

PLENARY MEETING

**Addendum 1 to  
Document 14-E  
1 October 2012  
Original: Russian**

**ITU Member States, Members of the Regional Commonwealth in the field  
of Communications (RCC)**

**COMMON PROPOSALS FOR THE WORK OF THE CONFERENCE**

**NOC** RCC/14A1/1

**INTERNATIONAL TELECOMMUNICATION  
REGULATIONS**

**NOC** RCC/14A1/2

**PREAMBLE**

**Reasons:** Name of the ITRs and title of the Preamble remain unchanged.

**MOD** RCC/14A1/3

**1** While the sovereign right of each country to regulate its telecommunications is fully recognized, the provisions of the present International Telecommunication Regulations (hereinafter "Regulations") supplement the Constitution and Convention of the International Telecommunication ~~Convention~~ Union, with a view to attaining the purposes of the International Telecommunication Union in promoting the development of telecommunication services and their most efficient operation while harmonizing the development of facilities for world-wide telecommunications.

**NOC** RCC/14A1/4

## ARTICLE 1

### Purpose and Scope of the Regulations

**Reasons:** Title of the article remains unchanged.

**MOD** RCC/14A1/5

**2** 1.1 a) These Regulations establish general principles which relate to the provision and operation of international telecommunication services offered to the public as well as to the underlying international telecommunication transport means used to provide such services. They place obligations on Member States in respect of fulfilment of the provisions of the Regulations by administrations and operating agencies involved in international telecommunications~~also set rules applicable to administrations~~<sup>\*</sup>.

**Reasons:**

**1** The entities subject to the Regulations, in accordance with international public law, are the ITU Member States. The ITU Constitution, in its Article 6, also establishes the ITU Member States as the primary legal entity and makes it binding upon States to ensure that telecommunication offices and operating agencies abide by the provisions of the Constitution, the Convention and the Administrative Regulations. In line with Article 6 of the Constitution, it is proposed to develop 1.1a) so as to specify the offices responsible for implementing the provisions of the Regulations.

**2** It is proposed to maintain use of the term “administration”, given that, in a number of developing countries, including some RCC members, administrations (pursuant to national law) continue to play a significant role in the provision of international telecommunications.

**3** It is proposed to use the term “operating agency” as a generic concept encompassing the concepts of “recognized operating agency” and “recognized private operating agency”.

Having regard to §§ 2 and 3 above, it is also proposed here and hereafter throughout the text of the Regulations to use, where appropriate, the formulation “administration/operating agency”.

**MOD** RCC/14A1/6

**3** b) These Regulations recognize ~~in Article 9~~ the right of Members States to allow special arrangements as provided in Article 9.

**Reasons:** Amendment designed to specify that the Regulations recognize the right to allow special arrangements, while Article 9 further covers the procedure and conditions for concluding such arrangements.

**ADD** RCC/14A1/7

**3A** c) Member States shall take the necessary measures to prevent interruptions of services and shall ensure that no harm is caused by their operating agencies to the international

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<sup>\*</sup> ~~—or recognized private operating agency(ies)~~

telecommunication facilities of operating agencies of other Member States which are operating in accordance with the provisions of these Regulations.

**Reasons:** Develops Article 38 of the ITU Constitution. Specifies Member States' regulatory obligations in ensuring that their operating agencies do not cause harm to the agencies of other Member States.

**ADD** RCC/14A1/8

**3B** d) Member States shall guarantee absolute priority for emergency (distress) telecommunications relating to safety of life, including for prevention, relief and mitigation in emergency situations.

**Reasons:** Develops Article 40 of the Constitution. Specifies Member States' obligations to guarantee absolute priority for telecommunications in emergency situations.

**ADD** RCC/14A1/9

**3C** e) Member States shall cooperate for the purpose of implementing the International Telecommunication Regulations.

**Reasons:** Drawn up on the basis of 1.7c), to strengthen its effect and make it unambiguously applicable to the entire Regulations.

**MOD** RCC/14A1/10

**4** 1.2 In these Regulations, "the public" is used in the sense of the population, including governmental bodies and physical and legal bodiespersons.

**Reasons:** To define the term more precisely.

**MOD** RCC/14A1/11

**5** 1.3 These Regulations ~~are established with a view to~~ facilitating global interconnection and interoperability of telecommunication facilities-networks and ~~to promoting~~promote the harmonious development and efficient operation of technical facilities, ~~as well as~~ the efficiency, usefulness and availability to the public of international telecommunication services and greater confidence and security, including of information, in the provision of international telecommunication services to the public.

**Reasons:** It is proposed to include in Article 1 a general provision on security of international telecommunication services, which is covered in detail in the new article on confidence and security in the provision of international telecommunications and services.

**MOD** RCC/14A1/12

**6** 1.4 Unless otherwise specified in these Regulations, rReferences to CCITT-ITU Recommendations and Instructions in these Regulations are not to be taken as giving to those Recommendations and Instructions the same legal status as the Regulations.

