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| **Expert Group on the International Telecommunication Regulations (EG-ITRs)** |  |
| **Third meeting (virtual) - 17-18 September 2020** |  |
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| **3 September 2020** |
| **Original: Russian** |
| Russian Federation | |
| PROVISION-by-PROVISION examination of sections of the international telecommunication regulations at the THIRD meeting of EG-itrs in accordance with the work plan adopted at the first meeting OF THE GROUP | |

# 1 Introduction

The first meeting of EG-ITRs, having considered and discussed proposals on the Group’s activities, agreed on a work plan for the Expert Group and approved a template for the provision-by-provision examination of the ITRs.

In accordance with the work plan adopted at the first meeting, the third meeting of EG-ITRs should conduct an analysis of the following sections of the ITRs:

– Article 5 Safety of life and priority of telecommunications

– Article 6 Security and robustness of networks

– Article 7 Unsolicited bulk electronic communications

– Article 8 Charging and accounting

– Appendix 1 General provisions concerning accounting

The position of the Russian Federation on the provisions of the ITRs to be examined at the third meeting of EG-ITRs is detailed in Table 1 below.

It should be noted that in many cases the 1988 ITRs have not allowed for the changes that have occurred in the telecommunication/ICT ecosystem since 1988, in particular the significantly broader range of entities providing international telecommunication services, going far beyond “recognized private operating agencies”. Furthermore, the 1988 ITRs use terminology that is not in keeping with the current provisions of the ITU Constitution and Convention as well as outdated terms, leading to misunderstandings and/or errors in the application of the Regulations.

In order further to refine the ITRs, it would be useful to include in the text of the Regulations terms and/or provisions concerning different aspects associated with the development, implementation and use of telecommunications and information and telecommunication technologies (telecommunications/ICTs). These aspects could include, for example, the issues of bridging the digital divide and using telecommunications/ICTs in emergency situations, including pandemics, approaches to universal service, roaming and unsolicited electronic communications and the main provisions of the corresponding resolutions of the Plenipotentiary Conference, World Telecommunication Standardization Assembly, Radio Assembly and World Telecommunication Development Conference.

Table 1

| 2012 Article | Sub-article and provision | Related 1988 sub-article and provision | Applicability in fostering provision and development of networks and services | Flexibility to accommodate new trends and emergent issues | Summary outcome |
| --- | --- | --- | --- | --- | --- |
| ARTICLE 5 **Safety of life and priority of telecommunications** | 45 5.1 Safety-of-life telecommunications, such as distress telecommunications, shall be entitled to transmission as of right and, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant articles of the Constitution and the Convention and taking due account of the relevant ITU-T Recommendations. | 39 5.1 Safety of life telecommunications, such as distress telecommunications, shall be entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant Articles of the Convention and taking due account of relevant CCITT Recommendations. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible.  It seems appropriate to replace the reference to ITU-T Recommendations with a reference to ITU Recommendations as all types of telecommunications are used for the transmission of such messages. |
| 46 5.2 Government telecommunications, including telecommunications relative to the application of certain provisions of the United Nations Charter, shall, where technically practicable, enjoy priority over telecommunications other than those referred to in No. 45 (5.1) above, in accordance with the relevant provisions of the Constitution and the Convention and taking due account of the relevant ITU-T Recommendations. | 40 5.2 Government telecommunications, including telecommunications relative to the application of certain provisions of the United Nations Charter, shall, where technically practicable, enjoy priority over telecommunications other than those referred to in No. 39, in accordance with the relevant provisions of the Convention and taking due account of relevant CCITT Recommendations. | The provision is applicable in fostering provision and development of networks and services.  No. 40 of the 1988 ITRs contains an obsolete reference to the Convention. | The provision ensures flexibility to accommodate new trends and emergent issues.  No. 40 of the 1988 ITRs contains an obsolete reference to the Convention. | The provision does not require modification as it is applicable and flexible.  It seems appropriate to replace the reference to ITU-T Recommendations with a reference to ITU Recommendations as all types of telecommunications are used for the transmission of such messages. |
| 47 5.3 The provisions governing the priority enjoyed by any other telecommunication services are contained in the relevant ITU-T Recommendations. | 41 5.3 The provisions governing the priority enjoyed by all other telecommunications are contained in the relevant CCITT Recommendations. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. |
| 48 5.4 Member States should encourage authorized operating agencies to inform all users, including roaming users, in good time and free of charge, of the number to be used for calls to the emergency services. |  | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible.  This provision is due to the introduction of new kinds of international telecommunication services. |

