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**Emergency Communications;
Collection of European Regulatory Principles**



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650 Route des Lucioles
F-06921 Sophia Antipolis Cedex - FRANCE

Tel.: +33 4 92 94 42 00 Fax: +33 4 93 65 47 16

Siret N° 348 623 562 00017 - NAF 742 C
Association à but non lucratif enregistrée à la
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Foreword

This Special Report (SR) has been produced by Advisory Committee Operational Co-ordination Group (OCG).

Introduction

The rapid evolution of the market in Europe, the important multiple technical developments, the new decentralized structures for the management of Communications Networks and Services are associated to a revision of the regulatory conditions applicable in the Communications sector in the EU.

This created a number of new difficulties, some of them related to the need of ensuring a high level of support from Communications systems in Emergency conditions and a permanent increase of the effectiveness of the responsible bodies in such situations. In fact, if in a single network an Emergency situation is already a delicate case to consider, when two or more Telecommunications Networks are interconnected and the corresponding operators have different and some times opposite interests, the solution for each problem may be more complex and difficult to find.

In this context the standardization may be the only solution to promote freely and widely accepted solutions fulfilling the needs of the population, particularly those identified in regulatory documents.

The goal of the present document is to facilitate a stronger standardization in this area by bringing together the most important easily identified rules in EU.

The present version is the first. The intension is to collect more information focused in the relationship between standardization work and EMTEL needs expressed in regulatory documents and update the document in future versions, when appropriate with more and more updated details.

1 Scope

The present document identifies the most relevant regulatory principles applicable to Emergency Communications (EMTEL).

2 References

For the purpose of this Special Report (SR) the following references apply:

- [1] Directive 2002/21/EC of the European Parliament and of the council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive).

NOTE: This directive is available on: <http://portal.etsi.org/public-interest/Documents/Directives>

- [2] Directive 2002/22/EC of the European Parliament and of the council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive).

NOTE: This directive is available on: <http://portal.etsi.org/public-interest/Documents/Directives>

- [3] Directive 2002/58/EC of the European Parliament and of the council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications).

NOTE: This directive is available on: <http://portal.etsi.org/public-interest/Documents/Directives>

- [4] Directive 2002/19/EC of the European Parliament and of the council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive).

NOTE: This directive is available on: <http://portal.etsi.org/public-interest/Documents/Directives>

- [5] Directive 2002/20/EC of the European Parliament and of the council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive).

NOTE: This directive is available on: <http://portal.etsi.org/public-interest/Documents/Directives>

- [6] Commission Recommendation of 25 July 2003 on the processing of caller location information in electronic communication networks for the purpose of location-enhanced emergency call services (2003/558/EC).

NOTE: This recommendation is available on: <http://portal.etsi.org/public-interest/Documents/Recommendations>

- [7] Directive 1999/5/EC of the European Parliament and of the council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity.

NOTE: This directive is available on: <http://portal.etsi.org/public-interest/Documents/Directives>

- [8] Council Decision of 23 October 2001 establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions.

NOTE: This council decision is available on: <http://portal.etsi.org/public-interest/Documents/Decisions>

- [9] Official texts relating to Community co-operation on Civil Protection.

NOTE: These official texts are available on:
http://europa.eu.int/comm/environment/civil/prote/cp02_en.htm

[10] Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision).

NOTE: This decision is available on: <http://portal.etsi.org/public-interest/Documents/Legislation>

[11] Commission decision of 21 February 2001 on the application of Article 3(3)(e) of Directive 1999/5/EC to avalanche beacons (notified under document number C(2001) 194) (Text with EEA relevance) (2001/148/EC).

NOTE: This decision is available on: <http://portal.etsi.org/public-interest/Documents/Decisions>

[12] Commission decision of 22 September 2000 on the application of Article 3(3)(e) of Directive 1999/5/EC to radio equipment covered by the regional arrangement concerning the radiotelephone service on inland waterways (notified under document number C(2000) 2718) (Text with EEA relevance) (2000/637/EC).

NOTE: This decision is available on: <http://portal.etsi.org/public-interest/Documents/Decisions>

[13] Commission decision of 25 March 2003 on the application of Article 3(3)(e) of Directive 1999/5/EC of the European Parliament and of the Council to radio equipment intended to be used on non-SOLAS vessels and which is intended to participate in the Automatic Identification System (AIS) (notified under document number C(2003) 808) (Text with EEA relevance) (2003/213/EC).

NOTE: This decision is available on: <http://portal.etsi.org/public-interest/Documents/Decisions>

[14] Commission Decision of 4 September 2003 on essential requirements relating to marine radio communication equipment which is intended to be used on non-SOLAS vessels and to participate in the Global Maritime Distress and Safety System (GMDSS) (Text with EEA relevance) (notified under document number C(2003) 2912) (2004/71/EC).

NOTE: This Decision (replacing Decision 2000/638/EC) was published in the Official Journal L 016 , 23/01/2004 P. 0054 – 0055 and is available on: <http://portal.etsi.org/public-interest/Documents/Decisions>

[15] Directive 98/34/EC of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on information society services.

NOTE: This directive is available on: <http://portal.etsi.org/public-interest/Documents/Directives>

3 Abbreviations

For the purposes of the present document, the following abbreviations apply:

AIS	Automatic Identification System
CEC	Commission of the European Communities
CEN	European Committee for Standardisation
CENELEC	European Committee for Electrotechnical Standardization
COI	Common Open Interface
EMTEL	Emergency Telecommunications
ETSI	European Telecommunications Standards Institute
EU	European Union
GMDSS	Global Maritime Distress and Safety System
IEC	International Electrotechnical Commission
ISO	International Organization for Standardization
R&TTE	Radio equipment and Telecommunications Terminal Equipment

4 General

The present document tries to identify the most relevant regulatory principles applicable to EMTEL, a careful study of the EU and national regulation is required for a complete understanding of all the implications of the presently applicable legal measures.

To facilitate the access to the source texts and minimize the risk of misunderstandings and false interpretations, the majority of the text was literally copied from the official documents. This text is printed in *italics* to allow a clear identification. In some cases, more important words or statements are printed in **bold** to call the attention of the reader.

5 Framework Directive

DIRECTIVE 2002/21/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive)

5.1 Executive Summary of EMTEL relevant text

There is a list of standards to recommend or enforce specific standards (also for EMTEL).

5.2 Chapter IV, general provisions

5.2.1 Article 17, Standardisation

1. *The Commission, acting in accordance with the procedure referred to in Article 22(2), shall draw up and publish in the Official Journal of the European Communities a **list of standards and/or specifications to serve as a basis for encouraging the harmonised provision of electronic communications networks, electronic communications services and associated facilities and services**. Where necessary, the Commission may, acting in accordance with the procedure referred to in Article 22(2) and following consultation of the Committee established by Directive 98/34/EC, request that standards be drawn up by the European standards organisations (European Committee for Standardisation (CEN), European Committee for Electrotechnical Standardisation (CENELEC), and European Telecommunications Standards Institute (ETSI)).*

2. **Member States shall encourage the use of the standards and/or specifications referred to in paragraph 1, for the provision of services, technical interfaces and/or network functions, to the extent strictly necessary to ensure interoperability of services and to improve freedom of choice for users.**

As long as standards and/or specifications have not been published in accordance with paragraph 1, Member States shall encourage the implementation of standards and/or specifications adopted by the European standards organisations.

In the absence of such standards and/or specifications, Member States shall encourage the implementation of international standards or recommendations adopted by the International Telecommunication Union (ITU), the International Organisation for Standardisation (ISO) or the International Electrotechnical Commission (IEC).

Where international standards exist, Member States shall encourage the European standards organisations to use them, or the relevant parts of them, as a basis for the standards they develop, except where such international standards or relevant parts would be ineffective.

3. *If the standards and/or specifications referred to in paragraph 1 have not been adequately implemented so that interoperability of services in one or more Member States cannot be ensured, **the implementation of such standards and/or specifications may be made compulsory** under the procedure laid down in paragraph 4, to the extent strictly necessary to ensure such interoperability and to improve freedom of choice for users.*

4. Where the Commission intends to make the implementation of certain standards and/or specifications compulsory, it shall publish a notice in the Official Journal of the European Communities and invite public comment by all parties concerned. The Commission, acting in accordance with the procedure referred to in Article 22(3), shall make implementation of the relevant standards compulsory by making reference to them as compulsory standards in the list of standards and/or specifications published in the Official Journal of the European Communities.

5. Where the Commission considers that standards and/or specifications referred to in paragraph 1 no longer contribute to the provision of harmonised electronic communications services, or that they no longer meet consumers' needs or are hampering technological development, it shall, acting in accordance with the procedure referred to in Article 22(2), remove them from the list of standards and/or specifications referred to in paragraph 1.

