

## **UPDATES to the**

### **Rules of Procedure**

(Edition of 2021)

**Approved by the Radio Regulations Board\***

| <b>Revision<br/>(Circular No.)</b> | <b>Date</b>        | <b>Part</b>         | <b>AR/AP</b>       | <b>RR No. or<br/>other<br/>reference</b> | <b>Pages to<br/>be<br/>removed</b> | <b>Pages to be<br/>inserted</b> |
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| 1<br>See CR/479                    | 15 October<br>2021 | A1                  | AR05               | 5.418C                                   | 13                                 | 13 (rev.1)                      |
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\* The new Rules or modifications to the existing Rules of Procedure take effect immediately or as otherwise indicated.

<sup>1</sup> Effective date of application of the Rule: 23 November 2019.

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## 5.416

1) See comments under the Rules of Procedure concerning No. **5.415** about the use limited to national and regional systems.

2) In view of the indications in this provision, the Board concluded that the reference to the coordination procedure of No. **9.19** in this provision is a matter for administrations. Consequently, at the stage of examination under No. **11.32**, the Bureau will not make any examination of the notified frequency assignment to a transmitting station of a terrestrial service or to a transmitting earth station in the FSS (Earth-to-space) from the viewpoint of its conformity with No. **9.19**.

## 5.418C

1 In accordance with provision No. **5.418C**, modified by WRC-03, the use of the band 2 630-2 655 MHz by geostationary-satellite networks is subject to the application of the provisions of No. **9.13** with respect to non-GSO satellite systems in the BSS (sound) pursuant to No. **5.418**, as of 3 June 2000. (MOD RRB21/479)

2 The Board undertook an in-depth examination of the different procedures and provisions that apply to satellite systems in the band 2 630-2 655 MHz and noted the difficulty in linking No. **5.418C** reference to “*notification information*” of GSO BSS systems to the No. **22.2** application referred to in No. **5.418A**.

3 In the above context, and taking into account of WRC-03 discussion and decision, the Board understands that No. **9.13** coordination applies as described in the Table below.

| GSO satellite network | Date of receipt of coordination information (No. 9.6) | Date of receipt of notification information (No. 11.2) | No. 9.13 applicability |
|-----------------------|---|--|------------------------|
| BSS (No. 5.418)       | < 3.6.2000  | < 3.6.2000   | NO                     |
|                       | < 3.6.2000  | ≥ 3.6.2000   | NO                     |
|                       | ≥ 3.6.2000  | ≥ 3.6.2000   | YES                    |

## Band 2 630-2 655 MHz

1 Provisions Nos. **5.416**, **5.418**, **5.418A**, **5.418B** and **5.418C** provide information on the different constraints and procedures applying to the broadcasting-satellite service (BSS) and fixed-satellite service (FSS) in the frequency range 2 630-2 655 MHz.

2 The Board undertook an in-depth examination of the different provisions and the applicability of the different coordination procedures (space network-to-space network (Nos. **9.7**, **9.12**, **9.12A** and **9.13**)) that apply to satellite systems in the band 2 630-2 655 MHz and noted the possible difficulty in assessing the service (BSS (sound), BSS (television), FSS) and the nature of the satellite network (GSO or non-GSO) to which Nos. **5.418A**, **5.418B** and **5.418C**, should apply, taking due account of the dates of reception of the complete Appendix 4 coordination or notification information, as appropriate. Indeed, in the band 2 630-2 655 MHz, No. **5.418A** refers to the application of the provisions of No. **9.12A** for non-GSO systems in the BSS (sound) in certain countries listed in No. **5.418**, in respect of GSO systems; without further details on the involved services; No. **5.418B** refers to the application of the provisions of No. **9.12** for non-GSO systems in the BSS under No. **5.418**, in respect of other non-GSO systems; and No. **5.418C** refers to the application of No. **9.13** by GSO networks in respect of non-GSO systems in the BSS (sound), allocated under No. **5.418**.

3 Taking the above into account and in the light of WRC-03 discussions and decisions, in particular the addition of an explicit reference to No. **5.418** in Nos. **5.418B** and **5.418C**, the Board understands Nos. **5.418A**, **5.418B** and **5.418C** to only address cases of coordination as follows: non-GSO BSS (sound) (Nos. **5.418**) systems vis-à-vis any GSO systems under No. **9.12A**, and vis-à-vis any non-GSO systems under No. **9.12**, and vice versa, i.e. any GSO systems vis-à-vis non-GSO BSS (sound) (Nos. **5.418**) systems under No. **9.13**, and any non-GSO systems vis-à-vis non-GSO BSS (sound) (Nos. **5.418**) systems under No. **9.12**, as described in the Table below. This Table applies to coordination requirements between GSO and non-GSO satellite systems for which the API has been received following 1 January 1999 and complete coordination/notification information was received after 2 June 2000 in the band 2 630-2 655 MHz.

| Coordination request (CR):<br>Column vis-à-vis Row (↯)<br>(2 630-2 655 MHz) | Non-GSO BSS<br>(sound) ↓<br>( <b>5.418</b> ) | GSO BSS ↓<br>( <b>5.416</b> , <b>5.418</b> ) or FSS<br>↓ (Region 2) | Non-GSO BSS ↓<br>( <b>5.416</b> ) or FSS ↓<br>(Region 2) |
|---|--|---|--|
| Non-GSO BSS (sound) ↓<br>( <b>5.418</b> )                                   | <b>9.12</b><br>( <b>5.418B</b> )             | <b>9.13</b><br>( <b>5.418C</b> )                                    | <b>9.12</b><br>( <b>5.418B</b> )                         |
| GSO BSS (sound) ↓<br>( <b>5.416</b> , <b>5.418</b> )<br>or FSS ↓ (Region 2) | <b>9.12A</b><br>( <b>5.418A</b> )            | <b>9.7</b>  | No CR<br><b>22.2</b>                                     |
| Non-GSO BSS ↓ ( <b>5.416</b> ) or<br>FSS ↓ (Region 2)                       | <b>9.12</b><br>( <b>5.418B</b> )             | No CR<br><b>22.2</b>  | No CR  |

2           Given the fact that, for the implementation of WAS, high deployment densities are expected, such implementation options could be adequately covered through notifications in the form of typical stations. The notification of terrestrial stations in the mobile, except aeronautical mobile, service in the form of typical stations is normally possible with no restrictions in the bands 5 150-5 350 MHz and 5 470-5 670 MHz in all countries, and in the band 5 670-5 725 MHz in the countries not mentioned in No. **5.453**. However, provision No. **11.21A**, in conjunction with Table **21-2**, does not provide for the possibility of notifying terrestrial stations in the mobile, except aeronautical mobile, service, in the form of typical stations, for the band 5 670-5 725 MHz, for the countries listed in No. **5.453**. The strict application of these provisions would mean that the countries listed in No. **5.453** cannot notify their WAS applications in the form of typical stations, even though they conform with the limits of Resolution **229 (Rev.WRC-19)**. The Board concluded that such a restricted interpretation of all the relevant provisions for the band 5 670-5 725 MHz, for the countries listed in No. **5.453**, would result in unnecessary burden for both the administrations listed in No. **5.453** and the Bureau. Consequently, the Board instructed the Bureau to accept notifications for mobile, except aeronautical mobile, stations, in the form of typical stations, from the administrations listed in No. **5.453**, provided that the maximum e.i.r.p. does not exceed 1 W, which implies that each typical station notice receivable in the band 5 670-5 725 MHz (with an e.i.r.p. of less than or equal to 1 W) is deemed to be part of a WAS.

#### **5.458**

There is no allocation to the Earth exploration-satellite (passive) and space research (passive) services in the frequency bands 6 425-7 075 MHz and 7 075-7 250 MHz. Notification of frequency assignments to Earth exploration-satellite (passive) and space research (passive) services in the band 6 425-7 075 MHz and 7 075-7 250 MHz will be considered by the Bureau not to be in conformity with the Table of Frequency Allocations.

#### **5.484**

See comments under the Rules of Procedure concerning No. **5.441**.

#### **5.485**

1           The wording of this provision raised the following basic question: “Is the band 11.7-12.2 GHz in Region 2 allocated to the broadcasting-satellite service?” The Board considered the following:

- a) that the provision is not titled an “*additional allocation*”. Some provisions do not have such a title and the Board considered them additional allocations. However, in this case, it is not clear that the intent was to permit an additional allocation;

- b) the provision states that “*transponders on space stations in the fixed-satellite service may be used additionally ... in the broadcasting-satellite service*”: the use of the word “*additionally*”, together with the last sentence saying that “*this band shall be used principally for the fixed-satellite service*”, leads to the understanding that the use by the broadcasting-satellite service is not of the same nature as would be the use of a given band by a service to which the band is allocated;
- c) the provision refers to transponders, which are to be considered transmitting stations. As the procedures of Article 9 apply to each assignment, each transponder shall be considered independently from the others. Consequently the provision may be interpreted in either of the following two ways: (MOD RRB21/479)
- a first interpretation consists in considering that some transponders will be used for the FSS and others for the BSS, and this is equivalent to a sharing of the band between two services which raises a question about the word “*principally*”: how many transponders would be allowed for each of the two services?
  - a second interpretation consists in considering that a given transponder of the FSS may be used in a given period of time for broadcasting (this is not to be confused with the use of the FSS for the transport of a video signal between two fixed points). If in such a case the provision was to be considered an additional allocation, a question arises in relation to the procedure to be applied: Should it be the relevant provisions in Article 9 for the FSS or for the BSS? (MOD RRB21/479)

2 Keeping in mind the above comments, the Board concluded that the band 11.7-12.2 GHz is not allocated in Region 2 to the broadcasting-satellite service. Those transponders of the fixed-satellite service which are used for broadcasting-satellite purposes will be treated in accordance with the relevant provisions in Article 9 for the FSS (and Appendix 30 if required to define inter-regional sharing). When such a use is indicated in the notice, the Bureau will assume that the coordination of the network was made on the basis that for the period during which a transponder is used for broadcasting, the e.i.r.p. will not exceed the e.i.r.p. notified for the fixed-satellite service. Considering that the fixed-satellite service uses relatively low e.i.r.p., the Bureau will consider the value of 53 dBW to be a limit not to be exceeded. (MOD RRB21/479)



3.4 The latest version of the validation software available to administrations, as advised by Circular Letter, is used by the Bureau when assessing the completeness of Appendix 4 Forms of Notice. Administrations are encouraged to run the validation software themselves in order to overcome any difficulties in the notices before they are submitted to the Bureau.

3.5 After processing the Appendix 4 Form of Notice as set out in § 3.3, if the Bureau finds that further clarification is required concerning the correctness of the mandatory data submitted, it shall request the administration responsible for the station or network to provide the clarification within 30 days, otherwise it shall establish the formal date of receipt as that recorded in accordance with § 2 and § 3.2 above.

3.6 If the information or clarification is provided within that period of 30 days (counted from the date of the dispatch of Bureau's message), the date of receipt established by the Bureau in accordance with § 2 and § 3.2 above will be considered as the formal date of receipt for the purpose of any subsequent processing of the notice.

3.7 Nevertheless, for replies received within the above period of 30 days, a new formal date of receipt is established in those cases (or for the concerned part of the station or network) where the information submitted subsequently is outside the scope and beyond the objective of the Bureau's enquiry pursuant to § 3.5 above, if the new or modified data has impact on the regulatory and technical examination, irrespective of whether the newly provided information adds new affected administrations or not. See also the Rules of Procedure relating to provision No. 9.27.

3.8 If the information or clarification is not provided within the above period of 30 days, the submission shall be considered incomplete and the Bureau will establish no formal date of receipt. A new formal date of receipt will be established when the complete information is received.

3.9 One year after the Bureau sought information under § 3.3 or 3.5, as appropriate, unless otherwise specified in the relevant procedure, any pending submissions containing incomplete information shall be returned to the notifying administration.

3.10 In case of the request for deletion of an assignment, a group of assignments, an emission, beams or other characteristics of a satellite network or satellite system, two situations may arise:

- a) The satellite network or satellite system in question has not yet been examined and published by the Bureau. In that case, the initial formal date of receipt will be maintained for the remaining part of the satellite network or system, if any.
- b) The satellite network or satellite system in question has already been examined and published by the Bureau. In that case, the request for deletion shall be published in a modification to the previously published relevant Special Section and the technical bearing of the deletion will be examined by the Bureau in the date order of receipt of the request.

## 4 Other non-receivable submissions

There are, in addition to the above case of incomplete notice, other circumstances when a notice is not receivable. These cases are described in the following non-exhaustive paragraphs.

4.1 A notification received by the Bureau earlier than the date limits prescribed in provisions No. **11.25** (date limits relate to the date of bringing into use of a station in a space service) is not receivable and shall be returned to the administration responsible for the network.

4.2 One coordination request of satellite network and possible subsequent modifications can only correspond to one API, including its possible modifications and vice-versa. In accordance with the Rule of Procedure concerning the definition of a satellite network contained in No. **1.112**, this coordination request would thus have only one set of orbital characteristics, i.e. those specified in Section A4 of Appendix **4**. A modification to a coordination request making reference to the same API will only be receivable if the set of orbital characteristics included in that submission are unchanged relative to those in the earlier coordination request submission or are intended to replace that earlier set of orbital characteristics. In all other cases a new coordination request is required as the submission then pertains to a new satellite network (No. **9.2C** refers). (In case of non-GSO satellite system with more than one satellite, see also comments under footnote (\*) of the Rules of Procedure concerning the Receivability of forms of notice).

4.3 The Radio Regulations prescribe, in some cases, the application of multiple procedures, which have to be applied, for the same stations or satellite network, one after another. In such cases, a notice for a particular procedure is receivable only if the previously applicable procedure has been effected.

4.3.1 A notification under Article **11** is not receivable if the coordination request, where applicable, was not received for the satellite network (No. **9.6** refers) and shall be returned to the notifying administration.

4.3.2 A notification under Article **11** is not receivable if the advance publication information under Sub-Section IA of Article **9**, where applicable, was not received for the satellite network and shall be returned to the notifying administration.

4.3.3 A notification of frequency assignments of an earth station under Article **11** is not receivable if the advance publication information or coordination request, as appropriate, was not received for the associated space station. If the frequency assignments notified under Article **11** for the associated space station are not received nor recorded in the MIFR within the regulatory time-limit, the frequency assignments notified for the earth station shall be suppressed from the MIFR.

4.4 A notification, received under Article 8 of Appendix **30B** and Article **11** relating to a satellite network/system for which the regulatory time limit (8 or 7 years, as appropriate) has expired, is not receivable and shall be returned to the notifying administration.

4.5 Whenever the Bureau returns a form of notice, the necessary justification for such an action shall be provided to the notifying administration. (MOD RRB21/479)

(ADD RRB21/479)

## **5 Submission of notification information of a non-geostationary satellite system before the publication of the coordination request of that system**

When Administrations submit modifications to coordination requests of non-geostationary satellite systems towards the end of the 7-year regulatory period in order to better reflect the actual operations of their systems, these modifications are often submitted as additions of a mutually exclusive configuration to the existing coordination request, since it keeps the other published configurations of the non-geostationary satellite system unaffected by the modification, notably in the event of an unfavourable finding of the Bureau. However, depending on the date of submission of such modifications, the end of the 7-year regulatory period may occur before the publication of the latest modified coordination request.

In such a case, the Administration may face uncertainties as to whether the latest modification complies with No. **11.31** and therefore can be subsequently notified successfully. In order to alleviate this uncertainty while maintaining the requirement to notify before the end of the 7-year period (see No. **11.44.1**), the Board decided that the Bureau shall adopt the following course of actions:

- 1 The notifying administration may submit in the notification files two (and only two) mutually exclusive configurations:
    - a) one identified as the preferred configuration and associated with the technical parameters contained in the latest modified coordination request, which is not yet published; and
    - b) one (and only one) identified as the fallback configuration and associated with one of the mutually exclusive configurations that is already published.
  - 2 The Bureau shall make available such notification submissions as received on the Bureau's website, as for any other submissions.
  - 3 Considering that the Bureau is ultimately going to only examine one of the configurations, the Bureau shall first examine and publish the latest modified coordination request before proceeding with the publication of the Part I-S associated to the notification submission. The Bureau shall inform the notifying administration of this course of action.
  - 4 If the modified coordination request associated with the preferred configuration only contains favourable findings (and, in the case where this modified coordination request contains a request to maintain the same date of protection as the original coordination request, the date is maintained in application of the Rules of Procedure on No. **9.27**), then the Bureau shall process the preferred configuration contained in the notification without further request to the notifying administration. In the case where this modified coordination request contains some unfavourable findings or the date of protection is not maintained as in the original coordination request despite a request from the notifying administration to do so, the Bureau shall consult the notifying administration to know which of the two configurations this administration wants to notify.
  - 5 The Bureau shall then publish the Part I-S of this notification submission with only one configuration as explained in item 4 and start the examination procedure that will lead to the publication of Part II-S/III-S, as appropriate.
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TABLE 9.11A-1 (continued) (MOD RRB21/479)

| 1                    | 2                         | 3   | 4  | 5   | 6   | 7     |
|----------------------|---------------------------|---|--|---|---|-------|
| Frequency band (GHz) | Footnote No. in Article 5 | Space services mentioned in a footnote referring to Nos. 9.11A, 9.12, 9.12A, 9.13 or 9.14, as appropriate | Other space services or systems to which Nos. 9.12 to 9.14 provisions(s) apply equally, as appropriate | Applicable Nos. 9.12 to 9.14 provision(s), as appropriate | Terrestrial services in respect of which No. 9.14 apply equally   | Notes |
| 10.7-11.7            | 5.441<br>5.484A           | FIXED-SATELLITE (non-GSO) ↓   | FIXED-SATELLITE (non-GSO) (Region 1) ↑   | 9.12  | ---   |       |
| 11.7-12.2            | 5.488                     | FIXED-SATELLITE (GSO) (Region 2) ↓  | ---  | 9.14  | FIXED (except in United States of America and Mexico (see No. 5.486), in the band 11.7-12.1 GHz<br>FIXED (Regions 1 and 3) and in Peru, (see No. 5.489), in the band 12.1-12.2 GHz<br>MOBILE except aeronautical mobile (Regions 1 and 3) |       |
| 11.7-12.5            | 5.484A<br>5.487A          | FIXED-SATELLITE (non-GSO) ↓   | ---  | 9.12  | ---   |       |
| 12.5-12.7            | 5.484A<br>5.487A          | FIXED-SATELLITE (non-GSO) ↓   | FIXED-SATELLITE (non-GSO) (Region 1) ↑<br>BROADCASTING-SATELLITE (non-GSO) (Region 3) ↓                | 9.12  | ---   |       |
| 12.7-12.75           | 5.484A                    | FIXED-SATELLITE (non-GSO) (Region 1 and Region 3) ↓   | FIXED-SATELLITE (non-GSO) (Region 1 and Region 2) ↑<br>BROADCASTING-SATELLITE (non-GSO) (Region 3) ↓   | 9.12  |   |       |
| 12.75-13.25          | 5.441                     | FIXED-SATELLITE (non-GSO) ↑   | ---  | 9.12  | ---   |       |
| 13.75-14.5           | 5.484A                    | FIXED-SATELLITE (non-GSO) ↑   | ---  | 9.12  | ---   |       |
| 15.43-15.63          | 5.511A                    | FIXED-SATELLITE (limited to non-GSO MOBILE-SATELLITE SERVICE feeder links) ↑                              | ---  | 9.12  | ---   |       |
| 17.3-17.7            | 5.516                     | FIXED-SATELLITE (non-GSO) (Region 1 and Region 3) ↑   | FIXED-SATELLITE (non-GSO) (Region 1) ↓<br>BROADCASTING-SATELLITE (Non-GSO) (Region 2)                  | 9.12  | ---   |       |
| 17.7-17.8            | 5.516                     | FIXED-SATELLITE (non-GSO) (Region 1 and Region 3) ↑   | FIXED-SATELLITE (non-GSO) (Region 1 and Region 3) ↓<br>BROADCASTING-SATELLITE (Non-GSO) (Region 2)     | 9.12  | ---   |       |
| 17.8-18.1            | 5.516<br>5.484A           | FIXED-SATELLITE (non-GSO) ↑<br>↓  | ---  | 9.12  | ---   |       |
| 18.1-18.6            | 5.484A                    | FIXED-SATELLITE (non-GSO) ↓   | ---  | 9.12  | ---   |       |
| 18.8-19.3            | 5.523A                    | FIXED-SATELLITE ↓   | ---  | 9.12, 9.12A, 9.13   | ---   |       |

TABLE 9.11A-1 (*end*)

| 1                    | 2                         | 3   | 4  | 5   | 6   | 7     |
|----------------------|---------------------------|---|--|---|---|-------|
| Frequency band (GHz) | Footnote No. in Article 5 | Space services mentioned in a footnote referring to Nos. 9.11A, 9.12, 9.12A, 9.13 or 9.14, as appropriate   | Other space services or systems to which Nos. 9.12 to 9.14 provisions(s) apply equally, as appropriate | Applicable Nos. 9.12 to 9.14 provision(s), as appropriate | Terrestrial services in respect of which No. 9.14 apply equally | Notes |
| 19.3-19.6            | <b>5.523B</b>             | FIXED-SATELLITE (limited to non-GSO MOBILE-SATELLITE SERVICE feeder links)  | ↑  | 9.12, 9.12A, 9.13   | ---   |       |
|                      | <b>5.523D</b>             | FIXED-SATELLITE (GSO with coordination information received as of 18.11.1995 and non-GSO MOBILE-SATELLITE SERVICE feeder links) (see also No. 5.523C) | ↓  |   |   |       |
| 19.6-19.7            | <b>5.523D</b>             | FIXED-SATELLITE (GSO with coordination information received as of 22.11.1997 and non-GSO MOBILE-SATELLITE SERVICE feeder links) (see also No. 5.523E) | ↓  | ↑   | ---   |       |
| 19.7-20.1            | <b>5.484A</b>             | FIXED-SATELLITE (non-GSO)   | ↓  | ↓   | ---   |       |
| 20.1-20.2            | <b>5.484A</b>             | FIXED-SATELLITE (non-GSO)   | ↓  | ↓   | ---   |       |
| 27.5-28.6            | <b>5.484A</b>             | FIXED-SATELLITE (non-GSO)   | ↑  | ↓   | ---   |       |
| 28.6-29.1            | <b>5.523A</b>             | FIXED-SATELLITE   | ↑  |   | ---   |       |
| 29.1-29.5            | <b>5.535A</b>             | FIXED-SATELLITE (GSO) (see also Nos. 5.523C and 5.523E) and non-GSO MOBILE-SATELLITE SERVICE feeder links)  | ↑  |   | ---   |       |
| 29.5-29.9            | <b>5.484A</b>             | FIXED-SATELLITE (non-GSO)   | ↑  | ↑   | ---   |       |
| 29.9-30              | <b>5.484A</b>             | FIXED-SATELLITE (non-GSO)   | ↑  | ↑   |   |       |
| 37.5-39.5            | <b>5.550C</b>             | FIXED-SATELLITE (non-GSO)   | ↓  |   | ---   |       |
| 39.5-40.5            | <b>5.550E</b> (5.550C)    | MOBILE-SATELLITE (non-GSO)  | ↓  |   | ---   |       |
| 40.5-42.5            | <b>5.550C</b>             | FIXED-SATELLITE (non-GSO)   | ↓  |   | ---   |       |
| 47.2-50.2            | <b>5.550C</b>             | FIXED-SATELLITE (non-GSO)   | ↑  |   | ---   |       |
| 50.4-51.4            | <b>5.550C</b>             | FIXED-SATELLITE (non-GSO)   | ↑  |   | ---   |       |

