

Ο περί της Σύμβασης για την Ίδρυση του Ευρωπαϊκού Γραφείου Τηλεπικοινωνιών (Κυρωτικός) Νόμος του 1998 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 10(ΙΙΙ) του 1998

ΝΟΜΟΣ ΚΥΡΩΤΙΚΟΣ ΤΗΣ ΣΥΜΒΑΣΗΣ ΓΙΑ ΤΗΝ ΙΔΡΥΣΗ ΤΟΥ
ΕΥΡΩΠΑΪΚΟΥ ΓΡΑΦΕΙΟΥ ΤΗΛΕΠΙΚΟΙΝΩΝΙΩΝ (ΕΤΟ)

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως περί της Σύμβασης για την Ίδρυση του Ευρωπαϊκού Γραφείου Τηλεπικοινωνιών (Κυρωτικός) Νόμος του 1998. Συνοπτικός τίτλος.
 2. Στον παρόντα Νόμο, εκτός αν από το κείμενο προκύπτει διαφορετική έννοια— Ερμηνεία.
«Σύμβαση» σημαίνει τη Σύμβαση για την Ίδρυση του Ευρωπαϊκού Γραφείου Τηλεπικοινωνιών (ΕΤΟ), η οποία έγινε στην Κοπεγχάγη την 1η Σεπτεμβρίου 1996.
 3. Με τον παρόντα Νόμο κυρώνεται η Σύμβαση, της οποίας το κείμενο από το αγγλικό πρωτότυπο εκτίθεται στο Μέρος Ι του Πίνακα και σε ελληνική μετάφραση στο Μέρος ΙΙ αυτού: Κύρωση της Σύμβασης. Πίνακας. Μέρος Ι Μέρος ΙΙ.
- Νοείται ότι, σε περίπτωση διαφοράς μεταξύ του κειμένου του Μέρους Ι και εκείνου του Μέρους ΙΙ του Πίνακα, θα υπερισχύει το κείμενο που εκτίθεται στο Μέρος Ι αυτού.

ΠΙΝΑΚΑΣ
(άρθρο 3)
ΜΕΡΟΣ Ι

CONVENTION
FOR THE ESTABLISHMENT OF THE
EUROPEAN TELECOMMUNICATIONS OFFICE (ETO)

The States Parties to this Convention, hereinafter referred to as the "Contracting Parties", whose Telecommunications Administrations are Members of the European Conference of Postal and Telecommunications Administrations (CEPT);

Acknowledging the importance of the possibility for service providers to offer telecommunications services at a European level and the need to facilitate the procedures to acquire national authorizations;

Acknowledging also the desirability of co-ordination on national numbering schemes within Europe and the possibility of service providers having access to a co-ordinated numbering scheme within Europe;

Desiring to implement a procedure for the co-ordination of applications for and issuing of national authorizations in the field of telecommunications services;

Desiring also to assist efforts to approximate authorizations to provide telecommunications services;

Taking account of the Resolution of the Council of the European Communities on the promotion of Europe-wide cooperation on numbering of telecommunications services (92/C 318/02), the Resolution of the Council of the European Union on the implementation of the future regulatory framework for telecommunications (95/C 258/01), including licensing; taking note of the possibility in this context of undertaking studies on behalf of outside bodies, *inter alia* the European Commission;

Determined to establish a permanent non-profit-making institution, to assist the European Committee for Telecommunications Regulatory Affairs of CEPT, hereinafter referred to as "ECTRA", with its tasks relating to the development of the above;

Have agreed as follows:

ARTICLE 1

Establishment of ETO

(1) A European Telecommunications Office, hereinafter referred to as the "ETO", is hereby established.

(2) The Headquarters of the ETO shall be in Copenhagen, Denmark.

ARTICLE 2

Functions of the ETO

The functions of the ETO shall be:

1. To provide the administrative framework for implementation of a "one-stop shopping" procedure for licensing and declaration, in force between Contracting Parties of this Convention.
2. To undertake studies on the approximation of licensing and declaration procedures and conditions, including studies on behalf of outside bodies, *inter alia* the European Commission, and to advise ECTRA accordingly.
3. To undertake studies in the field of numbering, including studies on behalf of outside bodies, *inter alia* the European Commission, and to advise ECTRA on the development of European numbering policies, the management of European numbering schemes where relevant and the co-ordination of national numbering schemes.
4. To undertake, after approval by the Council, any other activities as ECTRA may request.