6. Where the Commission considers that standards and/or specifications referred to in paragraph 4 no longer contribute to the provision of harmonised electronic communications services, or that they no longer meet consumers' needs or are hampering technological development, it shall, acting in accordance with the procedure referred to in Article 22(3), remove them from this list of standards and/or specifications referred to in paragraph 1.

7. This Article does not apply in respect of any of the essential requirements, interface specifications or harmonized standards to which the provisions of Directive 1999/5/EC apply.

5.2.2 Article 19, Harmonisation procedures

1. Where the **Commission**, acting in accordance with the procedure referred to in Article 22(2), issues **recommendations to Member States on the harmonised application** of the provisions in this Directive and the Specific Directives in order to further the achievement of the objectives set out in Article 8, Member States shall ensure that national regulatory authorities take the utmost account of those recommendations in carrying out their tasks. Where a national regulatory authority chooses not to follow a recommendation, it shall inform the Commission giving the reasoning for its position.

2. Where the Commission finds that divergence at national level in regulations aimed at implementing Article 10(4) creates a barrier to the single market, the **Commission may**, acting in accordance with the procedure referred to in Article 22(3), **take the appropriate technical implementing measures**.

6 Universal Service Directive

DIRECTIVE 2002/22/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive)

6.1 Executive Summary of EMTEL relevant text

EMTEL is a part of the Universal Service for fixed switched telephone networks. This may include radio access parts, including commonly used mobile based technologies with the intention to supply basic services for fixed places. CEC has information on the national implementations.

6.2 Whereas

...

(12) For the citizen, it is important for there to be adequate provision of public pay telephones, and for users to be able to call emergency telephone numbers and, in particular, the single European emergency call number ("112") free of charge from any telephone, including public pay telephones, without the use of any means of payment. Insufficient information about the existence of "112" deprives citizens of the additional safety ensured by the existence of this number at European level especially during their travel in other Member States.

(13) Member States should take suitable measures in order to guarantee access to and affordability of all publicly available telephone services at a fixed location for disabled users and users with special social needs. Specific measures for disabled users could include, as appropriate, making available accessible public telephones, public text telephones or equivalent measures for deaf or speech-impaired people, providing services such as directory enquiry services or equivalent measures free of charge for blind or partially sighted people, and providing itemised bills in alternative format on request for blind or partially sighted people. Specific measures may also need to be taken to enable disabled users and users with special social needs to access emergency services "112" and to give them a similar possibility to choose between different operators or service providers as other consumers. Quality of service standards have been developed for a range of parameters to assess the quality of services received by subscribers and how well undertakings designated with universal service obligations perform in achieving these standards. Quality of service standards do not yet exist in respect of disabled users. Performance standards and relevant parameters should be developed for disabled users and are provided for in Article 11 of this Directive. Moreover, national regulatory authorities should be enabled to require publication of quality of service performance data if and when such standards and parameters are developed. The provider of universal service should not take measures to prevent users from benefiting fully from services offered by different operators or service providers, in combination with its own services offered as part of universal service.

...

(36) It is important that users should be able to call the single European emergency number "112", and any other national emergency telephone numbers, free of charge, from any telephone, including public pay telephones, without the use of any means of payment. Member States should have already made the necessary organisational arrangements best suited to the national organisation of the emergency systems, in order to ensure that calls to this number are adequately answered and handled. Caller location information, to be made available to the emergency services, will improve the level of protection and the security of users of "112" services and assist the emergency services, to the extent technically feasible, in the discharge of their duties, provided that the transfer of calls and associated data to the emergency services concerned is guaranteed. The reception and use of such information should comply with relevant Community law on the processing of personal data. Steady information technology improvements will progressively support the simultaneous handling of several languages over the networks at a reasonable cost. This in turn will ensure additional safety for European citizens using the "112" emergency call number.

...

6.3 Chapter I, scope, aims and definitions

6.3.1 Article 2, Definitions

...

(c) "**publicly available telephone service**" means a service **available to the public for originating and receiving national and international calls and access to emergency services** through a number or numbers in a national or international telephone numbering plan, and in addition may, where relevant, include one or more of the following services: the provision of operator assistance, directory enquiry services, directories, provision of public pay phones, provision of service under special terms, provision of special facilities for customers with disabilities or with special social needs and/or the provision of non-geographic services;

...

