

Letter of Understanding  
regarding cooperation between  
the ECC and BNE

March 2011

***The Parties,***

Conference Européenne des Administrations des Postes et des Télécommunications (CEPT) and its European Communication Committee (ECC),

and

Broadcast Network Europe (BNE),

having noticed the need for structuring and strengthening their relationships and fostering a closer co-operation;

***recognising that:***

CEPT/ECC is an organization of governmental bodies, hence with limited possibilities to enter binding agreements with a private association;

BNE is a not for profit association of European terrestrial broadcast network operators;

***and considering that:***

- CEPT/ECC is the recognised organisation in Europe responsible for the allocation of spectrum at European level in the field of telecommunications and in areas common to telecommunications, information technology, sound and television broadcasting
- BNE, among other activities, is dedicated to maintaining an efficient and fair regulatory and operational environment for Terrestrial Broadcast Network Operators
- CEPT/ECC and BNE have a common interest in ensuring the most efficient use and management of the Radio Spectrum for all broadcasting related applications,

***agree to co-operate as follows:***

1. CEPT/ECC and BNE agree to exchange information and seek, to the maximum extent possible, a common European approach concerning broadcasting-related use of the radio-frequency spectrum. The two parties may exchange as they may agree, free of charge, any information on programmes of work of mutual interest.
2. Copies of relevant working documents from either Party shall be made available to other Party on request. The dissemination by one Party of the documents received from the other Party will be limited to the members of the relevant part of the receiving Party, and solely for the purpose of the activities relating to the Party's work programme.
3. All copyright, and other intellectual and industrial rights embodied in documents exchanged between CEPT/ECC and the BNE and any copies thereof, remain with the originating party and extend to all media in which the information may be embodied. Any reference to these documents shall be submitted to the agreement of the originating party prior communication to other bodies.
4. The ECC Chairman and the BNE Chairman shall meet periodically at their convenience, but at least once a year. Chairmen of ECC/WGs and other concerned

BNE Groups may participate in these meetings as appropriate and will be invited accordingly.

5. Participation of one nominated Observer, or a substitute, from BNE is normally permitted at meetings of the ECC, its Working Groups, Project Teams and Task Groups.
6. In order to maintain sufficient identity of objectives, an Observer from CEPT/ECC shall be regularly invited to BNE technical and spectrum availability working group. A CEPT/ECC Observer may also be invited to attend, as appropriate, the relevant parts or meetings of other BNE bodies.
7. Observers shall, to the extent permitted by the relevant Party's organizational statutes and rules, be entitled to participate fully in discussions on relevant work items, and may submit written contributions, but shall not be party in the decision making process.
8. BNE may submit proposals to the relevant CEPT/ECC Body. These shall be adopted subject to the normal CEPT/ECC process for approval of new work items and outputs.
9. This Agreement shall last for three years and may be renewed by mutual consent. On its expiry, the Agreement shall be automatically renewed for further one year-period unless otherwise agreed by the Parties. The Agreement can be terminated by either Party on giving three months' written notice before the expiry date.
10. The practical contacts and decisions for the Application of this Agreement will be taken between the ECC Chairman and the BNE Chairman.

Agreed for the ECC by



Thomas Ewers  
Chairman ECC

Agreed for BNE by



Bernhard Pauchon  
Chairman BNE

Date: 18.3.11

Date: