

**31. Uredba o ratifikaciji Sklepnih listin območne konference o radiokomunikacijah za načrtovanje digitalne prizemne radiodifuzne storitve v delih območij 1 in 3 v frekvenčnih pasovih 174–230 MHz in 470–862 MHz (RRC-06)**

Na podlagi petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09 in 80/10 – ZUTD) izdaja Vlada Republike Slovenije

## UREDBO

**o ratifikaciji Sklepnih listin območne konference o radiokomunikacijah za načrtovanje digitalne prizemne radiodifuzne storitve v delih območij 1 in 3 v frekvenčnih pasovih 174–230 MHz in 470–862 MHz (RRC-06)**

### 1. člen

Ratificirajo se Sklepne listine območne konference o radiokomunikacijah za načrtovanje digitalne prizemne radiodifuzne storitve v delih 1 in 3 v frekvenčnih pasovih 174–230 MHz in 470–862 MHz (RRC-06), sestavljene v Ženevi 16. junija 2006.

### 2. člen

Besedilo Sklepnih listin se v izvirniku v angleškem jeziku in v prevodu v slovenskem jeziku glasi\*:

## REGIONAL AGREEMENT\*

**Relating to the planning of the digital terrestrial broadcasting service in Region 1 (parts of Region 1 situated to the west of meridian 170° E and to the north of parallel 40° S, except the territory of Mongolia) and in the Islamic Republic of Iran, in the frequency bands 174 – 230 MHz and 470 – 862 MHz**

(Geneva, 2006)

### PREAMBLE

The undersigned delegates of the following Member States of the International Telecommunication Union:

## OBMOČNI SPORAZUM\*

**o načrtovanju digitalne prizemne radiodifuzne storitve v območju 1 (deli območja 1, ki so zahodno od poldnevnika 170° V in severno od vzporednika 40° J, razen ozemlja Mongolije) in v Islamski republiki Iran v frekvenčnih pasovih 174–230 MHz in 470–862 MHz**

(Ženeva 2006)

### PREAMBULA

Podpisani delegati naslednjih držav članic Mednarodne telekomunikacijske zveze:

\* The provisions of this Agreement shall apply *mutatis mutandis*, to Palestine as referred to in Resolution 99 (Minneapolis, 1998) subject to Palestine notifying the ITU Secretary-General that it accepts the rights and commits to observe the obligations arising therefrom.

\* Določbe tega sporazuma se smiselno uporabljajo za Palestino, kakor je navedeno v Resoluciji 99 (Minneapolis 1998), v skladu z uradnim obvestilom Palestine generalnemu sekretarju ITU, da sprejema pravice in se zavezuje, da bo upoštevala obveznosti, ki iz tega izhajajo.

\* Priloge 1, 2, 3, 4 in 5 so na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve in v Direktoratu za informacijsko družbo Ministrstva za izobraževanje, znanost in šport.

Republic of Albania, People's Democratic Republic of Algeria, Federal Republic of Germany, Principality of Andorra, Republic of Angola, Kingdom of Saudi Arabia, Republic of Armenia, Austria, Azerbaijani Republic, Kingdom of Bahrain, Republic of Belarus, Belgium, Bosnia and Herzegovina, Republic of Botswana, Republic of Bulgaria, Burkina Faso, Republic of Burundi, Republic of Cameroon, Republic of Cape Verde, Republic of Cyprus, Vatican City State, Republic of the Congo, Republic of Cote d'Ivoire, Republic of Croatia, Denmark, Republic of Djibouti, Arab Republic of Egypt, United Arab Emirates, Spain, Republic of Estonia, Federation of Russia, Finland, France, Gabonese Republic, Republic of Gambia, Georgia, Ghana, Greece, Republic of Guinea, Republic of Hungary, Islamic Republic of Iran, Republic of Iraq, Ireland, State of Israel, Italy, Hashemite Kingdom of Jordan, Republic of Kazakhstan, Republic of Kenya, State of Kuwait, Kingdom of Lesotho, Republic of Latvia, Former Yugoslav Republic of Macedonia, Lebanon, Principality of Liechtenstein, Republic of Lithuania, Luxembourg, Malawi, Republic of Mali, Malta, Kingdom of Morocco, Islamic Republic of Mauritania, Republic of Moldova, Principality of Monaco, Republic of Mozambique, Republic of Namibia, Republic of Niger, Federal Republic of Nigeria, Norway, Sultanate of Oman, Republic of Uganda, Republic of Uzbekistan, Kingdom of Netherlands, Republic of Poland, Portugal, State of Qatar, Syrian Arab Republic, Kyrgyz Republic, Slovak Republic, Czech Republic, Romania, United Kingdom of Great Britain and Northern Ireland, Republic of Rwanda, Republic of San Marino, Republic of Senegal, Republic of Serbia, Republic of Slovenia, Republic of the Sudan, Republic of South Africa, Sweden, Confederation of Switzerland, Kingdom of Swaziland, Republic of Tajikistan, United Republic of Tanzania, Republic of Chad, Togolese Republic, Tunisia, Turkey, Ukraine, Republic of Yemen, Republic of Zambia, Republic of Zimbabwe,

meeting in Geneva from 15 May to 16 June 2006 for a Regional Radiocommunication Conference convened under the terms of the ITU *Constitution* and the ITU *Convention*, as referred to in Article 1 of this *Agreement*, have adopted, subject to approval by their competent authorities, the following provisions concerning the terrestrial broadcasting service in the frequency bands 174 – 230 MHz<sup>1</sup> and 470 – 862 MHz, together with provisions for *other primary terrestrial services*, as defined in Article 1 of this *Agreement*, in Region 1 (parts of Region 1 situated to the west of meridian 170° E and to the north of parallel 40° S, except the territory of Mongolia) and in the Islamic Republic of Iran.

#### ARTICLE 1

##### Definitions

1 For the purposes of this Agreement, the following terms shall have the meanings defined below:

1.1 *Union*: The International Telecommunication Union.

1.2 *Secretary-General*: The Secretary-General of the *Union*.

1.3 *Bureau*: The Radiocommunication Bureau.

1.4 *Constitution*: The Constitution of the *Union*.

1.5 *Convention*: The Convention of the *Union*.

1.6 *Radio Regulations*: The Radio Regulations as referred to in No. 31 of the *Constitution*.

Republike Albanije, Ljudske demokratične republike Alžirije, Kneževine Andore, Republike Angole, Republike Armenije, Avstrije, Republike Azerbajdžan, Kraljevine Bahrajn, Belgije, Republike Belorusije, Republike Bocvane, Republike Bolgarije, Bosne in Hercegovine, Burkine Faso, Republike Burundi, Republike Ciper, Republike Čad, Češke republike, Danske, Republike Džibuti, Arabske republike Egipt, Združenih arabskih emiratov, Republike Estonije, Finske, Francije, Gabonske republike, Republike Gambije, Gane, Grčije, Gruzije, Republike Gvineje, Republike Hrvaške, Republike Irak, Islamske republike Iran, Irske, Italije, Države Izrael, Republike Jemen, Hašemitske kraljevine Jordanije, Republike Južne Afrike, Republike Kamerun, Države Katar, Republike Kazahstan, Republike Kenije, Kirgiške republike, Republike Kongo, Države Kuvajt, Republike Latvije, Kraljevine Lesoto, Libanona, Kneževine Lihtenštajn, Luksemburga, Republike Madžarske, Nekdanje jugoslovanske republike Makedonije, Maldivov, Republike Mali, Kraljevine Maroko, Islamske republike Mavretanije, Republike Moldove, Kneževine Monako, Republike Mozambik, Republike Namibije, Zvezne republike Nemčije, Zvezne republike Nigerije, Republike Niger, Kraljevine Nizozemske, Norveške, Sultanata Oman, Republike Poljske, Portugalske, Romunije, Ruandske republike, Ruske federacije, Republike San Marino, Kraljevine Saudove Arabije, Republike Senegal, Sirske arabske republike, Republike Slonokoščene obale, Slovaške republike, Republike Slovenije, Republike Srbije, Republike Sudan, Kraljevine Svazi, Španije, Švedske, Švicarske konfederacije, Republike Tadžikistan, Združene republike Tanzanije, Togoške republike, Tunizije, Turčije, Republike Ugande, Ukrajine, Republike Uzbekistan, Vatikanske mestne države, Združenega kraljestva Velika Britanija in Severna Irska, Republike Zambije, Republike Zelenortske otoki in Republike Zimbabve,

ki so se sestali v Ženevi med 15. majem in 16. junijem 2006 na območni konferenci o radiokomunikacijah, sklicani po pogojih *Ustave* ITU in *Konvencije* ITU iz 1. člena tega *sporazuma*, so sprejeli določbe, ki jih morajo potrditi njihovi pristojni organi, v zvezi s prizemno radiodifuzno storitvijo v frekvenčnih pasovih 174–230 MHz<sup>1</sup> in 470–862 MHz skupaj z določbami za *druge primarne prizemne storitve*, kakor je opredeljeno v 1. členu tega *sporazuma*, v območju 1 (deli območja 1, ki so zahodno od poldnevnik 170° V in severno od vzporednika 40° J, razen ozemlja Mongolije) in v Islamski republikli Iran.

#### 1. ČLEN

##### Pomen izrazov

1 V tem sporazumu izrazi pomenijo:

1.1 *zveza*: Mednarodna telekomunikacijska zveza,  
1.2 *generalni sekretar*: generalni sekretar zveze,

1.3 *urad*: Urad za radiokomunikacije,

1.4 *ustava*: ustava zveze,

1.5 *konvencija*: konvencija zveze,

1.6 *Pravilnik o radiokomunikacijah*: Pravilnik o radiokomunikacijah iz št. 31 *ustave*,

<sup>1</sup> For Morocco, the analogue Plan covers the band 170 – 230 MHz.

<sup>1</sup> Analogni načrt za Maroko zajema pas 170–230 MHz.

1.7 *Conference*: The Regional Radiocommunication Conference 2006 for the planning of the digital terrestrial broadcasting service in Region 1 (parts of Region 1 situated to the west of meridian 170° E and to the north of parallel 40° S, except the territories of Mongolia) and in the Islamic Republic of Iran, in the frequency bands 174 – 230 MHz and 470 – 862 MHz (Geneva, 2006) (RRC-06)<sup>1</sup>.

1.8 *Planning Area*: Region 1 (those parts of Region 1, as defined in No. 5.3 of the *Radio Regulations*, situated to the west of meridian 170° E and to the north of parallel 40° S, except the territories of Mongolia) and the Islamic Republic of Iran.

1.9 *Agreement*: The Regional Agreement and its Annexes together with its associated *Plans* as drawn up by the *Conference*.

1.10 *Plans*: The analogue Plan and the digital Plan as specified in § 3.1 of Article 3 of this *Agreement* and as subsequently updated through the successful application of the procedure of § 4.1 of Article 4 of this *Agreement*.

1.11 *Contracting Member*: Any Member State from the *Planning Area* which has approved or acceded to the *Agreement*.

1.12 *Administration*: Unless otherwise indicated, the term Administration designates the Administration, as defined in No. 1002 of the *Constitution*, of a *Contracting Member*.

1.13 *MIFR*: Master International Frequency Register.

1.14 *Other primary terrestrial services*: The primary terrestrial services other than the broadcasting service, and the primary radio astronomy service, to which the frequency bands 174 – 230 MHz and/or 470 – 862 MHz are allocated in the *Planning Area* in accordance with Article 5 of the *Radio Regulations*.

1.15 *Existing assignments to other primary terrestrial services* (referred to in short as the »*List*«): Assignments to *other primary terrestrial services* contained in Annex 5 to the *Agreement*, as established by the *Conference*, and assignments to *other primary terrestrial services* for which the procedure of § 4.2 of Article 4 of this *Agreement* has been successfully applied.

1.16 *Transition period*: The period following the *Conference* during which the assignments in the analogue Plan (as specified in § 3.1.2 of Article 3 of this *Agreement*) shall be protected (see also Article 12 of this *Agreement*).

1.17 *BR IFIC*: Radiocommunication Bureau International Frequency Information Circular.

## ARTICLE 2

### Execution of the Agreement

2.1 The *Contracting Members* shall adopt the characteristics specified in the *Plans* for their broadcasting stations in the *Planning Area* operating in the frequency bands referred to in Article 3 of this *Agreement*.

