

REGULATIONS FOR PARTICIPATION IN THE KEEP UKRAINE CONNECTED AID DISTRIBUTION PROGRAMME

This Regulation defines the procedure for participating in the aid distribution program—consisting of telecommunications equipment—from the charitable initiative "Keep Ukraine Connected," the terms for submitting and reviewing applications, selection criteria, and the procedure for providing telecommunications equipment to applicants.

1. General Provisions

1.1. About Keep Ukraine Connected

Keep Ukraine Connected — an international charitable initiative established by the Global NOG Alliance community in 2022 to support Ukrainian internet infrastructure amidst full-scale Russian aggression.

The initiative brings together European and international electronic communications operators, equipment manufacturers, technology companies, professional communities, volunteers, and other partners willing to provide equipment, materials, or financial resources to support Ukrainian electronic communications networks.

Keep Ukraine Connected acts as an intermediary between international donors and the Ukrainian electronic communications sector; it gathers information on the needs of Ukrainian providers of electronic communications services and/or networks, secures the necessary equipment, and facilitates its delivery to Ukraine.

1.2. Goal and Objectives of the Program

The objective of the Program is to ensure the continuity of electronic communications services in Ukraine by supporting providers of electronic communications services and/or networks whose infrastructure has been damaged or remains under constant threat of damage due to the armed aggression of the Russian Federation. This is achieved through the procurement, delivery, and transparent distribution of telecommunications equipment on a charitable basis.

The Program aims to establish an open, fair, and accountable mechanism for interaction between international donors and Ukrainian providers of electronic communications services and/or networks, ensuring that aid is distributed and utilized for its intended purpose in alignment with the actual needs of the sector.

The Program is not intended to serve the commercial, corporate, or organizational interests of individual providers of electronic communications services and/or networks, distributors, equipment manufacturers, professional communities, associations, or other partners. All decisions regarding the allocation of equipment are made exclusively in the interest of preserving, restoring, and enhancing the resilience of Ukraine's electronic communications networks, based on the principles of openness, equal treatment of applicants, transparency, collective decision-making, impartiality, and accountability.

To achieve this goal, the Program envisages the implementation of the following tasks:

- Collection and systematization of the current needs of Ukrainian providers of electronic communications services and/or networks whose networks have been damaged as a result of Russian aggression or are operating in areas with a high risk of damage.
- Securing assistance in the form of telecommunications equipment from international operators, equipment manufacturers and suppliers, technology companies, professional associations, charitable organizations, and other partners.
- Organization of the delivery, receipt, accounting, and storage of equipment until the moment of its handover to the designated recipients.
- Ensuring an open application process for providers of electronic communications services and/or networks in Ukraine, regardless of their membership in professional associations, participation in industry events, or the existence of commercial relationships with Program partners.
- Review and evaluation of submitted applications in accordance with uniform, public, and pre-established terms and criteria.
- Allocation of equipment based on the applicant's verified need, the extent of network damage, the urgency of restoration, the public importance of the relevant network segment, the technical compatibility of the equipment, and other criteria defined by this Regulation.
- Prevention of unjustified reservation or priority allocation of equipment to specific companies, clients, partners, members of professional communities, or participants in industry events outside of the established procedure.
- Monitoring the intended use of the transferred equipment and collecting reports regarding its receipt, installation, commissioning, and subsequent use.
- Ensuring the transparency of the Program by publishing information on available equipment, participation terms, evaluation criteria, aggregated allocation results, and reports on the use of assistance, while taking into account information and physical security requirements.
- Building and maintaining the trust of international donors in the aid distribution mechanism by ensuring independent decision-making, equal access for applicants, proper documentation, and the prevention of conflicts of interest.
- Development of a consolidated database of needs for the Ukrainian electronic communications sector, which can be used to facilitate the procurement of equipment and other forms of assistance from international partners.
- Facilitating the restoration and enhancing the resilience of Ukraine's electronic communications infrastructure, which is essential for providing connectivity to the population, state and local government authorities, medical and educational institutions, emergency services, critical infrastructure facilities, and Ukraine's security and defense forces.

