

No. 18309

**SPAIN
and
UNITED STATES OF AMERICA**

Exchange of notes constituting an agreement for the reciprocal granting of authorizations to permit licensed amateur radio operators of either country to operate their stations in the other country (with annex). Madrid, 11 and 20 December 1979

Authentic texts: Spanish and English.

Registered by Spain on 22 February 1980.

**ESPAGNE
et
ÉTATS-UNIS D'AMÉRIQUE**

Échange de notes constituant un accord relatif à l'octroi réciproque d'autorisations permettant aux opérateurs radio amateurs brevetés de chacun des deux pays d'exploiter leurs stations dans l'autre pays (avec annexe). Madrid, 11 et 20 décembre 1979

Textes authentiques : espagnol et anglais.

Enregistré par l'Espagne le 22 février 1980.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF SPAIN AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE RECIPROCAL GRANTING OF AUTHORIZATIONS TO PERMIT LICENSED AMATEUR RADIO OPERATORS OF EITHER COUNTRY TO OPERATE THEIR STATIONS IN THE OTHER COUNTRY

I

[SPANISH TEXT — TEXTE ESPAGNOL]

EL MINISTRO DE ASUNTOS EXTERIORES

Madrid, 11 de diciembre de 1979

Señor Embajador,

Tengo el honor de referirme a las conversaciones celebradas entre representantes del Gobierno de España y el de Estados Unidos de América concernientes a la posibilidad de concertar un acuerdo entre ambos Gobiernos, con miras al recíproco otorgamiento de autorizaciones para permitir a los radioaficionados de cualquiera de los dos países, que tengan licencia, hacer uso de su estación en el otro país, de conformidad con las disposiciones del artº. 41 del Reglamento de Radiocomunicaciones vigente. Se recomienda concertar un acuerdo al respecto en los términos siguientes:

La persona física que esté en posesión de una licencia de radioaficionado, concedida por su Gobierno y haga uso de una estación de aficionado permitida por dicho Gobierno, podrá ser autorizada por el Gobierno del otro país, para hacer uso de tal estación en el territorio de éste, sobre una base de reciprocidad y sujeta a las condiciones que a continuación se indican:

- A. La persona física que esté en posesión de una licencia de radioaficionado, concedida por su Gobierno, no podrá hacer uso de su estación en el territorio del otro país, sin antes haber obtenido del organismo administrativo competente del otro Gobierno una autorización para tal fin.
- B. El organismo administrativo competente de cada Gobierno podrá conceder una autorización, según se prescribe en el párrafo A, en las condiciones y términos que estipule, incluyendo el derecho de cancelación, en cualquier momento, de la autorización concedida, sin informar al radioaficionado interesado, ni al organismo administrativo del otro Gobierno, de los motivos de la cancelación.
- C. Asimismo, la persona física que no sea radioaficionado en su país y pretenda obtener licencia de radioaficionado en el otro país, deberá ser residente en éste y cumplir los requisitos establecidos para ello en el país que le acoge.

Al recibir su nota de respuesta, por la que se indique la conformidad del Gobierno de Estados Unidos de América, se considerará que la presente nota y la nota de respuesta constituyen un Acuerdo entre los dos Gobiernos. Dicho Acuerdo entrará en vigor en la fecha de la nota de respuesta y estará sujeta a

¹ Came into force on 20 December 1979, the date of the note in reply, in accordance with the provisions of the said notes.

6ª. Las características técnicas de las estaciones deberán ser, exclusivamente, las que a continuación se indican:

CARACTERÍSTICAS TÉCNICAS ESENCIALES DE LAS ESTACIONES DE AFICIONADO

| <i>Banda de frecuencias</i> | <i>Clase de emisión</i> | <i>Clase de licencia¹</i> | <i>Potencia máxima</i> | <i>Notas</i> |
|-----------------------------|---------------------------------------------------|--------------------------------------|------------------------|--------------|
| kHz | | | | |
| 3.500-3.550 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 3.550-3.575 | A1, F1 | A, C | 20 | 2 |
| 3.575-3.800 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 7.000-7.020 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 7.020-7.030 | A1, F1 | A, C | 20 | 2 |
| 7.030-7.100 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 14.000-14.350 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 21.000-21.150 | A1, F1 | A, C | 20 | 2 |
| 21.150-21.450 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| MHz | | | | |
| 28,0-28,2 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 28,2-29,0 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 29,0-29,1 | A3, F3 | A, C | 20 | 2 |
| 29,1-29,7 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 144-146 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A, B | 50 | |
| 430-440 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A, B | 50 | |
| 1.215-1.300 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A, B | 50 | 3 |
| 2.300-2.450 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3, P1, P2, P3 | A, B | 50 | 3 |
| 5.650-5.850 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3, P1, P2, P3 | A, B | 50 | 3 |
| 10.000-10.500 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3, P1, P2, P3 | A, B | 50 | 3 |
| GHz | | | | |
| 24,00-24,25 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3, P1, P2, P3 | A, B | 50 | 3, 4 |

NOTAS:

¹ Clases de licencia:

— A (general). Potencia máxima: 250 o 50 vatios según bandas de frecuencia.

