Use of the 470-790 MHz frequency band in the Union

2016/0027(COD) - 17/05/2017 - Final act

PURPOSE: to coordinate spectrum use of the 470-790 MHz frequency band in the Union according to common objectives.

LEGISLATIVE ACT: Decision (EU) 2017/899 of the European Parliament and of the Council on the use of the 470-790 MHz frequency band in the Union.

CONTENT: the aim of the Decision is to **ensure the coordinated use of the 700 MHz frequency band** in order to enhance mobile connectivity and facilitate the roll out of 5G technology.

The coordinated use of the 700 MHz band should enable the deployment of innovative new digital services in urban areas as well as in rural and remote areas, such as on-line health services, smart energy networks and connected cars.

Access to the use of the 700 MHz frequency band: the Decision sets the Member States two binding deadlines for the reallocation of the spectrum use the 700 MHz frequency band to wireless broadband:

(1) Member States shall conclude, by 31 December 2017 at the latest, all the necessary cross-border frequency-coordination agreements within the Union.

(2) By 30 June 2020, Member States shall allow the use of the 700 MHz frequency band for terrestrial systems capable of providing wireless broadband electronic communications services.

Member states may, however, **delay this reallocation by up to two years**, but only in duly justified cases set out in the decision.

A Member State that delays allowing the use of the 700 MHz frequency band and the Member States affected by that delay shall **cooperate** with each other with a view to coordinating the process of releasing the 700 MHz frequency band for wireless broadband electronic communications services.

In the event that Member States delay allowing the use of the 700 MHz frequency band, they should inform the other Member States and the Commission accordingly and include the duly justified reasons therefor in their **national roadmaps**. These shall be adopted and published as soon as possible and no later than 30 June 2018.

Broadcasting services: Member States shall ensure availability at least **until 2030 of the 470-694 MHz ('sub-700 MHz') frequency band** for the terrestrial provision of broadcasting services, including free television, and for use by wireless audio programme-making and special (PMSE). Member States shall ensure that any other use of the sub-700 MHz frequency band on their territory is compatible with the national broadcasting needs in the relevant Member State and does not cause harmful interference to, or claim protection from, the terrestrial provision of broadcasting services in a neighbouring Member State.

Authorisation for the use of the 700 MHz band: when Member States authorise the use of or amend existing rights to use the 700 MHz frequency band, they shall take due account of the need to achieve the

target speed and quality objectives set out in Decision No 243/2012/EU of the European Parliament and of the Council, including coverage in predetermined national priority areas where necessary, such as along major terrestrial transport paths.

This Decision refers to the resolution of 19 January 2016 entitled ‘Towards a Digital Single Market Act’, in which the European Parliament reminded the Member States of their commitment to reach full deployment of at least minimum **target speeds of 30 Mbps** by 2020.

The Commission shall report to the European Parliament and to the Council on developments in the use of the sub-700 MHz frequency band.

ENTRY INTO FORCE: 14.6.2017.