ARTICLE 3

Legal Status and Privileges

(1) The ETO shall have legal personality. The ETO shall enjoy full capacity necessary for the exercise of its functions and the achievement of its purposes, and may in particular:

1. enter into contracts;
2. acquire, lease, hold and dispose of movable and immovable property;
3. be a party to legal proceedings;
4. conclude agreements with States or international organizations.

(2) The Director and the Staff of the ETO shall have privileges and immunities in Denmark as defined in an Agreement concerning the Headquarters of the ETO between ECTRA and the Government of Denmark.

(3) Other countries may grant similar privileges and immunities in support of the ETO's activities in such countries, in particular with regard to immunity from legal process in respect of words spoken and written and all acts performed by the Director and the Staff of the ETO in their official capacity.

ARTICLE 4

Organs of the ETO

The ETO shall consist of a Council and a Director, assisted by a staff.

ARTICLE 5

The Council

(1) The Council shall consist of representatives of the respective Telecommunications Regulatory Administrations of all the Contracting Parties. It shall be the supreme decision-making body of the ETO.

(2) Representatives of members of ECTRA that do not belong to a Contracting Party to this Convention may attend the meetings of the Council as observers and may speak upon invitation of the Chairman, but may not vote.

(3) Representatives of the European Commission and of the EFTA secretariate may attend the meetings of the Council as observers, with the right to speak but not to vote.

(4) The Chairman of ECTRA shall be the Chairman of the Council. If the Chairman of ECTRA is, however, from a country that is not a Contracting Party to this Convention, the Council shall elect a Chairman from amongst its own Members. In this eventuality, the Chairman of ECTRA shall attend the Council as an observer. The elected Chairman's mandate shall expire at the same time as the mandate of the Chairman of ECTRA.

(5) The Chairman shall have authority to act on behalf of the Council within the limits of his mandate.

(6) The Council shall establish all necessary rules for the proper functioning of the ETO and its organs.

(7) The Council shall be convened by its Chairman at least twice each year. It shall have in particular the following tasks:

- 1) to appoint the Director of the ETO and to determine his or her duties;
- 2) to determine the numbers of staff and their terms of employment;
- 3) to supervise the appointment of staff by the Director of the ETO;
- 4) to adopt the annual budget for the ETO and to inform ECTRA;
- 5) to approve annual accounts of the ETO and to inform ECTRA;
- 6) to agree the work programme in accordance with Article 8 procedure;
- 7) to set priorities after discussion with ECTRA in respect of tasks agreed in the work programme;
- 8) to consider possible co-operation between ETO and other international organizations such as the European Radiocommunications Office (ERO).

(8) The Council shall report annually on its activities to an ECTRA plenary and shall provide additional reports on request of ECTRA.

ARTICLE 6

Voting Procedures

- (1) Members of the Council shall endeavour to reach consensus on decisions as far as possible. If consensus cannot be reached, a decision will be taken by a two thirds majority of the weighted votes cast. The votes will be weighted in accordance with the scale of contributory units as specified in Article 10.
- (2) For all decisions of the Council a quorum, present or represented by proxy, must exist at the time at which the decision is made which is equivalent to at least one half of the total weighted votes of all the Contracting Parties.

ARTICLE 7

Director and Staff

- (1) The Director shall act as the legal representative of the ETO and shall have the authority, within limits agreed by the Council, to enter into contracts on behalf of the ETO. The Director may delegate this authority, in whole or in part, to the Deputy Director.
- (2) The Director shall be responsible for the proper execution of all internal and external activities of the ETO in accordance with this Convention, the Headquarters Agreement, the work programme, the budget and directives and guidelines given by the Council.
- (3) A set of Staff Rules shall be established by the Council.

ARTICLE 8

Work Programme

A work programme for the ETO covering a three year period shall each year be established by the Council on the basis of a proposal from the Director of the ETO having previously consulted ECTRA. The first year of this programme shall contain sufficient detail to enable the annual budget of the ETO to be established.

ARTICLE 9

Budgeting and Accounting

- (1) The financial year of the ETO shall run from the 1st of January to the 31st of December following.
- (2) The Director shall be responsible for preparing the annual budget and the annual accounts for the ETO and submitting them for consideration and approval as appropriate by the Council.
- (3) The budget shall be prepared taking into account the requirements of the work programme established in accordance with Article 8. The timetable for submitting and