



Decision No: 207/2 (1)

DECISION

Regulation on the Procedure and Conditions for Individual Licences

The National Telecommunications and Post Commission (EETT)

Having regard to:

1. Article 6, paragraph 7 of the Law 2867/2000 “Organization and Operation of Telecommunications and other Provisions” (Official Gazette 273/A/2000);
2. The fact that the provisions of the present Decision do not charge the State Budget with further expenditure;

Decides

To issue the Regulation on Individual Licences with provisions as below:

Article 1

Scope

1. The present Regulation regulates the procedure and the conditions for Assignment, Amendment, Revocation, Suspension, Extension and Renewal of Individual Licences as well as the Terms and Conditions for Individual Licences’ Exploitation.
2. Licences concerning the allocation of exclusive or non-exclusive usage of satellite orbits shall not be included in the present Regulation.



Chapter A

General Provisions

Article 2

Definitions

Words or phrases in the present Regulation have the meaning that is defined in this article or if they are not referred in this article, Law 2867/2000 or, if they are not referred in that, the relevant secondary European Union Law or, if they are not referred in that, the International Radio Communications Regulation.

1. **Control Acquisition:** For the purpose of the present Regulation, the meaning of the word Control Acquisition is equivalent to the word Control Obtainment according to the Article 4b following of Law 703/1977, including the control acquisition of a corporation from an associated undertaking.
2. **Allotment of Radio Frequencies** is the assignment of a specific transmission path or a specific radio frequencies zone applying the provisions of the present legislation which concerns the Individual Licences intending to use them, in an exclusive basis, for the provision of a specific Telecommunications Service in one or more geographical zones, in accordance with the Individual Licence terms. The Radio Frequencies allotment is achieved through the individual administrative act, with which the Individual Licence is granted.
3. According to the Individual Licence requirements, **Radio Frequencies Assignment** is the individual administrative act through which an Authorization for commencement of usage of a specific radio frequency or a specific radio electronic path from a radio electronic station at a specific place and with specific technical characteristics is granted.
4. **Undertaking:** for the present purposes the word has the same meaning as in the Act 703/1977.
5. **Associated undertakings:** The following undertakings shall be deemed to constitute associated undertakings within the meaning of this Regulation:
 - (a) Those undertakings in which the licensee, directly or indirectly has control;
 - (b) Those undertakings which have control of the licensee;



- (c) Those undertakings over which an undertaking as referred to in (b) has control;
- (d) Those undertakings over which two or more undertakings as referred to in (a) to (c) jointly have control.

Article 3

Object of Individual Licences

1. Individual Licence is required for the following telecommunications activities:
 - (a) Installation of telecommunications networks for which the access or/and passing through public property or/and from areas of common use or/and property of third persons is required.
 - (b) Provision of telecommunications services for the offer of which the use of Resources in Scarcity is required.
2. Individual Licence is an individual administrative act. The Radio Frequencies allotment for the specific telecommunications service is granted with the same administrative act.
3. According to legislation in force, with regard to Radio Frequencies Assignment, the award of an Individual Licence for the provision of telecommunications services for which Radio Frequencies Assignment is required implies that the licensee has the right to ask for radio frequencies assignment.
4. According to the validating provisions of the legislation in force and the National Numbering System, the award of an Individual Licence for the provision of telecommunications services for which assignment or/and binding of numbers is required implies that the licensee has the right to ask for the assignment or/and binding of numbers.

Article 4

Right of Application for Individual Licence

1. All the undertakings, that wish to offer telecommunications activities falling under a regime that requires the possession of an Individual Licence, have the right to apply for an Individual Licence.

2. EETT may deny the award of an Individual Licence only in cases restrictedly referred in Article 6, paragraph 4 of Law 2867/2000.

Article 5

Categories of Individual Licences

1. Individual Licences are divided into the following categories:
 - (a) Individual Licence for the installation of telecommunications network;
 - (b) Individual Licence for the provision of satellite services to the public;
 - (c) Individual Licence for the provision of mobile radio services to the public;
 - (d) Individual Licence for the provision of fixed radio services to the public;
 - (e) Individual Licence for the provision of voice telephony services for which allocation of subscriber numbers from the National Numbering Plan will follow;
 - (f) Individual Licences for services, which do not fall into one of the above paragraphs (b), (c), (d) and (e).
2. Upon a related request or in other justified cases, according to legislation in force, EETT may grant a unified licence, which shall combine more categories than one from Paragraph 1.

