

## **Note Presentation**

### **Concerning the draft decree on the general conditions of exploitation of public telecommunication networks**

This draft decree is intended to clarify and regulate certain provisions relating to general operating conditions of telecommunication networks.

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In the same context, the draft decree puts the burden on operators an obligation to inform the public about their conditions and contractual offers and services and lists the minimum elements that must contain a service contract.

Furthermore, the draft decree provides for measures relating to the compliance of operators to service quality indicators and their internationally accepted technical requirement including protection of their clients against receiving unsolicited messages.

In terms of universal service, the draft decree authorizes the Management Committee of the universal telecommunication service to launch consultations with telecommunication operators for the achievement of universal service programs and to set conditions. It also gives him the power to authorize the payment to an operator who performs, under a given fiscal year, programs of universal service beyond the amount of its annual contribution, the difference between the amount of achievements and the amount its contribution or any postponement due to this difference the following year.

Finally, the draft decree deals with the technical and pricing for the sharing of infrastructure and telecommunication operators must publish every two (2) years. These deals, previously approved by the ANRT, must include some basic information and may be modified or revised at the request of the

Agency. Similarly, the draft lays down the deployment of new infrastructure by telecommunication operators and consultations that were required to carry a possible co-financing of those facilities with the operators concerned.

A deadline of six (6) months from the date of entry into force of this draft decree, is given to all operators with infrastructure that can be shared, to publish reference offers for home provision of such infrastructure.

This draft decree repeal and replaces Decree No. 2-97-1026 of 27 Shawwal 1418 (February 25, 1998) relating to general operating conditions of public telecommunication networks, as amended and supplemented by Decree No. 2-05-771 of 6 Jumada II 1426 (July 13, 2005) and Decree No. 2-06-418 of 17 Ramadan 1427 (October 10, 2006).

This is the purpose of this draft decree.