

ADDENDUM TO THE
MEMORANDUM OF UNDERSTANDING

ON

THE IMPLEMENTATION OF A PAN EUROPEAN 900 MHz DIGITAL
CELLULAR MOBILE TELECOMMUNICATIONS SERVICE BY 1991, DATED
SEPTEMBER 7, 1987

September 24, 1991

ADDENDUM TO "THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SIGNATORIES COMMITTING THEMSELVES TO IMPLEMENTING A 900 MHZ PAN EUROPEAN PUBLIC DIGITAL CELLULAR MOBILE TELECOMMUNICATIONS SERVICE IN 1991 WITH FULL INTERNATIONAL ROAMING"

The signatories,

Considering:

- that the purpose of the Memorandum of Understanding is primarily focussing on opening a pan European public service in 1991
- that the objective of opening a pan European public service is substantially met in or around 1991
- that from 1991 onwards, full international roaming of subscribers requires the establishment of operational arrangements and internal structure between operators
- that CEPT's GSM has become part of ETSI, and hence that organisation will study only the technical specifications of the systems,
- that it is in the common interest of operators and of subscribers to enable further operators to become signatories to the MoU, also after the initially foreseen opening in 1991,
- that it is in the common interest of operators and of subscribers that the benefits of using the GSM system are also shared with operators and subscribers from countries outside the CEPT member states;
- that continuity in the work of the meetings of signatories can be improved by nominating the chairmen for a period that is longer than 6 month;
- that the possibility for each individual signatory to make a chairman available should be a right, rather than an obligation;
- that substance has been given to article 11 of the MoU by the establishment of the Permanent Secretariat;
- that it is desirable to make provision for participation to the meetings of (representatives of) signatories by (representatives of) non-signatories in various capacities under conditions that are acceptable to signatories;
- that with the participation by additional signatories from countries that are not member states of the CEPT, there is a need for a mechanism to establish the weight for the voting rights of that country as well as its share in the costs;

Agree to the following articles:

Article 1: Purpose of the Addendum to the MoU

The purpose of this Addendum is to provide a basis for the continuation and the expansion of the cooperation between signatories that has been established in the phase before opening of the pan-european service using the ETSI GSM standard, and to provide a basis for continued and wider adherence to the GSM-standard than was foreseen by the MoU.

Article 2: Qualification as a signatory

In addition to those that meet the requirements of article 2 of the MoU, the MoU together with this Addendum can also be signed by a telecommunication administration from outside the CEPT member states, or an operator which is authorised in such a country to provide public digital cellular mobile telecommunications services at 900 MHz.

On application by potential signatories, the appreciation of their qualifications against the hereabove mentioned criteria remains to the discretion of the group of signatories to the MoU.

Such public telecommunications operators are referred to in the MoU and in this Addendum as network operators.

Article 3: Provision of public commercial service by signatories

Network operators which have signed both the MoU and this Addendum after September 1991 shall procure operational networks using the ETSI GSM Recommendations with the objective of providing public commercial service within 2 years from signing the MoU and this Addendum. Network operators in non CEPT member states are not subject to Article 8 of the MoU.

Article 4: Selection of the chairman and vice chairman of the meeting of signatories

Note: The text in this paragraph replaces the procedure in paragraph 11 of the MoU text.

The chairman and the vice chairman are elected in the meeting of signatories. Candidates for these positions can only be proposed and voted for by signatories. The chairman shall hold office for a period of 1 year, and can be re-elected only once for the period of another year.

Article 5: Permanent Secretariat

The administrative support needed to implement the MoU and this addendum is provided by the Permanent Secretariat which is established on the basis of article 11 of the MoU, and which remains under responsibility of the group of signatories to the MoU. The Permanent Secretariat is led by a coordinator who is appointed by the group of signatories to the MoU.

Article 6: Participation to the meetings of (representatives of) signatories.

Representatives from signatories have the right to participate and to contribute to voting in all the meetings of signatories or subgroups thereof.

