



ITUWRC

DUBAI2023

20 November - 15 December 2023
Dubai, United Arab Emirates

Radiocommunication Bureau (BR)

Circular Letter
CCRR/69

17 April 2023

To Administrations of Member States of the ITU

Subject: **Draft rules of procedure**

At its 92nd meeting, the Radio Regulations Board (RRB) agreed on the schedule for the approval of draft new and modified rules of procedure contained in [Document RRB23-2/1](#) and updated by the Board at its 92nd meeting. Accordingly, the Bureau prepared a set of draft new or modified rules of procedure on RR Nos. **11.48** and **11.48.1**, § 5.3.1 of Articles 5 of Appendices **30** and **30A** and § 8.16 of Article 8 of Appendix **30B**. These draft rules are annexed to this Circular Letter.

In accordance with No. **13.17** of the Radio Regulations, these draft rules of procedure are made available to administrations for comments 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 **29 May 2023**, in order to be considered at the 93rd meeting of the RRB which will commence on 26 June 2023. Comments should be sent by email to brmail@itu.int.

Mario Maniewicz
Director

Annex: 4 pages

Distribution:

- Administrations of Member States of ITU
- Members of the Radio Regulations Board

Annex

Rules concerning

ARTICLE 11 of the RR

MOD

11.48 and 11.48.1**Actions from the Bureau following a Board decision to grant an extension for bringing into use frequency assignments to a satellite network**

When the Board decides to grant an extension of the regulatory time limit for bringing into use frequency assignments to a satellite network in cases of *force majeure* or co-passenger delay, this raises the question of whether the deadline for the submission of Resolution **49 (Rev.WRC-19)**, Resolution **552 (Rev.WRC-19)** and notification information should also be extended. Indeed, Nos. **11.48** and **11.48.1** do not only relate to the bringing into use, but also require that the Radiocommunication Bureau receives the first notice for recording of the frequency assignments under No. **11.15** before the end of the 7-year regulatory period and the due diligence information under Resolution **49 (Rev.WRC-19)** and/or Resolution **552 (Rev.WRC-19)** at the latest 30 days after the end of the 7-year regulatory period.

Unless explicitly decided otherwise by the Board, an extension of the date of bringing into use of frequency assignments to a satellite network does not imply an extension of the regulatory deadline for submitting the notification, Resolution **49 (Rev.WRC-19)** and/or Resolution **552 (Rev.WRC-19)** information under Nos. **11.48** and **11.48.1**, because such information about the planned frequency usage and coordination status would be useful to other administrations in the planning of their satellite projects and their coordination activities. Consequently, in cases where this information has not been provided before the decision of the Board to grant an extension of the deadline for bringing into use, the Bureau will inform the notifying administration after the Board decision that it still has to provide, in accordance with Nos. **11.48** and **11.48.1**, the notification within the 7-year period as well as Resolution **49 (Rev.WRC-19)** and/or Resolution **552 (Rev.WRC-19)** information pertaining to the satellite that faced a case of *force majeure* or a co-passenger delay at the latest 30 days after the end of the 7-year period.

When Resolution **49 (Rev. WRC-19)** and/or Resolution **552 (Rev.WRC-19)** information was submitted to the Bureau before the decision of the Board to grant an extension of the deadline for bringing into use, the notifying administration shall provide to the Bureau updated Resolution **49 (Rev. WRC-19)** and/or Resolution **552 (Rev.WRC-19)** information. If, before the end of the period of extension or within one year following the Board's decision to grant an extension, whichever is earlier, the notifying administration has not provided to the Bureau such updated Resolution **49 (Rev. WRC-19)** and/or Resolution **552 (Rev.WRC-19)** information, the related frequency assignments shall lapse, and the corresponding information published under Nos. **9.1A**, **9.2B** and **9.38**, as appropriate, shall be cancelled. If, one month before the above-mentioned deadline, the notifying administration has not provided to the Bureau updated Resolution **49 (Rev. WRC-19)** and/or Resolution **552 (Rev.WRC-19)** information, the Bureau shall promptly send a reminder to the notifying administration.

Reasons: To add a reference to Resolution **552 (Rev. WRC-19)**. In addition, to make it clear that updated due diligence information is required only when the due diligence information was provided before the decision of the Board to grant an extension of the deadline for bringing into use. This is to prevent frequency assignments from being suppressed under this rule in case of non-submission of the updated due diligence information prior to the end of the original 7-year regulatory period and to avoid requesting an update to the due diligence information submitted after the decision of the Board which should already reflect the situation taken into account by the Board. This new clarification also removes the qualification for the required update (i.e. for the new satellite under procurement) which is difficult for the Bureau to check because the update to the information relating to the launch is at least necessary for the information submitted before the decision of the Board.

Effective date of application of this Rule: immediately after approval.

Rules concerning

APPENDIX 30 to the RR

Art. 5

Notification, examination and recording

ADD

5.3.1

§§ 4.1.3*bis* and 4.2.6*bis* of Appendices **30** and **30A** specify the course of action that shall be taken regarding the submission or updating of the Resolution **49** information when the regulatory time-limit for bringing into use frequency assignments is extended due to launch failure.

However, when the Board decides to grant an extension of the regulatory time limit for bringing into use frequency assignments in cases of *force majeure* or co-passenger delay, this also raises the question of whether the deadline for the submission of Resolution **49 (Rev.WRC-19)** and notification information should be extended.

Noting that a similar question related to non-planned services is addressed in the rule of procedure concerning Nos. **11.48** and **11.48.1**, the Board decided that the rule of procedure concerning Nos. **11.48** and **11.48.1** of the Radio Regulations shall also apply to the extension of bringing into use of frequency assignments subject to Appendices **30** and **30A** with the understanding that the regulatory period for bringing into use frequency assignments to a satellite network subject to these Appendices is 8 years.

Rules concerning**APPENDIX 30A to the RR****Art. 5****Notification, examination and recording****ADD****5.3.1**

See the Rules of Procedure concerning § 5.3.1 of Article 5 of Appendix **30**.

***Reasons:** to add rules of procedure on provisions dealing with the lapse of frequency assignments after the regulatory periods set forth in Appendices **30** and **30A** by referring to the rule of procedure concerning Nos. **11.48** and **11.48.1**, noting that situations similar to those addressed in this rule of procedure may also concern extensions of bringing into use of frequency assignments to a satellite network subject to Appendices **30** and **30A**.*

Effective date of application of these Rules: immediately after approval.

Rules concerning**APPENDIX 30B to the RR****Art. 8****Procedure for notification and recording in the Master Register
of assignments in the Planned bands for the
fixed-satellite service****ADD****8.16**

§ 6.31*bis* of Appendix **30B** specifies the course of action that shall be taken regarding the submission or updating of the Resolution **49** information when the regulatory time-limit for bringing into use frequency assignments is extended due to launch failure.

However, when the Board decides to grant an extension of the regulatory time limit for bringing into use frequency assignments in cases of *force majeure* or co-passenger delay, this also raises the question of whether the deadline for the submission of Resolution **49 (Rev.WRC-19)** and notification information should be extended.

Noting that a similar question related to non-planned services is addressed in the rule of procedure concerning Nos. **11.48** and **11.48.1**, the Board decided that the rule of procedure concerning Nos. **11.48** and **11.48.1** of the Radio Regulations shall also apply to the extension of bringing into use of frequency assignments subject to Appendix **30B** with the understanding that the regulatory period for bringing into use frequency assignments to a satellite network subject to this Appendix is 8 years.

***Reasons:** to add rules of procedure on provisions dealing with the lapse of frequency assignments after the regulatory periods set forth in Appendix **30B** by referring to the rule of procedure concerning Nos. **11.48** and **11.48.1**, noting that situations similar to those addressed in this rule of procedure may also concern extensions of bringing into use of frequency assignments to a satellite network subject to Appendix **30B**.*

Effective date of application of this Rule: immediately after approval.
