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# UPDATES to the

## Rules of Procedure

(Edition of 2012)

approved by the Radio Regulations Board

Revision (Circular No.)	Date	Part	AR/AP	RR No. or other reference <sup>1</sup>	Pages to be removed	Pages to be inserted
1 See CR/339	September 2012	A1	AR5	5.316A*	5	5 (rev.1)
				5.327A**		
				5.397	7-8	7-8 (rev.1)
				5.399		
				5.410*		
				5.444B**	13-15	13-15 (rev.1)
				5.446A		
			Receivability	1, 1.1**, 1.2 2 b)	1-3	1-3 (rev.1)
2 See CR/342	November 2012	A1	AR21	21.16, 3	2	2 (rev.1)
			AP18	AP18*	1-2	-
			AP30	An. 1, 1 b)	14-16	14-16 (rev.1)
			AP30A	An. 1, 4 b)	13-16	13-15 (rev.1)
			AP30B	6.3 a), 2.3 6.16 Art. 8, 8.17**	2-6	2-7 (rev.1)
			Table of content		1	1 (rev.1)
			AR9	9.2 9.11A-1 9.11A-2 9.21**-9.27 9.41-9.42**	1-2 10-11 16-17 19-22 25	1-2 (rev.2) 10-11 (rev.2) 16-17 (rev.2) 19-22 (rev.2) 25 (rev.2)
			AR11	11.43A** 11.44** 11.44B** 11.47** 11.49**	19-23	19-23 (rev.2)

Revision (Circular No.)	Date	Part	AR/AP	RR No. or other reference <sup>1</sup>	Pages to be removed	Pages to be inserted
3 See CR/346	April 2013	A1	AR9	Council decision 482	1-2	1-1bis (rev.3), 2
			AR11	Appendix 4 (Annex2, A4)***,	1-2	1-1bis (rev.3), 1ter, 2
				11.31	6	6 (rev.3)
			Resolution 51	1-2.2.2	1	-
		A6	GE89	4	2	2 (rev.3)
		C		1.4, 1.6, 1.9-1.12	1-4	1-4 (rev.3)
		Table of content			1	1 (rev.3)
4 See CR/351	August 2013	C		1.6 bis	2-6	2-6 (rev.4)
5 See CR/355	January 2014	A1	AR5	5.132A, 5.145A, 5.161A 5.399	3-4 7-8	3-3bis (rev.5)-4 7 (rev.5)-8
			AR11	11.41, 11.41.2 11.44****	19-20 21-22	19 (rev.5)-20 21 (rev.5)-22
			AR21	Table 21-2	1-2	1-1bis (rev.5)-2
			AP30B	Annex 4, 2.2****	7-8	7-8 (rev.5)
		A10	GE06	Appendix 2.1, Section A2.1.8.1	7-8	7-7bis (rev.5)-8
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6 See CR/368	August 2014	A1	Receivability	1.1 2 b)	1 (rev.1) 2 (rev.1)	1 (rev.6) 2 (rev.6)
			AR9	9.2B  9.5B***** 9.47 9.62	1bis (rev.2) 2 (rev.2) 25 (rev.2) 30	1bis (rev.6)  2 (rev.6) 25 (rev.6) 30 (rev.6)-31
		Table of content			1 (rev.5)	1 (rev.6)

<sup>1</sup> The new Rules or modifications to the existing Rules of Procedure take effect immediately or as otherwise indicated.

\* Effective date of suppression: 1 January 2013.

\*\* Effective date of application: 1 January 2013.

\*\*\* Effective date of application: 1 July 2013.

\*\*\*\* Effective date of application: 1 January 2014.

\*\*\*\*\* Effective date of application: 1 January 2015.