2.2 The *Contracting Members* shall not modify these characteristics or establish stations, except under the relevant provisions of Articles 4 and 5 of this *Agreement*.

2.3 The *Contracting Members* shall undertake to apply the relevant provisions of Articles 4 and 5 of this *Agreement* for the *other primary terrestrial services* to which these bands are also allocated.

1.7 *konferenca*: območna konferenca o radiokomunikacijah za načrtovanje digitalne prizemne radiodifuzne storitve v območju 1 (deli območja 1, ki so zahodno od poldnevnikar 170° V in severno od vzporednika 40° J, razen ozemlja Mongolije) in v Islamski republiki Iran v frekvenčnih pasovih 174–230 MHz in 470–862 MHz (Ženeva, 2006) (RRC-06)<sup>1</sup>,

1.8 *območje načrtovanja*: območje 1 (tisti deli območja 1, ki so opredeljeni v št. 5.3 Pravidnika o radiokomunikacijah ter so zahodno od poldnevnikar 170° V in severno od vzporednika 40° J, razen ozemlja Mongolije) in Islamska republika Iran,

1.9 *sporazum*: območni sporazum in priloge skupaj z *načrti*, ki se pripravijo na *konferenci*,

1.10 *načrti*: analogni in digitalni načrt, kakor sta določena v točki 3.1 3. člena tega sporazuma in nato posodabljana z uspešno uporabo postopka iz točke 4.1 4. člena tega sporazuma,

1.11 *pogodbena članica*: vsaka država članica z območja načrtovanja, ki je odobrila *sporazum* ali pristopila k njemu,

1.12 *uprava*: če ni drugače navedeno, pojem uprava označuje upravo *pogodbence*, kakor je opredeljena v št. 1002 *ustave*,

1.13 *MIFR*: glavni mednarodni register frekvenc (MIFR),

1.14 *druge primarne prizemne storitve*: primarne prizemne storitve razen radiodifuzne storitve in primarna radioastronomska storitev, ki so jim razporejeni frekvenčni pasovi 174–230 MHz oziroma 470–862 MHz na *območju načrtovanja* skladno s 5. členom *Pravidnika o radiokomunikacijah*,

1.15 *obstoječe dodelitve drugim prizemnim storitvam* (na kratko »*seznam*«): dodelitve za *druge primarne prizemne storitve* iz priloge 5 k *sporazumu*, kakor je določeno s *konferenco*, in dodelitve za *druge primarne prizemne storitve*, za katere se je uspešno uporabil postopek iz točke 4.2 4. člena tega *sporazuma*,

1.16 *prehodno obdobje*: obdobje po *konferenci*, v katerem bodo zaščitene dodelitve v analognem načrtu (kakor je določeno v točki 3.1.2 3. člena tega *sporazuma*) (glej tudi 12. člen tega *sporazuma*),

1.17 *BR IFIC*: okrožnica Urada za radiokomunikacije s podatki o mednarodnih frekvencah.

## 2. ČLEN

### Izvajanje sporazuma

2.1 *Pogodbence* sprejmejo karakteristike, navedene v načrtih za radiodifuzne postaje v *območju načrtovanja*, ki delujejo v frekvenčnih pasovih iz 3. člena tega *sporazuma*.

2.2 *Pogodbence* ne spremenijo teh karakteristik ali postavljajo postaj razen skladno z ustreznimi določbami 4. in 5. člena tega *sporazuma*.

2.3 *Pogodbence* se zavezujejo, da bodo ustrezne določbe 4. in 5. člena tega *sporazuma* uporabljale za *druge primarne prizemne storitve*, h katerim so ti pasovi tudi razporejeni.

<sup>1</sup> This *Conference* was held in two sessions:  
– the first session, responsible for preparing a report to the second session, was held in Geneva from 10 to 28 May 2004;  
– the second session, responsible for drawing up an *Agreement* and associated *Plans*, was held in Geneva from 15 May to 16 June 2006.

<sup>1</sup> Ta *konferenca* je imela dve zasedanji:  
– prvo zasedanje, odgovorno za pripravo poročila za drugo zasedanje, je bilo v Ženevi od 10. do 28. maja 2004;  
– drugo zasedanje, odgovorno za pripravo *sporazuma* in pripadajočih *načrtov*, je bilo v Ženevi od 15. maja do 16. junija 2004.

## ARTICLE 3

**Annexes to the Agreement\***3.1 *Annex 1: Frequency Plans*<sup>2</sup>

3.1.1 The digital Plan consisting of two parts: the 174 – 230 MHz band and the 470 – 862 MHz band (comprising T-DAB Plan assignments, T-DAB Plan allotments, DVB-T Plan assignments, DVB-T Plan allotments).

3.1.2 The analogue Plan consisting of two parts: the 174 – 230 MHz<sup>3</sup> band and the 470 – 862 MHz band.

3.2 *Annex 2: Technical elements and criteria used in the development of the Plan and the implementation of the Agreement.*

3.3 *Annex 3: Basic characteristics to be submitted in application of the Agreement.*

3.4 *Annex 4*

3.4.1 Section I: Limits and methodology for determining when agreement with another administration is required.

3.4.2 Section II: Examination of conformity with the digital Plan entry.

3.5 *Annex 5: List of assignments to other primary terrestrial services as referred to in § 1.15 of Article 1 of the Agreement.*

## ARTICLE 4

**Procedure for modifications to the Plans and procedure for coordination of other primary terrestrial services****4.1 Modifications to the Plans**

4.1.1 When an administration proposes to make a modification to the digital Plan or the analogue Plan, i.e. in cases where an administration needs:

- a) to change the characteristics of an allotment, or of an assignment to a broadcasting station, appearing in the *Plans*; or
- b) to add to the *Plans* an allotment, or an assignment to a broadcasting station; or
- c) to add to the digital Plan an assignment stemming from an allotment in the digital Plan<sup>4</sup>; or
- d) to cancel from the *Plans* an allotment, or an assignment to a broadcasting station,

this administration shall apply the procedure contained in this Article before any notification is made under Article 5.

**4.1.2 Initiation of the modification procedure**

4.1.2.1 Any administration proposing to change the characteristics of an assignment/allotment appearing in the *Plans*, or to add a new assignment/allotment to the *Plans*, shall seek the agreement of any other administration whose broadcasting service and/or other primary terrestrial services are considered to be affected.

4.1.2.2 An administration is considered to be affected in respect of its broadcasting service when the limits given in Section I of Annex 4 are exceeded.

4.1.2.3 An administration is considered to be affected in respect of its other primary terrestrial services when the limits given in Section I of Annex 4 are exceeded for any of the following assignments:

## 3. ČLEN

**Priloge k sporazumu\***3.1 *Priloga 1: Frekvenčni načrti*<sup>2</sup>

3.1.1 Digitalni načrt sestavljata dva dela: pas 174–230 MHz in pas 470–862 MHz (ki zajema dodelitve načrta T-DAB, razdelitve načrta T-DAB, dodelitve načrta DVB-T, razdelitve načrta DVB-T).

3.1.2 Analogni načrt sestavljata dva dela: pas 174–230 MHz<sup>3</sup> in pas 470–862 MHz.

3.2 *Priloga 2: Tehnični elementi in merila, uporabljeni pri pripravi načrta in izvajanju sporazuma*

3.3 *Priloga 3: Osnovne karakteristike, ki se predložijo pri uporabi sporazuma*

3.4 *Priloga 4*

3.4.1 Oddelek I: Omejitve in metodologija odločanja, kdaj je potreben sporazum z drugo upravo

3.4.2 Oddelek II: Pregled skladnosti vnosa v digitalni načrt

3.5 *Priloga 5: Seznam dodelitev drugim primarnim prizemnim storitvam iz točke 1.15 1. člena sporazuma*

## 4. ČLEN

**Postopek za spreminjanje načrtov in postopek za usklajevanje drugih primarnih prizemnih storitev****4.1 Spremembe načrtov**

4.1.1 Kadar uprava predlaga spremembo digitalnega ali analognega načrta, tj. kadar mora uprava:

- a) spremeniti karakteristike razdelitve ali dodelitve radiodifuzni postaji, ki je v *načrtih*, ali
- b) dodati *načrtom* razdelitev ali dodelitev radiodifuzni postaji ali
- c) dodati digitalnemu načrtu dodelitev, ki izhaja iz razdelitve v digitalnem načrtu,<sup>4</sup> ali
- d) v *načrtih* preklicati razdelitev ali dodelitev radiodifuzni postaji,

uporabi postopek iz tega člena pred kakršnokoli priglasitvijo po 5. členu.

**4.1.2 Začetek postopka spreminjanja**

4.1.2.1 Vsaka uprava, ki predlaga spremembo karakteristik dodelitve/razdelitve, zapisane v *načrtih*, ali dodatek nove dodelitve/razdelitve k *načrtom*, mora pridobiti soglasje vsake druge uprave, za katero predvideva, da bodo motene njene radiodifuzne storitve oziroma druge primarne prizemne storitve.

4.1.2.2 Šteje se, da je radiodifuzna storitev uprave motena, kadar so presežene omejitve iz oddelka I priloge 4.

4.1.2.3 Šteje se, da so druge primarne prizemne storitve uprave motene, kadar so presežene omejitve iz oddelka I priloge 4 zaradi naslednjih dodelitev:

\* Published on the Ministry of Higher Education, Science and Technology web site

<sup>2</sup> After the expiry of the *Transition period*, the *Plans* will only contain the digital Plan.

<sup>3</sup> For Morocco, the analogue Plan covers the band 170 – 230 MHz.

<sup>4</sup> If the intention is not to include the assignments into the digital Plan, administrations should directly apply Article 5.

\* Objavljene na spletni strani Ministrstva za visoko šolstvo, znanost in tehnologijo

<sup>2</sup> Po poteku *prehodnega obdobja* bo v *načrtih* samo digitalni načrt.

<sup>3</sup> Za Maroko zajema analogni načrt pas 170–230 MHz.

<sup>4</sup> Če ni namen, da se dodelitev vključi v digitalni načrt, naj uprava neposredno uporabijo 5. člen.

a) *existing assignments to other primary terrestrial services*;

b) assignments to *other primary terrestrial services* for which the procedure for coordination with the broadcasting service under § 4.2 has been initiated, i.e. for which the complete information referred to in § 4.2.2.6 has been received by the *Bureau*.

4.1.2.4 The agreement referred to in § 4.1.2.1 is not required if:

a) none of the corresponding limits in Section I of Annex 4 referred to in § 4.1.2.2 and § 4.1.2.3 are exceeded; or

b) the proposed modification relates to changes in the technical characteristics which do not increase the existing level of interference and do not increase the existing level of protection required.

4.1.2.5 An administration proposing to modify the *Plans* shall communicate to the *Bureau* the relevant characteristics listed in Annex 3, in electronic form, and shall also indicate, if appropriate, the names of any administrations which have already agreed to the proposed modification on the basis of the characteristics communicated to the *Bureau*.

This communication shall also be considered by the *Bureau*, if so requested, as a request to apply the procedure contained in § 4.1.5.3 in the following cases:

– no agreements are required under § 4.1.2.4 and no administration's name is included under § 4.1.3.2; or

– all agreements have been received and no administration's name is removed under § 4.1.2.9 or included under § 4.1.3.2.

4.1.2.6 If the characteristics submitted under § 4.1.2.5 are found to be incomplete, the *Bureau* shall immediately seek from the administration proposing to modify the *Plans* any clarification required and the information not provided.

4.1.2.7 In application of § 4.1.1 c), if the *Bureau* finds that, in the case of a conversion of an allotment into one or several assignments, the conditions in Section II of Annex 4 are met, the provisions of § 4.1.5.3 shall apply<sup>5</sup>. Otherwise, the *Bureau* shall request the administration proposing the modification to the digital Plan to take appropriate action. The proposed modification shall lapse if the administration does not modify within 30 days the characteristics so that they comply with Section II of Annex 4. This 30-day period starts on the date of the dispatch of the *Bureau's* request.

4.1.2.8 On receipt of the complete information referred to in § 4.1.2.5 or § 4.1.2.6, as appropriate, the *Bureau* shall, within 40 days:

a) identify the administrations considered to be affected, in accordance with § 4.1.2.2 and § 4.1.2.3;

b) publish the characteristics received in the Special Section of the *BR IFIC*, together with the names of the administrations identified, indicating those whose agreement has been communicated under § 4.1.2.5 by the administration proposing to modify the *Plans*, if appropriate, and the corresponding assignments to the *other primary terrestrial services* which are considered to be affected, if appropriate;

c) inform the administrations identified in a) above.

4.1.2.9 An administration whose agreement has been communicated to the *Bureau* under § 4.1.2.5, may, within 40 days from the date of the publication of the *BR IFIC* referred to in § 4.1.2.8 b), request the *Bureau* to remove its name from the list of administrations having given their agreement, as published under § 4.1.2.8 b). A copy of this request shall be sent by the *Bureau* to the administration proposing to modify the *Plans*. In the case of the removal of the name of an administration from the list of administrations having given their agreement, as published under § 4.1.2.8 b), the *Bureau* shall consider that the agreement with that administration has not been obtained.

<sup>5</sup> In the case of assignments stemming from an allotment in the digital Plan which bears remarks in the »remarks« columns of the Plan, these remarks shall be extended to these assignments.

a) *obstoječe dodelitve drugim primarnim prizemnim storitvam*;

b) *dodelitve drugim primarnim prizemnim storitvam*, za katere se je postopek uskladitve z radiodifuzno storitvijo začel po točki 4.2, tj. za katere je *urad* prejel popolno informacijo iz točke 4.2.2.6.

4.1.2.4 Sporazum iz točke 4.1.2.1 se ne zahteva, če:

a) nobena od ustreznih omejitev v oddelku I priloge 4 iz točke 4.1.2.2 in 4.1.2.3 ni presežena ali

b) se predlagana sprememba nanaša na spremembe tehničnih karakteristik, s katerimi se ne povišajo obstoječe ravni motenja in ne povečajo obstoječe ravni potrebne zaščite.

4.1.2.5 Uprava, ki predlaga spremembo *načrtov*, sporoči *uradu* v elektronski obliki ustrezne karakteristike, ki so navedene v prilogi 3, in tudi navede, če je primerno, imena uprav, ki so že soglašale s predlagano spremembo na podlagi karakteristik, ki so bile sporočene *uradu*.

To sporočilo *urad*, če se tako zahteva, obravnava tudi kot prošnjo za uporabo postopka iz točke 4.1.5.3 v naslednjih primerih:

– ne zahtevajo se nobena soglasja po točki 4.1.2.4 in nobeno ime uprave ni vključeno po točki 4.1.3.2 ali

– vsa soglasja so bila prejeta in nobeno ime uprave ni črtano po točki 4.1.2.9 ali vključeno po točki 4.1.3.2.

4.1.2.6 Če karakteristike, predložene po točki 4.1.2.5, niso popolne, *urad* nemudoma zaprosi upravo, ki predlaga spremembo *načrtov*, za zahtevano pojasnilo in manjkajoče informacije.

4.1.2.7 Če *urad* v zvezi s točko 4.1.1 c) ugotovi, da so ob preoblikovanju razdelitve v eno ali več dodelitev izpolnjeni pogoji iz oddelka II priloge 4, se uporabljajo določbe točke 4.1.5.3<sup>5</sup>. *Sicer pa urad* upravo, ki predlaga spremembo digitalnega načrta, zaprosi, da ustrezno ukrepa. Predlagana sprememba zastara, če uprava v 30 dneh ne spremeni karakteristik tako, da ustrezajo oddelku II priloge 4. To tridesetdnevno obdobje se začne z dnem, ko se pošlje prošnja *urada*.

4.1.2.8 Po prejemu popolne informacije iz točke 4.1.2.5 ali 4.1.2.6, kakor je primerno, mora *urad* v 40 dneh:

a) ugotoviti, za katere uprave se šteje, da so prizadete po točkah 4.1.2.2 in 4.1.2.3;

b) objaviti prejete karakteristike v posebnem oddelku *BR IFIC* skupaj z imeni ugotovljenih uprav, in navesti tiste, katerih soglasje je po točki 4.1.2.5 sporočila uprava, ki predlaga spremembo *načrtov*, kakor je primerno, in ustrezne dodelitve *drugim primarnim prizemnim storitvam*, za katere se šteje, da bodo motene;

c) obvestiti uprave, ugotovljene pod točko a) zgoraj.

4.1.2.9 Uprava, katere soglasje je bilo sporočeno *uradu* po točki 4.1.2.5, lahko v 40 dneh od dne objave *BR IFIC* iz točke 4.1.2.8 b) zaprosi *urad*, da njeno ime črta s seznama uprav, ki so soglašale z objavljenim po točki 4.1.2.8 b). Kopijo te prošnje *urad* pošlje upravi, ki predlaga spremembo *načrtov*. Če se ime uprave črta s seznama uprav, ki so soglašale z objavljenim po točki 4.1.2.8 b), *urad* meni, da soglasje pri tisti upravi ni pridobljeno.

<sup>5</sup> Pri dodelitvah, ki izvirajo iz razdelitve v digitalnem načrtu, ki ima opombe v stolpcih načrta pod »opombami«, se te opombe razširijo na te dodelitve.

#### 4.1.3 Request for inclusion in the agreement-seeking process

4.1.3.1 Any administration which considers that it should have been included in the list of administrations considered to be affected may, within 40 days from the date of publication of the *BR IFIC* referred to in § 4.1.2.8, request the *Bureau* to include its name in the list of administrations considered to be affected, giving its reasons for doing so based on criteria in Section I of Annex 4.

4.1.3.2 On receipt of this request, the *Bureau* shall examine the matter and, if in accordance with § 4.1.2.2 and § 4.1.2.3, it finds that the name of the administration should have been included in the list of administrations considered to be affected, it shall:

- inform immediately the administration proposing to modify the *Plans* and the administration requesting to be included in the list of administrations considered to be affected; and
- publish, within 30 days from the date of receipt of the request, the name of the administration in an addendum to the Special Section of the *BR IFIC* referred to in § 4.1.2.8 *b*), and the corresponding assignments to *other primary terrestrial services*, if appropriate.

For the administration whose name has been published in the addendum, the overall period of 75 days specified in § 4.1.4.6, 4.1.4.7, 4.1.4.8, 4.1.4.9, 4.1.4.10 and 4.1.5.1 shall be counted from the date of publication of the addendum to the Special Section of the *BR IFIC* referred to above.

If the *Bureau* finds that the name of the administration should not be included in the list of administrations considered to be affected, it shall inform this administration.

4.1.3.3 The administration proposing to modify the *Plans* shall seek the agreement of the administrations whose agreement has not been obtained (see also § 4.1.2.9) and which are listed in the publication referred to in § 4.1.2.8 *b*) or § 4.1.3.2, as appropriate, by applying the procedure contained in § 4.1.4 below.

4.1.3.4 If all agreements have been received and no administration's name is removed under § 4.1.2.9 and no administration's name is included under § 4.1.3.2, the procedure contained in § 4.1.5.3 applies.

#### 4.1.4 Seeking agreement of the administrations which are considered to be affected and whose agreement has yet to be obtained

4.1.4.1 The Special Section of the *BR IFIC* referred to in § 4.1.2.8 *b*) or § 4.1.3.2, as appropriate, constitutes the formal request for coordination addressed to those administrations whose agreement has yet to be obtained.

4.1.4.2 When seeking the agreement of another administration, the administration proposing to modify the *Plans* may also communicate any additional information relating to proposed criteria to be used as well as other details concerning the terrain data, particular propagation conditions, etc.

4.1.4.3 On receipt of the Special Section of the *BR IFIC* referred to in § 4.1.2.8 *b*) or § 4.1.3.2, as appropriate, any administration listed therein shall examine the effect of the proposed modification to the digital Plan or to the analogue Plan on its broadcasting service and on its assignments to *other primary terrestrial services*, taking into account, as far as possible, the additional information referred to in § 4.1.4.2.

4.1.4.4 An administration from which agreement is sought may request the *Bureau* to assist by providing further information to enable the administration to assess the interference from the proposed modification, using the method described in Section I of Annex 4. The *Bureau* shall send this information by the most expeditious means.

4.1.4.5 An administration from which agreement is sought may send its comments to the administration proposing the modification to the *Plans* either directly or through the *Bureau*. In any event, the *Bureau* shall be informed of these comments.

#### 4.1.3 Prošnja za vključitev v postopek pridobivanja soglasja

4.1.3.1 Uprava, ki meni, da bi morala biti na seznamu uprav, za katere se šteje, da so prizadete, lahko v 40 dneh od dne objave *BR IFIC* iz točke 4.1.2.8 zaprosi urad, da vključi njeno ime na seznam uprav, za katere se šteje, da so prizadete, z navedbo razlogov za tako ravnanje na podlagi meril iz oddelka I priloge 4.

4.1.3.2 Po prejemu prošnje urad prouči zadevo, in če v skladu s točko 4.1.2.2 in 4.1.2.3 ugotovi, da je treba ime uprave vključiti na seznam uprav, za katere se šteje, da so prizadete:

- nemudoma obvesti upravo, ki predlaga spremembo *načrtov*, in upravo, ki prosi, da se vključi na seznam uprav, za katere se šteje, da so prizadete, in
- v 30 dneh od dne prejema prošnje objavi ime uprave v dodatku k posebnemu oddelku *BR IFIC* iz točke 4.1.2.8 *b*) in ustrezne dodelitve k *drugim primarnim prizemnim storitvam*, če je primerno.

Za upravo, katere ime je bilo objavljeno v dodatku, se celotno obdobje 75 dni, podrobno opredeljeno v točkah 4.1.4.6, 4.1.4.7, 4.1.4.8, 4.1.4.9, 4.1.4.10 in 4.1.5.1, računa od dne objave dodatka k posebnemu oddelku *BR IFIC*, *omenjenega zgoraj*.

Če urad ugotovi, da se ime uprave ne sme vključiti na seznam uprav, za katere se šteje, da so prizadete, urad obvesti to upravo.

4.1.3.3 Uprava, ki predlaga spremembo *načrtov*, si prizadeva za soglasje uprav, katerih soglasje še ni pridobljeno (glej tudi točko 4.1.2.9) in ki so na seznamu v publikaciji iz točke 4.1.2.8 *b*) ali 4.1.3.2, kakor je primerno, z uporabo postopka iz točke 4.1.4 spodaj.

4.1.3.4 Če so bila prejeta vsa soglasja in ni bilo črtano nobeno ime uprave po točki 4.1.2.9 in ni bilo vključeno nobeno ime uprave po točki 4.1.3.2, se uporablja postopek iz točke 4.1.5.3.

#### 4.1.4 Prizadevanje za soglasje uprav, za katere se šteje, da so prizadete, in katerih soglasje še ni bilo pridobljeno

4.1.4.1 Poseben oddelek *BR IFIC* iz točke 4.1.2.8 *b*) ali 4.1.3.2, kakor je primerno, pomeni uradno prošnjo za usklajevanje, naslovljeno na tiste uprave, katerih soglasje še ni bilo pridobljeno.

4.1.4.2 Pri prizadevanju za soglasje druge uprave lahko uprava, ki predlaga spremembo *načrtov*, sporoči tudi kakršnekoli dodatne informacije v zvezi s predlaganimi merili, ki se morajo uporabiti, in druge podrobnosti glede podatkov o terenu, zlasti o pogojih širjenja itd.

4.1.4.3 Po prejemu posebnega oddelka *BR IFIC* iz točke 4.1.2.8 *b*) ali 4.1.3.2, kakor je primerno, uprava, ki je na seznamu, prouči učinek predlagane spremembe digitalnega ali analognega načrta na svojo radiodifuzno storitev in dodelitve *drugim primarnim prizemnim storitvam* ob upoštevanju, če je mogoče, dodatnih informacij iz točke 4.1.4.2.

4.1.4.4 Uprava, od katere se prizadeva pridobiti soglasje, lahko zaprosi urad, da pomaga pri zagotavljanju nadaljnjih informacij, tako da upravi omogoči, da oceni motenje zaradi predlagane spremembe z uporabo metode, opisane v oddelku I priloge 4. Urad pošlje to informacijo na najhitrejši mogoč način.

4.1.4.5 Uprava, od katere se prizadeva pridobiti soglasje, lahko pošlje svoje pripombe upravi, ki predlaga spremembo *načrtov*, neposredno ali prek urada. Vsekakor je treba urad o teh pripombah obvestiti.

4.1.4.6 An administration which is not in a position to give its agreement to the proposed modification with respect to its broadcasting service shall give its decision, with reasons related to its broadcasting service, within 75 days from the date of publication of the *BR IFIC* referred to in § 4.1.2.8 b) or § 4.1.3.2, as appropriate.

4.1.4.7 An administration which is not in a position to give its agreement to the proposed modification with respect to its *other primary terrestrial services* shall give its reasons, based on its own assignments as referred to in § 4.1.2.3 a) and b), within 75 days from the date of publication of the *BR IFIC* referred to in § 4.1.2.8 b) or § 4.1.3.2, as appropriate.

4.1.4.8 Fifty days after publication of the *BR IFIC* referred to in § 4.1.2.8 b) or § 4.1.3.2, as appropriate, the *Bureau* shall request any administration which has not yet given its decision on the matter to do so. After an overall period of 75 days following the date of publication of the *BR IFIC*, the *Bureau* shall immediately inform the administration proposing the modification to the *Plans* that it has sent out the aforementioned requests and provide it with the names of the administrations which have given their agreement and the name of the administrations which have not replied.

4.1.4.9 When an administration has not replied within this 75-day period, it is deemed that this administration has not agreed to the proposed modification to the *Plans*, unless the provisions of § 4.1.4.10 and § 4.1.4.11 are applied.

4.1.4.10 After this 75-day period, the administration proposing to modify the *Plans* may request the *Bureau* to assist by sending a reminder to the administration which has not replied, requesting a decision. This request shall in no way extend the 24-month period mentioned in § 4.1.5.1.

4.1.4.11 If no decision is communicated to the *Bureau* within 40 days after the date of dispatch of the reminder under § 4.1.4.10, it shall be deemed that the administration which has not given a decision has agreed to the proposed modification to the *Plans*.

4.1.4.12 If, at the end of the periods mentioned in § 4.1.4.9 or § 4.1.4.11 above, there is continuing disagreement, the *Bureau* shall conduct any study that may be requested by either the administration proposing the modification to the *Plans* or administrations from which agreement is sought; within 40 days, it shall inform them of the result of the study and shall make such recommendations as it may be able to offer for the solution of the problem.

4.1.4.13 An administration may, before applying the procedures in § 4.1, or at any stage during application of the procedure described therein, request the assistance of the *Bureau* without this having any implication on the application of the above-mentioned periods.

4.1.4.14 If, in seeking agreement, an administration modifies its initial proposal, it shall again apply the provisions of § 4.1.

#### 4.1.5 Completion of the modification procedure

4.1.5.1 When an administration has obtained the agreement of all the administrations whose names were published in the *BR IFIC* referred to in § 4.1.2.8 b) or § 4.1.3.2, as appropriate, it shall inform the *Bureau* of the final agreed characteristics of the assignment/allotment together with the names of the administrations with which agreement has been reached. If the administration proposing the modification to the *Plans* does not inform the *Bureau* within 24 months after the 75-day period referred to in § 4.1.4.6 to § 4.1.4.10, the proposed modification shall lapse.

4.1.5.2 If the above-mentioned final agreed characteristics result in the identification of new affected administrations, the administration proposing the modification to the *Plans* shall again apply the provisions of § 4.1 with respect to these new administrations.

4.1.4.6 Uprava, ki ne more dati soglasja k predlagani spremembi glede svoje radiodifuzne storitve, sprejme odločitev na podlagi razlogov, povezanih z njeno radiodifuzno storitvijo, v 75 dneh od dne objave *BR IFIC* iz točke 4.1.2.8 b) ali 4.1.3.2, kakor je primerno.

4.1.4.7 Uprava, ki ne more dati soglasja k predlagani spremembi glede svojih *drugih primarnih prizemnih storitev*, navede svoje razloge na podlagi lastnih dodelitev v 75 dneh od dne objave *BR IFIC* iz točke 4.1.2.8 b) ali 4.1.3.2, kakor je primerno.

4.1.4.8 Petdeset dni po objavi *BR IFIC* iz točke 4.1.2.8 b) ali 4.1.3.2, kakor je primerno, *urad* zaprosi upravo, ki še ni sprejela odločitve o zadevi, da to stori. Po celotnem obdobju 75 dni od dne objave *BR IFIC* *urad* nemudoma obvesti upravo, ki predlaga spremembo *načrtov*, da je poslal omenjene prošnje, in ji zagotovi imena uprav, ki so dale svoje soglasje, in imena uprav, ki niso odgovorile.

4.1.4.9 Če uprava ne odgovori v 75 dneh, se šteje, da ne soglašata s predlagano spremembo *načrtov*, razen če se uporabljajo določbe iz točk 4.1.4.10 in 4.1.4.11.

4.1.4.10 Po tem obdobju 75 dni lahko uprava, ki predlaga spremembo *načrtov*, zaprosi *urad*, da pomaga, s tem da pošlje opomin upravi, ki ni odgovorila, in jo prosi, naj sprejme odločitev. Ta prošnja nikakor ne sme podaljšati 24-mesečnega obdobja, omenjenega v točki 4.1.5.1.

4.1.4.11 Če se *uradu* odločitev ne sporoči v 40 dneh od dne poslanega opomina po točki 4.1.4.10, se šteje, da uprava, ki ni sprejela odločitve, soglašata s predlagano spremembo *načrtov*.

4.1.4.12 Če se ob koncu obdobja, omenjenih v točki 4.1.4.9 ali 4.1.4.11, nesporezum nadaljuje, *urad* opravi študijo, ki jo zahteva uprava, ki predlaga spremembo *načrtov*, ali uprava, od katere se prizadeva pridobiti soglasje; v 40 dneh jih obvesti o izsledkih študije in pripravi priporočila, ki jih lahko ponudi za rešitev problema.

4.1.4.13 Uprava lahko pred uporabo postopkov iz točke 4.1 ali na katerikoli stopnji med uporabo opisanega postopka *urad* zaprosi za pomoč, ne da bi to kakorkoli vplivalo na uporabo zgoraj omenjenih obdobja.

4.1.4.14 Če pri prizadevanju za soglasje uprava spremeni svoj začetni predlog, ponovno uporabi določbe iz točke 4.1.

#### 4.1.5 Dokončanje postopka sprememb

4.1.5.1 Ko uprava pridobi soglasje vseh uprav, katerih imena so bila objavljena v *BR IFIC* iz točke 4.1.2.8 b) ali 4.1.3.2, kakor je primerno, obvesti *urad* o dokončno dogovorjenih karakteristikah dodelitve/razdelitve skupaj z imeni uprav, s katerimi je bilo soglasje doseženo. Če uprava, ki predlaga spremembo *načrtov*, ne obvesti *urada* v 24 mesecih po obdobju 75 dni iz točk od 4.1.4.6 do 4.1.4.10, predlagana sprememba zastara.

4.1.5.2 Če omenjene dokončno dogovorjene karakteristike povzročijo, da se ugotovijo nove prizadete uprave, uprava, ki predlaga spremembo *načrtov*, za te nove uprave ponovno uporabi določbe točke 4.1.

4.1.5.3 From the receipt of the complete information referred to in § 4.1.5.1, the *Bureau* shall, within 30 days, publish in the Special Section of the *BR IFIC* the characteristics of the assignment/allotment together with the names of the administrations which have agreed to the proposed modification to the *Plans* and include the new or modified assignment/allotment in the *Plans*, as appropriate. With respect to *Contracting Members*, the assignment/allotment concerned shall enjoy the same status as those appearing in the *Plans*. However, in the case of an assignment in the Plan resulting from the conversion of an allotment, this assignment shall remain in accordance with the allotment from which it stems and in conformity with Section II of Annex 4.

4.1.5.4 The agreement of the administration(s) affected may also be obtained in accordance with this Article for a specific period of time. The assignment or allotment, as appropriate, shall be removed from the *Plans* and/or from the *MIFR*, as appropriate, by the *Bureau* at the end of this period of time, after it has informed the administration.

#### 4.1.6 Cancellation of an assignment or an allotment

When an assignment or an allotment in the *Plans* is cancelled either under § 4.1.1 *d*) or § 4.1.5.4, the *Bureau* shall publish this information in a Special Section of the *BR IFIC*.

In the case of the cancellation of an allotment, the *Bureau* shall cancel all assignments stemming from this allotment from the digital Plan and from the *MIFR* after having informed the administration.

#### 4.1.7 Updating of the *Plans*

The *Bureau* shall maintain and publish periodically an up-to-date master copy of the *Plans*, taking account of any changes, additions and deletions made in accordance with the procedure of this Article.

### 4.2 Coordination of assignments to other primary terrestrial services with the broadcasting service

4.2.1 When an administration proposes to change the characteristics of an existing assignment to other primary terrestrial services, or to bring into use a new assignment to other primary terrestrial services, the procedure contained in this Article shall be applied before any notification is made under the provisions of Article 5.

#### 4.2.2 Initiation of the coordination procedure

4.2.2.1 In application of § 4.2.1, an administration shall seek the agreement of any other administration whose broadcasting service is considered to be affected.

4.2.2.2 An administration is considered to be affected in respect of its broadcasting service when the limits given in Section I of Annex 4 are exceeded.

4.2.2.3 The agreement referred to in § 4.2.2.1 is not required if:

- a) none of the corresponding limits in Section I of Annex 4 referred to in § 4.2.2.2, are exceeded; or
- b) the proposed modification relates to changes in the technical characteristics which do not increase the existing level of interference and do not increase the existing level of protection required.

4.2.2.4 An administration proposing a new or modified assignment shall communicate to the *Bureau* the relevant characteristics listed in Annex 3, in electronic form, and shall also indicate, if appropriate, the names of any administrations which have already agreed to the proposed new or modified assignment on the basis of the characteristics communicated to the *Bureau*.

This communication shall also be considered by the *Bureau*, if so requested, as a request to apply the procedure contained in § 4.2.5.3 in the following cases:

- no agreements are required under § 4.2.2.3 and no administration's name is included under § 4.2.3.2; or
- all agreements have been received and no administration's name is removed under § 4.2.2.7 or included under § 4.2.3.2.

4.1.5.3 Po prejemu popolnih informacij iz točke 4.1.5.1 *urad* v 30 dneh v posebnem oddelku *BR IFIC* objavi karakteristike dodelitve/razdelitve skupaj z imeni uprav, ki so soglašale s predlagano spremembo *načrtov*, in vključi novo ali spremenjeno dodelitev/razdelitev v *načrte*, kakor je primerno. Za pogodbenice ima ta dodelitev/razdelitev enak status kot tiste dodelitve/razdelitve, ki se pojavljajo v *načrtih*. Pri dodelitvi v načrtu, ki izhaja iz pretvorbe razdelitve, pa ostane ta dodelitev v skladu z razdelitvijo, iz katere izhaja, in v skladu z oddelkom II priloge 4.

4.1.5.4 Soglasje uprav, ki so prizadete, se lahko v skladu s tem členom pridobi tudi za določeno obdobje. *Urad* iz *načrtov* oziroma iz *MIFR*, kakor je primerno, črta dodelitev ali razdelitev, kakor je primerno, na koncu tega obdobja, potem ko je obvestil upravo.

#### 4.1.6 Preklic dodelitve ali razdelitve

Kadar se dodelitev ali razdelitev v *načrtih* prekliče po točki 4.1.1 *d* ali 4.1.5.4, *urad* to objavi v posebnem oddelku *BR IFIC*.

Ob preklicu razdelitve *urad* prekliče vse dodelitve, ki izvirajo iz te razdelitve iz digitalnega načrta in iz *MIFR*, potem ko je obvestil upravo.

#### 4.1.7 Posodobitev *načrtov*

*Urad* vzdržuje in redno objavlja posodobljeno glavno kopijo *načrtov* ob upoštevanju vseh sprememb, dodatkov in črtanj skladno s postopkom iz tega člena.

### 4.2 Uskladitev dodelitev z drugimi primarnimi prize-mnimi storitvami z radiodifuzno storitvijo

4.2.1 Kadar uprava predlaga spremembo karakteristik obstoječe dodelitve drugim primarnim prizemnim storitvam ali uporabo nove dodelitve drugim primarnim prizemnim storitvam, se postopek iz tega člena uporabi pred priglasitvijo po določbah 5. člena.