1.3. Key Principles of the Program

The implementation of the Program is carried out in accordance with the following principles:

Openness. Any provider of electronic communications services and/or networks that meets the established conditions may submit an application.

Equal status of applicants. Membership in NOGUA, any association, or other professional community is not a prerequisite for participation and does not confer any additional advantages.

Independence from commercial relationships. The existence or absence of commercial relationships with the Program's suppliers, organizers, or partners does not influence decisions regarding the provision of assistance.

Prioritizing actual need. Equipment is provided to applicants whose need is the most urgent and substantiated, and which aligns with the intended purpose of the specific equipment.

Transparency. Terms of participation, evaluation criteria, information regarding available and transferred equipment, and the aggregated results of the Program shall be made public, with the exception of restricted information or details the disclosure of which could pose security risks.

Collegiality. Decisions regarding the allocation of equipment are made by the Commission, rather than unilaterally by an international, coordinating, administrative, or other partner.

Accountability. Each recipient is required to confirm the receipt, installation, and intended use of the equipment.

Prevention of conflicts of interest. Equipment may not be allocated to related companies, clients, partners, or participants of professional events without undergoing the standard evaluation procedure.

1.4. Legal model for the provision of equipment

Equipment provided under the Program is transferred to designated recipients on a gratuitous basis via agreements for gratuitous transfer—including gift agreements or other civil-law contracts that provide for the free-of-charge transfer of ownership—in compliance with the legislation applicable to the specific transfer.

The specific legal form for the transfer of equipment is determined for each shipment or individual transfer, taking into account the legal status of the donor, the owner of the equipment, the party importing it into Ukraine, and the end recipient. The Administrative Partner, in coordination with the equipment owner and, where necessary, the Coordinating Partner, is responsible for preparing the documentation accompanying the transfer of equipment for each shipment.

The transfer of equipment shall be carried out with appropriate documentation, customs, accounting, and tax processing in accordance with the legislation of Ukraine and, where applicable, the legislation of the donor's country or the country of the equipment owner.

Unless otherwise expressly established for a specific consignment of equipment under the legislation of Ukraine, equipment transferred within the framework of the Program does not automatically acquire the status of humanitarian aid or charitable assistance as defined by the specific legislation of Ukraine.

The term "aid," as used in this Regulation, is descriptive in nature and refers to equipment provided to Program participants free of charge. The use of this term does not, in itself, establish any specific legal, customs, or tax status for such equipment.

Ownership of the equipment is transferred directly from the party legally authorized to dispose of it to the designated recipient, pursuant to an applicable agreement and an acceptance-transfer act, unless the documentation for a specific shipment stipulates a different procedure.

1.5. Program Partners in Ukraine

1.5.1. Coordination Partner

At the current stage, the company DeepNet acts as the Program's coordinating partner in Ukraine.

Within the framework of the DeepNet Program, on its own initiative and within the available organizational, technical and financial capabilities, it can provide:

- organizing or coordinating the transport of equipment to Ukraine and within the territory of Ukraine;
- organizational support for customs and documentation processing;
- receiving equipment and verifying its actual quantity, completeness against available accompanying documents, and external condition;
- temporary warehouse storage of equipment;
- maintaining operational records of equipment in the actual possession of DeepNet;
- assembling batches in accordance with duly executed transfer decisions;
- organizing the issuance or delivery of equipment to designated recipients;
- other organizational actions explicitly agreed upon by DeepNet in the course of implementing the Program.