Article 6

Temporary Licences

1. EETT may grant Temporary Licences for testing purposes under the following conditions which must conduce in accumulation:
 - (a) The Temporary Licence is required for testing purposes:
 - i. when the technical framework for the provision of specific services is not yet fully developed, or
 - ii. when the experimental application of new technical methods is required for the provision of specific telecommunication services, or
 - iii. aiming at commercial exhibition of telecommunications equipment.
 - (b) Temporary Licences are not used for the provision of public telecommunications



services.

- (c) The Telecommunications undertaking, which applies for a Temporary Licence, does not already possess an Individual Licence within the framework of which the aforementioned activities can be deployed.
 - (d) The award of a Temporary Licence is not contrary to the basic principles of Article 1, paragraph 4, of Law 2867/2000.
2. The Temporary Licence shall be granted by way of an EETT Decision for the absolutely necessary time period that shall be no more than six (6) months. The duration of a Temporary Licence may be extended only for two (2) more months by EETT, upon a relevant request of the interested undertaking, which shall be submitted at least one (1) month prior to the termination date of the initially defined duration of the Temporary Licence.
 3. The applicants for the award of a Temporary Licence submit all the necessary documents which, according to the provisions of this article, justify the award of the Temporary Licence or its extension for only two (2) more months.

Article 7

Limitations of the Number of Individual Licences

1. The number of Individual Licences may be limited only pursuant to article 6, paragraph 2 of the Law 2867/2000 and the Ministerial Decree issued by the Minister of Transport and Communications pursuant to article 6, paragraph 2, sentence 1 of Law 2867/2000.
2. The proceedings of the award of Individual Licences in case of limitation of the number of Licences are governed by Article 9 of this Regulation.
3. The procedure of limitation of the number of Individual Licences commences with the procedure of consultation, which is initiated by EETT ex-officio or after an application by the interested parties. In the last case, EETT commences the consultation procedure within thirty (30) days from the application by the interested party.



Chapter B

Procedure of Award of Individual Licences

Article 8

Procedure of Award of Individual Licences without Limitation of their Number

1. Following the Regulation for granting Individual Licences and according to article 6, of the Law 2867/2000, EETT is obliged to grant the Individual Licence within six (6) weeks after a complete application has been filed, according to paragraph 2 of the present article and under the condition that there is no reason for rejection, according to Article 6, paragraph 4, of Law 2867/2000.
2. The application for an award of an Individual Licence is rejected for any of the reasons restrictedly referred to in article 6, paragraph 4 of the Law 2867/2000. Specifically:
 - (a) When, according to the National Regulation for Zones and Frequencies Assignment and the National Radio Frequencies Registry, no usable frequency is available for the provision of the specific telecommunications services.
 - (b) When the telecommunications organization applying for the Individual Licence does not provide the required information or/and documents to EETT according to Annex A to the present Regulation.
 - (c) When facts warrant the assumptions that the telecommunications organization applying for the Individual Licence does not possess, according to Annex A to the present Regulation, the reliability or the minimum required capital, the financial competence for the requested investment or the experience and the relevant know-how which guarantees the correct application of the terms for the award of the Individual Licence.
 - (d) When facts warrant the assumptions that public order, safety or health is exposed to danger through the provision of the Individual Licence.
 - (e) When the development of competition is endangered.
3. The application, which is submitted to EETT, must specify in detail the intended service categories, the geographical areas to be served as well as organizational and financial information in regard with the provision of the intended services. EETT shall, within (10) working days from the submission of the application, confirm that the application

includes all the relevant documents that are mentioned in Annex A to this Regulation, or shall specify any missing document and shall demand it in writing from the applicant.

4. In case that, according to the above, any of the documents that are restrictedly mentioned in Annex A is missing, EETT shall request it from the applicant. The telecommunications organization applying for the Individual Licence has to file the information with EETT within fifteen (15) days from the notification date. The application shall be rejected by EETT in case the applicant does not submit the documents in time.
5. EETT shall, within fifteen (15) days from the filing of a complete application, ask for any necessary clarification regarding the checking of the conditions, which are restrictedly mentioned in Annex B to the present Regulation.
6. The six (6) week period, pursuant to paragraph 1, may be extended up to four (4) months, by way of an EETT decision, when the use of frequency spectrum is required.
7. The administrative consequences of the inactive lapse of the deadlines of paragraphs 1 and 3 are defined with a Ministerial Decree which is issued according to article 6, paragraph 3, sentence 3 of Law 2867/2000.

Article 9

Procedure of Award of Individual Licences with a Limitation of their Number

1. The number of Individual Licences may be limited under the terms defined in Article 6, paragraph 2 of Law 2867/2000. In this case, the period for the award of an Individual Licence may be extended to eight (8) months in total from the publication of the invitation for tenders. Paragraph 7 of the previous article also applies in this case.
2. The Ministerial Decree issued by the Minister of Transport and Communications, pursuant to article 6, paragraph 2 of Law 2867/2000 determines the type of award procedure of the Individual Licences when there is a limitation of their number.
3. In case that an auction procedure is decided pursuant to the above paragraph 2:
 - (a) EETT determines in the Issues of Proclamation, among others:
 - i. the pre-selection procedure which is used exclusively to examine whether the conditions in Annex A to this Regulation are met, and whether there is reasonable evidence that public order, safety or health and the



development of competition would be endangered in case an Individual Licence were granted to a specific applicant.

- ii. The relevant product and geographical market for which radio frequencies shall be allocated or numbers assigned.
- iii. The Individual Licence's conditions (e.g. the degree of obligatory coverage using the specified frequencies and the time required to achieve such coverage), as well as the quality of service goals or conditions of frequency use that must be achieved or fulfilled respectively.
- iv. The quantity/number of radio frequencies to be acquired by a bidder, under the condition that such determination of the frequency number is justified by the available frequencies and the characteristics of the Telecommunications Service; or in case of use of numbers, the whole set of numbers pursuant to the National Numbering Plan.

(b) EETT shall also determine in detail the rules for the auction procedure, in an objective, comprehensible and non-discriminatory way. EETT may set a minimum bid for participation in the auction as well as the terms for its deposit. In any case, the conditions of the Issue of Proclamation shall be in accordance with the existing legislation and especially with the basic principles of Article 1, paragraph 4 of Law 2867/2000.

4. In case that the procedure of the best bid is decided in accordance with the above paragraph 2:

(a) EETT determines in the Issues of Proclamation, among others:

- i. The selection procedure (including the pre-selection) with which:
 - It is determined which of the interested telecommunications organizations (in case the object of the contest includes more than one Individual Licences) has/ have filed an offer that serves the need for the provision of the specified telecommunications service in the most appropriate way while using the Scarce Resource with the most suitable manner for the end-users and for the financial development;
 - The reliability and the financial power of the interested party to cover the intended investment is estimated;
 - It is verified whether the interested organization fulfils the necessary



- requirements in terms of know-how and infrastructure for the realization of the proposed investment;
- It is examined whether public order, safety and health or the development of competition would be endangered as a result of an Individual Licence being granted to a specific applicant.
 - ii. The relevant product and geographical market for which radio frequencies shall be allocated or numbers assigned.
 - iii. The Individual Licence conditions, especially including the degree of obligatory coverage using the specified frequencies and the time required to achieve such coverage, as well as the imposed quality of service goals or conditions of frequency use that must be achieved or fulfilled respectively.
 - iv. The quantity of radio frequencies that will be allocated to each interested organization, if there are more than one, under the condition that the determination of that quantity is justified by the available radio frequencies and the characteristics of the Telecommunications Service or, in case of use of numbers, the total amount of numbers according to the National Numbering Plan.
- (b) EETT determines in detail the rules of public tender in an objective, comprehensive and non-discriminatory manner. In any case, the rules of the Issue of Proclamation must not be in contrary to the existing legislation and especially to the basic principles of article 1, paragraph 4 of the Law 2867/2000.

Chapter C

Terms, Duration and Amendments of the Individual Licences

Article 10

Terms and validity period

1. The Individual Licence is granted for a period of fifteen (15) to twenty (20) years.



2. The Individual Licence may be granted subject to conditions. Any condition must be in accordance with the existing legislation especially in regard with the protection of competition and the EU legislation. Conditions must be subject to the principle of proportionality. More specifically, while it is objectively justified, they may only include:
- (a) terms intended to ensure compliance with the essential requirements;
 - (b) terms in regard with the provision of information that is reasonably required for the verification of compliance with applicable conditions or for statistical purposes;
 - (c) requirements relating to the geographical coverage, quality, availability and permanence of the service or network, including the financial, administrative and technical competence of the applicant as well as conditions setting a minimum period of operation including, where appropriate, the mandatory provision of Telecommunications Services of Universal Service and Public Telecommunications Networks;
 - (d) provisions intended to prevent anti-competitive behaviour in telecommunications markets, including any measures which ensure the harmonization of tariffs with rules of competition and terms that are necessary to avoid the unfair exploitation of competitive advantages. Regarding the last terms, evidently it is possible to include collocation, universal service obligations, or premium dues;
 - (e) provisions relating to the effective and adequate use of the numbering capacity;
 - (f) provisions relating to the protection of users and subscribers;
 - (g) provisions relating to emergency services;
 - (h) special arrangements for disabled people;
 - (i) specific provisions concerning the effective use and the adequate management of radio frequencies;
 - (j) specific environmental and town-planning and country-planning requirements, including provisions concerning the access to public or private land as well as conditions concerning collocation or co-exploitation of infrastructure;
 - (k) provisions applied to operators having significant market power, intended to guarantee Interconnection, wireless access to the local loop or control of significant market power;



- (l) specific provisions relating to the granting of Leased Lines in accordance with European Council Directive 92/44/EEC of 5 June 1992, regarding the application of Open Network Provision to Leased Lines;
 - (m) provisions relating to the public order and assistance in case of national demand;
 - (n) provisions relating to the equipment which is used;
 - (o) provisions relating to the deposit of a guarantee letter by the operator in order to ensure fulfilment of its obligations deriving from the Individual Licence;
 - (p) any other provision, which, according to the existing legislation, is justified to be included in the Individual Licence.
3. The provisions that are listed under paragraph 2 may be added to an Individual Licence even after it has been granted, subject to amendment provisions of the Individual Licence. If a condition is no longer justified, EETT shall remove said condition following a request of the bidder of the Individual Licence or ex-officio, with a notification of the amendment to the holder of the Individual Licence.

Article 11

Transfer of Individual Licence / Change of Control / Lease and Co-exploitation

- 1. Any possible transfer of a granted Individual Licence shall be notified to EETT. Any such transfer shall not be put into effect prior to its approval by way of an EETT decision, in accordance with the provisions of paragraph 5 of the present article.
- 2. The change of control of the holder of the Individual Licence as well as the change of lease, or co-exploitation of an Individual Licence, shall be notified to EETT, and shall be put into effect only after its approval by EETT, by way of a decision issued in accordance with paragraph 4 of the present article.
- 3. The notifications of paragraphs 1 and 2 include the elements provided in Annex C to the present Regulation.
- 4. The decision of the approval of a transaction must be issued within thirty (30) days from the day following receipt of the notification or, in case the elements are judged to be incomplete, from the day following receipt of the notification with complete documentation. EETT shall approve the Licence transfer, lease or co-exploitation as long

as there is no justified reason for rejection, in accordance with article 6, paragraphs 4 and 6 of the Law 2867/2000.

5. As an exception to the above paragraph, in case the Law 703/1977 is in effect, time limits shall be extended according to the applied provisions of the Law 703/1977.
6. Any shares transaction in one or more acts, from or towards the same legal person, equal or larger than two percent (2%) of the capital of the Licence holder, shall be notified to EETT within fifteen (15) days from the transaction.

Article 12

Extension of the Individual Licence

1. An extension to the period of the Individual Licence is allowed only for Individual Licences that have no limitation of their number and when no limitation of competition is generated from this extension.
2. Applications for extension of the Individual Licence shall be submitted to EETT, which shall approve them only under specific justified cases.
3. The application for the extension must be submitted by the interested party six (6) months before the termination date of the Individual Licence and must include all the appropriate documentation, which justify the extension of the Individual Licence, according to their judgement.
4. EETT's decision for the approval of extension of the Individual Licence shall be issued within a thirty (30) day period from the date of the filing of the application.
5. EETT, by way of its decision for the extension of the Individual Licence, may amend its conditions according to the present Regulation.

Article 13

Renewal of the Individual Licence

1. Individual Licences may be renewed by way of EETT's decision for a period equal to their initial period, unless:



- (a) there is a case that article 6, paragraph 2 of the Law 2867/2000 shall be in effect, even if there was no such case during the time when the Individual Licence was granted, or
 - (b) there is a reason for revocation of the Individual Licence.
2. The application for renewal must be submitted by the interested party six (6) months before the termination of the Individual Licence. The Decision of the approval of the renewal shall be issued within thirty (30) days from the date of the submission of the application.
3. EETT, upon its decision for the renewal of the Individual Licence, may amend its conditions in accordance with the present Regulation.

Article 14

Amendment of the Individual Licence

1. EETT may amend the terms of the Individual Licence by way of a justified decision and, according to the principle of proportionality, under the condition that the result of this amendment shall not introduce any discrimination among Telecommunications organizations.
2. The terms of the Individual Licences are amended especially:
 - (a) in case the present legislation is being amended;
 - (b) in case the holder of the Individual Licence violates the telecommunication legislation or the terms of the Individual Licence, including legislation of competition, as far as the amendment is necessary for the removal of the contravention and as long as there is no reason for revocation, abolition or suspension of the Individual Licence.

Article 15

Revocation, Suspension, Abolishment and Termination of the Individual Licence

1. EETT may, wholly or partially, revoke, abolish or suspend any Individual Licence, subject to the principle of proportionality, in the following cases:

- (a) If the holder of the Individual Licence does not observe the obligations arising either from its licence or from the provisions of Law 2867/2000 or from the present Regulation, as well as from the EETT decisions or, in particular, if the holder of the Individual Licence commits serious or repeated offense of the law of competition, telecommunications confidentiality laws as well as regulations on data protection or criminal law which are related with telecommunications.
 - (b) If any of the reasons mentioned in article 6, paragraph 4 of Law 2867/2000 applies for the holder of the Individual Licence or a third party, who has obtained the rights of use or exploitation of the Licence, in accordance with Article 6, Paragraph 6 of Law 2867/2000.
2. EETT may revoke, abolish, or suspend an Individual Licence, according to the previous paragraph, as long as the relevant Decision does not violate the principle of the protected confidence of the licensee or the principle of proportionality.
3. The Licence terminates:
 - (a) with the termination of the licensing period and if it has not been renewed or extended,
 - (b) in case of Licence revocation, according to paragraph 1 of the present article,
 - (c) in case of an application for a waiver of the Licence by the Individual Licence holder.
4. Under any condition, the Licence termination implies the removal of the Radio Frequencies spectrum allotment that has been granted with the Individual Licence as well as the termination of the assignment of the Radio Frequencies or assignment/reservation of numbers that have possibly occurred as a result of the Individual Licence.

Article 16

Publication of Decisions Concerning Individual Licences

1. After the Individual Licence is granted, the Telecommunications Services Register is updated with the licensee's data (e.g. surname, firm name, head-office address, Tax Registry Identification Number, legal representatives and, in case that there is no head-office or branch in Greece, the name of the authorized attorney in Greece), as

well as a description of the Individual Licence and the date of issue. Any amendment, abolishment, extension, renewal or termination of the Licence is recorded in the same Register.

