



## **Arrangement establishing the European Conference of Postal and Telecommunications Administrations (CEPT)**

(Status: April 2009)

### **Preamble**

The representatives of the Postal and Telecommunications Administrations of the European countries,

- considering:
  - the importance of the common challenges confronting the various Postal and Telecommunications Administrations of the European countries,
  - the desirability of establishing, between these Administrations, a wide measure of cooperation,
  - the possibility of admitting the other Postal and Telecommunications Administrations of the European countries wishing to join in this cooperation,
- and noting that a permanent office, hereinafter referred to as "the Office", has been established in Copenhagen to assist CEPT,

have agreed upon the following provisions which constitute the basis of their cooperation.

### ***Article 1***

#### **Establishment of CEPT**

A European Conference of Postal and Telecommunications Administrations, hereinafter referred to as « CEPT », is established by the undersigned Postal and Telecommunications Administrations of the European countries. For the purposes of this Arrangement the term « Administrations » shall mean the bodies that are responsible, at national level, for policy, decisions and public regulation in the field of posts and electronic communications.

### ***Article 2***

#### **Relations with International Organisations**

1. CEPT is an independent organisation which cooperates with the European Union, the European Free Trade Association and other relevant intergovernmental organisations as well as with other organisations concerned with posts and electronic communications.
2. CEPT is a regional organisation within the meaning of the basic texts of the Universal Postal Union and the International Telecommunication Union.

### ***Article 3***

#### **Members**

1. Postal and Telecommunications Administrations of the European countries which are Members of the Universal Postal Union or Member States of the International Telecommunication Union may be Members of CEPT.
2. The decision to admit new Members shall be taken by a two-thirds majority of the Members.
3. Where the Postal and Telecommunications Administrations of a particular country are separate bodies, they shall be regarded as a single Member having only one vote. One of these may choose not to apply for Membership of CEPT. If, however, it applies for admission at a later date, it shall be admitted without formality or delay.

### ***Article 4***

#### **Aims of CEPT**

1. The essential aims of CEPT shall be to strengthen relations between Members, to promote their cooperation and to contribute to creating a dynamic market in the field of European posts and electronic communications.
2. Its functions shall include in particular:
  - working out common views on the priorities and aims set in the field of posts and electronic communications;
  - examining, in a European context, public policy and appropriate regulatory issues regarding posts and electronic communications, including the use of radio spectrum;
  - promoting further European harmonisation, inter alia of the radio spectrum, with an emphasis on practical cooperation between European countries to help realise Europe-wide regulatory harmonisation;
  - establishing necessary contacts and cooperation with the European Commission, the Secretariat of the European Free Trade Association and European organisations and associations (industry, operators, users, consumers etc.) dealing with postal and electronic communications matters;
  - establishing necessary contacts and cooperation with other regional organisations and their members dealing with postal and electronic communications matters;
  - providing a forum for developing, adopting and promoting European common proposals in ITU and UPU, including contacts with regional organisations, as appropriate;
  - contributing to establish prospective views (scenarios) of the future regulatory environment, taking into account technology and market development;
  - providing a forum for the coordination of European candidates for elected posts in international organisations.

## ***Article 5***

### **Structure of CEPT**

1. Meetings of CEPT bring together the representatives of its Members.
2. CEPT shall deal in its Assembly with questions relating to the structure and running of the organisation.
3. The Assembly may establish Committees as necessary. The Committees shall deal with questions falling within their responsibilities and the terms of reference as conferred upon them by the Assembly.
4. The Assembly shall establish the CEPT Rules of Procedure. The Committees shall adopt their own Rules of Procedure.

## ***Article 6***

### **CEPT Assembly**

1. The Assembly shall deal with strategic and policy matters, the maintenance of the CEPT “Arrangement”, Membership issues, the high level structure of the CEPT and approval of the mandates of its constituent bodies, including the framework for their interaction. The Assembly may further, as appropriate, adopt Cooperation Agreements.
2. The Assembly will deal with the issues by correspondence as far as possible and physical meetings will be convened as necessary, normally connected to the CEPT Conferences.
3. The physical meeting of the Assembly shall appoint its own chairman on the proposal of the Presidency. The CEPT co-presidents will act as vice-chairmen of the physical meeting of the Assembly.
4. For decisions related to Article 12, a meeting shall only be valid if at least two thirds of the Members are represented. For all other decisions, a meeting shall be valid if at least 60% of the Members are represented. A Member may be represented by another, on the understanding that each Member can hold one proxy only.
5. For decisions taken by correspondence related to Article 12, the correspondence procedure shall only be valid if at least two thirds of the Members are responding. For all other decisions, the correspondence procedure shall be valid if at least 60% of the Members are responding.
6. Any Member may submit proposals or make suggestions which shall be discussed in the Assembly.

