



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

Circular Letter
CCRR/34

7 April 2008

To Administrations of Member States of ITU

Subject: Draft Rules of Procedure to reflect the decisions of WRC-07

To the Director General

Dear Madam/Sir,

At its 46th meeting (4-8 February 2008), the Radio Regulations Board noted the impact of WRC-07 decisions on the current Rules of Procedure and discussed the schedule for considering draft Rules of Procedure on the basis of the document presented by the BR (see [Document RRB08-1/2](#)) and other inputs by Board members. The Board agreed that this was a satisfactory way of dealing with this issue and instructed the Bureau to proceed accordingly, under the understanding that the schedule may be eventually adjusted on the basis of additional studies (see [Document RRB08-1/5](#)).

In accordance with the agreed schedule (www.itu.int/ITU-R/conferences/docs/rrb-schedule-rop-en.doc), the Bureau prepared the first set of the draft Rules of Procedure, which are included in Annex 1 to this circular letter. In addition, and based on the considerations of the subject matter at the 46th RRB meeting, the Bureau also prepared, in Annex 2 to this circular letter, the list of those Rules of Procedure which would require only updates to the outdated WRC Resolutions.

In accordance with No. **13.17** of the Radio Regulations, these draft Rules of Procedure are made available to administrations for comment before being submitted to the RRB pursuant to No. **13.14**. As indicated in No. **13.12A d)** of the Radio Regulations, any comments that you may wish to submit should reach the Bureau not later than **25 May 2008**, in order to be considered at the 47th meeting of the RRB, scheduled for 23-27 June 2008. All e-mail comments should be sent to: brmail@itu.int.

Yours faithfully,

Valery Timofeev
Director, Radiocommunication Bureau

Annexes: 2

Distribution:

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

ANNEX 1

Rules concerning

ARTICLE 2 of the RR

SUP

2.1

Reason: No. 2.1 was modified by WRC-07 and the substance of this Rule was transferred to provision No. 2.1.1.

Effective date of suppression of this Rule: 1 January 2009.

Rules concerning

ARTICLE 5 of the RR

MOD

5.43A

~~1~~ — As this provision is quoted in several other provisions, which entered into force on 3 June 2000, the Board considers that this provision also entered into force on 3 June 2000.

~~2~~ See also comments under the Rules of Procedure concerning No. 5.43.

Reason: All the relevant submissions that might have been affected with the first sentence of this Rule have been processed and the first sentence, which was of a transitional nature, became obsolete.

Effective date of application of the modified Rule: immediately after its approval.

SUP

5.128

Reason: WRC-07 modified provision No. 5.128 by merging the contents of former provisions Nos. 5.128 and 5.129 and by transferring the substance of the Rules of Procedure on 5.128 and 5.129 into the modified provision No. 5.128.

Effective date of suppression of this Rule: 1 January 2009.

SUP

5.129

Reason: WRC-07 suppressed provision No. 5.129 and modified provision No. 5.128 by merging the contents of former provisions Nos. 5.128 and 5.129 and by transferring the substance of the Rules of Procedure on 5.128 and 5.129 into the modified provision No. 5.128.

Effective date of suppression of this Rule: 1 January 2009.

SUP

5.198

Reason: No. 5.198 was suppressed by WRC-07 (effective 1 January 2009); consequently this Rule can be suppressed. Given the relevance of this Rule for other similar cases where the allocation, which is subject to the application of the 9.21 procedure results in secondary status, the substance of this Rule is transferred into the Rule of Procedure on provision No. 9.21.

Effective date of suppression of this Rule: 1 January 2009.

MOD

5.257

1 As indicated in ~~the comments under the Rules of Procedure concerning No. 1.133~~, space telemetry is limited to measurements made in the spacecraft which may be:

- either made by a sensor to detect phenomena outside the spacecraft;
- or related to the functioning of the spacecraft.

(No change to the remainder of the Rule.)

Reason: Consequential amendment, given the fact that the Rule of Procedure on No. 1.133 (formerly RR127), which was established in 1988 (see IFRB Circular-letter No. 737 of 11 May 1988), was not carried out in any of the subsequent revisions of the Rules of Procedure (since 1994).

Effective date of application of the modified Rule: immediately after its approval.

ADD

5.327A

Appendix 4 does not contain data elements which would enable examination as to whether the notified frequency assignment is associated to a system that operates in accordance with recognized international aeronautical standards or to a system that operates under other standards. As the Bureau has no means to make such differentiation, the Board decided that the Bureau shall make no examination of the notified frequency assignment to a station in the aeronautical mobile (R) service from the view point of its conformity with this provision. On the other hand, given the indications in *resolves 2* of Resolution **417 (WRC-07)**, the recording of any such assignment in the MIFR will be associated with the symbol “R” in column 13B2 (“*Finding observation*”) and with symbol “RS417” in column 13B1 (“*Finding reference*”).

Reason: Self-explanatory.

Effective date of application of this Rule: 17 November 2007.

SUP

5.409

Reason: WRC-07 suppressed provision No. 5.409 by transferring some of its contents into the modified provision No. 5.410.

Effective date of suppression of this Rule: 1 January 2009.

MOD

5.410

~~See comments under the Rules of Procedure concerning No. 5.409.~~

1 The first sentence of this provision subjects the use of tropospheric scatter systems in the band 2 500-2 690 MHz, in Region 1, to the application of the procedure of No. 9.21. There is no such obligation regarding the use of tropospheric scatter systems in this band in Regions 2 and 3, provided that the link is situated entirely in Regions 2 and 3.