#### 4.2.2 Začetek postopka uskladitve

4.2.2.1 Uprava si pri uporabi točke 4.2.1 prizadeva za soglasje vsake druge uprave, za radiodifuzno storitev katere se šteje, da bo prizadeta.

4.2.2.2 Šteje se, da je radiodifuzna storitev uprave prizadeta, kadar so presežene vrednosti iz oddelka I priloge 4.

4.2.2.3 Soglasje iz točke 4.2.2.1 se ne zahteva, če:

- a) nobena omejitev iz oddelka I priloge 4 iz točke 4.2.2.2 ni presežena ali
- b) se predlagana sprememba nanaša na spremembe tehničnih karakteristik, ki ne povišajo obstoječe ravni motenja in ravni potrebne zaščite.

4.2.2.4 Uprava, ki predlaga novo ali spremenjeno dodelitev, sporoči *uradu* v elektronski obliki ustrezne karakteristike, navedene v prilogi 3, in tudi navede, če je primerno, imena uprav, ki so že soglašale s predlagano novo ali spremenjeno dodelitvijo na podlagi karakteristik, ki so bile sporočene *uradu*.

To sporočilo *urad*, če se tako zahteva, obravnava tudi kot prošnjo za uporabo postopka iz točke 4.2.5.3 v naslednjih primerih:

- ne zahtevajo se nobena soglasja po točki 4.2.2.3 in nobeno ime uprave ni vključeno po točki 4.2.3.2 ali
- vsa soglasja so prejeta in nobeno ime uprave ni bilo črtano po točki 4.1.2.9 ali vključeno po točki 4.1.3.2.



4.2.2.5 If the characteristics submitted under § 4.2.2.4 are found to be incomplete, the *Bureau* shall immediately seek from this administration any clarification required and the information not provided.

4.2.2.6 On receipt of the complete information referred to in § 4.2.2.4 or § 4.2.2.5, as appropriate, the *Bureau* shall, within 40 days:

a) identify the administrations considered to be affected, in accordance with § 4.2.2.2;

b) publish the characteristics received in the Special Section of the *BR IFIC*, together with the names of the administrations identified, indicating those whose agreement has been communicated under § 4.2.2.4 by the administration seeking the agreement;

c) inform the administrations identified in a) above.

4.2.2.7 An administration whose agreement has been communicated to the *Bureau* under § 4.2.2.4 may, within 40 days from the date of the publication of the *BR IFIC* referred to in § 4.2.2.6 b), request the *Bureau* to remove its name from the list of administrations having given their agreement, as published under § 4.2.2.6 b). A copy of this request shall be sent by the *Bureau* to the administration seeking the agreement. In the case of the removal of a name of an administration from the list of administrations having given their agreement, as published under § 4.2.2.6 b), the *Bureau* shall consider that the agreement with that administration has not been obtained.

#### 4.2.3 Request for inclusion in the agreement-seeking process

4.2.3.1 Any administration which considers that it should have been included in the list of administrations considered to be affected may, within 40 days from the date of publication of the *BR IFIC*, request the *Bureau* to include its name in the list of administrations considered to be affected, giving its reasons for doing so based on criteria in Section I of Annex 4.

4.2.3.2 On receipt of this request, the *Bureau* shall examine the matter and, if in accordance with § 4.2.2.2, it finds that the name of the administration should have been included in the list of administrations considered to be affected, it shall:

– inform immediately the administration seeking the agreement and the administration requesting to be included in the list of administrations considered to be affected; and

– publish, within 30 days from the date of receipt of the request, the name of the administration in an addendum to the Special Section of the *BR IFIC* referred to in § 4.2.2.6 b).

For the administration whose name has been published in the addendum, the overall period of 75 days specified in § 4.2.4.6, 4.2.4.7, 4.2.4.8, 4.2.4.9 and 4.2.5.1 shall be counted from the date of publication of the addendum to the Special Section of the *BR IFIC* referred to above.

If the *Bureau* finds that the name of the administration should not be included in the list of administrations considered to be affected, it shall inform this administration.

4.2.3.3 The administration proposing the new or modified assignment shall seek the agreement of the administrations whose agreement has not been obtained (see also § 4.2.2.7) and which are listed in the publication referred to in § 4.2.2.6 b) or § 4.2.3.2, as appropriate, by applying the procedure contained in § 4.2.4 below.

4.2.3.4 If all agreements have been received and no administration's name is removed under § 4.2.2.7 and no administration's name is included under § 4.2.3.2, the procedure contained in § 4.2.5.3 applies.

#### 4.2.4 Seeking agreement of the administrations which are considered to be affected and whose agreement has yet to be obtained

4.2.4.1 The Special Section of the *BR IFIC* referred to in § 4.2.2.6 b) or § 4.2.3.2, as appropriate, constitutes the formal request for coordination addressed to those administrations whose agreement has yet to be obtained.

4.2.2.5 Če karakteristike, predložene po točki 4.2.2.4, niso popolne, *urad* nemudoma zaprosi to upravo za zahtevano pojasnilo in manjkajoče informacije.

4.2.2.6 Po prejemu popolnih informacij iz točke 4.2.2.4 ali 4.2.2.5, kakor je primerno, mora *urad* v 40 dneh:

a) ugotoviti uprave, za katere se šteje, da so prizadete po točki 4.2.2.2;

b) objaviti sprejete karakteristike v posebnem oddelku okrožnice *BR IFIC* skupaj z imeni ugotovljenih uprav in navesti tiste, katerih soglasje je sporočila uprava, ki si je prizadevala zanj po točki 4.2.2.4;

c) obvestiti uprave, ugotovljene pod točko a) zgoraj.

4.2.2.7 Uprava, katere soglasje je bilo sporočeno *uradu* po točki 4.2.2.4, lahko v 40 dneh od dne objave *BR IFIC* iz točke 4.2.2.6 b) zaprosi *urad*, da črta njeno ime s seznama uprav, ki so soglašale in je bilo to objavljeno po točki 4.2.2.6 b). Kopijo te prošnje pošlje *urad* upravi, ki si prizadeva za soglasje. Če se ime uprave črta s seznama uprav, ki so soglašale in je bilo to objavljeno po točki 4.2.2.6 b), *urad* meni, da soglasje pri tisti upravi ni pridobljeno.

#### 4.2.3 Prošnja za vključitev v postopek pridobivanja soglasja

4.2.3.1 Uprava, ki meni, da bi morala biti vključena v seznam uprav, za katere se šteje, da so prizadete, lahko v 40 dneh od dne objave *BR IFIC* zaprosi *urad*, da vključi njeno ime na seznam uprav, za katere se šteje, da so prizadete, z navedbo razlogov za to na podlagi meril iz oddelka I priloge 4.

4.2.3.2 Po prejemu te prošnje *urad* pregleda zadevo, in če v skladu s točko 4.2.2.2 ugotovi, da bi bilo treba ime uprave vključiti na seznam uprav, za katere se šteje, da so prizadete:

– nemudoma obvesti upravo, ki si prizadeva za soglasje, in upravo, ki prosi za vključitev na seznam uprav, za katere se šteje, da so prizadete, in

– v 30 dneh od dne prejema prošnje objavi ime uprave v dodatku k posebnemu oddelku okrožnice *BR IFIC* iz točke 4.2.2.6 b).

Za upravo, katere ime je bilo objavljeno v dodatku, se celotno obdobje 75 dni, podrobno navedeno v točkah 4.2.4.6, 4.2.4.7, 4.2.4.8, 4.2.4.9 in 4.2.5.1, računa od dne objave dodatka k zgoraj omenjenemu posebnemu oddelku okrožnice *BR IFIC*.

Če *urad* ugotovi, da se ime uprave ne sme vključiti na seznam uprav, za katere se šteje, da so prizadete, obvesti to upravo.

4.2.3.3 Uprava, ki predlaga novo ali spremenjeno dodelitev, si prizadeva za soglasje uprav, katerih soglasje še ni bilo pridobljeno (glej tudi točko 4.2.2.7) in ki so našteje v publikaciji iz točke 4.2.2.6 b) ali 4.2.3.2, kakor je primerno, z uporabo postopka iz točke 4.2.4 spodaj.

4.2.3.4 Če so bila prejeta vsa soglasja in nobeno ime uprave ni bilo črtano po točki 4.2.2.7 in nobeno ime uprave ni bilo vključeno po točki 4.2.3.2, se uporablja postopek po točki 4.2.5.3.

#### 4.2.4 Prizadevanje za soglasja uprav, za katere se šteje, da so prizadete, in katerih soglasje še ni bilo pridobljeno

4.2.4.1 Posebni oddelk okrožnice *BR IFIC* iz točke 4.2.2.6 b) ali 4.2.3.2, kakor je primerno, pomeni uradno prošnjo za usklajevanje, naslovljeno na tiste uprave, katerih soglasje še ni bilo pridobljeno.

4.2.4.2 When seeking the agreement of another administration, the administration proposing the new or modified assignment may also communicate any additional information relating to proposed criteria to be used as well as other details concerning the terrain data, particular propagation conditions, etc.

4.2.4.3 On receipt of the Special Section of the *BR IFIC* referred to in § 4.2.2.6 *b*) or § 4.2.3.2, as appropriate, any administration listed therein shall examine the effect of the proposed new or modified assignment on its broadcasting service, taking into account, as far as possible, the additional information referred to in § 4.2.4.2.

4.2.4.4 An administration from which agreement is sought may request the *Bureau* to assist by providing further information to enable the administration to assess the interference from the proposed new or modified assignment, using the method described in Section I of Annex 4. The *Bureau* shall send this information by the most expeditious means.

4.2.4.5 An administration from which agreement is sought may send its comments to the administration proposing the new or modified assignment, either directly or through the *Bureau*. In any event, the *Bureau* shall be informed of these comments.

4.2.4.6 An administration which is not in a position to give its agreement to the proposed new or modified assignment shall give its decision, with reasons related to its broadcasting service, within 75 days from the date of publication of the *BR IFIC* referred to in § 4.2.2.6 *b*) or § 4.2.3.2, as appropriate.

4.2.4.7 Fifty days after publication of the *BR IFIC* referred to in § 4.2.2.6 *b*) or § 4.2.3.2, as appropriate, the *Bureau* shall request any administration which has not yet given its decision on the matter to do so. After, an overall period of 75 days following the date of publication of the *BR IFIC*, the *Bureau* shall immediately inform the administration proposing the new or modified assignment that it has sent out the aforementioned requests and provide it with the names of the administrations which have given their agreement and the name of the administrations which have not replied.

4.2.4.8 When an administration has not replied within this 75-day period, it is deemed that this administration has not agreed to the proposed new or modified assignment, unless the provisions of § 4.2.4.9 and § 4.2.4.10 are applied.

4.2.4.9 After the 75-day period, the administration proposing the new or modified assignment may request the *Bureau* to assist by sending a reminder to the administration which has not replied, requesting a decision. This request shall in no way extend the 24-month period mentioned in § 4.2.5.1.

4.2.4.10 If no decision is communicated to the *Bureau* within 40 days after the date of dispatch of the reminder under § 4.2.4.9, it shall be deemed that the administration which has not given a decision has agreed to the proposed new or modified assignment.

4.2.4.11 If, at the end of the periods mentioned in § 4.2.4.8 or § 4.2.4.10 above, there is continuing disagreement, the *Bureau* shall conduct any study that may be requested by either the administration proposing the new or modified assignment or administrations from which agreement is sought; within 40 days, it shall inform them of the result of the study and shall make such recommendations as it may be able to offer for the solution of the problem.

4.2.4.12 An administration may, before applying the procedures in § 4.2, or at any stage during application of the procedure described therein, request the assistance of the *Bureau* without this having any implication on the application of the above-mentioned periods.

4.2.4.13 If, in seeking agreement, an administration modifies its initial proposal, it shall again apply the provisions of § 4.2.

4.2.4.2 Pri prizadevanju za soglasje druge uprave lahko uprava, ki predlaga novo ali spremenjeno dodelitev, sporoči tudi kakršnekoli dodatne informacije v zvezi s predlaganimi merili, ki se morajo uporabiti, in druge podrobnosti glede podatkov o terenu, zlasti o pogojih širjenja itd.

4.2.4.3 Po prejemu posebnega oddelka *BR IFIC* iz točke 4.2.2.6 *b* ali 4.2.3.2, kakor je primerno, uprava, ki je na seznamu, prouči učinek predlagane nove ali spremenjene dodelitve na svojo radiodifuzno storitev ob upoštevanju, če je mogoče, dodatnih informacij iz točke 4.2.4.2.