## ***Article 7***

### **Presidency and Secretariat**

1. The Chairmen of the Postal Committee (CERP), the Electronic Communications Committee (ECC) and the Committee for ITU policy (Com-ITU) act as co-Presidents (Presidency) of the CEPT.

2. The Presidency shall prepare Assemblies and propose the chairman of the physical meetings of the Assembly. The Presidency shall in the meantime between the physical meetings of the Assemblies ensure the continuity of any CEPT work at Assembly level.
3. The Presidency shall be responsible for the Assembly work by correspondence (written procedure).
4. The Office will provide the secretariat support to the Presidency and take a leading role in the organisation of the Assembly under the direction of the Presidency.
5. The Presidency may seek further assistance from the Office.

## ***Article 8***

### **Decisions**

1. CEPT may
  - adopt recommendations, Members being free to assess the extent to which they may be applied;
  - make special arrangements aimed at reaching more binding commitments;
  - take decisions on the working of the organisation, which shall then be mandatory.
2. Action under (1) above shall be taken by the Committees within their own terms of reference.
3. As a general rule, CEPT shall act by consensus, otherwise by a simple majority of votes cast, except where this Arrangement provides otherwise or specific other provisions have been agreed by the CEPT Assembly or by the Committees, consistent with their own terms of reference.
4. Decisions shall be taken during meetings or by correspondence.
5. The provisions of this Article shall not affect any bilateral or multilateral arrangements, agreements, conventions etc. which bind Members vis-à-vis each other or third parties.

## ***Article 9***

### **Languages**

1. The documents of the Assembly shall be drawn up in French, English and German, the French text prevailing. For contributions the original language prevails.
2. French, English and German may be used for discussions in the Assembly.
3. Other languages may also be used for discussions in the Assembly, so far as the facilities available to the Presidency permit.

## ***Article 10***

### **Finances**

1. The costs associated with the support and assistance from the Office shall be shared by all Members.
2. Costs incurred for the Assembly meetings shall be borne jointly by all Members.
3. Costs incurred for Committees and Working Groups meeting outside the Assembly meetings shall be borne by the host Administration.
4. Each Administration shall bear the travelling and subsistence expenses of its representatives.
5. For the apportionment of costs, Members shall be divided into six classes:
  - 25-share class
  - 15-share class
  - 10-share class
  - 5-share class
  - 2-share class
  - 1-share class.
6. The contributions to the joint costs shall be charged to the Members with a term of payment. Delayed payments shall be subject to interest.
7. A default in payment of one year shall automatically entail the withdrawal of the right to vote. The Assembly shall, on a case-by-case-basis, decide on further actions to be taken including the withdrawal of Membership, by a two-thirds majority of the Members.

## ***Article 11***

### **Entry into Force**

1. The present Arrangement shall enter into force as soon as it has been signed and confirmed by half of the Administrations having participated in the Constituent Meeting.
2. Confirmation shall be notified to the Swiss Postal and Telecommunications Administration, which shall at once inform the Administrations having participated in the Constituent Meeting.

## ***Article 12***

### **Amendments**

1. Proposals for amendments to the present Arrangement shall be considered only at the request of at least one third of the Members.
2. A proposal for amendment shall be considered at a physical meeting of the Assembly or by written procedure following the submission of the proposal.
3. Each decision on amendments to this Arrangement shall be taken by a two-thirds majority of the Members.

### ***Article 13***

#### **Notice of Termination**

1. Any Member may terminate the application of the present Arrangement by giving three months' notice to the Presidency provided that all obligations under the present Arrangement have been fulfilled.
2. The Presidency shall immediately inform Members of any notice of termination received.