

AGREEMENT

between the Administrations of

**Austria,
Belgium,
the Czech Republic,
Germany,
France,
Hungary,
the Netherlands,
Croatia,
Italy,
Liechtenstein,
Lithuania,
Luxembourg,
Poland,
Romania,
the Slovak Republic,
Slovenia
and
Switzerland**

**on the co-ordination of frequencies between 29.7 MHz and 43.5 GHz
for the fixed service and the land mobile service.**

(HCM Agreement)

Zagreb, 30 September 2010

Table of contents

Preamble

Article 1 Definitions

Article 2 General

Article 3 Technical provisions

Article 4 Procedures

Article 5 Report of harmful interference

Article 6 Revision of this Agreement

Article 7 Accession to this Agreement

Article 8 Withdrawal from this Agreement

Article 9 Status of co-ordinations prior to this Agreement

Article 10 Languages of this Agreement

Article 11 Entry into force of this Agreement

Article 12 Revocation of the Agreement agreed by correspondence in 2008

Annexes

Part A

Annexes related to the Land Mobile Service

- Annex 1 Maximum permissible interference field strengths and maximum cross-border ranges of harmful interference for frequencies requiring co-ordination in the Land Mobile Service
- Annex 2A Data exchange in the Land Mobile Service
- Annex 3A Determination of the correction factor for the permissible interference field strength at different nominal frequencies in the Land Mobile Service
- Annex 4 Propagation curves in the Land Mobile Service
- Annex 5 Determination of the interference field strength in the Land Mobile Service
- Annex 6 Coding instructions for antenna diagrams in the Land Mobile Service
- Annex 7 Provisions on measurement procedures in the Fixed Service and the Land Mobile Service
- Annex 8A Method for combining the horizontal and vertical antenna patterns for the Land Mobile Service

Part B

Annexes related to the Fixed Service

- Annex 2B Data exchange in the Fixed Service
- Annex 3B Determination of the Masks Discrimination and the Net Filter Discrimination in the Fixed Service
- Annex 7 Provisions on measurement procedures in the Fixed Service and the Land Mobile Service
- Annex 8B Method for combining the horizontal and vertical antenna patterns for the Fixed Service
- Annex 9 Threshold Degradation in the Fixed Service
- Annex 10 Determination of the basic transmission loss in the Fixed Service
- Annex 11 Trigger for co-ordination in the Fixed Service

Preamble

The representatives of the administrations of Austria, Belgium, the Czech Republic, Germany, France, Hungary, the Netherlands, Croatia, Italy, Liechtenstein, Lithuania, Luxembourg, Poland, Romania, the Slovak Republic, Slovenia and Switzerland have concluded the present Agreement, under Article 6 of the Radio Regulations, on the co-ordination of frequencies between 29.7 MHz and 43.5 GHz for the purposes of preventing mutual harmful interference to the Fixed and Land Mobile Services and optimising the use of the frequency spectrum above all on the basis of mutual agreements.

This agreement is referred to as HCM Agreement (Zagreb 2010).

Article 1

1 Definitions

The definitions used in this Agreement shall be those of Article 1 of the Radio Regulations as well as those listed in this Section.

1.1 Administrations

- AUT Bundesministerium für Verkehr, Innovation und Technologie
(Federal Ministry for Transport, Innovation and Technology)
- BEL Belgisch Instituut voor Postdiensten en Telecommunicatie
Institut Belge des services Postaux et des Télécommunications
(Belgian Institute for Postal services and Telecommunications)
- CZE Český telekomunikační úřad
(Czech Telecommunication Office)
- D Bundesnetzagentur für Elektrizität, Gas, Telekommunikation, Post und Eisenbahnen
(Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway)
- F Agence Nationale des Fréquences
(National Frequencies Agency)
- HNG Nemzeti Fejlesztési Minisztérium (Ministry of National Development)
- HOL Agentschap Telecom
(Radio Communications Agency Netherlands)
- HRV Hrvatska agencija za poštu i elektroničke komunikacije
(Croatian Post and Electronic Communications Agency)
- I Ministero dello Sviluppo Economico – Dipartimento Comunicazioni
(The Ministry of Economic Development – Department of Communication)
- LIE Amt für Kommunikation
(Office for Communications)
- LTU Lietuvos Respublikos ryšių reguliavimo tarnyba
(Communications Regulatory Authority of the Republic of Lithuania)
- LUX Ministère d'Etat
(State Department)
- POL Urząd Komunikacji Elektronicznej
(Office of Electronic Communications)
- ROU Ministerul Comunicațiilor și Societății Informaționale
(Ministry of Communications and Information Society)
- SVK Telekomunikačný úrad Slovenskej republiky
(Telecommunications Regulatory Authority of the Slovak Republic)

SVN Agencija za pošto in elektronske komunikacije Republike Slovenije
(Post and Electronic Communications Agency of the Republic of Slovenia)

SUI Bundesamt für Kommunikation
Office fédéral de la communication
(Federal Office of Communications)

1.2 Frequencies

1.2.1 Frequencies in the bands listed below for the Land Mobile Service in the countries concerned shall be co-ordinated under the terms of this Agreement.

29,7	-	47	MHz	
68	-	74,8	MHz	
75,2	-	87,5	MHz	
146	-	149,9	MHz	
150,05	-	174	MHz	
380	-	385	MHz	for emergency and security systems only
390	-	395	MHz	for emergency and security systems only
406,1	-	430	MHz	
440	-	470	MHz	
790	-	960	MHz	
1710	-	1785	MHz	for GSM 1800 systems only
1805	-	1880	MHz	for GSM 1800 systems only
1900	-	1980	MHz	for UMTS/IMT-2000 terrestrial systems only
2010	-	2025	MHz	for UMTS/IMT-2000 terrestrial systems only
2110	-	2170	MHz	for UMTS/IMT-2000 terrestrial systems only
2500	-	2690	MHz	

1.2.2 For the Land Mobile Service in frequency bands other than those defined in 1.2.1 and for all other services in these frequency bands, the co-ordination procedure set out in this Agreement may be used, and, if necessary, the technical parameters shall be agreed separately.

- 1.2.3 Frequencies in the bands listed below, used in the countries concerned for the Fixed Service shall be co-ordinated under the terms of this Agreement.

1350	-	1375	MHz	10,15	-	10,65	GHz
1375	-	1400	MHz	10,7	-	11,7	GHz
1427	-	1452	MHz	12,75	-	13,25	GHz
1492	-	1525	MHz	14,5	-	14,62	GHz
2025	-	2110	MHz	15,23	-	15,35	GHz
2200	-	2290	MHz	17,7	-	19,7	GHz
3410	-	3600	MHz	22	-	22,6	GHz
3600	-	4200	MHz	23	-	23,6	GHz
5925	-	6425	MHz	24,5	-	26,5	GHz
6425	-	7125	MHz	27,5	-	29,5	GHz
7125	-	7725	MHz	31,8	-	33,4	GHz
7725	-	7975	MHz	37	-	39,5	GHz
8025	-	8275	MHz	40,5	-	43,5	GHz
8275	-	8500	MHz				

- 1.2.3.1 The co-ordination procedure laid down in this Agreement for the Fixed Service is only valid if in both countries involved in the co-ordination process the respective frequency band is allocated to the Fixed Service and the respective frequency falls under the responsibility of the Administrations.
- 1.2.4 For frequencies below 1 GHz and listed under 1.2.1, used in the countries concerned for the Fixed Service, the co-ordination procedure and the technical provisions set out in this Agreement for the Land Mobile Service shall be used.
- 1.2.5 For frequencies above 1 GHz used in the countries concerned for the Fixed Service in frequency bands other than those listed in the frequency table given in paragraph 1.2.3, the co-ordination procedure set out in this Agreement for the Fixed Service may be used, and, if necessary, the technical parameters shall be agreed separately.
- 1.2.6 Short Range Devices (SRDs) as defined in ERC/REC 70-03 are not subject to this Agreement.

1.3 Frequency categories

1.3.1 Frequencies requiring co-ordination

Frequencies which Administrations are required to co-ordinate with the other Administrations affected (see 1.6) before a station is put into service.

1.3.2 Preferential frequencies

Frequencies which the Administrations concerned may assign, without prior co-ordination, on the basis of bi- or multilateral agreements under the terms laid down therein.

1.3.3 Shared frequencies

Frequencies which may be shared without prior co-ordination, on the basis of bi- or multilateral agreements under the terms laid down therein.

1.3.4 Frequencies for planned radio communication networks

Frequencies which the Administrations must co-ordinate with a view to the subsequent introduction of coherent radio communication networks, where the number of locations multiplied by the number of frequencies exceeds 36.

1.3.5 Frequencies used on the basis of geographical network plans

Frequencies used for the Land Mobile Service, in the countries concerned on the basis of a geographical network plan prepared and adopted in advance, taking into account the technical characteristics set out in that plan.

1.3.6 Frequencies using preferential codes

Frequencies which the Administrations concerned may assign, without prior co-ordination, on the basis of bi- or multilateral agreements under the terms laid down therein.

1.3.7 Frequencies used on the basis of arrangements between operators

Frequencies laid down in arrangements between operators may be used without prior co-ordination, on the condition that there is an existing agreement signed by the Administrations concerned authorising such arrangements. These arrangements between operators may also include the use of the codes.

A copy of each bi- or multilateral agreement mentioned in Sections 1.3.2, 1.3.3, 1.3.6 and 1.3.7, if not confidential, should be sent in electronic form to the Managing Administration which will inform all other Administrations by placing it on the server.

1.4 Frequency Register

The Frequency Register shall be made up of lists set out by every Administration indicating its co-ordinated frequencies, its assigned preferential frequencies, its shared frequencies, its frequencies co-ordinated for planned radio communication networks, and its frequencies used on the basis of geographical network plans and frequencies using preferential codes. A list of the details to be included in the Frequency Register is given in Annex 2A and Annex 2B. All frequency assignments in this register shall be protected according to their status of co-ordination. There are as many lists as affected countries.

1.5 Harmful interference

Harmful interference shall be construed as any emission which causes serious degradation in the quality of the traffic of a radio communication service, or repeatedly disrupts or interrupts that service by exceeding the maximum permissible interference field strength specified for the Land Mobile Service in Annex 1 or in the case of the Fixed Service exceeding the maximum permissible threshold degradation in Annex 9.

1.6 Administration affected

Any Administration whose station could suffer from harmful interference as a result of the planned use of a frequency, or whose station could cause harmful interference to a planned receiving station of the requesting Administration.

1.7 HCM Programs

1.7.1 The HCM (Harmonised Calculation Method) Programs are programs developed for the harmonised application of the calculation methods as provided in the Annexes of this Agreement.

The Sub-Working Group "Program" (SWG-Program) of the Technical Working Group HCM was given the task by the administrations to prepare the HCM Programs for the Mobile Service and the Fixed Service.

Each 'HCM Program' means the source code, the DLL, the test program (*.EXE) and the program documentation.

Every Administration is free to use the source code, the DLL, or the test program. In case of dispute, the test program will be used as a reference.

The managing Administration is responsible for the maintenance and registration of the HCM server.

All the provisions of this Agreement will apply, making use of the HCM program for the respective service, using a topo-database and border lines.

The existing database and border lines available on the HCM-server and further described in the user manual are a basis for bi- or multilateral agreements.

If more detailed topographical database and border line data are needed, they shall be mutually agreed between Administrations carrying out co-ordinations with each other.

1.7.2 A new version of a HCM program has to be implemented by all Administrations at the same point in time to avoid keeping different versions for different neighbouring countries. Because the HCM software is only a subroutine, this subroutine has to be implemented in national surrounding programs. The following procedure is set up:

The Managing Administration announces new HCM program versions and the exact date of the implementation of them. The new HCM program is put on the data server of this Agreement for download. The version history is updated.