2. Elements of the paragraph 1 shall be published at the Web Site of EETT.

Article 17

Fees

1. Fees shall meet the cost that arises from the procedure of granting, administration and control of the Individual Licence.
2. All Telecommunications organizations operating under an Individual Licence have to pay a fee of 600 euros to EETT during its issue as an advance of the annual revenue bond of the first year.
3. All Telecommunications organizations operating under an Individual Licence have to pay an annual fee, which is calculated proportionally to the total gross revenue emanating from the telecommunication activity which is the object of the Individual Licence, as shown in the table below:

Annual total gross revenue, E, from the telecommunications activity which is the object of the licence (In millions-Euro)	Imposed annual fee (in millions-Euro)
$E \leq 300$	0,005 E
$300 < E \leq 600$	$1,5+0,002 (E - 300)$
$600 < E \leq 900$	$2,1+0,0015 (E - 600)$
$900 < E \leq 1200$	$2,55+0,001 (E - 900)$
$1200 < E \leq 1500$	$2,85+0,0005 (E - 1200)$
$E > 1500$	$3,0+0,00025 (E - 1500)$

The annual fee for each calendar year, calculated in accordance with the above Table, shall be deposited no later than the 30th of June of the next calendar year.



4. Each possible grant given to companies that participate to European Commission or national programs is subtracted from the total gross revenue.
5. In any case the amount of the annual fees for the Telecommunications organizations that operate under an Individual Licence regime cannot be less than 600 Euros.
6. The above annual fees are paid even if the duration of the first year of the Licence does not coincide with the calendar year.

Chapter D

Penalties, Transitional and Final Provisions

Article 18

Penalties

Telecommunications activities in contravention of Article 6 of Law 2867/2000 and the provisions of the present regulation are subject to penalties provided in Articles 11 and 12 of Law 2867/2000.

Article 19

Transitional provisions

1. Individual Licences that are in force and the terms of which are not subject to the present legislation, are amended by way of an EETT decision, independently of the kind of the initial act that granted the Licence.
2. Applications for Individual Licences that had been submitted before the present Regulation was set in force, are evaluated, completed and granted in accordance with the present Regulation. The deadlines of paragraphs 3, 4 and 5 of Article 8 commence from the date the present regulation applies.



Article 20

Entry into Force

The present Regulation shall enter in force on the date of its publication in the Official Gazette.

ANNEX A'

Contents of an application and attached documents

Applications must be in writing and addressed to the National Telecommunications and Post Commission.

Applications must be submitted in duplicate and have to include the following information in Greek:

I. The Applicant

1. Name and Address of the applicant.
2. Legal form of the applicant.
3. Nomination of the authorized attorney and the legal representative of the applicant in Greece (including telephone and fax numbers).
4. An official copy of the company registration in the Chamber of Commerce or other relevant State Authority where the company is established.
5. Applicant's Tax Registration Identification Number in the Country where the company is established.

II. Ownership documents

1. Shares or company's structure.
2. Applicant's hold shares in other companies that provide telecommunication services, according to Law 2867/2000.
3. In case of a Communal Company, documents describing relative contracts and other

evidence that may be required according to Articles 1 and 4b of Law 703/1977.

III. Description of Technical characteristics

1. Description of the requested Licence.
2. Description of the quality and the geographical coverage of the telecommunication services, the applicant intends to provide.
3. Technical description, characteristics and network topology. A map with a network schematic diagram must be submitted where network nodes, interconnection links between them, transmission and reception points as well as the coverage area will be displayed according to the type of the network.
4. Description of the used equipment and compliance with enforced standards.
5. Availability of the network and services as well as the standards that will be followed.
6. Timetable for the implementation and development of the network and a suggested commencement date of the network operation and service provision that is subject to the Licence.
7. An estimate of needs for the use of Scarce Resources.
8. In case of a satellite network installation and satellite service provision, the following documents must also be submitted:
 - (a) A contract between the applicant and the Licence holder for service provision of dynamic space segment as well as the anticipated Frequencies plan for the applicant's network. In case that the applicant asks for a Licence to install only dependent terrestrial stations which transmit but no terrestrial infrastructure station, then the contract between the applicant and the satellite network provider is required.
 - (b) Description of the satellite systems that will be used by the applicant.
 - (c) Description and geographical position of the terrestrial infrastructure stations and description of the dependent terrestrial stations featuring transmission apparatus with reference to the standards in force.
 - (d) Description of operation and service of the dependent terrestrial stations of users that feature transmission apparatus.



