

## UPDATES to the

### Rules of Procedure

(Edition of 2012)

**approved by the Radio Regulations Board**

Revision (Circular No.)	Date	Part	AR/AP	RR No. or other reference <sup>1</sup>	Pages to be removed	Pages to be inserted
1 See CR/339	September 2012	A1	AR5	5.316A*	5	5 (rev.1)
				5.327A**		
				5.397	7-8	7-8 (rev.1)
				5.399		
			5.410*			
			5.444B**	13-15	13-15 (rev.1)	
			5.446A			
			Receivability	1, 1.1**, 1.2 2 b)	1-3	1-3 (rev.1)
AR21	21.16, 3	2	2 (rev.1)			
AP18	AP18*	1-2	-			
AP30	An. 1, 1 b)	14-16	14-16 (rev.1)			
AP30A	An. 1, 4 b)	13-16	13-15 (rev.1)			
AP30B	6.3 a), 2.3 6.16 Art. 8, 8.17**	2-6	2-7 (rev.1)			
		Table of content			1	1 (rev.1)
2 See CR/342	November 2012	A1	AR9	9.2	1-2	1-2 (rev.2)
				9.11A-1	10-11	10-11 (rev.2)
				9.11A-2	16-17	16-17 (rev.2)
				9.21**-9.27	19-22	19-22 (rev.2)
				9.41-9.42**	25	25 (rev.2)
				AR11	11.43A**	19-23
			11.44**			
			11.44B**			
11.47**						
11.49**						

Revision (Circular No.)	Date	Part	AR/AP	RR No. or other reference <sup>1</sup>	Pages to be removed	Pages to be inserted
3 See CR/346	April 2013	A1	AR9	Council decision 482	1-2	1-1bis (rev.3), 2
			AR11	Apendix 4 (Annex2, A4)***,	1-2	1-1bis (rev.3), 1ter, 2
			Resolution 51	11.31	6	6 (rev.3)
				1-2.2.2	1	-
		A6	GE89	4	2	2 (rev.3)
		C		1.4, 1.6, 1.9-1.12	1-4	1-4 (rev.3)
		Table of content			1	1 (rev.3)
4 See CR/351	August 2013	C		1.6 bis	2-6	2-6 (rev.4)

<sup>1</sup> The new Rules or modifications to the existing Rules of Procedure take effect immediately or as otherwise indicated.

\* Effective date of suppression: 1 January 2013.

\*\* Effective date of application: 1 January 2013.

\*\*\* Effective date of application: 1 July 2013.

## PART C

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

#### Introduction

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

#### 1 Board meetings

1.1 A meeting of the Board will be held approximately every three months. The specific dates and durations for the meetings in a given year will be decided at the last meeting of the preceding year. Any subsequent change of dates or durations will be made only with the agreement of all the members. (CV145 (Rev. Marrakesh, 2002)).

1.2 A convening notice for the next meeting of the Board, including the date and duration, will be prepared by the Executive Secretary and normally provided to Board Members at the current meeting.

1.3 The draft agenda should be prepared by the Executive Secretary of the Board<sup>1</sup> after approval by the Chairman as soon as possible following the closing date for submissions but not later than two weeks before the meeting. The draft agenda and the documents of the meeting shall be sent to members of the Board by the Executive Secretary of the Board. Simultaneously, the draft agenda shall be made available in electronic form on the RRB website.

1.4 The agenda should include the following, as required:

- a) consideration of the report by the Director, Radiocommunication Bureau;
- b) approval of the new or revised Rules of Procedure (CS95, RR No. **13.12**);
- c) consideration of cases dealing with the review of Findings by the Bureau, following a request by an administration, which cannot be resolved by the use of the Rules of Procedure (CV171);
- d) consideration of any appeal against a Bureau decision or any other request submitted by an administration (CV140);

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

- e) consideration of reports on harmful interference (CV140, CV173, RR No. **13.2**) and reports of alleged contravention or non-observance of the Radio Regulations (RR No. **13.3**);
- f) consideration of any other matters which cannot be resolved by the Bureau (CS96);
- g) matters which should be referred to the radiocommunication conferences (CS95);
- h) the examination of any item for assistance in the application of the Radio Regulations requested by any administration (RR Nos. **7.5** and **7.6**);
- i) the examination of any item requested by any member of the Board;
- j) the examination of any item requested by the Director of the Radiocommunication Bureau;
- k) any other business (CS97, etc.). (MOD RRB13/62)

1.5 All submissions from Administrations containing comments concerning draft Rules of Procedure shall be received by the Executive Secretary at least four weeks before the meeting. Comments on the draft Rules of Procedure received after that date will not be considered (RR No. **13.12A**).

1.6 All other submissions from Administrations shall be received by the Executive Secretary at least three weeks before the meeting. Any submissions received from Administrations following the three-week deadline will normally not be considered at the same meeting and will be placed on the agenda of the following meeting. However, if so agreed by Board Members, delayed submissions relevant to items on the approved agenda could be considered for information. (MOD RRB13/62)

1.6 *bis* The Board will conduct its work transparently (CS95 and Resolution 119 (Rev. Antalya, 2006)). Any submission to the Board containing restricted material (e.g. confidential, proprietary, sensitive, etc.) shall be returned by the Bureau, who will invite the administration concerned to resubmit an unrestricted document if it wishes the Board to consider the material. (ADD RRB13/63)

1.7 All documentation should be prepared by the Executive Secretary and distributed to the Members as soon as it becomes available but not later than two weeks before the start of the meeting. RRB meeting documents will be made available in electronic form on the RRB website as soon as they are available.

1.8 Meeting attendance will be as follows:

- Members
- Executive Secretary/Director of the Radiocommunication Bureau
- Minute writer(s).

The Director of the Radiocommunication Bureau may be accompanied by any necessary staff of the Bureau on a case-by-case basis.

1.9 The Board shall endeavour to reach its decisions unanimously. If it fails in that endeavour, a decision shall be valid only if at least two-thirds of the members of the Board vote in favour thereof. Each member of the Board shall have one vote; voting by proxy is not allowed (see CV146). The minutes should clearly indicate if a decision is taken by a vote (at least two-thirds of the members of the Board). (MOD RRB13/62)

1.10 The first draft of the minutes shall be prepared in the official languages of the Union requested by the Board Members. The Executive Secretary shall distribute the draft minutes to the Board Members by electronic means as soon as possible after the meeting, but no later than six weeks prior to the next meeting. Any amendments to the draft minutes by any Board Members shall be provided to all Board Members and the Executive Secretary not later than five weeks prior to the next meeting. The draft minutes, as amended, are considered approved and ready for circulation. At least one month before the start of the following meeting, the BR shall, by means of a circular letter, send the approved minutes in all official languages of the Union to administrations and make them available on the RRB pages of the ITU website (RR No. **13.18**). (MOD RRB13/62)

1.11 In order to clarify the status of the opinions expressed by individual Board Members as reflected in the minutes and the Board's official decisions as contained in the Summary of Decisions, the minutes shall include a statement along the following lines: "The minutes of the meeting reflect the detailed and comprehensive consideration by the members of the Radio Regulations Board of the items that were under consideration on the agenda of the [insert meeting number] meeting of the Board. The official decisions of the [insert meeting number] meeting of the Radio Regulations Board may be found in the Summary of Decisions, Document RRB [insert document number]." (ADD RRB13/62)

1.12 A summary of decisions shall be prepared by the Executive Secretary in a tabular form (subject, decision, reasons for the decision, including references to comments of administrations received and considered, as well as follow-up) and approved by the Board at its current meeting. The summary shall be made available on the RRB pages of the ITU website within one week after a meeting of the Board (RR No. **13.18**). (MOD RRB13/62)

## **2 Rules of Procedure**

### **2.1 Principles for establishment or revision of Rules of Procedure**

2.1.1 In the development of Rules of Procedure, the following principles shall be applied by the Board, the Bureau, and administrations:

2.1.1.1 New Rules of Procedure shall be developed only when there is a clear need and justification (RR No. **13.0.1**). Such Rules of Procedure shall, if necessary, be developed in the following cases:

- Difficulties in the application of the Radio Regulations, including those due to inconsistencies in the Radio Regulations;

- Difficulties in the application of the regional agreements (i.e., special agreements concluded under the auspices of the ITU) in as much as they concern the relationship between the Radio Regulations and those regional agreements (RR Nos. **6.4** and **11.34**);
- Any practice used by the Bureau in the application of the Radio Regulations (RR No. **13.12A b**) and regional agreements.

2.1.1.2 Rules of Procedure are to be in conformity with the spirit and principle of the Constitution, Convention and the Radio Regulations and shall avoid any relaxation to the application of the corresponding provisions of the Radio Regulation to which the rules make reference (RR No. **13.12A g**).

2.1.1.3 For those Rules of Procedure which were developed to alleviate difficulties or inconsistencies in the application of the Radio Regulations (see the first indent to § 2.1.1.1), the Board shall submit to the next world radiocommunication conference the modifications to the Radio Regulations to alleviate such difficulties or inconsistencies and include its suggestions in the Report of the Director to this conference (RR No. **13.0.1**)<sup>2</sup>.

2.1.1.4 If difficulties or inconsistencies in the Radio Regulations are identified but a clear need for developing a new Rule of Procedure is not identified, the Board will suggest any necessary modifications to the Radio Regulations to the next WRC (RR No. **13.0.2**).