If an error is reported, SWG-Program will correct this error and provide a new program version if this group decides this is necessary.

The implementation phase is one month.

1.7.2.1 If modifications are done to the interface to the surrounding program (modifications of the surrounding program are required), a grace period of one year after the official announcement of the new version is granted.

- 1.7.3 For the harmonized application of the calculation method laid down in the Annexes to this Agreement new versions of the HCM programs will be developed.

Article 2

2 **General**

- 2.1** This Agreement shall in no way affect the rights and obligations of the Administrations arising from the Constitution and Convention of the International Telecommunication Union (ITU), the administrative Regulations and Agreements concluded within the framework of the ITU as well as other pertinent inter-governmental agreements.
- 2.2** Administrations shall assign frequencies exclusively in accordance with the provisions of this Agreement. If co-ordination is required, it shall be done prior to the putting into operation of the radio station affected.
- 2.3** If necessary, the Administrations may agree on provisions that are different from or supplementary to the provisions of this Agreement, which, however, must not adversely affect Administrations that are not concerned.
- 2.4** The Fixed and Land Mobile Services which do not come under the responsibility of the Administrations or which usage is restricted for national defence purposes or for which information is not available due to security reasons shall not be governed by the provisions of this Agreement unless otherwise provided for.
- 2.5** In the case of the Land Mobile Service the effective radiated power and the effective antenna height of stations shall be chosen so that their range is confined to the area to be covered. Excessive antenna heights and transmitter outputs shall be avoided by using several locations and low effective antenna heights. Directional antennas shall be used in order to minimise the potential of interference to the neighbouring country. The maximum cross-border ranges of harmful interference for frequencies requiring co-ordination are given in Annex 1.
- 2.6** The effective radiated power and the antenna height of stations in the Fixed Service shall be chosen according to the radio links lengths and the required quality of service. Excessive antenna heights, excessive transmitter outputs and too low antenna directivities shall be avoided in order to minimise the potential of interference to the country affected.

Article 3

3 **Technical provisions**

The request for co-ordination of a station and the evaluation of this request shall be made in accordance with the following technical provisions:

- 3.1** In case of the Land Mobile Service the maximum permissible interference field strength is given in Annex 1.

In case of the Fixed Service, the maximum permissible threshold degradation is given in Annex 9.

- 3.2** Where in the case of the Land Mobile Service the nominal frequencies are different, the permissible interference field strength shall be increased as indicated in Annex 3A.

Where in the case of the Fixed Service the frequencies and/or the channel bandwidths are different, the interference level at the receiver input shall be decreased according to Annex 9 by the Masks Discrimination (MD) and the Net Filter Discrimination (NFD) as given in Annex 3B.

- 3.3** The interference field strength shall be determined in the case of the Land Mobile Service in accordance with Annex 5.

In the case of the Fixed Service, the threshold degradation shall be determined using Annex 9 where the basic transmission loss is calculated in accordance with Annex 10.

- 3.4** Administrations may agree to apply parameters other than the set values.

Article 4

4 Procedures

4.1 Frequencies requiring co-ordination

In the case of the Land Mobile Service a transmitting frequency shall be co-ordinated if the transmitter produces a field strength, at the border of the country of the Administration affected, which, at a height of 10 m above ground level, exceeds the maximum permissible interference field strength as defined in Annex 1. A receiving frequency shall be co-ordinated if the receiver requires protection.

It is strongly recommended to co-ordinate radio-relay links in the Fixed Service if the shortest distance from the border of at least one station is less or equal to the one defined in Annex 11. All stations which may cause harmful interference to stations in other countries or need protection shall be co-ordinated regardless of the distance.

