2002

SUMMARY PROJECT FICHE

1. BASIC INFORMATION

1.1 Desiree Number:

1.2 Title: Enhancing the capacity of the institutions responsible for the regulation of the telecommunications sector

1.3 Sector: Internal Market-Telecommunications

1.4 Location: Ministry of Communications and Works/Directorate of Telecommunications (DT), National Regulatory Authority (NRA), Nicosia-Cyprus

2. OBJECTIVES

2.1 Overall Objective(s):
Liberalisation of the Telecommunications Sector and appropriate regulatory infrastructure in operation, in compliance with the relevant EU Acquis.

2.2 Project purpose:
Contribute to the establishment of an effectively operating NRA and Directorate of Telecommunications of the Ministry of Communications and Works in charge of implementing the relevant EU Acquis.

2.3 Accession Partnership and NPAA priority
Accession Partnership

Telecommunications and information technologies
- Adopt new law on telecommunications and postal services and introduce a comprehensive regulatory framework, in particular in the fields of licensing, interconnection, universal service, numbering and data protection; terminate monopoly for mobile voice telephony.

NPAA
Telecommunications and Information Technologies
Implementation and enforcement of the Acquis
- Appointment of the Commissioner of Telecommunications and Postal Regulation;
- Commencement of operations of the National Regulatory Authority;
- Full operation of the National Regulatory Authority through adequate recruitment and training of officers on all telecommunications regulatory affairs (licensing, interconnection, numbering, universal service).
- Enhancement of the administrative capacity of the Directorate of Telecommunications mainly through the recruitment of additional staff, training, technical assistance and the acquisition of new software and hardware for efficient management of the radio frequency spectrum.
- Gradual implementation of all the provisions of the new harmonised telecommunications legislation, achieving full liberalisation by 1.1.2003.
2.4  Contribution to National Development Plan  
N/A  

2.5  Cross Border Impact  
N/A  

3.  DESCRIPTION  

3.1  Background and justification:  
The telecommunications sector in accordance with the commitments taken by Cyprus, within the framework of accession negotiations, will be fully liberalised by 1/1/2003 in compliance with the relevant acquis. The new legal framework will consist of a telecommunications and a radiocommunications law and the regulatory function will be exercised by two bodies, namely the National Regulatory Authority (NRA) to be established, and the Directorate of Telecommunications of the Ministry of Communications and Works. The NRA will exercise all telecommunications regulatory functions. In this respect, a relevant law (enacted on 4/5/2001) has instituted the NRA as an independent entity. The Government of Cyprus will appoint the Commissioner and his Office (NRA) is expected to commence its operations once the initial core staff is recruited. After that, the related component of this project will be executed (reference is made to Section 12). The management of the radio-frequency spectrum will remain under the responsibility of the Directorate of Telecommunications of the Ministry of Communications and Works. Up to now, the frequency management functions of the Directorate of Telecommunications mainly relate to broadcasting, PMR use and short range devices, as other systems using the radio-frequency spectrum are basically governed by the monopoly provisions of the existing legislation. In the new liberalised environment, the functions to be performed by the Directorate will be significantly increased. More specifically the Directorate will be responsible for the licensing of all radiocommunications devices and systems, the surveillance of the market, the planning/assignment and monitoring of the radio-frequency spectrum including maintaining the national frequency table. The relevant acquis communautaire stresses the very important role of high-grade national regulatory authorities in managing effectively the new liberalised market environment. The functions to be performed by both Authorities will be complex and demanding. More specifically, the NRA has to comply with the requirements of the Acquis mainly related to the following EU Directives: ONP Framework (90/387/EEC, 97/51/EC), Licensing (97/13/EC), Interconnection (97/33/EC, 98/61/EC), Voice Telephony/Universal Service (98/33/EC), Data Protection (97/66/EC) and Local Loop Unbundling (Regulation (EC) 2887/2000). The Directorate of Telecommunications has to operate and manage Spectrum Monitoring System in accordance with the following EU Directives/Decisions: 87/372/EEC, 90/554/EEC, 91/287/EEC, 96/2/EC, 97/51/EC, 97/13/EC, 99/5/EC, 710/97/EC, 128/99/EC. The purpose of the proposed project is to address the priorities of the telecommunication sector identified in the Accession Partnership and ensure that the two competent regulatory authorities in Cyprus implement effectively the new harmonised regulatory framework. Furthermore the aim of this project contributes to the implementation of a programme for the liberalisation of the utilities.
3.2 Linked Activities

