

RESOLUTION ITU-R 1-2

**WORKING METHODS FOR THE RADIOCOMMUNICATION ASSEMBLY
AND THE RADIOCOMMUNICATION STUDY GROUPS**

(1993-1995-1997)

The ITU Radiocommunication Assembly,

considering

- a) that the duties and functions of the Radiocommunication Assembly are stated in Articles 13 of the Constitution and 8 of the Convention of the ITU (Geneva, 1992);
- b) that the duties, functions and organization of the Radiocommunication Study Groups are briefly described in Articles 11 and 20 of the Convention (Geneva, 1992),

resolves

1 that the working methods of the Radiocommunication Assembly and the Radiocommunication Study Groups shall be as follows:

PART I**Working methods****1 The Radiocommunication Assembly**

1.1 The Radiocommunication Assembly, in undertaking the duties assigned to it in Article 13 of the Constitution and Article 8 of the Convention (Geneva, 1992), shall conduct the work of each Assembly by setting up special committees, as may be required, to address organization, work programme, budget control, and editorial matters.

1.2 There shall also be established a Steering Committee, presided over by the Chairman of the Assembly, and composed of the Vice-Chairmen of the Assembly and the Chairmen and Vice-Chairmen of the Committees.

1.3 Heads of Delegations shall:

- consider the proposals regarding the organization of the work and the establishment of relevant Committees;
- draw up the proposals concerning the designation of Chairmen and Vice-Chairmen of the Committees, Study Groups and Conference Preparatory Meeting.

1.4 All Special Committees referred to in § 1.1 shall cease to exist with the closing of the Radiocommunication Assembly except the Editorial Committee. The Editorial Committee shall be responsible for the form of any texts prepared during the meeting and of any amendments made by the Radiocommunication Assembly to texts. This Committee shall also be responsible between Radiocommunication Assemblies for coordinating the work of the Editorial Groups set up by the Study Groups concerning texts prepared for approval before or at the next Radiocommunication Assembly. For this purpose, the Chairman and Vice-Chairmen of the Editorial Committee shall remain in office until the next Radiocommunication Assembly.

1.5 The Radiocommunication Assembly may also establish, by Resolution, committees to address specific matters. Committees so established may function beyond the closing of that Radiocommunication Assembly if the terms of reference contained in the establishing Resolution so permit.

1.6 The Radiocommunication Assembly shall consider the reports of the Director, Radiocommunication Bureau and the Study Group Chairmen; it shall, in particular, approve arrangements for the consideration and approval of draft Recommendations adopted by the Study Groups, and Resolutions (as far as possible draft Recommendations which have not been identified as needing further discussion should be approved in a group or in groups); and it shall take note of the Recommendations approved since the last Radiocommunication Assembly.

1.7 The Radiocommunication Assembly shall:

- approve the programme of work arising from the review of existing Questions and new Questions, determining the priority, urgency and time-scale for the completion of their study, taking into account the financial implications (see Resolution ITU-R 5);
- decide, in the light of the approved programme of work, on the need to maintain, terminate or establish Study Groups, and allocate to each of them the Questions to be studied;
- give special attention to problems of particular interest to developing countries by grouping Questions of interest to the developing countries as far as possible, in order to facilitate their participation in the study of those Questions;
- delete any Question that a Study Group Chairman reports at two consecutive meetings of the Assembly as receiving no study contributions, unless a Sector Member reports that it is undertaking studies on that Question and will contribute the results of those studies prior to the next Assembly, or a newer version of the Question is submitted.

1.8 The Radiocommunication Assembly shall establish, and determine suitable terms of reference and working procedures for the Radiocommunication Advisory Group to review priorities, strategies and progress of work, and to give guidance on the work of the Radiocommunication Sector, including Study Groups and cooperation with other entities (see Resolution ITU-R 3).

1.9 The Radiocommunication Assembly shall report to the next World Radiocommunication Conference on the progress in matters that may be included in agenda of future Radiocommunication Conferences as well as on the progress of ITU-R studies in response to requests made by previous Radiocommunication Conferences.

1.10 An Assembly may express its opinion relating to the duration or agenda of a future Assembly or, when appropriate, to the application of the provisions of Article 26 of the Convention relating to the cancellation of an Assembly.

2 Radiocommunication Study Groups

2.1 Each Study Group shall perform an executive role, including the planning, scheduling, supervision, delegation and approval of the work and other related matters.

2.2 The work of each Study Group, within the scope defined in Resolution ITU-R 4, shall be organized by the Study Group itself on the basis of proposals by its Chairman.

2.3 Each Study Group shall maintain a plan for its work that considers a period of at least four years ahead, taking due account of the related schedule of World Radiocommunication Conferences and Radiocommunication Assemblies. The plan should be reviewed at each meeting of the Study Group.

2.4 The Study Groups will normally set up Working Parties to study the Questions assigned to the Study Group. Each Working Party will study one or several Questions and will prepare draft Recommendations and other texts for consideration by the Study Group.

2.5 The Study Group may establish one or more Task Groups to which it may assign the studies of those urgent Questions and the preparation of those urgent Recommendations that cannot reasonably be carried out by a Working Party; appropriate liaison between the work of a Task Group and the Working Parties may be required.

2.6 Establishment of a Task Group shall be an action taken by a Study Group during its meeting and shall be the subject of a Decision. For each Task Group, the Study Group shall prepare a text listing:

- statement of the specific matters to be studied within the Question assigned and the subject of the draft Recommendation to be prepared;
- the reporting date;
- the name and address of the Chairman and any Vice-Chairmen.

In addition, for the case of an urgent Question (see § 3.4) arising between Study Group meetings, such that it cannot reasonably be considered at a scheduled Study Group meeting, the Chairman, in consultation with the Vice-Chairmen and the Director, Radiocommunication Bureau, (hereinafter, the Director) may take action to establish a Task Group, in a Decision.

- 2.7** When necessary, Joint Working Parties (JWP) or Joint Task Groups (JTG) may be established for the study of Questions requiring the participation of experts from more than one Study Group.
- 2.8** When Working Parties or Task Groups are assigned preparatory studies on matters to be considered by World or Regional Radiocommunication Conferences, the final reports of the Working Parties or Task Groups may be submitted directly to the Conference Preparatory Meeting (CPM) process, normally at the meeting called to consolidate Study Group texts into the draft CPM Report, or exceptionally via the relevant Study Group.
- 2.9** Study Groups, Working Parties and Task Groups shall conduct their work as far as possible by correspondence, using modern means of communication.
- 2.10** The Director will maintain a list of Member States and Sector Members participating in each Study Group, Working Party or Task Group as well as in each Joint Rapporteur Group (see § 2.12).
- 2.11** In some cases, when urgent or specific issues arise that require analysis, it might be suitable to appoint a Rapporteur, who, being an expert, can carry out preliminary studies or conduct a survey among Member States and Sector Members participating in the work of the Study Groups mainly by correspondence. It might also be useful to appoint a Rapporteur to prepare draft Recommendation(s) or other ITU-R texts. In this case, the Rapporteur should submit the draft as a contribution to the relevant Working Party or Task Group in due time before the meeting to allow for comments. A Rapporteur must have clearly defined Terms of Reference and may be appointed by a Working Party, a Task Group or by the Study Group.
- 2.12** In some special cases, the establishment of a Joint Rapporteur Group (JRG) consisting of Rapporteur(s) and other experts from more than one Study Group might be envisaged. A Joint Rapporteur Group should report to the Working Parties or Task Groups of the relevant Study Groups. The provisions in §§ 2.10, 8.4, 8.5, 8.13 and 9.1 concerning Joint Rapporteur Groups will apply only to those Joint Rapporteur Groups which have been identified by the Director in consultation with the Chairmen of the relevant Study Groups.
- 2.13** Each Study Group shall set up a small Editorial Group to ensure that the technical vocabulary used is correct. In addition, it shall also ensure that the texts to be approved have the same meaning in the different working languages of the ITU and are easily comprehensible to all users. Participation in the Editorial Group should be arranged beforehand and participants should plan to extend their work beyond the close of the Study Group meeting for such periods as may be required and agreed.
- 2.14** The Chairman of the Study Group may establish a steering group to assist in the organization of the work.
- 2.15** In addition, should a Chairman, after the Radiocommunication Assembly has adjourned, consider that additional meetings of his Study Group are required, for which no provision was made by the Radiocommunication Assembly, should sufficient funds be available in the Study Group's budget, he may propose that his Study Group meet. Before such additional meetings are held, the Chairman shall consult with the Director to ensure that the provisions of §§ 2.17 and 2.18 below are appropriately considered especially as they apply to available resources.
- 2.16** Study Groups shall consider at their meetings, the draft Recommendations, progress reports and other texts prepared by Task Groups and Working Parties. To facilitate participation, a draft agenda shall be published, at latest, six weeks in advance of each meeting, indicating, to the extent possible, specific days for consideration of different topics.
- 2.17** For meetings held outside Geneva, the provisions of Resolution 5 of the Plenipotentiary Conference (Kyoto, 1994) apply; invitations to hold meetings of the Study Groups or their Task Groups and Working Parties away from Geneva should be accompanied by a statement indicating the host's acceptance of *resolves* 2 of Resolution 5 (Kyoto, 1994).
- 2.18** To ensure the efficient use of the resources of the Radiocommunication Sector and of the participants in its work and to reduce the amount of travel involved, the Director, in consultation with the Chairmen, shall establish and publish a programme of meetings in a timely manner. This programme should take into account relevant factors, including:
- the expected participation when grouping the meetings of certain Study Group, Working Party or Task Group;
 - the desirability of contiguous meetings on related topics;

