

REPUBLIC OF LITHUANIA

LAW

ON

RADIO COMMUNICATION

Article 1. Definitions Used in the Law

Radio waves - electromagnetic waves freely propagated across the space, the frequency whereof is from 9 kHz to 3 000 GHz.

Radio communication - transfer and receipt of information by means of radio waves.

Radio communication channel - a radio frequency band for the determinate whole of technical devices and the environment of propagation of radio waves, used for transmission and reception of certain information.

Radio equipment - equipment used for radio transmission or radio receiving.

Devices and equipment - radio electronics devices and electric equipment which emit or can emit radio waves while functioning.

National Table of Radio Frequencies Allocations - an official document which establishes radio frequencies allocations for radio communication, industrial, scientific, medical, and other purposes.

Radio monitoring - permanent control of parameters of the environment of radio waves.

Radio interference - unwanted electromagnetic oscillations of various origin which impede reception of wanted radio signals and restoration of the information.

Distress and safety radio signal - radio signal used to protect and save human life or property.

Licence to manufacture - co-ordination of the technical conditions of a product in accordance with the parameters of electromagnetic emission.

Article 2. Purpose of the Law

The Law shall regulate management, use, and control of radio communications, it shall also establish the procedure for bringing in and sending from abroad, operation and trade (radio transmission devices and equipment - manufacture as well) of devices and equipment on the territory of the Republic of Lithuania.

The Law shall regulate the use of radio waves for the needs of the State and its citizens in compliance with the Constitution, laws, international agreements and other standard acts of the Republic of Lithuania.

Radio communication can be regulated only by the State, because radio waves are the limited interval of electromagnetic waves which are protected on the national and international levels.

Article 3. State Radio Communication Administration

The state radio communication administration is the State Telecommunications Inspectorate of the Government of the Republic of Lithuania which plans, develops, maintains, and manages radio communications.

The Ministry of Communications and Informatics shall represent the Republic of Lithuania in international

organisations on the issues concerning the Radio Communication Regulations, and it shall prepare and revise the National Table of Radio Frequencies Allocations, prepare plans and regulating documents of radio communication development, allocate operating frequencies to radio transmission equipment, carry out international co-ordination of radio frequencies, inspect the functioning radio communication network, control the sale of radio electronics devices and equipment of a non-approved model, and solve other practical issues concerning organisation of radio communication and its technical supervision.

The Ministry of National Defence and the Department of State Security shall manage and supervise radio frequencies assigned for the State protection and defence, bringing in and use of radio communication and radio monitoring devices; the Ministry of Internal Affairs shall manage and supervise the radio frequencies assigned for protection of state borders, as well as the bringing into the country and use of radio communication and radio monitoring devices.

In the case of declaration of the martial law or the state of emergency on the territory of the Republic of Lithuania, radio communication shall be organised and managed according to the provisions of the law regulating the martial law or the state of emergency.

Article 4. Consultative Radio Communication Commission

The Consultative Radio Communication Commission shall function within the Ministry of Communications and Informatics as an expert service in the sphere of radio communication. The Commission shall be made up of representatives of the most important radio communication users and independent experts. The Consultative Commission shall be directed by the Minister of Communications and Informatics and its composition as well as regulations shall be approved by him.

The Commission shall advise on preparing or revising of the National Table of Radio Frequencies Allocations, participate in preparing standard acts regulating radio communication, submit proposals concerning the organisation of practical activities in the radio communication of enterprises, institutions, and organisations.

Article 5. Assignment of Channels for Radio Communication

Channels for radio communication may be assigned to legal entities and private enterprises for radio communication, industrial, scientific, medical, and other purposes.

The State Telecommunications Inspectorate shall assign channels for radio communication. Channels for radio communication shall be assigned to the communication network of State significance when the Ministry of Communications and Informatics grants a licence of activity in the manner prescribed by the Government. In case of great occupancy and demand for a concrete radio frequency band, channels for radio communications shall be assigned on a competitive basis.

When assigning a channel for radio communication, the State Telecommunications Inspectorate shall act in compliance with the international obligations of the Republic of Lithuania, the Regulations of Radio Communication, the National Table of Radio Frequencies Allocations, and other standard acts regulating radio communication, as well as the results of the analysis of technical, economic and social parameters of the proposed project.

The Civil Aircraft Administration shall co-ordinate with the

International Civil Aircraft Organisation the channels for radio communication assigned to the civil aircraft.

Article 6. Issuing and Holding of Permits

Devices and equipment shall be brought in or sent from abroad, and radio sending and radio monitoring devices and equipment shall be manufactured, sold, acquired and operated if the State Telecommunications Inspectorate issues an appropriate permit which is in accordance with the procedure established by the Government.

Special-purpose devices and equipment shall be brought in and sent from abroad, manufactured, sold, acquired, and operated only if the Ministry of Internal Affairs issues an appropriate permit to legal and natural persons.