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**Rules concerning the Receivability of forms of notice generally  
applicable to all notified assignments submitted to  
the Radiocommunication Bureau in application  
of the Radio Regulatory Procedures** (MOD RRB12/60)

## **1 Submission of information in electronic format**

### **1.1 Space services** (ADD RRB12/60)

The Board noted the requirement for mandatory electronic filing and submission of comments/objections and requests for inclusion or exclusion specified in the *resolves* of Resolutions **55 (Rev.WRC-12)** and **908 (WRC-12)**. It also noted that capture and validation software had been made available to administrations by the Bureau, including software to submit information required in Annex 2 of Resolution **552 (WRC-12)** and in the *instructs the Director of the Radiocommunication Bureau* of Resolution **908 (WRC-12)**. Accordingly, all information indicated in the *resolves* of Resolution **55 (Rev.WRC-12)** and in Annex 2 of Resolution **552 (WRC-12)** and in the Attachment to Resolution **553 (WRC-12)** under § 8 and § 9, shall be submitted to the Bureau in electronic format (except graphical data which can still be submitted in paper form) which is compatible with the BR electronic notice form capture software (SpaceCap) and comments/objections software (SpaceCom) or Capture API Online function of SpaceWISC (Space **W**eb-based **I**nterface for **S**ecure **C**ommunication). In case of Advance publication of information on satellite networks or satellite systems that are subject to coordination procedure under Section II of Article **9**, submission shall be made exclusively via the ITU web interface SpaceWISC available at <https://extranet.itu.int/itu-r/spacewisc>, instead of e-mail or surface mail. (MOD RRB14/66)

(ADD RRB12/60)

### **1.2 Terrestrial services**

Submission of frequency assignment/allotment notices for terrestrial services in the context of Articles **9**, **11**, **12** and Appendix **25** of the Radio Regulations and various regional agreements shall be made exclusively via the ITU web interface **WISFAT** (**W**eb **I**nterface for **S**ubmission of **F**requency **A**ssignments/allotments) available at <http://www.itu.int/ITU-R/go/wisfat/en>.

## 2 Receipt of notices (MOD RRB12/60)

It is incumbent on all administrations to meet deadlines established in the Radio Regulations and, accordingly, to take account of possible mail delays, holidays or periods during which ITU may be closed<sup>1</sup>.

Having regard to the various means available for transmission and delivery of notices and other related correspondence, the Board has decided that:

- a) Mail received through the postal service<sup>2</sup> shall be recorded as received on the first working day on which it is delivered to the ITU/BR's offices in Geneva. Where the mail is subject to a regulatory time limit that occurs on a date on which the ITU is closed, the mail should be accepted if it has been recorded as received on the first working day following the period of closure.
- b) E-mail, telefax documents, SpaceWISC or WISFAT submissions shall be recorded as received on the actual date of receipt, irrespective of whether or not that is a working day at the ITU/BR's offices in Geneva. (MOD RRB14/66)
- c) In the case of e-mails (except those to which electronic forms created using SpaceCom are attached), an administration is required to send, within 7 days of the date of the e-mail, a confirmation by either telefax or mail, which shall be regarded as being received on the same date as the original e-mail.
- d) All mail must be sent to the following address:

Radiocommunication Bureau  
International Telecommunication Union  
Place des Nations  
CH-1211 Geneva 20  
Switzerland

- e) All telefaxes must be sent to:

+41 22 730 57 85 (several lines)

- f) All e-mails must be sent to:

brmail@itu.int

- g) Information received in the ITU/BR by e-mail shall be acknowledged immediately by e-mail by the ITU/BR.

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<sup>1</sup> The Radiocommunication Bureau shall inform administrations by circular letter at the beginning of each year, and as appropriate, about holidays or periods in which ITU may be closed in order to assist them in meeting their obligations.

<sup>2</sup> Includes courier, messenger or other services.

## **Rules concerning**

### **ARTICLE 9 of the RR<sup>1</sup>**

(ADD RRB13/62)

#### **Rules concerning the late payment of cost recovery fees and cancellation of satellite network filings due to non-payment of cost recovery fees in accordance with Council Decision 482**

1 The provisions of Nos. 9.2B.1 and 9.38.1 of Article 9, A.11.6 of Article 11, footnotes 7 to § 4.1.5, 8 to § 4.1.15, 16 to § 4.2.8, 17 to § 4.2.19, 18 to the title of Article 5, of Appendix 30, footnotes 9 to § 4.1.5, 10 to § 4.1.15, 19 to § 4.2.8, 20 to § 4.2.19, 22 to the title of Article 5, of Appendix 30A and footnote 1 to the title of Article 6, footnote 11 to the title of Article 8 of Appendix 30B, stipulate that if the payments for a notice submitted in accordance with the above provisions are not received in accordance with the provisions of Council Decision 482, as amended, on the implementation of cost recovery for satellite networks filings, the Bureau shall cancel the publication after informing the administration concerned.

2 Council Decision 482 stipulates that payment of charges shall be made within a period of a maximum of six months after issue of the invoice, on the basis of an invoice issued upon receipt of the filing by the Bureau and sent to the notifying administration.

3 Due to administrative delay related mainly to the confirmation of payment by financial institutions and internal validation between the Bureau and the Financial Resources Management Department of the General Secretariat, the decision by the Bureau on a late or non-payment of a satellite network notice is normally submitted for consideration and confirmation at the BR IFIC meeting which normally takes place no more than six weeks after the six-month deadline for cost-recovery fees of the considered notices.

4 In view of the above, the Board decided that satellite networks filings for which the payment has been received after the six-month deadline but prior to the BR IFIC meeting where the late payment is considered, shall continue to be taken into account.

5 Any satellite network filing for which a payment is received after the BR IFIC meeting where a decision to cancel that filing for non-payment has been taken, shall no longer be taken into account, and the information would be reported to a meeting of the Radio Regulations Board.

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<sup>1</sup> This Rule of Procedure refers to Article 9, 11, to Articles 4 and 5 of Appendices 30 and 30A, and to Articles 6 and 8 of Appendix 30B of the Radio Regulations. (ADD RRB13/62)



## Advance publication (Article 9, Section I)

(MOD RRB12/61)

### 9.2

1 The question may arise as to whether a change of orbital location of a geostationary satellite network up to  $\pm 6^\circ$  is cumulative during the entire regulatory processing (i.e. Advance Publication (Article 9, Section I), Coordination (Article 9, Section II), and Notification (Article 11)) of a network. The Board considers that the cumulative modification of the orbital location of a geostationary satellite network during the entire regulatory processing of a network up to  $\pm 6^\circ$  from the reference orbital position (i.e. the nominal orbital position indicated in the first advance publication of the network) does not require a new advance publication.

2 Networks that have changed their orbital position by 6 to  $12^\circ$  in the period between 3 June 2000 and 4 July 2003 may retain that position and may modify it in the direction of the reference position. Once their orbital position enters into the segment of  $\pm 6^\circ$  from the reference position, further modifications are restricted to that segment.

### 9.2B

(ADD RRB14/66)

In accordance with Resolution **908 (WRC-12)** *instructs the Director of the Radiocommunication Bureau*, the notices for Advance publication of information on satellite networks or satellite systems that are subject to coordination procedure under Section II of Article 9 submitted via the ITU web interface SpaceWISC, shall be published in a Special Section within three months, on the SpaceWISC website: <https://extranet.itu.int/itu-r/spacewisc>. This publication shall be also linked to the Table of Contents of the related BR IFIC (space services).

### 9.3

See comments relating to the exclusion of the territory made under the Rules of Procedure concerning No. **9.50**.

### 9.5

This provision concerns the publication of administrations' comments after the publication by the Bureau of advance publication information of a satellite network or a satellite system that are not subject to the coordination procedures of Section II of Article **9**. The Bureau, using the information received from administrations, will publish a summary of the comments received under No. **9.3** together with the report submitted by the administration responsible for the network under No. **9.4**, if any, in a manner that correctly reflects the situation.

When the administration responsible for the network or any other administration having submitted comments finds the published summary unsatisfactory, the Bureau will publish that administration's comments in extenso.

### 9.5B

1 See comments relating to the exclusion of the territory made under the Rules of Procedure concerning No. **9.50**.

2 Any comments from administrations under No. **9.5B** submitted via the ITU web interface SpaceWISC, shall be considered as "a copy of these comments to the Bureau" specified in No. **9.5B** of the Radio Regulations and will be made available on the SpaceWISC website: <https://extranet.itu.int/itu-r/spacewisc>. (MOD RRB14/66)

### 9.5D

1 Under the provisions of No. **9.5D**, Appendix **4** Forms of Notice containing the coordination request of the satellite network as referred to in Nos. **9.30** and **9.32**, where applicable, must be received by the Bureau within a period of 24 months after the date of receipt of the advance publication information on a satellite network that is subject to the coordination procedure under Section II of Article **9**. The Bureau shall send to the responsible administration a reminder of the requirements of this provision and request for clarification on the status of the satellite network at least 3 months before the expiry of the 24-month period. If Forms of Notice (Appendix **4**) containing the coordination request data have not been submitted to the Bureau within the 24-month period, the Bureau shall cancel the advance information from its databases. For the coordination submission, the general Rules of Procedure on receivability apply.