3.2.1 Enhancement of the administrative capacity of the National Regulatory Authority

- Technical assistance project within the framework of a contract between the Government of Cyprus and a private consulting firm of a member state of the EU. The project mainly involved drafting legislation containing the essential legal provisions for setting up the National Regulatory Authority. The project was financed from national budget resources.

3.3.2 Enhancement of the Directorate of Telecommunications infrastructure

- A study will be undertaken in relation to the introduction of economic criteria for the use of the radio-frequency spectrum, including the creation of a national frequency table. In addition, frequency assignment, licensing and pricing procedures for new technology applications, such as UMTS, MWS, LMDS, MMDS and additional GSM networks shall be determined. The relevant tenders are currently being evaluated.
- A study will be undertaken for the design and system specification for a Spectrum Monitoring Network System (SMNS). In addition, measurement procedures and reports and law enforcement practices shall be determined. The relevant tenders are currently being evaluated.
- The acquisition of equipment to enable the existing mobile station to monitor the use of the radio frequency spectrum up to 40GHz (the existing capability is up to 2.7 GHz) as well as other portable equipment is being promoted. More specifically, the relevant tenders are currently being evaluated.

The above activities are financed from the National Budget resources.

3.3 Results

3.3.1 Enhancement of the administrative capacity of the National Regulatory Authority

- NRA implementing the relevant Acquis on telecommunications regulatory affairs;
- Open, transparent and non-discriminatory working methods established.
- Organisation and business plans prepared;
- NRA personnel trained on regulatory functions related to licensing, interconnection, universal service, numbering and the unbundling of the local loop.

3.3.2 Enhancement of the of Directorate of Telecommunications infrastructure

- Directorate of Telecommunications implementing the relevant EU Acquis on telecommunications regulatory affairs;
- Open, transparent and non-discriminatory procedures in licensing the use of radio-frequency spectrum and authorising the operation of radiocommunications devices and systems;
- Personnel trained in spectrum planning, spectrum assignment and licensing, as well as frequency co-ordination procedures and market surveillance procedures;
- Spectrum Monitoring Network System (hardware and software) acquired.
- Staff trained in relation to use the data provided by the said spectrum monitoring network system.
3.4 Activities

3.4.1 Enhancement of the administrative capacity of the National Regulatory Authority

The NRA must be set up and a Commissioner officially appointed. The NRA is a newly established body with a limited time-frame to prepare for the performance of its responsibilities. The Commissioner has to set up a fully operational NRA for the telecommunications sector and to ensure that suitable administrative and monitoring systems are developed, staff is trained and technical capabilities are assessed with the aim to guarantee compliance with the Acquis.

This component of the project will execute the following activities:

- Prepare a detailed medium-term action plan to enhance the administrative capacity of the NRA in order to ensure full enforcement of the acquis.
- Elaborate and assess the institutional and organisational set up of the NRA.
- Provide advice regarding the needs of the NRA that are arising in terms of manpower.
- Draft the required legislation, develop mechanisms, operations and detailed procedures for regulations. More specifically this will involve Framework, Interconnection, Universal Service, Numbering and Local Loop Unbundling (for a detailed analysis: see Appendix 1 to this fiche).

- Conduct a training needs analysis, assessing both the short term and long term training needs.
- Design and develop a training programme.
- Implement the training programme for the NRA staff, through the organisation of workshops, seminars and study visits and placements to similar institutions in EU member states. The training programme will focus on the full body of the acquis and its practical application in EU member states and in general the regulatory principles.