**Reasons:**

**1** It is wise to foresee the possibility, if required, of making specific ITU Recommendations mandatory, bearing in mind that this practice already exists in the Radiocommunication Sector. In general, all Recommendations remain voluntary, and only when

specially incorporated in the Regulations and approved upon ratification of the Regulations can specific Recommendations become mandatory. When such Recommendations are revised under the regular procedure (by an SG or even at WTSA), the new version does not automatically become mandatory; this requires adoption at a regular WCIT.

2 It is proposed to use, throughout the text of the Regulations, the broad concept of “ITU Recommendations”, so as not to reduce the scope of application of the new Regulations and to keep them technology-neutral. This will help to keep the provisions of the Regulations current, bearing in mind that the technical standards applicable for the new Regulations may develop, both in the Telecommunication Standardization Sector and in the Radiocommunication Sector, for example in the mobile field.

3 It is proposed to maintain the use of “Instructions”, as one of the types of ITU documents.

**MOD** RCC/14A1/13

7 1.5 Within the framework of the present Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between administrations\*/operating agencies.

**Reasons:** Today, some administrations, mainly in developing countries, including among RCC members, are involved in the conclusion of arrangements for the provision of international telecommunication services; the concept of “administration” therefore needs to be maintained in the Regulations.

**MOD** RCC/14A1/14

8 1.6 ~~In implementing the principles of these Regulations, administrations\* should comply with,~~ To fulfil the aims of the ITRs and the principles enshrined therein, Member States shall ensure, to the greatest extent practicable, that administrations/operating agencies comply with the relevant CCITT-ITU Recommendations and, including any Instructions ~~forming part of or derived from these Recommendations.~~

**Reasons:** The amendments shift the emphasis from compliance with Recommendations (implementing the principles of the Regulations) to the unambiguous objective of fulfilling the aims of the Regulations, which of necessity includes complying with Recommendations to the greatest extent practicable.

**MOD** RCC/14A1/15

9 1.7 ~~a) —~~ These Regulations recognize the right of any Member State, subject to national law and should it decide to do so, to require that administrations and ~~private~~ operating agencies, which operate in its territory and provide ~~an~~ international telecommunication services to the public, be authorized by that Member State.

**Reasons:** Simplifies the text, insofar as the right of Member States to regulate their telecommunications is already recognized in the Preamble.

**SUP** RCC/14A1/16

10 ~~b) — The Member concerned shall, as appropriate, encourage the application of relevant CCITT Recommendations by such service providers.~~

**Reasons:** Repetition of the principle set out in 1.6.

**SUP** RCC/14A1/17

**11** ~~c) The Members, where appropriate, shall cooperate in implementing the International Telecommunication Regulations (for interpretation, also see Resolution No. 2).~~

**Reasons:** Transferred to 1.1 e).

**(MOD)** RCC/14A1/18

**12** 1.8 The Regulations shall apply, regardless of the means of transmission used, so far as the Radio Regulations do not provide otherwise.

**Reasons:** It is proposed to retain this provision, since it establishes the relationship between the Radio Regulations and the International Telecommunication Regulations.

**NOC** RCC/14A1/19

## ARTICLE 2

### Definitions

**Reasons:** Title of the article remains unchanged.

**(MOD)** RCC/14A1/20

**13** For the purpose of these Regulations, the following definitions shall apply. These terms and definitions do not, however, necessarily apply for other purposes.

**(MOD)** RCC/14A1/21

**14** 2.1 *Telecommunication*: Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.

**Reasons:** Definition from the ITU Constitution (No. 1012).

**(MOD)** RCC/14A1/22

**15** 2.2 *International telecommunication service*: The offering of a telecommunication capability between telecommunication offices or stations of any nature that are in or belong to different countries.

**Reasons:** Editorial correction to the Russian text only.

**(MOD)** RCC/14A1/23

**16** 2.3 *Government telecommunication*: A telecommunication originating with any: Head of a State; Head of a government or members of a government; Commanders-in-Chief of military forces, land, sea or air; diplomatic or consular agents; the Secretary-General of the United

Nations; Heads of the principal organs of the United Nations; the International Court of Justice, or reply to a government telegram.

**Reasons:** Definition used later in the text of the ITRs.

**MOD** RCC/14A1/24

## **17 2.4 Service telecommunication**

A telecommunication that relates to public international telecommunications and that is exchanged among the following:

- administrations;
- ~~recognized private~~ operating agencies;
- and the Chairman of the ~~Administrative~~ Council, the Secretary-General, the Deputy Secretary-General, the Directors of the ~~International Consultative Committees~~Bureaux, the members of the ~~International Frequency Registration~~Radio Regulations Board, other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union.

**Reasons:** Definition used later in the text of the ITRs. Amendments designed to bring the text into line with the current appellations of ITU's working organs.

## **18 2.5 Privilege telecommunication**

**MOD** RCC/14A1/25

### **19 2.5.1** A telecommunication that may be exchanged during:

- sessions of the ITU ~~Administrative~~ Council,
- conferences and meetings of the ITU

between, on the one hand, representatives of Member States of the ~~Administrative~~ Council, members of delegations, senior officials of the permanent organs of the Union and their authorized colleagues attending conferences and meetings of the ITU and, on the other, their administrations or ~~recognized private~~ operating agency or the ITU, and relating either to matters under discussion by the ~~Administrative~~ Council, conferences and meetings of the ITU or to public international telecommunications.

**Reasons:** Definition used later in the text of the ITRs.

**MOD** RCC/14A1/26

**20 2.5.2** A private telecommunication that may be exchanged during sessions of the ITU ~~Administrative~~ Council and conferences and meetings of the ITU by representatives of Member States of the ~~Administrative~~ Council, members of delegations, senior officials of the permanent organs of the Union attending ITU conferences and meetings, and the staff of the Secretariat of the Union seconded to ITU conferences and meetings, to enable them to communicate with their country of residence.

**Reasons:** Editorial corrections.

**MOD** RCC/14A1/27

**21** 2.6 *International route:* ~~Technical~~ A route for the transmission of traffic between technical facilities and installations located in different countries and used for telecommunication traffic between two international telecommunication terminal exchanges or offices.

**Reasons:** Clarifies the term “international route” as meaning a route for the transmission of traffic between technical facilities in different countries.

**MOD** RCC/14A1/28

**22** 2.7 *Relation:* Exchange of traffic between two ~~terminal~~ countries, always referring to a specific service if there is between their administrations \*/operating agencies:

**(MOD)** RCC/14A1/29

**23** a) a means for the exchange of traffic in that specific service:  
– over direct circuits (direct relation), or  
– via a point of transit in a third country (indirect relation), and

**(MOD)** RCC/14A1/30

**24** b) normally, the settlement of accounts.

**Reasons:** Definition used later in the text of the ITRs. Editorial corrections affecting the Russian version only.

**MOD** RCC/14A1/31

**25** 2.8 *Accounting rate:* The rate agreed between administrations \*/operating agencies in a given relation that is used for the establishment of international accounts for international telecommunication services.

**Reasons:** The definition is used to describe the charging and accounting methods in Article 6. It is proposed to add “administrations/operating agencies”, since in a number of countries it is not operating agencies, but rather the administrations, that handle accounting matters. The additional wording specifies the purpose of the accounts.

**MOD** RCC/14A1/32

**26** 2.9 *Collection charge:* The charge established and collected by ~~an~~ administration \*/operating agencies from ~~its~~ their customers for the use of an international telecommunication service.

**Reasons:** The definition is used to describe the charging and accounting methods in Article 6. It is proposed to add “administrations/operating agencies”, since in a number of countries it is not operating agencies, but rather the administrations, that handle accounting matters. Editorial corrections.

**MOD** RCC/14A1/33

**27** 2.10 *Instructions*: A collection of provisions drawn from one or more ~~ECMT~~ ITU Recommendations dealing with practical operational procedures for the handling of telecommunication traffic (e.g., acceptance, transmission, accounting).

**Reasons:** Definition used later in the text of the ITRs. Editorial corrections.

**ADD** RCC/14A1/34

**27A** 2.11 *Emergency/distress telecommunications*: A special category of telecommunications with absolute priority for the transmission and reception of information relating to safety of life at sea, on land, in the air or in space, and of information of exceptional urgency concerning an epidemiological or epizootic situation issued by the World Health Organization.

**Reasons:** Term used in new 1.1 d) and Article 5.

**ADD** RCC/14A1/35

**27B** 2.12 *Personal data*: Any information relating to a physical person (the subject of the personal data) identified or identifiable on the basis of such information.

**Reasons:** Definition proposed for the purposes of new Article 5A.

**ADD** RCC/14A1/36

**27C** 2.13 *International roaming*: Provision to the subscriber of the opportunity to use telecommunication services offered by other operating agencies, with which the subscriber does not have agreed service relations.

**Reasons:** The current definitions of roaming relate to mobile communication services, since the relatively widespread use of roaming first began with the provision of such services. Today, however, convergence on telecommunication networks is resulting in a situation where various types of communication are also indirectly providing roaming services, for example IP-based telephony systems such as Skype, and this trend is liable to expand.

This being the case, we are of the view that the definition of roaming should not be tied to a specific technology (mobile communication networks), but that there should be a more general definition that can be applied to any type of communication network, both now and in the future.

**ADD** RCC/14A1/37

**27D** 2.14 *Spam*: Information transmitted over telecommunication networks simultaneously or during a short period of time, to a large number of particular addressees\* without prior consent of the addressee (recipient) to receive this information or information of this nature.

\*Spam should be distinguished from information of any type (including advertisements) transmitted over broadcasting, including non-addressed, networks.

**Reasons:** Spam is one of the problems encountered on IP networks. Apart from messages sent over e-mail, spam can be propagated over regular telephone links (voice messages, using automated calling systems and speech generators, and fax messages), using mobile communication services (sms and mms messages, voice messages) and instant messaging systems.

It is thus wise to include the proposed definition of spam, which is technology- and content-neutral, and is confined only to the two fundamental features of spam – bulk, unwanted transmissions – merely flagging the essence of the problem in the Regulations and transferring responsibility for detailed action to the level of national legislation.

**ADD** RCC/14A1/38

**27E** 2.15 *Network fraud* (fraud on international telecommunication networks): The causing of harm to operating agencies or to the public, the wrongful obtaining of gain in the provision of international telecommunication services through abuse of trust or deception, including through inappropriate use of numbering, naming, addressing and identification resources in international telecommunication networks.

**Reasons:** Wrongful acts carried out on international telecommunication networks and affecting operating agencies and subscribers located in different jurisdictions can only be combated on the basis of an international agreement, namely the ITRs, and through harmonization of the relevant national legislations.

**ADD** RCC/14A1/39

**27F** 2.16 *Integrity of the international telecommunication network*: The capability of the international telecommunication network to carry international traffic.

**Reasons:** Definition proposed for the purposes of new Article 5A.

**ADD** RCC/14A1/40

**27G** 2.17 *Stability of the international telecommunication network*: The capability of the international telecommunication network to carry international traffic in the event of failure of telecommunication nodes or links and also in the face of internal and external destructive actions and to return to its original state.

**Reasons:** Definition proposed for the purposes of new Article 5A.

**ADD** RCC/14A1/41

**27H** 2.18 *Security of the international telecommunication network*: The capability of the international telecommunication network to withstand internal and external destabilizing actions liable to compromise its functioning.

**Reasons:** Definition proposed for the purposes of new Article 5A.

**ADD** RCC/14A1/42

**27I** 2.19 *Operating agency*: Any individual, company, corporation or governmental agency which operates a telecommunication installation intended for an international telecommunication service or capable of causing harmful interference with such a service.

**Reasons:** Definition from the Constitution (No. 1007).

**ADD** RCC/14A1/43

**27J** 2.20 *Calling party (number) identification*: Identification, on the basis of profile and registration records in the technical facilities of operating agencies, of a set of symbols uniquely identifying the calling party.

**Reasons:** This is a universal definition – also valid for the case of SIP (IMS, Skype, etc.) subscribers.

**ADD** RCC/14A1/44

**27K** 2.21 *Global telecommunication service (GTS):* An international telecommunication service characterized by the existence of a single infrastructure complex, the location of whose components is distributed among two or more countries such that this complex as a whole cannot, in terms of its ownership or location, be attributed to any one country.

**Reasons:** Definition used later in the text of the ITRs.

**ADD** RCC/14A1/45

**27L** 2.22 *Traffic:* The load constituted by all of the communications and signals transmitted via telecommunication networks over a given period of time.

**Reasons:** Definition used later in the text of the ITRs.

**ADD** RCC/14A1/46

**27M** 2.23 *Tariff:* The price conditions proposed by an administration/operating agency for the use of telecommunication services.

**Reasons:** Definition used later in the text of the ITRs.

**ADD** RCC/14A1/47

**27N** 2.24 *International telecommunication services user:* A party requesting and/or obtaining international telecommunication services.

**Reasons:** Definition used later in the text of the ITRs.

**ADD** RCC/14A1/48

**27O** 2.25 *Subscriber:* An international telecommunication services user with whom a contract for the provision of such services has been concluded.

**Reasons:** Definition used later in the text of the ITRs.

**NOC** RCC/14A1/49

## ARTICLE 3

### International Network

**Reasons:** Title of article remains unchanged.

**MOD** RCC/14A1/50

**28** 3.1 Member States shall ensure that administrations<sup>\*</sup>/operating agencies cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service.

**Reasons:** In a number of developing countries, including among RCC members, administrations (pursuant to national law) continue to play a significant role in the provision of international telecommunications.

**MOD** RCC/14A1/51

**29** 3.2 ~~Administrations\* shall endeavour to provide sufficient telecommunication facilities~~ Member States shall establish policies to meet the requirements of and demand for international telecommunication services.

**Reasons:** One of the tasks of Member States, as the legal entity subject to the ITRs, is to provide legal and regulatory machinery to facilitate the comprehensive development of international telecommunication services in a competitive environment.

**SUP** RCC/14A1/52

~~**30** 3.3 Administrations\* shall determine by mutual agreement which international routes are to be used. Pending agreement and provided that there is no direct route existing between the terminal administrations\* concerned, the origin administration\* has the choice to determine the routing of its outgoing telecommunication traffic, taking into account the interests of the relevant transit and destination administrations\*.~~

**Reasons:** Today, traffic routing is done automatically. In most countries, administrations no longer determine international routes.

**ADD** RCC/14A1/53

**31A** 3.3 Member States and administrations/operating agencies shall have the right to know which international routes are used for carrying traffic.

**Reasons:** Member States and administrations/operating agencies must have the right, where necessary, to know the actual course of a route, for the purposes of combating fraud and ensuring network security.

**MOD** RCC/14A1/54

~~**31AA** 3.45 Subject to national law, any user~~ The public, by having access to the international telecommunication network ~~established by an administration\*~~, has the right to receive international telecommunication services ~~send traffic. A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to relevant CCITT Recommendations.~~

**Reasons:** It is proposed to replace the term “user” with “public”, in line with 1.2. The reference to national law is obsolete, since the relevant provision is prescribed in the Preamble to the ITRs. It is proposed to delete the last sentence, in the light of 3.1.

**ADD** RCC/14A1/55

**31B** 3.5 Member States shall ensure correct transmission of the calling party number/address/name/identity.

**Reasons:** This provision is designed to ensure quality of service and security of communication services.

**ADD** RCC/14A1/56

**31D** 3.6 Member States shall endeavour to provide, in a timely manner, sufficient numbering, naming, identification and addressing resources on telecommunication networks and provide competing (including at global level) mechanisms for their allocation in order to meet the requirements of and demand for international telecommunication services.

**Reasons:** This provision is designed to ensure quality of service and security of communication services.

**(MOD)** RCC/14A1/57

## ARTICLE 4

### International Telecommunication Services

**Reasons:** Editorial corrections to Russian version only.

**MOD** RCC/14A1/58

**32** 4.1 Members States shall promote the availability implementation of international telecommunication services ~~and shall endeavour to make such services generally available to the public in their national network(s).~~

**MOD** RCC/14A1/59

**33** 4.2 Members States shall endeavour to ensure that administrations<sup>\*</sup> /operating agencies cooperate within the framework of these Regulations to provide by mutual agreement, a wide range of international telecommunication services of any type, including, but not limited to: which should conform, to the greatest extent practicable, to the relevant CCITT Recommendations.

- ~~– services for carrying traffic (including services for carrying Internet traffic and data transmission);~~
- ~~– telecommunication roaming services;~~
- ~~– services for the provision of telecommunication channels;~~
- ~~– services in the public international telegraph service;~~
- ~~– services in the international telex service;~~
- ~~– telematic telecommunication services;~~
- ~~– multimedia telecommunication services;~~
- ~~– convergent telecommunication services;~~
- ~~– global telecommunication services.~~

**Reasons:** The list of services is proposed in connection with the application of 6.1.3 in the interests of ensuring the availability of basic telecommunication services which have already become traditional (Internet, data transmission, telematics, roaming), and develops the provisions of WATTC-88 Resolution 6.

Today, these services are established to provide:

- voice telecommunication services;
- broadband services, including Internet.

Eliminating dual taxation for those services will serve to lower their price for the end user.

**MOD** RCC/14A1/60

**34** 4.3 ~~Subject to national law, Members States~~ shall endeavour to ensure that administrations\*/operating agencies provide and maintain, ~~to the greatest extent practicable, a minimum an agreed~~ quality of service ~~corresponding to the relevant CCITT Recommendations~~ with respect to:

**MOD** RCC/14A1/61

**35** a) access to the international telecommunication network by users using terminals which are permitted to be connected to the network and which do not ~~cause harm to~~ diminish the level of security of technical facilities and personnel;

**MOD** RCC/14A1/62

**36** b) international telecommunication facilities and services available to ~~customers for their dedicated use~~ users;

**MOD** RCC/14A1/63

**37** c) at least a form of telecommunication service which is reasonably accessible to the public, including those who may not be subscribers to a specific telecommunication service; and

**MOD** RCC/14A1/64

**38** d) a capability for interworking ~~between in the provision of~~ different services, ~~as appropriate,~~ to facilitate international telecommunications services.

**Reasons:** The reference to national law is obsolete, since the relevant provision is prescribed in the Preamble to the ITRs. It is proposed to delete the reference to ITU Recommendations, having regard to 1.6. Editorial amendments to the Russian version.

**ADD** RCC/14A1/65

**38A** 4.4 Member States shall ensure that operating agencies providing international telecommunication services, including roaming, make available to subscribers information on tariffs, including duties and fiscal taxes. Each subscriber should be able to have access to such information and receive it in a timely manner and free of charge when roaming (entering into roaming), except where the subscriber has previously declined to receive such information.

**Reasons:** Proposal designed to ensure that users of roaming services are informed.

**ADD** RCC/14A1/66

**38B** 4.5 Member States shall ensure that operating agencies providing international telecommunication services, including roaming, make available to subscribers information on the cost of additional paid services, including calls to short numbers, provided by the operating agency, through to their completion.

**Reasons:** Proposal designed to ensure that users of roaming services are informed.

**ADD** RCC/14A1/67

**38C** 4.6 Member States shall ensure that operating agencies providing international telecommunication services, including roaming, make available to subscribers the option of declining any additional paid international telecommunication services.