For the purpose of liaison with a specific group or organisation, the group of signatories to the MoU may attribute the status of "Rapporteur" to representatives thereof. Participation by Rapporteurs may be restricted to specific subgroups of the group of signatories to the MoU. Prior to attributing the status of Rapporteur to representatives of such groups, the need for a cooperation agreement is decided upon by the group of signatories to the MoU.

The chairman may, at his discretion, invite representatives of potential signatories or other relevant organisations to meetings or parts of meetings. Such participants are referred to as "Observers". The status of "Observer" is attributed on an ad hoc basis.

Participation by Rapporteurs and/or by Observers in the meetings may be restricted in time or to special subjects. Rapporteurs and Observers do not vote in the meetings.

Article 7: Voting rights

For decisions to be taken on the aspects mentioned in article 12 of the MoU, the voting rights per country are as tabled in the Appendix to this Addendum.

With respect to any potential signatory from a country, not listed in the Appendix to this Addendum, who either signs the MoU, as per art. 2 thereof, and this Addendum, or is accepted by the group of signatories to the MoU as a new signatory according to Article 2 hereinabove, the relevant voting rights for that country are established by the group of signatories to the MoU considering the advice from the chairman and the new signatory.

The voting rights of countries listed in the Appendix can be modified only by unanimous agreement including the agreement of the affected country, in the meeting of signatories.

Article 8: Access to the documentation

Representatives from signatories have equal right of access to all the meeting documents and to permanent reference documents. Access to "restricted" documents may be controlled by a special procedure, to be defined in the Rules and Procedures mentioned in Article 9.

For Rapporteurs and Observers, the right to access to meeting documents is at the discretion of the chairman. Rapporteurs and Observers can not claim access to meeting documents or permanent reference documents. Restricted documents are not made available to Observers without the unanimous agreement of the group of signatories to the MoU. The access of Rapporteurs to identified Restricted documents is ruled by the cooperation agreement referred to in Art. 6. In the absence of such a cooperation agreement, Restricted documents are not made available to Rapporteurs without the unanimous agreement of the group of signatories to the MoU.

The group of signatories to the MoU will establish a procedure for classification and distribution of all MoU documents.

Article 9: Rules and Procedures

The group of signatories to the MoU shall establish and maintain Rules and Procedures which describe the methods of working which have been adopted by the group.

Article 10: Sharing of costs

Each year the group of signatories to the MoU shall approve a budget for MoU funding for the following year. The sharing of costs between countries and between signatories will be in accordance with the Rules and Procedures established on the basis of article 9 of this Addendum.

The group of signatories to the MoU will not be involved in the sharing of historical costs between existing and new signatories. This is considered to be a matter for national agreement.

Article 11: Coming into force

This Addendum will come into force when it is signed by a number of signatories that represent at least 71% of the weighted votes.

APPENDIX TO THE ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING ON
THE IMPLEMENTATION OF A PAN EUROPEAN 900 MHz DIGITAL CELLULAR
MOBILE TELECOMMUNICATIONS SERVICE BY 1991

The votes are weighted on a per country basis. If in one country there are multiple GSM PLMN operators, then they share the voting rights for that country.

Country	Votes	Remarks
Austria	5	1 signatory
Belgium	5	1 signatory
Denmark	3	1 signatory
Finland	3	3 signatories
France	10	3 signatory
Germany	10	3 signatories
Ireland	3	1 signatory
Italy	10	2 signatories
Luxemburg	2	1 signatory
Netherlands	5	1 signatory
Norway	3	1 signatory
Portugal	5	2 signatories
Spain	8	2 signatories
Sweden	5	3 signatories
Switzerland	5	1 signatory
Turkey	5	1 signatory
United Kingdom	10	3 signatories
Total:	97 votes.	

Date: September 24, 1991

SIGNATURE SHEET FOR ADHERENCE TO THE ADDENDUM TO THE
MEMORANDUM OF UNDERSTANDING ON THE IMPLEMENTATION OF A PAN
EUROPEAN 900 MHz DIGITAL CELLULAR MOBILE TELECOMMUNICATIONS
SERVICE BY 1991

Name:

Position:

Signature:

Date:

For and on behalf of
Network operator / Administration:

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Signed at:

Country: