

Guidelines for Operation of transportable uplink earth stations (SNG stations) in Austria

1. Licensing

- 1.1 Installation and operation of SNG stations is permitted under a general licence issued by the Federal Minister of Transport, Innovation and Technology, subject to certain conditions stated in the general licence.
- 1.2 An individual licence is required for operation of SNG stations not compliant with the conditions of the a.m. general licence.

2. Surveillance

- 2.1 In cases of public interest, the Federal Minister of Transport, Innovation and Technology is entitled to cease, in part or in total, or to restrict with regard to operating time, the operation of SNG stations.
- 2.2 Free entrance to sites or rooms actually or presumably used for operation of SNG stations shall be given to duly identified executives of the Telecommunications Authority. All necessary information regarding the SNG station and its operation shall be provided to such executives. The „Confirmation of an SNG service“ issued by Radio Monitoring Service Wien shall be presented to such executives upon request.

3. Protection against active or passive interference

- 3.1 SNG stations shall not cause interference to terrestrial telecommunications systems or satellite systems. If such interference is caused, the Telecommunications Authority may take all adequate measures to safeguard proper operation of the systems suffering interference. The owner of the interfering SNG station is liable for all costs of such measures.
- 3.2 If other telecommunications systems cause interference to an SNG station, the owner of the SNG station, at its own expense, shall take appropriate measures to safeguard proper operation of the SNG station.

4. Secrecy

If an SNG station receives signals not intended for reception by this particular station, neither the content of such signals nor reception as such may be recorded or disclosed or used for other purposes, whatsoever. Recorded information shall be erased, or be destroyed in any other appropriate manner, respectively.

5. Compliance with International Regulations

Operation of SNG stations shall be carried out in compliance with the provisions of the Radio Regulations, and the regulations of the satellite operating organisation(s) respectively, whose satellite(s) are accessed from Austrian territory. In particular, SNG stations shall be in possession of appropriate Earth Station Approval(s) issued by the relevant satellite operating organisation(s).

6. Operation near airports

6.1 As stipulated in § 94 of Luftfahrtgesetz 1957, operation of SNG stations within the security area of the airports Graz, Innsbruck, Klagenfurt, Salzburg and Vienna is subject to a licence in accordance with the „Luftfahrtgesetz“ in addition to any other licences which may be required by other laws.

6.2 In case of single reports according to paragraph 8.1 below, the Telecommunications Authority will inform SNG station owners in each single case if an envisaged operating location is situated within the security area of an airport and if, as a consequence, a licence in accordance with the „Luftfahrtgesetz“ is required.

If an SNG station owner uses the collective reporting procedure according to paragraph 8.2 below, it is the full responsibility of the SNG station owner to comply with the provisions of the Luftfahrtgesetz. Relevant assistance from the Radio Monitoring Service Wien may, however, be requested.

7. Other obligations and liability

7.1 The owner of an SNG station shall take all appropriate measures to protect human life or health, in particular regarding dangers caused by microwave emission, and to avoid damage to property respectively.

7.2 The licence to own and operate an SNG station does not excuse the owner of such station from the obligation to pay attention to other relevant regulations (regulations regarding aviation, civil works, road transportation etc.), nor does it excuse from preservation of rights of third parties (e.g. copy rights, site utilisation rights, satellite utilisation rights).

7.3 The Telecommunications Authority disclaims any liability and expenses sustained by reason of installation and operation of SNG stations. The Republic of Austria shall not be liable for any loss, damage or expenses sustained by any reason, related to installation and operation of SNG stations.

8. Report to the Telecommunications Authority

8.1 In principle, the Telecommunications Authority shall be informed before commencing of operation of an SNG station under the address as indicated below on the following technical and operational items:

- Operating location(s) (name(s) and geographical coordinates),
- operating times (day(s) and operating hours)
- technical characteristics of operation

Use of the relevant form is recommended.

8.2 If an owner of SNG stations intends to operate such stations more than one times per calendar month on Austrian territory, the owner may send the notification for operation of its SNG earth station(s) to the Radio Monitoring Service Wien for all locations together at one time only (“collective report”).

The collective report shall at least contain the following information:

- Earth Station Code(s) of the SNG station(s)
- Contact point or contact person (name(s), function, phone, fax, email)

The owner of SNG station(s) making use of the collective report procedure is obliged to keep the operational and technical parameters of the actual operation of its SNG stations in Austria available for at least one year, and to provide, upon request, relevant information to the Austrian Telecommunication Authority (in particular for verification purposes in suspected harmful interference cases). These concerns at least the following parameters:

- Actual operating locations (including geographical coordinates)
- Actual operating times at each operating location (day(s) and operating hours)
- Actually used satellite at each operating location

- Actually used transmit frequency and polarisation at each operating location

8.3 Address for Reports to the Telecommunications Authority

Radio Monitoring Service Wien
Krapfenwaldgasse 17
A-1190 Wien, Austria
Fax: +43 1 320 1051 36
e-mail: fmw.wien@bmvit.gv.at

9. Fee

- 9.1 In accordance with the Austrian Telecommunications Fee Ordinance (Federal Law Gazette II Nr. 29/1998 as amended), the fee for the notification procedure according to paragraphs 8.1 and 8.2 above amounts to 49.88 EURO for each single report, or collective report respectively.
- 9.2 The most appropriate way for payment of the fee for notification of SNG earth stations is via bank transfer after receipt of the relevant invoice (transfer to the account of the Federal Ministry for Transport, Innovation and Technology, IBAN: AT636000000005040010, BIC: OPSKATWW). Transfer expenses, if any, shall be born by the debtor of the fees.

Note: In case of doubt, the German version of this document is applicable.