**Reasons:** Proposal designed to allow the possibility of limiting the use of services, in particular roaming.

**NOC** RCC/14A1/68

## ARTICLE 5

### Safety of Life and Priority of Telecommunications

**Reasons:** Title of the article remains unchanged.

**MOD** RCC/14A1/69

**39** 5.1 ~~Safety of life telecommunications, such as~~Emergency (distress) telecommunications relating to safety of life, including distress communications, shall be entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other international telecommunications ~~services~~, in accordance with the relevant Articles of the Constitution and Convention and taking due account of relevant ~~CCITT-ITU~~ Recommendations.

**Reasons:** Underlines the absolute priority of emergency /distress telecommunications.

**MOD** RCC/14A1/70

**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 types of telecommunications other than those referred to in ~~No. 395.1~~, in accordance with the relevant ~~provisions articles~~ of the Constitution and Convention and taking due account of relevant ~~CCITT-ITU~~ Recommendations.

**Reasons:** Makes the existing provision more specific.

**MOD** RCC/14A1/71

**41** 5.3 The provisions governing the priority enjoyed by all other telecommunications are contained in the relevant ~~CCITT-ITU~~ Recommendations.

**Reasons:** Makes the existing provision more specific.

**ADD** RCC/14A1/72

**41A** 5.4 Member States shall seek to introduce a single number, both within the country and in their region, for calls to the emergency services.

**ADD** RCC/14A1/73

**41B** 5.5 Member States shall inform every roaming subscriber, in good time and free of charge, of the number to be used for calls to the emergency services.

**ADD** RCC/14A1/74

## ARTICLE 5A

### **Confidence and Security in the Provision of International Telecommunication Services**

**Reasons:** Taking into account that international networks and operating agencies may be located in different jurisdictions, then strengthening confidence and ensuring security in the provision of international telecommunication services by administrations and operating agencies calls for efforts and concerted action by Member States within the framework of an international agreement, namely these ITRs. This should in turn lead to harmonization of national legislations.

**ADD** RCC/14A1/75

**41B** 5A.1 Member States shall do their utmost to promote the confidence required for effective use and harmonious development of international telecommunications as well as security in the provision of international telecommunication services.

**ADD** RCC/14A1/76

**41C** 5A.2 Member States shall ensure the necessary international collaboration between administrations, operating agencies and other authorized entities, coordinate joint activity and exchange information, and shall also cooperate in other ways, including through the conclusion of intergovernmental arrangements in regard to strengthening confidence and security in the provision of international telecommunication services. Member States shall ensure the adoption of the necessary national legislation, and ensure and oversee compliance with such legislation by administrations, operating agencies and the public.

**Reasons:** In the interests of international collaboration, Member States must exchange information, coordinate their activity and cooperate in other ways for the purpose of implementing the ITRs, including through administrations and other entities.

This provision is reflected in § 12a of the WSIS Plan of Action.

**ADD** RCC/14A1/77

**41D** 5A.3 Member States shall ensure that operating agencies safeguard the confidentiality of international telecommunications and of any related information that has become known in the course of providing international telecommunication services.

**Reasons:** Ensuring security must not impinge upon fundamental and inalienable human rights in regard to the lawful collection, transmission and dissemination of information, or upon the secrecy of telecommunications in so doing.

**ADD** RCC/14A1/78

**41E** 5A.4 Member States shall ensure the protection by operating agencies of personal data handled for the purposes of providing international telecommunication services.

**Reasons:** Personal data must be protected in the provision of international telecommunication services.

**ADD** RCC/14A1/79

**41F** 5A.5 Member States shall ensure unrestricted public access to international telecommunication services and the unrestricted dissemination of international telecommunications, except in cases where international telecommunication services are used for the purpose of interfering in the internal affairs or undermining the sovereignty, national security, territorial integrity and public safety of other States, or to divulge information of a sensitive nature.

**Reasons:** Reflected in § 36 of the WSIS Declaration of Principles.

**ADD** RCC/14A1/80

**41G** 5A.6 Member States shall take the necessary measures to prevent the propagation of spam.

**Reasons:** Need to prevent the propagation of spam. Reflected in WSIS texts.

**ADD** RCC/14A1/81

**41H** 5A.7 Member States shall take the necessary measures to combat network fraud.

**Reasons:** Need to combat network fraud.

**ADD** RCC/14A1/82

**41I** 5A.8 Member States shall ensure that numbering, naming, addressing and identification resources are used in accordance with their intended purpose and stipulated allocation.

**Reasons:** Need for effective use of limited resources.

**ADD** RCC/14A1/83

**41J** 5A.9 Member States shall ensure that operating agencies identify the subscriber when providing international telecommunication services, and shall ensure the processing, transmission and protection of identification information in the provision of international telecommunication services.

**Reasons:** Full delegation of security functions to commercial entities and self-regulation in the field of security are inadmissible, since issues pertaining to the rights and legal interests of users and governments conflict with the interests of the commercial entity, whose fundamental goal is to generate profit.

**NOC** RCC/14A1/84

## ARTICLE 6

### Charging and Accounting

**Reasons:** Title of the article remains unchanged.

The RCC administrations are in favour of retaining Article 6.

**(MOD)** RCC/14A1/85

#### **42 6.1 Collection charges**

**MOD** RCC/14A1/86

**43** 6.1.1 Each administration~~\*~~/operating agency 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~~\*~~/operating agencies should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation.

**Reasons:** Editorial corrections to the Russian version and addition of “operating agencies”.

**MOD** RCC/14A1/87

**44** 6.1.2 The charge levied by an administration~~\*~~/operating agency on customers for a particular communication should in principle be the same in a given relation, regardless of the international route chosen by that administration~~\*~~/operating agency.

**Reasons:** Editorial corrections to the Russian version and addition of “operating agencies”.

**MOD** RCC/14A1/88

**45** 6.1.3 Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges, to be included in or added to the collection charge, for international telecommunication services, this tax shall ~~normally~~ be collected only in respect of international telecommunication services ~~billed~~ presented for payment to customers in that country, unless other arrangements are made to meet special circumstances. This rule also applies in cases where accounts for international telecommunication services are handled through specialized accounting authorities on the basis of arrangements with administrations/operating agencies.

**Reasons:** Dual taxation increases the price of international telecommunication services for the end user. Eliminating dual taxation of international telecommunication services makes such services more accessible for the public.

**(MOD)** RCC/14A1/89

**46 6.2 Accounting rates**

**MOD** RCC/14A1/90

**47** 6.2.1 For each applicable service in a given relation, administrations\*/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 relevant ~~CEPT~~ ITU-T Recommendations and relevant cost trends.

**48 6.3 Monetary unit**

**MOD** RCC/14A1/91

**49** 6.3.1 In the absence of special arrangements concluded between administrations\*/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 administrations/operating agencies~~the gold franc, equivalent to 1/3.061 SDR.~~

**Reasons:** This provision provides a basis for determining the monetary unit in cases where special arrangements have not been concluded between operating agencies.

**SUP** RCC/14A1/92

~~**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 IMP and the gold franc.~~

**Reasons:** Obsolete provision.

**51 6.4 Establishment of accounts and settlement of balances of account**

**MOD** RCC/14A1/93

**52** 6.4.1 Unless otherwise agreed, administrations\*/operating agencies shall follow the relevant provisions as set out in Appendices 1 and 2.

**53 6.5 Service and privilege telecommunications**

**MOD** RCC/14A1/94

**54** 6.5.1 Administrations\*/operating agencies shall follow the relevant provisions as set out in Appendix 3.

(MOD) RCC/14A1/95

## ARTICLE 7

### Suspension of Services

**Reasons:** Editorial correction affecting only the Russian version.

MOD RCC/14A1/96

55 7.1 If a Member State exercises its right in accordance with the Constitution or Convention to suspend international telecommunication services partially or totally, that Member State shall immediately notify the Secretary-General of the suspension and of the subsequent return to normal conditions by the most appropriate means of communication.

**Reasons:** Editorial corrections and addition of “Constitution or”.

MOD RCC/14A1/97

56 7.2 The Secretary-General shall immediately bring such information to the attention of all other Members States, using the most appropriate means of communication.

**Reasons:** Editorial amendment.

NOC RCC/14A1/98

## ARTICLE 8

### Dissemination of Information

**Reasons:** Title of Article 8 remains unchanged.

MOD RCC/14A1/99

57 Using the most suitable and economical means, the Secretary-General shall disseminate information, provided by ~~administrations\*~~ Member States, of an administrative, operational, tariff or statistical nature concerning international telecommunication routes and services. Such information shall be disseminated in accordance with the relevant provisions of the Constitution and Convention and of this Article, on the basis of decisions taken by the ~~Administrative~~ Council or by competent ~~administrative~~ conferences, and taking account of conclusions or decisions of Plenary-competent Assemblies ~~of the International Consultative Committees~~. Member States shall transmit such information to the Secretary-General in a timely manner.

**Reasons:** To support maintaining Article 8, with the proposed editorial amendments.

**NOC** RCC/14A1/100

## ARTICLE 9

### Special Arrangements

**Reasons:** Title of Article 9 remains unchanged.

**MOD** RCC/14A1/101

**58** 9.1 a) ~~Pursuant to Article 31 of the International Telecommunication Convention (Nairobi, 1982), Administrations/operating agencies may enter into~~ special arrangements ~~may be entered into on telecommunication matters which do not concern Members in general. Subject to national laws, Members may allow~~with other administrations<sup>\*</sup>/operating agencies or other organizations or persons to enter into such special mutual arrangements with Members, administrations<sup>\*</sup> or other organizations or persons that are so allowed in another country for the establishment, operation, and use of special international telecommunication networks, systems and services, in order to meet specialized international telecommunication needs within and/or between the territories of the Members States concerned, and including, as necessary, anythose financial, technical, or operating conditions ~~to be observed,~~ and any requirements for strengthening confidence and ensuring security.

**Reasons:** It is proposed to supplement the text with a provision to the effect that special arrangements may also include requirements for strengthening confidence and ensuring security.