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| <b>11.28</b> |
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### **Comparison of data with those submitted under Article 9**

Number **11.28** does not refer to the need to compare the notified characteristics with those published in the Special Sections for advance publication, for coordination, and for results/status of the coordination. A frequency notice submitted under No. **11.2** or **11.9** whose characteristics differ from those published in a Special Section necessarily requires consideration by the Bureau for appropriate actions. The following actions shall be taken:

- 1) The date of bringing into use of frequency assignments to a space station shall be compared with the date of receipt of the relevant complete information under No. **9.1** or **9.2** in the case of satellite networks or systems not subject to Section II of Article **9** or under No. **9.1A** in the case of satellite networks or systems subject to Section II of Article **9**. In the case that this period exceeds seven years, the notice is returned to the notifying administration with a recommendation to restart the Article **9** procedure.
- 2) When the notified characteristics are different from those published in the Special Section relating to the advance publication submitted by an administration or automatically generated by the Bureau the need to re-apply the Article **9** procedure shall be examined under No. **9.2**. If required, the notice is returned to the notifying administration with a recommendation to restart the Article **9** procedure.
- 3) When the notified characteristics are different from those published in the Special Section relating to the advance publication of the coordination request as appropriate, the difference is assumed to have resulted from coordination.
- 4) For practical reasons, the Bureau could not systematically undertake the comparison of coordination information contained in the notice form submitted under No. **11.2** or **11.9** and that from the voluminous correspondence from the coordination phase. The Board thus decided that the No. **11.32** examinations of the Bureau shall be based on the coordination information available from the notice forms (Boxes A5/A6). This information being the most up to date for the case under examination, the Bureau shall consider the notified data of the network submitted in the notice form as coordinated with those countries mentioned in Boxes A5/A6.

## 11.31

1 Provision No. **11.31.2** requires that the “*other provisions*” mentioned in No. **11.31** should be identified and included in the Rules of Procedure. This chapter intends to answer the above problem.

The regulatory examination under No. **11.31** includes the following<sup>5</sup>:

- conformity with the Table of Frequency Allocations, including its footnotes and any Resolution or Recommendation which is referred to in such a footnote;
- the successful application of No. **9.21**, when mention is made of that provision in a footnote (see also Rules of Procedure relating to Nos. **9.21** and **11.37**);
- all “*other*” mandatory provisions that are contained in Articles **21** to **57**, in Appendices to the Radio Regulations and/or in Resolutions that are relevant to the service in the frequency band in which a station of that service operates.

2 The list of these “*other provisions*”, referred to in No. **11.31.2**, with respect to which the notices to stations in terrestrial (§ 2.1 to 2.5.2) or space services (§ 2.6 to 2.6.7) are examined, is given below:

2.1 *Broadcasting service*: Those contained in No. **23.7** concerning the power limit (50 kW) of the broadcasting transmitters operating in the Tropical bands in the frequency bands listed in No. **23.6**.

2.2 *Fixed service*: Those of No. **24.2** which stipulate that F3E and G3E emissions are prohibited in the fixed service below 30 MHz.

2.3 *Aeronautical mobile service*: There are mandatory provisions only for the frequency bands that are allocated exclusively to the aeronautical mobile service. These provisions (obligatory channelling arrangement, permitted classes of emission, power limits) are contained in Appendices **26** and **27**. The provisions of No. **43.4** also fall into this category of mandatory regulatory provisions, i.e. the prohibition of using the exclusive frequency allocations to the aeronautical mobile service for any kind of public correspondence.

