

MBNL
ENABLING
DIGITAL
BRITAIN



SITE
PROVIDER
GUIDE TO
CODE
AGREEMENT
RENEWAL



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As a valued member of MBNL's site provider community, we want to give you the best support for renewing your telecommunications agreement with EE and/or Three. We have put together this guide to provide you with the most up-to-date information about agreements under the new Electronic Communications Code (The Code), our renewal process, and answers to some questions you may have.

About MBNL

MBNL is jointly owned by EE and Three, two of the UK's leading and most innovative mobile operators. Established in 2007 as the industry's first network-sharing joint venture, MBNL's mission is to provide best-in-class mobile infrastructure services to EE and Three for serving their tens of millions of customers in the UK.

The experience of EE and Three's customers is at the heart of everything we do. Using our expertise, we deliver award-winning network performance to enable EE and Three to provide differentiated and outstanding services and experiences for their customers, in the right place, at the right time and the right cost. As well as being the bedrock of this mission, MBNL's infrastructure is also a vital part of the connectivity backbone that enables Digital Britain. Our extensive portfolio of infrastructure spans 2G, 3G, 4G, playing a key role in underpinning both EE and Three's 5G networks since rollout commenced in 2019. By collaborating with a wide range of site providers, MBNL installs and operates mobile infrastructure at over 20,000 sites across the country.

MBNL takes pride in helping to build the UK's digital future by bringing better mobile connectivity to every part of the country, especially in eliminating the digital divide between urban and rural areas. Driven by our mission, we strive to deliver excellence through our dynamic and passionate people, set industry-leading standards for service delivery, health and safety as well as security. We continuously enhance our capabilities and services so EE and Three can always offer their customers the best experiences amid rapid advances of technologies, evolving consumer needs, and changing business environment.



Digital connectivity in the UK



In 2017, the Government published its Digital Strategy for developing a world-leading digital economy that works for everyone. At the heart of this strategy is the rapid deployment of communications networks – a crucial enabler for building world-class digital connectivity for the UK. In recent years, the UK has seen significant increases in the coverage and take-up of 4G mobile services as well as superfast and ultrafast broadband. We enjoy a leading position among European countries for one of the highest availabilities of superfast services and 4G mobile network coverage. 5G services have also been launched by all mobile operators and are now available in many towns and cities across the country.

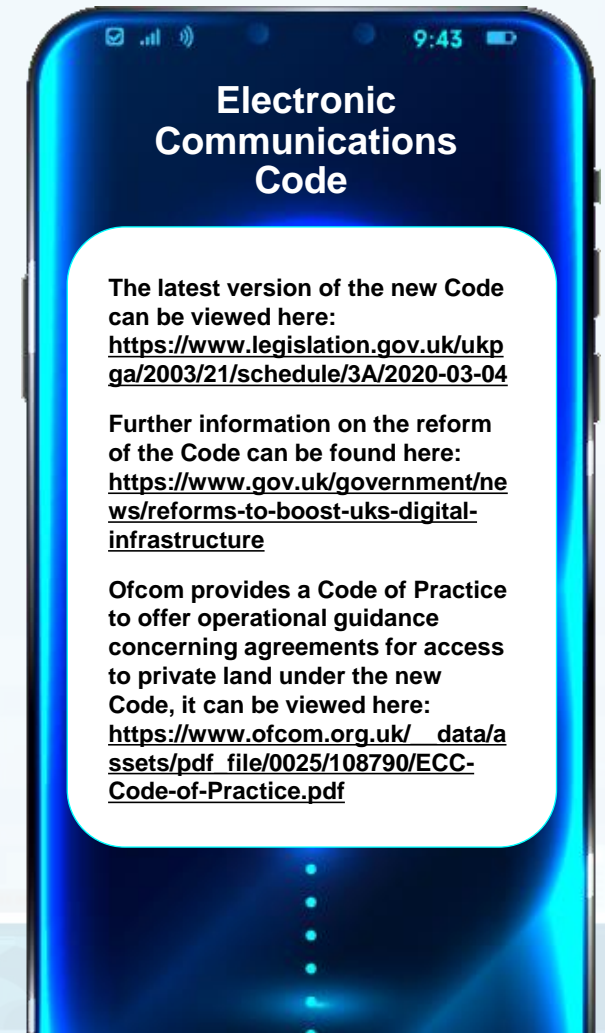
The Government has set out its ambition and strategy for mobile networks to achieve 95% geographical coverage across the country by 2025 and the majority of the population to be covered by a 5G signal by 2027⁽ⁱ⁾. 5G offers significantly faster and more reliable mobile connectivity, opening up boundless opportunities to benefit every person and business in the country. Enhanced digital connectivity will not only boost economic activities and growth but will also close the digital divide by ensuring that everyone is able to access and use the digital services that could help them live, work, take care of their health and wellbeing, and connect to friends and family.

(i) <https://www.gov.uk/guidance/building-digital-uk#current-mobile-infrastructure-projects>

What is a Code agreement?

The *Electronic Communications Code* (The Code) regulates the relationship between telecommunications operators (for instance, EE and Three) and site providers for telecommunications apparatus in the UK. It provides the legal framework for agreements to place, operate and maintain telecommunications apparatus on land and property. The Code was revised at the end of 2017 as the government sought to reform outdated legislation with the aim of reducing the cost of housing mobile phone masts and other communications infrastructure on private land, at the same time aiming to make the process of acquiring, renewing, sharing and upgrading sites more cost-effective and flexible. As access to digital communications has increasingly been considered a basic need, the Code was designed to put these services on the same footing as other essential services such as electricity and water.