2 It is to be noted that tropospheric scatter systems in Regions 2 and 3 in the band 2 655-2 690 MHz are also subject to the power limits set forth in Nos. 21.3, 21.4 and 21.5 (see Table 21-2 in Article 21). Table 21-2 in Article 21 also indicates that the power limits set forth in Nos. 21.3, 21.4 and 21.5 are applicable to stations in the fixed and mobile services in Region 1 in the band 2 670-2 690 MHz. However, given the formulation of No. 21.6, and the fact that after the removal of the allocation to the MSS (Earth-to-space) from this band at WRC-07, there is no primary allocation in Region 1 to any space service in the band 2 670-2 690 MHz in the Earth-to-space direction, the Board concluded that the power limits set forth in Nos. 21.3, 21.4 and 21.5, in the band 2 670-2 690 MHz, are applicable only to stations in the fixed and mobile services in Regions 2 and 3.

3 The second and third sentences of this provision are considered recommendations to administrations, and the Bureau has no action to take in their respect.

Reason: WRC-07 modified provision No. 5.410 by merging the contents of three former provisions (Nos. 5.409, 5.410 and 5.411), taking account of the associated Rules of Procedure (on 5.409, 5.410 and 5.411). The Board considers that some elements from the former Rules of Procedure on these three provisions are still relevant. In addition, this Rule provides a fix for one inconsistency which was introduced at WRC-07 (removal of one allocation without carrying out the required consequential amendment in Article 21).

Effective date of application of the modified Rule: 1 January 2009.

SUP

5.411

Reason: WRC-07 suppressed provision No. 5.411 by transferring some of its contents into the modified provision No. 5.410.

Effective date of suppression of this Rule: 1 January 2009.

MOD

5.415

1 In this provision, the allocation “is limited to national and regional systems”. The Board concluded that a national system is a system having a service area limited to the territory of the notifying administration. As a consequence of this, the regional system to which reference is made shall be considered to be an aggregate of two or more national systems; they shall be limited to the territories (which are not necessarily restricted to bordering countries) of the administrations concerned and they shall be notified by one of these administrations on behalf of all the administrations concerned. When the allocation is made to more than one Region, a regional system may cover territories in those Regions for which the allocation exists. The Board reached this conclusion keeping in mind No. **5.2.1**, relating to the interpretation of the word “regional” without a capital “R”.

2 In accordance with this provision, the fixed-satellite service is limited for use by national or regional systems in the band 2 500-2 690 MHz in Region 2 and in the bands 2 500-2 535 MHz and 2 655-2 690 MHz in Region 3. Only those assignments which satisfy the following conditions shall be considered to be in conformity with the Table of Frequency Allocations:

- a) The service area for a regional system is within the Region concerned, i.e. in Region 2 only in the band 2 535-2 655 MHz or in Regions 2 and 3 in the other bands between 2 500 and 2 690 MHz and:
 - i) When an administration submits a coordination request for a service area that covers its national territory and extends beyond it, the responsible administration, ~~before it notifies the relevant assignments under Article 11, will have to obtain agreements to form a regional system from those administrations whose territories are included in the service area. When the responsible administration notifies these assignments under Article 11, it shall submit at the same time the list of administrations that agreed to form the regional system and shall adjust the service area shall be formed accordingly.~~ If no agreement is obtained, the service area shall be limited to its national territory;
 - ii) When a coordination request is submitted by an administration for a service area that does not include its national territory but only territories of other administrations, ~~it will have, within four months from the date of publication of the relevant coordination special section, to obtain agreement to form the regional system from at least one administration whose territory is included in the service area and inform the Bureau accordingly. Thereafter, the process will continue as in i) above and when the responsible administration notifies these assignments under Article 11, it shall submit at the same time the list of administrations that agreed to form the regional system and shall adjust the service area shall be formed accordingly.~~ If no agreement is obtained ~~within the above mentioned four month period,~~ the relevant assignments shall be considered not to be in compliance with the Table of Frequency Allocations and the finding shall be ~~changed to~~ unfavourable.
- b) In the case of a national system, the service area is limited to the territory under the jurisdiction of the notifying administration.
- c) If the satellite network is operated within the framework of an international system to which other countries pertain, the notice must indicate that the use is limited to the Region(s) concerned.

Reason: At its 10th Plenary Meeting, under "Subjects discussed" number 6, WRC-07 requested the Bureau and, through the Bureau, the Radio Regulations Board to modify the Rules of Procedures so that an administration that proposes to operate a regional FSS or BSS system under Nos. 5.415 and 5.416 of the Radio Regulations be required to supply to the Bureau, at the time of the submission of the coordination request, agreements of those administrations that agreed to be parties to the regional system (see WRC-07, Document 432).

Effective date of application of the modified Rule: 17 November 2007.

MOD

5.416

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

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

Reason: Consequence to the decision by the conference that the Bureau should not make any examination or finding with respect to compliance with the coordination procedure under No. 9.19.

Effective date of application of the modified Rule: 17 November 2007.

MOD

5.441

NOC

1

MOD

2 The regulatory relationship between GSO FSS uses, namely the up-link (Region 1) and the down-link (Appendix 30B) utilization of the spectrum is not covered by any Radio Regulatory procedure. The Board thus considered this situation as follows. Based on the general principle that the utilization of the spectrum by two internationally recognized applications (coordinated vs. planned use), with the same status, should be mutually taken into account even if the case is not covered by specific procedures and also on the basis of the existing analogies (Article 7 of Appendix 30, Article 7 of Appendix 30A, ~~existing systems in Part B of the Appendix 30B Plan~~), the Board considering that:

- a) up to now the Bureau has received only one case of the bidirectional use by GSO FSS of the bands 10.7-10.95 GHz and 11.2-11.45 GHz, and
- b) the complexity of the issue does not justify the establishment of a sophisticated methodology to treat this case, and thus decided that the Bureau act as follows:

NOC

2.1

NOC

2.2

Reason: Former Part B of the Plan and former Section IB of Article 6 has been suppressed because all former "existing systems" are included in the List or cancelled. Therefore, "existing systems in Part B of the Appendix 30B Plan" can no longer be included in the existing analogies.