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<sup>5</sup> With respect to the application of this provision to assignments of the BSS, see comments under Rules of Procedure concerning Nos. **23.13B** and **23.13C**. (MOD RRB21/479)



## **Rules concerning**

### **APPENDIX 4 to the RR**

#### **An. 1**

#### **ITEM 3A1**

When submitting a notice within the procedure of Article **11**, the administrations are required to provide information on the call sign or other identification used, as requested by Nos. **19.7** to **19.9** and **19.29**. Bearing in mind the variety of special arrangements concluded between administrations concerning notification of frequency assignments, the Board instructed the Bureau not to perform systematic control of the call signs referred to in No. **19.29** during the validation and examination of the notice. Nevertheless, if non-conformity of the call sign with the international call series is identified, the notifying administration is to be informed thereof.

**An. 2****A.17.d**

WRC-15 modified item A.17.d to submit the mean power flux-density (pfd) produced at the Earth's surface by any space borne sensor for the frequency band 9 900 – 10 400 MHz for a satellite system operating in the Earth exploration-satellite service (active) as defined in Table **21-4**. As the limits are dependent on the angles of arrival, the mean pfd has to be provided for each angle of arrival. The formula defining the mean pfd defined in Table **21-4** is given in No. **21.16.8**. The Bureau may calculate the mean power flux-density based on the angles of arrival if the information on the necessary bandwidth (item C.7a), which is not currently required for active or passive sensors, is submitted. The necessary bandwidth information is also required for the Bureau to examine the conformity of the submitted frequency assignments with respect to No. **5.474A**.

In view of the above the Board decided that the Administrations shall provide, in addition to the relevant characteristics listed in Appendix **4**, the SAR emission bandwidth information under C.7.a (necessary bandwidth) for active sensors operating in the Earth exploration-satellite service (active) in the frequency band 9 900-10 400 MHz instead of submitting the mean pfd. The Bureau will then subsequently take account of this data element in the examination under No. **11.31** of the Radio Regulations.

**A.18 a)**

The Board noted that the description of Annex 2 of Appendix **4**, § A.18 a) corresponds to the commitment required from an administration in the case of the possible communication of aircraft earth stations in the secondary aeronautical mobile-satellite service with space stations in the fixed-satellite service, in accordance with No. **5.504A**. The Board further noted that this data element is mandatory in the case of submission of notification or coordination of a geostationary or a non-geostationary satellite network.

However, this data element is also required to check under No. **11.31** the compliance with respect to No. **5.504A** of the notification of an aircraft earth station in the secondary aeronautical mobile-satellite service communicating with a space station in the fixed-satellite service. This requirement was probably omitted by inadvertence at WRC-03.

To correct this inconsistency, the Board decided that the Administrations will be requested to provide, in addition to the relevant characteristics listed in Appendix **4**, the data element described in § A.18 a) of Annex 2 of Appendix **4**, when submitting the notification information of an aircraft earth station in the secondary aeronautical mobile-satellite service communicating with a space station in the fixed-satellite service in accordance with No. **5.504A**. The Bureau will then subsequently take account of this data element § A.18 a) in its completeness check of the submitted data.

## **Rules concerning**

(ADD RRB21/479)

### **RESOLUTION 32 (WRC-19)**

#### **Regulatory procedures for frequency assignments to non-geostationary-satellite networks or systems identified as short-duration mission not subject to the application of Section II of Article 9**

Section 4 of the Annex to Resolution **32 (WRC-19)** indicate that the notification information relating to non-GSO networks or systems identified as short-duration mission shall be communicated to the Radiocommunication Bureau only after the launch of a satellite in the case of a satellite network or of the first satellite in the case of a system requiring multiple launches, and not later than two months after the date of bringing into use. This provision applies instead of No. **11.25** for frequency assignments to non-GSO networks or systems with short-duration missions.

However, No. **9.1** restricts the date of receipt of notification to be not earlier than four months after the publication of the API special section.

It may therefore occur that notification information relating to non-GSO networks or systems identified as short-duration missions be communicated to the Bureau not later than two months after the date of bringing into use but earlier than four months after the publication of the API special section.

Noting that § 4 of the Annex to Resolution **32 (WRC-19)** relates to the time when the notification information has to be communicated to the Bureau, whereas No. **9.1** concerns the establishment of the formal date of receipt, the Board decided that the Bureau shall publish such notification notices with a date of receipt established in accordance with No. **9.1**, together with a note indicating the date to which the information was communicated to the Radiocommunication Bureau, in order for Administrations to be informed of the compliance of these notices with § 4 of the Annex to Resolution **32 (WRC-19)**.