4.2.4.4 Uprava, od katere se prizadeva pridobiti soglasje, lahko zaprosi *urad*, da pomaga pri zagotavljanju nadaljnjih informacij, tako da upravi omogoči, da oceni motenje zaradi predlagane nove ali spremenjene dodelitve z uporabo metode, opisane v oddelku I priloge 4. *Urad* pošlje to informacijo na najhitrejši mogoč način.

4.2.4.5 Uprava, od katere se prizadeva pridobiti soglasje, lahko pošlje svoje pripombe upravi, ki predlaga novo ali spremenjeno dodelitev, neposredno ali prek *urada*. V vsakem primeru je treba *urad* obvestiti o teh pripombah.

4.2.4.6 Uprava, ki ne more dati soglasja k predlagani novi ali spremenjeni dodelitvi, sprejme svojo odločitev na podlagi razlogov, povezanih z njeno radiodifuzno storitvijo, v 75 dneh od dne objave *BR IFIC* iz točke 4.2.2.6 *b* ali 4.2.3.2, kakor je primerno.

4.2.4.7 Petdeset dni po objavi *BR IFIC* iz točke 4.2.2.6 *b* ali 4.2.3.2, kakor je primerno, *urad* zaprosi upravo, ki še ni sprejela odločitve o zadevi, da to stori. Po celotnem obdobju 75 dni od dne objave *BR IFIC* *urad* nemudoma obvesti upravo, ki predlaga novo ali spremenjeno dodelitev, da je poslal omenjene prošnje in ji zagotovi imena uprav, ki so dale svoje soglasje, in imena uprav, ki niso odgovorile.

4.2.4.8 Če uprava ne odgovori v 75 dneh, se šteje, da ne soglašajo s predlagano novo ali spremenjeno dodelitvijo, razen če se uporabljajo določbe iz točk 4.2.4.9 in 4.2.4.10.

4.2.4.9 Po 75-dnevnem obdobju lahko uprava, ki predlaga novo ali spremenjeno dodelitev, zaprosi *urad*, da pomaga, s tem da pošlje opomin upravi, ki ni odgovorila, in jo prosi, naj sprejme odločitev. Ta prošnja nikakor ne sme podaljšati 24-mesečnega obdobja, omenjenega v točki 4.2.5.1.

4.2.4.10 Če se *uradu* odločitev ne sporoči v 40 dneh od dne poslanega opomina po točki 4.2.4.9, se šteje, da uprava, ki ni sprejela odločitve, soglašajo s predlagano novo ali spremenjeno dodelitvijo.

4.2.4.11 Če se ob koncu obdobja, omenjenih v točki 4.2.4.8 ali 4.2.4.10, nespোরazum nadaljuje, *urad* izvede študijo, ki jo zahtevajo uprava, ki predlaga novo ali spremenjeno dodelitev, ali uprave, od katerih se prizadeva pridobiti soglasje; v 40 dneh jih obvesti o izsledkih študije in pripravi priporočila, ki jih lahko ponudi za rešitev problema.

4.2.4.12 Uprava lahko pred uporabo postopkov iz točke 4.2 ali na katerikoli stopnji med uporabo opisanega postopka *urad* zaprosi za pomoč, ne da bi to kakorkoli vplivalo na upoštevanje zgoraj omenjenih obdobja.

4.2.4.13 Če pri prizadevanju za soglasje uprava spremeni svoj začetni predlog, ponovno uporabi določbe točke 4.2.

**4.2.5 Completion of the coordination procedure**

4.2.5.1 When an administration has obtained the agreement of all the administrations whose names were published in the *BR IFIC* referred to in § 4.2.2.6 b) or § 4.2.3.2, as appropriate, it shall inform the *Bureau* of the final agreed characteristics of the assignment together with the names of the administrations with which agreement has been reached. If the administration proposing the new or modified assignment does not inform the *Bureau* within 24 months after the 75-day period referred to in § 4.2.4.6 to 4.2.4.9, the proposed modification shall lapse.

4.2.5.2 If the above-mentioned final agreed characteristics result in the identification of new affected administrations, the administration proposing the new or modified assignment shall again apply the provisions of § 4.2 with respect to these new administrations.

4.2.5.3 From the receipt of the complete information referred to in § 4.2.5.1, the *Bureau* shall, within 30 days, publish in the Special Section of the *BR IFIC* the characteristics of the assignment together with the names of the administrations which have agreed to the proposed new or modified assignment and include the new or modified assignment in the *List*.

4.2.5.4 The proposed new or modified assignment shall lapse if it is not notified under Article 5 within 12 months after the publication referred to in § 4.2.5.3.

4.2.5.5 The agreement of the administration(s) affected may also be obtained in accordance with this Article for a specific period of time. The assignment shall be removed from the *List* and/or from the *MIFR*, as appropriate, by the *Bureau* at the end of this period of time, after it has informed the administration.

**4.2.6 Updating of the List**

The *Bureau* shall maintain and publish periodically an up-to-date master copy of the *List*, taking account of any changes, additions and deletions made in accordance with the procedure of this Article.

## ARTICLE 5

**Notification of frequency assignments****5.1 Notification of frequency assignments to broadcasting stations**

5.1.1 When an administration proposes to bring into use an assignment to a broadcasting station, it shall notify to the *Bureau*, in accordance with the provisions of Article 11 of the *Radio Regulations*, the characteristics of this assignment, as specified in Annex 3 of the *Agreement*.

5.1.2 Under the examination by the *Bureau* of the assignment with respect to No. 11.34 of the *Radio Regulations*, i.e. its conformity with the *Plans* and the associated provisions, the finding shall be favourable if:

a) the assignment is contained in the *Plans*<sup>6</sup> and not bearing any remark with respect to assignments in the analogue Plan, to *existing assignments to other primary terrestrial services* or to entries in the digital Plan, and the conditions of Section II of Annex 4 are met; or

b) the assignment is contained in the digital Plan and bearing a remark with respect to:

– assignments in the analogue Plan or to *existing assignments to other primary terrestrial services*, and all the necessary agreements have been obtained, and the conditions of Section II of Annex 4 are met; and/or

– entries in the digital Plan, and the notifying administration states that all conditions associated with the remark are fully met, and the conditions of Section II of Annex 4 are met; or

**4.2.5 Dokončanje postopka usklajevanja**

4.2.5.1 Ko uprava pridobi soglasja vseh uprav, katerih imena so bila objavljena v *BR IFIC* iz točke 4.2.2.6 b) ali 4.2.3.2, kakor je primerno, obvesti *urad* o dokončno dogovorjenih karakteristikah dodelitve skupaj z imeni uprav, s katerimi je bilo soglasje doseženo. Če uprava, ki predlaga novo ali spremenjeno dodelitev, ne obvesti *urada* v 24 mesecih po obdobju 75 dni iz točk od 4.2.4.6 do 4.2.4.9, predlagana sprememba zastara.

4.2.5.2 Če omenjene dokončno dogovorjene karakteristike povzročijo, da se ugotovijo nove prizadete uprave, uprava, ki predlaga novo ali spremenjeno dodelitev, za te nove uprave ponovno uporabi določbe iz točke 4.2.

4.2.5.3 Po prejemu popolnih informacij iz točke 4.2.5.1 *urad* v 30 dneh v posebnem oddelku okrožnice *BR IFIC* objavi karakteristike dodelitve skupaj z imeni uprav, ki so soglašale s predlagano novo ali spremenjeno dodelitvijo, in vključi novo ali spremenjeno dodelitev na *seznam*.

4.2.5.4 Predlagana nova ali spremenjena dodelitev preneha veljati, če ni v 12 mesecih po objavi iz točke 4.2.5.3 priglášena skladno s 5. členom.

4.2.5.5 Soglasje uprav, ki so prizadete, se lahko v skladu s tem členom pridobi tudi za določeno obdobje. *Urad* s *seznama* oziroma *MIFR*, kakor je primerno, črta dodelitev na koncu tega obdobja, potem ko je obvestil upravo.

**4.2.6 Posodobitev seznama**

*Urad* redno vzdržuje in objavlja najnovejši izvornik *seznama* ob upoštevanju vseh sprememb, dodatkov in črtanj v skladu s postopkom tega člena.

## 5. ČLEN

**Priglasitev dodelitev frekvenc****5.1 Priglasitev dodelitev frekvenc radiodifuznim postajam**

5.1.1 Ko uprava predlaga začetek uporabe dodelitev za radiodifuzno postajo, v skladu z 11. členom *Pravilnika o radiokomunikacijah* uradno obvesti *urad* o karakteristikah te dodelitve, kot je določeno v prilogi 3 k *sporazumu*.

5.1.2 Pri obravnavi dodelitve, ki jo prouči *urad* ob upoštevanju št. 11.34 *Pravilnika o radiokomunikacijah*, tj. njene skladnosti z *načrti* in pripadajočimi določbami, je sklep pozitiven, če:

a) je dodelitev vključena v *načrtih*<sup>6</sup> in v zvezi z njo ni nobene opombe o dodelitvah v analognem načrtu glede na že *obstoječe dodelitve drugim primarnim prizemnim storitvam* ali glede na vnose v digitalni načrt ter so izpolnjeni pogoji oddelka II priloge 4 ali

b) je dodelitev vključena v digitalni načrt in ima opombo o:

– dodelitvah v analognem načrtu ali o *že obstoječih dodelitvah drugim primarnim prizemnim storitvam* in so bila pridobljena vsa potrebna soglasja ter so izpolnjeni pogoji oddelka II priloge 4 oziroma

– vnosih v digitalni načrt in uprava, ki prigláša, ugotavlja, da so v celoti izpolnjeni vsi pogoji v zvezi z opombo in pogoji oddelka II priloge 4, ali

<sup>6</sup> This provision shall not be applicable to the analogue Plan after the end of the *Transition period*.

<sup>6</sup> Ta določba se ne uporablja za analogni načrt po koncu *prehodnega obdobja*.

c) in the case of an assignment stemming from an allotment in the digital Plan, which does not bear any remark with respect to assignments in the analogue Plan, to *existing assignments to other primary terrestrial services*, or to entries in the digital Plan, the conditions of Section II of Annex 4 are met; or

d) in the case of an assignment stemming from an allotment in the digital Plan, which bears a remark with respect to:

– assignments in the analogue Plan or to *existing assignments to other primary terrestrial services*, all the necessary agreements have been obtained and the conditions of Section II of Annex 4 are met; and/or

– entries in the digital Plan, the conditions of Section II of Annex 4 are met and the notifying administration states that all conditions associated with the remark are fully met; or

e) in the case of the use of an entry in the digital Plan, with different characteristics, within the DVB-T or T-DAB systems, the conditions specified in Section II of Annex 4 are met.

5.1.3 A digital entry in the Plan may also be notified with characteristics different from those appearing in the Plan, for transmissions in the broadcasting service or in *other primary terrestrial services* operating in conformity with the *Radio Regulations*, provided that the peak power density in any 4 kHz of the above-mentioned notified assignments shall not exceed the spectral power density in the same 4 kHz of the digital entry in the Plan. Such use shall not claim more protection than that afforded to the above-mentioned digital entry.

5.1.4 If the examination referred to in § 5.1.2, and § 5.1.3 where appropriate, leads to a favourable finding, the assignment shall be recorded in the *MIFR*. In relations between *Contracting Members*, all broadcasting frequency assignments recorded in the *MIFR* and in conformity with the *Agreement* shall be considered to have the same status irrespective of the date of receipt of the notices by the *Bureau* for such frequency assignments or of the date on which they are brought into service.

5.1.5 If the examination referred to in § 5.1.2 or § 5.1.3, as appropriate, leads to an unfavourable finding, the notice shall be returned to the notifying administration with the reasons therefor.

5.1.6 If the administration resubmits the notice and the re-examination by the *Bureau* under § 5.1.2, and § 5.1.3 where appropriate, leads to a favourable finding, the assignment shall be recorded in the *MIFR*.

5.1.7 If the re-examination under § 5.1.2 leads to an unfavourable finding, the assignment shall be recorded with a favourable finding under **No. 11.31**, and with an unfavourable finding under **No. 11.34** together with the name(s) of the administration(s) with which there is continuing disagreement, indicating that with respect to this (these) administration(s) the recorded assignment shall be operated under the conditions of not causing unacceptable interference to, and not claiming protection from, any station operating in conformity with the *Agreement* and its associated *Plans*.