At the same time, DeepNet:

- is not the manufacturer, supplier, or owner of the Program equipment and provides no warranties regarding its operation, unless otherwise expressly stipulated in the documents accompanying the transfer of the specific equipment;
- verifies only the correctness of the quantity and completeness (in accordance with the packing list, if available) and the external condition of the equipment;
- does not perform technical testing of equipment, unless otherwise provided for by a separate decision of the Program or accompanying documents;
- is not liable for hidden defects, technical malfunctions, or the equipment's failure to meet stated technical specifications that could not have been detected during an external inspection;
- DeepNet is not responsible for the technical condition, performance, compatibility, or completeness of the software; the conformity of the equipment to the specifications declared by the manufacturer; hidden defects; or the subsequent installation, configuration, operation, or results of using the equipment;
- DeepNet is not liable for indirect damages, loss of profit, loss of revenue, network service interruption, loss of data, or third-party claims related to the use of the equipment;

- DeepNet's liability may arise only for direct, documented damages caused to equipment while it is under the actual control of DeepNet, resulting from a proven culpable act or omission by DeepNet, and shall not exceed the documented value of the relevant unit of equipment.

Performing the functions of a coordinating partner, including organizing the transportation, storage, or processing of equipment, does not, in itself, grant DeepNet the right to:

- to determine recipients on one's own;
- pre-reserve equipment for one's own clients or partners;
- to establish additional non-public conditions for receipt;
- prioritize companies that purchase or plan to purchase DeepNet products or services;
- use Program equipment as a tool for commercial promotion;
- transfer equipment prior to the completion of the established assessment procedure, except in duly documented cases of emergency response.

A representative of a coordinating partner may participate in the work of the Commission specifically by providing information regarding the availability, condition, completeness, logistical constraints, and technical specifications of equipment but shall not have a decisive vote, nor the authority to unilaterally block or approve requests.

At the same time, DeepNet reserves the right to suspend the implementation of a specific decision regarding the transfer of equipment in the absence of proper documentation, legal grounds for the transfer, the physical availability of the equipment, safe conditions, or necessary funding, or in the event of customs, sanctions, export control, financial, or other material risks.

The Coordinating Partner participates in the Program on a no-cost basis.

1.5.2. Voluntary funding of expenses by a coordinating partner

The Coordinating Partner participates in the Program on a non-remunerated basis and may, at its own initiative, bear all or part of the costs associated with the organizational and operational support of the Program, including expenses related to transportation, customs clearance, warehousing, loading, unloading, assembly/kitting, and other related operations.

Bearing such costs constitutes a voluntary contribution by the Coordinating Partner to the implementation of the Program and does not create a permanent, unconditional, or unlimited obligation to fund such expenses for any future shipments of equipment or individual transfers.

The Coordinating Partner shall independently determine the feasibility, type, and scope of costs it is willing to assume with respect to each specific shipment of equipment or operation.

A decision by the Coordinating Partner to decline the funding of specific costs, or an inability to fund them, shall not constitute a violation of these Regulations, nor shall it create an obligation to reimburse such costs to other partners, recipients, or third parties.

In cases where the Coordinating Partner does not cover the relevant costs, the procedure for financing them shall be agreed upon by the other Program partners, the donor, the equipment owner, and/or the recipient, depending on the nature of the costs in question.

The fact that the Coordinating Partner finances transportation, customs clearance, storage, or other operations does not grant it ownership rights to the equipment, additional influence over decisions regarding the selection of recipients, or any other property rights concerning the equipment, unless otherwise explicitly stipulated in a separate agreement.

The Coordinating Partner has the right to terminate its participation in the Program by providing written notice to the partners at least 30 calendar days in advance.

The Coordinating Partner has the right to immediately suspend or terminate its participation should any legal, sanctions-related, security, financial, or reputational risks arise.

In the event that the Coordinating Partner terminates its participation, the parties shall, within the notice period (30 days), agree on the procedure for transferring the equipment currently held in its storage to another entity designated by the partners; this includes the transfer of inventory records and accompanying documentation.