Clases de emisión: Telegrafía: A1, A2, F1, F2, P1, P2, P3.

Telefonía: A3, A3A, A3B, A3J, F3, P3.

— B (restringida). Potencia máxima: 50 vatios.

Clases de emisión: Sólo telefonía: A3, A3A, A3B, A3J, F3, P3.

— C (de principante). Potencia mínima: 20 vatios.

Clases de emisión: Telegrafía: A1, F1.

Telefonía: A3, F3.

² Estas bandas están reservadas para las comunicaciones entre titulares de licencia C y entre éstos y los de clase A, reduciendo estos últimos su potencia en lo posible a valores próximos a 20 vatios.

³ Estas bandas están atribuidas al servicio de aficionados a título secundario.

⁴ La frecuencia de 24, 125 GHz se destina a usos industriales, científicos y médicos, por lo que deben aceptarse las interferencias perjudiciales que estas emisiones puedan causar dentro de la banda 24,125 GHz \pm 125 MHz.

[TRANSLATION¹ — TRADUCTION²]

MINISTRY OF FOREIGN AFFAIRS

Madrid, December 11, 1979

Mr. Ambassador,

I have the honor to refer to the conversations between representatives of the Government of Spain and the Government of the United States of America

¹ Translation supplied by the Government of the United States of America.

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique.

relating to the possibility of concluding an agreement between the two Governments with a view to the reciprocal granting of authorizations to permit licensed amateur radio operators of either country to use their stations in the other country, in accordance with the provisions of Article 41 of the Radio Regulations¹ in force. It is recommended that an agreement on the subject be concluded in the following terms:

[See note II]

Upon receipt of your reply note indicating the concurrence of the United States Government, this note and the reply note will be considered as constituting an agreement between the two Governments, such agreement to be effective as of the date of the reply note and to be subject to termination by either Government upon six months' advance notice, in writing, of its intention to terminate.

Accept, Mr. Ambassador, the assurances of my highest consideration.

MARCELINO OREJA

His Excellency Terence A. Todman
Ambassador of the United States of America
Madrid

MINISTRY OF THE INTERIOR

TERMS ON WHICH THE DIRECTORATE-GENERAL FOR POSTAL SERVICES AND TELECOMMUNICATIONS, WHICH IS THE COMPETENT AGENCY FOR THIS MATTER IN SPAIN, GRANTS LICENCES FOR THE OPERATION OF AMATEUR RADIO STATIONS BY UNITED STATES CITIZENS IN SPAIN, IN ACCORDANCE WITH THE RECIPROCITY AGREEMENT BETWEEN THE TWO GOVERNMENTS

A United States citizen who is licensed as an amateur radio operator by the competent agency of the Government of the United States of America and who operates a fixed or mobile amateur station licensed by the said agency may be authorized by the Directorate-General for Postal Services and Telecommunications of the Government of Spain, at the latter's discretion, to operate such station in Spanish territory, subject to the following conditions:

1. If the authorization requested by the United States radio amateur is for the operation of a permanent station in Spain, the applicant must prove that he is a radio amateur by submitting a copy of his licence and fulfil the requirements for becoming a Spanish radio amateur, except for the examination referred to in article 41 of the International Radio Regulations, paragraphs 1563 and 1564.

2. If the United States radio amateur is applying for a temporary authorization for short periods (vacations, etc.), he shall submit his application in good time to the Directorate-General for Postal Services and Telecommunications in Madrid, together with a copy of his United States licence, a statement of the frequency bands he intends to use, the mark, model and transmitting power of his radio station, the location of the station in Spain if it is fixed, or the registration number, mark and model of the vehicle (beforehand, if possible, or afterwards when the radio amateur has the vehicle) if it is mobile, and the appropriate payment.

¹ International Telecommunication Union, *Radio Regulations*, Geneva, 1959.

3. Likewise, if the United States citizen does not hold a radio amateur licence and is seeking to obtain one in Spain, he must be resident in Spain and must meet the requirements for becoming a Spanish radio amateur.

4. The Directorate-General for Postal Services and Telecommunications may refuse to grant an authorization, and may also cancel an authorization which has already been issued, without informing either the radio amateur concerned or the competent United States agency of the reasons for the refusal or cancellation.