5.1.8 The notice for resubmission shall also include a signed commitment by the notifying administration, indicating that use of an assignment submitted for recording in the *MIFR* under § 5.1.7 shall not cause unacceptable interference to, nor claim protection from, any station of the administration with which there is continuing disagreement operating in conformity with the *Agreement* and its associated *Plans* and recorded in the *MIFR* with a favourable finding with respect to Nos. **11.31** and **11.34**.

5.1.9 Should unacceptable interference be caused by the use of this assignment to any assignment of the administration with which there is continuing disagreement operating in conformity with the *Agreement* and its associated *Plans* and recorded in the *MIFR* with a favourable finding with respect to Nos. **11.31** and **11.34**, the administration causing unacceptable interference shall, upon receipt of advice thereof, immediately eliminate this interference.

c) so pri dodelitvi, ki izvira iz razdelitve v digitalnem načrtu in nima nobene opombe o dodelitvah v analognem načrtu glede na *že obstoječe dodelitve drugim primarnim prizemnim storitvam* ali glede na vnose v digitalni načrt, izpolnjeni pogoji oddelka II priloge 4 ali

d) so ob dodelitvi, ki izvira iz razdelitve v digitalnem načrtu in ima opombo o:

– dodelitvah v analognem načrtu ali o *že obstoječih dodelitvah drugim primarnim prizemnim storitvam*, pridobljena vsa potrebna soglasja ter so izpolnjeni pogoji oddelka II priloge 4 oziroma

– vnosih v digitalni načrt in so izpolnjeni pogoji oddelka II priloge 4 ter uprava, ki priglašča, izjavlja, da so v celoti izpolnjeni vsi pogoji v zvezi z opombo, ali

e) so pri vnosu v digitalni načrt z različnimi karakteristikami znotraj sistemov DVB-T ali T-DAB izpolnjeni pogoji iz oddelka II priloge 4.

5.1.3 Vnos v digitalni načrt se lahko priglasča s karakteristikami, različnimi od tistih, ki so v načrtu namenjene za prenose v radiodifuzni storitvi ali v *drugih primarnih prizemnih storitvah*, ki delujejo v skladu s *Pravilnikom o radiokomunikacijah*, pod pogojem, da temenska gostota moči v katerikoli zgoraj omenjeni 4 kHz-ni priglašeni dodelitvi ne presega spektralne gostote moči istih 4 kHz digitalnega vnosa v načrt. Pri taki uporabi se ne zahteva večja zaščita od tiste, ki se zagotavlja zgoraj navedenemu digitalnemu vnosu.

5.1.4 Če obravnava, omenjena v točkah 5.1.2 in 5.1.3, kakor je ustrezno, pripelje do pozitivnega sklepa, se dodelitev vpiše v *MIFR*. V odnosih med *pogodbenicami* se za vse dodelitve radiodifuzijskih frekvenc, ki so vpisane v *MIFR* in skladne s *sporazumom*, šteje, da imajo enak status ne glede na dan prejema obvestila *urada* o takih dodelitvah frekvenc ali dan, ko začnejo delovati.

5.1.5 Če obravnava, omenjena v točki 5.1.2 ali 5.1.3, kakor je ustrezno, pripelje do negativnega sklepa, se upravi, ki priglašča, pošlje obvestilo z razlogi za zavrnitev.

5.1.6 Če uprava ponovno predloži obvestilo in ponovna obravnava, ki jo opravi *urad* v skladu s točkama 5.1.2 in 5.1.3, kakor je ustrezno, pripelje do pozitivnega sklepa, se dodelitev vpiše v *MIFR*.

5.1.7 Če ponovna proučitev v skladu s točko 5.1.2 pripelje do negativnega sklepa, se dodelitev s pozitivnim sklepom vpiše pod št. **11.31**, z negativnim sklepom pa pod št. **11.34** skupaj z imeni uprav, s katerimi se nesporezum nadaljuje, in z navedbo, da se glede teh uprav vpisane dodelitve izvajajo pod pogojem, da ne povzročajo nesprejemljivega motenja nobeni postaji in da se ne zahteva zaščita pred nobeno postajo, ki deluje v skladu s *sporazumom* in z njim povezanimi *načrti*.

5.1.8 Obvestilo za ponovno proučitev mora vključevati podpisano zavezo uprave, ki priglašča, z navedbo, da uporaba dodelitve, predložene za vpis v *MIFR* v skladu s točko 5.1.7, ne bo povzročala nesprejemljivega motenja nobeni postaji uprave in ne zahtevala zaščite pred nobeno postajo uprave, s katero se nesporezum nadaljuje in ki deluje v skladu s *sporazumom* in z njim povezanimi *načrti* ter je vpisana v *MIFR* s pozitivnim sklepom glede št. **11.31** in št. **11.34**.

5.1.9 Če uporaba te dodelitve povzroča nesprejemljivo motenje za katerikoli postajo uprave, s katero se nesporezum nadaljuje in ki deluje v skladu s *sporazumom* in z njim povezanimi *načrti* ter je vpisana v *MIFR* s pozitivnim sklepom glede št. **11.31** in št. **11.34**, mora uprava, ki povzroča nesprejemljivo motenje, takoj ko prejme obvestilo o tem, odpraviti to motenje.

**5.2 Notification of frequency assignments to other primary terrestrial services**

5.2.1 When an administration proposes to bring into use an assignment to *other primary terrestrial services*, it shall notify the assignment to the *Bureau* in accordance with the provisions of Article 11 of the *Radio Regulations*.

5.2.2 Under the examination by the *Bureau* of conformity with the *Agreement*, the *Bureau* shall examine the notice with respect to the successful application of the procedure contained in § 4.2 of the *Agreement*.

5.2.3 If the examination referred to in § 5.2.2 above leads to a favourable finding, the assignment shall be recorded in the *MIFR*. Otherwise, the notice shall be returned to the notifying administration with the reasons therefor.

5.2.4 If the administration resubmits the notice and the re-examination by the *Bureau* under § 5.2.2 above leads to a favourable finding, the assignment shall be recorded in the *MIFR* accordingly.

5.2.5 If the re-examination under § 5.2.2 leads to an unfavourable finding, the assignment shall be recorded with a favourable finding under No. 11.31, and with an unfavourable finding under No. 11.34 together with the name(s) of the administration(s) with which there is continuing disagreement, indicating that with respect to this (these) administration(s) the recorded assignment shall be operated under the conditions of not causing unacceptable interference to, and not claiming protection from, any station operating in conformity with the *Agreement* and its associated *Plans*.

5.2.6 The notice for resubmission shall also include a signed commitment by the notifying administration, indicating that use of an assignment recorded in the *MIFR* under § 5.2.5 shall not cause unacceptable interference to, nor claim protection from, any station of the administration with which there is continuing disagreement operating in conformity with the *Agreement* and its associated *Plans* and recorded in the *MIFR* with a favourable finding with respect to Nos. 11.31 and 11.34.

5.2.7 Should unacceptable interference be caused by the use of this assignment to any assignment of the administration with which there is continuing disagreement operating in conformity with the *Agreement* and its associated *Plans* and recorded in the *MIFR* with a favourable finding with respect to Nos. 11.31 and 11.34, the administration causing unacceptable interference shall, upon receipt of advice thereof, immediately eliminate this interference.

## ARTICLE 6

**Settlement of disputes**

6.1 If, after application of the procedure described in the above articles, the administrations concerned have been unable to reach agreement, they may resort to the procedure described in Article 56 of the *Constitution*. They may also agree to apply the Optional Protocol on the compulsory settlement of disputes relating to the ITU Constitution, the ITU Convention and to the Administrative Regulations.

## ARTICLE 7

**Accession to the Agreement**

7.1 Any Member State in the *Planning Area* which has not signed the *Agreement* may at any time deposit an instrument of accession with the *Secretary-General*, who shall immediately inform the other Member States. Accession to the *Agreement* shall be made without reservations and shall apply to the *Plans* as they stand at the time of accession.

7.2 Accession to the *Agreement* shall become effective on the date on which the instrument of accession is received by the *Secretary-General*.

**5.2 Priglasitev dodelitev frekvenc drugim primarnim prizemnim storitvam**

5.2.1 Ko uprava predlaga začetek uporabe dodelitve za *druge primarne prizemne storitve*, to dodelitev priglasí uradu v skladu s 11. členom *Pravilnika o radiokomunikacijah*.

5.2.2 Pri proučitvi skladnosti s *sporazumom urad* prouči tudi obvestilo s stališča uspešne uporabe postopka iz točke 4.2 *sporazuma*.

5.2.3 Če proučevanje, omenjeno v točki 5.2.2, pripelje do pozitivnega sklepa, se dodelitev vpiše v *MIFR*. V nasprotnem primeru se obvestilo vrne upravi, ki priglašá, z navedbo razlogov.

5.2.4 Če uprava ponovno predloži obvestilo in ponovna proučitev, ki jo opravi *urad* v skladu s točko 5.2.2, pripelje do pozitivnega sklepa, se dodelitev ustrezno vpiše v *MIFR*.

5.2.5 Če ponovna proučitev v skladu s točko 5.2.2 pripelje do negativnega sklepa, se dodelitev s pozitivnim sklepom vpiše pod št. 11.31 in z negativnim sklepom pod št. 11.34 skupaj z imeni uprav, s katerimi se nesporazum nadaljuje, z navedbo, da se glede teh uprav vpisana dodelitev izvaja pod pogojem, da ne povzroča nesprejemljivega motenja nobeni postaji in da ne zahteva zaščite pred nobeno postajo, ki deluje v skladu s *sporazumom* in z njim povezanimi *načrti*.

5.2.6 Obvestilo za ponovno proučitev mora vključevati podpisano zavezo uprave, ki priglašá, z navedbo, da uporaba dodelitve, vpisane v *MIFR* v skladu s točko 5.2.5, ne bo povzročala nesprejemljivega motenja nobeni postaji in ne zahtevala zaščite pred nobeno postajo uprave, s katero se nesporazum nadaljuje in ki deluje v skladu s *sporazumom* in z njim povezanimi *načrti* ter je vpisana v *MIFR* s pozitivnim sklepom glede št. 11.31 in št. 11.34.

5.2.7 Če zaradi uporabe te dodelitve nastane nesprejemljivo motenje za katerokoli postajo uprave, s katero se nesporazum nadaljuje in ki deluje v skladu s *sporazumom* in z njim povezanimi *načrti* ter je vpisana v *MIFR* s pozitivnim sklepom glede št. 11.31 in št. 11.34., mora uprava, ki povzroča nesprejemljivo motenje, takoj ko prejme obvestilo o tem, odpraviti to motenje.

## 6. ČLEN

**Reševanje sporov**

6.1 Če po uporabi postopka, opisanega v prejšnjih členih, uprave ne dosežejo sporazuma, lahko uporabijo postopek iz 56. člena *ustave*. Lahko se tudi sporazumejo, da se ravnajo po izbrinem protokolu o obvezni poravnavi sporov, ki se nanašajo na Ustavo ITU, Konvencijo ITU in Upravni pravilnik.

## 7. ČLEN

**Pristop k sporazumu**

7.1 Vsaka država članica na *območju načrtovanja*, ki ni podpisala *sporazuma*, lahko kadarkoli deponira listino o pristopu pri *generalnem sekretarju*, ta pa takoj obvesti druge države članice. Pristop k sporazumu se opravi brez pridržkov in velja za načrte, kakršni so ob pristopu.

7.2 Pristop k *sporazumu* začne veljati z dnem, ko *generalni sekretar* prejme listino o pristopu.

## ARTICLE 8

**Scope of application of the Agreement**

8.1 The *Agreement* shall bind *Contracting Members* in their relations with one another but shall not bind those members in their relations with non-contracting members.

8.2 If a *Contracting Member* enters reservations with regard to the application of any provision of the *Agreement*, other *Contracting Members* shall be free to disregard such provision in their relations with the member which has made such reservations.

## ARTICLE 9

**Approval of the Agreement**

9.1 Member States signatories to the *Agreement* shall notify their approval of this *Agreement*, as promptly as possible, to the *Secretary-General*, who shall at once inform the other Member States.

