

**Marousi, 31-6-2006****DECISION No.: 390/3****DECISION****“Regulation on General Authorizations”****The National Telecommunications and Post Commission (EETT)****Having regard to:**

- a) Law No. 3431/2006 “On electronic communications and other provisions” (Official Gazette 13/A/3-2-2006), especially article 21, par. 5 and 6, and article 60;
- b) EETT Decision no. 375/10/14-2-2006, “Regulation on public consultation procedure” (Official Gazette 314/B/16-3-2006);
- c) the results of the relevant public consultation held by EETT from 31-3-2006 to 3-5-2006;
- d) EETT Decision no. 390/2/13-6-2006 “Approval of the public consultation held with regard to EETT Regulation on General Authorizations”
- e) the fact that the provisions of the present Regulation do not charge the State Budget with further expenditure,

**Decides :**

The issue of this present Regulation on General Authorizations, comprising the following provisions:

**Article 1**  
**Objective**

1. This present Regulation regulates the procedure and the conditions for the provision of electronic communication networks or/and services under the General Authorization regime, pursuant to article 21 of Law No. 3431/2006.
2. The application of the provisions laid down in this present Regulation shall not limit any potential obligations imposed on electronic communication network or/and service providers with regard to the rights of use associated with the exclusive, or non-exclusive, use of frequency bands, numbers or satellite orbits.

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3. Any words or sentences used in this present Regulation shall have the meaning ascribed to them in Law No. 3431/2006 or, in case they are not defined therein, the meaning ascribed to them in the relevant secondary law of the European Union or, in case they are not defined therein, the meaning ascribed to them in the International Regulation of Radio Communications, as it is in force every time.
4. For the purposes of this present Regulation, the term “person” shall refer to any natural person or legal entity.

## **Article 2** **Scope of Application**

1. General Authorizations are required for the engagement in all kinds of electronic communication activities pertaining to the provision of electronic communication networks or/and services, except for the cases where no General Authorization is required, pursuant to paragraph 10 of article 21 of Law No. 3431/2006.
2. If the engagement in an electronic communication activity also requires the granting of rights of use for numbers or frequency bands, prior to engaging in the said activity, in addition to obtaining a General Authorization, the interested person shall have to secure the required rights of use for the numbers or frequency bands in question. More specifically and in addition to the provisions laid down in this present Regulation, the terms associated with the use of frequency bands which no individual right of use is required for, due to the fact that that risk of interference is minimal, are laid down in the regulation on the use of frequency bands issued by EETT.
3. Pursuant to paragraph 2 of article 1 of Law No. 3431/2006, exempted from the application of the said law — and thus no General Authorization is required — are state electronic communication networks, networks and individual radio communication stations used for amateur radio operator services or satellite amateur radio operator services, as well as those used exclusively for experimental or research purposes or for demonstration.
4. Pursuant to paragraph 10 of article 21 of Law No. 3431/2006, no General Authorization is required:
  - (a) For the simple resale of electronic communication services to users. On the contrary, a General Authorization is required for the provision of electronic communication services by third persons which, despite the fact that they do not have their electronic communication infrastructure, provide electronic communication services — however, under their own different trade name and separate corporate organization — based on the infrastructure of other persons providing electronic communication networks or/and services which they have concluded relevant contracts with.
  - (b) For the own use of terminal radio equipment, based on the non-exclusive use of special frequency bands, as determined by a competent Authority, by the User for reasons not associated with financial activities, such as the use of the civilian band by amateur radio operators, which does not constitute the provision of an electronic communication network or service and is governed by the stipulations included in the provisions laid down in applicable law on terminal equipment and radio equipment.

**Article 3**  
**General Provisions**

1. EETT is entitled to amend this present Regulation, pursuant to the provisions laid down in Law No. 3431/2006, as it is in force every time.
2. In addition to the stipulations laid down in paragraph 17 of article 24, and in article 25 of Law No. 3431/2006, EETT is not entitled to restrict the number of persons operating an electronic communication network or providing electronic communication services based on General Authorizations, without prejudice to paragraph 4 of article 21 of Law No. 3431/2006.

**Article 4**  
**Procedure**

1. To provide electronic communication networks or/and services under a General Authorization regime pursuant to this present Regulation, only persons providing public communication networks or publicly available electronic communication services, as well as persons operating special radio networks, such as those referred to in Annex A of this present Decision, are required to submit a Registration Declaration.
2. A Registration Declaration shall be submitted by interested persons to EETT, in accordance with the sample Registration Declaration included in Annex A. In the Registration Declaration, a person shall state its intention to commence one or more electronic communication activities, as described therein in accordance with Annex A hereto, and shall request its registration in the Registry of Electronic Communication Network and Service Providers maintained by EETT, pursuant to the provisions laid down in Article 7 hereof.
3. If a Registration Declaration is incomplete, the person shall not be registered in the Registry of Electronic Communication Network and Service Providers. If no administrative fee is paid, pursuant to article 12 hereof, the relevant Registration Declaration shall be considered incomplete.
4. A person that makes a statement shall be entitled to engage in such electronic communication activity as described in the Registration Declaration, immediately upon submission of a complete Registration Declaration.
5. A person operating under a General Authorization Regime is under obligation to submit a supplementary or amended Registration Declaration pursuant to Annex A hereto in the following cases:
  - (a) in order to engage in the provision of other electronic communication services or/and networks, in addition to the ones stated in the initial Registration Declaration;
  - (b) when it intends to terminate the provision of some or all the electronic communication services or/and networks stated in the already submitted Registration Declaration and in accordance with the provisions laid down in Article 10 hereof;
  - (c) if any change is made in the details stated in the initial Registration Declaration. Any change of data shall be notified within fifteen (15) days from its occurrence.

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6. If a person operating under a General Authorization regime is unable to comply with the provisions laid down in paragraph 5 of this present Article, this shall constitute a breach of this present Regulation and, if new electronic communication networks or/and services are provided, the said person shall be considered as operating without a General Authorization for the specific networks or services in question.
7. EETT shall be entitled to make a Decision defining the terms and procedure to be followed for the electronic submission of Registration Declarations.

## **Article 5**

### **Certificates Issued following an Authorization**

1. Upon application filed by a person operating under a General Authorization regime, EETT shall issue a standardized certificate, within seven (7) days from the receipt of the application, which, depending on the case, shall:
  - (a) certify that the person has submitted a Registration Declaration in an acceptable format;
  - (b) certify that the person shall provide electronic communication networks or/and services pertaining to the activities which the Registration Declaration has been submitted for;
  - (c) describe the conditions under which the person shall negotiate its interconnection pursuant to applicable law;
  - (d) describe the conditions under which the person shall be entitled to obtain an interconnection and, depending on the case, to obtain access from other persons; and
  - (e) describe the conditions under which the person shall be entitled to file a request with competent authorities for installing various facilities in, upon, or under areas that belong to the State, to Local Government Organizations or to private persons, or which are used by the general public.

so as to facilitate the exercise of the rights extended to the said person based on the General Authorization.

## **Article 6**

### **Terms and Conditions of General Authorizations**

1. Upon introduction of new electronic communication networks or/and services in the Registration Declaration included in Annex A or afterwards, EETT is entitled to lay down additional terms and conditions, pursuant to Annex IX of Law No. 3431/2006.
2. Any persons providing electronic communication networks or services and operating under a General Authorization regime are required to comply with the terms laid down in Annex B hereto, as it in force every time.
3. To lay down additional terms and conditions with regard to the exercise of new or already existing electronic communication activities or to amend already existing terms and conditions with regard to the exercise of new or already existing electronic

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communication activities under a General Authorization regime, EETT is under obligation to hold a public consultation by inviting interested parties to express their opinions on the measures proposed. The public consultation shall be held in accordance with the provisions laid down in the EETT Regulation on Public Consultations.

4. Any person that operates under a General Authorization regime is required to collaborate with EETT whenever asked to do so or whenever required in this present Regulation, in Law No. 3431/2006 and in other provisions laid down in applicable law, as it is in force every time. Among other things, the said collaboration shall be aimed at allowing or assisting EETT with controlling compliance with the terms of this present Regulation, submitting to EETT any statistical or other details with regard to a person's activities that are subject to a General Authorization regime, and allowing or assisting EETT with exercising its duties in any other way.
5. Any terms and conditions associated with General Authorizations shall be posted on the EETT Website.

## **Article 7**

### **Registry of Electronic Communication Network and Service Providers**

1. EETT shall maintain a Registry of Electronic Communication Network and Service Providers, which shall include an archive of Registration Declarations in hard copy or/and electronic format, without prejudice to article 4, paragraph 7. The entry of a Registration Declaration in the Registry of Electronic Communication Network and Service Providers shall constitute a General Authorization, under the conditions laid down herein.
2. The Registry of Electronic Communication Network and Service Providers shall include the following details:
  - a. the registration number in the *Registry of Electronic Communication Network and Service Providers*;
  - b. the Provider's name / corporate name and address;
  - c. the Taxpayer's ID Number or the registration number in the relevant books (depending on the type of enterprise);
  - d. the competent Tax Office;
  - e. the Provider's legal form, proxy and legal representatives in Greece;
  - f. the complete details of the persons responsible for contact with EETT;
  - g. the complete details of the persons responsible for contact with the public, in order to post them in the EETT Website;
  - h. a short description of the stated activity;
  - i. the EETT registration number and the submission date of the Registration Declaration;
  - j. any potential modifications in the General Authorization regime for the person in question;
  - k. the anticipated activity commencement date;
  - l. the person's profit or non-profit status, and the person's commercial or non-commercial status.

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3. EETT shall modify or delete an entry in the Registry of Electronic Communication Network and Service Providers when there are valid reasons for modification or deletion thereof, pursuant to the provisions laid down herein and in Law No. 3431/2006.

## **Article 8** **Provision of Information**

1. Any persons operating under a General Authorization regime are under obligation to provide EETT with all information, upon a request submitted by EETT, pursuant to articles 14 and 64 of Law No. 3431/2006.
2. EETT is under obligation to use the said information only for the specific purpose it is requested for and inform the said persons about it.
3. In addition to any similar obligations that may arise from provisions laid down in other laws, the persons shall provide the above information pursuant to such time schedule and such level of detail as required by EETT, which shall give the reasons for requesting information, and the said request shall be objective, definite and related to the execution of one of its specific duties. If no deadline is set, the information shall be provided to EETT within twenty business days from the submission of the relevant request. In any case, the deadline set may not be less than five business days.

## **Article 9** **Compliance**

1. Any persons providing electronic networks or services shall not exceed the content of their respective Registration Declarations, or such terms and conditions associated with the engagement in electronic communication activities as laid down, or any other general obligations included in Law No. 3431/2006 or in any other acts, including mainly regulatory acts which are issued based on the said Law.
2. If a person providing electronic networks or services under a General Authorization regime does not comply with a term included in the General Authorization, EETT shall be entitled to apply the provisions laid down in article 63 of Law No. 3431/2006.