3.4.2 Enhancement of the Directorate of Telecommunications infrastructure

The activities of this component of the project will focus on two main areas:

3.4.2.1 Improvement of the administrative capacity of the Directorate of Telecommunications in relation to spectrum management

The improvement of the administrative capacity of the Directorate of Telecommunications is necessary in order to perform its increased and complex functions in the new liberalized environment. The Directorate will be responsible for the licensing of all radiocommunications devices and systems, the surveillance of the market, the planning/allocation and monitoring of the radio frequency spectrum including maintaining the national frequency table.

The main activities of this component can be defined as:

- Design and develop procedures to maintain the frequency table.
- Introduce economic criteria in frequency allocations;
- Develop open, transparent and non-discriminatory procedures for licensing the use of radio-frequency spectrum and for authorisation of the use of radiocommunications devices and systems;
- Develop and apply ITU terrestrial and space co-ordination procedures;
- Develop and apply methods for reallocating and refarming spectrum;
- Develop and implement market surveillance mechanisms and procedures;
• Design and develop a specific training programme in connection to spectrum planning, spectrum and assignment licensing as well as on frequency co-ordination procedures and market surveillance procedures
• Implement the training programme for the Directorate’s staff through workshops, seminars and study visits and placements to similar institutions in member states of the EU.

3.4.2.2 Development of a spectrum monitoring network system

At present the Directorate of Telecommunications, in order to perform its frequency management functions, is equipped with a mobile spectrum monitoring station, simulation software for interference calculations and some portable equipment for monitoring the usage of the radio frequency spectrum. In order to enhance the ability of the Directorate to monitor the usage of the radio frequency spectrum on a continuous basis it is necessary to establish a network of fixed spectrum monitoring stations. It is envisaged that the network shall consist of a number of fixed stations (approximately 4 or 5) that will be reporting information to a control center on a continuous basis. The technical staff of the Directorate at the control center will handle any alarms accordingly. The existing mobile unit will complement the operation of the fixed network. The Directorate will conduct in the coming months a study on the design and system specifications for a Spectrum Monitoring Network System. It is estimated that the system specification phase will be completed by the first quarter of 2002.

This component of the project will execute the following activities:

• Purchase of the necessary hardware equipment for the fixed spectrum stations.
• Design and development of the necessary specialised software and associated training for the network of fixed spectrum monitoring stations;
• Design of training programmes in relation to the use of data provided by the network system in order to enforce effectively the relevant legislation and perform other spectrum management functions (e.g. spectrum planning).
• Implementation of the training programme through placements and study visits in similar organisations in member states of the EU.

4. INSTITUTIONAL FRAMEWORK

4.1 National Regulatory Authority

The NRA is instituted by law N.91(I)/2001 as an independent legal entity. It is financially autonomous, with its own budget which is approved by both the Council of Ministers and the House of Representatives. The members of staff will not be civil servants but will be appointed to the NRA by the Commissioner who is in charge of the Office. The Commissioner is appointed by the Council of Ministers after consultations with the parliamentary Committee on EU Affairs. The Commissioner is responsible for implementing the provisions of the law within the general policy framework as determined by the Minister of Communications and Works.

The NRA will have the following duties:

• Formulation and enforcement of the licensing regime; grant and monitor licenses; set license fees
• Responsibility for policy on issues affecting residential and business consumers (quality of service, tariffs and availability of choice); numbering and number portability policy, and numbering administration; the determination and monitoring of quality of service standards; deal with complaints
• Responsibility for the determination of network providers and service providers with significant market power; setting the policy on cost basis for interconnection and accounting separation; arbitrating disputes with and between operators; investigation of complaints arising from possible anti-competitive practices or abuse of dominant power, directory enquiry issues, equal access, number portability and universal service obligation.
• Establishment of regulatory accounting standards and reporting systems.
• Responsibility for technical aspects of telecommunications issues and the promotion of the avoidance of technical barriers to the development of competition; apparatus approval and standards; monitoring international technical standards and interpreting them for local use; issuing specification and guidance notes on standards; forecasting and analyzing new services and technologies

4.2 Directorate of Telecommunications
The Directorate of Telecommunications within the Ministry of Communications and Works operates under the Permanent Secretary of the Ministry and is the Government’s advisor on telecommunications policy matters including those related to the harmonisation of the Acquis Communautaire of the European Union. It also manages the radio frequency spectrum including the national frequency plan and the licensing of spectrum. It is the responsible Government Authority for the type approval of radio equipment. The Directorate is responsible for all radiocommunications matters including satellite communications, broadcasting and other wireless networks.