## ARTICLE 10

**Denunciation of the Agreement**

10.1 Any *Contracting Member* may denounce the *Agreement* at any time by a notification sent to the *Secretary-General*, who shall inform the other Member States.

10.2 Denunciation shall become effective one year after the date on which the *Secretary-General* receives the notification of denunciation.

10.3 On the date on which the denunciation becomes effective, the *Bureau* shall delete from the *Plans* the assignments and/or the allotments entered in the name of the Member State which has denounced the *Agreement*.

## ARTICLE 11

**Revision of the Agreement**

11.1 No revision of the *Agreement* shall be undertaken except by a competent regional radiocommunication conference convened in accordance with the procedure laid down in the *Constitution* and *Convention*, to which all the Member States in the *Planning Area* shall be invited.

## ARTICLE 12

**Entry into force, duration and provisional application of the Agreement**

12.1 The *Agreement* shall enter into force on 17 June 2007 at 0001 hours UTC.

12.2 The provisions of the *Agreement* shall be provisionally applicable as of 17 June 2006 at 0001 hours UTC.

12.3 As from the date mentioned in § 12.2 above, broadcasting stations in operation with frequency assignments which do not appear in the *Plans* or which are not in conformity with the *Agreement* and its associated *Plans* (see § 5.1.2 of Article 5) may continue to be operated under the conditions of not causing unacceptable interference to, and not claiming protection from, any assignments in conformity with the *Agreement* and its associated *Plans*.

12.4 The *Agreement* shall remain in force until it is revised in accordance with Article 11 of the *Agreement*.

12.5 The *Transition period* shall commence on 17 June 2006 at 0001 hours UTC. During the *Transition period*, assignments in the analogue Plan (as specified in § 3.1.2 of Article 3) shall be protected.

## 8. ČLEN

**Področje uporabe sporazuma**

8.1 *Sporazum* zavezuje *pogodbence* v njihovih medsebojnih odnosih, ne zavezuje pa jih v njihovih odnosih z nepogodbenicami.

8.2 Če *pogodbena* izrazi pridržke glede uporabe kate-rekoli določbe *sporazuma*, drugim *pogodbencam* takih določb ni treba upoštevati pri odnosih s članico, ki je take pridržke dala.

## 9. ČLEN

**Potrditev sporazuma**

9.1 Države članice podpisnice *sporazuma* svojo potrditev tega *sporazuma* čim prej uradno sporočijo *generalnemu sekretarju*, ta pa o tem takoj obvesti druge države članice.

## 10. ČLEN

**Odpoved sporazuma**

10.1 Vsaka *pogodbena* lahko kadarkoli odpove ta *sporazum* z uradnim obvestilom *generalnemu sekretarju*, ki o tem takoj obvesti druge države članice.

10.2 Odpoved začne veljati eno leto po dnevu, ko *generalni sekretar* prejme uradno obvestilo o odpovedi.

10.3 Z dnem, ko odpoved začne veljati, *urad* izbriše iz *načrtov* vse dodelitve oziroma razdelitve, vpisane na ime države članice, ki je odpovedala *sporazum*.

## 11. ČLEN

**Spremembe sporazuma**

11.1 Spremembe *sporazuma* niso mogoče, razen če niso sprejete na pristojni območni konferenci o radiokomunikacijah, sklicani v skladu s postopki, določenimi v *ustavi* in *konvenciji*, in na katero so povabljeni vse države članice z območja *načrtovanja*.

## 12. ČLEN

**Začetek veljavnosti, trajanje in začasna uporaba sporazuma**

12.1 Ta *sporazum* začne veljati 17. junija 2007 ob 1.00 po usklajenem svetovnem času (0001 po UTC).

12.2 Ta *sporazum* se začasno uporablja od 17. junija 2006 ob 1.00 po usklajenem svetovnem času.

12.3 Od dne iz točke 12.2 lahko radiodifuzne postaje, ki delujejo z dodelitvami frekvenc, ki niso navedene v *načrtih* ali niso v skladu s *sporazumom* ter z njim povezanimi *načrti* (glej točko 5.1.2 iz 5. člena), še naprej delujejo pod pogojem, da ne povzročajo nesprejemljivega motenja dodelitvam, ki so v skladu s *sporazumom* in z njim povezanimi *načrti*, ali da ne zahtevajo zaščite pred takimi dodelitvami.

12.4 Ta *sporazum* velja, dokler ni spremenjen v skladu z 11. členom *sporazuma*.

12.5 *Prehodno obdobje* se začne 17. junija 2007 ob 1.00 po usklajenem svetovnem času. V *prehodnem obdobju* so dodelitve iz analognega načrta (kakor je določeno v točki 3.1.2 3. člena) zaščitene.

12.6 The *Transition period* shall end on 17 June 2015 at 0001 hours UTC. However, for the countries listed in footnote below<sup>7</sup>, for the band 174 – 230 MHz<sup>8</sup>, the *Transition period* shall end on 17 June 2020 at 0001 hours UTC. After the end of the applicable *Transition period*, the corresponding entries in the analogue Plan shall be cancelled by the *Bureau*, and

- the provisions of § 4.1 of Article 4 referring to the modification of the analogue Plan; and
- remarks with respect to analogue assignments

shall cease to apply to the analogue assignments in the corresponding countries.

12.7 After the end of the above-mentioned *Transition period*, the *Bureau* shall review the status of the assignments which were contained in the analogue Plan and recorded in the *MIFR* and invite the administrations to cancel the corresponding entries in the *MIFR*.

12.8 Following the action of the *Bureau* under § 12.7 above, administrations may request the *Bureau* to cancel the corresponding assignments, or continue to operate them, under the conditions that these analogue assignments:

- a) were contained in the Plan and already brought into use, and
- b) shall not cause unacceptable interference to, and shall not claim protection from, any assignments in conformity with the *Agreement* and its associated *Plans* (see § 5.1.2 of Article 5).

12.9 The *Bureau* shall update the *MIFR* accordingly.

IN WITNESS WHEREOF, the delegates of the Member States of the International Telecommunication Union from the *Planning Area*, named below have, on behalf of their respective competent authorities, signed one copy of these Final Acts. In case of dispute, the French text shall prevail. This copy shall remain deposited in the archives of the Union. The Secretary-General shall forward one certified true copy to each Member State of the International Telecommunication Union from the *Planning Area*.

Done at Geneva, 16 June 2006.

Sestavljeno v Ženevi 16. junija 2006.

### 3. člen

Za izvajanje sporazuma skrbi ministrstvo, pristojno za izobraževanje, znanost in šport.

### 4. člen

Ta uredba začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 00724-15/2013

Ljubljana, dne 4. aprila 2013

EVA 2012-1811-0090

**Vlada Republike Slovenije**

**mag. Alenka Bratušek** l.r.  
Predsednica

<sup>7</sup> List of the countries: Algeria (People's Democratic Republic of), Burkina Faso, Cameroon (Republic of), Congo (Republic of the), Cote d'Ivoire (Republic of), Egypt (Arab Republic of), Gabonese Republic, Ghana, Guinea (Republic of), Iran (Islamic Republic of), Jordan (Hashemite Kingdom of), Mali (Republic of), Morocco (Kingdom of), Mauritania (Islamic Republic of), Nigeria (Federal Republic of), Syrian Arab Republic, Sudan (Republic of the), Chad (Republic of), Togolese Republic, Tunisia, Yemen (Republic of).

For the following administrations which were not present at RRC-06, namely Benin (Republic of), Central African Republic, Eritrea, Ethiopia (Federal Democratic Republic of), Guinea-Bissau (Republic of), Equatorial Guinea (Republic of), Liberia (Republic of), Madagascar (Republic of), Niger (Republic of the), Democratic Republic of the Congo, Sao Tome and Principe (Democratic Republic of), Sierra Leone and Somali Democratic Republic, the date of the end of the transition period in the VHF band (174 – 230 MHz) is 17 June 2020 at 0001 hours UTC, unless any of the aforementioned administrations communicates to the *Bureau* during the 90-day period from the end of RRC-06 that it selects 17 June 2015 at 0001 hours UTC.

<sup>8</sup> 170 – 230 MHz for Morocco.

12.6 *Prehodno obdobje* se konča 17. junija 2015 ob 1.00 po usklajenem svetovnem času. Za države, navedene v opombi<sup>7</sup>, pa se za pas 174–230 MHz<sup>8</sup> *prehodno obdobje* konča 17. junija 2020 ob 1.00 po usklajenem svetovnem času. Po koncu *prehodnega obdobja urad* prekliče ustrezne vpise iz analognega načrta ter

- določbe točke 4.1 4. člena, ki se nanaša na spremembo analognega načrta, in
- opombe o analognih dodelitvah

prenehajo veljati za analogne dodelitve v ustreznih državah.

12.7 Po koncu zgoraj omenjenega *prehodnega obdobja urad* ponovno pregleda status dodelitev, ki jih je vseboval analogni načrt in so bile vpisane v *MIFR*, ter pozove uprave, naj prekličejo ustrezne vpise v *MIFR*.

12.8 Potem ko *urad* izvede ukrep iz točke 12.7, ga lahko uprave prosijo, da prekliče ustrezne dodelitve ali pa jih še naprej opravljajo pod pogojem, da:

- a) so bile te analogne dodelitve vsebovane v načrtu in že v uporabi ter
- b) ne povzročajo nesprejemljivega motenja nobenim dodelitvam, ki so v skladu s *sporazumom* in z njim povezanimi *načrti* (glej točko 5.1.2 5. člena), in ne zahtevajo zaščite pred takimi dodelitvami.

12.9 *Urad* ustrezno posodobi *MIFR*.

V POTRDITEV NAVEDENEGA so delegati držav članic Mednarodne telekomunikacijske zveze z *območja načrtovanja*, ki so navedeni spodaj, v imenu svojih pristojnih organov podpisali en izvod teh sklepnih listin. Ob morebitnem sporu prevlada francosko besedilo. Ta izvod je deponiran v arhivih zveze. Generalni sekretar pošlje overjeno kopijo izvirnika vsaki državi članici Mednarodne telekomunikacijske zveze z *območja načrtovanja*.

<sup>7</sup> Seznam držav: Alžirija (Ljudska demokratična republika), Burkina Faso, Kamerun (Republika), Kongo (Republika), Slonokoščena obala (Republika), Egipt (Arabska republika), Republika Gabon, Gana, Gvineja (Republika), Iran (Islamska republika), Jordanija (Hašemitska kraljevina), Mali (Republika), Maroko (Kraljevina), Mavretanija (Islamska republika), Nigerija (Zvezna republika), Sirska arabska republika, Sudan (Republika), Čad (Republika), Togoška republika, Tunizija, Jemen (Republika).

Za naslednje uprave, ki se niso udeležile RRC-06, in sicer Benin (Republika), Srednjeafriška republika, Eritreja, Etiopija (Zvezna demokratična republika), Gvineja Bissau (Republika), Ekvatorialna Gvineja (Republika), Liberija (Republika), Madagaskar (Republika), Niger (Republika), Demokratična republika Kongo, Sao Tome in Principe (Demokratična republika), Sierra Leone in Somalska demokratična republika, je datum konca prehodnega obdobja v pasu VHF (174–230 MHz) 17. junij 2020 ob 1.00 po usklajenem svetovnem času, razen če katera od navedenih uprav ne sporoči uradu v 90-dnevem obdobju po koncu RRC-06, da si je izbrala 17. junij 2015 ob 1.00 po usklajenem svetovnem času.

<sup>8</sup> 170–230 MHz za Maroko.

## Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb

### 32. Obvestilo o začetku veljavnosti Sporazuma o spremembi Sporazuma med Vlado Republike Slovenije in Vlado Ruske federacije o sodelovanju pri gradnji in delovanju plinovoda na ozemlju Republike Slovenije

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09 in 80/10 – ZUTD) Ministrstvo za zunanje zadeve

s p o r o č a,

da je dne 1. aprila 2013 začel veljati Sporazum o spremembi Sporazuma med Vlado Republike Slovenije in Vlado Ruske federacije o sodelovanju pri gradnji in delovanju plinovoda na ozemlju Republike Slovenije, sklenjen z izmenjavo not 22. marca 2011 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 14/12 (Uradni list Republike Slovenije, št. 92/12).

Ljubljana, dne 4. aprila 2013

Ministrstvo za zunanje zadeve  
Republike Slovenije

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## VSEBINA

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