- the capacity of the ITU resources;
- the requirements for documents to be used in meetings;
- the need for coordination with the other activities of the ITU and other organizations;
- any directive issued by the Radiocommunication Assembly concerning the Study Group meetings.

2.19 A Study Group meeting should, wherever appropriate, be held immediately after Working Party and Task Group meetings. The agenda of such a Study Group meeting should contain the following points:

- if some Working Parties and Task Groups have met earlier and have prepared draft Recommendations, for which the approval process in accordance with § 10 is to be applied, a list of such draft Recommendations and the specific intent of the proposal in summarized form;
- a description of the topics to be addressed by the Working Party and Task Group meetings just before the Study Group meeting for which draft Recommendations may be developed.

2.20 The agenda for Working Party and Task Group meetings, which are immediately followed by a Study Group meeting, should indicate as specifically as possible the topics to be addressed, and should indicate where it is anticipated that draft Recommendations are to be considered.

2.21 With prior notice of a requirement and to the extent necessary and possible within available resources, the use of the working languages should be allowed during Task Group and Working Party meetings.

2.22 Each Study Group may adopt draft Recommendations. The draft Recommendations shall be approved according to the provisions of § 10.

2.23 Each Study Group may adopt draft Questions for approval in accordance with the provisions of § 3.

2.24 Each Study Group may also adopt draft Resolutions for approval by the Radiocommunication Assembly.

2.25 Each Study Group may approve Decisions, Opinions, Handbooks and Reports.

The Study Group may establish other procedures for the approval of Handbooks, e.g. by the Working Party concerned.

3 Questions to be studied by the Study Groups

3.1 In accordance with No. 129 of the Convention (Geneva, 1992) new or revised Questions referred to the Radiocommunication Assembly by the Plenipotentiary Conference, any other conference, the Council or the Radio Regulations Board will be assigned for study in accordance with § 3.4.

3.2 Other new or revised Questions may be approved by:

- Radiocommunication Assemblies;
- by correspondence in the interval between Radiocommunication Assemblies, when submitted to the Director by a Member State or after adoption by a Study Group (see § 3.3).

3.3 The Director shall collect all Questions submitted for approval by correspondence under § 3.2 and circulate them to the Member States in groups of related topics at appropriate intervals. Such Questions shall be approved, and have the same status as Questions approved at a Radiocommunication Assembly if:

- a simple majority of all the Member State respondents are in agreement;
- and at least 10 replies are received within four months after circulation;

and shall be assigned for study in accordance with § 3.4.

3.4 Concerning Questions submitted or approved in accordance with § 3.1 and § 3.2, the Director shall, as soon as possible, consult with the Study Group Chairmen and Vice-Chairmen and shall determine the appropriate Study Group to which the Question shall be assigned, and the urgency for the studies. Each Question approved at the Radiocommunication Assembly or by correspondence shall be assigned to only one Study Group.

3.5 When a Question has been assigned according to § 3.4, the Study Group Chairman, in consultation with the Vice-Chairmen and the Director, shall assign the Question to an existing Working Party or Task Group or, dependent upon the urgency, shall propose the establishment of a new Task Group, together with the name of its Chairman, or shall decide to refer the Question to the next Study Group meeting.

3.6 A circular-letter shall be sent by the Director to all participants in the Study Groups, announcing the new or revised Question and the method of study proposed by the Study Group Chairman.

4 Preparations for World (and Regional) Radiocommunication Conferences

4.1 World Radiocommunication Conferences (WRCs) are foreseen to occur every two years. Exceptionally, Regional Radiocommunication Conferences (RRCs) may also be scheduled. The procedures outlined in Resolution ITU-R 2 apply to the preparation for WRCs. As appropriate, they may be adapted by a Radiocommunication Assembly to apply to the case of a RRC.

4.2 Preparations for WRCs will be carried out by the Conference Preparatory Meeting (CPM) (see Resolution ITU-R 2).

5 Coordination among Study Groups, Sectors and with other international organizations

5.1 Meetings of Study Group Chairmen

Shortly after the close of each Radiocommunication Assembly and once in each year, the Director shall call a meeting of the Chairmen and Vice-Chairmen. The purpose of the meeting shall be to ensure the most effective coordination of the work of the Study Groups. The Director shall serve as Chairman of this meeting. The meeting shall also consider the status of work in the Study Groups regarding agendas for the next two WRCs and make recommendations accordingly.

In addition, the Director may, after consultation with the Chairmen and Vice-Chairmen of the Study Groups, call meetings of Chairmen and Vice-Chairmen at other times to discuss subjects which require urgent consideration.

5.2 Liaison Rapporteurs

Coordination between Study Groups may be ensured by the appointment of Study Group Liaison Rapporteurs to participate in the work of the other Study Groups or with Study Groups of the other two Sectors.

5.3 Intersector Coordination Group

In specific instances, complementary work on certain topics may be conducted by Study Groups in both the Radiocommunication Sector and the Telecommunication Standardization Sector. In such circumstances, it may be agreed between the two Sectors to establish an Intersector Coordination Group (ICG). For details on this process see Resolution ITU-R 6.

5.4 Other international organizations

When cooperation and coordination with other international organizations is necessary, the interface shall be provided by the Director. Liaison on specific technical matters, following consultation with the Director, may be carried out by Working Parties or Task Groups, or by a representative appointed by a Study Group.

PART II

Documentation

6 Radiocommunication Assembly and Radiocommunication Study Group texts**6.1 Definitions**

The Radiocommunication Assembly and Radiocommunication Study Group texts are defined as follows:

6.1.1 Question

A statement of a technical, operational or procedural problem, generally seeking a Recommendation (see Resolution ITU-R 5).

6.1.2 Recommendation

An answer to a Question or part(s) of a Question which, within the scope of existing knowledge and studies, gives specifications, data or guidance; the recommended way or ways of undertaking a specified task; or a recommended procedure or procedures for a specified application and which is considered to be sufficient to serve as a basis for international cooperation. When Recommendations provide information on various systems relating to one particular radio application they should be based on an evaluation of those systems, using criteria relevant for the application. Recommendations should be drafted taking account of the statement on intellectual property rights, given in Annex 1.

6.1.3 Resolution

A text giving instructions on the organization, methods or programmes of Radiocommunication Assembly or Study Group work.

6.1.4 Opinion

A text containing a proposal or a request destined for another organization (such as other Sectors of the ITU, international organizations, etc.) and not necessarily relating to a technical subject.

6.1.5 Decision

A text giving instructions on the organization of the work of a Study Group.

6.1.6 Report

A technical, operational or procedural statement, prepared by:

- a Study Group on a given subject related to a current Question;
- a CPM.

6.1.7 Handbook

A text which provides a statement of the current knowledge, the present position of studies, or of good operating or technical practice, in certain aspects of radiocommunications, which should be addressed to a radio engineer, system planner or operating official who plans, designs or uses radio services or systems, paying particular attention to the requirements of developing countries. It should be self-contained, require no familiarity with other ITU radio-communication texts or procedures, but should not duplicate the scope and content of publications readily available outside the ITU.

6.2 Presentation

6.2.1 Texts should be as brief as possible and should relate directly to the Question being studied.

6.2.2 Each text should include a reference to related texts and, where appropriate, to pertinent items of the Radio Regulations.

6.2.3 Texts shall be presented showing their number, their title and an indication of the year of their approval, and where appropriate, of any revisions.

6.3 Numbering

- 6.3.1** Recommendations shall be numbered in series according to a list prepared by the Director.
- 6.3.2** Reports shall be numbered in a similar way to Recommendations.
- 6.3.3** Questions shall be numbered in a separate series for each Study Group.
- 6.3.4** Opinions, Resolutions and Decisions shall be numbered in separate series.
- 6.3.5** When revised, a text shall retain its number with the addition of a hyphen and digit indicating the number of successive revisions.

6.4 Publications

- 6.4.1** Publication of approved texts shall be according to the following scheme:
- all Recommendations in force shall be published every four years; in the intervening period, new and modified Recommendations shall be published in fascicles in an economical form;
 - all Resolutions and Opinions shall be published following each Radiocommunication Assembly.
- 6.4.2** Each Volume/Fascicle for a given Series of Recommendations should include:
- a plan of the Books of the last Radiocommunication Assembly;
 - a plan of the Volumes/Fascicles;
 - the distribution of texts between Volumes/Fascicles;
 - a table of contents;
 - an index of the Recommendations in numerical order;
 - a list of other texts of the Study Group, including Questions, Resolutions, Opinions and Reports in force, indicating their title and the fascicle in which they are published;
 - an introductory preface prepared by the Study Group Chairman when appropriate;
 - the scope of the relevant Study Group, as well as the names of its Chairman and Vice-Chairmen;
 - the texts of the Recommendations compiled by theme;
 - the texts of Resolutions and Opinions related to the content of the Volume or Fascicle.
- 6.4.3** New Reports, Reports with significant amendments and those fulfilling a specific need shall be produced as soon as possible after approval by the Study Group.

Existing Reports need not be republished. Nevertheless, it would be desirable that they be grouped together and produced in a single volume for each Study Group once every 4 years.

Reports shall be produced in the most economical form, taking advantage of modern text preparation methods.

6.4.4 Handbooks should in general be published in bound form and updated and/or complemented by the issue of supplements. If necessary, they can include software or data in computer readable form for programs described in the text.

6.4.5 Publication of the texts of the Radiocommunication Assembly should involve the use of both printed and electronic formats.

The texts of approved Questions, Recommendations, Resolutions, Opinions and Decisions should be included in the ITU databases and be available for access by outside terminals.

Handbooks, Reports and specialized graphical texts would normally be published in printed format.

7 Preparatory documentation

7.1 Radiocommunication Assemblies

Preparatory documentation shall include:

- draft texts, prepared by Study Groups, for approval;
- a report from the Chairman of each Study Group and CPM, reviewing the activities of the Group since the preceding Radiocommunication Assembly, including from each Study Group Chairman a list of Questions for which no input documentation has been received for the period mentioned in § 1.7. Should a Chairman believe that a certain Question should continue an explanation must be given;
- a report by the Director which should include proposals for the future work programme;
- a list of Recommendations adopted since the previous Radiocommunication Assembly;
- contributions submitted from Member States and Sector Members addressed to the Radiocommunication Assembly.

7.2 Radiocommunication Study Groups

Preparatory documentation shall include:

- any directives issued by the Radiocommunication Assembly with respect to the Study Group, including this Resolution;
- draft Recommendations and other texts prepared by Task Groups or Working Parties;
- proposals for approval of draft Recommendations between Radiocommunication Assemblies (see § 10);
- progress reports from each Task Group, Working Party and Rapporteur;
- the contributions to be considered at the meeting, which may include documentation prepared by the Bureau on the basis of current literature, with a view to updating existing texts;
- the Chairman's report, summarizing the conclusions of any work carried out by correspondence and preparing the work to be accomplished at the meeting;
- the conclusions of the preceding meeting, in so far as they have not been included in the official texts referred to above;
- an outline agenda indicating: draft Recommendations to be considered, Questions to be considered, reports from Task Groups and Working Parties to be received, and Reports to be approved (see § 2).

8 Contributions to Radiocommunication Study Group studies

8.1 The Director, following consultation with the Study Group Chairmen, shall issue guidelines concerning the length and form of preparation for contributions, and dealing with numbering, figures, formulae, etc.

8.2 The Director shall also issue guidelines encouraging contributions provided on diskette or electronically.

8.3 The Director may return a document which does not comply with the guidelines, for it to be brought into line.

8.4 Each contribution should clearly indicate the Question, the Task Group, Working Party, Joint Rapporteur Group or, when of a general nature, the Study Group.

8.5 Contributions should be sent to the Chairman and Vice-Chairmen of the Study Group concerned, the Chairman of the Task Group or Working Party or the Rapporteur(s) of the Joint Rapporteur Group and any relevant Rapporteur and at the same time to the Director for numbering, translation, reproduction and distribution.

8.6 Contributions submitted by participants at least three months before the opening of the meeting at which they will be considered shall be distributed by the Director not later than one month before the opening of the meeting at which they are to be examined.

8.7 Contributions for consideration by correspondence submitted well before the date of the meeting should be distributed promptly by the Director.

8.8 Reports from the Chairmen of Study Groups, Working Parties and Task Groups should be submitted at least two months before the opening date of the meeting and shall be distributed by the Director.

8.9 Exceptionally, participants may submit in one or more of the working languages, delayed contributions which they consider essential and which cannot be submitted by the time-limit given in § 8.6. Delayed contributions from participants for Study Group consideration must be submitted at least seven days prior to the start of the meeting. Delayed contributions from participants to Task Group and Working Party meetings which can be published in at least the original working language(s) provided by participants and which can be made available by the Radiocommunication Bureau before the meeting will be placed on the agenda of the first session of the meeting, but will be considered only if the meeting concerned so decides. It is recognized that the Director cannot make a firm commitment regarding translation for delayed contributions. Taking account of the provisions of § 2.19, the arrangements in this section do not apply to submissions prepared by relevant ITU meetings.

8.10 In addition, contributions which are not available to participants at the opening of the meeting shall not be considered.

8.11 Participants are encouraged to submit contributions through electronic means following the procedures outlined in the Radiocommunication Bureau Guidelines.

8.12 The Director shall maintain records and copies of all contributions received, in numbered series.

8.13 Contributions and other documents shall be distributed to those who have indicated a wish to participate in the Study Group, Working Party, Joint Working Party, Task Group, Joint Task Group or Joint Rapporteur Group concerned (see § 9.1).

8.14 When articles are referred to in documents submitted to the Radiocommunication Bureau, such references or bibliography should be to published works which are readily available through library services.

9 Circulation of information

9.1 The Director shall issue, at regular intervals, information which will include:

- an invitation to participate in the work of the Study Groups for the next study period;
- a request form to be completed for the receipt of the documentation;
- a schedule of meetings for at least the next 12 months with updates, as appropriate;
- all Study Group meeting invitations;
- CPM preparatory documents and final reports;
- preparatory documents for the Radiocommunication Assembly.

The following information will be provided based on responses to requests for documentation as outlined above:

- Study Group circulars which will include invitations to all Working Party, Task Group and Joint Rapporteur Group meetings with a form for individual participation and draft agenda;
- Study Group, Working Party, Task Group and Joint Rapporteur Group documents;
- other information which will assist Member States and Sector Members.

9.2 Information on Study Group activities will also be available in electronic form, as appropriate.

PART III

10 Approval of Recommendations**10.1 Introduction**

10.1.1 Due to rapid and continuing changes in telecommunication technologies and consequent changes in radiocommunication services and their operational and technical functions, it is desirable to employ procedures for expeditious approval of radiocommunication Recommendations.

10.1.2 When the study of a Question has reached a mature state resulting in a draft new or revised Recommendation, the approval process to be followed is in two stages:

- adoption by the Study Group concerned (see § 10.2);
- approval by the Member States (see § 10.3).

Although not explicitly mentioned below, this process may also be used for the deletion of existing Recommendations.

10.1.3 There may be exceptional circumstances where no Study Group meeting has been scheduled at a suitable time prior to a Radiocommunication Assembly, and where a Task Group or Working Party has prepared draft proposals for new or revised Recommendations which require urgent action. In these cases, if at its previous meeting the Study Group decides, the Study Group Chairman may submit such proposals directly to the Radiocommunication Assembly and should outline the reasons for such urgent action.

10.1.4 Approval may only be sought for a draft new or revised Recommendation within the Study Group's mandate as defined by the Questions allocated to it in accordance with Nos. 129 and 149 of the Convention (Geneva, 1992). Alternatively, or additionally, approval may be sought for amendment of an existing Recommendation within the Study Group's mandate.

10.1.5 Where a draft Recommendation (or revision) falls, exceptionally, within the mandate of more than one Study Group, the Chairman of the Study Group proposing the approval should consult and take into account the views of any other Study Group Chairmen concerned before proceeding with the procedures below.

10.1.6 In the interests of stability, revision of a Recommendation should not normally be considered for approval within two years, unless the proposed revision complements rather than changes the agreement reached in the previous version.

10.2 Adoption of a new or revised Recommendation by a Study Group**10.2.1 Adoption at a Study Group meeting**

10.2.1.1 A Study Group may consider and adopt draft new or revised Recommendations, when the draft texts have been prepared sufficiently far in advance of the Study Group meeting so that it is anticipated that the draft texts in the working languages will have been distributed in either paper and/or electronic forms at least four weeks prior to the start of the Study Group meeting.

10.2.1.2 Upon request of the Study Group Chairman, the Director shall explicitly indicate the intention to seek approval of new or revised Recommendations under this procedure for adoption at a Study Group meeting when announcing the convening of the relevant Study Group meeting. The announcement shall include the specific intent of the proposal in summarized form. Reference shall be provided to the document where the text of the draft of the new or revised Recommendation may be found.