The Directorate of Telecommunications will have the following functions:

• Formulation of the national telecommunications policy
• Drawing up and reviewing the National Frequency Plan.
• Process licensing applications, assign frequencies, set license fees, and monitor licenses.
• Deal with all matters associated with radio approvals including EMC.
• Deal with international issues including attendance at ERC in CEPT and WRCs.
• Market surveillance of radio equipment, monitor if any unlawful activity is taking place and in particular, any harmful interference.
5. **Detailed Budget**

(Million EURO)

<table>
<thead>
<tr>
<th>Component</th>
<th>Investment (1)</th>
<th>Institution Building (2)</th>
<th>Total EU financing (=I+IB)</th>
<th>National Co-financing</th>
<th>IFI</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Regulatory Authority</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Improvement of administrative capacity</td>
<td>0.50</td>
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<td>0.05</td>
<td>0.55</td>
<td></td>
<td></td>
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<tr>
<td>Directorate of Telecommunications</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>• Improvement of administrative capacity in relation to Spectrum Management</td>
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<td>0.01</td>
<td>0.06</td>
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<td></td>
</tr>
<tr>
<td>• Procurement of a Spectrum Monitoring Network System, SMNS (software and hardware) and associated training, including training on the use of data provided by SMNS for effective spectrum management.</td>
<td>1.00</td>
<td>0.05</td>
<td>1.05</td>
<td>0.30 (3)</td>
<td>1.35</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td>1.00</td>
<td>0.60</td>
<td>1.60</td>
<td>0.36</td>
<td>1.96</td>
<td></td>
</tr>
</tbody>
</table>

(1) - In relation to equipment, software, documentation and related services (installation, testing, training etc.);
(2) - In relation to training, changes in organisation, procedures, legislation, etc.
(3) In relation to the purchase of equipment and other related expenses and to the running cost of the project

6. **Implementation Arrangements**

6.1 Implementing Agency:
The implementing agencies of the project will be the NRA and the Directorate of Telecommunications of the Ministry of Communications and Works. The contact person for both components of the project for the time being is:

Dr. Stelios Himonas  
Director of Telecommunications  
28 Achaion Street, 1101 Nicosia, Cyprus  
Telephone: + 357 2 800203  
Telefax : + 357 2 776254  
e-mail: himonas@mcw.gov.cy

6.2 Twinning
N/A
6.3 Non-standard aspects
The project will be managed according to the Decentralised Implementation System (DIS) rules.

6.4 Contracts
The expected number of contracts will be three (3).
- Improvement of administrative capacity of NRA 0,50 M. Euros
- Improvement of administrative capacity of Directorate of Telecommunications in relation to Spectrum Management 0,05 M. Euros
- Procurement of a Spectrum Monitoring Network System, SMNS (software and hardware) and associated training, including training on the use of data provided by SMNS for effective spectrum management. 1.05 M. Euros

7. IMPLEMENTATION SCHEDULE
7.1 Start of tendering/call for proposals: March 2002
7.2 Start of project activity: September 2002
7.3 Project completion: September 2003

8. EQUAL OPPORTUNITY
Article 28 of the Constitution safeguards the right of all persons to equality before the law, the administration and justice and of equal protection there of and treatment thereby. Any direct or indirect discrimination against any person on the grounds, i.e. of his sex, is prohibited.

Furthermore, the prevailing legislation with respect to equality of treatment for men and women is partly in conformity with the Acquis Communautaire. The following laws currently enforce equal opportunity issues: the Equal Pay between Men and Women for Work of Equal Value Law (158/89), the Protection of Maternity Law (100(I)/97), the Termination of Employment Law (24/67) as amended, and the Commissioner for Administration Law (Law 3/91) as amended. Cyprus has ratified by the Law 39/62 the European Convention for the Protection of Human Rights and Fundamental Freedoms. Various international Conventions which guarantee equal rights between men and women have also been ratified.

