



Radiocommunication Bureau
(Direct Fax N° +41 22 730 57 85)

Circular Letter
CCRR/33(Rev.1)

19 March 2008

To Administrations of Member States of the ITU

Subject: Draft modifications to the current Rules of Procedure

To the Director General

Dear Madam/Sir,

Please find enclosed draft modifications to the Rules of Procedure dealing with the working methods of the Radio Regulations Board (Part C). The Board completed at its 46th meeting its work of reviewing the working methods and prepared the new version as contained in the Annex. This version replaces the one previously circulated with Circular Letter CCRR/33 of 21 September 2007.

In accordance with No. **13.17** of the Radio Regulations, these draft Rules of Procedure are made available to administrations for comment before being submitted to the RRB pursuant to No. **13.14**. As indicated in No. **13.12A d)** of the Radio Regulations, any comments that you may wish to submit should reach the Bureau not later than **23 May 2008**, in order to be considered at the 47th Meeting of the RRB, scheduled for 23-27 June 2008. All e-mail comments should be sent to: brmail@itu.int.

Yours faithfully,

V. Timofeev
Director, Radiocommunication Bureau

Annex: 1

Distribution:

- Administrations of Member States of the ITU
- Members of the Radio Regulations Board
- Director and Heads of Department of the Radiocommunication Bureau

ANNEX

PART C

Internal Arrangements and Rules concerning wWorking mMethods of the Radio Regulations Board

Introduction

In accordance with Nos. 143 to 147 of the Convention (~~CV147~~) the Board has approved the following rules concerning internal arrangements and working methods.

1 Board meetings

1.1 A meeting of the Board will be held approximately every three months, ~~and the~~ The specific dates and the durations for the next meetings in a given year will be decided at the end of each Board last meeting of the preceding year. Any subsequent change of dates or ~~the~~ durations, ~~will only~~ be made only with the agreement of all the members. (CV145 (Rev. Marrakesh, 2002)).

1.2 A convening notice for the next meeting of the Board, including the date and duration, will be prepared by the Executive Secretary and normally provided to Board Members at the current meeting.

1.3~~2~~ ~~A convening notice which includes the~~ The specific draft agenda and the duration of the meeting should be prepared by the Executive Secretary of the Board¹ after approval by the Chairman as soon as possible following the closing date for submissions but not later than at least three two weeks before the meeting. The draft agenda and the documents of the meeting shall be and sent to members of the Board. Simultaneously, the draft agenda shall be made available in electronic form on the RRB website.

Reason: to establish a workable arrangement with an agenda sufficiently in advance of the Board meeting which provides adequate time for the Board to study all submissions for the meeting as stipulated in 1.6 of these Rules of Procedure.

1.4~~3~~ The agenda should include the following, as required:

- a) approval ~~or confirmation~~ of the minutes of the previous Board meeting (see § 1.10~~8~~);
- ~~b~~) consideration of the report by the Director, Radiocommunication Bureau;
- ~~c~~) approval of the new or revised Rules of Procedure (CS95, RR No. 13.12);

¹ The Director of the Radiocommunication Bureau acts as the Executive Secretary of the Board (see CV174).

- ~~de)~~ consideration of cases dealing with the Review of Findings by the Bureau, following a request by an administration, which cannot be resolved by the use of the Rules of Procedure (CV171);
- ~~eee)~~ consideration of any appeal against a Bureau decision or any other request submitted by an administration (CV140);
- ~~fd)~~ consideration of Reports on Harmful Interference (CV140, CV173, RR No. 13.2) and reports of alleged contravention or non-observance of the Radio Regulations (RR No.13.3);
- ~~ge)~~ consideration of any other matters which cannot be resolved by the Bureau (CS96);
- ~~hf)~~ matters which should be referred to the radiocommunication conferences (CS95);
- ~~ig)~~ the examination of any item for assistance in the application of the Radio Regulations requested by any administration (RR Nos. 7.5 and 7.6);
- ~~jh)~~ the examination of any item requested by any member of the Board;
- ~~ki)~~ the examination of any item requested by the Director of the Radiocommunication Bureau;
- ~~lj)~~ miscellaneous (CS97, etc.).

~~1.4~~ All documentation should be prepared by the Executive Secretary and distributed to the members normally two weeks before the meeting.

~~1.5~~ All submissions from Administrations containing comments concerning draft Rules of Procedure shall be received by the Executive Secretary at least four weeks before the meeting. Comments on the draft Rules of Procedure received after that date will not be considered (RR No. 13.12A).

