

Mgr. Jakub Rejzek, President of VNICTP

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Response of VNICTP z.s. to the Call for Information Regarding the Activation of EU Rules on Radio Equipment for Reconfigurable Radio Systems

Dear Sir or Madam,

This issue has been thoroughly examined within our association, which represents several dozen ICT companies operating radio equipment in various forms.

The current regulatory framework assumes that the manufacturer is responsible for ensuring compliance with the technical specifications and limits of the equipment in accordance with the applicable technical standard under which the equipment was approved — including cases where software upgrades are performed and provided by the manufacturer itself.

We consider the current regulatory framework entirely sufficient. Regulatory authorities (in the Czech Republic, this includes the Czech Telecommunication Office and the Czech Trade Inspection Authority) have clear powers for oversight and enforcement of applicable rules.

We regard the following policy scenarios as fully appropriate:

- **Option 0 (baseline scenario):** Manufacturers would not be required to take any specific additional measures, as is currently the case.
- **Option 1:** The industry would ensure through self-regulation that any software uploaded to a radio device does not compromise its original legal compliance. This would require a memorandum of understanding or an equivalent instrument to raise awareness of the current situation.

Justification:

Under policy scenarios 2, 3, or 4, the amended regulatory framework would introduce an excessively burdensome obligation of continuous certification testing — for instance, even in the case of minor customizations at a customer's request. This would result in a significant barrier to market entry, particularly for small and medium-sized developers and vendors.

According to the Draghi Report, regulatory burden in the European Union is one of the main reasons for the EU's declining economic performance compared to other global economies. The proposed regulation is a textbook example of such a measure — unnecessary and overly burdensome.