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(ADD RRB21/479)

## PART A11

### **Rules concerning the extension of the regulatory time-limit for bringing into use satellite assignments**

WRC-12 took the following decision related to the extension of the regulatory time-limit for bringing into use satellite assignments (see paragraph 3.20 of the Minutes of the 13<sup>th</sup> Plenary meeting, Doc. CMR12/554):

“3.20 The **Chairman of Committee 5**, introducing Document 525, said that it covered four issues relating to agenda item 7 and one relating to agenda item 8.1.2. The first issue relating to agenda item 7 concerned the extension of the regulatory time-limit for bringing into use satellite assignments due to launch delays beyond the control of the administration. Committee 5 had discussed certain proposals to create a new WRC resolution to allow limited and qualified extensions in the case of co-passenger delays and to expand such extensions in the case of *force majeure*. However, recognizing that there were a number of concerns with creating a resolution, and that such cases could be brought to the Radio Regulations Board or to future conferences on a case-by-case basis, the committee had not pursued the discussion. ...”

WRC-15 took the following decision related to the extension of the regulatory time-limit for bringing into use satellite assignments (see paragraph 3.19 of the Minutes of the 7<sup>th</sup> Plenary meeting, Doc. CMR15/504):

“3.19 (...) In considering the issue of satellite launch failure, WRC-15 confirms the decision taken by WRC-12 (at its thirteenth meeting) that the Board may address requests for a time-limit extension based on either a co-passenger issue or force majeure taking into account internationally applicable rules and practices in this regard so long as any extension is “limited and qualified”.”

WRC-19 took the following decision related to the situations of co-passenger delay and the use of electric propulsion (see paragraph 3.16 of the Minutes of the 8<sup>th</sup> Plenary meeting, Doc. CMR19/569):

“3.16 (...) On section 4.3.4 Situations of co-passenger delay, WRC-19 decided that the Board shall consider the provision of the following information as required when dealing with a request for extension of regulatory deadlines due to co-passenger delay:

- a summary description of the satellite to be launched, including the frequency bands;
- the name of the manufacturer selected to build the satellite and the contract signature date;
- the status of the satellite construction, including the date it began and whether it was expected to be completed prior to the initial launch window;
- the name of the launch service provider and the contract signature date;
- the initial and revised launch window;

- sufficient detail to justify that the request for extension is due to co-passenger delay (e.g. a letter from the launch service provider indicating that the launch is delayed because of a delay affecting the co-passenger satellite);
- sufficient detail to justify the length of the requested extension period; and
- any other relevant information and documentation.

When considering requests that qualify as force majeure or co-passenger delay, WRC-19 instructs the RRB to continue to take into account the use of electric propulsion on a case-by-case basis when deciding on the length of the extension, based on the merits of each individual case.”

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## PART C

### Internal arrangements and working methods of the Radio Regulations Board

#### Introduction

In accordance with Nos. 143 to 147 of the Convention the Board has approved the following internal arrangements and working methods.

#### 1 Board meetings

1.1 A meeting of the Board will be held approximately every three months. The specific dates and durations for the meetings in a given year will be decided at the last meeting of the preceding year. Any subsequent change of dates or durations will 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 The draft agenda should be prepared by the Executive Secretary of the Board<sup>1</sup> after approval by the Chairman as soon as possible following the closing date for submissions but not later than two weeks before the meeting. The draft agenda and the documents of the meeting shall be sent to members of the Board by the Executive Secretary of the Board. Simultaneously, the draft agenda shall be made available in electronic form on the RRB website.

1.4 The agenda should include the following, as required:

- a) consideration of the report by the Director, Radiocommunication Bureau;
- b) approval of the new or revised Rules of Procedure (CS95, RR No. **13.12**);
- c) 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);

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

- d)* consideration of any appeal against a Bureau decision or any other request submitted by an administration (CV140);
- e)* 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**);
- f)* consideration of any other matters which cannot be resolved by the Bureau (CS96);
- g)* matters which should be referred to the radiocommunication conferences (CS95);
- h)* 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**);
- i)* the examination of any item requested by any member of the Board;
- j)* the examination of any item requested by the Director of the Radiocommunication Bureau;
- k)* any other business (CS97, etc.).

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 three-week deadline will normally not be considered at the same meeting and will be placed on the agenda of the following meeting. However, if so agreed by Board Members, delayed submissions relevant to items on the approved agenda could be considered for information. Submissions that comment on a submission from another administration could only be considered if received at least 10 days before the start of the meeting. Submissions in response to delayed submission will only be considered if received before the start of the meeting. In addition to any of the other five official languages of the Union, delayed submissions shall at least be provided in English. Any submissions received after the start of the Board meeting will not be considered by the Board unless there are exceptional circumstances. (MOD RRB21/479)

1.7 The Board will conduct its work transparently (CS95 and Resolution 119 (Rev. Antalya, 2006)). Any submission to the Board containing restricted material (e.g. confidential, proprietary, sensitive, etc.) shall be returned by the Bureau, who will invite the administration concerned to resubmit an unrestricted document if it wishes the Board to consider the material.

1.8 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.