~~1.6~~ All other submissions from Administrations shall be received by the Executive Secretary at least three weeks before the meeting. Any submissions received from Administrations following the ~~two~~three-week deadline will normally not be considered at the same meeting and will be placed on the agenda of the following meeting. ~~Deadlines for submissions concerning approval mechanisms for Rules of Procedure are dealt with separately.~~

Reason: At present, it is not clearly specified to whom the submissions should be sent. The Radio Regulations do not specify any time limit for other submissions. A three-week deadline is sufficient to establish a workable arrangement which provides adequate time for the Board to study submissions for the meeting, taking into account processing by the ITU Secretariat.

~~1.76~~ All documentation should be prepared by the Executive Secretary and distributed to the Members as soon as it becomes available but not later than two weeks before the start of the meeting. RRB meeting documents will be made available in electronic form on the RRB website as soon as they are available.

Reason: Since submissions are often received just prior to the deadline, it is not possible for the translation services to produce the other language versions in a timely manner; therefore, in the initial dispatch of documents to the members, they may not be translated if they arrive at the last minute and could be sent in the original version. The Secretariat will make all efforts possible to provide the translated versions at the meeting.

1.8 Meeting attendance will be as follows:

- Members
- Executive Secretary/Director of the Radiocommunication Bureau
- ~~Secretary~~
- Minute writer(s).

The Director of the Radiocommunication Bureau may be accompanied by any necessary staff of the Bureau on a case-by-case basis.

1.97 The Board shall endeavour to reach its decisions unanimously. If it fails in that endeavour, a decision shall be valid only if at least two-thirds of the members of the Board vote in favour thereof. Each member of the Board shall have one vote; voting by proxy is not allowed (see CV146). The minutes should clearly indicate if a decision is taken by majority (at least two-thirds of the members of the Board).

1.108 ~~The minutes should clearly indicate whether the decision was unanimous or by majority. The first draft of the minutes, not yet approved, shall be distributed electronically to the Board Members as soon as possible after the meeting. The draft minutes, taking into account the comments by the Board Members, will be made available on the RRB website as an input document to the next Board meeting. Final approval will take place at the Board meeting (see § 1.4a), should be approved after consultation between members of the Board and shall normally be circulated at least one month before the start of the following meeting by the Executive Secretary.~~

Reason: To clarify the process for distribution and approval of the minutes.

1.119 A summary of decisions shall ~~and~~ be prepared by the Executive Secretary in a tabular form (subject, decision, reasons for the decision, including references to comments of administrations received and considered, as well as follow-up) and approved by the Board at its current meeting. The summary shall be made available on the RRB ~~home page of the ITU~~ website within one week after a meeting of the Board (RR No. 13.18).

2 Rules of Procedure

2.1 Principles for Establishment or revision of Rules of Procedure (RoP)

2.1.1 In the ~~preparation and~~ development of Rules of Procedure, the following ~~steps~~ principles shall be applied by the Board, the Bureau, and administrations:

2.1.1.1 New Rules of Procedure shall be developed only when there is a clear need and justification (RR No. 13.0.1). Such Rules of Procedure shall, if necessary, be developed in the following cases:

- Difficulties in the application of the Radio Regulations, including those due to inconsistencies in the Radio Regulations;
- Difficulties in the application of the regional agreements (i.e., special agreements concluded under the auspices of the ITU) in as much as they

concern the relationship between the Radio Regulations and those regional agreements (RR Nos. 6.4 and 11.34);

~~a) Any practice used by the Bureau in the application of the Radio Regulations (RR No. 13.12A (b)) and regional agreements, provisions of the Radio Regulations shall be identified and proposed for inclusion in the Rules of Procedure;~~

2.1.1.2 Rules of Procedure are to be in conformity with the spirit and principle of the Constitution, Convention and the Radio Regulations and shall avoid any relaxation to the application of the corresponding provisions of the Radio Regulation to which the rules make reference (RR No. 13.12A (g)).

2.1.1.3 For those Rules of Procedure which were developed to alleviate difficulties or inconsistencies in the application of the Radio Regulations (see the first indent to 2.1.1.1), the Board shall submit to the next world radiocommunication conference the modifications to the Radio Regulations to alleviate such difficulties or inconsistencies and include its suggestions in the Report of the Director to this conference (RR No. 13.0.1)².

2.1.1.4 If difficulties or inconsistencies in the Radio Regulations are identified but a clear need for developing a new Rule of Procedure is not identified, the Board will suggest any necessary modifications to the Radio Regulations to the next WRC (RR No. 13.0.2).