1.5.3. Administrative Partner

At the current stage, the NOGUA project serves as the administrative partner of the Programme in Ukraine.

The functions of an administrative partner may include:

- informing Ukrainian providers of electronic communications services and/or networks about the Program;
- publishing the list of available equipment on the website <https://www.nogua.ua>;
- organization of an open call for applications;
- providing applicants with clarifications regarding the terms of participation;
- submission of applications for consideration by the Commission;
- informing applicants about the status and results of the review;
- publication of generalized information on the distribution of equipment;
- collection of reports from recipients;
- preparation of communication and summary reports for Keep Ukraine Connected, donors and the professional community;
- gathering information on the current needs of Ukrainian providers of electronic communications services and/or networks;
- facilitating the search for international donors to address identified needs.

NOGUA provides administrative and informational support for the Program; however, participation in NOGUA activities, community membership, payment of organizational fees, partnership, or sponsorship cannot be a condition for receiving assistance, nor can they grant an applicant any additional advantages.

The Administrative Partner participates in the Program on a free-of-charge basis.

1.5.4. Delineation of powers

Keep Ukraine Connected, DeepNet, NOGUA, members of the Commission, and other involved partners perform various functions.

No partner can simultaneously:

- to determine the list of recipients on one's own;
- to make decisions on the transfer of equipment on one's own authority;
- to independently change approved criteria;
- remove specific equipment from the general list without a documented decision;
- provide applicants with non-public guarantees of receiving equipment;
- establish benefits not provided for by the published rules.

Information on all items of equipment received as part of an aid shipment must be entered into the unified registry before their distribution begin.

2. Program Participants and Conditions for Receiving Equipment

2.1. Who can apply

An application may be submitted by a business entity that simultaneously meets the following basic requirements:

- is a **provider of electronic communications networks and/or services**, details of which are entered into the Register of Providers of Electronic Communications Networks and Services in accordance with the legislation of Ukraine;
- **operates electronic communication networks within the territories of Ukraine that have suffered or continue to suffer negative impacts as a result of the armed aggression of the Russian Federation, including territories where hostilities are taking place (or have taken place), as defined in accordance with the legislation of Ukraine;**
- provides or enables the provision of electronic communication services in the relevant territories;
- has a confirmed need for telecommunications equipment for the restoration, redundancy, or enhancement of the resilience of an electronic communications network;
- agrees to the terms of this Regulation regarding the receipt and use of equipment and the submission of reports.

An applicant may participate in the Program an unlimited number of times. Repeated participation is permitted, provided that the applicant has fully fulfilled their obligations regarding previous transfers, submitted all required reports, and accounted for the total volume of equipment previously received.

2.2. Priority categories of applicants

When reviewing applications, priority may be given to providers of electronic communications services and/or networks that meet one or more of the listed criteria:

- operate electronic communications networks in territories where hostilities are taking place (or have taken place), or in territories designated, in accordance with the legislation of Ukraine, as having suffered as a result of the armed aggression of the Russian Federation;
- ensure the provision of electronic communication services in territories that are systematically subjected to missile, drone, artillery, or other fire attacks;
- suffered the loss, damage, or destruction of active or passive equipment of an electronic communications network as a result of hostilities or armed aggression by the Russian Federation;
- carry out regular restoration of electronic communications networks following repeated damage caused by combat operations or shelling;
- ensure the provision of electronic communications services in settlements with a limited number of alternative networks or operators, where a network outage could lead to a significant restriction of the population's access to communication services;
- provide electronic communication services to critical infrastructure facilities, state authorities, local self-government bodies, healthcare and educational institutions, security and defense forces, or other entities whose continuous operation is of significant public importance;
- require the creation of an emergency reserve of equipment for the prompt restoration of electronic communications networks following damage caused by the armed aggression of the Russian Federation.

Belonging to the priority category does not guarantee automatic receipt of equipment. The decision depends on the availability of the appropriate equipment, the level of need and the results of the evaluation of the application.