<b>9.41-9.42</b>
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1 The Board has closely studied provisions Nos. **9.36.2**, **9.41** and **9.42** (modified by WRC-12) and has arrived at the following conclusions regarding the application of the provisions of No. **9.41** by an administration which considers that its name or any of its satellite networks should have been identified under No. **9.36** in the context of a request for coordination stemming from the application of No. **9.7**: (MOD RRB12/61)

2 Administrations are entitled, based on the  $\Delta T/T > 6\%$  criterion, to include themselves, or any of their networks, in coordination, in application of Nos. **9.41** and **9.42**. Requests under No. **9.41** must be substantiated by  $\Delta T/T > 6\%$  calculations. To minimize the administrative burden on the Bureau and administrations, it shall be deemed sufficient for an administration wishing to be added in a coordination request under No. **9.41** to provide  $\Delta T/T > 6\%$  calculations for only one pair of assignments for each satellite network to be further considered in the coordination process (a pair consisting of one assignment of the published network and one assignment of the network of the requesting administration); the Bureau will then examine all assignments of the specific networks of the requesting administration and then establish coordination requirements for all the assignments of the network referred to in the publication vis-à-vis the requesting administration under No. **9.42** commensurate with the results of such examination. (MOD RRB12/61)

3 Calculations showing that  $\Delta T/T$  ratios do not exceed 6% for all groups of assignments of involved satellite networks shall be submitted by an administration believing that an administration, or a satellite network of an administration, identified under No. **9.36.2** should not have been included under No. **9.36** in the coordination request of its own satellite network. (MOD RRB12/61)

<b>9.47</b>
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(ADD RRB14/66)

1 The Board concluded that when the Bureau acts under No. **9.47** following a request for assistance from an administration under No. **9.46** and in the absence of an acknowledgement from the concerned administration within thirty days of the Bureau's telefax under No. **9.46**, the Bureau shall immediately send a reminder providing an additional fifteen day period for the acknowledgement.

2 In the absence of such an acknowledgement within fifteen days after the reminder, the provisions of Nos. **9.48** - **9.49** shall apply. Subsequently, the Bureau shall communicate to the concerned administration the application of Nos. **9.48** and **9.49** and provide a copy of that communication to the requesting administration.

## 9.48

The Board concluded that this provision applies only to those radiocommunication stations which were taken into consideration when the coordination request was either sent to the other administration as stipulated in No. **9.29** or submitted to the Bureau in the case of application of Nos. **9.30** and **9.32**. Other existing assignments of the administration to which this provision is not applied remain entitled to protection. Assignments of the same administrations which are considered at a later date are also entitled to protection.

## 9.49

The comments made in the Rules of Procedure concerning No. **9.48** apply. This administration is deemed to have undertaken not to cause interference to those stations for which the agreement was requested.

## 9.50

### Comments relating to the exclusion of the territory of a country from the service area of a space station

1 When an Administration B requests the Bureau to exclude its territory from the service area of a space station of an Administration A, this raises the following questions:

- should that comment have any effect on the identification of the administrations concerned in the coordination process or on the assessment of the level of harmful interference?
- what action shall the Bureau take in respect of it?

2 The question of a request concerning the exclusion of the territory of a country from the service area of a space station can be studied at two different levels:

- the compatibility between services and stations and the related status that may be derived from the application of the procedures contained in the Radio Regulations, on one hand, and
- the principles embodied in the Preamble to the Convention and the Radio Regulations as well as in Resolution **1 (Rev.WRC-97)** in respect of the sovereign right of each country to use the frequency spectrum and the GSO, on the other hand.

3 Compatibility matters are well defined in the Radio Regulations; they involve:

- power flux-density limitations which are deemed to avoid any problem of incompatibility without any recourse to coordination with terrestrial services;
- coordination between administrations using or intending to use stations of the same service or of different services sharing the same frequency band;
- examination by the Bureau of the probability of harmful interference in cases where, for one reason or another, agreement on coordination could not be reached between the administrations concerned.

