and places where this equipment is installed must bear due signs, using five signboard models, as well as supplementary ground signs, where appropriate, specified in the annex hereto, which is an integral part hereof.
2. Signboards shall comply with the format and pictogram characteristics indicated in the annex, which may vary somewhat relatively to the figures provided for, insofar as these differences or adaptations do not obscure the respective meaning.
3. Signboards are to be made of shock and weather-resistant material suitable for the surrounding environment.
4. The colorimetric and photometric features of signboards must be such that they can be easily seen and understood, dimensions varying between A2 and A10 formats. The chosen format shall be appropriate to the specific situation of each element to be marked, bearing in mind that it must be perfectly visible to the target-population.

Article 5

Locations to place signboards

1. According to provisions defined in articles 6, 7, 8 and 9, information signboards must be placed:
 - a) In fences;
 - b) In the gateway(s) to the interior of compartments where the equipment necessary to the constitution of radiocommunication stations is installed;
 - c) In the body of the aerial, or where this is not practicable, close thereto, in case they are placed in masts, poles, walls or roofs;
 - d) In areas of access to locations where aerials have been placed.
2. In alternative to the placing of information signboards, signs in self-adhesive or painted form may be used, provided that they comply with requirements established in the preceding paragraph.
3. Signboards are to be installed in a visible location, at a suitable height and in an appropriate position, taking account of any obstacles to the line of sight, so as to ensure adequate conditions to the readability of messages.
4. The use of signboards shall take account of the location where they are placed and the power density levels in the marked places.
5. The number and placing of signalling means or devices will depend on the configuration and extent of the area to be covered, ensuring an appropriate readability.

Article 6

General rule for placing signboards

1. A signboard displaying the word "Attention", identified as model 1, must be placed in fences, compartments and aerial support structures, except where in cases expressly identified herein a different sign is required. In alternative to model 1, model 3 may be used.

2. A signboard displaying the word "Danger", identified as model 2, must be placed next to any aerials, even if disguised or not visible, and wherever practicable, such signboards shall be placed on the body of the aerial.
3. The signboard placed in compliance herewith must be removed when the situation to which it refers ceases to exist.

Article 7

Exceptional signs

1. Where, in places mentioned in paragraph 1 of article 5, the levels of electromagnetic fields exceed by -10 dB the reference levels set out in Administrative Rule no. 1421/2004, of 23 November, the following signs must be placed in the boundaries where such levels occur:
 - a) Where levels remain in a range between -10 dB and -5 dB relatively to the reference levels set out in the above-mentioned Administrative Rule, a signboard displaying the word "Attention", identified as model 3, must be placed;
 - b) Where levels are higher than -5 dB relatively to the reference levels set out in the above-mentioned Administrative Rule, but do not exceed them, a signboard displaying the word "Warning", identified as model 4, must be placed;
 - c) Where reference levels set out in the above-mentioned Administrative Rule are likely to be exceeded, a signboard displaying the word "Danger", identified as model 5, must be placed.
2. The means to calculate the relations referred to in this article are provided for in Administrative Rule no. 1421/2004 of 23 November.

Article 8

Supplementary signs

1. Without prejudice and in addition to the signs provided for in article 7, where, in a place accessible to the population, the levels of electromagnetic fields are not lower at least by 10 dB relatively to the reference levels set out in Administrative Rule no. 1421/2004, of 23 November, supplementary signs must be placed.
2. Supplementary signs bear yellow and black stripes of similar surfaces, placed on the ground, preferably as stripes with an angle of 45°, together with a black over yellow pictogram, as described in the annex hereto.
3. The positioning of supplementary signs shall take into account the dimensions and features of the place to be marked, as explained in the annex hereto.
4. Signs provided for in the preceding paragraphs need not be placed where the access to locations is limited to a restricted number of persons who are aware of the environment conditions to which they are subject, by means of other signs provided for herein.

Article 9

Set of stations

1. Where there is a high congestion of stations and respective accessories, namely aerials, preventing or hindering the placing of individual fences pursuant to article 3, ICP-

ANACOM is entitled to determine the placing of a fence or the adoption of a different measure that inhibits the access by the population to the area where levels of power density justify this measure.

2. In areas of access to places referred to in paragraph 1, namely building terraces or roofing, a signboard displaying the word “Warning”, identified as model 4, must be placed, in this case the placing of signboards displaying the word “Attention”, referred to in paragraph 1 of article 6, not being required.

Article 10

Limited and prohibited access to installation locations

1. In cases provided for in paragraph 1 b) of article 7, access thereto by the population is conditional upon escort by authorized staff.
2. In cases provided for in paragraph 1 c) of article 7, access thereto by the population is prohibited.