5. Any United States radio amateur who is operating as such in Spain shall be subject to the relevant laws and regulations in force in Spain.

6. The technical features of the stations must be exclusively those which are listed below:

ESSENTIAL TECHNICAL FEATURES OF AMATEUR STATIONS

| <i>Frequency bands</i> | <i>Class of transmission</i> | <i>Class of licence¹</i> | <i>Maximum power</i> | <i>Notes</i> |
|------------------------|---------------------------------------------------|-------------------------------------|----------------------|--------------|
| kHz | | | | |
| 3,500-3,550 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 3,550-3,575 | A1, F1 | A, C | 20 | 2 |
| 3,575-3,800 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 7,000-7,020 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 7,020-7,030 | A1, F1 | A, C | 20 | 2 |
| 7,030-7,100 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 14,000-14,350 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 21,000-21,150 | A1, F1 | A, C | 20 | 2 |
| 21,150-21,450 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| MHz | | | | |
| 28.0-28.2 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 28.2-29.0 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 29.0-29.1 | A3, F3 | A, C | 20 | 2 |
| 29.1-29.7 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A | 250 | |
| 144-146 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A, B | 50 | |
| 430-440 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A, B | 50 | |
| 1,215-1,300 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3 | A, B | 50 | 3 |
| 2,300-2,450 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3, P1, P2, P3 | A, B | 50 | 3 |
| 5,650-5,850 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3, P1, P2, P3 | A, B | 50 | 3 |
| 10,000-10,500 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3, P1, P2, P3 | A, B | 50 | 3 |
| GHz | | | | |
| 24.00-24.25 | A1, A2, A3, A3A, A3B, A3J, F1, F2, F3, P1, P2, P3 | A, B | 50 | 3, 4 |

NOTES:

¹ Classes of licences:

- A (general) Maximum power: 250 or 50 watts depending on the frequency bands.
Classes of transmission: telegraphy: A1, A2, F1, F2, P1, P2, P3.
telephony: A3, A3A, A3B, A3J, F3, P3.
- B (restricted) Maximum power: 50 watts
Classes of transmission: only telephony: A3, A3A, A3B, A3J, F3, P3.
- C (beginner) Minimum power: 20 watts.
Classes of transmission: telegraphy: A1, F1.
telephony: A3, F3.

² These bands are reserved for communications between class C licencees, and between class C and class A licencees, the power of the latter being reduced as far as possible to around 20 watts.

³ These bands are allocated to the amateur service on a secondary basis.

⁴ The 24.125 GHz frequency is intended for industrial, scientific and medical uses and therefore any harmful interferences which these transmissions may cause within the 24.125 GHz \pm 125 MHz band must be tolerated.

II

Madrid, December 20, 1979

No. 1086

Excellency,

I have the honor to acknowledge the receipt of Your Excellency's letter of December 11, 1979, transmitted under cover of the Ministry's Note 515/CTJ, December 12, 1979, in which reference is made to conversations between representatives of the Government of the United States of America and representatives of the Government of Spain relating to the possibility of concluding an agreement between the two Governments with a view to the reciprocal granting of authorizations to permit licensed amateur radio operators of either country to operate their stations in the other country, in accordance with the provisions of article 41 of the International Radio Regulations, Geneva, 1959.

Your Excellency proposed the following version of the text of the Agreement in your letter:

“An individual who is licensed by his Government as an amateur radio operator and who operates an amateur radio station licensed by such Government may be permitted by the other Government, on a reciprocal basis and subject to the conditions stated below, to operate such station in the territory of such other Government:

- A. An individual who is licensed by his Government as an amateur radio operator may not operate his station in the territory of the other Government without first having obtained from the appropriate administrative agency of the other Government an authorization for that purpose.
- B. The appropriate administrative agency of each Government may issue an authorization, as prescribed in paragraph A, under such conditions and terms as it may prescribe, including the right of cancellation at any time of the authorization, without informing the individual, or the administrative agency of the other Government, of the reasons for the cancellation.
- C. Likewise, an individual who is not an amateur radio operator in his country and who wishes to obtain an amateur radio operator's licence in the other country, should be resident in the other country and complete the requirements established for that purpose in the other country.”

The Government of the United States is agreeable to the proposed version and to Your Excellency's suggestion that this Note, together with Your Excellency's letter of December 11, 1979, constitute an agreement between the two Governments with respect to this matter, such agreement to be effective as of the date of this reply note and to be subject to termination by either Government giving six months' notice, in writing, of its intention to terminate.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

[Signed — Signé]¹

His Excellency Marcelino Oreja
Minister of Foreign Affairs
Madrid

¹ Signed by Terence A. Todman — Signé par Terence A. Todman.