- 4.1.1 Any Administration wishing to take into operation a station shall circulate a request for co-ordination to all Administrations affected for their comment. This request shall include the characteristics in accordance with Annex 2A and Annex 2B.
- 4.1.2 If, for the purpose of technically evaluating this request, the Administration affected requires information that is lacking or needs to be supplemented in accordance with Annex 2A and Annex 2B, it shall ask for this information within 30 days upon receipt of the request for co-ordination. After this request, complete information concerning a request for co-ordination shall be sent by the requesting administration within 30 days, otherwise the coordination request shall be deemed null and void.
- 4.1.3 Having received complete information concerning a request for co-ordination, the Administration affected shall evaluate this information in accordance with the provisions of this Agreement. It shall notify the requesting Administration of the outcome within 45 days.
- 4.1.4 If the Administration which initiated the co-ordination procedure does not receive a reply within 45 days, it may send a reminder. The Administrations affected shall respond to this reminder within 20 days.
- 4.1.5 If the Administration affected again fails to respond within the period fixed under Section 4.1.4, it shall be deemed to have given its consent, and the station shall be considered co-ordinated.
- 4.1.6 The periods specified under Sections 4.1.3 and 4.1.4 may be changed by mutual consent.
- 4.1.7 Any co-ordinated frequency assignment shall be notified to the Administrations affected as soon as the corresponding station is put into operation but not later than 180 days upon approval. Following such notification of the assignment, this assignment shall be updated in the Frequency Register.

If no notification of assignment is given within 180 days, the Administration affected shall send a reminder to the Administration that has asked for co-ordination. If no notification of assignment is given within another 30 days, the request for co-ordination shall be deemed null and void.

No notification shall be required if the frequency registers are exchanged semi-annually in accordance with Section 4.9.1.

- 4.1.8 The Administration wishing to change the technical characteristics of stations registered in the Frequency Register, shall notify the Administrations affected of its intentions. Co-ordination shall be required if this change causes the probability of interference to increase in the affected country. If the situation remains unchanged with regard to interference or if it improves, the Administrations affected shall only be informed of such a change. The entry in the Frequency Register shall be corrected accordingly.
- 4.1.9 In special cases, the Administrations may assign frequencies for temporary use (up to 45 days) without co-ordination provided this does not cause harmful interference to co-ordinated stations. As soon as possible, the Administration affected shall be notified of the planned taking into operation. Such stations shall immediately be taken out of operation if they cause harmful interference to co-ordinated stations of the affected country. These assignments shall be made on preferential frequencies as far as possible.
- 4.1.10 If an assignment is no longer in force, the competent Administration shall notify the affected Administration within three months and the entry in the Frequency Register has to be deleted.

4.2 Preferential frequencies

- 4.2.1 Frequencies in the frequency bands specified in Section 1.2 may be defined by prior bi- or multilateral agreements concluded in the framework of this agreement as preferential frequencies for given Administrations.
- 4.2.2 The Administration which has been granted a preferential right may put stations operating on preferential frequencies within the terms of the relevant bi- or multilateral agreements into use without prior co-ordination.
If the conditions for the protection of the receiver in the mobile service are not defined in bi- or multilateral agreements, section 2.2 of Annex 1 will apply.
- 4.2.3 Preferential frequencies granted to an Administration shall have priority rights over assignments made to other Administrations concerned.
- 4.2.4 The entry into service of stations using preferential frequencies shall be notified to the Administrations affected, unless otherwise laid down in bi- or multilateral agreements. The notification shall include the characteristics as set out in Annex 2A and Annex 2B. These frequencies and their technical characteristics shall be entered with status "P" into the Frequency Register. No response to such a notification is required.
- 4.2.5 Preferential frequencies to be assigned on conditions other than those agreed in bi- or multilateral agreements mentioned in Section 1.3.2 shall be co-ordinated in accordance with Section 4.1.
- 4.2.6 Following a positive co-ordination procedure in accordance with Section 4.1, Administrations may bring into use another Administration's preferential frequencies. These shall have the same rights as frequencies co-ordinated in accordance with Section 4.1.
- 4.2.7 If the existing radio networks of one Administration cause harmful interference to the stations operated by another Administration on frequencies to which it has a preferential right, or if, in particular cases, frequency assignments not enjoying preferential rights have to be adjusted, the Administrations concerned shall determine the transition period by mutual consent.