Effective date of modification of this Rule: 17 November 2007.

ADD

5.444B

1 This provision limits the use of the band 5 091-5 150 MHz by the aeronautical mobile service to three different applications. However, Appendix 4 does not contain data elements which would enable examination as to whether the notified frequency assignment is associated with any of these specific applications or with other applications in the aeronautical mobile service. As the Bureau has no means to make such differentiation, the Board decided that the Bureau shall make no examination of the notified frequency assignment to a station in the aeronautical mobile service from the view point of its conformity with this provision.

2 With respect to the submissions in the aeronautical mobile (R) service, including the ones referred to in the first indent of this provision, and given the indications in *resolves* 1 of Resolution **748 (WRC-07)**, the recording of any such assignment in the MIFR will be associated with the symbol "R" in column 13B2 ("*Finding observation*") and with symbol "RS748" in column 13B1 ("*Finding reference*"). The Board also considered that the indications in *resolves* 3 of Resolution **748 (WRC-07)**, including the reference to No. **4.10**, are intended for administrations and the Bureau shall make no examination of frequency assignments from the view point of their conformity with the conditions set forth in *resolves* 3 of Resolution **748 (WRC-07)**.

3 With respect to the submissions related to aeronautical telemetry transmissions referred to in the second indent of this provision, and in addition to the considerations in paragraph 1 of this Rule of Procedure which are also applicable for aeronautical telemetry applications, the Board considered that the indications in *resolves* 1 and in *resolves* 2 of Resolution **418 (WRC-07)** are intended for administrations and the Bureau shall make no examination of the notified frequency assignment to a station in the aeronautical mobile service from the view point of its conformity with the conditions set forth in Annex 1 to Resolution **418 (WRC-07)**.

4 With respect to the submissions related to aeronautical security transmissions referred to in the third indent of this provision, and in addition to the considerations in paragraph 1 of this Rule of Procedure which are also applicable for aeronautical security transmissions, the Board considered that the indications in Resolution **419 (WRC-07)** are intended for administrations and the Bureau shall make no examination of the notified frequency assignment to a station in the aeronautical mobile service from the view point of its conformity with Resolution **419 (WRC-07)**.

Reason: Self-explanatory.

Effective date of application of this Rule: 1 January 2009.

**Rules concerning the Receivability of forms of notice generally
applicable to all notified assignments submitted to
the Radiocommunication Bureau in application
of the Radio Regulatory Procedures
relating to space services**

1 Submission of information in electronic format

The Board noted the requirement for mandatory electronic filing in the context of the associated *considering* and *recognizing* of Resolution **55 (WRC-2007)**. It noted also that capture and validation software had been made available to administrations by the Bureau. Accordingly, all information ~~indicated below in accordance with Annex 2 to Appendix 4 and Annex 2 to Resolution 49 (Rev.WRC-03)~~ shall be submitted to the Bureau in electronic format (except graphical data which can still be submitted in paper form) which is compatible with the BR electronic notice form capture software (SpaceCap, SpaceCom):-

- submissions in accordance with Annex 2 to Appendix 4;
- due diligence information in accordance with Annex 2 to Resolution 49 (Rev.WRC-07);
- comments under the following provisions to the corresponding publications:
 - under No. 9.3 with respect to API published in accordance with 9.2B;
 - under § 4.1.7, 4.1.9, 4.1.10, 4.2.10, 4.2.13 or 4.2.14 of Article 4 of Appendices 30 and 30A with respect to the Special Sections published in accordance with § 4.1.5 and § 4.2.8;
 - Article 2A of Appendices 30 and 30A with respect to the request for coordination for the use the guardbands published in Special Section AP30-30A/F/C in accordance with the same provision;
- disagreements under No. 9.52 in respect of coordination requests under Nos. 9.11 to 9.14, 9.21 or § 2.1 of Section A of Resolution 33 (Rev.WRC-03).

~~Although the updated version of the SpaceCap software application enables administrations to submit to the Bureau notices pursuant to Appendices 30, 30A and 30B, submission of such notices will be accepted in paper form until necessary software to validate such information electronically is available to administrations.~~

Reason: Consequence to update of Resolution 55 by WRC-07 and availability to administrations of capture and validation software.

2 Receipt of notices¹

It is incumbent on all administrations to meet deadlines established in the Radio Regulations and, accordingly, to take account of possible mail delays, holidays or periods during which ITU may be closed².

Having regard to the various means available for transmission and delivery of notices and other related correspondence, the Board has decided that:

- a) Mail received through the postal service³ shall be recorded as received on the first working day on which it is delivered to the ITU/BR's offices in Geneva. Where the mail is subject to a regulatory time limit that occurs on a date on which the ITU is closed, the mail should be accepted if it has been recorded as received on the first working day following the period of closure.
- b) E-mail or telefax documents shall be recorded as received on the actual date of receipt, irrespective of whether or not that is a working day at the ITU/BR's offices in Geneva.
- c) In the case of e-mails (except those to which electronic forms created using SpaceCom are attached), an administration is required to send, within 7 days of the date of the e-mail, a confirmation by either telefax or mail, which shall be regarded as being received on the same date as the original e-mail.
- d) All mail must be sent to the following address:

Radiocommunication Bureau
International Telecommunication Union
Place des Nations
CH-1211 Geneva 20
Switzerland
- e) All telefaxes must be sent to:

+41 22 730 57 85 (several lines)
- f) All e-mails must be sent to:

brmail@itu.int
- g) Information received in the ITU/BR by e-mail shall be acknowledged immediately by e-mail by the ITU/BR.

Reason: Consequence to update of Resolution 55 by WRC-07 and to clarify e-mail receipt acknowledgement. If such acknowledgment message is not received, administration should contact ITU/BR.

