

General Authorization for providing electronic communications networks and services exclusively for own needs

1. General Provisions

1.1. The present General Authorization establishes the conditions required for installing, operating and controlling private electronic communications networks that use radio-electric frequencies, as well as for providing communications services through these networks.

1.2. The electronic communications network represents the transmission systems and the commuting and routing equipments, as the case may be, as well as any other resources that allow the transportation of signals through wire, fiber optic, radio or any other electromagnetic means.

The private electronic communications network represents the electronic communications network exclusively provided for the own needs of the provider, respectively for exclusively providing electronic communications services to the officers of the holder.

The present Authorization applies to private electronic communications networks that entirely or partially carry out the transmission of signals within the network, by using radio-electric frequencies.

The networks subject to this General Authorization are listed in the Annex 1 hereto.

2. The Rights of the Holder

2.1. The Holder has the right to install, operate and control a private electronic communications network that uses radio-electric frequencies, and to provide exclusively electronic communications services for his own needs, with the following restrictions:

- the Holder may not use the network in order to provide publicly available electronic communications services;
- the Holder may not allow the transit of signals of any other electronic communications networks through his network.

2.2. The Holder may use radio-electric frequencies subject to the licensing regime established by Government Emergency Ordinance no.79/2002 only after obtaining the license for using such radio-electric frequencies.

2.3. The Holder may use radio-electric frequencies subject solely to the general Authorization regime only if he submits to ANRC, before the effective use of such frequencies, an authorization issued by an authorized public institution certifying that the network does not produce disturbing interferences over other electronic communications network in its location.

2.4. The Holder is entitled to have assigned adequate numbering resources by ANRC.

2.5. The Holder has the right to connect itself, as a end user, to a public electronic communications network, complying with the rules established by the provider of that public network.

2.6. The Holder may not connect the network to another private electronic communications network, regardless the way of connecting.

2.7. The holder is entitled to install, to maintain, to replace or to move any elements of the network, including the supports and the other facilities necessary for their support, as well as the terminal points used for providing electronic communications services, on, above, in or under the public or private property assets, as the case may be, in accordance with the provisions with Chapter IV of Government Emergency Ordinance no.79/2002.

3. The Obligations of the Holder

3.1. The operation of the network may only be carried out according to the documents contained in the technical file. The technical file contains the project of the network, the technical characteristics of the network, the standards and technical norms to be fulfilled by the network, the types and technical characteristics of the equipments, data regarding the software used, the authorizations required for building the network, measurement results, as well as any other documents regarding the installation and maintenance of the network. It is the Holder's responsibility to create and update the technical file.

3.2. The Holder has the obligation to observe the standards established according to the law.

3.3. The Holder shall not allow the transit of traffic generate in public networks through his network.

3.4. The Holder has the obligation to obtain all the necessary authorizations provided by the environment protection legislation, and by the legislation regarding the carrying out and quality of constructions. The capacity of holder of this General Authorization does not replace any of these documents.

3.5. The Holder has the obligation to comply with the town and country planning requirements during the entire period of his activity.

3.6. In accordance with Government Emergency Ordinance no.79/2002, ANRC may oblige the Holder to allow another authorized electronic communications network provider to use the supports and the other facilities destined for the network elements, installed, built or administrated by the Holder, for the purpose of installing, maintaining, replacing or moving any other elements of the other provider's network. ANRC may also establish the conditions for the sharing of these facilities.

3.7. The Holder has the obligation to take all technical and organizational measures in order to guarantee the confidentiality of communications carried out through the network.

3.8. The Holder has the obligation to allow, from the technical point of view, the competent public authorities to legally intercept the communications carried out

through his network, as well as to support the interception costs entirely or together with the electronic communications services provider.

3.9. Along the entire duration of situations generated by a natural disaster or an extremely serious sinister, the Holder has the obligation to take all the necessary measures in order to assure the integrity of the network, as well as to allow communications to be carried out between the public authorities responsible for organizing the defense against disasters.

3.10. In case of using satellite emission/reception equipments, the Holder has the obligation to provide ANRC with the agreement granting him access to the spatial segment, as well as with any other necessary documents, according to the law.

Annex 1

The types of private electronic communications networks subject to the present General Authorization:

1. Networks within the terrestrial mobile service:

Private mobile radiocommunications (PMR). Simplex, repeater, trunking

Mobile data transmission for private use

Private paging

Other networks

2. Networks within the fixed service (radio-link type)

3. VSAT networks

4. Other types of networks