Permits shall be issued to bring in (send), sell and use only test-approved devices and equipment, the standard pattern whereof is approved by an accredited certification agency or which has the conformity certificate recognised by the State Telecommunications Inspectorate issued in a foreign country. Permits to operate the devices of a non-standard pattern shall be issued in accordance with the conditions established by the State Telecommunications Inspectorate.

If devices and equipment are brought into the Republic of Lithuania, which are only tested or temporarily operated (for sports events, exhibitions, temporary radio communication, etc.), then temporary permits shall be issued.

Permits shall be of fixed term and the number of brought-in or used equipment shall be indicated therein. Conditions of the permit may be altered in the case of changes in the National Table of Radio Frequencies Allocations during the term of validity of the permit or new international obligations adopted by the Republic of Lithuania.

Owners or users of devices and equipment must have a permit to operate or sell them in the places where equipment and devices are kept.

Article 7. Technical Requirements and Control of Devices and Equipment

In order to ensure the technical quality of radio communication and to avoid interference caused by devices and equipment, the State Telecommunications Inspectorate shall exercise control over devices and equipment, which are manufactured in the Republic of Lithuania, brought in and sent from abroad, this shall be done according to radio-frequency radiation parameters, except radio transmission equipment manufactured for export. The purpose of control shall be to determine whether devices and equipment correspond according to electromagnetic radiation to the existing standards of the Republic of Lithuania.

Devices and equipment may be checked in the place of their operation.

Article 8. Duties of Owners or Users of Devices and Equipment

The owner or user of devices and equipment must permit an inspector of the State Telecommunications Inspectorate or officer of the Ministry of Internal Affairs to check devices and equipment in the place of their operation. In the manner prescribed by laws the owner or user of devices and equipment must permit operative officers to check the devices and equipment in the place of their operation, and provide information about the devices, the equipment, and the organisation of radio

communication.

Upon receiving distress or safety signals, it is necessary to take measures in conformity with the situation; immediately the work of devices and equipment must be terminated if they interfere with sending or receiving of distress or safety signals.

Article 9. Secrecy of Radio Communication

When a radio message for another addressee is received, it shall be prohibited to record, disclose, distribute, or use its content, and the fact of its availability except in the cases set forth in the Law on Operative Activities. It shall be prohibited to transmit the information, which is considered a state secret, through the channels of radio communication without encoding it.

The secrecy of radio communication is not regarded as being violated if such a message is received as radio communication interference and, in order to determine its identity, the State Telecommunications Inspectorate is notified about it. Radio monitoring carried out by the State Telecommunications Inspectorate shall not be considered a violation of the secrecy of radio communication as well.

It shall be prohibited to keep, without a permit from the State Telecommunications Inspectorate, the devices and equipment which can be used in sending, receiving, coding, and decoding private radio messages.

Article 10. Radio Monitoring

While exercising control over the use of radio frequencies, observance of the requirements of the standard acts regulating radio communication, the State Telecommunications Inspectorate shall carry out radio monitoring. It shall be controlled and analysed by radio monitoring to what extent the radio-frequency band is occupied by emissions of various radio stations, whether spectra of an emission in the used frequency bands and industrial noise correspond to permissible norms, and out-of-band, spurious and parasitic emissions of radio stations correspond to limiting norms.

The subject-related information obtained by radio monitoring may be used only in the activities of the State Telecommunications Inspectorate, which is regulated by this Law.

Article 11. Elimination of Radio Communication Interference

The owners or users of the equipment which has caused radio communication interference must eliminate it. If this interference is caused by changes in technical parameters of a radio receiver or receiving equipment, the owner or user of such receiver or equipment must eliminate the interference. The owner or user of the devices or equipment must eliminate or reduce radio communication interference and interfering radio effects as pointed out by the State Telecommunications Inspectorate. If the parameters of emission of the equipment which cause radio interference or receive it correspond to the standard technical requirements, then the procedure for its elimination shall be established by the State Telecommunications Inspectorate.

Article 12. State Telecommunications Inspector

The State Telecommunications Inspector shall be authorised to exercise the state control of radio communication.

Upon producing the certificate, the Inspector shall have the right to check the devices and equipment, permits to manufacture,

bring in or send them, as well as to sell or operate them, to draw up a record for administrative violations of law, and to confiscate the devices and equipment in the manner prescribed by laws.

Article 13. Tax Rates

Payment for issuing of a licence or permit and for examination of the qualifications of a radio communication operator shall be in accordance with the stamp duty rates approved by the Government.

Article 14. Liability for Violations of the Requirements of this Law and other Standard Acts

Concerning Radio Communication

Persons guilty of the violations of the requirements of this Law shall be liable in accordance with the effective laws of the Republic of Lithuania. For the repeated violation of the regulating requirements of the standard acts, the licence for activities may be revoked by the Ministry of Communications and Informatics, and the permit to bring in and send from abroad, manufacture, operate devices and equipment, as well as to sell them may be annulled by the State Telecommunications Inspectorate.

The decisions of the State Telecommunications Inspectorate may be appealed against to the court.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

Algirdas Brazauskas
President of the Republic

Vilnius
7 November 1995,
No.I-1086