6.4 Chapter II, Universal service obligations including social obligations

NOTE: A first overview on Universal Service provision is offered on:

- article 3, Availability of universal Service;
- article 4, Provision of access at a fixed location.

6.4.1 Article 6, Public pay telephones

3. Member States shall ensure that it is possible to **make emergency calls from public pay telephones** using the single European emergency call number "112" and other national emergency numbers, all free of charge and without having to use any means of payment.

NOTE: Further references to article 6 can be found on:

- article 8, Designation of undertakings, §1;
- article 9, Affordability of tariffs, §1, §4;
- article 10, Control of expenditure, §1, §2;
- article 11, Quality of service of designated undertakings, §1 (Annex III);
- article 12, Costing of universal service obligations, §1;
- article 13, Financing of universal service obligations, §2 (...*"Only the net cost, as determined in accordance with Article 12, of the obligations laid down in Articles 3 to 10 may be financed"*).

6.4.2 Article 7, Special measures for disabled users

1. Member States shall, where appropriate, take **specific measures for disabled** end-users in order to ensure access to and affordability of publicly available telephone services, including **access to emergency services**, directory enquiry services and directories, equivalent to that enjoyed by other end-users.

6.5 Chapter IV, end-user interests and rights

6.5.1 Article 23, Integrity of the network

Member States shall take all necessary steps to ensure the **integrity of the public telephone network at fixed locations** and, in the event of catastrophic network breakdown or in cases of force majeure, the availability of the public telephone network and publicly available telephone services at fixed locations. Member States shall ensure that **undertakings providing publicly available telephone services at fixed locations take all reasonable steps to ensure uninterrupted access to emergency services**.

6.5.2 Article 26, Single European emergency call number

1. Member States shall ensure that, in addition to any other national emergency call numbers specified by the national regulatory authorities, **all end-users of publicly available telephone services, including users of public pay telephones, are able to call the emergency services free of charge, by using the single European emergency call number "112"**.

2. Member States shall ensure that calls to the **single European emergency call number "112" are appropriately answered** and handled in a manner best **suited to the national organisation of emergency systems** and within the technological possibilities of the networks.

3. Member States shall ensure that undertakings which operate public telephone networks make **caller location information available to authorities** handling emergencies, to the extent technically feasible, for all calls to the single European emergency call number "112".

4. Member States shall ensure that **citizens are adequately informed** about the existence and use of the single European emergency call number "112".

6.5.3 Article 28, Non-geographic numbers

Member States shall ensure that **end-users** from other Member States **are able to access non-geographic numbers within their territory** where technically and economically feasible, except where a called subscriber has chosen for commercial reasons to limit access by calling parties located in specific geographical areas.

NOTE: See definitions of geographical and non-geographical numbers in:

- Article 1, §d, §f.

6.6 Chapter V, general and final provisions

6.6.1 Article 38, Transposition

1. Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive by 24 July 2003 at the latest. They shall forthwith inform the Commission thereof. They shall apply those measures from 25 July 2003.

2. When Member States adopt these measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

3. Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field governed by this Directive and of any subsequent modifications to those provisions.

7 Directive on privacy and electronic communications

DIRECTIVE 2002/58/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications)

7.1 Executive Summary of EMTEL relevant text

EMTEL is one justified exception for the privacy rules.

7.2 Article 10, Exceptions

Member States shall ensure that there are transparent procedures governing the way in which a provider of a public communications network and/or a publicly available electronic communications service may override:

- the elimination of the presentation of calling line identification, on a temporary basis, upon application of a subscriber requesting the tracing of malicious or nuisance calls. In this case, in accordance with national law, the data containing the identification of the calling subscriber will be stored and be made available by the provider of a public communications network and/or publicly available electronic communications service;
- the elimination of the presentation of calling line identification and the temporary denial or absence of consent of a subscriber or user for the processing of location data, on a per-line basis for organisations dealing with emergency calls** and recognised as such by a Member State, including law enforcement agencies, ambulance services and fire brigades, for the purpose of responding to such calls.

8 Directive on Access in Interconnection

DIRECTIVE 2002/19/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive)

8.1 Executive Summary of EMTEL relevant text

No EMTEL specific references to emergency found.

9 Authorisation Directive

DIRECTIVE 2002/20/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive)

9.1 Executive Summary of EMTEL relevant text

EMTEL conditions may be attached to a general authorization for networks or services.

