

**AGREEMENT**

**BETWEEN THE ADMINISTRATIONS OF**

**THE CZECH REPUBLIC, GERMANY, POLAND AND**

**THE SLOVAK REPUBLIC**

**CONCERNING THE APPROVAL OF**

**ARRANGEMENTS BETWEEN OPERATORS OF**

**MOBILE RADIOCOMMUNICATION NETWORKS**

Meinz 29.05.2002

## **1 Preamble**

This Agreement concluded between the administrations of the Czech Republic, Germany, Poland and the Slovak Republic within the framework of the "Vienna Agreement (Berlin 2001)" is a supplement to the "Special Agreements" concerning the use of the frequency bands.

All relevant information concerning the operators for which this Agreement is applicable will be exchanged between the Administrations concerned.

This Agreement is not applicable for the bilateral cases between the Czech Republic and Germany as well as the Czech Republic and the Slovak Republic.

This Agreement lays down the provisions concerning the approval of arrangements between the operators of mobile radio communication networks by the signatory administrations.

The aim of these arrangements between operators (see §1.3.7 of the Vienna Agreement, Berlin 2001) is to ensure a more efficient spectrum utilisation for the situation prevailing at the common frontier, and to reduce the amount of administrative effort.

The aim of this Agreement is to reduce the charge on the administrations concerning the co-ordination for mobile radio communication networks. However, the co-ordination between administrations should be maintained in all cases not solved for particular reasons by this Agreement.

## **2 Scope of the arrangements between operators**

All arrangements between operators of mobile radiocommunication networks exceeding the scope of the pertinent "Special Agreements" are subject to the approval of the signatory administrations.

The arrangements relate to deviations from the provisions laid down in the Special Agreements.

## **3 Procedure**

3.1 Each operator of a mobile radiocommunications network shall submit to its respective administration the outcome of the arrangements along with its application for approval.

3.2 Each administration shall transmit its comments to the affected administrations in writing.

3.3 Each administration affected shall indicate its comments to the requesting administration.

3.4 The applicant shall be informed of the decision (approval, modification or rejection of the application) that has been taken on the basis of the administrations comments. A copy goes to each of the administrations concerned.

## **4 General provisions**

- 4.1 The arrangements negotiated within the framework of this Agreement shall only take effect after the operators concerned have obtained the approval of its respective administration.
- 4.2 Services other than mobile radiocommunication services existing within the same frequency band should not be subject to arrangements between operators.
- 4.3 Operators may only negotiate arrangements concerning the common part of those frequency bands in respect of which they have been granted the approval for the installation and operation of a mobile radiocommunication network by the signatory administration without affecting the rights of non-involved third parties.
- 4.4 The approval of an arrangement between operators shall become invalid if:
- the operator loses its licence for the installation and operation of the network; in such a case, transitory provisions shall be negotiated between the administrations concerned.
  - the assigned frequencies, part of the "Special Agreement", are changed; in such a case, transitory provisions shall be negotiated between the administrations concerned.
  - the relevant network has ceased operation; in such a case, transitory provisions shall be negotiated between the administrations concerned.
  - the "Special Agreement" is annulled or revised; in such a case, transitory provisions shall be negotiated between the administrations concerned.
  - interference still occurs which cannot be eliminated by mutual consent of the operators; in this case the arrangement becomes invalid only in respect of the base station(s) concerned.

## **5 Revision**

With the consent of the other administrations, this Agreement may be modified at the request of one of the signatory administrations where such a modification becomes necessary in the light of administrative, regulatory or technical developments.

## **6 Withdrawal from the Agreement**

Each signatory administration may withdraw from the Agreement subject to a 6 month period of notice.

## **7 Language of the Agreement**

This Agreement exists in the English language.

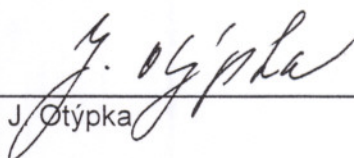
One original version of this agreement is handed over to each signatory administration.

8 Date of entry into force

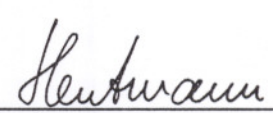
The date of entry into force is the date of signing.

Done at Mainz on 29 May 2002

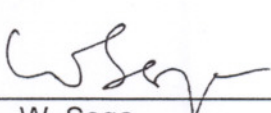
For the CZECH REPUBLIC

  
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For GERMANY

  
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For POLAND

  
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