4.3 Frequencies for planned radio communication networks

- 4.3.1 Prior to the co-ordination of a planned radio communication network the Administrations may embark on a consultative procedure in order to facilitate the taking into operation of this new network. The request for consultation shall include the planning criteria as well as the following data:
- planned frequencies (transmitting and receiving frequency of the station);
 - coverage area of the entire radio communication network;
 - class of the station;
 - the coverage area of a station;
 - effective radiated power;
 - maximum effective antenna height;
 - designation of the emission;
 - network development plan;
 - antenna characteristics for stations belonging to the network.

The Administration affected shall acknowledge receipt of the request for consultation and communicate its reply within 60 days.

In complicated planning issues this consultation may require a bi- or multilateral consultation meeting in order to assist the Administration planning a radio communication network in coming to a quicker solution.

- 4.3.2 To co-ordinate frequencies for a planned radio communication network the Administration affected shall apply, no sooner than three years prior to the planned taking into operation of the network, the procedure described in Section 4.1 together with the following changes:
- 4.3.2.1 The receipt of the request for co-ordination shall be acknowledged.
- 4.3.2.2 If there is no prior consultation the Administration affected shall submit its reply within 180 days from the day of the receipt of the request for co-ordination. Any request for co-ordination following a consultation process shall be responded to within 120 days.
- 4.3.2.3 The Administration requesting co-ordination shall notify to the Administration affected the date at which the radio communication network will be taken into operation.
- 4.3.3 Stations forming part of the radio communication network shall be entered into the Frequency Register together with the date of the termination of the co-ordination procedure, and enjoy the same rights as the stations co-ordinated in accordance with Section 4.1.
- 4.3.4 Co-ordination shall be null and void for those co-ordinated stations which have not been taken into operation within 30 months of the termination of the co-ordination procedure.

4.4 Frequencies used on the basis of geographical network plans

- 4.4.1 Geographical network plans covering certain parts of the frequency bands indicated in Section 1.2 may be prepared and co-ordinated, divergence from the defined parameters being permissible, subject to prior agreement reached between the Administrations affected. These frequencies shall be entered in the Frequency Register. On the basis of the geographical network plans adopted in this fashion, an

Administration shall be authorised to put stations into service without prior co-ordination with the Administration with which the plan has been agreed.

- 4.4.2 Frequencies used on the basis of geographical network plans and intended to be assigned on conditions other than those agreed between Administrations concerned, shall be co-ordinated in accordance with Section 4.1.

4.5 Frequencies using preferential codes

- 4.5.1 Preferential code groups or preferential code group blocks may be agreed between Administrations concerned where centre frequencies are aligned.

- 4.5.2 The Administration which has been granted a preferential right may put stations operating on preferential code groups or preferential code group blocks within the terms of the relevant bi- or multilateral agreements into use without prior co-ordination.

- 4.5.3 Preferential code groups or preferential code group blocks granted to an Administration shall have priority rights over assignments made to other Administrations concerned.

- 4.5.4 The entry into service of stations using preferential code groups or preferential code group blocks shall be notified to the Administrations affected, including the characteristics as set out in Annex 2A, unless otherwise laid down in bi- or multilateral agreements. These frequencies and their technical characteristics shall be entered with status "P" in the Frequency Register.
No response to such notification is required.

- 4.5.5 Frequencies using preferential code groups or preferential code group blocks which have to be assigned on conditions other than those agreed in bi- or multilateral agreements mentioned in Section 1.3.6 shall be co-ordinated in accordance with Section 4.1.

- 4.5.6 Following a positive co-ordination procedure in accordance with Section 4.1, Administrations may bring into use frequencies using another Administration's preferential code groups or preferential code group blocks. These shall have the same rights as frequencies co-ordinated in accordance with Section 4.1.