9.2 Article 6, Conditions attached to the general authorisation and to the rights of use for radio frequencies and for numbers, and specific obligations

1. *The general authorisation for the provision of electronic communications networks or services and the rights of use for radio frequencies and rights of use for numbers may be subject only to the conditions listed respectively in parts A, B and C of the Annex. Such conditions shall be objectively justified in relation to the network or service concerned, non-discriminatory, proportionate and transparent.*

2. *Specific obligations which may be imposed on providers of electronic communications networks and services under Articles 5(1), 5(2), 6 and 8 of Directive 2002/19/EC (Access Directive) and Articles 16, 17, 18 and 19 of Directive 2002/22/EC (Universal Service Directive) or on those designated to provide universal service under the said Directive shall be legally separate from the rights and obligations under the general authorisation. In order to achieve transparency for undertakings, the criteria and procedures for imposing such specific obligations on individual undertakings shall be referred to in the general authorisation.*

9.3 Article 11, Information required under the general authorisation, for rights of use and for the specific obligations

1. *Without prejudice to information and reporting obligations under national legislation other than the general authorisation, national regulatory authorities may only require undertakings to provide information under the general authorisation, for rights of use or the specific obligations referred to in Article 6(2) that is proportionate and objectively justified for:*

(a) *systematic or case-by-case verification of compliance with conditions 1 and 2 of Part A, condition 6 of Part B and condition 7 of Part C of the Annex and of compliance with obligations as referred to in Article 6(2);*

...

9.4 ANNEX A. Conditions which may be attached to a general authorisation

...

12. *Terms of use during major disasters to ensure communications between emergency services and authorities and broadcasts to the general public.*

10 Commission recommendation on processing of caller location information

COMMISSION RECOMMENDATION of 25 July 2003 on the processing of caller location information in electronic communication networks for the purpose of location-enhanced emergency call services (2003/558/EC)

NOTE: The numbering of the clauses in this chapter was introduced by ETSI for an easier understanding and member's consultation. Additionally, some introductory text of the official document was not copied.

10.1 Executive Summary of EMTEL relevant text

Caller location information to emergency services specification, clear extension to all calls to 112 (inclusion of mobile networks).

10.2 Scope, definitions, field of application

THE COMMISSION OF THE EUROPEAN COMMUNITIES, ...

...HEREBY RECOMMENDS THAT:

1. Member States should apply the following **harmonized conditions and principles** to the provision of **caller location information to emergency services** for all calls to the single European emergency call number **112**.

2. For the purposes of this Recommendation, the following **definitions** should apply:

"**emergency service**" means a service, recognised as such by the Member State, that provides immediate and rapid assistance in situations where there is a direct risk to life or limb, individual or public health or safety, to private or public property, or the environment but not necessarily limited to these situations.

"**location information**" means in a public mobile network the data processed indicating the geographic position of a user's mobile terminal and in a public fixed network the data about the physical address of the termination point.

"**E112**" means an emergency communications service using the single European emergency call number, 112, which is enhanced with location information of the calling user.

"**public safety answering point**" means a physical location where emergency calls are received under the responsibility of a public authority.

3. Member States should draw up detailed **rules for public network operators**, to include, inter alia, the provisions in points 4 to 9 below.

10.3 COI specification

4. For **every emergency call** made to the European emergency call number **112**, public telephone network operators should, initiated by the network, forward (push) to public safety answering points the best information available as to the **location of the caller**, to the extent technically feasible. For the intermediate period up to the conclusion of the review as referred to in point 13 below, it is acceptable that operators make available location information on request only (pull).

5. **Fixed public telephone network** operators should make available the installation **address of the line** from which the emergency call is made.

6. Public telephone network operators should provide location information in a non-discriminatory way, and in particular should **not discriminate** between the quality of information provided concerning their **own subscribers and other users**. In the case of the fixed networks, other users include users of **public pay phones**; in the case of mobile networks or mobility applications, other users include **roamers or visiting users**, or, where appropriate, users of mobile **terminals which can not be identified** by the subscriber or user number.

7. All **location information** provided **should be accompanied by an identification of the network** on which the call originates.

8. Public telephone network **operators should keep sources of location information**, including address information, accurate and up-to-date.

9. For each emergency call for which the subscriber or user number has been identified, public telephone network **operators should provide the capability** to public safety answering points and emergency services **of renewing the location information through a call back functionality (pulling)** for the purpose of handling the emergency.