## **Article 10** **Termination of Electronic Communication Activities**

1. A person that is under obligation to submit a Registration Declaration pursuant to article 4 shall notify EETT of the termination of electronic communication activities under a General Authorization regime fifteen (15) days prior to the actual termination of the said activities. If a certain enterprise is declared bankrupt or is put under voluntary liquidation, the notification to EETT shall be sent within seven days from the issuance of the relevant judicial decision or the decision made by the General Assembly of Shareholders respectively. The sample Registration Declaration included in Annex A shall be used for the notification, and reference shall be made to the registration number in the Registry of Electronic Communication Network and Service Providers.

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2. If a Legal Entity having submitted a Registration Declaration terminates its operations due to its merger with another Legal Entity, the latter Legal Entity is under obligation to notify the termination of the provision of electronic communication networks or/and services by the former Legal Entity, pursuant to paragraph 1 above. The latter Legal Entity is also under obligation to modify its Registration Declaration so as to provide the additional services that had been provided by the former Legal Entity, or to make a new Registration Declaration if it had provided no electronic communication services until the merger.
3. No fees shall be paid upon submission of a Registration Declaration notifying the termination of electronic communication activities. If all notified electronic communication activities are terminated, the annual administrative fees shall be calculated, pursuant to article 12, until the day when the termination was notified, pursuant to par. 1 of this present article, and shall be paid together with the termination notification.

## **Article 11**

### **Validity Period of General Authorizations**

1. The provision of electronic communication network or/and services under a General Authorization regime may go on for as long as the person making the Registration Declaration wishes.
2. EETT may impose a limitation only in extraordinary cases, based on an especially justified Decision, after hearing the relevant person, pursuant to article 63 of Law No. 3431/2006.

## **Article 12**

### **Fees**

1. The persons operating under a General Authorization regime shall pay administrative fees proportionate to the cost incurred for the management, control and maintenance of the General Authorizations regime and the rights of use for radio frequencies or/and numbers, and the special obligations provided for in article 24, par. 5, subpar. b, par. 13 and par. 14; in article 25, par. 1 subpar. a; in articles 38, 39, 40, 42, par. 5, 6 and 7; as well as in article 68, par. 1, of Law No. 3431/2006. The above administrative fees shall not include the administrative fees imposed for the allocation numbers and the administrative fees imposed for the allocation of frequency bands, which are paid upon submission of applications for the allocation of numbers or/and frequency band, pursuant to the respective EETT Regulations.
2. The administrative fees referred to in paragraph 1 shall cover, among other things, the administrative expenses incurred for:
  - (a) International cooperation, harmonization and standardization;
  - (b) market analysis, monitoring compliance and performing other market investigations;
  - (c) regulatory activity involving the preparation and compliance supervision of derivative law and administrative decisions, such as decisions on access and interconnection;

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(d) general expenses incurred for the operation of EETT.

3. Administrative costs shall be paid only by persons providing public communication networks or publicly available electronic communication services, irrespective of whether they are or are not of a profit or commercial nature.
4. All persons operating under a General Authorization regime and providing public communication networks or publicly available electronic communication services shall have to pay an annual administrative fee, calculated as a percentage of the total gross income derived from the provision of public communication networks or publicly available electronic communication services under a General Authorization regime as follows:

<i>Zone of total annual income (E) in EURO million</i>	<i>Administrative fee factor per zone</i>
$E \leq 0.15$	0
$0.15 < E \leq 250$	0.0025
$250 < E \leq 750$	0.004
$750 < E$	0.0005

For each calendar year, the annual administrative fee, which shall be calculated based on the above Table, shall be paid no later than 30 June of the following calendar year, and no relevant written notification by EETT shall be required.

The above annual fees shall also be paid even if the first year of the General Authorization does not coincide with the calendar year.

5. The date set in paragraph 4 of this present article for the payment of the annual administrative fees is their obvious date of payment, and if overdue payment is made, default interest shall be paid, as determined in an Act of the Governor of the Bank of Greece and published in the Official Gazette. The said extra charge shall be calculated upon the amount due for each day of delay until full payment is made. If the payment of the annual compensating fees is delayed beyond sixty (60) days, in addition to the payment of default interest, a fine shall be imposed by EETT, pursuant to Law No. 3431/2006 and the EETT Regulative acts that are in force.
6. If a person submits a relevant request, it is possible to pay the annual administrative fees in three equal-amount monthly installments, whereby the first installment shall be paid on 30 June. In that case, persons shall have to pay default interest, which shall be calculated in accordance with paragraph 5, for the amounts paid after 30 June.
7. In addition to the payment of the above annual administrative fees, upon submission of the initial Registration Declaration, a 300-Euro administrative fee shall be paid, whereas upon submission of any Registration Declaration amending the initial one, if it pertains exclusively to the registration of new services, a 100-Euro administrative fee shall be paid.
8. The annual administrative fees referred to in paragraph 4 shall have to be based upon the total gross annual income, as certified by the chartered auditor / accountant that signs the



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balance sheet of the enterprise, which are derived from the provision of public communication networks or publicly available electronic communication services under a General Authorization regime by the enterprises that have to pay the relevant fees. Out of the total gross income, any aid extended to enterprises for participation in European Union programs or respective national programs shall be deducted along with the interconnection and roaming expenses only. For enterprises that are not required to publish their balance sheets and have them signed by chartered auditors / accounts, the statement made on the gross annual income shall be signed by the CFO, or any other officer having similar duties, of the company.

9. Any persons that, based on their gross income, belong to zone I of the table included in paragraph 4 of this present article and thus are not required to pay annual fees, shall not be required to submit to EETT a statement on their total gross income. In any case, EETT reserves the right to make inspections and impose sanctions pursuant to Law No. 3431/2006 and this present Regulation if the determined annual fee, which should be paid, is not actually paid.
10. Upon publication of its balance sheet, EETT shall publish at least in one national Greek newspaper a review of the administrative fees referred to in this present article.
11. At the end of each calendar year, EETT shall examine the total amount of administrative fees collected (including the administrative fees charged for the allocation of numbers and frequency bands), as well as its total expenditures. Depending on the difference between the total amount of administrative fees collected (which correspond to the compensating fees of the previous year) and the administrative expenses, appropriate adjustments shall be made with regard to the payment of the fees referred to in paragraph 4, for the following year, so that the administrative fees to be collected will be enough for covering the expenses and allowing EETT to maintain a reserve fund equal to 30% of the expenses foreseen in the following year's budget.

## **Article 13**

### **Publicity**

1. This present Regulation, as well as any amendment thereof, shall be posted on the EETT Website.
2. The details included in the Registry of Electronic Communication Network and Service Providers that pertain to the person's name / corporate name, the electronic communication networks or services provided by the person, and the details of the persons responsible for contact with the public shall be posted on the EETT Website.

## **Article 14**

### **Transitory Provision**

1. Any persons already engaging in electronic communication activities under a General Authorization regime or an Individual License shall continue their activities in accordance with the provision laid down in this present Regulation.
2. Within one month from the effective date of this present Regulation, EETT shall adjust the existing Registration Declarations in accordance with the provisions laid down herein, shall post the details referred to in article 13 on its Website, and shall inform the persons

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involved on the above actions. The persons shall be entitled to request any potential corrections, within one month from the posting of the information, by submitting a new Registration Declaration, without paying any administrative fee.

3. All Individual Licenses issued, with the exception of the Individual Licenses that pertain to the allocation of radio frequency bands, shall be governed exclusively by the General Authorization provisions. Within one month from the effective date of this present Regulation, EETT shall adjust the above Individual Licenses by making the necessary modifications on the Registration Declarations submitted by the persons who the said licenses that had been issued to, shall publish the details referred to in article 13 on its Website, and shall inform the persons involved on the above actions. The persons shall be entitled to request any potential corrections, within one month from the posting of the information, by submitting new Registration Declarations, without paying any administrative fee.
4. Any persons engaging in activities under an Individual License or a General Authorization regime pursuant to Law No. 2867/2000, are under obligation, within one month from the date when this present Regulation is published, to inform (a) any persons collaborating with them, which provide Multimedia Information services, and (b) their resellers, and notify the relevant document to EETT, so that those of them that provide electronic communication services with their own different trade mark and a separate corporate organization may submit a Registration Declaration in accordance with the provisions laid down herein no later than two months from the publication hereof.

## **Article 15** **Abolished Provisions**

From the effective date of this present Regulation, any general or special provision that is contrary to this present Regulation, or for its part that may regulate certain issues in a way different from the way they are regulated in this present Regulation, shall be abolished.

## **Article 16** **Effective Date**

This present decision shall enter into force when it is published the Official Gazette.

**ANNEX A****REGISTRATION DECLARATION FOR ENGAGING IN ELECTRONIC COMMUNICATION ACTIVITIES UNDER A GENERAL AUTHORIZATION REGIME**

<input type="checkbox"/> <b>Commencement of Service</b>
<input type="checkbox"/> <b>Addition of Services</b>
<input type="checkbox"/> <b>Deletion of Services</b>
<input type="checkbox"/> <b>Change of Details</b>
<input type="checkbox"/> <b>Termination</b>

<input type="checkbox"/> <b>Provision of Public Networks or/and Services</b>
<input type="checkbox"/> <b>Profit Nature</b>
<input type="checkbox"/> <b>Commercial Nature</b>
<b>Registry Number<sup>1</sup>:</b>

**I. Legal Form of Entity**

Legal Entities:	<input type="checkbox"/> Company Limited by Shares	<input type="checkbox"/> Limited Partnership Company	<input type="checkbox"/> Société Anonyme	<input type="checkbox"/> Limited Liability Company
<input type="checkbox"/> Other Legal Form (Describe)				
<input type="checkbox"/> Natural Person				

**II. Details of Entity / Enterprise****Ila. Legal Entity**

<b>Name / Corporate Name</b>	<b>Distinctive Title</b>
<b>Registered Office (Street, Number, City, Postal Code, Country)</b>	<b>Taxpayer's ID No.</b> _____ <b>SA Reg. No. (if any)</b> _____ <b>Tax Office</b> _____

Tel. No.	_____	Commencement of activity :	____.____.____
FAX	_____	Modified from :	____.____.____
E-mail	_____	Termination of activity :	____.____.____
Website	_____		

**Ilb. Natural Person**

<b>Full Name / Father's Name</b>	<b>Police ID Card or Passport No. / Issue Date / Issuing Authority</b>
<b>Address (Street, Number, City, Postal Code, Country)</b>	<b>Taxpayer's ID No.</b> _____ <b>Tax Office</b> _____

Tel. No.	_____	Commencement of activity :	____.____.____
FAX	_____	Modified from :	____.____.____
E-mail	_____	Termination of activity :	____.____.____
Website	_____		

<sup>1</sup> The "Registry Number" field shall be filled in by the Service in the case of commencement of activity

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### III Person responsible for contact with EETT (If not established in Greece, the said person is also appointed as a Proxy in Greece)

Surname	
Name	
ID Card No.	
Address (Street, Number, City, Postal Code)	
Telephone No.	
Fax	
E-mail	

### IV Public Contact Details (Posted on the EETT Website)

Address (Street, Number, City, Postal Code)	
Telephone No.	
Fax	
E-mail	

### V Legal Representative (To be filled out only by Legal Entities)

Surname	
Name	
ID Card No.	
Address (Street, Number, City, Postal Code)	
Telephone No.	
Fax	
E-mail	

### VI Chairman of the Board of Directors (To be filled out only by Legal Entities – Enter details necessary for contact with EETT)

Surname	
Name	
ID Card No.	
Address (Street, Number, City, Postal Code)	
Telephone No.	
Fax	
E-mail	

### VII Chief Executive Officer (To be filled out only by Legal Entities – Enter details necessary for contact with EETT)

Surname	
Name	
ID Card No.	
Address (Street, Number, City, Postal Code)	
Telephone No.	
Fax	
E-mail	

### VIII Attorney of the Natural person or Legal Entity (If the statement is submitted by an attorney, who is not the person's Legal Representative or Proxy)

Surname	
Name	
ID Card No.	
Address (Street, Number, City, Postal Code)	
Telephone No.	
Fax	
E-mail	

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Mark the activities you are requesting Authorization for

## GROUP A. Provision of Electronic Communication Networks

A01. Provision of Fixed Networks	A0101	Fixed public telephone network	
	A0102	Fixed network for telemetry, telematic, radio location	
	A0103	Fixed Wireless Access Network	
	A0104	Microwave core network	
	A0105	Fiber optic network	
	A0106	Leasing of dark fibers	
	A0107	Wired network (excluding optical network)	
	A0108	Other (specify)	
A02. Provision of Mobile Networks	A0201	2G Mobile Network	
	A0202	3G Mobile Network	
	A0203	TETRA network	
	A0204	Private Mobile Radio Network	
	A0205	Private Mobile Radio (for taxi companies only)	
	A0206	Mobile network for telemetry - telematic - radio location	
	A0207	Anty other technology mobile (service) network (specify)	
A03. Provision of Satellite Networks	A0301	Fixed Satellite Network	
	A0302	Mobile Satellite Network	
	A0303	Other (specify)	
A04. Provision of Nomadic Networks	A0401	Wideband Data Transmission Systems including Radio Local Area Networks (RLANs)	
	A0402	Network of Satellite News Gathering Stations	
	A0403	Network of Earth News Gathering Stations	
	A0404	Other (specify)	

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Mark the activities provided via a Fixed (F), Mobile (M), Nomadic (N) or Satellite (S) Access Network, which you are requesting Authorization for:

F	M	N	S
X	X	X	X

## GROUP B. Provision of Electronic Communication Services

F	M	N	S
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B01. General Services	B0101	Leased Lines provision				
	B0102	Leasing part of (bandwidth) capacity				
	B0103	Virtual Private Network (VPN) provision				
	B0104	Broadband access provision				
B02. Data Transmission Services	B0201	Data transmission				
	B0202	SMS (Short Messaging Service) / MMS (Multimedia Messaging Service)				
	B0203	Added Value Data Transmission				
	B0204	Telemetry - telematic - radio location service provision				
	B0205	Location service for ship in distress				
B03. Radio Call Services	B0301	Unidirectional news transmission				
B04. Multimedia Information Services	B0401	Audiotext				
	B0402	Videotext				
	B0403	Added Value SMS / Added Value MMS				
B05. Flight Telephone Services	B0501	Voice, data and telefax communication for passengers of flights				
B06. Network Management Services	B0601	Operation of network for closed user groups				
	B0602	Provision of gateways between networks of different providers.				
B07. Internet Services	B0701	Internet Access service provision				
B08. Technical Provision of Broadcasting	B0801	Service ancillary to Broadcasting (audio, video signal transmission between different premises of broadcasting companies)				
	B0802	Signal Repeaters Services used for Broadcasting				
	B0803	Distribution of broadcast signals				
	B0804	Satellite News Gathering				
	B0805	Earth News Gathering (ENG)				
B09. Voice Services	B0901	Publicly available telephone service				
	B0902	Virtual Provider for publicly available telephone service				
	B0903	Voice services via Satellite				
	B0904	Voice service over Internet Protocol Services (VoIP)				
	B0905	Voice Services via the Internet				
	B0906	Publicly available telephone service at fixed locations via pre-paid cards				
	B0907	Call- back services				
	B0908	Call-shop services				
	B0909	Provision of public-pay telephones				
	B0910	Directory enquiry services				
B10. Other Services (please describe and attach brochure)						

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Remarks (Note or attach text with your remarks, if any)

## Legal binding statement

I declare herewith that I wish to engage in the above marked electronic communication activities and to apply for registration in the EETT Registry of Electronic Communication Network and Service Providers.

I declare herewith that **I have terminated** the above marked electronic communication activities.

I declare herewith that **I have terminated** any electronic communication activities under a General Authorization regime.

I declare herewith that my details **have been modified**, as described herein.

I declare herewith that I have changed the legal form of my Company as described herein. The old form/name is as follows:

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I submit herewith to EETT all necessary **legal documents** (see hereunder) or/and all the **documents** proving that the signatory to this present Registration Declaration **binds** the represented person.

I declare (a) that the information included in the submitted Declaration, as well as any other accompanying information, is accurate and true, and (b) that I am fully aware of the fact that, regarding engagement in any electronic communication activity for which it is necessary to obtain a right of use for frequency bands or numbers, such right of use is not granted through this present procedure and that I am required to submit an application for the said special right of use before starting the provision of the relevant service.

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Place, Date

---

Name / Signature / Company's Seal

Applications must be submitted in writing and addressed to the National Telecommunications and Post Commission (EETT) at the following address: *60 Kifissias Ave., 151 25 Marousi*

EETT departments are available to assist you by telephone at:

*EETT Information*

*Tel.: +30 210 61 51 000*

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Please note that a failure to submit a Registration Declaration, as well as a delayed or inaccurate Declaration may cause the imposition of such administrative sanctions as referred to in article 12 of Law No. 3431/2006.

## Required Legal Documents

### *A. Legal Entities / Natural Persons established / residing in Greece*

#### *a. Sociétés Anonymes (SA)*

- The Articles of Incorporation and the Official Gazette issue where the said Articles were published or a codified version of the Articles of Incorporation, if they are amended. In the case of a newly incorporated Company, the required documents are the Notarial act of incorporation, the relevant announcement of the Prefect's decision on the incorporation to the competent department of Sociétés Anonymes of the Ministry of Development that maintains the archives of Sociétés Anonymes (Prefectural Authority) and a copy of the duplicate receipt issued by the Public Treasury which includes the publication code number. Entities are under obligation to submit the relevant Official Gazette issues when published.
- The latest Minutes of the meetings of the company's Board of Directors pertaining to the appointment of representatives and the relevant Official Gazette issue. If the said Official Gazette issue is not published yet, the said Minutes shall be accompanied by an announcement on the registration of the information in the Prefectural Authority and a copy of the duplicate receipt issued by the Public Treasury which includes the publication code number. Entities are under obligation to submit the relevant Official Gazette issues when published.

#### *b. Limited Liability Companies (LTD)*

- The Articles of incorporation and the Official Gazette issue where the said Articles were published or a codified version of the Articles of Incorporation, if they are amended. In the case of a newly incorporated Company, the required documents are the Notarial act of incorporation, the Official Gazette issue where the relevant announcement is made and, if not yet published, it shall be replaced by a copy of the duplicate receipt issued by the Public Treasury which includes the publication code number. Entities are under obligation to submit the relevant Official Gazette issues when published.
- A certificate issued by the competent department of the Court of First Instance of the place where the company has its registered office certifying the registration of company details in the relevant registries, and any amendments thereof.

#### *c. Companies Limited by Shares and Limited Partnership Companies*

- The Private Incorporation Document along with all amendments thereof.
- A certificate issued by the competent department of the Court of First Instance of the place where the company has its registered office certifying the registration of company details in the relevant registries, and any amendments thereof.

#### *d. Natural Persons – One-man enterprises*

- Police ID Card or passport
- Stay and work permit, if the person is an alien.
- Professional activity commencement certificate issued by the competent Tax Office.



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## ***B. Legal Entities / Natural Persons established / residing in a European Union member-state.***

### ***a. Legal Entities***

- Legal documents proving the incorporation of the foreign legal entity and the appointment of its representatives, accompanied by a Hague Apostille and an attached official translation thereof in Greece.
- Legal documents proving the appointment of a proxy in Greece and a legal binding statement made by the said proxy that he/she has accepted his/her obligations. The proxy shall be a permanent resident of Greece and shall speak the Greek language.
- A copy of the attorney or proxy's Police ID Card or passport.

### ***b. Natural Persons***

- Police ID Card or passport.
- Professional activity commencement certificate issued by the competent Tax Office.
- Authorization by the natural person for the appointment of a proxy in Greece and a legal binding statement made by the said proxy that he/she has accepted his/her obligations. The proxy shall be a permanent resident of Greece and shall speak the Greek language.
- A copy of the proxy's Police ID Card or passport.

**Explanations**

- A0101 The electronic communication network used for the provision of publicly available telephone services at a fixed location. It supports voice transmission capacity between terminal network points, as well as other forms of communication, such as fax and data transmission.
- A0103 Fixed electronic communication network via which Wireless Access is provided to the end user, where the User Termination place and the network (which the User is connected to) access point are fixed.
- A0104 Fixed electronic communication network whose nodes are connected through wireless microwave links.
- A0105 The transmission systems and, depending on the case, the switching or routing equipment and other resources that allow the transmission of signals by the use of optic fibers.
- A0106 Leasing of unused (dark) optic fibers in order to be used for the operation of transmission systems and, depending on the case, of the switching or routing equipment and other resources that allow the transmission of signals.
- A0107 The transmission systems and, depending on the case, the switching or routing equipment and other resources that allow the transmission of signals by the use of a metallic cable or/and a coaxial cable.
- A0201 2G Public Mobile Network (GSM/DCS), which includes all the capabilities described in the Recommendations on 2G Mobile Networks (GSM/DCS) issued by the European Telecommunications Standards Institute (ETSI) or the International Telecommunication Union (ITU).
- A0202 3G Public Mobile Network (IMT-2000), which is especially capable of supporting innovative multimedia services, in addition to the capabilities of 2G networks like GSM, and is also capable of combining earth and satellite components.
- A0203 Public Mobile Network, which complies with the Recommendations on Mobile Digital Terrestrial Trunked Radio Systems (TETRA) issued by the European Telecommunications Standards Institute (ETSI) or the International Telecommunication Union (ITU).
- A0204 -  
A0205 Every mobile network used for the provision of electronic communication services by a legal entity or natural person, in order to serve exclusively its own professional needs or the goals pursued by it. The said networks are installed, operated and managed by their owners and are used by a limited number of users.
- A0301 A network comprising terrestrial stations located at specified fixed points, when one or more satellites are used. The specified points shall be particular fixed points or any fixed point within a particular area.
- A0302 Networks involving communication between one or more satellites and mobile terrestrial stations.

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- A0401 Radio local area wideband networks.
- A0402 A network comprising terrestrial stations (SNG) of the Fixed Satellite Service which are destined for use at fixed points within a specific geographical area.
- A0403 A network comprising transportable Earth News Gathering Stations (ENGs).
- B0101 The telecommunication means-facilities which provide transparent transmission capacity between terminal network points and they do not provide the ability of selective switching (switching operations which the user may control as a part of the leased line provision).
- B0102 Leasing part of the capacity of telecommunications lines to the public through network infrastructure which is owned and/or managed wholly or partly by the declaring person.
- B0103 Virtual Private Network (VPN) provision to the public, through network infrastructure which is owned and/or managed wholly or partly by the declaring person. A Virtual Private Network (VPN) is the part of the corporate network that provides network services using common switching infrastructure.
- B0202 Short Messaging Service (SMS) and Multimedia Messaging Service (MMS).
- B0301 Analogue and digital signal transmission, which initiates sound sequences or alphanumeric characters in mobile receivers.
- B0401-  
B0403 Provision of technical infrastructure for the retrieval of information and entertainment programs via a specific access number (including calls to short codes or numbers of the 901, 909 series) or through the transmission/reception of messages.
- B0501 Voice, data and telefax communication for air passengers to fixed and mobile networks on the basis of terrestrially operated radio stations.
- B0601 Operation and management of telecommunications networks for Closed User Groups, including voice switching.
- B0602 Provision of gateways between networks of different providers.
- B0801 Sound and television signal transmission between broadcasting providers via external transmission and distribution lines as well as program exchange lines.
- B0802 Sound and television signal transmission from the radio or television station to the broadcasting distribution networks.
- B0803 Distribution of broadcasting signals to the subscribers.
- B0901 Publicly available service for making and accepting national and international calls and accessing emergency services through a number or numbers included in a national or international telephone numbering plan.
- B0902 The person which, despite not having its own electronic communication infrastructure and thus having no interconnection effected with other networks, provides telephone services under its own different trade name and separate corporate organization — based on the infrastructure of other persons providing

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electronic communication networks or/and services which the person has entered relevant contracts with.

B0904 Voice services provided via IP protocols.

B0907 Provision of connections through automatic callback.

B0908 Provision of public telephone calls via public telephone exchanges.

B0909 Provision of public phones permanently installed in public places accessible to the public on a 14-hour basis.

**ANNEX B****GENERAL AUTHORIZATION TERMS****1. Obligations with regard to the Provision of Electronic Communication Networks and Services**

The provisions laid down in this present Chapter are the terms applicable to the provision of Electronic Communication Networks or/and Services irrespective of whether these are provided to the public or not. Thus any person operating under a General Authorization regime is under obligation to comply with the provisions laid down in this present Chapter.

**1.1. General Obligations*****1.1.1. Obtaining a General Authorization***

A person that wishes to provide electronic communication networks or/and services cannot engage in the electronic communication activities specified in its General Authorization before it obtains every required independent license, authorization, approval, decision or other act, to the degree that this is necessary for the engagement in the said activities, always pursuant to applicable law on electronic communications or any other law or based on the Person's contractual or other obligations.

***1.1.2. Accessing numbers from the National Numbering Plan***

- a) Any person that provides electronic communication networks or/and services is required to comply with any given provisions laid down in the National Numbering Plan, the Regulation on the Management and Allocation of Numbering Resources from the National Numbering Plan, as well as any other act amending, supplementing or replacing it, and any other terms that the Minister of Transport and Communications or EETT may impose on specific series of numbers pursuant to the provisions laid down in Law No. 3431/2006.
- b) Any person that provides electronic communication networks or/and services is required:
  - i. to use the numbers allocated by EETT in accordance with the terms laid down in relevant EETT decisions, the National Numbering Plan and the provisions laid down herein;
  - ii. to ensure the correct and effective use of the allocated numbers and groups of numbers;
  - iii. not to make unjustified discriminations with regard to number sequences and groups of numbers among subscribers.
- c) The numbers and groups of numbers allocated by EETT cannot be transferred. In addition, electronic communication network or/and service providers shall not establish any ownership rights over the allocated numbers.

Any rights of use for numbers that have not been used by the provider for two years from the date of allocation may be allocated again by EETT.

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## **1.1.3. Access to frequency bands according to the Regulation on the Use and the Granting of Rights of Use for Radio Frequencies under a General Authorization Regime for the provision of electronic communication networks or/and services**

- a) Any person that provides electronic communication networks or/and services:
- i. is under obligation to comply with any given provisions laid down in the Regulation on the Allocation of Radio Frequency Rights under a General Authorization Regime for the provision of electronic communication networks or/and services, as well as any other act amending, supplementing or replacing it, with regard to the allocation of radio frequencies, and any other terms that the Minister of Transport and Communication or EETT may impose on specific radio frequencies pursuant to the provisions laid down in Law No. 3431/2006.
  - ii. is not entitled to use any radio frequency without having ensured its prior assignment or allocation, pursuant to applicable provisions, except if determined otherwise in the Regulation on the Terms of Use of Radio Frequencies;
  - iii. is under obligation to ensure the prompt allocation of individual radio frequencies or bands of radio frequencies to itself if there is such a requirement in the Regulation on the Terms of Use of Radio Frequencies;
  - iv. is under obligation to use the allocated radio frequencies or bands of radio frequencies exclusively for the provision of the networks and services which they have been allocated for;
  - v. accepts that, for the use of radio frequencies which do not require the prior allocation by EETT, no protection is given against any potential interference neither is it permitted to use the above frequencies so as to cause interference to other radio communication stations. If it is found that harmful interference is caused to other radio communication stations due to a failure to comply with the terms and specifications laid down herein or due to a failure - malfunction of the equipment used, the person is under obligation to stop using its systems immediately.
- b) Any rights of use for radio frequencies that have not been used by the provider for two years from the date of allocation may be allocated again by EETT.

## **1.2. Provision of Information to EETT**

- a) Any person that provides electronic communication networks or/and services is under obligation, upon request by EETT and within a reasonable time, to provide any information and notify any contract, archive, document, etc. required for the application of the framework of General Authorizations and applicable law.
- b) Any documentation or information that are provided to EETT by a person providing electronic communication networks or/and services, pursuant to this present paragraph or any other paragraph hereof may be designated, upon well documented reasons, as confidential, whereby EETT shall treat them as such.
- c) If a provider has justifiably designated any documentation or information as confidential, EETT shall not publicize the said documentation or information,

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except if that is documentation or information that has to be disclosed in order for EETT to carry out its duties. In that case, the said disclosure shall be proportionate to the goal pursued and shall also take into account the provider's legal interests so as to protect the professional secrets of the latter. In addition, EETT is entitled to publicize information with regard to the terms hereof which are not confidential.

## **1.2.1. Specifications for the Construction, Operation and Maintenance of Facilities**

- a) The construction and use of facilities by a person that provides Electronic Communication Networks or/and Services shall be subject to city planning regulations and other applicable national or community regulations and regulatory acts, including regulations on the use of land, regulations on environmental protection and radiation, health regulations, regulations on the safety of users, and regulations on electromagnetic compatibility, except if determined otherwise in Law No. 3431/2006 and other applicable laws.
- b) Any person that provides electronic communication networks or/and services:
  - i. shall be exclusively responsible for taking any necessary measures and obtaining any required permits for the construction and use of the facilities that are required for the effective operation of the Electronic Network or Services it provides;
  - ii. shall carry out periodic maintenance works on the Electronic Communication equipment it uses so as to ensure that the said equipment and facilities shall not cause any damage to other persons or property;
  - iii. shall examine and investigate diligently any report on the risk caused by any Electronic Communication equipment or facilities, wherever these may be located, and shall remove any potential risk.

## **1.2.2. Persons' Other Obligations**

- a) Any person that provides Electronic Communication Networks or/and Services is under obligation to comply with any obligations and exercise any rights provided for, depending on the nature of the Electronic Communication Networks or/and Services provided, in Law No. 3431/2006 and other applicable legislation including Presidential Decrees, Ministerial Decisions or Decisions made by EETT, the Hellenic Authority for the Information and Communication Security and Privacy (ADAE) or the Hellenic Data Protection Authority that are in force.
- b) More specifically, Electronic Communication Network or/and Service Providers shall have the rights and obligations laid down in Law No. 3431/2006 and other applicable legislation including Presidential Decrees, Ministerial Decisions or Decisions made by EETT, ADAE or the Hellenic Data Protection Authority, which are in force, with regard to electronic communication activities pertaining to the following, among other things:
  - i. the interconnection, the access to networks and the access to the local loop;
  - ii. the terminal equipment;
  - iii. the relations with its customers, and especially consumer protection;

- iv. the joint installation and joint use of facilities; and
- v. the protection of the public and national security.

### **1.3. Additional Obligations with regard to the provision of Wireless Networks**

The provisions laid down in this present unit pertain to additional obligations imposed on persons that provide Electronic Communication Networks or/and Services, irrespective of whether these are provided to the public or not, by using radio frequencies. Thus, any person operating under a General Authorization regime and using radio frequencies is under obligation to comply with the provisions laid down in this present unit.

#### **1.3.1. Interference**

- a) Any person that provides Electronic Communication Networks or/and Services is under obligation to use, during the development of the Network and the provision of Electronic Communication Services, Radio Equipment manufactured in such a way that will allow for the effective utilization of the spectrum allocated in order to prevent any harmful interference.
- b) Any person that provides Electronic Communication Networks or/and Services is under obligation to collaborate with any other entity to whom radio frequencies have been assigned/allocated, under the supervision of the competent Authority, so as to eliminate any harmful interference that could possibly affect the quality of the Electronic Communication Services provided to Users, or to eliminate any harmful interference that could be caused to radio communication stations operating legally within the area of Greece or in neighboring countries.
- c) If the competent Authority finds out that harmful interference is caused to radio communication stations or users due to a non-compliance with the terms and specifications of the radio frequencies assigned or allocated, or due to a failure – malfunction in the relevant equipment, the provider in question is under obligation to terminate the operation of its systems immediately upon being notified. If the provider fails to comply with the said obligation, the sanctions provided for in applicable law shall be imposed.

#### **1.3.2. Conditions for the Installation of Radio Equipment – Interference and Relevant Provisions**

- a) Any person that provides Electronic Communication Networks or/and Services is under obligation to comply, during the development of the Network and the provision of the services, with the equipment standards set by National and European Authorities and ETSI with regard to the service in question, as well as with the relevant criteria established by the competent Authority with regard to the transmission characteristics of its transmitters, so as to ensure effectively the harmonious co-existence of all wireless telecommunications applications within the same or in adjacent radio frequencies. If it is necessary to allocate (grant the right of use) a radio frequency or an individual radio frequency band, the provider shall comply with the technical terms written in the special right granted.
- b) Any person that provides Electronic Communication Networks or/and Services shall ensure that its network has been designed, installed, maintained and operated so as not to cause any harmful interference to other Electronic Communication providers or legal users of the radio spectrum.



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## **1.3.3. Special Radio Networks**

- a) With regard to the installation and operation of special radio networks within airport areas controlled by the Hellenic Civil Aviation Authority (HCAA), it is necessary to ensure the prior consent of the HCAA, which shall be given in accordance with any provisions that are in force.
- b) With regard to special radio networks used by taxi companies, to put them under a general authorization regime, it is necessary for the local Prefect to approve the Articles of Incorporation of the association of taxi license holders. If the approval is canceled by the Prefect, the said cancellation shall be notified to EETT, and the latter shall delete the association from the Registry of Electronic Communication Network and Service Providers.

## **2. Additional Obligations with regard to the Provision of Public Networks or/and the Provision of Electronic Communication Services to the Public**

The provisions laid down in this Chapter are the terms applicable to the provision of Public Electronic Communication Networks or/and Services to the public. Thus, any person operating under a General Authorization regime and providing Public Electronic Communication Networks or/and Services to the public is under obligation to comply with the provisions laid down in this present Chapter.

### **2.1. General Obligations**

#### **2.1.1. Basic Requirements**

- a) Any person that operates under a General Authorization regime and provides Electronic Communication Networks or/and Services to the public is under obligation to take reasonable measures during the design, installation and operation of the network or other equipment used, directly or through third persons, with regard to the provision of any service under a General Authorization regime and the conclusion of any contract with a third natural party or legal entity which pertains to the provision of the above services so as to ensure the following:
  - i. The security, integrity and maintenance of the functions of the Electronic Communication Networks used or/and controlled by the said person, as well as the security, integrity and maintenance of the functions of any other Electronic Communication Network operating under a General Authorization regime to the degree that it is within the control of the said person. Especially any persons operating Public Telephone Networks at fixed locations are under obligation to take all necessary measures in order to ensure the integrity of the network and, if a disastrous failure takes place or in a Force Majeure incident, the availability of the Public Telephone Network and Public Telephone Services at fixed locations.
  - ii. The interoperability of the services provided by the person with the corresponding services provided by other persons.
  - iii. The protection of personal data (personal details, confidential information and privacy) of the person's subscribers and, to the degree that is within the control of the said person, of other persons' subscribers, as well as the

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compliance with any provisions that are in force with regard to the protection of personal data, the confidentiality of communications and the protection of privacy in the electronic communications sector.

- iv. The secrecy of communications.
  - v. The protection of competition.
  - vi. The protection of the environment and the city planning and physical planning provisions, as well as the effective use of radio frequencies.
- b) Any person that provides Public Telephone Services is under obligation to take all necessary measures in order to ensure the unhindered access to emergency services.

## **2.1.2. Protection of Personal Data – Secrecy of Communications**

- a) During engagement in Electronic Communication activities, any person is under obligation to comply with any provisions that are in force with regard to the protection of personal data, the confidentiality of communications and the protection or privacy in the electronic communications sector. Every contract providing for the restriction or elimination of the person's liability that arises from the above provisions shall be void.
- b) If a competent judicial authority issues a decision or other act establishing that there has been a breach of applicable law on the protection of personal data, the processing of personal data, and the protection of privacy in the electronic communications sector, the culpable person is under obligation to inform immediately EETT, the Hellenic Authority for the Information and Communication Security and Privacy and the Data Protection Authority, and submit to the above authorities a copy of the said decision along with any accompanying comments made by the said person.

## **2.1.3. Universal Service Obligations**

- a) Any person that provides Public Electronic Communication Networks or/and Services to the public shall undertake all the Universal Service obligations that may be imposed on the person pursuant to applicable law and shall be under obligation, if necessary, to participate in the allocation of the net cost of the Universal Service provided which is charged to other persons having the obligation to provide Universal Service, pursuant to the provisions laid down in applicable law.
- b) In any case, a person that provides Public Electronic Communication Networks or/and Services to the public shall be entitled to request to participate in the provision of Universal Service, in accordance with the stipulations laid down in any law provisions that are in force every time pertaining to the provision of Universal Service.

## **2.1.4. Significant market power**

Especially those persons that provide Public Electronic Communication Networks or/and Services to the public are under obligation to comply with all the provisions that pertain to persons having significant power in the market in question, to the

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degree that they have been designated, based on applicable law, as having significant power in the market in question.

## **2.1.5. Right to Joint Establishment**

- a) A person that provides Public Electronic Communication Networks or/and Services to the public is entitled to conclude commercial and technical contracts for the joint use of equipment or/and real property with other persons that provide Public Electronic Communication Networks or/and Services to the public. Especially in the cases where the person is deprived of access to other sustainable capabilities due to the need to protect the environment, public health or public security, or the achievement of city planning or physical planning goals, upon application made by the said person, EETT may impose on another provider of Public Electronic Communication Networks the obligation to ensure the joint use of a specific facility or real property, including physical joint establishment.
- b) A provider shall have a similar obligation with regard to requests for joint establishment and joint use of facilities made by other persons that provide Public Electronic Communication Networks or Electronic Communication Services to the public. To resolve any disputes that may arise from the procedure described in this present paragraph, the provisions laid down in applicable law shall apply.
- c) Public Electronic Communication Network providers are under obligation to comply with the directions and relevant Regulations issued by EETT with regard to joint establishment issues.

## **2.1.6. Interoperability of Services and Interconnection of Networks**

- a) A person that provides Public Electronic Communication Networks or/and Services to the public is entitled to negotiate interconnection with, and potentially to obtain access to or interconnection with, other persons operating under a General Authorization regime in Greece or in another Community Member State in order to provide publicly available Electronic Communication Networks or/and Services.

More specifically, any person that provides Public Electronic Communication Networks or/and Services to the public:

- i. Is under obligation to allow the interconnection with its network of other Public Electronic Communication Networks and provide other Public Electronic Communication Networks operating under a General Authorization regime, without causing any delay, with the potential to have access to the network, upon filing a relevant application and upon concluding a relevant commercial and technical agreement. The above interconnection shall be effected within a reasonable time period.
- ii. When providing access or interconnection, the person shall not impose any obligations that are not associated to the access and interconnection services offered.
- iii. When collecting information from other persons prior to, during or following the access or/and interconnection negotiating procedure, the person shall use the said information only for the purpose it is given for and shall maintain the confidentiality of the information given or stored. The information received

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shall not be disclosed to any third party, especially to other services, subsidiaries or partners, who could possibly gain a competitive advantage through it.

- iv. If no agreement is reached between the person and other interested parties, which is necessary for the sufficient and effective interconnection of Public Electronic Communication Networks in order to ensure the interoperability of Electronic Communication Services for all Users within the European Union, the person shall be required to apply the dispute resolution procedure provided for in applicable law.
  - v. Shall fully comply with the provisions laid down in applicable law on the technical standards that are appropriate for the interconnection purposes.
  - vi. Shall not affect adversely and shall not delay unjustifiably the provision of access or interconnection, and shall not interfere unjustifiably in any way with the provision of services from interconnected networks or equipment.
  - vii. Shall comply with any obligations that may be provided for in applicable provisions with regard to the quality of the interconnection, shall not affect adversely and shall not cause unjustifiable obstacles to the provision of services from interconnected networks.
  - viii. Shall provide information pertaining to the interconnection fees whenever requested to do so.
  - ix. If the person has significant market power, it shall also have the corresponding obligations with regard to interconnection with and access to its network.
  - x. Is under obligation to notify to EETT all the interconnection agreements concluded with other persons, as well as any refusal to provide interconnection. EETT reserves the right to request their amendment or restriction, in accordance with applicable law provisions.
- b) In any case, the interconnection and access agreements shall be compatible with the law on competition and especially with the provisions pertaining to the obligations of organizations having significant market power, and shall comply with the instructions given and decisions made by EETT, based on applicable law with regard to interconnection issues.

## **2.1.7. Standards – Specifications**

- a) Any person that provides Public Electronic Communication Networks or/and Services to the public shall comply with any standards or specifications established on a community level, which are designated as compulsory and are published in a list of standards or specifications in the Official Journal of the European Communities with regard to the provision of services, technical interfaces and network functions.
- b) If no such standards and specifications have been published, the standards or/and specifications established by the European Standardization Organizations which have been adopted by the Minister of Transport and Communications shall apply.

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If there are not such standards or/and specifications, the international standards and recommendations approved by the International Telecommunication Union (ITU), the International Organization for Standardization (ISO) or the International Electrotechnical Commission (IEC) shall apply.

## **2.1.8. Publication of Interfaces**

Any person that provides Public Electronic Communication Networks or/and Services to the public is under obligation to publish the specifications of the interfaces used for the provision of services to the public pursuant to the stipulations laid down in Presidential Decree No. 44/2002 (Official Gazette 44/A/7-3-2002) "Radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity. Transposition into Greek law of Directive 99/5/EC of the European Parliament and of the Council of 9 March 1999" and EETT Decision No. 294/55/2003 "Regulation on the publication of telecommunications network interface specifications, pursuant to Presidential Decree No. 44/2002" (Official Gazette 1590/B/03).

## **2.1.9. Telecommunications terminal equipment and radio equipment**

- a) All telecommunication terminal equipment (TTE) and radio equipment used by a person that provides Public Electronic Communication Networks or/and Services to the public shall comply with the provisions laid down in Presidential Decree No. 44/2002 (Official Gazette 44/A/7-3-2002) "Radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity. Transposition into Greek law of Directive 99/5/EC of the European Parliament and of the Council of 9 March 1999" and Joint Ministerial Decision No. 1555/2002 (Official Gazette B47/23-1-2002) "Classification and Distribution of Telecommunication Devices".
- b) A provider is under obligation to take all necessary measures in order to ensure that only TEE that is legally available in the market shall be connected to the network including, depending on the case, the terms pertaining to cabling in the customer's facilities and the network end point location. He is also under obligation to allow the connection of equipment of all types or/and manufacture or/and commercial origin, provided that it meets the requirements set forth in this present article and is legally available in the market, without causing any delays.
- c) A provider is not allowed to establish any technical terms additional to the ones provided for in the relevant standards or/and specifications, pertaining to the telecommunications terminal equipment in question, which is to be connected to a corresponding network, or to make any discrimination in the treatment of subscribers, provided that the TTE they wish to use is legally available in the market.

## **2.1.10. Quality of services rendered**

- a) The persons that provide Public Electronic Communication Networks or/and Services to the public are under obligation to fulfill all such obligations with regard to the quality of services as laid down in this present Decision for specific categories of Electronic Communication Networks or/and Services, in accordance with the following:
  - i. such potential stricter or additional obligations with regard to the quality of the services as they themselves may establish;

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- ii. the potential stricter or additional obligations with regard to the quality of the services they are required to render as part of an open or restricted tender for the extension for the granting of rights of use for Numbers of Frequency Bands;
  - iii. the potential stricter or additional obligations with regard to the quality of the services if there have Universal Service obligations; and
  - iv. any other provisions laid down in the Law, as well as any acts that are issued based on the said Law, which provide for stricter or additional obligations with regard to the quality of services.
- b) Persons that provide Public Electronic Communication Networks or/and Services to the public, upon recommendation by EETT, are under obligation to publish comparable, sufficient and updated information with regard to the quality of the services provided to End Users.
- c) EETT may make a Decision, following public consultation, in order to determine the following:
- i. The quality indicators that shall be measured by providers.
  - ii. The content and format of the information to be published so as to ensure that end users and consumers can have access to complete, comparable and easy-to-use information. To ensure the accuracy and comparability of the data provided by enterprises, EETT may order the performance of independent audits or similar inspections on the performance levels achieved by interested enterprises.
  - iii. The method used for the publication of information.
  - iv. The time of publication of information.
  - v. A provider's obligation to notify to EETT a copy of the information to be published prior to its publication.

The above obligations that may be imposed by EETT based on the above mentioned Decision shall be imposed only to public network or electronic communication providers that have been providing electronic communication services for no less than 6 months.

## **2.1.11. Provision of Information**

- a) Without prejudice to the provisions laid down in tax law, any person that provides Public Electronic Communication Networks or/and Services to the public shall maintain for no less than two (2) years its accounting books, as well as regularly updated financial, statistical, technical, service-related and pricing information that pertains to the terms laid down herein and referring to the activities that are subject to a General Authorization regime, as well as data pertaining to its quality performance so as to provide EETT with information required for the latter to ensure the person's compliance with the terms laid down in General Authorization. In addition, the said person is under obligation to provide EETT with access to the above books and data, when requested to do so. The above obligation does not pertain to the personal data of users, whose processing is subject to the provisions laid down in the law on the protection of data, the

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confidentiality of communications and the protection of privacy in the electronic communications sector.

- b) A person that provides Public Electronic Communication Networks or/and Services to the public is under obligation to send to EETT any data requested based on the semiannual questionnaires used for market analysis and statistical processing.

## **2.1.12. Inspection**

- a) Any person that provides Public Electronic Communication Networks or/and Services to the public is under obligation to allow EETT to audit its compliance with the specifications pertaining to the Electronic Services it provides.

EETT, as part of its duties, shall audit the information it receives and shall inspect the facilities and functions of the Electronic Communication Network or/and Services in order to ensure that the Electronic Communication Network and Service provider complies with applicable specifications. The provider shall allow EETT to access its facilities for inspection purposes. EETT shall be entitled to perform successive and individual random sampling on the Electronic Communication Networks and Services provided in order to verify the information provided.

- b) All measurements or calls or the overall use of the Electronic Communication Network and Services provided by the provider, which are carried out in application of the provisions laid down in this present paragraph shall be performed at no cost for EETT.
- c) In performing its inspection duties, EETT is not required to notify a provider in advance on its intention to perform an inspection. A provider's refusal to accept inspection shall be treated as prescribed in applicable law. EETT shall perform its relevant duties in a manner that befits each separate case.
- d) EETT is entitled, however, to notify providers on imminent inspections and the said notifications may describe the purpose of the inspection, the parts of the facilities to be inspected, the date and time of inspection, as well as any information and written documentation that a provider must make available during the inspection. The provider shall collaborate with EETT for the performance of the inspection in a satisfactory manner, by preparing and delivering the required documentation and information, on condition that the provider does have or should have the said documentation or information. Prior to the commencement of the inspection, EETT representatives shall produce to the provider's competent employees or representatives their identification details along with their written authorization for the specific inspection, which must be duly signed. The provider shall choose and properly authorize certain persons to attend the inspection, and the said persons shall certify the provider's presence during the performance. If there is an important reason, which shall be notified to EETT, that makes the performance of the inspection impossible on the date and time set in the initial notification, on condition that the reason is accepted, EETT shall send a subsequent notification, pursuant to the terms laid down in this present paragraph, and if the inspection is hindered due to provider's recalcitrance, EETT shall be entitled to take all legal actions including the imposition of administrative sanctions pursuant to applicable law.

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- e) The results of all inspections shall be recorded in a report prepared to that end by EETT and notified to the provider.

## **2.1.13. Consumer Protection**

- a) Any person that provides Public Electronic Communication Networks or/and Services to the public shall comply with applicable law on the protection of consumers. Without prejudice to applicable law on the restriction of liability, any agreement providing for the restriction or elimination of a provider's liability shall be void.
- b) A provider is under obligation to comply with all the provisions laid down in the contracts pertaining to the provision of the Network and the Services provided, as well as in applicable law that establishes the rights of Users.
- c) A provider is under obligation to apply procedures for the immediate consideration of requests and complaints filed by Users with regard to the order, installation, commencement, termination, billing and overall quality of the Public Electronic Communication Network and Services provided to the public. In addition, a provider is under obligation to inform EETT, if requested to do so by EETT, with regard to all the above signed requests and complaints that have been filed with the provider. The above information may also include information on the manner and time of meeting the relevant requests.
- d) A provider is under obligation, within a reasonable time period, to take all necessary measures for facilitating and assisting Users with the resolution of problems related to the operation of the Public Electronic Communication Network and Services provided to the public.

## **2.1.14. Contracts**

- a) Any person that provides Public Electronic Communication Networks or/and Services to the public is under obligation to have a conventional text regulating its relations with Users. The terms included in the conventional text shall be laid down in full clarity, precision and simplicity so that Users can be fully aware of all the contractual terms. More specifically, the general terms shall be provided in hard copy or/and electronic format in an easy-to-read way and, when posted on a Website, they shall be located in a conspicuous point thereon.
- b) The service contracts concluded with Users shall have the form of an Accession Contract, shall be governed by and comply with the corresponding provisions laid down in applicable law and the law on consumer protection.
- c) A provider shall see to it that consumers are made aware of the contractual terms before they sign the subscription application. Any potential questions raised by consumers with regard to the contractual terms shall be answered by the provider's personnel or the local sales networks authorized by the provider.
- d) Any contracts concluded with consumers that include the sale of equipment shall expressly indicate the person liable for the time period following the sale, pursuant to the provisions laid down in article 5 of Law No. 2251/94, as it is in force every time.
- e) Any contracts concluded for the provision of Electronic Communication Services to the public may be of a definite or indefinite duration. The said contracts, to the



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degree that they pertain to transactional terms and accession contracts and are of indefinite duration, shall have an exclusive minimum duration of two months.

Subscribers shall be informed in any convenient way, and without fail in writing upon notification of the Contractual Terms, under penalty of cancellation of the Contract, on the minimum duration of the connection.

- f) Without prejudice to Law No. 2251/1994, as it is in force, a contract concluded between a subscriber or end user and the person providing the connection or/and access to the public telephone network or between a consumer or end user and other electronic communication service providers shall include the following minimum details:
- i. The provider's details and address.
  - ii. The services provided, the quality level of the said services, as well as the duration of the initial connection.
  - iii. The types of maintenance services provided.
  - iv. The details with regard to prices and tariffs, as well as the means used for obtaining updated information with regard to all applicable tariffs and maintenance fees.
  - v. The duration of the contract, the renewal terms and the termination of the services and the contract.
  - vi. The terms applicable to compensation and refund of amounts paid if the contractual obligations pertaining to the quality of the service rendered are breached.
  - vii. The procedures applicable to the resolution of disputes. If a dispute is to be brought before a court of law, the court of law having its seat in the city where the User resides shall be the one having jurisdiction over any dispute that arises from the contract.
  - viii. The User's right to maintain his/her communications confidential and secret.
  - ix. The right to connect to a Terminal Point of a fixed Telephone Network and use terminal equipment freely selected by the User, if the said equipment is appropriate for the connection provided in accordance with the provisions laid down in applicable law.
  - x. The requirement to use the Greek language for any service rendered by persons that provide Public Electronic Communication Networks or/and Services.
- g) If a person that provides Public Electronic Communication Networks or/and Services to the public amends the contractual terms unilaterally, then subscribers shall be entitled to terminate the contract at no cost within one (1) month after the relevant notification. The provider is under obligation to inform subscribers, through the press or via e-mail, on the amendments and the right to terminate the contract at least one (1) month prior to their effective date.

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- h) Without prejudice to the provisions on competition and the principles of good faith and transactional ethics and the law on consumer protection, a retrospective increase of tariffs is prohibited without the prior consent of the other contracting party.

## **2.1.15. Liability to Users**

- a) Any person that provides Public Electronic Communication Networks or/and Services to the public is under obligation to ensure the scientifically and technically perfect installation, function and maintenance of the Electronic Communication Services provided, in such a way that will not endanger the life, bodily integrity, health or property of the Users of the above services.
- b) Every User is entitled to claim from a provider the restoration of any direct or indirect damage or moral damage suffered due to the unsatisfactory or defective manufacture, installation, maintenance or function of the Networks, the Electronic Communication Services provided or the telecommunications terminal equipment. An unjustified interruption of the Network and the Electronic Communication Services rendered to Users shall establish a right to compensation. An interruption required for the execution of necessary maintenance works, if expressly notified to Users in advance, shall not be considered unjustified as above, without prejudice to the stipulations laid down in individual service level agreements.
- c) More specifically, if the availability of the Network or the Electronic Communication Services rendered is lower than the quality of services required for the person in question pursuant to the provisions laid down in the General Authorizations or in the special rights of use for radio frequency bands or numbers that have been extended to the person, provided that the problem is not caused by the subscriber or by a third person and it has led to the interruption of the Electronic Communication Services provided to the subscriber, then the provider is under obligation to credit to the subscriber the part of the amount paid by the latter which corresponds to the time when the Electronic Communication Services were interrupted.
- d) A provider shall be liable to Users for any damage with regard to the Electronic Communication Services it provides to the public, pursuant to the provisions laid down in applicable law.

## **2.1.16. Force Majeure**

- a) Without restricting the provisions laid down herein, a person that provides Public Electronic Communication Networks or/and Services to the public shall not be considered as having breached a provision laid down in the General Authorization framework or in the rights of use for radio frequencies or numbers extended to the person due to a non-compliance with terms or due to an unsatisfactory or overdue compliance with terms, for the time periods when the said non-compliance with terms or the unsatisfactory or overdue compliance with terms is due to Force Majeure, which is causatively linked to the non-compliance with the terms laid down in the General Authorization framework or in the rights of use for radio frequencies or numbers.
- b) Following is an indicative list of Force Majeure incidents: War (either declared or not), riots, acts of sabotage, acts of terrorism, acts of God, explosions and fires that are not due to gross negligence on the part of the provider, embargos and

strikes. During any incident that is within the scope of this present clause, the provider shall take all advisable measures in order to comply as fully as possible with the terms laid down in the General Authorization framework or in the rights of use for radio frequencies or numbers extended to the provider.

- c) A provider is under obligation to ensure that, if a disastrous failure occurs due to Force Majeure, all measures are taken for maintaining the availability of the Public Electronic Communication Network or/and Services provided to the public and the maintenance of the highest possible level of services so as to respond to any requirements set by any public Authority.

### ***2.1.17. Assistance to National Defense and Public Security***

- a) A person that provides Public Electronic Communication Networks or/and Services to the public shall collaborate with the Government of the Hellenic Republic (hereafter referred to as the "Government") with regard to national defense and public security issues.
- b) In emergencies, a provider is under obligation to collaborate with Competent Authorities and apply, when necessary, an emergency plan which shall determine the procedure for providing services in areas where a state of emergency is declared for as long as the declaration is in force, pursuant to applicable law. In addition, a provider is under obligation to collaborate and participate, if requested to do so by Competent Authorities, in the preparation of the emergency plan.

## **3. Special Obligations per Category of Public Services**

### **3.1. Additional Obligations for the Provision of Public Telephone Services**

The provisions laid down in this present paragraph pertain to additional obligations for persons that provide Public Telephone Services. Thus any person operating under a General Authorization regime and provides Public Telephone Services is under obligation to comply with the provisions laid down in this present paragraph.

#### ***3.1.1. Emergency services***

- a) Public Telephone Service providers shall enable Users to call emergency number "112", or other emergency numbers determined in applicable law, free of charge from any subscribers' telecommunication terminal equipment or/and public telephones.
- b) Public Telephone Service providers are under obligation to provide free of charge all information necessary for identifying the location of the person calling competent authorities in order to deal with emergencies for all calls made to the single European emergency number "112".
- c) Public Telephone Service providers that provide Short Message Services (SMS) in order to serve persons having serious speaking and hearing problems are under obligation to provide access to emergency services free of charge through the Short Message Service (SMS).

#### ***3.1.2. Telephone directory enquiry services***

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- a) Public Telephone Service providers are under obligation, without prejudice to the provisions laid down in the law on the protection of personal data:
  - i. To provide their Subscribers with telephone directory enquiry services.
  - ii. To provide Users with access at least to one telephone directory enquiry service covering all registered subscriber numbers of Voice Telephony or Fixed and Personal Communication. If the telephone directory enquiry service is part of the Universal Service, then Voice Telephony Service providers are under obligation to provide Users with access at least to one telephone directory enquiry service operating as part of the Universal Service.
  - iii. To provide Users of all their public telephones, if technically possible, with access to telephone directory enquiry services provided through the series 118XX.
- b) All Public Telephone Service providers allocating telephone numbers are under obligation to inform, upon conclusion of a relevant contract, their subscribers, including card mobile telephony subscribers on (a) the purposes of printed or electronic subscriber directories which are distributed to the public or can be obtained through telephone enquiry services; (b) their right to be listed in publicly available telephone directories; and (c) their right to audit and, if necessary, to correct or request the deletion of the relevant entry. A subscriber is entitled to indicate to the provider that has allocated his subscriber numbers whether all or part of his/her numbers or personal details can be included in his/her provider's publicly available telephone directory, or whether all or part of his/her numbers or personal details can be made available to third parties.
- c) The method used by a subscriber in order to express his will on whether he/she wishes to be included in his/her provider's telephone directory shall comply with the stipulations laid down in applicable law on the protection of personal data in the electronic communications sector.
- d) Public Telephone Service providers allocating telephone numbers, before they transfer their subscribers' details to third parties, are under obligation to inform their subscribers free of charge on the said possibility, as well as on the receiver or the categories of potential receivers and the purpose of the transfer, which may not be other than the one which the subscribers' details were collected for in the first place, so that subscribers can have the opportunity to express their will with regard to the transfer in such a way as stipulated in applicable law on the protection of personal data in the electronic communications sector.
- e) If they wish to be included in a telephone directory, card mobile telephony subscribers are required to notify their wish in writing or electronically to their Public Telephony Service provider.
- f) Every Public Telephone Service provider allocating telephone numbers to subscribers is under obligation to meet any reasonable request for the provision — within the framework of providing publicly available telephone directory enquiry services and directories — of relevant information in an agreed form and in a way that is fair, objective, cost-oriented and impartial. The above obligation pertains exclusively to a request for the provision of telephone directory enquiry services or/and the issuance of a telephone directory and, beyond the said purpose, no other access is permitted to the Users' details, without their relevant express consent. If a dispute arises between the interested parties with regard to

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compliance with the above, each interested party is entitled to appeal to EETT and request an investigation pertaining to compliance with the terms laid down in this present paragraph.

- g) Public Telephone Service providers are under obligation to be impartial when processing and present their Users' details or the details made available to them by other Public Telephone Service providers.
- h) Public Telephone Service providers shall negotiate interconnection upon reasonable request made by another Public Telephone Service provider for having access to any telephone directory enquiry services, within the framework of the publicly available telephone directory enquiry services.
- i) All involved entities are under obligation to ensure that the access of the subscribers of a certain electronic communication network to services provided via directory enquiry service short codes through another electronic communication network or to services provided by the same electronic communication network, in another geographical area however, may be effected through the use of a short code for the said services, without requiring to dial a special prefix assigned to the network or geographical area.
- j) Public Telephone Service providers are under obligation to comply with the instructions given by EETT with regard to telephone directory enquiry service issues.
- k) Public Telephone Service providers shall make sure that they themselves reply to any questions asked by consumers regarding the amounts charged for calls to short telephone directory enquiry service codes provided through their networks.

### **3.1.3. Voice mail services**

Public Telephone Service providers are under obligation to provide every end user connected to their Public Telephone Network with access to subscriber voice mail services.

### **3.1.4. Contracts**

Each contract proposed by a Public Telephone Service provider shall be notified to EETT at least two (2) months prior to its application. Within forty five (45) days from the submission of a standardized contract, EETT may request from the provider to amend certain contractual terms or to add new terms to it, which shall constitute its minimum content pursuant to paragraph 2.1.14. If the forty-five-day (45-day) period from the legal and appropriate notification of the contract expires without any reply given, then the contract shall be considered approved. If a provider does not submit the standardized contract, or any potential amendment thereof, to EETT promptly, EETT is entitled to impose administrative sanctions, pursuant to applicable law.

In any case, EETT is entitled to propose a standardized contractual text.

### **3.1.5. Termination of services**

- a) A Public Telephone Service provider is entitled to terminate, temporarily or permanently, the provision of Telephone Services to a subscriber only if the latter fails to comply with his/her contractual obligations and especially if there is an

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overdue and payable amount from the subscriber to the provider, as well as in cases of Force Majeure.

- b) If a Subscriber fails to comply with his/her contractual obligations, because there is an overdue and payable amount from the subscriber to the provider, the provider is under obligation to notify the Subscriber, even on the Subscriber's bill, about his potential temporary or permanent termination and shall proceed to terminate the provision of services only after fifteen (15) days have passed by from the date when a relevant legal and appropriate notification is sent to the subscriber. A relevant short message (SMS) sent shall not be considered as a legal notification. The said termination shall affect, if technically possible, only the specific services which the amount is due for. During the temporary termination and if it is compatible with the specific service, the Subscriber shall be able to make outgoing calls that are free of charge.
- c) The services shall be terminated permanently, especially if there is an overdue and payable amount from the subscriber to the provider, only after sixty (60) days have passed by from the temporary termination of services, and after a relevant legal and appropriate notification is sent to the subscriber. A relevant short message (SMS) sent shall not be considered as a legal notification. In any case, as far as it is technically possible, the termination shall pertain only to the specific services which the amount is due for.

The stipulations laid down in this present paragraph shall not apply to cases of fraud or repeated overdue payment or non-payment of bills, whereby permanent termination shall take place immediately without any obligation for the provider to send a prior notification.

### **3.1.6. Itemized billing**

- a) Any bills sent to Subscribers indicating the cost of the Public Telephone Services rendered by the provider shall include a minimum level of itemized billing, which shall be made available at no additional fee, as determined by EETT from time to time, upon consultation with interested parties.
- b) Without prejudice to the requirements laid down in existing provisions of applicable law on the protection of personal data and the protection of privacy in the telecommunications sector, EETT is entitled to determine the basic level of detail of itemized billing sent free of charge to consumers by Public Telephone Service providers at fixed locations, so that consumers are able to:
  - (i) verify and check the amounts charged for using the public telephone network at fixed locations and/or any relevant publicly available telephone services; and
  - (ii) monitor their use and the resulting costs appropriately, thus having a certain reasonable level of control over their bills.
- c) If necessary, it shall be possible to provide subscribers with more detailed itemized billing either at a reasonable additional charge or free of charge.

Any calls made by a subscriber free of charge, including calls to aid lines, are not required to be included in the calling subscriber's itemized bill.

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The obligation to provide a certain minimum level of itemized billing shall not apply if a subscriber has expressly stated that he/she does not wish to receive such bills.

## **3.1.7. Tariffs**

- a) Irrespective of whether charging for Public Telephone Services is done depending on the volume of the information transferred or its duration, bills may not cover service periods longer than two months.
- b) Subscribers shall not be charged for calls that were not completed pertaining to the called party, neither shall they be charged for any time spent until the connection with the called party is effected (or pertaining to the transferring time, or the messaging service). If there are doubts with regard to bills, subscribers are entitled to appeal to EETT, and the latter shall examine whether there has been a breach of the law on electronic communications on the part of a provider.
- c) Bills shall indicate their payment deadlines. In any case, a bill shall not become overdue earlier than thirty (30) days from the issue date written thereon. A provider shall ensure that the bills issued are sent to subscribers as fast as possible.

## **3.1.8. Customer Service Departments**

- a) A Public Telephone Service provider shall ensure the existence of procedures for the investigation of problems encountered by consumers and shall maintain customer service departments or appropriately and especially trained personnel at special sales points.
- b) In cooperation with EETT, a Public Telephone Service provider shall proceed to encode the most frequent problems / questions brought to the attention of the customer service departments by Users and shall train customer service personnel in order to be able to handle effectively, in a standardized manner, at least the most frequently encountered issues included in any encoded category.
- c) Among other things, a Public Telephone Service provider shall serve users with regard to failure-related issues through a special, free of charge telephone line operating at least 12 hours a day, from Monday to Saturday.

## **3.1.9. Transparency and publicity of information**

A Public Telephone Service provider is under obligation to publish clearly accurate and updated information with regard to its tariffs and the terms applicable to the access to and use of its Public Telephone Network by End Users.

- a) The information published shall include the following:
  - i. The provider's name and the address of its central offices.
  - ii. A description of the publicly available telephone services provided.
  - iii. The procedure followed by a Subscriber for submitting an application for the provision of services.