2.3. Permissible purposes for equipment use

Equipment under the Program may be provided exclusively to ensure the continuity, restoration, and enhanced resilience of electronic communications networks in the context of, or as a result of, the armed aggression of the Russian Federation.

Permissible uses of the equipment are:

- restoration of an electronic communications network or its individual elements that have been damaged or destroyed as a result of combat operations or other manifestations of armed aggression by the Russian Federation;
- replacement of active or passive electronic communication network equipment lost or damaged as a result of combat operations, missile, drone, or artillery attacks, fires, flooding, destruction of energy infrastructure, or other consequences of war;
- restoration of backbone, aggregation, or access segments of an electronic communications network;
- restoration or provision of electronic communication services in settlements affected by hostilities or the armed aggression of the Russian Federation;
- provision of electronic communication services to critical infrastructure facilities, healthcare and educational institutions, state authorities, local self-government bodies, security and defense forces, and other socially significant facilities;
- formation of a well-founded emergency reserve of equipment for the prompt restoration of electronic communication networks in regions that regularly sustain damage as a result of the armed aggression of the Russian Federation;

- replacement of equipment that can no longer be operated or is technically unfeasible to continue using due to damage sustained as a result of hostilities;
- enhancing the resilience and fault tolerance of an electronic communications network, where such a need is directly related to ensuring its operation under conditions of military risks.

The equipment is not provided exclusively for:

- planned commercial expansion of the network in territories unaffected by the war;
- replacement of functional equipment with more productive equipment without a confirmed need;
- formation of inventory stocks;
- resale, rental, leasing, or commercial trade;
- use as collateral;
- resale of components;
- implementation of projects not related to supporting electronic communications in Ukraine.

2.4. Obligations of the Equipment Recipient

Upon receipt of the equipment, the applicant undertakes to:

- use the equipment exclusively in accordance with the purposes defined in the approved application and in compliance with this Regulation;
- use the equipment exclusively to ensure the restoration, functioning, or increased resilience of its own electronic communications network;
- not to alienate the equipment—including by way of sale, gift, lease, pledge, or in any other manner—without the prior written consent of the Commission;
- not to transfer the equipment to third parties without the prior written consent of the Commission, except in cases provided for by this Regulation;
- ensure proper storage of the equipment until it is put into operation;
- notify the Commission of the commissioning of the equipment and submit a report on its use in accordance with the procedure defined by this Regulation;
- provide photo, video, or other supporting materials, if their submission is required by the terms of the Program or a decision of the Commission;
- immediately notify the Commission regarding the loss, damage, or destruction of the equipment, the impossibility of its installation, or other circumstances that render its use for the agreed-upon purpose impossible;
- In the event that the equipment cannot be used for its agreed-upon purpose, it must be returned to the coordinating partner, or handled in accordance with the Commission's decision regarding its further use. The return of equipment to DeepNet's storage facilities is permitted only upon prior written approval from DeepNet, the equipment owner, and the Commission. Costs and risks associated with the return shall be borne by the recipient, unless otherwise expressly agreed in writing. DeepNet reserves the right to refuse acceptance of the equipment in the absence of available storage capacity, required documentation, or proper packaging.

2.5. Logistics for receipt

Upon receiving a positive decision from the Commission, the applicant submits an application to the coordinating partner, in which they specify:

- option to pick up equipment from the warehouse personally;
- need for delivery;
- a contact person responsible for receiving;
- secure method and locality of handover;
- possible restrictions on transport to the frontline area.

The specific arrangements for delivery or self-pickup are agreed upon after the request is approved.

Logistics costs for the delivery of equipment are to be borne by the recipient, unless otherwise agreed upon by the Program partners. This condition must be communicated to the applicant prior to confirmation of receipt.

The inability to pay for delivery independently should not automatically deprive an applicant of the right to assistance. In such cases, the Program's partners may seek a separate logistics solution or funding.

2.6. Terms Regarding Security and Information Processing

Information and documents provided by the applicant within the framework of the Program may be used exclusively for the purposes of reviewing the application, making a decision on the provision of equipment, organizing its transfer, monitoring its intended use, and preparing reports under the Program.

The collection and processing of information shall be limited to the extent necessary for the Program partners and the Commission to perform their respective functions. The collection or transfer of information that is not required for the implementation of a specific stage of the Program is prohibited.

Access to information is granted solely to those representatives of the Program partners and members of the Commission who require such information to perform their duties.

The applicant has the right to designate specific details as restricted-access information or as security-sensitive information. Such information may be used by the Commission only to the extent necessary for evaluating the application and shall not be disclosed in public reports, publications, or other informational materials related to the Program.

An applicant's refusal to disclose security-sensitive information shall not constitute grounds for a lower evaluation of the application, provided that the Commission has been furnished with sufficient information to substantiate the stated need.

The transfer of information among Program partners shall be governed by the principle of functional necessity. Each partner shall receive only the information necessary to perform the functions assigned to it under these Regulations.

DeepNet receives and processes exclusively the information necessary for the organizational and operational support of the transfer of equipment, in particular:

- name and details of the recipient;
- contact details of the person responsible for receiving the equipment;
- list and quantity of equipment being transferred;
- location and agreed-upon method of transfer;
- transport and other data directly necessary for organizing the transfer or delivery.

DeepNet shall not receive network diagrams, bandwidth information, precise coordinates of critical nodes, information regarding military or security facilities, or other security-sensitive data, unless such information is directly necessary for the execution of a specific operation.

Information obtained by Program partners may not be used for marketing, advertising, commercial, or other purposes unrelated to the implementation of the Program, without a separate legal basis or the consent of the relevant individual.

Program partners are required to implement appropriate organizational and technical measures to prevent unauthorized access, loss, alteration, copying, disclosure, or any other unlawful use of the information obtained.

The transfer of personal or confidential data to third parties, including international partners or donors, is permitted only to the extent necessary for the implementation of the Program and provided there is an appropriate legal basis.

The retention period for information is determined based on the purpose of its processing, legal requirements, and the need to document the implementation of the Program. Once the need for further processing ceases, the relevant information shall be deleted, destroyed, or anonymized, unless its continued retention is required by law or by the terms of a documented agreement between the parties. In the event of the loss, unauthorized access, disclosure, or any other incident involving information, the partner who discovers such an incident shall promptly notify the other affected partners and take measures to halt the breach and minimize its consequences.

The procedures for processing personal data, the allocation of responsibilities between the personal data controller and processors, data retention periods, and the procedures for accessing and transferring such data may be further defined in a separate policy or agreement between the Program partners.

2.7. Report on Equipment Usage

The recipient is required to submit a report on the use of the equipment to the Commission within 30 (thirty) calendar days from the date of receipt of the equipment.

The report must contain the information listed below, or, if any item is objectively unavailable, a justification for its absence:

- information regarding the installation and commissioning of the equipment;
- information regarding the location where the equipment is installed, provided that the disclosure of such information does not pose a threat to the security of the electronic communications network, critical infrastructure facilities, or the national security of Ukraine;

- photo, video, or other materials confirming the installation and use of the equipment (if technically feasible);
- information regarding the results of the equipment's use—specifically concerning the restoration of electronic communication services, the number of subscribers, settlements, critical or social infrastructure facilities, or other indicators affected by its use—provided such information is available.

If objective circumstances arise that make it impossible to submit the report within the specified timeframe, the equipment recipient is required to notify the Commission in writing, stating the reasons. The Commission has the authority to extend the deadline for submitting the report.

The form for the report on equipment usage is available on the website <https://www.nogua.ua> and may change without amending this Regulation.