¹ Whilst this Rule of Procedure applies to space services, the arrangements referred to in § 2 apply equally to submissions relating to terrestrial services.

² The Radiocommunication Bureau shall inform administrations by circular letter at the beginning of each year, and as appropriate, about holidays or periods in which ITU may be closed in order to assist them in meeting their obligations.

³ Includes courier, messenger or other services.

3 Establishment of a formal date of receipt of information in accordance with Annex 2 to Appendix 4

3.1 According to provisions Nos. **11.28**⁴ and **11.29**, complete notices are examined by date order of their receipt and the Bureau cannot act upon a notice having a technical bearing on an earlier notice until the earlier notice has been dealt with. While similar provisions do not exist in all the regulatory procedures defined in the Radio Regulations, nevertheless, several other provisions tacitly require the same general concept. The Board decided that the principle of treatment by date order of receipt of any submission is to be applied in each of the procedures described in Articles **9** and **11**, Appendices **30**, **30A** and **30B** and Resolutions containing specific procedures. When more than one submission is received on the same date, all those submissions shall be mutually taken into account. ~~However, in application of Articles 6 and 7 of Appendix 30B, order of receipt on the same day shall be taken into account in order to update the reference situation in a sequence.~~

3.2 In order to establish a formal date of receipt for the purpose of treatment of the submissions (notices for advance publication, request for coordination, modification to the Region 2 Plan or proposed new or modified assignments in the Regions 1 and 3 Lists under Article 4 of Appendices **30** or **30A**, proposed new or modified assignments in the guardbands to provide space operation functions under Article 2A of Appendices **30** or **30A**, or request for application of Articles 6 or 7 of Appendix **30B**, and notifications for recording in the Master International Frequency Register (Master Register)), the Bureau shall examine *inter alia* the completeness and correctness of the information submitted by administrations. It shall also take account of the requirements of No. **9.1** when establishing the formal date of receipt of coordination information and notification information with respect to the date of receipt (when the coordination procedure of Section II of Article **9** is applicable) and the date of publication (when coordination is not required by Section II of Article **9**) of advance information, respectively.

3.3 Considering the requirement for mandatory electronic filing and availability to administrations of capture and validation software, where a notice received by the Bureau does not contain all of the mandatory information as defined in Annex 2 of Appendix **4** or appropriate reason for any omissions, the Bureau shall regard the notice as incomplete. The Bureau shall immediately inform the administration and seek the information not provided. Further processing of the notice by the Bureau will remain in abeyance and a formal date of receipt (see § 3.1 above) will not be established until the missing information is received. The formal date of receipt will be the date of receipt of the missing information (see also § ~~3.5 to 3.6~~ 3.10 below).

3.4 The latest version of the validation software available to administrations, as advised by Circular Letter, is used by the Bureau when assessing the completeness of Appendix **4** Forms of Notice, ~~coordination requests and notification for satellite networks or satellite systems, including earth stations, submitted under Articles **9** and **11**.~~ Administrations are encouraged to run the validation software themselves in order to overcome any difficulties in the notices before they are submitted to the Bureau.

⁴ The Board notes that there is an inconsistency between the English (and Spanish) and French texts of provision No. **11.28**. While the English (and Spanish) texts stipulate that “it shall be examined in the date order of their receipt”, the French text stipulates that “... il les examinera dans l’ordre ou il les recoit”. There is no mention of “date” in the French text. The current practice of processing in the date order of their receipt will continue until the matter is considered by the next WRC.

3.5 ~~The requirement in § 3.3 does not apply to notices for advance publication and notices under Appendices 30, 30A and 30B until the availability of validation software for these procedures. In this case, if the Bureau finds that the information is incomplete or incorrect, it shall request the administration responsible for the station or network to provide the missing information or clarification within 30 days; otherwise it shall establish the formal date of receipt as that recorded in accordance with § 2 and § 3.2 above. (SUP)~~

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

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

3.8 Nevertheless, for replies received within the above period of 30 days, a new formal date of receipt is established in those cases (or for the concerned part of the station or network) where the information submitted subsequently is outside the scope and beyond the objective of the Bureau's enquiry pursuant to ~~§ 3.5 and~~ § 3.6 above, if the new or modified data has impact on the regulatory and technical examination, irrespective of whether the newly provided information adds new affected administrations or not. See also the Rules of Procedure relating to provision No. 9.27.

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

3.10 One year after the Bureau sought information under § 3.3, ~~3.5~~ or 3.6, as appropriate, unless otherwise specified in the relevant procedure, any pending submissions containing incomplete information shall be returned to the notifying administration.

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

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

Reason: Adoption of "non-sequential" procedure for AP30B and consequence to update of Resolution 55 by WRC-07 and availability to administrations of capture and validation software.

4 Other non-receivable submissions

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

4.1 An advance publication notice sent to the Bureau earlier than 7 years before the planned date of bringing into use of the satellite network is not receivable and shall be returned to the administration responsible for the network. (No. **9.1** refers.)

4.2 A notification received by the Bureau earlier than the date limits prescribed in provisions Nos. ~~11.24 to 11.26~~**A25** (date limits relate to the date of bringing into use of a station or satellite network) is not receivable and shall be returned to the administration responsible for the network.

4.3 One coordination request of satellite network and possible subsequent modifications can only correspond to one API, including its possible modifications and vice-versa. In accordance with the Rule of Procedure concerning the definition of a satellite network contained in No. **1.112**, this coordination request would thus have only one set of orbital characteristics, i.e. those specified in Section A4 of Appendix **4**. A further coordination request making reference to the same API will only be receivable if the set of orbital characteristics included in that submission are unchanged relative to those in the earlier coordination request submission or are intended to replace that earlier set of orbital characteristics. In all other cases a new API is required as the submission then pertains to a new satellite network.

4.4 The Radio Regulations prescribe, in some cases, the application of multiple procedures, which have to be applied, for the same stations or satellite network, one after another. A typical example of such a case of multiple procedures is a geostationary satellite network to which the application of the advance publication, the coordination (in some cases more than one form of coordination) and the notification procedures, in this order, are mandatory. In such cases, a notice for a particular procedure is receivable only if the previously applicable procedure has been effected. A notice for a request for coordination is not receivable if the advance publication information was not submitted to the Bureau (see also the Rule of Procedure on No. **9.5D**). A notification under Article **11** is not receivable if the advance publication information and coordination request, where applicable, were not received for the satellite network, and shall be returned to the notifying administration. The same shall also apply for the notification of an earth station whose associated space station is ~~not supported by an advance publication yet notified~~.

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

Reason: To avoid unnecessary examination and use of resources for the processing of an earth station notification for which the associated space station is not yet notified, which would automatically result in an unfavourable finding.

5 Whenever the Bureau returns a form of notice, the necessary justification for such an action shall be provided to the notifying administration.

Effective date of application of the modified Rule: 1 June 2008.

Rules concerning

ARTICLE 9 of the RR

MOD

9.11A

2.4 WRC-2000 decided to delete Table S5-1A of Appendix **S5** subject to the condition that it be included in a Rule of Procedure with appropriate modifications (e.g. inclusion of terrestrial services, etc.) (minutes of the Plenary (B.17) refer). The extended version of the above-mentioned Table is contained in Tables 9.11A-1 and 9.11A-2, based on the following considerations:

- a) ~~No. 9.14 applies to space to Earth frequency allocations only, i.e. coordination of a transmitting space station in respect of receiving terrestrial stations when the threshold value is exceeded. In the absence of threshold value, the provisions of No. 9.50.1 could apply (see also Appendix 5). For the Earth to space frequency allocations, the Board is of the opinion that no coordination is required between the involved space and terrestrial services, which both are considered on an equal basis.~~

Reason: Transfer of the Rule of Procedure in the Radio Regulations.

MOD

TABLE 9.11A-1

1	2	3	4	5	6	7
Frequency band (MHz)	Footnote No. in Article 5	Space services mentioned in a footnote referring to Nos. 9.11A, 9.12, 9.12A, 9.13 or 9.14, as appropriate	Other space services or systems to which Nos. 9.12 to 9.14 provisions(s) apply equally, as appropriate	Applicable Nos. 9.12 to 9.14 provision(s), as appropriate	Terrestrial services in respect of which No. 9.14 apply equally	Notes
2 500- 2 515 2 520	5.414	MOBILE-SATELLITE (Region 3 except countries in No. 5.412)	↓ FIXED SATELLITE (Region 2 and Region 3), RADIODETERMINATION-SATELLITE (5.404)	↓ 9.12, 9.12A, 9.13, 9.14* * Only applicable to MSS in (J and IND except in ARG (see No. 5.414A))	FIXED LAND MOBILE MARITIME MOBILE RADIOLOCATION (country in No. 5.405)	
2 515-2 520	5.414	MOBILE SATELLITE (except countries in No. 5.412)	↓ FIXED SATELLITE (Region 2 and Region 3), RADIODETERMINATION-SATELLITE (5.404) AERONAUTICAL MOBILE SATELLITE (Countries in No. 5.415A)	↓ 9.12, 9.12A, 9.13, 9.14* * Only applicable to MSS (except in ARG, see No. 5.407) and AMSS (countries in No. 5.415A)	FIXED LAND MOBILE MARITIME MOBILE RADIOLOCATION (country in No. 5.405)	
2 520-2 535	5.403	MOBILE-SATELLITE (except AERONAUTICAL MOBILE-SATELLITE) (Region 3 except countries in No. 5.412)	↓ BROADCASTING-SATELLITE, FIXED SATELLITE (Region 2 and Region 3) AERONAUTICAL MOBILE-SATELLITE (countries in No. 5.415A)	↓ 9.12, 9.12A, 9.13, 9.14* * Only applicable to MSS and including AMSS in (J and IND, countries in (see No. 5.415A, Nos. 5.414A and 5.415A))	FIXED LAND MOBILE MARITIME MOBILE RADIOLOCATION (country in No. 5.405)	
2 655-2 670	5.420	MOBILE-SATELLITE (except AERONAUTICAL MOBILE-SATELLITE) (except countries in No. 5.412) Region 3)	↑ BROADCASTING-SATELLITE FIXED SATELLITE (Region 2 and Region 3)	↓ 9.12, 9.12A, 9.13 ↑ ↓	---	
2 670-2 690	5.419	MOBILE-SATELLITE (except countries in No. 5.412) Region 3)	↑ FIXED SATELLITE (Region 2 and Region 3)	↑ 9.12, 9.12A, 9.13 ↓	---	

Reasons: Consequences to WRC-07 decisions to add No. 5.414A and modify Table 21-4 of Article 21.

Effective date of application of the modified part of the Table: 17 November 2007.

1 610-1 626.5	5.364	MOBILE-SATELLITE (except S (5.363)) RADIODETERMINATION-SATELLITE (Region 2 (except country in No. 5.370), countries in No. 5.369)	↑ ↔	AERONAUTICAL MOBILE-SATELLITE (R) (5.367)	↓↑ ↔	9.12, 9.12A, 9.13	---	
5 010-5030	5.328B	RADIONAVIGATION-SATELLITE	↓ ↔	AERONAUTICAL MOBILE-SATELLITE (R) (5.367)	↓↑ ↔	9.12, 9.12A, 9.13	---	
5 091-5 150	5.444A	FIXED-SATELLITE (limited to non-GSO MOBILE-SATELLITE SERVICE feeder links)	↑	AERONAUTICAL MOBILE-SATELLITE (R) (5.367)	↓↑ ↔	9.12, 9.12A, 9.13	---	

Reasons: Clarification not related to WRC-07.

Effective date of application of the modified part of the Table: immediately after its approval.

MOD Notes to Table 9.11A-1:

⁶For the relation between the MOBILE-SATELLITE service and earth stations in the METEOROLOGICAL-SATELLITE service, see also ~~Resolution 670 (WRC-03)~~ No. 5.380A.

Reasons: Consequences to WRC-07 decisions to suppress Resolution 670 (WRC-03) and to modify No. 5380A.

Effective date of application of the modified Note: 17 November 2007.

MOD

TABLE 9.11A-2

1	2	3	4	5	6	7
Frequency band (MHz)	Footnote No. in Article 5	Terrestrial services to which No. 9.16 applies and in respect of which No. 9.15 applies	Space services mentioned in a footnote referring to No. 9.11A to which No. 9.15 applies and in respect of which No. 9.16 applies		Applicable Nos. 9.15, 9.16 provision(s)	Notes
2 500-2 520	5.414	FIXED LAND MOBILE MARITIME MOBILE RADIOLOCATION (country in No. 5.405)	MOBILE-SATELLITE (R3 countries except countries in No. 5.412)	↓	9.15, 9.16	1
2 520-2 535	5.403	FIXED LAND MOBILE MARITIME MOBILE RADIOLOCATION (country in No. 5.405)	LAND MOBILE-SATELLITE (R3 countries except countries in No. 5.412) MARITIME MOBILE-SATELLITE (R3 countries except countries in No. 5.412)	↓	9.15, 9.16	1
2 655-2 670	5.420	FIXED LAND MOBILE MARITIME MOBILE	LAND MOBILE-SATELLITE (R3 countries except countries in No. 5.412) MARITIME MOBILE-SATELLITE (R3 countries except countries in No. 5.412)	↑	9.15	1
2 670-2 690	5.419	FIXED LAND MOBILE MARITIME MOBILE	MOBILE-SATELLITE (R3 countries except countries in No. 5.412)	↑	9.15	1
<u>5 091-5 150</u>	<u>5.444A</u>	<u>AERONAUTICAL MOBILE</u>	<u>FIXED-SATELLITE (limited to non-GSO MOBILE-SATELLITE SERVICE feeder links)</u>	↑	<u>9.15</u>	<u>1</u>

Reasons:

1) *Consequences to WRC-07 decisions to limit the allocations to the mobile-satellite service in the bands 2 500-2 535 MHz and 2 655-2 690 MHz to Region 3 only.*

Effective date of application of the modified part of the Table: 17 November 2007.

2) *Consequences to WRC-07 decision to allocate the band 5 091-5 150 MHz to the aeronautical mobile service on a primary basis.*

Effective date of application of the modified part of the Table: 1 January 2009.

MOD Notes to Table 9.11A-2:

⁴ Not subject to the provisions of No. **9.15** in respect of the FIXED and MOBILE service in CAN and USA (No. **5.379D**).

Reasons: Consequences to WRC-07 decisions to adopt Resolution 744 (Rev.WRC-07).

Effective date of application of the modified Note: 17 November 2007.

MOD

**9.15 to
9.19**

1 (NOC)

~~2~~ Taking into account Article ~~59~~, Resolution ~~59 (WRC-2000)~~, Resolution ~~541 (WRC-2000)~~, the Board concluded that provisions ~~9.17-9.19~~ and Appendix ~~7~~ as modified by WRC-2000 shall enter into force as of 1 January 2002 except with respect to submissions under Appendices ~~30~~ and ~~30A~~ to which Nos. ~~9.17A~~, ~~9.19~~ and Appendix ~~7~~ shall apply as of 3 June 2000². Table 5-1 of Appendix ~~5~~ as modified by WRC-2000 with respect to application of Nos. ~~9.15~~ to ~~9.19~~ shall enter into force as of 1 January 2002.

~~3~~ See also the Rules of Procedure concerning Appendix 7.

Reason: All the relevant submissions that might have been affected with the current paragraph 2 of this Rule have been processed and that paragraph, which was of a transitional nature, became obsolete.

Effective date of application of the modified Rule: immediately after its approval.

MOD

9.21

1 **Notification under Article 11 before the completion of the procedure of No. 9.21**

NOC

² In Resolution ~~541 (WRC-2000)~~, it is stipulated that the Regions 1 and 3 Plans, the List and their associated procedures, together with Annexes thereto shall enter into force as of 3 June 2000. The procedures noted in Resolution ~~541 (WRC-2000)~~ require the application of Appendix ~~7~~.

2 Secondary services

2.1 Upgrade of the status of the allocation for specific assignments

The following Rule has been adopted by the Board for application in cases where the application of the coordination procedure of No. **9.21** will upgrade a secondary allocation made in the Table or in a footnote (e.g. No. **5.371**) to a primary status for specific assignments (e.g. Nos. **5.325, 5.326, 5.400**).

For the purpose of identifying other administrations (Administration B) likely to be affected, assignments to stations of secondary services already entered in the Master Register and subject to provisions of Nos. **5.28** to **5.31** shall not be taken into consideration in cases involving those services of the requesting administration (Administration A) which are subject to the coordination procedure of No. **9.21** and will have primary status once that procedure has been successfully applied. Consequently, when criteria are drawn up for identifying affected administrations, secondary services shall not be regarded as enjoying protection against a primary service subject to the coordination procedure of No. **9.21**.

2.2 Coordination of assignments in allocation situations on a secondary basis

There are several provisions where the allocation is made on a secondary basis subject to the application of the procedure defined in No. **9.21** (e.g. **5.181, 5.197, 5.259, 5.371**). For the application of the **9.21** procedure in these cases, some specific elements would need to be taken into account.

