

New radio frequency assignment and re-licensing procedure

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Goltsblat BLP advises that Federal Law No. 18-FZ of 23 February 2011 "On Amendments to Article 24 of the Federal Law 'On Telecommunications'" comes into effect on 8 March 2011.

The amendments are intended to improve the procedure for assigning radio frequencies or radio-frequency channels, decision-making on their allocation and issuing of permits for their use, as well as that for re-issuing these decisions and permits in the event of corporate reorganisation.

- The federal executive telecommunications authority now has to make a decision on assigning a radio frequency or a radio-frequency channel for civil radio-electronic purposes within 35 working days (instead of 120 days) of the filing date.
- The federal executive telecommunications authority must now prepare a permit to use radio frequencies or radio-frequency channels within 20 working days of the decision being made to assign them.
- The obligations of the federal executive authorities have been made specified as regards the procedure for EMC (Electromagnetic Compatibility) tests, review of materials, issue and re-issue of decisions, and posting of the decisions on the Internet.
- The procedure for re-issuing decisions to assign radio-frequency bands and permits for using radio frequencies or radio-frequency channels in the event of a corporate reorganisation has been detailed for the first time. In particular, a legal successor is obliged to file an application to have these documents re-issued within 45 days of the relevant amendments being made to the Companies' Register. The documents are to be re-issued on the same conditions that applied to the reorganised entity, but without being reviewed by the state radio frequency commission, and within 10 days of receiving the application.
- It should be noted that, until the documents are re-issued after a reorganisation, the successor may use the radio-frequency spectrum in accordance with the previously issued documents.

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