Photo reports on the receipt and commissioning of the acquired equipment are posted on the website <https://www.nogua.ua> with the recipient's consent.

3. Commission for the Review of Applications and Allocation of Equipment

3.1. Establishment of the Commission

To ensure an open, transparent, impartial, and collegial review of applications within the framework of the Program, an Application Review and Equipment Allocation Commission (hereinafter referred to as the "Commission") is established.

The Commission operates on a voluntary (unpaid) basis and is governed by this Regulation.

3.2. Composition of the Commission

The Commission may include representatives:

- Program partners;
- professional associations and industry initiatives in the field of electronic communications;
- operators and providers of electronic communications networks and/or services;
- international partners or donor organizations (with their consent);
- independent experts with experience in the field of electronic communications, network infrastructure, or critical infrastructure management.

By decision of the Program partners, other specialists may be involved in the work of the Commission if their expertise is necessary for the objective review of specific applications.

3.3. Formation of the Commission's Composition

The composition of the Commission is formed and approved by the mutual agreement of the Programme partners.

The Program partners have the right to modify the composition of the Commission, bring in new members, or terminate the tenure of individual members should the need arise.

Commission members perform their duties on a pro bono basis.

3.4. Powers of the Commission

Commission:

- reviews applications for equipment;
- verifies whether applicants meet the requirements of this Regulation;
- assesses the validity of the stated need;
- determines the priority of applications in accordance with the Program's criteria;
- makes a decision regarding approval, partial approval, or refusal of the application;
- determines the list of equipment that may be transferred to the applicant;
- requests additional information or documents if necessary;
- considers issues regarding a change in the intended use of equipment or its reallocation;
- reviews the results of equipment usage and submitted reports;
- makes decisions regarding the response in the event that violations of this Regulation are detected.

3.5. Principles of the Commission's Work

The Commission carries out its activities based on the principles of:

- independence;
- collegiality;
- impartiality;
- equality of applicants;
- openness of procedures;
- soundness of the decisions made;
- prevention of conflicts of interest;
- integrity and accountability.

A member of the Commission who has an actual or potential conflict of interest regarding the consideration of a specific application is required to inform the other members of the Commission and refrain from participating in its consideration and voting.

4. Procedure for Reviewing Applications

4.1. Procedure for Reviewing Applications and Receiving Equipment

To obtain equipment, the applicant submits an application to the Commission using the prescribed form, along with the documents and information necessary to confirm compliance with the Program's requirements and to substantiate the stated need.

The Commission considers the application in accordance with these Regulations and the application evaluation criteria approved within the framework of the Program, and makes a collective decision on:

- fulfillment of a request;
- partial granting of the application;
- refusal to grant the application;
- the need for the applicant to provide additional information or documents.

The Commission notifies the applicant of its decision no later than 20 (twenty) working days from the date of receipt of the application.

In the case of a decision on the transfer of equipment, the coordination partner ensures its transfer to the applicant in accordance with the decision of the Commission.

4.2. Grounds for non-admission or refusal

An application may not be considered for evaluation or may be rejected if:

- the applicant does not conduct activities in the sphere of electronic communications;
- mandatory information not provided following a request for clarification;
- a need unrelated to the consequences of the war or the resilience of the network in the face of wartime risks;
- the requested equipment does not technically meet the stated purpose;
- the applicant cannot explain how and when the equipment will be used;
- knowingly false information has been detected;
- the applicant concealed the receipt of similar assistance;
- there are confirmed instances of the sale or misuse of previously received aid;
- the applicant waives mandatory reporting;
- the applicant requests the transfer of equipment to a third party without proper justification;
- fulfillment of the request creates unacceptable legal, sanctions, reputational, or security risks.

A refusal must contain a brief statement of the reason. If the deficiencies can be rectified, the applicant shall be given the opportunity to submit clarifications or a new application.