The Directorate of Telecommunications which is the implementing agency for this project is an equal opportunity employer. Its human resources in terms of qualified personnel comprise of 2 women and 8 men. The total number of the personnel employed by the Directorate of Telecommunications is 17 consisting of 9 (53%) women and 8 (47%) men.

9. ENVIRONMENT
N/A
10. Rates of Return
N/A

11. Investment Criteria
N/A

12. Conditional and Sequencing
With respect to conditionality, the appointment of the Commissioner and recruitment of adequate staff should take place before the project can be executed. There is no sequencing.

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Annexes
1. Logical framework matrix in standard format
2. Detailed implementation time chart in standard format
3. Contracting and disbursement schedule by quarter for full duration of programme

Appendix
1. Detailed Presentation of Areas of Technical Assistance Required by NRA
**LOGFRAME PLANNING MATRIX FOR**

**PROJECT: ENHANCING THE CAPACITY OF THE INSTITUTIONS RESPONSIBLE FOR THE REGULATION OF THE TELECOMMUNICATIONS SECTOR**

<table>
<thead>
<tr>
<th>Overall Objective</th>
<th>Objectively Verifiable Indicators</th>
<th>Sources of Verification</th>
<th>Contracting period expires: 31 July 2004</th>
<th>Disbursement period expires: 31 July 2005</th>
<th>Total Budget: 1.96 MEuro</th>
<th>EU contribution: 1.60 MEuro</th>
</tr>
</thead>
</table>
| • Liberalisation of the Telecommunications Sector and appropriate regulatory infrastructure in operation, in compliance with the relevant EU Acquis | • Full liberalization of Telecommunications Sector by 1/1/2003.  
• Regulatory infrastructure in full operation latest by 1/1/2003 | • European Commission’s Opinion on the Status of Preparation for Accession  
• Relevant legislation approved by Parliament  
• Regular reports of Cyprus Government  
• Technical studies under implementation | | | | |

**Project Purpose**

<table>
<thead>
<tr>
<th>Objectively Verifiable Indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
</table>
| • An effectively operating NRA and Directorate of Telecommunications (DT) of the Ministry of Communications and Works, implementing the relevant EU Acquis. | • Screening reports  
• Regular reports of Cyprus Government  
• Regular reviews by the Commission’s representatives  
• Technical studies under implementation | • Political commitment to EU  
• Full commitment of the involved authorities  
• Adequate resources available. |

**Results**

<table>
<thead>
<tr>
<th>Objectively Verifiable Indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
</table>
| • NRA implementing the relevant Acquis  
• EU principles in working methods established  
• Organisation and business plans prepared  
• NRA personnel trained  
• DT implementing the relevant Acquis  
• EU principles in licencing and authorisation  
• DT personnel training  
• Spectrum Monitoring Network System (SMNS) acquired  
• Training on use of data provided by SMNS for effective spectrum management | • Technical reports  
• Training material  
• Operation manuals  
• Business plan  
• Organisational structure | • Full commitment of management and staff  
• Timely availability of adequate resources |
<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>National Regulatory Authority</strong>&lt;br&gt;• Prepare detailed medium – term action plan&lt;br&gt;• Elaborate and assess the organisational set up&lt;br&gt;• Advise on needs regarding manpower development&lt;br&gt;• Prepare legislation, mechanisms, operations and procedures for regulation&lt;br&gt;• Training needs assessment&lt;br&gt;• Develop and implement training</td>
<td>• Institution development advisors&lt;br&gt;• Trainers&lt;br&gt;• Installation technicians</td>
<td>• Full commitment of the involved authorities&lt;br&gt;• Effective monitoring of project implementation&lt;br&gt;• Timely availability of adequate resources&lt;br&gt;• Ability to select and recruit appropriate experts.&lt;br&gt;• Adequate logistics</td>
</tr>
<tr>
<td><strong>Directorate of Telecommunications</strong>&lt;br&gt;• Design and develop procedures to maintain the frequency table.&lt;br&gt;• Introduce economic criteria in frequency allocations.&lt;br&gt;• Develop procedures for licencing the radio spectrum and for authorisation of radio devices and systems&lt;br&gt;• Develop and apply ITU co-ordination procedures&lt;br&gt;• Develop and apply re-allocating and re-farming spectrum methods&lt;br&gt;• Develop and implement market surveillance procedures&lt;br&gt;• Develop and implement training&lt;br&gt;• Purchase of the appropriate software and hardware&lt;br&gt;• Design and implement of training programme in relation to the measurements procedures and reports preparation&lt;br&gt;• Design and implement of training programme in relation to the use of data provided by the network system for effective spectrum management</td>
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</table>
### Preconditions