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- iv. If there is a connection fee or/and a periodic fee, a description of the services included (e.g. exploitation entity's services, directories, directory enquiry services, selective call barring, itemized billing, maintenance, etc.).
  - v. Standardized tariffs covering access, all types of use and maintenance fees, including details about existing common discounts and special targeted billing schemes. There must be included a sufficient description of the individual prices applicable in each case to the relevant services per type of network, destination and duration of each call. In addition, there must be a clear description of the charging rate, the minimum charge or the call answering fee, if any. If tariffs are modified unilaterally, there must be a clear description of the modification made, and Users shall be given the ability to oppose the said modification and terminate the contract at no cost.
  - vi. The compensation/refund policy, including special details on the offered compensation/refund systems.
  - vii. The types of maintenance services offered, including the deadline set for the provision of the Services rendered or the restoration of failures.
  - viii. The quality of the services rendered.
  - ix. The standardized contractual terms, including, if necessary, the minimum duration of the contract.
  - x. Mechanisms for resolving disputes and settling amounts due, including those procedures that have been developed by the company.
- b) The above information shall be published as follows:
- i. By sending the above information material, and especially any applicable contractual text or part thereof, to any End User submitting a relevant request.
  - ii. By posting the above material/information on the provider's Website, or if there is no such Website, by making the above material available to any interested party free of charge at the provider's central offices.
  - iii. More specifically, a provider is under obligation to provide all tariff-related information at its service sales points or to operate a telephone center providing information on tariffs.

The above obligations shall not apply to Telephone Services provided through public telephones.

### **3.1.10. Number portability**

A Public Telephone Service provider is under obligation to provide number portability pursuant to the provisions laid down in applicable law and in EETT decisions, as they are in force every time.

### **3.1.11. Non geographic numbers**

If non geographic numbers from the National Numbering Plan have been allocated to a Public Telephone Service provider, the latter shall ensure, if technically and



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financially possible, that all end users, irrespective of where they are in the EU, have access to the said numbers.

## **3.2. Additional Obligations with regard to the Provision of Public Telephone Services at fixed locations**

The provisions laid down in this present unit pertain to additional obligations imposed on persons that provide Public Telephone Services at fixed locations. Thus, any person operating under a General Authorization regime and providing Public Telephone Services at fixed locations is under obligation to comply with the provisions laid down in this present unit.

### **3.2.1. Provision of additional facilities**

- a) A person that provides Public Telephone Services at fixed locations shall provide the following, if technically and financially possible:
  - i. Tone dialing or dual tone multi-frequency operation (DTMF), so that the public telephone network may support the use of DTMF tones as defined in ETSI ETR 207 for end-to-end signaling throughout the network both within a member state and between member states.
  - ii. Caller identification, which shall be provided in accordance with the relevant law on the protection of personal data and privacy in the electronic communications sector, as it is in force. Caller identification pertains to the ability of the called subscriber to identify the caller's number prior to answering the call.
- b) As far as it is technically possible, a provider shall provide data and signals for facilitating caller identification and structural dialing for long-distance calls with other member states.

### **3.2.2. Provision of Fixed Voice Telephony by Virtual Providers**

- a) For the purposes of this present paragraph, a Virtual Provider (VP) is a person that, despite not having its own electronic communication infrastructure, provides electronic communication services under its own trade name and its own separate corporate organization based on the infrastructure of other persons that provide electronic communication networks or/and services based on relevant contracts concluded with the said persons.
- b) In the case of Virtual Public Telephone Service Providers at fixed locations, in order to ensure the ongoing provision of services, these shall have concluded at least two cooperation contracts with persons providing Public Telephone Services at fixed locations via the Networks of the said persons.

## **3.3. Additional Obligations with regard to the Provision of Directory Services**

- a) The provisions laid down in this present unit pertain to additional obligations imposed on persons that provide Directory Services. The provision of directory enquiry services shall always be done in accordance with the provisions laid down in Law No. 3431/2006 and in EETT decisions made based on the said Law, and the provisions laid down in applicable law on the protection of personal data and confidentiality.

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- b) Telephone Directory Service providers are under obligation to sign confidentiality agreements with Public Telephone Service providers allocating subscriber numbers and are not entitled to use the data made available to them for a purpose other than the one they were collected for and, especially, for their own benefit or for the benefit of their subsidiaries or other Enterprises collaborating with them.
- c) Directory enquiry service providers are under obligation to provide users with sufficient information on the tariffs charged for calling the directory enquiry service short codes, as well as whether there is a maximum limit of numbers which information is given for per individual call. Prior to the provision of the service, upon commencement of a call, they are under obligation to provide — through a recorded message, free of charge for users — a clear description of the tariff charged and, especially, depending on the case, either the total lump sum amount charged irrespective of the duration of the call, or the amount charged per time unit along with the resulting charge per minute.
- d) In addition, if call completion is provided, directory enquiry service providers are under obligation to provide users with sufficient information on the tariffs charged for the said calls before they obtain the express consent of users for call completion and proceed with the connection.
- e) More specifically, during the advertising promotion of services, tariffs shall be described clearly in accordance with the above stipulations on the recorded message, they must be written clearly and they must be indicated in each and every promotion surface in the cases of printed or television or multimedia advertisements, or they must be announced clearly in the case of sound promotion through an electronic or other medium. In the case of television or multimedia advertisements, the tariffs shall be written in accordance with the above stipulations throughout the duration of an advertisement at a fixed position and not in a trailer.
- f) Directory enquiry service providers are under obligation to provide users with sufficient and clear information with regard to the directory enquiry services provided. Any announcement or advertisement with regard to the directory enquiry services provided shall state clearly whether the services pertain to a domestic directory or to international directories.
- g) A directory enquiry service may include innovative directory enquiry services. Some indicative services may be call completion, the setting up of conventional directories and directories arranged per category — for example per professional category, so that a user may obtain the numbers of all relevant enterprises in addition to the number of one particular enterprise — the provision of directory enquiry services in different languages for tourists and immigrants, and the provision of value added services, such as information on the numbers of movie theaters based on lists of films.
- h) The provision of an international directory enquiry service shall be done by the use a short code different from the one used for the national directory enquiry service.
- i) In the case of international directory enquiry services, it is not necessary to cover all countries, however each announcement or advertisement with regard to the said services shall specify clearly which countries are covered.

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- j) National directory enquiry service providers are under obligation, in advertising their services, to specify whether the service provided is complete and indicate clearly the types of numbers covered by the service provided.
- k) It is possible to set a maximum limit of numbers which information is provided for per individual directory enquiry service call.
- l) No information will be provided about the requested number to the person calling the telephone enquiry service short code if the latter does not give sufficient details about the name or/and address of the holder of the requested number.
- m) Call completion is a supplementary service. Directory enquiry service providers are under obligation to provide the requested telephone numbers to the users of their services irrespective of whether a user requests the provision of call completion subsequently.
- n) Directory enquiry service providers are under obligation to operate a complaint line, without any additional charge, which shall pertain to the announcements – advertisements with regard to the service in question.
- o) The provision of telephone enquiry services shall always comply with any existing provisions laid down in applicable law on the protection of personal data and secrecy in the electronic communications sector.

## **3.4. Additional Obligations with regard to the Provision of Public Telephones**

- a) The provisions laid down in this present unit pertain to additional obligations imposed on persons that provide Public Telephones. Thus any person operating under a General Authorization regime and providing Public Phones is under obligation to comply with the provisions laid down in this present unit.
- b) For the purposes of this present paragraph, public telephones are the ones permanently installed in public places accessible to the public on a 24-hour basis.
- c) Any persons that provide public telephones shall ensure the ability to call emergency numbers free of charge.

The person shall be responsible for the installation, repair and maintenance of telephone sets.

The person that provides public telephones shall ensure the provision of telephone services and, especially, of the following services:

- i. Access to directory services so that all telephone enquiry services provided through the 118XX series can be accessible from all public telephones, if technically possible.
  - ii. Free of charge access to emergency services without the use of coins or cards.
  - iii. Access to voice mail services.
- d) The person is under obligation to indicate the following information, in a conspicuous, visible, recognizable and legible manner, in the area where the telephone sets are installed:

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- i. Information on the charges made and the modes of payment for the service in question. There must be a sufficient and clear indication of the individual prices applicable per destination and time period when the call is made. In addition, there must be a clear indication of the charging rate, the minimum charge or the call answering fee, if any.
  - ii. There must be an indication of the capability of making emergency calls.
  - iii. There must be an indication of the capability of receiving incoming calls.
  - iv. Contact information if there are complaints or problems.
- e) The person that provides public telephones shall ensure that 75% of the public telephones is accessible to persons using wheelchairs.
- f) The person that provides public telephones shall consult with EETT on the specifications of the public telephones it intends to install so as to ensure that issues related to handicapped persons are taken into consideration in the installation and provision of public telephones.

### **3.5. Additional Obligations with regard to the Provision of Multimedia Information Services**

The provisions laid down in this present unit pertain to additional obligations imposed on persons that provide Multimedia Information Services. The said services include Audiotext and Videotext services, added value short messages (SMS) and added value multimedia messages (MMS). Thus any person operating under a General Authorization regime and providing Multimedia Information Services is under obligation to comply with the provisions laid down in this present unit.

Multimedia Information Service providers are under obligation:

- i. To provide users with sufficient information on the tariffs charged for Multimedia Information services. Prior to the provision of the service, upon commencement of a call, they are under obligation to provide — through a recorded message, free of charge for users — a clear description of the tariff charged and, especially, depending on the case, either the total lump sum amount charged irrespective of the duration of the call, or the amount charged per time unit along with the resulting charge per minute, including the corresponding Value Added Tax (VAT). More specifically, with regard to added value short messages (SMS) and added value multimedia messages (MMS), providers are under obligation to inform each user immediately after the transmission of the first message or the user enrolment message, in the case of services requiring user enrolment, about the tariffs charged per message, the total number of messages required for the provision of the service, where possible, and the total maximum cost of the service for the user, including the corresponding Value Added Tax (VAT).
- ii. Not to charge consumers for the time they spend waiting to be connected to the service or, if it is technically impossible, not to answer a consumer's call when there is no available line for the provision of the service.
- iii. Not to allow a maximum call duration longer than 20 minutes.
- iv. During the advertising promotion of services, tariffs shall be described clearly in accordance with the above stipulations on the recorded message, they must be

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written clearly and horizontally, and they must be indicated in each and every promotion surface in the cases of printed or television or multimedia advertisements, or they must be announced clearly, depending on the case per minute, per call or per message, along with the maximum number of messages required for the provision of the service, if sound promotion is used through an electronic or other medium exclusively. In the case of television or multimedia advertisements, the tariffs shall be written in accordance with the above stipulations throughout the duration of an advertisement at a fixed position and not in a trailer.

- v. To operate a complaint line, without any additional charge, which shall pertain to the announcements – advertisements with regard to the service in question.

### **3.6. Additional Obligations with regard to the provision of prepaid cards**

- a) Prepaid card providers are under obligation to provide, along with the cards, an information leaflet including all tariff information, as described in the following paragraph or to operate a telephone center providing detailed information on tariffs free of charge.
- b) The tariff information that must be provided shall indicate the following information sufficiently and clearly:
  - i. the individual prices applicable in each case to the relevant services per type of network, destination and duration of a call;
  - ii. the charging rate, the minimum charge or the call answering fee, if any;
  - iii. the applicable usual discount rates;
  - iv. the card expiry date.

Marousi, 13 June 2006

THE PRESIDENT

N. ALEXANDRIS