If, based on appropriate and sufficient information, the Commission establishes that equipment received under the Program has been used for purposes other than those intended, or has been alienated, sold, or transferred to third parties without the Commission's approval, the Commission reserves the right to decide to terminate the applicant's participation in the Program, refuse to accept any further applications from the applicant, and inform the Program's partners and donors of these facts.

4.3. No guarantee of receiving assistance

Submitting an application:

- does not guarantee receipt of the equip;
- does not create an obligation to transfer a specific model or quantity to the applicant;
- does not imply automatic reservation of equipment;
- does not establish priority based solely on the date or time of submission;
- does not grant the applicant the right to demand monetary compensation in the event of a refusal.

The Commission may propose:

- a smaller amount of equipment;
- another compatible model;
- partial granting of the application;
- inclusion of the application in the waiting list;
- review of requirements upon receipt of subsequent shipments.

4.4. Emergency acquisition of equipment

In the event of large-scale network damage that results in a loss of connectivity for a significant number of users or for facilities of public importance, an expedited procedure may be applied.

The applicant must provide the minimum necessary information:

- event description;
- territory;
- estimated scale of the outage;
- list of critically necessary equipment;
- contact details of the person in charge;
- confirmation of readiness to immediately accept and install the equipment.

The expedited decision must:

- to be collegial;
- to be documented;
- contain a justification for the urgency;
- to be disclosed in a general report once security risks have been addressed;
- not be used to circumvent the general order in non-emergency situations.

5. Final Provisions

5.1.

This Regulation defines the general principles, rules, and procedures for implementing the aid distribution program of the "Keep Ukraine Connected" charitable initiative in Ukraine. It has been developed to ensure an open, transparent, impartial, and fair distribution of aid—in the form of telecommunications equipment—among providers of electronic communications services and/or networks that have been affected by the armed aggression of the Russian Federation.

5.2.

This Regulation serves as a framework document establishing the general rules for the implementation of the Program. Application forms, the list of required documents, application evaluation criteria, recommendations for document preparation, timelines for specific procedures, and other organizational information are approved by the Commission and published on the official website <https://www.nogua.ua>.

5.3.

Current document templates, the application submission procedure, requirements for supporting materials, and other documents necessary for participation in the Program are available on the official website <https://www.nogua.ua> and may be updated without making changes to this Regulation, provided that such updates do not affect its fundamental principles and provisions.

5.4.

The Program Partners shall not be liable for the inability to transfer the equipment in the event of force majeure, destruction or damage to the equipment resulting from hostilities, changes in customs legislation, sanctions-related restrictions, or other circumstances beyond the control of the Program Partners.

5.5.

This Regulation has been developed and agreed upon by the Programme partners:

Keep Ukraine Connected:

Stichting Global NOG Alliance — a foundation (*stichting*) established and operating in accordance with the laws of the Netherlands, registered in the Commercial Register of the Chamber of Commerce of the Netherlands (Kamer van Koophandel, KVK) by registration number 73937088, tax registration number (RSIN) 859716375, number EORI NL859716375, address: Tienwoningenweg 46, 7312 DN Apeldoorn, The Netherlands, — which implements an international initiative Keep Ukraine Connected (KUC) and hereinafter, for the purposes of this Regulation, is referred to as «Keep Ukraine Connected» or «KUC».

Administrative partner of the Program in Ukraine – **NOGUA:**

Company name: Limited Liability Company "NOGUA"

Registration number: 45936211

Individual Tax Number: 459362126503

Address: 03124, Ukraine, Kyiv, Mykoly Vasylenska Str., 7-A

E-mail: org@nogua.com.ua

and the Program's Coordinating Partner in Ukraine – **Deepnet Group:**

Company name: Limited Liability Company "Deepnet Group"

Registration number: 40142624

Individual Tax Number: 401426226536

Address: 04136, Ukraine, Kyiv, Nekrasova Viktora Str., 1-3

E-mail: info@deepnet.ua