## **2.2 Preparation of Rules of Procedure**

2.2.1 In the preparation of Rules of Procedure, the following steps shall be applied by the Board, the Bureau, and administrations (RR No. **13.12A**):

2.2.1.1 preparation, by BR, of a draft Rule of Procedure;

2.2.1.2 draft Rules of Procedure shall be made available to the administrations for comments in a circular letter and on the RRB website at least ten weeks before the meeting (RR No. **13.12A c**);

2.2.1.3 all comments from administrations on these draft Rules of Procedure shall be submitted to the Bureau at least four weeks before the start of the Board meeting (RR No. **13.12A d**);

2.2.1.4 comments from administrations should suggest specific text for the proposed Rule of Procedure (RR No. **13.12A e**);

2.2.1.5 all comments on draft Rules of Procedure received from administrations will be posted on the RRB website (RR No. **13.12A f**);

2.2.1.6 comments submitted by administrations concerning draft Rules of Procedure that have not been received within the four-week time limit (see RR No. **13.12A d**) shall not be considered by the Board (cf. RR No. **13.12A f**);

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<sup>2</sup> See Minutes of the Third Plenary of WRC-07, Document 217, § 3.

2.2.1.7 the approved Rule of Procedure shall be published in a circular letter and in electronic form.

2.2.2 The Bureau shall also publish, on the RRB website, a list of future proposed Rules and the time-frame for their consideration by the Board in order to facilitate administrations providing comments on the future proposed Rules (RR No. **13.12A a**)).

2.2.3 In submitting the draft Rules of Procedure, the Director should also submit relevant material which explains the practical necessity of the new or revised Rules, as well as their possible impact on administrations, and other background information.

### **2.3 Review of Rules of Procedure**

2.3.1 The Rules are effective when approved by the Board, except in cases where a different date of application is specified in the Rule of Procedure. If comments are received from any administration after publication, the Board will review the Rule of Procedure, if appropriate.

2.3.2 If there is continuing disagreement, the matter shall be submitted to the next World Radiocommunication Conference in the report of the Director of the Radiocommunication Bureau, with the agreement of the concerned administration (CS 95, RR No. **13.14**).

2.3.3 For Rules of Procedure referenced in § 2.1.1.3, the Board will consider the possibility of making a proposal for transforming the current Rule of Procedure into provisions of the Radio Regulations. The BR will assist the Board in this task.

## **3 Review of Findings and cases of appeal (CV140 2); RR No. 14.5)**

3.1 If requested by Administrations, the Bureau shall forward review of findings to the Board. Administrations may appeal decisions of the Bureau to the Board. In both of the above cases the following information shall be supplied:

- a) brief explanation and the history of the case;
- b) all relevant documents which were received from the concerned administrations and those relevant documents which were sent by the Director of the Radiocommunication Bureau to that administration;
- c) brief statement by the Director to clarify the view of the Radiocommunication Bureau.

3.2 The Board will decide on the appropriate action.

3.3 The decision of the Board is final in so far as the Bureau and the Board are concerned. The administration requesting the review may raise the matter at a world radio-communication conference if it disagrees with the Board's decision (RR No. **14.6**).

#### **4 Harmful interference (CV173, RR No. 13.2)**

4.1 When an administration has requested the Bureau's assistance for the resolution of a case of harmful interference in accordance with the Convention and the Radio Regulations, and the case has not been resolved after efforts by the Director following the appropriate provisions of the Radio Regulations and established procedures in the Radiocommunication Bureau or the administration requests the assistance of the Board, a report from the Director of the Bureau will be submitted to the Board for consideration, which includes the following:

- a) brief explanation of the case which will include the degree of reported interference, history to the reported interference and the status of notification of the concerned assignments;
- b) all relevant documents which were received from the concerned administrations and those relevant documents which were sent by the Director of the Radiocommunication Bureau to that administration;
- c) brief statement to clarify the view of the Radiocommunication Bureau, including draft recommendations to the administrations concerned.

4.2 The Board will decide on the appropriate action.

#### **5 Contravention or non-observance of the Radio Regulations (RR No. 13.3)**

5.1 When an administration has requested an investigation of alleged contravention or non-observance of the Radio Regulations by another administration, and the case has not been resolved after efforts by the Director following the appropriate provisions of the Radio Regulations and established procedures in the Radiocommunication Bureau or the administration requests the assistance of the Board, the Bureau will submit a report to the Board for consideration. The report will include the following:

- a) brief explanation and background of the case;
- b) all relevant documents which were received from the concerned administrations and those relevant documents which were sent by the Director of the Radiocommunication Bureau to the concerned administrations;
- c) draft recommendations to the concerned administrations.

5.2 The Board will decide on the appropriate action.

#### **6 Any other matters that cannot be resolved by the Bureau through the application of the Rules of Procedure**

The Director of the Radiocommunication Bureau may raise any such matter. Such cases will be dealt with by the Board on a case-by-case basis (CS96).

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