Proposal for a Council Directive on the frequency bands to be designated for the coordinated introduction of digital European cordless telecomunications (DECT) in the Community

COM(90) 139 final — SYN 277

(Submitted by the Commission on 19 June 1990)

(90/C 187/02)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission,

In cooperation with the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas Council recommendation 84/549/EEC [1] calls for the introduction of services on the basis of a common harmonized approach in the field of telecommunications;

Whereas the Council in its resolution of 30 June 1988 [2] on the development of the common market for telecommunications services and equipment calls for the promotion of Europe-wide services according to market requirements;

Whereas the resources offered by modern telecommunications networks should be utilized to the full for the economic development of the Community;

Whereas Council Directive 89/336/EEC of 3 May 1989 on the approximation of the laws of Member States relating to electromagnetic compatibility [3] is applicable, and particular attention should be taken to avoid harmful electromagnetic interference;

Whereas current cordless telephone systems in use in the Community, and the frequency bands they operate in, vary widely and do not allow the benefits of Europe-wide services or benefit from the economies of scale associated with a truly European market;

Whereas the European Telecommunications Standard Institute (ETSI) is currently developing the European telecommunications standard (ETS) for digital European cordless telecommunications (DECT);

Whereas the development of the ETS must take account of the safety of users, and the need for Europe-wide interoperability;

Whereas the European implementation of DECT will provide a unique opportunity to establish truly European digital cordless telephone facilities;

Whereas ETSI has estimated that DECT will require 20 MHz in high density areas;

Whereas the European Conference of Postal and Telecommunications Administrations (CEPT) has designated the common European frequency band 1 880 to 1 900 MHz for DECT, recognizing that subject to the system development of DECT additional frequency spectrum may be required;

Whereas the implementation of Council recommendation .../.../EEC of ... on the coordinated introduction of digital European cordless telecommunications in the Community [4], will ensure the implementation of DECT by 31 December 1992 at the latest;

Whereas Council Directive .../.../EEC of ... on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity [5] will allow the rapid establishment of common conformity specifications for DECT;

Whereas the establishment of DECT depends on the allocation and availability of a frequency band in order to transmit and receive between fixed-base stations and mobile stations;

Whereas some flexibility will be needed in order to take account of different frequency requirements in different Member States; it will be necessary to ensure that such flexibility does not slow down the expansion of a pan-European system;

Whereas the progressive availability of the full range of the frequency band set out above will be indispensable for the establishment of DECT on a Europe-wide basis,

HAS ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive, digital European cordless telecommunications (DECT) shall mean terminal apparatus conforming to the European telecommunications standard (ETS) for digital cordless telecommunications referred to in

(1) OJ No L 298, 16. 11. 1984, p. 49.
(2) OJ No C 257, 4. 10. 1988, p. 1.
(3) OJ No L 139, 23. 5. 1989, p. 19.
(4) OJ No L ...
(5) OJ No L ...

Council recommendation .../.../EEC, and the telecommunications systems, both public and private, which directly utilize such terminal apparatus, and where users provided with a service in one Member State can also gain access to the service in any other Member State.

Article 2

Member States shall designate the frequency band 1 880 to 1 900 MHz for DECT by 1 January 1992. DECT shall have priority and shall be protected in the designated band.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1991. They shall forthwith inform the Commission thereof.

Any measures adopted pursuant to the first subparagraph shall make express reference to this Directive.

2. Member States shall communicate to the Commission the text of any national law which they adopt in the field governed by this Directive.

Article 4

The Commission shall report to the Council on the implementation of this Directive not later than the end of 1995.

Article 5

This Directive is addressed to the Member States.

Proposal for a Council Directive amending Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles

COM(90) 174 final — SYN 272

(Submitted by the Commission on 21 May 1990)

(90/C 187/03)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission,

In cooperation with the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas it is important to adopt measures with the aim of progressively establishing the internal market over a period expiring on 31 December 1992; whereas the internal market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured;

Whereas the first programme of action of the European Communities on the protection of the environment, approved by the Council on 22 November 1973, called for account to be taken of the latest scientific advances in combating atmospheric pollution caused by gases emitted from motor vehicles and for directives adopted previously to be amended accordingly; whereas the third programme of action provides for additional efforts to reduce considerably the present level of emissions of pollutants from motor vehicles;

Whereas Council Directive 88/77/EEC [1] lays down the limit values for the emissions of carbon monoxide, unburnt hydrocarbons and nitrogen oxides from diesel engines for use in motor vehicles on the basis of a test procedure representative for European driving conditions for the vehicles concerned; whereas in accordance with Article 6 of that Directive these limit values should be further reduced and a limit value for particulate emissions established;

Whereas the work undertaken by the Commission in that sphere has shown that the Community motor industry has available, or is currently perfecting, technologies which allow a further reduction of the limit values in question and compliance with a stringent particulate standard;

[1] OJ No L 36, 9. 2. 1988, p. 33.