- 4.5.7 If the existing radio networks of one Administration cause harmful interference to the stations operated by another Administration on frequencies using preferential code groups or preferential code group blocks, or if, in particular cases, frequency assignments not enjoying preferential code groups rights or preferential code group blocks rights, have to be adjusted, the Administrations concerned shall determine the transition period by mutual consent.

4.6 Frequencies used on the basis of arrangements between operators

- 4.6.1 Operators in neighbouring countries are allowed to conclude mutual arrangements on the condition that the Administrations concerned have signed an agreement authorizing such arrangements.

- 4.6.2 Arrangements between operators may deviate from the technical parameters or other conditions laid down in the annexes of this Agreement or in relevant bi- or multilateral agreements between the Administrations concerned.

4.7 Evaluation of requests for co-ordination

- 4.7.1 In evaluating the requests for co-ordination, the Administration affected shall take into account the following frequencies:
- frequencies entered in the Frequency Register;
 - frequencies used on the basis of bi- or multilateral agreements;
 - frequencies awaiting an answer to a co-ordination request (in chronological order of requests).
- 4.7.2 A request for co-ordination of a transmitting frequency in the Land Mobile Service may only be rejected if the respective station:
- 4.7.2.1 produces an interference field strength exceeding the maximum permissible value as given in Annex 1 at a station entered in the Frequency Register or
 - 4.7.2.2 intends to use a frequency without meeting the conditions agreed upon bi- or multilaterally or
 - 4.7.2.3 produces an interference field strength exceeding the maximum permissible value as given in Annex 1 in the case of a station awaiting an answer to a co-ordination request or
 - 4.7.2.4 does not meet the conditions governing the maximum cross-border ranges of harmful interference as given in Annex 1.
- 4.7.3 Within the Land Mobile Service the request for protection of a receiver may only be rejected if:
- 4.7.3.1 at least one of the co-ordinated transmitters of the Administration affected produces at the respective receiver an interference field strength which is higher than the maximum permissible interference field strength given in Annex 1 or
 - 4.7.3.2 the protection of the receiver would restrict the use of a preferential frequency of the Administration affected under the conditions agreed upon bi- or multilaterally or
 - 4.7.3.3 one of the transmitters awaiting an answer to a co-ordination request of the Administration affected produces at the respective receiver an interference field strength which is higher than the maximum permissible interference field strength given in Annex 1 or
 - 4.7.3.4 the conditions governing the cross-border ranges of harmful interference as given in Annex 1 are not met.
- 4.7.4 A request for co-ordination of a transmitter frequency in the Fixed Service may only be rejected if the respective station:
- 4.7.4.1 produces a threshold degradation exceeding the maximum permissible value given in Annex 9 at a station entered in the Frequency Register or
 - 4.7.4.2 is intended for using a frequency without meeting the conditions agreed upon bi- or multilaterally or
 - 4.7.4.3 produces a threshold degradation exceeding the maximum permissible value given in Annex 9 in the case of a station awaiting an answer to a co-ordination request.
- 4.7.5 Within the Fixed Service, the protection of a receiver may only be rejected if:

- 4.7.5.1 the request for co-ordination for the associated transmitter has been refused,
- 4.7.5.2 the protection of the receiver would restrict the use of a preferential frequency of the Administration affected under the conditions agreed upon bi- or multilaterally in accordance with Section 1.3.2.
- 4.7.6 If protection from interference cannot be guaranteed, a request for co-ordination must be accepted with "G" (Appendix 9 to Annex 2A and Annex 2B).
- 4.7.7 In case a request for co-ordination is rejected or a conditional reply is given to such a request, the reasons shall be given for this, indicating, if appropriate, either the radio station to be protected or the radio station which could cause harmful interference to the planned radio station.
- 4.7.8 An Administration making reference to Section 2.4 of this Agreement may only respond to a request for co-ordination by indicating "C" or "G" in accordance with Appendix 9 to Annex 2A and Annex 2B. No reason needs to be given for "G" in accordance with Section 4.7.7; reference to Section 2.4 shall be sufficient.

