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**ADMINISTRATIVE DIRECTION NO. 2004/19**

**IMPLEMENTING UNMIK REGULATION 1999/1, AS AMENDED, ON THE  
AUTHORITY OF THE INTERIM ADMINISTRATION IN KOSOVO**

The Special Representative of the Secretary-General,

Pursuant to the authority given to him under United Nations Security Council Resolution 1244(1999) of 10 June 1999,

In conformity with United Nations Interim Mission in Kosovo (UNMIK) Regulation No. 2001/9 of 15 May 2001, On the Constitutional Framework for Provisional Self-Government in Kosovo,

Having promulgated UNMIK Regulation No. 2003/16 of 12 May 2003, On the Promulgation of a Law Adopted by the Assembly of Kosovo on Telecommunications, and implementing UNMIK Regulation No. 1999/1 of 25 July 1999, as amended, On the Authority of the Interim Administration in Kosovo,

For the purpose of setting out the responsibilities and functions of Frequency Management Office with respect to the management of radio frequencies in Kosovo,

Hereby issues the following Administrative Direction:

Section 1  
Definitions

For the purpose of this Administrative Direction:

“Allocation” means an entry in the Table of Radio Frequency Allocations of a given frequency band for use by one or more radio communication services providers, TRA, TMC or KFOR;

“Frequency Band” means a range of Radio Frequencies used by one or more terrestrial or space radio-communication services or the radio astronomy service;

“FMO” means Frequency Management Office;

“Ministry” means the Ministry of Transport and Communications;

“Radio Frequencies” means electromagnetic waves of frequencies arbitrarily lower than 3000 GHz, propagated in space without artificial guide.

“Frequency Management” means the administrative, legal, economic, scientific and technical procedures necessary to ensure the efficient exploitation of radio communications equipment and services, without harmful interferences;

“Reserved Radio Frequencies” means Radio Frequencies allocated to TRA or TMC or not used by KFOR;

“Specified Purpose” includes defence, security, emergency and disaster preparedness and such other purpose as the Special Representative of the Secretary-General may direct from time to time. A “Specified Purpose” does not include any commercial purpose, such as offering services to third parties for profit;

“Table of Radio Frequency Allocations” means the compendium of Allocations, approved by Special Representative of the Secretary-General from time to time;

“TMC” means the Temporary Media Commissioner authorised to license and regulate the Broadcast Media in Kosovo under UNMIK Regulator No. 2000/36, and its successors;

“TRA” means the Telecommunications Regulatory Authority established pursuant to UNMIK Regulation No. 2003/16 and its successors; and

“Users” includes UNMIK, OSCE, international organisations operating in Kosovo and government institutions.

## Section 2 Responsibilities of FMO

2.1 The FMO may make recommendations to the Special Representative of the Secretary-General through the Deputy Special Representative of the Secretary-General for Reconstruction regarding, but not limited to:

(a) the overall strategy, policies and development of Frequency Management in Kosovo;

(b) international regulations, standards and recommended practices relating to Frequency Management, as appropriate for Kosovo; and

(c) any other matters the Special Representative of the Secretary-General may request FMO to make recommendations on from time to time.

2.2 The FMO shall:

(a) establish and, as necessary, revise a Table of Radio Frequency Allocations for Kosovo and monitor its implementation;

(b) propose to the SRSG Radio Frequency Bands to be allocated the TRA for further assignment to commercial radio communication service providers;

(c) assign Reserved Radio Frequencies and issue licenses to Users for a Specified Purpose on terms and conditions as the FMO determines appropriate;

(d) coordinate with appropriate international and national organisations including KFOR and the Ministry in order to develop and effectively implement policies and standards for Frequency Management in Kosovo;

(e) cooperate with the TRA with respect to Frequency Management in Kosovo, in order to ensure an effective management of the Radio Frequency Bands allocated to the TRA by the SRSG;

(f) collect any fees payable pursuant to Administrative Instructions issued under this Administrative Direction by the Deputy Special Representative of Secretary-General for Economic Development and Reconstruction with regard to costs and expenses incurred by the Office;

(g) implement the overall strategy and policies issued by the SRSG regarding Frequency Management in Kosovo;

(h) establish and update a management information systems, databases and statistics;

(i) monitor the usage of all Radio Frequencies in Kosovo and enforce the terms and conditions of any license issued by the FMO and any penalties for the unlicensed use of the Reserved Radio Frequencies in accordance with procedures set out in administrative instructions issued by Deputy Special Representative of Secretary-General for Economic Development and Reconstruction pursuant to this Administrative Direction; and

(j) perform any other functions related or ancillary to those set above and assigned by the SRSG.

Section 3  
Organisation and Administration

3.1 The FMO shall have a Head of the Office and professional and clerical staff.

3.2 The Head of the Office shall be responsible for:

(a) the effective management of the FMO and ensuring that the functions and responsibilities under this Administrative Direction are implemented in accordance with the law applicable in Kosovo;

(b) staffing, organisation and administration of the FMO, including issuing internal instructions and operating guidelines on any matters pertaining to the operations of the FMO; and

(c) the effective and efficient management of expenditures, financial and other resources of the FMO, in accordance with applicable financial rules and regulations.

3.3 Staff members of the FMO, funded through the Kosovo Consolidated Budget, shall be remunerated at the same level as the staff members of the TRA with similar qualifications.

3.4 The FMO shall be funded from the Kosovo Consolidated Budget. All revenue derived from fees levied by the FMO shall be paid into the Kosovo Consolidated Fund.

Section 4  
Entry into Force

This Administrative Direction shall enter into force on the 19<sup>th</sup> day of July 2004.

Charles H. Brayshaw  
Acting Special Representative of the Secretary-General