

Radio equipment & electronic communications

BY VICTORIA MERTIKOPOULOU | NOVEMBER, 2019

The Invest in Greece Law advances digital transformation in Greece and the transition of Greek public service to a digital era, in line with the EU Information and Communication Technologies Agenda and the Digital Single Market. The Invest in Greece Law aims at simplifying and expediting procedures and licensing, and hence, attracting investment: it consolidates the regulatory framework and brings together dispersed provisions regarding radio equipment to make it fit for the licensing of modern network infrastructure and also to streamline the cooperation of all competent Authorities.

In particular, regarding radio equipment, the Invest in Greece Law encompasses a licensing system for cellular base station systems on the basis of international best practices. It seeks to consolidate and establish a clear legal framework for all stakeholders and to set licensing and monitoring procedures; namely to fully monitor and map radio equipment, establish an electronic process for the registration, licensing, evaluation and control of radio equipment, provide for the publication of licensing information, and to minimize cases of radio equipment not complying with the current licensing framework, to the detriment of the environment and undistorted competition.

Furthermore, the Law provides for the **establishment of National Observatory of Electromagnetic Fields (NOEF)**, within the Greek Atomic Energy Commission (EEAE) with the objective to monitor compliance with statutory safety limits regarding the exposure of the public to electromagnetic fields, as defined in the applicable legislation, by means of an interconnected system of fixed and mobile stations monitoring electromagnetic field data.

It also stipulates specific provisions for the **creation of cellular base station plants (parks)** in specially designated, organized locations, according to procedures and standards therein provided, which are managed and maintained by a public or private entity with appropriate experience and means.

The Invest in Greece Law reiterates that safety limits regarding the exposure of the public to electromagnetic fields in case of installation of radio equipment within a perimeter of 300 meters from nurseries, schools, hospitals and nursing homes, shall not exceed 60% of the applicable thresholds.

The Law organizes the operation of the System for Electronic Submission of Requests for the Construction of Radio

Equipment (ΣΗΛΥΑ), namely the **one-stop shop licensing procedure**, which shall also, within 4 months from the entry into force of the respective Law, be interconnected with e-Licenses (“e-Άδειες”, namely the Electronic System for the Issuance of Building Licenses), and with EPRM (online environmental public registry). This Electronic System is further extended and streamlined and corresponding licensing, digitalized information management, installation and operation requirements are stipulated, together with transitional provisions. The Law contains provisions regarding applications, modifications and renewals of spectrum licenses and other radio approvals and processes.

According to the “Invest in Greece” Law, wireless operators shall submit to EETT¹, within 30 days from the entry into force of the Law, a list of radio equipment falling within the scope of the new legislation, mentioning the licensing regime under which they operate. Radio equipment shall **either become compliant with the new legal framework, or be removed.**

Regarding Electronic Communications, the “Invest in Greece” Law contains provisions regarding the content, implementation and assessment of the **National Broadband Access Plan**, namely the roadmap for the development of network infrastructure which is key for the development of the digital economy, and which shall be drafted by the General Secretariat for Telecommunications and Post (GSTP). The National Broadband Access Plan includes 5G, fiber optics

networks, WiFi networks, smart cities infrastructure, infrastructure related to autonomous driving on roads, infrastructure related to fixed, wireless and satellite telecommunications networks, as well as Internet of Things (“IoT”) specialized networks. The National Broadband Access Plan shall be approved by the Minister of Digital Governance, upon proposal by the GSTP; the latter is responsible for planning and implementing national broadband policy and for monitoring the indexes of Digital Agenda for Europe. According to the Development Bill, actions for the planning and installation of the above networks and infrastructure, designed to be included in EU or national funding programmes, must be compatible with the National Broadband Plan and, to that effect, they shall be assessed by GSTP with a view to safeguarding the optimal utilization of public resources.

¹ Hellenic Telecommunications and Posts Commission (NRA).

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