4.8 Evaluation in connection with tests

In order to make more efficient use of the radio spectrum, to avoid possible harmful interference and facilitate the enhancement of existing networks, the following procedure may be used:

- 4.8.1 If the Administrations affected arrive at different results in their evaluations of the interference situation, or if the request for co-ordination currently being processed justifies a trial basis, they shall agree to open the service on a trial basis.
- 4.8.2 The provisions on measurement procedures are given in Annex 7.
- 4.8.3 On completion of the tests a final decision shall be communicated to the requesting Administration within 30 days, indicating the measured values of the interference field strength.

4.9 Exchange of Lists

- 4.9.1 Each Administration shall prepare an up-to-date Frequency Register in accordance with Section 1.4. The List corresponding to each affected Administration contained in the Frequency Register shall be exchanged bilaterally at least once every six months.
- 4.9.2 The Administrations shall undertake to use the data appearing in the Lists of other Administrations for service purposes only. These Lists may not be communicated to other Administrations or other third parties without the consent of the Administration affected.

Article 5

5 Report of harmful interference

Any harmful interference which is observed shall be reported to the Administration of the country in which the interfering station is located, in accordance with Annex 7. If harmful interference occurs on frequencies entered in the Frequency Register, the Administrations concerned shall endeavour to achieve a mutually satisfactory solution as soon as possible.

Article 6

6 Revision of this Agreement

This Agreement may be expanded or amended at any time at the initiative of any Administration, subject to approval by the other Administrations. Planned amendments shall be communicated to the Managing Administration, which shall undertake to obtain the assent of the other Administrations through the appropriate channels. If assent is sought by correspondence, a reply shall be requested within one month. If any Administration fails to respond within this period, the Managing Administration will send a reminder, to which the Administration shall reply within one month. If this Administration again fails to respond, it shall be deemed to have given its consent.

Article 7

7 Accession to this Agreement

Any European administration which needs to co-ordinate with at least one Administration may accede to this Agreement. A declaration to that effect shall be addressed to the Managing Administration. Upon approval by all Administrations, the accession shall take effect the day on which the requesting administration signs this Agreement. If approval is sought by correspondence, a reply shall be requested within three months. If any Administration fails to respond within this period, the Managing Administration will send a reminder, to which the Administration in question shall reply within one month. If this Administration again fails to respond, it shall be deemed to have given its consent.

Article 8

8 Withdrawal from this Agreement

Any Administration may withdraw from the Agreement by the end of a calendar month by giving notice of its intention at least six months before. A declaration to that effect shall be addressed to the Managing Administration.

Article 9

9 Status of co-ordinations prior to this Agreement

The new provisions shall not apply to frequency utilisations already agreed between Administrations prior to this Agreement being concluded. These frequencies shall be recorded in the Frequency Register.

In the case of the Fixed Service, information on frequency utilisation before 01.01.2005 within the co-ordination distances as defined in Annex 11 should be

exchanged between the Administrations concerned. This frequency utilisation will be concluded as co-ordinated and shall be recorded in the Frequency Register.

Article 10

10 Languages of this Agreement

This Agreement exists in the English language original and will be translated into French and German, each version being equally authentic.

Article 11

11 Entry into force of this Agreement

This Agreement shall enter into force on 01 March 2011.

To give administrations necessary time to implement the new data exchange format according to Annex 2A in their national surrounding software, Annex 2A of the HCM Agreement 2008 stays in force until 29 February 2012.

Article 12

12 Revocation of the Agreement agreed by correspondence in 2008

On 01 March 2011, the Agreement on the co-ordination of frequencies between 29.7 MHz and 39.5 GHz for the Fixed Service and the Land Mobile Service, agreed by correspondence in 2008, shall cease to be effective. Bi- and multilateral agreements concluded within the framework of previous versions of the Agreement remain valid.