



Radiocommunication Bureau (BR)

Circular Letter
CCRR/50

2 May 2014

To Administrations of Member States of ITU

Subject: Draft Rules of Procedure to reflect the decisions of WRC-12 and existing rules that may require updates

At its 59th meeting (14-18 May 2012), the Radio Regulations Board (RRB) considered the impact of WRC-12 decisions on the current Rules of Procedure and agreed on the schedule for considering draft new and modified existing Rules of Procedure on the basis of the document presented by BR (see Document RRB12-1/4) and other inputs by Board members. The Board instructed the Bureau to proceed accordingly, on the understanding that the schedule may be eventually adjusted on the basis of additional studies (see Revision 10 to Document RRB12-1/4).

The Bureau therefore prepared a fifth set of draft new or modified Rules of Procedure as a consequence of the decisions of WRC-12.

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 **2 July 2014**, in order to be considered at the 66th meeting of the RRB, scheduled for 30 July – 5 August 2014. Comments should be sent either by telefax to +41 22 730 5785 or by email to brmail@itu.int.

A handwritten signature in black ink, appearing to read 'FRANCIS RANCY', is positioned above the printed name of the Director.

François Rancy
Director

Annex: 1

Distribution:

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

ANNEX

Rules concerning

ARTICLE 11 of the RR

ADD

11.50

This provision instructs the Bureau to periodically review the Master Register (MIFR) with the aim of maintaining or improving its accuracy, with particular emphasis on the review of the findings so as to adjust them to the changing allocation situation after each world radiocommunication conference. Concerning the latter part of this provision "...with particular emphasis on...", given a large variety of possible changes in allocation situations and the considerable number of fields used for storing finding information in the MIFR, the Board concluded that the most appropriate way of providing instructions to the Bureau concerning the review of findings would be to determine the main elements for such a review. The Board therefore decided that, in reviewing the findings under No. **11.50**, the following main principles shall be applied:

1. When new or modified regulatory provisions enter into force, the findings of the recorded assignments concerned shall be revised and updated by the Bureau with a view to reflecting their compliance with the modified regulatory provisions/allocations.
2. Prior to any action, the Bureau shall contact each notifying administration concerned about the review of findings and provide information concerning the assignments under the review, requesting their confirmation for the proposed course of action. If no reply is received before the deadline established by the Bureau (normally 30 days from the date of the Bureau's communication), BR shall send a reminder. If no reply is received within 15 days after the date of the reminder, BR shall implement the proposed course of action as specified in items 3 – 6 below.
3. When a change to Article 5 results in abrogation of an allocation to a radiocommunication service, the recorded assignment concerned should be suppressed from the Master Register. If the notifying administration explicitly requests to retain the assignment and states that it will be operated in accordance with No. 4.4, the assignment shall be kept in the MIFR for information purposes under the conditions of No. 8.5.
4. When a change to Article 5 results in downgrading of the category of allocation and the downgraded allocation is not subject to any additional conditions, the status of the recorded assignment concerned shall be downgraded accordingly and the assignment shall be retained in the Master Register, unless the notifying administration requests its suppression. When the downgraded allocation is subject to additional conditions, the assignment shall be retained in the Master Register with a downgraded status only if all relevant provisions of the RR have been met and all applicable coordination procedures have been successfully completed. If the conditions have not been met, the action taken with respect to the assignment shall depend on the type of examination performed by the Bureau, as follows:

- 4.1 When the RR conditions related to the regulatory examination under No. **11.31** (e.g. power limits, restrictions to national operation, requirements for agreement under No. **9.21**, separation distances, etc.) are not met, the Bureau shall propose the deletion of the assignment to the notifying administration. If the administration explicitly requests to retain the assignment and states that it will be operated in accordance with No. **4.4**, the assignment shall be kept in the MIFR for information purposes under the conditions of No. **8.5**.
- 4.2 When the applicable additional coordination procedures related to the coordination examination under No. **11.32** have not been successfully completed, the Bureau shall delete the assignment and propose its resubmission for the application of coordination procedures. For stations of terrestrial services, if the notifying administration requests to examine the assignment with respect to the probability of harmful interference under No. **11.33** and this examination leads to a favourable finding, the assignment shall be retained in the MIFR with the information specified in No. **11.38**.
5. When a change to Article 5 results in the allocation to a new service or upgrade of the category of an existing service and the new or upgraded allocation is not subject to any additional conditions, the recorded assignment concerned, which was previously recorded under the conditions of No. **4.4** or had a secondary status, shall be upgraded to a higher status. When the new/upgraded allocation is subject to additional conditions, the status of the assignment should be upgraded only if all relevant provisions of the RR have been met and all applicable coordination procedures have been successfully completed. If the conditions have not been met, the action taken with respect to the assignment shall depend on the type of examination performed by the Bureau, as described in items 4.1 and 4.2 above.
6. When a change to Article 5 results in the modification of the conditions of an allocation without modification of the category of allocation (e.g. additional regulatory/technical restrictions or new/modified coordination procedures), then the original findings of the recorded assignment concerned may be kept only subject to conformity with the new conditions. If the conditions have not been met, the actions with respect to the assignment shall depend on the type of examination performed by the Bureau, as described in items 4.1 and 4.2 above.
7. The Board noted that Article 5 contains a number of provisions under which an allocation to a radiocommunication service is subject to obtaining the agreement of the administrations concerned, e.g. Nos. **5.175**, **5.188**, etc. Obtaining such agreement is not regulated by either the procedures of Article 9 or the Rules of Procedure and is to be resolved directly between the administrations concerned. Furthermore, when examining the relevant frequency assignment notices, the Bureau does not verify such agreements. In the above context, the Board decided that in the case of a review of findings of the relevant assignments, the Bureau shall not take into account the presence or absence of agreements of other administrations when formulating new findings.
8. After completion of the review of findings, the frequency assignments concerned together with the modified findings shall be published in Part IIB/Part II-S of the BR IFIC, and an Information Note shall be included in the BR IFIC, drawing the attention of administrations to the review of findings and explaining the reasons for and content of the review.

*Reason: this Rule of Procedure has been prepared in accordance with the decision of WRC-12, contained in Document 491 of the Plenary, to develop a RoP on the application of No. **11.50**.*

The objective of this Rule of Procedure is to define and explain the main elements to be considered by the Bureau in the application of No. 11.50 in respect of frequency assignments recorded in the MIFR.

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