- National legislation in line with EU legislation and best practice enacted.
- Appointment of the Commissioner and recruitment of adequate staff.
- Budgets approved and available.
### COMPONENT 2001 2002 2003 2004

<table>
<thead>
<tr>
<th>COMPONENT</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
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<tr>
<td>1. Improvement of administrative capacity of National Regulatory Authority</td>
<td>D D D D D C C C C C</td>
<td>I I I I</td>
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<td></td>
</tr>
<tr>
<td>2. Improvement of administrative capacity of Directorate of Telecommunications in relation to the Spectrum Management</td>
<td>D D D D D C C C C C</td>
<td>I I I I</td>
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<tr>
<td>3. Procurement of a Spectrum Monitoring Network System (SMNS) and training in relation to operation and training for effective spectrum management</td>
<td>D D D D D C C C C C</td>
<td>I I I I</td>
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**D** = Design  
**C** = Contracting  
**I** = Implementation  
**X** = Closure
# ANNEX 3

## CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE

All figures in million EURO

<table>
<thead>
<tr>
<th>Sub-projects</th>
<th>Cumulative contracting schedule by quarter in MEUR (planned)</th>
<th>Total EU</th>
</tr>
</thead>
<tbody>
<tr>
<td>------------------------------------------------------------------------------</td>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>Improvement of administrative capacity of National Regulatory Authority</td>
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<tr>
<td>Improvement of administrative capacity of Directorate of Telecommunications in relation to the Spectrum Management</td>
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<tr>
<td>Procurement of a Spectrum Monitoring Network System (SMNS) and training in relation to operation and effective spectrum management</td>
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<tr>
<td><strong>Total contracting:</strong></td>
<td>1.60</td>
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</table>

<table>
<thead>
<tr>
<th>Sub-projects</th>
<th>Cumulative disbursement schedule by quarter in MEUR (planned)</th>
<th>Total EU</th>
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<tr>
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<tr>
<td>Improvement of administrative capacity of National Regulatory Authority</td>
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<td>0.45</td>
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<tr>
<td><strong>Total disbursement:</strong></td>
<td>0.37</td>
<td>0.70</td>
</tr>
</tbody>
</table>

**NB:**
1. All contracting should normally be completed within 6-12 months and **must** be completed within 24 months of signature of the FM.
2. All disbursements **must** be completed within 36 months of signature of the FM.
APPENDIX 1

Detailed Presentation of Areas of Technical Assistance Required by NRA

Framework
- Establishment of a description of tasks;
- Development of dispute resolution mechanisms;
- Establishment of consultation procedures with market players and other institutions.

Licensing
- Development and application of open, transparent, non-discriminatory and simple authorisations procedures including the definition of categories of authorisations;
- Determination of cost based license fees and charges;
- Determination of proportional penalties for non-compliance with license conditions.

Interconnection
- Evaluation of the Reference Interconnection Offer (RIO) that shall be prepared by the SMP operator;
- Determination of a cost accounting method which will form the basis of interconnection rates;
- Preparation of the guidelines for the collocation of equipment of different operators;
- Setting the guidelines for the provision of services by virtual operators.

Universal Service
- Determination of a "universal service basket" of services;
- Development of a tariff regulation policy;
- Setting out quality of service parameters;
- Development and implementation of a financing scheme of universal service.

Numbering
- Development of a national numbering plan.

Local Loop Unbundling
- Application of the principles of the local loop unbundling regulation.