10.4 COI harmonization

10. In order to facilitate data transfer between **operators and public safety answering points**, Member States should encourage the use of **a common open interface** standard, and in particular for a common data transfer protocol, adopted by the European Telecommunications Standards Institute (ETSI), where available. Such a standard should include the necessary flexibility to accommodate future requirements as they may arise, for instance from **in-vehicle telematics terminals**. Member States should ensure that the interface is best suited to the effective handling of emergencies.

10.5 User information

11. In the context of the obligation for E112 services prescribed by the Universal Service Directive, Member States should provide adequate information to their citizens about the existence, use and benefits of E112 services. Citizens should be informed that 112 connects them to emergency services all across the European Union and that their location will be forwarded. They should also be informed about the identity of the emergency services that will receive their location information and of other necessary details to guarantee fair processing of their personal data.

10.6 COI evolution

12. In the context of the continuous evolution of concepts and technologies, Member States are encouraged to foster and support the development of services for emergency assistance, for instance to tourists and travellers and for the transport of dangerous goods by road or rail, including handling procedures for forwarding location and other emergency or accident related information to public safety answering points; to support the development and implementation of common interface specifications in ensuring Europe-wide interoperability of such services; and to encourage the use of location technologies with high precision such as third generation cellular network location technologies and Global Navigation Satellite Systems.

13. Member States should require their national authorities to report to the Commission on the situation of E112 implementation by the end of 2004 so that the Commission can undertake a review taking into account the emerging requirements from public safety answering points and emergency services and the evolutions and availability of technological capabilities for location determination.

10.7 Final text (continuation of scope)

14. This Recommendation is addressed to the Member States.

11 R&TTE Directive

DIRECTIVE 1999/5/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity.

11.1 Executive Summary of EMTEL relevant text

There is a (remote) possibility of ruling specific types of radio or terminal equipment. This has been used to ensure the access to some emergency services.

11.2 Article 3, Essential requirements

...

3. In accordance with the procedure laid down in Article 15, the Commission may decide that **apparatus within certain equipment classes or apparatus of particular types** shall be so constructed that:

(a) it interworks via networks with other apparatus and that it can be connected to interfaces of the appropriate type throughout the Community; and/or that

(b) it does not harm the network or its functioning nor misuse network resources, thereby causing an unacceptable degradation of service; and/or that

(c) it incorporates safeguards to ensure that the personal data and privacy of the user and of the subscriber are protected; and/or that

(d) it supports certain features ensuring avoidance of fraud; and/or that

(e) **it supports certain features ensuring access to emergency services**; and/or that

(f) it supports certain features in order to facilitate its use by users with a disability.

11.3 Decisions based on the R&TTE relevant for EMTEL

The present clause refers to all the published decisions based on the article 3.3 (clause 11.3 above) up to the present.

The refer exclusively to emergency related systems (article 3.3.e). There are Harmonized Standards associated with the CEC Decisions cited in this clause available from ETSI.

11.3.1 Avalanche beacons

The [Decision 2001/148/EC](#) [11] applies to radio avalanche beacons.

11.3.2 Inland waterways

The [Decision 2000/637/EC](#) [12] applies to radio equipment on inland waterways.

11.3.3 Maritime Automatic Identification System (AIS)

The [Decision 2003/213/EC](#) [13] applies to radio equipment intended to be used on non-SOLAS vessels and which is intended to participate in the Automatic Identification System (AIS).

11.3.4 Global Maritime Distress and Safety System (GMDSS) equipment

The [Decision 2004/71/EC](#) [14] applies to radio equipment intended to be used on the non-SOLAS vessels and which is intended to participate in the global maritime distress and safety system (GMDSS) equipment.

NOTE: This Decision repeals the earlier [Decision 2000/638/EC](#) of 22 September 2000, which applied to the same type of equipment.

12 Relevant documents with less direct impact in EMTEL

This clause refers to other documents, which have a less direct impact in EMTEL:

- The "Council Decision of 23 October 2001 establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions". [8]
- A collection of "Official texts relating to Community co-operation on Civil Protection" [9].
- The "Radio Spectrum Decision" [10], creating the instruments for an European Radio Spectrum harmonisation.

Annex A: Most relevant web addresses

The following addresses are regularly updated and can regularly be used as a source of information:

ETSI web page on the new Framework Directives:

- http://portal.etsi.org/public-interest/EU_regulatory_framework.asp

ETSI web page on the R&TTE Directive:

- <http://portal.etsi.org/erm/kta/R&TTE/rtte.asp>

ETSI EMTEL:

- <http://www.emtel.etsi.org/>

History

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