2.2 Preparation of Rules of Procedure

2.2.1 In the preparation of Rules of Procedure, the following steps shall be applied by the Board, the Bureau, and administrations (RR No. 13.12A):

2.2.1.1~~b)~~ preparation, by BR, of a draft Rule of Procedure (RoP);

2.2.1.2~~e)~~ the draft RoPs prepared by BR shall be made available to the administrations for comments in a circular letter and on the RRB home page of the ITU website at least ten weeks before the meeting (RR No. 13.12A (c));

2.2.1.3~~d)~~ any all comments from administrations on these draft Rules of Procedure from administrations shall be submitted to the Bureau at least four weeks before the start of the Board meeting (RR No. 13.12A (d));

2.2.1.4 comments from administrations should suggest specific text for the Rule of Procedure (RR No. 13.12A (e));

2.2.1.5~~e)~~ all comments on draft RoPs received from administrations will be posted on the RRB home page of the ITU website (RR No. 13.12A (f)) and collection of the comments of administrations;

2.2.1.6~~f)~~ consideration of the draft RoP and related comments, received within the time limit, by the Board for decision. Comments submitted by administrations to concerning draft Rules of Procedure that have not been received within the four-week time limit (see RR No. 13.12A (d)) shall not be considered examined by the Board (cf. RR No. 13.12A (f));

2.2.1.7~~g)~~ publication of the approved RoP shall be published in a circular letter and in electronic form.

² See Minutes of the Third Plenary of WRC-07, Document 217, paragraph 3.

2.12.2 The Bureau shall also publish, on the RRB ~~home page of the ITU website~~, a list of future proposed Rules and the time-frame for their consideration by the Board in order to facilitate administrations providing comments on the future proposed Rules (RR No. 13.12A (a)).

2.12.3 In submitting the draft Rules of Procedure, the Director should also submit relevant material which explains the practical necessity of the new or revised Rules, as well as ~~its~~ their possible impact on administrations, and other background information.

2.32 ~~Possible r~~ Review of Rules of Procedure after publication

2.32.1 The Rules are effective when approved by the Board, except in cases where a different date of application is specified in the RoP. If comments are received from any administration after publication, the Board will review the RoP, if appropriate.

2.32.2 If there is continuing disagreement, the matter shall be submitted to the ~~forthcoming~~ next World Radiocommunication Conference in the report of the Director of the Radiocommunication Bureau, with the agreement of the concerned administration (CS 95, RR No. 13.14).

2.3.3 After the approval of a Rule of Procedure referenced in § 2.1.1.3, the Board will consider the possibility of transforming the current Rule of Procedure into a standing provision of the Radio Regulations. The BR will assist the Board in this task.

3 Review of Findings and cases of appeal (CV140 2); RR No. 14.5)

3.1 If requested by Administrations, the Bureau shall forward review of findings to the Board. Administrations may appeal decisions of the Bureau ~~directly~~ to the Board. In both of the above cases the following information shall be supplied:

- a) brief explanation ~~on the case including~~ and the history of the case;
- b) all relevant documents which were received from the concerned administrations and those relevant documents which were sent by the Director of the Radiocommunication Bureau to that administration;
- c) brief statement by the Director to clarify the view of the Radiocommunication Bureau.

3.2 The Board will decide on the appropriate action.

3.3 The decision of the Board is final in so far as the Bureau and the Board are concerned. The administration requesting the review may raise the matter at a world radiocommunication conference if it disagrees with the Board's decision (RR No. 14.6).

4 ~~Recommendations on~~ Harmful i Interference (CV173, RR No. 13.2)

4.1 When an administration has requested ~~an investigation~~ the Bureau's assistance for the resolution of a case of harmful interference in accordance with the Convention and the Radio Regulations, and the case has not been resolved after efforts by the Director following the appropriate provisions of the Radio Regulations and established procedures in the Radiocommunication Bureau or the administration requests the assistance of the Board, a

report from the Director of the Bureau will ~~shall~~ be submitted to the Board for consideration, which includes the following:

- a) brief explanation of the case which will include the degree of reported interference, history to the reported interference and the status of notification of the concerned assignments;
- b) all relevant documents which were received from the concerned administrations and those relevant documents which were sent by the Director of the Radiocommunication Bureau to that administration;
- c) brief statement ~~by the Director~~ to clarify the view of the Radiocommunication Bureau, including draft recommendations to the administrations concerned.

4.2 The Board will decide on the appropriate action.

5 Contravention or non-observance of the Radio Regulations (RR No. 13.3)

5.1 When an administration has requested an investigation of alleged contravention or non-observance of the Radio Regulations by another administration, and the case has not been resolved after efforts by the Director following the appropriate provisions of the Radio Regulations and established procedures in the Radiocommunication Bureau or the administration requests the assistance of the Board, the Bureau will submit a report to the Board for consideration. The report will include the following:

- a) brief explanation and background of the case;
- b) all relevant documents which were received from the concerned administrations and those relevant documents which were sent by the Director of the Radiocommunication Bureau to the concerned administrations;
- c) draft recommendations to the concerned administrations.

5.2 The Board will decide on the appropriate action.

65 Any other matters that cannot be resolved by the Bureau through the application of the Rules of Procedure

The Director of the Radiocommunication Bureau may raise any such matter. Such cases will be handled by the Board on a case-by-case basis (CS96).