Article 11

Responsibility for placing fences and signs

1. It is incumbent upon the users of radiocommunication stations to undertake the placing of the respective fences and signs under the terms hereof.
2. Where ICP-ANACOM determines the building of a fence or the adoption of a different measure as regards a set of stations and respective accessories, namely aerials, pursuant to article 9, this obligation shall be undertaken jointly by users of the stations concerned, in proportion to each user’s contribution to the global power density level in the location.
3. Where there is a high congestion of stations and respective accessories, namely aerials, the placing of signs shall be undertaken jointly by users of the stations concerned, in the proportion referred to in the preceding paragraph.
4. The last body to install a radiocommunication station and respective accessories, namely aerials, in a location where signs have already been placed, is responsible for updating such signs, so as to comply with rules established herein.
5. As regards shared installations provided for in article 23 of Decree-Law no. 151-A/2000, of 20 July, the sharing agreement or ICP-ANACOM’s determination on a sharing arrangement shall identify the body responsible for the placing of signs.

Article 12

Maintenance and repair of signalling devices

1. Bodies responsible for placing fences and signs under this Regulation must also undertake the respective maintenance.
2. Fences and signalling devices must regularly be cleaned, maintained, verified and, where appropriate, repaired or replaced.

Chapter III

Identification of fixed radiocommunication stations

Article 13

Identification of fixed radiocommunication stations

1. All fixed radiocommunication stations included within the scope of application of Decree-Law no. no. 151-A/2000, of 20 July, must bear a signboard displaying the identification of the user and means of contact of the person responsible for granting access to the facility.
2. In case of a shared installation, individual signboards may be replaced by a joint signboard, which shall display the particulars referred in paragraph 1.

Article 14

Locations to place identification signboards

1. Identification signboards must be placed in a visible manner.
2. Where a radiocommunication station is comprised by separate elements in such a way that it is not possible to establish an unambiguous connection between them, all elements including transceiver equipment facilities and aerials must be clearly identified according to the preceding paragraph.
3. Where facilities in buildings are concerned, namely those with indoor roofing purposes, and that meet the conditions referred to in the preceding paragraph, alternatively to identifying all station accessories, including aerials, as provided for, a single identification placed in masts and/or compartments is permitted, insofar as remaining accessories clearly identify the operator/user (by displaying for example the company's logo). The minimum dimensions for this identification shall correspond to the A10 format.
4. As regards facilities in the terrace of a building, the transceiver equipment of which is positioned in the interior of the same building or of an adjacent one, signboards shall be placed on the bases of masts and respective exterior fences, in either case being clearly legible.
5. Radiocommunication stations and respective accessories, namely aerials, located within residential buildings, do not require identification, save where such stations and accessories are installed in communal areas.

Article 15

Contents of identification signboards

1. Identification signboards must display in printed characters:
 - a) The name of the station user;
 - b) Telephone number of the person responsible for granting access to the facility.
2. In cases provided for in paragraph 4 of article 14, the signboard shall also display the precise location of the transceiver equipment, including the door number and fraction.
3. Particulars mentioned in this article shall be updated permanently.

Article 16

Features of identification signboards

1. The dimension of signboards may vary between A2 and A7 format, being appropriate as far as the distance of display is concerned, in order to remain clearly visible.
2. Signboards shall be made of any type of material that enables the display of information in good condition.

Chapter IV

Monitoring and system of penalties

Article 17

Monitoring

1. It is incumbent upon ICP-ANACOM to monitor the enforcement of rules established herein.
2. The monitoring of compliance with provisions in chapter II hereof, by users of stations mentioned in paragraph 3 d) and e) of article 1, is incumbent upon bodies responsible for the management of the respective frequency bands or the respective licensing.

Article 18

System of penalties

Infringements of provisions in chapters II and III hereof are deemed to be breaches pursuant to article 25 of Decree-Law no. 151-A/2000, of 20 July, and to article 14 of Decree-Law no. 11/2003, of 18 January 2003, the system of penalties provided for in those statutory instruments applying hereto.

Chapter V

Transitional provision

Article 19

Transitional provision

1. Users of radiocommunication stations have 120 days from the date of publication hereof to implement the rules provided for herein.
2. The obligation in the preceding paragraph does not apply to stations that have not undertaken the necessary measuring, pursuant to Regulation no. 96-A/2007, of 29 May.
3. The signalling of stations exempted under paragraph 2 shall be performed within the time-limit established in Regulation no. 96-A/2007 for the submitting of measuring results, and must be concluded by 2011.
4. The obligation to identify radiocommunication stations, although lacking the definition of implementation conditions, provided for in article 13, follows from Decree-Law no. 151-A/2000, and thus no time extension may apply.