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EICTA position on
Information about restrictions for WLAN products operating on 2.4 GHz

1. Background

2.4 GHz WLAN products are allowed to operate at power levels of up to 100 mW eirp and within the frequency range 2400 to 2483.5 MHz throughout the European Economic Area (EEA). There is only one country within the EEA where there exists a deviation from this standard rule, namely France (see details below).

The current statements provided by manufacturers to inform users about the above restriction applicable in France vary largely and are from time to time challenged by regulators. EICTA seeks clarity about the statements and considers that a common approach would benefit users, regulators and industry alike. This paper sets out proposals to be discussed in TCAM and eventually endorsed by this committee. This paper focuses on 2.4 GHz WLANs but this approach could be expanded to cover restrictions on other non-harmonized bands.

2. Requirement in the R&TTE-D

The article 6.3 of R&TTE Directive requires that:

Member States shall ensure that the manufacturer or the person responsible for placing the apparatus on the market provides information for the user on the intended use of the apparatus, together with the declaration of conformity to the essential requirements. Where it concerns radio equipment, such information shall be sufficient to identify on the packaging and the instructions for use of the apparatus the Member States or the geographical area within a Member State where the equipment is intended to be used and shall alert the user by the marking on the apparatus referred to in Annex VII, paragraph 5, to potential restrictions or requirements for authorisation of use of the radio equipment in certain Member States. Where it concerns telecommunications terminal equipment, such information shall be sufficient to identify interfaces of the public telecommunications networks to which the equipment is intended to be connected. For all apparatus such information shall be prominently displayed.

3. Restriction in the EEA for WLAN products operating on 2.4 GHz

The outdoor usage of the band 2454 to 2483.5 MHz in France by WLAN products is restricted to a power level up to 10 mW eirp only. There is no restriction when used indoors.

Conclusion 1: France is the only Member State where WLAN products using band 2400-2483.5 operating at power levels above 10 mW eirp can only be used indoors.

Conclusion 2: WLAN products that are capable to use an eirp level above 10 mW in the whole band belong to Class 2 and the Alert Sign (Class 2 identifier) must be tagged. Products using up to 100 mW eirp level but which can only operate within 2400 – 2454 MHz or products which can operate over the entire 2.4 GHz band but with a maximum of 10 mW eirp comply with Subclass 22 and as such are Class 1.

Conclusion 3: In case of Class 2 equipment, it is sufficient that the manufacturer informs the user about this specific restriction in the user instructions in addition to the Alert Sign as part of CE marking.

Three different cases can be identified:

Case 1: The WLAN product operates over the entire 2.4 GHz band and at a power level of more than 10 mW eirp. Apart from switching the equipment on and off, the user has no access to any of the power/frequency settings.

The text in user guide (in all applicable languages):

- ***Concerning European Economic Area: The use of this WLAN product (or the WLAN function of this product) is restricted to only indoor use in France.***

Note: of course more generic statements are possible like: "Indoor Use Only' or 'Outdoor use not allowed in France'.

Case 2: User is capable to configure the WLAN product in such a manner that the outdoor use conditions for France are met.

The text in user guide (in all applicable languages):

- ***Concerning European Economic Area: In order to use this WLAN product outdoors in France, this product must be re-configured properly. Please, see instructions [reference].***

Case 3: The product has an inbuilt mechanism (cognitive radio) that adapts the WLAN function to be compliant with the outdoor restrictions of France.

The text in user guide (in all applicable languages):

- ***Concerning European Economic Area: France has restrictions for WLAN use outdoors but this product can be used also outdoors provided that [description of the mechanism/function].***

4. Products placed on the EAA market but also used outside the EEA and products placed on the other than EEA markets but used also inside the EEA

In addition to these obligations related to the R&TTE Directive requiring to inform users about restrictions that exist within the EU, manufacturers may be liable to inform users about the restrictions outside the EU, particularly when devices (e.g. mobile phones) are commonly used by people travelling abroad. ITU-R has issued a recommendation on global circulation for 3G mobile systems. This recommendation does not cover the Short Range Devices (e.g. WLAN) as the SRD's are not controlled by the network in similar way as mobile technologies (such as GSM, WCDMA etc.)

In practice, most countries allow the use of 2.4 GHz WLANs and in general, the conditions for using this spectrum are very similar. There are, however, restrictions in a small number of countries but these restrictions are not generally known. Currently manufacturers may inform users in a general way about potential restrictions for the usage of WLANs, but in most cases users will ignore these statements as detailed information on the restrictions or additional requirements are not available to them.

By the same token, the WLAN products placed on the market outside the EU may or may not carry non-specific warnings about restrictions.

- ***Are WLAN products operated within the EU by travellers a problem that should be addressed by regulators or not? Should regulators inform users about restrictions?***

Examples of WLAN products which might be used by travellers within the EU are e.g. notebooks, PDA's or mobile phones with an integrated or external WIFI (WLAN) adapter. These are so called 'client' devices which, when within range of a network, will connect to one of the access points of an established network (e.g. Airport, hotel, public hotspots, etc.). The operating frequency as such is defined by the access point from which we may conclude that if the access point is correctly configured for the correct frequency range, also the client device will only operate on allowed frequencies.

5. Conclusions

WLAN products operating on 2.4 GHz do not seem to generally give rise to interference complications. In particular, regarding notebooks and personal communications devices, they are assumed to only operate within established networks, which are configured to comply with the local

regulations. In addition, the majority of these networks are operated indoors. As such informing users about the restrictions in France may be overkill as far as notebooks and personal communications devices are concerned. Anyhow, the harmonization of the statements in user guides as proposed above would help industry to comply with the requirements of the Directive. When an agreement in TCAM has been reached this information should be published in the R&TTED Guide and Commission Web Pages.

In addition, EICTA encourages the Commission to provide guidance to manufacturers for the global circulation of SRD's in particular on the issue how to inform consumers on restrictions

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EICTA, founded in 1999 is the voice of the European digital technology industry, which includes large and small companies in the Information and Communications Technology and Consumer Electronics Industry sectors. It is composed of 61 major multinational companies and 39 national associations from 28 European countries. In all, EICTA represents more than 10,000 companies all over Europe with more than 2 million employees and over EUR 1,000 billion in revenues.

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