## **5 Case of administrations having responded**

An Administration B may, when it accepts the proposed use, stipulate conditions of use. If such conditions are accepted by the administration requesting the agreement, the Bureau will take this as an agreement.

5.1 When an administration has responded in application of No. **9.52** within four months and requested the assistance of the Bureau, the latter will act according to Article **13**.

5.2 When an Administration B has responded, in application of No. **9.52**, more than four months after the date of publication of the relevant Special Section or the date of dispatch of the coordination data under No. **9.29**, and the Bureau has been informed of a continuing disagreement between the two administrations, the Bureau has to literally apply No. **9.52C**; it will consider Administration B as not having responded in due time. Therefore, despite the comments expressed by Administration B, Administration A will be considered to have successfully completed the procedure.

5.3 When an Administration B has responded, in application of No. **9.52**, more than four months after the date of publication of the Special Section in application of No. **9.38** or the dispatch of the coordination data under No. **9.29**, and an agreement is reached between the two administrations, the Bureau will take this situation into account.

<b>9.52C</b>
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## **1 Case of administrations not responding**

With respect to an administration not responding, an administration having applied the procedure shall be regarded as having successfully completed the procedure of this Article for assignments for which there was no response.

## **2 Publication of Special Sections containing the status of the coordination procedures under Nos. 9.11 to 9.14 and 9.21**

2.1 Any comment which does not explicitly express objection to the request for coordination is not considered as a disagreement under No. **9.52**. In case of doubt concerning the nature of comments, the administration concerned should be consulted.

2.2 The appropriate Special Section shall include the following information:

- a) the names of administrations whose disagreement to the request for coordination were received within the regulatory deadline;
- b) a Note, which reads:

“Pursuant to No. **9.52C**, all administrations other than those listed above shall be regarded as unaffected, and in the case of Nos. **9.11** to **9.14** the provision of Nos. **9.48** and **9.49** shall apply.”

2.3 See also § 2.4 a) of the Rules of Procedure relating to No. **9.11A**.

### **9.53**

See comments under the Rules of Procedure concerning No. **9.6** (§ 1 c)).

### **9.58**

This provision refers to changes in the characteristics which have been decided during the coordination procedure of the assignment of the network. For processing of the modification, the Bureau will apply § 2 of the Rules concerning No. **9.27**. When publishing the modified characteristics in a modification to the Special Section containing the original coordination request, the Bureau will indicate the nature of the modification as specified in No. **9.58**.

### **9.60**

In application of No. **9.11A**, when the information on a station in the fixed service upon which an administration's disagreement is based cannot be provided as referred to under No. **9.52**, the reference parameters contained in Annex 1 to Appendix 5 can be used to determine the need for coordination.

### **9.62**

(MOD RRB14/66)

1 The Board concluded that when the Bureau acts under No. **9.62** following a request for assistance from an administration under No. **9.60** and in the absence of a response from the concerned administration within thirty days of the Bureau's telefax under No. **9.61**, the Bureau shall immediately send a reminder providing an additional fifteen day period for the response.

2 If the administration fails to inform the Bureau of its agreement or its disagreement together with information concerning its own assignments on which its disagreement is based within fifteen days after the reminder, the provisions of Nos. **9.48** and **9.49** shall apply. Subsequently, the Bureau shall communicate to the concerned administration the application of Nos. **9.48** and **9.49** and provide a copy of that communication to the administration requesting for assistance.

3           Consequently, with respect to the administration not responding, the administration having applied the procedure shall be regarded as having successfully completed the procedure of this Article with respect to the assignments for which there was no response.

4           The Bureau shall apply No. **9.61** only if an administration with which coordination is sought fails to give its agreement or its disagreement together with information concerning its own assignments on which its disagreement is based. This information may be the reference to the previous publications including concerned assignments. In case of requests for assistance due to other difficulties in coordination, No. **13.1** shall apply.

**9.63**

In the absence of reply to provide the required information (to enable the Bureau to carry out the compatibility analysis), the Bureau shall use the information available to it.

**9.65**

See the Rules of Procedure under No. **9.6** (§ 2), Nos. **11.32A** and **11.33**.

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