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| 2012 Article | Sub-article and provision | Related 1988 sub-article and provision | Applicability in fostering provision and development of networks and services | Flexibility to accommodate new trends and emergent issues | Summary outcome |
| ARTICLE 6 **Security and robustness of networks** | 49 6.1 Member States shall individually and collectively endeavour to ensure the security and robustness of international telecommunication networks in order to achieve effective use thereof and avoidance of technical harm thereto, as well as the harmonious development of international telecommunication services offered to the public. | *The 1988 ITRs do not contain such a provision.*  *The appearance of this provision in the 2012 ITRs is due to the need to ensure the security and robustness of telecommunication networks in the light of the significant increase in international telecommunication service types and volumes.* | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible.  Requirements for network security and robustness and international cooperation along these lines are crucial to successful telecommunication development. |

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| 2012 Article | Sub-article and provision | Related 1988 sub-article and provision | Applicability in fostering provision and development of networks and services | Flexibility to accommodate new trends and emergent issues | Summary outcome |
| ARTICLE 7  **Unsolicited bulk electronic communications** | 50 7.1 Member States should endeavour to take necessary measures to prevent the propagation of unsolicited bulk electronic communications and minimize its impact on international telecommunication services. | *The 1988 ITRs do not contain such an article as the issue did not exist at that time.*  *Unsolicited bulk electronic communications create considerable problems for telecommunication operators and consumers.*  *The absence of any obligations under this article may be used intentionally or unintentionally to adversely affect performance of telecommunication networks and/or at the telecommunication service level.* | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible.  Such messages create considerable problems for telecommunication operators and consumers |
| 51 7.2 Member States are encouraged to cooperate in that sense. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. |

| 2012 Article | Sub-article and provision | Related 1988 sub-article and provision | Applicability in fostering provision and development of networks and services | Flexibility to accommodate new trends and emergent issues | Summary outcome |
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| ARTICLE 8 **Charging and accounting** | 52 **8.1 International telecommunication arrangements** | 42 **6.1 Collection charges** |  |  |  |
| 53 8.1.1 Subject to applicable national law, the terms and conditions for international telecommunication service arrangements may be established through commercial agreements or through accounting-rate principles established pursuant to national regulation. | 43 6.1.1 Each administration shall, subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. |
| 54 8.1.2 Member States shall endeavour to encourage investments in international telecommunication networks and promote competitive wholesale pricing for traffic carried on such telecommunication networks. | *The 1988 ITRs do not contain such a provision.*  *The appearance of this provision in the 2012 ITRs is due to privatization and the development of market relations in telecommunications.* | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. |
| 55 **8.2 Accounting-rate principles** |  |  |  |  |
| 56 ***Terms and conditions*** |  |  |  |  |
|  | 57 8.2.1 The following provisions may apply where the terms and conditions of international telecommunication service arrangements are established through accounting-rate principles, established pursuant to national regulation. These provisions do not apply to arrangements established through commercial agreements. | *The 1988 ITRs do not contain such a provision.*  *The appearance of this provision in the 2012 ITRs is due to privatization and the development of market relations in telecommunications.* | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. |
| 58 8.2.2 For each applicable service in a given relation, authorized operating agencies shall, by mutual agreement, establish and revise accounting rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account the relevant ITU-T Recommendations. | 47 6.2.1 For each applicable service in a given relation, administrations shall by mutual agreement establish and revise accounting rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account relevant CCITT Recommendations and relevant cost trends. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. |
|  | 44 6.1.2 The charge levied by an administration on customers for a particular communication should in principle be the same in a given relation, regardless of the route chosen by that administration\*. | *There is no need for this provision of the 1988 ITRs, as the requisite regulatory principles are included in No. 58 of the 2012 ITRs.* | | |
|  | 59 8.2.3 Unless otherwise agreed, parties engaged in the provision of international telecommunication services shall follow the relevant provisions as set out in Appendices 1 and 2. | 52 6.4.1 Unless otherwise agreed, administrations\* shall follow the relevant provisions as set out in Appendices 1 and 2. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. |
| 608.2.4 In the absence of special arrangements concluded between authorized operating agencies, the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:  – either the monetary unit of the International Monetary Fund (IMF), currently the Special Drawing Right (SDR), as defined by that organization;  – or freely convertible currencies or other monetary unit agreed between the authorized operating agencies. | 49 6.3.1 In the absence of special arrangements concluded between administrations\*, the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:  – either the monetary unit of the International Monetary Fund (IMF), currently the Special Drawing Right (SDR), as defined by that organization;  – or the gold franc, equivalent to 1/3.061 SDR. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible.  No. 49 of the 1988 ITRs, in its reference to the gold franc, does not reflect the current situation. |
|  |  | 50 6.3.2 In accordance with relevant provisions of the International Telecommunication Convention, this provision shall not affect the possibility open to administrations of establishing bilateral arrangements for mutually acceptable coefficients between the monetary unit of the IMF and the gold franc. | *The gold franc is no longer in use. This paragraph of the 1988 ITRs is not in line with the ITU Charter or Convention and does not reflect the current situation. As a result, this paragraph of the 1988 ITRs is redundant. No. 60 of the 2012 ITRs fully reflects issues relating to the regulation of monetary relations between organizations.* | | |
|  | 61 ***Collection charges*** | 42 **6.1 Collection charges** |  |  |  |
|  | 628.2.5 The charges levied on customers for a particular communication should in principle be the same in a given relation, regardless of the international route used for that communication. In establishing these charges, Member States should try to avoid dissymmetry between the charges applicable in each direction of the same relation. | 43 6.1.1 Each administration shall, subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. |
|  | 63 **8.3 Taxation** |  |  |  |  |
|  | 64 8.3.1 Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances. | 45 6.1.3 Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. |
|  | 65 **8.4 Service telecommunications** | 53 **6.5 Service and privilege telecommunications** |  |  |  |
|  | 66 8.4.1 Authorized operating agencies may in principle forego the inclusion of service telecommunications in international accounting, under the relevant provisions of the Constitution and the Convention and these Regulations, having due regard for the need for reciprocal arrangements. Authorized operating agencies may provide service telecommunications free of charge. | 54 6.5.1 Administrations shall follow the relevant provisions as set out in Appendix 3. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible.  The provisions contained in Appendix 3 of the 1988 ITRs are included in the body of the 2012 ITRs. |
|  | 67 8.4.2 The general operational, charging and accounting principles applicable to service telecommunications should take account of the relevant ITU-T Recommendations. | *The 1988 ITRs do not contain such a provision.*  *The appearance of this provision in the 2012 ITRs is due to privatization and the development of market relations in telecommunications.* | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. |