A Code agreement gives a designated operator access to “Code rights”, which can range from rights to install and maintain apparatus, through to inspecting potential new sites, and sets out the obligations of both the operator and the site provider, and other parties involved.



Electronic Communications Code

The latest version of the new Code can be viewed here:

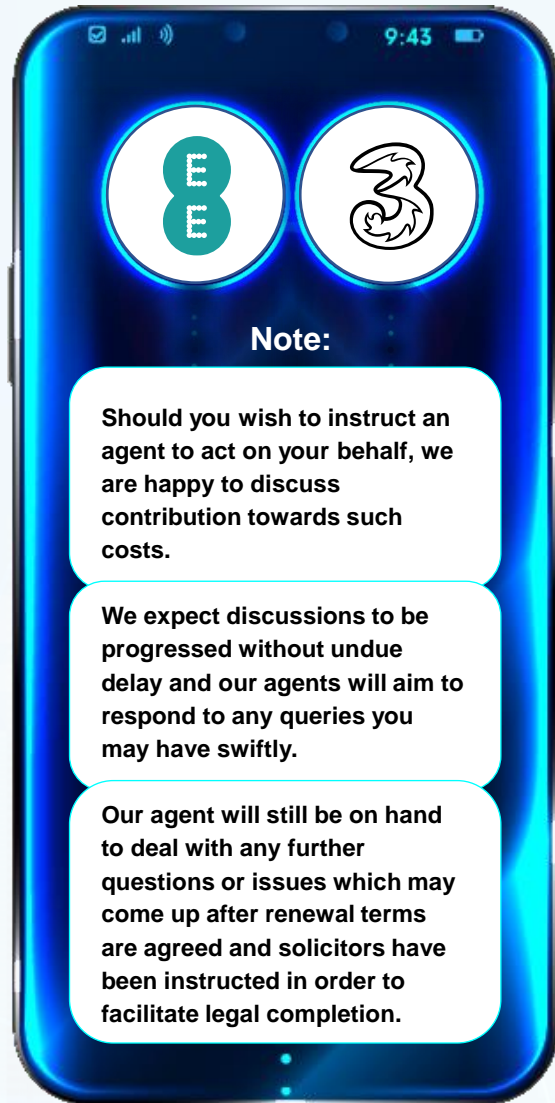
<https://www.legislation.gov.uk/ukpga/2003/21/schedule/3A/2020-03-04>

Further information on the reform of the Code can be found here:

<https://www.gov.uk/government/news/reforms-to-boost-uks-digital-infrastructure>

Ofcom provides a Code of Practice to offer operational guidance concerning agreements for access to private land under the new Code, it can be viewed here:

https://www.ofcom.org.uk/data/assets/pdf_file/0025/108790/ECC-Code-of-Practice.pdf



Reaching a Code agreement with EE and/or Three

As your existing agreement with EE and/or Three comes to an end, we wish to enter into a new Code agreement with you. We adopt a simple 4-step agreement renewal process:



MBNL appoints an agent who will contact you with the aim of having a preliminary discussion about the continued occupation of your property for hosting telecommunications apparatus. As a Site Provider, you should consider at this point whether you would like to deal with our agent directly or instruct an agent to act on your behalf.



Our agent will respond to any questions you may have regarding the telecommunications apparatus to be installed at your property and will provide a copy of the proposed terms of a new Code agreement.



We would encourage you or your appointed agent to engage fully with our agent in negotiating any amendments to the proposed terms.



Once the terms are agreed, we will both instruct our respective solicitors to complete the relevant legal documentation.

Our sites, safe by design

Safeguarding the health and safety of our workforce, site providers and the general public is always our top priority. All sites operated and deployed by MBNL on behalf of EE and Three comply with the relevant planning legislation as well as the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines on limiting exposure of workers and the public to radio frequency electromagnetic fields (RF-EMF). ICNIRP is a non-government organisation formally recognised by the World Health Organisation (WHO) and its 1998 guidelines form the basis of regulatory limits for mobile network antennas and devices in most parts of the world, including the UK and the EU. An extensive review of the guidelines in 2020 concluded that the 1998 limits provide protection for the entire radio frequency spectrum including those used for 5G. Both the WHO and Public Health England support the conclusion that EMF exposure below the limits recommended in the ICNIRP guidelines do not appear to have any known consequence on health⁽ⁱⁱ⁾. Our sites are designed and certified in accordance with the ICNIRP guidelines.



(ii) WHO conclusion: <https://www.who.int/peh-emf/standards/en/> ;
Public Health England guidance: <https://www.gov.uk/government/publications/5g-technologies-radio-waves-and-health/5g-technologies-radio-waves-and-health#public-exposure>

Building Digital Britain together

We hope you find the information in this guide helpful as the renewal of your agreement with EE and/or Three is approaching. We want to work with you to reach a Code agreement. Our agent will get in contact to discuss and agree with you the next steps. We would appreciate your making time to engage with our agent on this matter or through an appointed agent.

Thank you for your continued support in advance. We look forward to working with you to build Digital Britain together.

For further information, please visit: www.mbnl.co.uk

**SPEED UP
BRITAIN**

*Building mobile
networks for
our future*