IV. Evidence of Competence, Efficiency and Reliability

1. Evidence of Efficiency:

- (a) Evidence that proves the requested and submitted share-capital of the company
- (b) Balance sheets or equivalent documents of the last three (3) years. In case of a newly established company, the equivalent documents of the participants are sufficient.
- (c) The medium-term business plan over 5 years including licence fees and the way of their financing as well as a written bank statement on creditworthiness concerning the above.
- (d) Other equivalent means that prove, according to the applicant's judgment, its financial ability.

2. Evidence of the technical competence:

- (a) Reference to the know-how, experience and abilities of the staff assigned to the administration of the service provision.
- (b) References or certificates with regard to the establishment and operation of similar projects.

3. Evidence of reliability:

A solemn protestation that during the last three (3) years none of the following facts has occurred against him or against a company under his control, or against an individual who was an appointed manager director of the company:

- (a) Revocation or suspension of an Individual Licence.
- (b) Imposition of sanctions because of a contravention of obligations resulting from a telecommunications Licence or, in general, from the telecommunications and personal data legislation.
- (c) Bankruptcy, Settlement or forced management.

In case of a company or an individual, from the aforementioned, which is established or has the nationality of a country, where certificates of non-bankruptcy, settlement or forced management are issued, the above relevant certificates must be submitted, accompanied by an official translation in Greek.



ANNEX B'

Evaluation of submitted Evidence

I. Ownership

It is estimated whether there is a case for limitation of competition.

II. Service Planning

It is estimated whether the applicant's plan is sufficient for the specific telecommunication activity. No suitable or optimal solution will be suggested by EETT.

III. Evidence of efficiency, competence and reliability

1. The exclusive intent of the evaluation in relation with the creditworthiness is, neither the evaluation of the investment nor the determination of the optimum investment nor the suggestion of an alternative investment plan by EETT, but the non granting of Individual Licences to interested parties who are evidently not able to realize the subject of the Individual Licence on the basis of the Service Plan, as suggested by the interested parties.

2. Evidence of technical competence:

The applicant is deemed competent, if it demonstrates that the staff, occupied with the realization of the Licence, has the necessary experience and know-how for the realization of the particular plan and in general that it commands the necessary manpower for the proposed project.

3. Evidence of reliability:

The documents referred in Annex A are sufficient to prove the reliability of the applicant.

ANNEX C'

I. Notification of Transfer of an Individual Licence or Control of Licensee

A. Transfer of an Individual Licence

All the documents referred in Annex A shall be submitted by the acquirer of the Licence and shall be evaluated according to Annex B. In case the acquirer does not fulfil the above, the Licence Transfer is not allowed. If there is concentration, according to Law 703/1977, the holder of the Licence shall submit all the documents, which, according to the present provisions, are required for the evaluation of the concentration.

B. Transfer of Control of a Company under Individual Licence

The entity who acquires control submits the documents in Annex A, Paragraphs I and II and the solemn protestation referred in paragraph IV (3) as well as all the documents, which, according to the present provisions, are required for the evaluation of the concentration.

C. Leasing or co-exploitation

(a) Leasing

All the evidence of Annex A is submitted by the lease holder and evaluated according to Annex B. Also, the holder of the Licence and the lease holder submit all the relevant conventional documents, in order to estimate whether there is a case of limitation of competition.

(b) Co-exploitation

The contracting parties of the Individual Licence holder submit the evidence referred in Annex A, paragraphs I and II and the solemn protestation of paragraph IV (3). Also, the contracting parties submit all the relevant conventional documents in order to estimate whether there is a case of limitation of competition.



II. Notification of the transfer of Company's Capital, according to Article 6, paragraph 6, sentence 3 of Law 2867/2000

The new structure of the company of the Individual Licence holder is submitted.

This decision shall be published in the Official Governmental Gazette.

Maroussi, February 2, 2001

Emm. A. Giakoumakis

Chairman