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| APPENDIX 1  **General provisions concerning accounting** | 1/1 **1 Accounting rates** | 1/1 **1 Accounting rates** |  |  |  | |
| 1/2 1.1 For each applicable service in a given relation, Member States shall endeavour to ensure that authorized operating agencies, by mutual agreement, establish and revise accounting rates to be applied between them, taking into account ITU-T Recommendations and trends in the cost of providing the specific telecommunication service, and divide such rates into terminal shares payable to the authorized operating agencies of terminal countries and, where appropriate, into transit shares payable to the authorized operating agencies of transit countries. | 1/2 1.1 For each applicable service in a given relation, administrations shall by mutual agreement establish and revise accounting rates to be applied between them, taking into account the Recommendations of the CCITT and trends in the cost of providing the specific telecommunication service, and shall divide such rates into terminal shares payable to the administrations of terminal countries, and where appropriate, into transit shares payable to the administrations of transit countries. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
| 1/3 1.2 Alternatively, in traffic relations where ITU-T cost studies can be used as a basis, the accounting rate may be determined in accordance with the following method: | 1/3 1.2 Alternatively, in traffic relations where CCITT cost studies can be used as a basis, the accounting rate may be determined in accordance with the following method: | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. |
| 1/4 *a)* authorized operating agencies shall establish and revise their terminal and transit shares taking into account ITU-T Recommendations; | 1/4 *a)* administrations shall establish and revise their terminal and transit shares taking into account the Recommendations of the CCITT; | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
| 1/5 *b)* the accounting rate shall be the sum of the terminal shares and any transit shares. | 1/5 *b)* the accounting rate shall be the sum of the terminal shares and any transit shares. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
| 1/6 1.3 When one or more authorized operating agencies acquire, either by flat-rate remuneration or other arrangements, the right to utilize a part of the circuit and/or installations of another authorized operating agency, the former have the right to establish their share as mentioned in Nos. 1/2 (1.1) and 1/3 (1.2) above, for this part of the relation. | 1/6 1.3 When one or more administrations acquire, either by flat rate remuneration or other arrangements, the right to utilize a part of the circuit and/or installations of another administration, the former have the right to establish their share as mentioned in 1.1 and 1.2 above, for this part of the relation. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
| 1/7 1.4 In cases where one or more international routes have been established by agreement between authorized operating agencies and where traffic is diverted unilaterally by the authorized operating agency of origin to an international route which has not been agreed with the authorized operating agency of destination, the terminal shares payable to the authorized operating agency of destination shall be the same as would have been due to it had the traffic been routed over the agreed primary route, and the transit costs are borne by the authorized operating agency of origin, unless the authorized operating agency of destination is prepared to agree to a different share. | 1/7 1.4 In cases where one or more routes have been established by agreement between administrations and where traffic is diverted unilaterally by the administration of origin to a route which has not been agreed with the administration of destination, the terminal shares payable to the administration of destination shall be the same as would have been due to it had the traffic been routed over the agreed primary route and the transit costs are borne by the administration of origin, unless the administration of destination is prepared to agree to a different share. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
| 1/8 1.5 In cases where traffic is routed via a transit point without authorization and/or agreement to the transit share, the transit authorized operating agency has the right to set the level of the transit share to be included in the international accounts. | 1/8 1.5 In cases where the traffic is routed via a transit point without authorization and/or agreement to the transit share, the transit administration has the right to set the level of the transit share to be included in the international accounts. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
| 1/9 1.6 Where an authorized operating agency has a duty or fiscal tax levied on its accounting-rate shares or other remunerations, it shall not in turn impose any such duty or fiscal tax on other authorized operating agencies. | 1/9 1.6 Where an administration has a duty or fiscal tax levied on its accounting rate shares or other remunerations, it shall not in turn impose any such duty or fiscal tax on other administrations. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
| 1/10 **2 Establishment of accounts** | 1/10 **2 Establishment of accounts** |  |  |  | |
| 1/11 2.1 Unless otherwise agreed, the authorized operating agencies responsible for collecting the charges shall establish a monthly account showing all the amounts due, and send it to the authorized operating agencies concerned. | 1/11 2.1 Unless otherwise agreed, the administrations responsible for collecting the charges shall establish a monthly account showing all the amounts due and send it to the administrations concerned. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
| 1/12 2.2 The accounts should be sent as promptly as possible, taking into account relevant ITU-T Recommendations, and, except in cases of *force majeure*, before the end of a period of 50 days following the month to which they relate, unless otherwise mutually agreed. | 1/12 2.2 The accounts shall be sent as promptly as possible and, except in cases of *force majeure*, before the end of the third month following that to which they relate. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
| 1/13 2.3 In principle, an account shall be considered as accepted without the need for specific notification of acceptance to the authorized operating agency which sent it. | 1/13 2.3 In principle an account shall be considered as accepted without the need for specific notification of acceptance to the administration which sent it. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/14 2.4 However, any authorized operating agency has the right to question the contents of an account within a period of two calendar months after the receipt of the account, but only to the extent necessary to bring any differences within mutually agreed limits. | 1/14 2.4 However, any administration has the right to question the contents of an account for a period of two calendar months after the receipt of the account, but only to the extent necessary to bring any differences within mutually agreed limits. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/15 2.5 In relations where there are no special agreements, a quarterly settlement statement showing the balances of the monthly accounts for the period to which it relates shall be prepared and issued as soon as possible by the creditor authorized operating agency, and shall be sent to the debtor authorized operating agency, which, after verification, shall return a copy endorsed with its acceptance. | 1/15 2.5 In relations where there are no special agreements, a quarterly settlement statement showing the balances of the monthly accounts for the period to which it relates shall be prepared as soon as possible by the creditor administration and shall be sent in duplicate to the debtor administration, which, after verification, shall return one of the copies endorsed with its acceptance. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/16 2.6 In indirect relations where a transit authorized operating agency acts as an accounting intermediary between two terminal points, Member States shall endeavour to ensure that authorized operating agencies include accounting data for transit traffic in the relevant outgoing traffic account to authorized operating agencies beyond it in the routing sequence as soon as possible after receiving the data from the originating authorized operating agency, in accordance with the relevant ITU-T Recommendations. | 1/16 2.6 In indirect relations where a transit administration acts as an accounting intermediary between two terminal points, it shall include accounting data for transit traffic in the relevant outgoing traffic account to administrations beyond it in the routing sequence as soon as possible after receiving that data from the originating administration. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/17 **3 Settlement of balances of accounts** | 1/17 **3 Settlement of balances of accounts** |  |  |  | |
|  | 1/18 **3.1 Choice of the currency of payment** | 1/18 **3.1 Choice of the currency of payment** |  |  |  | |
|  | 1/19 3.1.1 The payment of balances of international telecommunication accounts shall be made in the currency selected by the creditor, after consultation with the debtor. In the event of disagreement, the choice of the creditor shall prevail in all cases, subject to the provisions in No. 1/20 (3.1.2) below. If the creditor does not specify a currency, the choice shall rest with the debtor. | 1/19 3.1.1 The payment of balances of international telecommunication accounts shall be made in the currency selected by the creditor after consultation with the debtor. In the event of disagreement, the choice of the creditor shall prevail in all cases subject to the provisions in 3.1.2 below. If the creditor does not specify a currency, the choice shall rest with the debtor. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/20 3.1.2 If a creditor selects a currency with a value fixed unilaterally or a currency the equivalent value of which is to be determined by its relationship to a currency with a value also fixed unilaterally, the use of the selected currency must be acceptable to the debtor. | 1/20 3.1.2 If a creditor selects a currency with a value fixed unilaterally or a currency the equivalent value of which is to be determined by its relationship to a currency with a value also fixed unilaterally, the use of the selected currency must be acceptable to the debtor. |  |  |  | |
