[FI] New (Technical) Radio Act in Finland

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On 16 November 2001, the Radiolaki (Radio Act) and the Laki televisio- ja radiotoiminnasta annetun lain muuttamisesta (Act on the amendment of the Act on Television and Radio Operations) were ratified. The Acts entered into force on 1 January 2002. The Radio Act replaces the former Radio Act (517/1988).

The Radio Act deals mainly with technical matters. The Act contains regulations on radio equipment, commercial and practical matters (such as importation, sale, health and safety, etc), trade conditions, possession and use, and how the use of radio frequencies is planned and granted for different forms of use.

The Valtioneuvosto (Council of State (the Government)) makes the decisions on how frequencies are to be used in television and radio operations in accordance with a frequency plan. This was already the case previously, but now this regulation has been transferred from the Act on Television and Radio Operations to the Radio Act. When the Council of State makes decisions on the frequency plan, it sets aside certain frequencies for the public service broadcaster YLE (the Finnish Broadcasting Company). According to the Act on Television and Radio Operations, YLE has the right to carry on television and radio broadcasting without an operating licence. Thus the Council of State can decide on how many competing network operators are needed in the sector. The Council of State also decides on the number of mobile phone networks. Decisions on the use of other radio frequencies are made by the Viestintävirasto (Finnish Communications Regulatory Authority, FICORA, see IRIS 2001-8: 14). The new Act confirms the role of the Council of State in the planning of communications frequencies and clarifies the division of competences between the Council of State and FICORA.

The technical requirements for radio apparatuses and regulations concerning market surveillance are altered in accordance with 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 (the "R&TTE Directive"). FICORA does not conduct any advance inspection of radio equipment, nor does it grant type approvals any more. However, FICORA does supervise equipment on the market.

The new Radio Act broadens the area of confidentiality to radio communications in that listening to confidential private radio communications is prohibited except for certain forms, eg. shortwave radio communications, which are open by nature.

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The new Act also permits users to apply for a reservation of frequencies in advance. This can be granted by FICORA.

Radiolaki No. 1015/2001 of 16 November 2001

http://www.finlex.fi/linkit/sd/20011015

Radio Act No. 1015/2001 of 16 November 2001

Laki televisio- ja radiotoiminnasta annetun lain muuttamisesta, No. 1016/2001 of 16 November 2001

http://www.finlex.fi/linkit/sd/20011016

Act on the amendment of the Act on Television and Radio Operations, No. 1016/2001 of 16 November 2001

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

http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31999L0005:EN:HTML

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