It is to be noted that in accordance with No. **9.52**, any administration may object to the planned use on the basis of its existing or planned stations and that No. **9.52C** stipulates that “an administration not responding ... shall be regarded as unaffected”. An administration may consider that the application of the No. **9.21** procedure will result in a secondary status, and assume that there is no need for it to comment, since the secondary service is required to not cause harmful interference to a primary service. Consequently an assignment for which the No. **9.21** procedure was applied shall be considered secondary with respect to administrations which have given their agreement as well as to administrations which have not commented upon it within the time-limits specified in No. **9.52**. Any other arrangement between administrations when reaching agreement in application of the No. **9.21** agreement procedure is considered only in the relations between those administrations.

Reasons:

- 1) The editorial improvements in § 2.1 above is intended to clarify the scope of the current Rule.*
- 2) The substance of the Rule of Procedure referred to in § 2.2 above was taken from the current Rule of Procedure on No. 5.198. As No. 5.198 was suppressed by WRC-07 (effective 1 January 2009), resulting in the need for consequential suppression of the concerned Rule of Procedure, and given the relevance of this Rule for other similar cases where the allocation, which is subject to the application of the 9.21 procedure, results in secondary status, it is proposed to transfer the substance of the current Rule of Procedure on No. 5.198 into the Rule of Procedure on provision No. 9.21, with the necessary editorial amendments.*

Effective date of application of the modified Rule: immediately after the approval.

3 Coordination of a satellite network

NOC

Rules concerning

ARTICLE 11 of the RR

MOD

11.34

1 Bands governed by Appendix 25

NOC

2 Bands governed by Regional allotment or assignment Plans

2.1 The following action shall be taken by the Bureau when the examination of a notice shows that it is not in conformity with a Plan annexed to a Regional Agreement:

2.1.1 The frequency assignments in the bands governed by Regional Agreements that are referred to explicitly in the Table of Frequency Allocations shall be treated in the following manner:

2.1.1.1 the frequency assignment notices submitted without reference to No. **4.4** shall be returned to the notifying administration;

2.1.1.2 the frequency assignment notices submitted under the provisions of No. **4.4** shall be recorded with an unfavourable Finding regarding No. **11.31** and under the conditions of No. **4.4**.

2.2 The frequency assignments in the bands governed by Regional Agreements that are not referred to explicitly in the Table of Frequency Allocations shall be treated in the following manner:

2.2.1 For the Agreements that allow the possibility of bringing into use assignments that are not in accordance with the relevant Plan (i.e. GE75, RJ81, GE85-MM-R1, ~~and GE85-EMA and GE06~~): the assignment shall be examined according to the conditions specified in the Agreements and if the conditions are fulfilled, the assignment shall be recorded accordingly. If the conditions are not fulfilled the assignments shall be treated in accordance with § 2.2.2 below, with the exception of the submissions governed by the GE06 Agreement.

2.2.2 For the Agreements that contain no indication as to bringing into use assignments that are not in accordance with the relevant Plan (i.e. in the bands governed by the Regional Agreements ST61, GE84 and GE89) the notice shall be returned to the administration with a suggestion to apply the necessary procedure or make the necessary modifications to the notice, in order to be in conformity with the Plan. However, if the administration insists on reconsideration of the notice, the assignment shall be recorded with a favourable Finding under No. **11.31** together with the name(s) of the administration(s) whose Plan assignments are likely to be affected, indicating that with respect to this (these) administration(s) the recorded assignment will be operated under the conditions of not causing harmful interference to, and not claiming protection from harmful interference caused by, a station operating in conformity with the Plan.

2.2.3 The submissions governed by the GE06 Agreement, which are not in accordance with the broadcasting Plans or the List of assignments to other primary terrestrial services, shall be treated in accordance with the applicable procedures, as stipulated in Article 5 of the GE06 Agreement.

Reason: Consequential update resulting from the establishment of the new Regional Agreement, GE06, which treats this issue in a comprehensive manner.

Effective date of application of the modified Rule: immediately after the approval.

Rules concerning

APPENDIX 30B to the RR

SUP

I Introduction

SUP

II Applicable Rules

Reason: The concept of PDA and generalized parameters are no longer used and Part B of the Plan has been deleted. The information in this section can be found in the Radio Regulations thus it is not necessary to be repeated in the Rules of Procedure.

Effective date of suppression of this Rule: 17 November 2007.

SUP

Art. 2

Definitions

SUP

2.5

Reason: As the concept of Sub-regional systems and its definition has been deleted, the definition of “neighbouring counties” is no longer required.

Effective date of suppression of this Rule: 17 November 2007.

SUP

2.6

Reason: The concept of additional use is no longer used. Instead “Additional system” is defined. Procedure to obtain agreement to included other countries’ territories in the service area of “Additional system” is now well established in Article 6.

Effective date of suppression of this Rule: 17 November 2007.

Art. 4

Execution of the provisions and associated Plan

MOD

4.1

Space operation functions

~~1 — It has been noted that the use of the space operation service with class of station EK/ER and/or TK/TR was not considered when the Plan was drawn up in WARC Orb-88.~~

~~2 — However, frequency assignments in the space operation service with the above mentioned class of station associated with the existing systems of Part B of the Plan which (recorded in the Master International Frequency Register (Master Register)) were entered in the Appendix **30B** List without any compatibility examinations¹ (§ 6.25 of Article 6 of Appendix **30B**) and should thus be taken into account in the subsequent examinations under appropriate provisions of that Appendix.~~

~~3 — In the light of § 1 above the Board decided that for assignments to the stations in space operation service associated with the Appendix **30B** Plan received under that Appendix after 29 August 1988 the Bureau shall:~~

~~3.1 — consider them as being incompatible with the Plan and thus,~~

~~3.2 — not enter them in the Appendix **30B** List as far as the reference situation is concerned,~~

~~3.3 — continue to protect the assignments mentioned in § 2 above.~~

~~See also comments made under the Rules of Procedure concerning § 6.25².~~

Bidirectional allocation of some bands

~~41 — See comments made under the Rules of Procedure concerning No. **5.441**.~~

Reason: The instructions mentioned in the paragraph 1, 2 and 3 of this Rule have already been completed and the concerned assignments entered in the List are therefore are protected.