|  | 1/21 3.1.3 Provided the periods of payment are observed, authorized operating agencies have a right, by mutual agreement, to settle their balances of various kinds by offsetting: | 1/35 3.4.1 Provided the periods of payment are observed, administrations may by mutual agreement settle their balances of various kinds by offsetting:  – credits and debits in their relations with other administrations; and/or  – debts arising from postal services, if appropriate. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/22 *a)* credits and debits in their relations with other authorized operating agencies; | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/23*b)* any other mutually agreed settlements, if appropriate. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/24This rule also applies in case payments are made through specialized payment agencies in accordance with arrangements with authorized operating agencies. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/25 **3.2 Determination of the amount of payment** | 1/21 **3.2 Determination of the amount of payment** |  |  |  | |
|  | 1/26 3.2.1 The amount of the payment in the selected currency, as determined below, shall be equivalent in value to the balance of the account. | 1/22 3.2.1 The amount of the payment in the selected currency, as determined below, shall be equivalent in value to the balance of the account. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/27 3.2.2 If the balance of the account is expressed in the monetary unit of the IMF, the amount of the selected currency shall be determined by the relationship in effect on the day before payment, or by the latest relationship published by the IMF, between the monetary unit of the IMF and the selected currency. | 1/23 3.2.2 If the balance of the account is expressed in the monetary unit of the IMF, the amount of the selected currency shall be determined by the relationship in effect on the day before payment, or by the latest relationship published by the IMF, between the monetary unit of the IMF and the selected currency. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/28 3.2.3 However, if the relationship of the monetary unit of the IMF to the selected currency has not been published, the amount of the balance of account shall, at a first stage, be converted into a currency for which a relationship has been published by the IMF, using the relationship in effect on the day before payment or the latest published relationship. The amount thus obtained shall, at a second stage, be converted into the equivalent value of the selected currency, using the closing rate in effect on the day prior to payment or the most recent rate quoted on the official or generally accepted foreign-exchange market of the main financial centre of the debtor country. | 1/24 3.2.3 However, if the relationship of the monetary unit of the IMF to the selected currency has not been published, the amount of the balance of account shall, at a first stage, be converted into a currency for which a relationship has been published by the IMF, using the relationship in effect on the day before payment or the latest published relationship. The amount thus obtained shall, at a second stage, be converted into the equivalent value of the selected currency, using the closing rate in effect on the day prior to payment or the most recent rate quoted on the official or generally accepted foreign exchange market of the main financial centre of the debtor country. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  |  | 1/25 3.2.4 If the balance of the account is expressed in gold francs, the amount shall, in the absence of special arrangements, be converted into the monetary unit of the IMF in accordance with the provisions of section 6.3 of the Regulations. The amount of payment shall then be determined in compliance with the provisions of 3.2.2. above. | *The gold franc is no longer in use. This paragraph of Appendix 1 of the 1988 ITRs is not in line with the ITU Charter or Convention and does not reflect the current situation. As a result, this paragraph of Appendix 1 of the 1988 ITRs is redundant. No. 1/29-1/31 of Appendix 1 of the 2012 ITRs fully reflects issues relating to the use of different monetary units.* | | | |
|  | 1/29 3.2.4 If, in accordance with a special arrangement, the balance of the account is not expressed in the monetary unit of the IMF, the payment shall also be the subject of this special arrangement and: | 1/26 3.2.5 If, in accordance with a special arrangement, the balance of the account is expressed neither in the monetary unit of the IMF nor in gold francs, the payment shall also be the subject of this special arrangement and: | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/30 *a)* if the selected currency is the same as the currency of the balance of account, the amount of the selected currency shall be the amount of the balance of account; | 1/27 *a)* if the selected currency is the same as the currency of the balance of account, the amount of the selected currency shall be the amount of the balance of account; | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/31 *b)* if the selected currency for payment is different from the currency in which the balance is expressed, the amount shall be determined by converting the balance of account to its equivalent value in the selected currency in accordance with the provisions of No. 1/28 (3.2.3) above. | 1/28 *b)* if the selected currency for payment is different from the currency in which the balance is expressed, the amount shall be determined by converting the balance of account to its equivalent value in the selected currency in accordance with the provisions of 3.2.3 above. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/32 **3.3 Payment of balances** | 1/29 **3.3 Payment of balances** |  |  |  | |
