

**Memorandum of Understanding**

**Between**

**Latin American Forum of Telecommunications Regulators  
(REGULATEL)**

**And**

**Body of European Regulators for Electronic Communications**

# **Memorandum of Understanding Between Latin American Forum of Telecommunications Regulators (REGULATEL)**

## **and Body of European Regulators for Electronic Communications**

WHEREAS, the Latin American Forum of Telecommunications Regulators (REGULATEL) (hereinafter referred to as "REGULATEL" is the organization of the Latin American national regulators authorities (NRA) and consists of the NRA for the electronic communications sector from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Honduras, México, Nicaragua, Panamá, Paraguay, Peru, Puerto Rico, Dominican Republic, Uruguay, Venezuela and Spain, Portugal and Italy.

WHEREAS, the Body of European Regulators for Electronic Communications (hereinafter referred to as "BEREC"), with an Office at Z.A. Meierovica Bulv. 14, 2nd Floor, Riga LV-1050, LATVIA, consists of the NRA for the electronic communications sector from the Member states of the European Union, candidate countries and European Economic Area states and the European Commission as observers, and facilitates the consistent application of the telecommunication rules throughout the European Union;

WHEREAS, both the REGULATEL and the BEREC (each referred to individually as "participant" and collectively as "participants") have an interest in effective electronic communications regulation that promotes competitive markets, technological innovation, and value for consumers;

WHEREAS, both the REGULATEL and the BEREC wish to state their intent to form a cooperative relationship, as outlined in this Memorandum of Understanding (hereinafter referred to as "MOU");

NOW, THEREFORE, the REGULATEL and the BEREC have reached the following understandings:

### **I. PURPOSE**

The goal of this MOU is to encourage a cooperative relationship between the participants that supports the participants' respective efforts to address current and future regulatory challenges in both the Latin America and Europe, as well as to develop collegial working relationships between experts representing both participants.

### **II. AREAS OF COOPERATION**

#### **A. Cooperative Activities**

The activities may include, but are not limited to:

- annual summits;
- joint working groups;
- Information exchange (e.g., questionnaires, working papers, specific events, etc).



Such activities may be conducted via electronic means or in-person meetings between representatives of both participants.

#### B. Regulatory Issues

The participants intend to determine by mutual arrangement the regulatory issues to be addressed through their cooperative relationship and those issues may include, but are not limited to, the issues described in Annex 1.

### III. MOU IMPLEMENTATION

#### A. Responsibilities

The participants intend to make the necessary arrangements to ensure implementation of the partnership, as outlined in this MOU.

#### B. Communications Regarding

The participants intend to communicate regarding accomplishments related to this MOU.

#### C. Rules and Procedures

Each participant intends to operate according to its respective rules and procedures.

### IV. COSTS

The costs for each participant resulting from the implementation of this MoU shall be borne by each one of them.

### V. GENERAL PROVISIONS

#### A. Duration

The participants intend to carry out their cooperative activities for a period of two (2) years following signature by both participants. After this initial period, it can be extended based on the outcome for the same period of time. Either participant may provide advance notice of its intention to cease cooperative activities under this MOU.

#### B. Modification

The participants may modify and/or amend this MOU at any time.

#### C. Communications Regarding MOU

For purposes of communications or notices with respect to this MOU, both the REGULATEL and the BEREC will be represented by their sitting Chairs. Both participants may designate other focal points.

#### D. Legal Enforceability

This MOU is not intended to create legal and binding obligations for either participant, but is a statement of the participants' intent to form a cooperative relationship.

**VI. SIGNATURES**

**For the Latin American Forum of Telecommunications Regulators (REGULATEL)**

At (city) Cartagena, Colombia on (date) 31/10/2013

**For the Body of European Regulators for Electronic Communications**

Dr. Leonidas Kavellios

At (city) Budapest, Hungary on (date) 06/12/2013

## Annex I

[REGULATEL Proposal to be further completed]

### ACTIVITIES:

1. Joint Working Groups: 1 to 3 specific projects (to be defined)
2. BEREC – REGULATEL annual Summit: Strategic debate on common issues and agreement on yearly next steps.
3. Access and share of information: Have access to contact list to disseminate and collect questionnaires, reports and any other valuable information

### SUGGESTED TOPICS:

- Broadband services: quality standards from consumers' perspective: Broadband services have radically changed the scope of quality of service control that our agencies should exercise in defence of the consumers. Many of REGULATELs members are working on the revision of those quality standards from the consumers' perspective. There should be great economies of scale in working together some common approach to quality standards in an NGA environment.
- OTT Broadband and net neutrality conditions: Closely related to the above, the services consumers are accessing over Broadband (OTT) are hardly in the radar of our consumer protection responsibilities. Many regional definitions of net neutrality have encountered difficulties at the implementation level. BEREC recent considerations on this issue and the implementation experiences could be of great help.
- Roaming cost methodologies: Over the last two years we have collected substantial data on regional roaming charges. We would like to work now specifically roaming costs methodologies and regulatory approaches to reduce roaming charges on national and regional levels.