Effective date of modification of this Rule: 17 November 2007.

~~¹ While affecting a number of allotments in Part A of the Plan with the single entry or aggregate C/I ratios different to those agreed at the WARC Orb-88.~~

~~² In which it is required that the Bureau shall continue to protect the assignments to the space operation service with the single entry and aggregate C/I ratios resulting from their entry in the Appendix **30B** List and to retain the lowest resulting values of the single entry and/or aggregate C/I ratios for the affected allotments of Part A in the technical examination of subsequent submissions of administrations under the provisions of Appendix **30B**.~~

SUP

Art. 5

The Plan and the associated List of assignments

SUP

5.3 and 5.4

Reason: Article 5 together with PDA concept was deleted. New footnote 1C of § 6.1 covers the case of conversion of a part of an allotment.

Effective date of modification of this Rule: 17 November 2007.

MOD

Art. 6

Procedures for ~~implementation of the Plan~~ the conversion of an allotment into an assignment for the introduction of an additional system or for the modification of an assignment in the List

SUP

6.12 c)

Reason: This Rule had not been used for a long time since the adoption of Section 5 of the Rule of Procedure relating to § 6.12. It is now superseded by the new procedures in Article 6.

Effective date of modification of this Rule: 17 November 2007.

SUP

6.13

Reason: This Rule is no longer necessary because § 6.13 has been deleted and new procedures in Article 6 does not require conformity examination with respect to the Plan.

Effective date of modification of this Rule: 17 November 2007.

SUP

6.14

Reason: This Rule is no longer necessary because a compatibility examination shall be effected in accordance with new procedures in Article 6.

Effective date of modification of this Rule: 17 November 2007.

SUP

6.16

Reason: The concept of PDA is no longer used in Appendix 30B.

Effective date of modification of this Rule: 17 November 2007.

SUP

6.16bis

Reason: The concept of PDA is no longer used. Therefore, changing the characteristics (including changing orbit position by using PDA) of allotment of other administrations is no longer possible under new procedures in Article 6.

Effective date of modification of this Rule: 17 November 2007.

SUP

6.17

Reason: This Rule had not been used for a long time since the adoption of Section 5 of the Rule of Procedure relating to § 6.12. In addition, the concept of PDA is no longer used.

Effective date of modification of this Rule: 17 November 2007.

SUP

6.18

Reason: Section 5 of Rule of Procedure relating to § 6.12 is no longer valid because of new procedures in Article 6.

Effective date of modification of this Rule: 17 November 2007.

SUP

6.24

Reason: Former Part B of the Plan and former Section IB of Article 6 has been suppressed because all former “existing systems” are included in the List or cancelled. The concept of macro segmentation is no longer used.

Effective date of modification of this Rule: 17 November 2007.

SUP

6.31

Reason: Former Part B of the Plan and former Section IB of Article 6 has been suppressed because all former “existing systems” are included in the List or cancelled. The concept of PDA is no longer used.

Effective date of modification of this Rule: 17 November 2007.

SUP

6.38, 6.39, 6.43, 6.47, 6.48, 6.56

Reason: The Concept of subregional system and former Section II of Article 6 have been suppressed.

Effective date of modification of this Rule: 17 November 2007.

SUP

Art. 8

Procedure for notification and recording in the Master Register of assignments in the planned bands for the fixed-satellite service

SUP

8.9

Reason: Footnote 1L of § 8.9 of Article 8 covers the case.

Effective date of modification of this Rule: 17 November 2007.

SUP

An. 2

Basic data to be furnished in notices relating to stations in the fixed-satellite service entering the design stage using frequency bands of the Plan

Reason: Annex 2 was deleted by WRC-07. The concept of PDA is no longer used.

Effective date of modification of this Rule: 17 November 2007.

ANNEX 2

Rules of procedure which would need updates of the references

In the review of the current Rules of Procedure, the Bureau noted that some of these Rules make reference to an abrogated WRC Resolution or to an earlier version of a WRC Resolution. In some cases the quotations are for historical purposes, while in other cases there was an omission to update the relevant Rule of Procedure. In considering the matter, the Radio Regulations Board, at its 46th meeting (4-8 February 2008) was of the opinion that the update of the references in the Rules of Procedure could be carried out in a simplified manner, if the modification to the concerned Rule of Procedure consists only in editorial update of a reference to a WRC Resolution quoted in the Rule of Procedure. The Rules of Procedure, listed in Table A2-1 hereunder contain references to outdated versions of WRC Resolutions, as well as indications of the proposed correction to remedy the situation. It is to be noted that those Rules of Procedure, which contain references to outdated WRC Resolutions of a historical nature (e.g. Rules of Procedure on 9.2, 9.11A, 11.34 § 1, Appendix 27/15) are proposed for no change (from the viewpoint of the outdated references). Nevertheless, all these Rules of Procedure are under scrutiny with a view to evaluating the need for other amendments.

TABLE A2-1

List of Rules of procedure that contain references to outdated WRC Resolutions for which an update is proposed

Rule of Procedure	Outdated WRC Resolution	Proposed follow-up action
5.485 § 1 c (at two places)	Resolution 33 (Rev.WRC-97)	Replace the reference with Resolution 33 (Rev.WRC-03)
5.523A	9.11A/Resolution 46 (Rev.WRC-97)	Delete the text “/Resolution 46 (Rev.WRC-97)”