|  | 1/33 3.3.1 Payment of balances of account shall be effected as promptly as possible, but in no case later than two calendar months after the day on which the settlement statement is dispatched by the creditor authorized operating agency. Beyond this period, the creditor authorized operating agency may, subject to prior notification in the form of a final demand for payment, and unless otherwise agreed, charge interest at a rate of up to 6 per cent per annum, reckoned from the day following the date of expiry of the said period. | 1/30 3.3.1 Payment of balances of account shall be effected as promptly as possible, but in no case later than two calendar months after the day on which the settlement statement is despatched by the creditor administration. Beyond this period, the creditor administration\* may, subject to prior notification in the form of a final demand for payment, and unless otherwise agreed, charge interest at a rate of up to 6% per annum, reckoned from the day following the date of expiry of the said period. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/34 3.3.2 The payment due on a settlement statement shall not be delayed pending settlement of a query on that account. Adjustments which are later agreed shall be included in a subsequent account. | 1/31 3.3.2 The payment due on a settlement statement shall not be delayed pending settlement of a query on that account. Adjustments which are later agreed shall be included in a subsequent account. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/35 3.3.3 On the date of payment, the debtor shall transmit the amount of the selected currency as computed above by a bank cheque, transfer or any other means acceptable to the debtor and the creditor. If the creditor expresses no preference, the choice shall fall to the debtor. | 1/32 3.3.3 On the date of payment, the debtor shall transmit the amount of the selected currency as computed above by a bank cheque, transfer or any other means acceptable to the debtor and the creditor. If the creditor expresses no preference, the choice shall fall to the debtor. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/36 3.3.4 The payment charges imposed in the debtor country (taxes, clearing charges, commissions, etc.) shall be borne by the debtor. Any such charges imposed in the creditor country, including payment charges imposed by intermediate banks in third countries, shall be borne by the creditor. | 1/33 3.3.4 The payment charges imposed in the debtor country (taxes, clearing charges, commissions, etc.) shall be borne by the debtor. Any such charges imposed in the creditor country, including payment charges imposed by intermediate banks in third countries, shall be borne by the creditor. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/37 **3.4 Additional provisions** | 1/34 **3.4 Additional provisions** |  |  |  | |
|  |  | 1/35 3.4.1 Provided the periods of payment are observed, administrations may by mutual agreement settle their balances of various kinds by offsetting:  – credits and debits in their relations with other administrations; and/or  – debts arising from postal services, if appropriate. | *See Nos. 1/21-1/24 of Appendix 1 of the 2012 ITRs above.* | | | |
|  | 1/38 3.4.1 If, between the time the remittance (bank transfer, cheques, etc.) is effected and the time the creditor is in receipt of that remittance (account credited, cheque encashed, etc.), a variation occurs in the equivalent value of the selected currency calculated as indicated in No. 1/25 (3.2) above, and if the difference resulting from such variations exceeds 5 per cent of the amount due as calculated following such variations, the total difference shall be shared equally between debtor and creditor. | 1/36 3.4.2 If, between the time the remittance (bank transfer, cheques, etc.) is effected and the time the creditor is in receipt of that remittance (account credited, cheque encashed, etc.), a variation occurs in the equivalent value of the selected currency calculated as indicated in paragraph 3.2, and if the difference resulting from such variations exceeds 5% of the amount due as calculated following such variations, the total difference shall be shared equally between debtor and creditor. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |
|  | 1/39 3.4.2 Should there be a radical change in the international monetary system which invalidates or makes inappropriate one or more of the foregoing paragraphs, authorized operating agencies are free to adopt, by mutual agreement, a different monetary basis and/or different procedures for the settlement of balances of accounts, pending a revision of the above provisions. | 1/37 3.4.3 If there should be a radical change in the international monetary system which invalidates or makes inappropriate one or more of the foregoing paragraphs, administrations are free to adopt, by mutual agreement, a different monetary basis and/or different procedures for the settlement of balances of accounts, pending a revision of the above provisions. | The provision is applicable in fostering provision and development of networks and services. | The provision ensures flexibility to accommodate new trends and emergent issues. | The provision does not require modification as it is applicable and flexible. | |

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