This information shall be distributed to all Member States and Sector Members and should be sent by the Director so that it shall be received, so far as practicable, at least three months before the meeting.

10.2.1.3 The Study Group should approve a document stating the summaries of the proposed new Recommendations and the summaries of modifications for the proposed revised Recommendations. This document should be included in an appropriate notification dispatched by the Director.

10.2.2 Adoption by a Study Group by correspondence

10.2.2.1 When a draft new or revised Recommendation has not been anticipated for specific inclusion in the agenda of a Study Group meeting, or when there has been insufficient time for a draft text to be prepared in the working languages prior to the Study Group meeting as indicated in § 10.2.1.1, the participants at the Study Group meeting may decide, after due consideration, to seek adoption of the draft new or revised Recommendation by the Study Group by correspondence (see also § 2.9).

10.2.2.2 The Study Group meeting should approve a document giving a summary of the proposed new Recommendation or of the modifications of the proposed revised Recommendation. If the Study Group adopts the Recommendation following the procedure given below, this document should be included in the appropriate notification of the approval process dispatched by the Director.

10.2.2.3 Immediately following the Study Group meeting, the Director should circulate these draft new or revised Recommendations to all Member States and Sector Members participating in the work of the Study Group for full Study Group consideration by correspondence. The circulation should be made as soon as possible in the available languages, and followed, again as soon as possible, in the remaining working languages.

10.2.2.4 The period for Study Group consideration shall extend for at least two months following the circulation of the draft new or revised Recommendations and shall end after the texts of the draft new or revised Recommendations have been available in the working languages for at least four weeks.

10.2.2.5 If within this period for Study Group consideration no objections are received from Member States, the draft new or revised Recommendation shall be considered to be adopted by the Study Group.

10.2.2.6 However, if objections to the adoption of the text are received within this period, the Director and the Study Group Chairman shall consult the Member State making the objection with a view to resolving the problem.

10.2.2.7 If the Director and Study Group Chairman determine that an objection to the text can be resolved through editorial corrections, the document may be sent forward through the appropriate approval process with these corrections identified. If there are objections to the text that cannot be corrected editorially, the document shall be referred back to the Working Party or Task Group for further study except when the text is in response to a Question of category C1 (very urgent and priority studies required for the WRC to be held within the next two-year period). In that case, the document should be forwarded to the Radiocommunication Assembly. Furthermore, the Radiocommunication Bureau shall send, as soon as possible, to the Radiocommunication Assembly, Task Group or Working Party, as appropriate, the reasons given by the Director and Study Group Chairman for their decision and the detailed objection from the administration that objected to the draft new or revised Recommendation.

10.3 Approval of new or revised Recommendations

10.3.1 When a draft new or revised Recommendation has been adopted by a Study Group, by either of the above procedures, then the text shall be submitted for approval by Member States.

10.3.2 Approval of new or revised Recommendations may be sought:

- at a Radiocommunication Assembly;
- by consultation of the Member States as soon as the relevant Study Group has adopted the text.

10.3.3 At the Study Group meeting where a draft is adopted or where it is decided to seek adoption by Study Group correspondence, the Study Group shall decide to submit the draft new or revised Recommendation for approval either at the next Radiocommunication Assembly or by consultation of the Member States.

10.3.4 When it is decided to submit a draft to the Radiocommunication Assembly, the Study Group Chairman shall inform the Director and request that he takes the necessary action to ensure that it is included in the agenda for the Assembly.

10.3.5 When it is decided to submit a draft for approval by consultation the following conditions and procedures apply.

10.3.5.1 At the Study Group's meeting the decision of the delegations representing Member States to apply this approval procedure must be unopposed. A delegation may advise at the Study Group meeting that it is abstaining from the decision to apply the procedure. This delegation's presence shall then be ignored for the purposes of this decision. Such an abstention may subsequently be revoked, but only during the course of the Study Group meeting.

Exceptionally, but only during the Study Group meeting, delegations may request more time to consider their positions. Unless advised of formal opposition from any of these delegations within a period of one month after the last day of the meeting, the approval process by consultation shall continue. If formal objection is received, the draft shall be submitted to the next Radiocommunication Assembly (see § 10.3.3).

10.3.5.2 For the application of the approval procedure by consultation, within one month of a Study Group's adoption of a draft new or revised Recommendation, according to one of the methods in § 10.2, the Director shall request Member States to indicate within three months whether they approve or do not approve the proposal. This request shall be accompanied by the complete final text, in the working languages, of the proposed new or revised Recommendation.

10.3.5.3 The Director shall also advise Sector Members participating in the work of the relevant Study Group under the provisions of Article 19 of the Convention (Geneva, 1992), that Member States are being asked to respond to a consultation on a proposed new or revised Recommendation, but only Member States are entitled to respond. This advice should be accompanied by the complete final texts, for information only.

10.3.5.4 If 70% or more of the replies from Member States indicate approval, the proposal shall be accepted. If the proposal is not accepted, it shall be referred back to the Study Group.

Any comments received along with responses to the consultation shall be collected by the Director and submitted to the Study Group for consideration.

10.3.5.5 Those Member States who indicate that they do not approve are encouraged to advise their reasons and to participate in the future consideration by the Study Group and its Working Parties and Task Groups.

10.3.5.6 The Director shall promptly notify, by circular letter, the results of the above procedure for approval by consultation. The Director shall arrange that this information is also included in the next available ITU Notification.

10.3.6 Should minor, purely editorial amendments or correction of evident oversights or inconsistencies in the text as presented for approval be necessary, the Director may correct these with the approval of the Chairman of the relevant Study Group.

10.3.7 The ITU shall publish the approved new or revised Recommendations in the working languages as soon as practicable, indicating, as necessary, a date of entry into effect.

10.3.8 Any Member States or Sector Members considering themselves to be adversely affected by a Recommendation approved in the course of a study period may refer their case to the Director who shall submit it to the relevant Study Group for prompt attention.

10.3.9 The Director shall inform the next Radiocommunication Assembly of all cases notified in conformity with § 10.3.8.

ANNEX 1

Statement on Radiocommunication Sector patent Policy*

The following is a “code of practice” regarding intellectual property rights (patents) covering, in varying degrees, the subject matters of ITU-R Recommendations. The rules of this “code of practice” are simple and straightforward – Recommendations are drawn up by radiocommunications and not patent experts; thus, they may not necessarily be very familiar with the complex international legal situation of intellectual property rights such as patents, etc.

ITU-R Recommendations are non-binding international documents. Their objective is to ensure the rational, equitable, efficient and economical use of radio-frequency spectrum and satellite orbits or to recommend on various radiocommunication matters. To meet this objective, which is in the common interests of all those participating in radiocommunications (network and service providers, suppliers, users, frequency spectrum managers) it must be ensured that Recommendations, their applications, use, etc. are accessible to everybody. It follows therefore that a commercial (monopolistic) abuse by a holder of a patent embodied fully or partly in a Recommendation must be excluded. To meet this requirement in general is the sole objective of the code of practice. The detailed arrangements arising from patents (licensing, royalties, etc.) are being left to the parties concerned, as these arrangements might differ from case to case.

This code of practice may be summarized as follows (it should be noted that ISO operates in a very similar way):

1 The ITU is not in a position to give authoritative or comprehensive information about evidence, validity or scope of patents or similar rights, but it is desirable that the fullest available information should be disclosed. Therefore, any Radiocommunication Sector Member organization putting forward a proposal for recommendation should, from the outset, draw the attention of the Director of the Radiocommunication Bureau to any known patent or to any known pending patent application, either their own or of other organizations, although the Director of the Radiocommunication Bureau is unable to verify the validity of any such information.

2 If an ITU-R Recommendation is developed and such information as referred to in § 1 has been disclosed, three different situations may arise:

2.1 The patent holder waives his rights; hence, the Recommendation is freely accessible to everybody, subject to no particular conditions, no royalties are due, etc.

2.2 The patent holder is not prepared to waive his rights but would be willing to negotiate licenses with other parties on a non-discriminatory basis on reasonable terms and conditions. Such negotiations are left to the parties concerned and are performed outside the ITU-R.

2.3 The patent holder is not willing to comply with the provisions of either § 2.1 or § 2.2; in such case, no Recommendation can be established.

3 Whatever case applies (§§ 2.1, 2.2 or 2.3), the patent holder has to provide a written statement to be filed at the Radiocommunication Bureau. This statement must not include additional provisions, conditions, or any other exclusion clauses in excess of what is provided for each case in §§ 2.1, 2.2 and 2.3.

* This statement was adopted in 1995. A revised statement is to be considered jointly by the Radiocommunication Advisory Group (RAG) and the Telecommunication Standardization Advisory Group (TSAG) in 1998. When such a statement is available, it will be disseminated by the Director.