**MOD** RCC/14A1/102

**59** b) Any such special arrangements should ~~avoid technical not cause injury/bring~~ harm to the operation of the telecommunication facilities of third countries.

**Reasons:** Bringing into line with 1.1 c).

**SUP** RCC/14A1/103

~~**60** 9.2 Members should, where appropriate, encourage the parties to any special arrangements that are made pursuant to No. 58 to take into account relevant provisions of CCITT Recommendations.~~

**Reasons:** The general principle of compliance with ITU Recommendations is laid down in 1.6.

**NOC** RCC/14A1/104

## ARTICLE 10

### Final Provisions

**Reasons:** Title of the article remains unchanged.

**MOD** RCC/14A1/105

**61** 10.1 These Regulations, of which Appendices 1, 2 and 3 form integral parts, shall enter into force on [1 January 2015] ~~1 July 1990 at 0001 hours UTC.~~

**Reasons:** Pursuant to No. 216A of the Constitution, “Any revision of the Administrative Regulations, either partial or complete, shall enter into force on the date or dates specified therein only for the Member States which, prior to such date or dates, have notified the Secretary-General of their consent to be bound by that revision”.

**SUP** RCC/14A1/106

~~**62** 10.2 On the date specified in No. 61, the Telegraph Regulations (Geneva, 1973) and the Telephone Regulations (Geneva, 1973) shall be replaced by these International Telecommunication Regulations (Melbourne, 1988) pursuant to the International Telecommunication Convention.~~

**Reasons:** These ITRs are a revision of the 1988 Regulations.

**MOD** RCC/14A1/107

**63** 10.3 If a Member State makes reservations with regard to the application of one or more of the provisions of these Regulations, other Members States and their administrations\* /operating agencies shall be free to disregard the said provision or provisions in their relations with the Member State which has made such reservations and its administrations\* /operating agencies.

**Reasons:** Editorial amendments.

**ADD** RCC/14A1/108

**63A** 10.3A The partial or total revision of these Regulations can only be undertaken by a competent world conference on international telecommunications.

**Reasons:** Article 25 of the Constitution.

**SUP** RCC/14A1/109

~~**64** 10.4 Members of the Union shall inform the Secretary-General of their approval of the International Telecommunication Regulations adopted by the Conference. The Secretary-General shall inform Members promptly of the receipt of such notifications of approval.~~

**Reasons:** Obsolete provision.

**(MOD)** RCC/14A1/110

## APPENDIX 1

### General Provisions Concerning Accounting

**Discussion:** Operating agencies interact not only on the basis of bilateral arrangements, but also without them. In the case of cooperation without an arrangement (e.g. on the basis of an “acceptance” agreement – request for service/delivery/submission of an account/payment), the

ITRs play the role of such an agreement, determining the procedure governing the interactions, including rules and time-frames for the settlement of accounts and for questioning accounts. Article 6 and Appendices 1 and 2 are inextricably linked and contain cross-references.

The RCC administrations are in favour of retaining Appendix 1 with the relevant amendments set forth below.

**(MOD)** RCC/14A1/111

**1/1 1 Accounting rates**

**MOD** RCC/14A1/112

**1/2** 1.1 For each applicable service in a given relation, administrations\*/operating agencies shall by mutual agreement establish and revise accounting rates to be applied between them, taking into account ~~the ITU-T 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\*/operating agencies of terminal countries, and where appropriate, into transit shares payable to the administrations\*/operating agencies of transit countries.

**MOD** RCC/14A1/113

**1/3** 1.2 Alternatively, in traffic relations where ~~CCITT-ITU-T~~ cost studies can be used as a basis, the accounting rate may be determined in accordance with the following method:

**MOD** RCC/14A1/114

**1/4** a) administrations\*/operating agencies shall establish and revise their terminal and transit shares taking into account ~~the ITU-T Recommendations of the CCITT~~;

**(MOD)** RCC/14A1/115

**1/5** b) the accounting rate shall be the sum of the terminal shares and any transit shares.

**MOD** RCC/14A1/116

**1/6** 1.3 When one or more administrations\*/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 administration\*/operating agency, the former have the right to establish their share as mentioned in 1.1 and 1.2 above, for this part of the relation.

**MOD** RCC/14A1/117

**1/7** 1.4 In cases where one or more international routes have been established by agreement between administrations\*/operating agencies and where traffic is diverted unilaterally by the administration\*/operating agency of origin to an international route which has not been agreed with the administration\*/operating agency of destination, the terminal shares payable to the administration\*/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 administration\*/operating agency of origin, unless the administration\*/operating agency of destination is prepared to agree to a different share.

**MOD** RCC/14A1/118

**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\*/operating agency has the right to set the level of the transit share to be included in the international accounts.

**MOD** RCC/14A1/119

**1/9** 1.6 Where an administration\*/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 administrations\*/operating agencies.

**1/10 2 Establishment of accounts**

**MOD** RCC/14A1/120

**1/11** 2.1 Unless otherwise agreed, the administrations\*/operating agencies responsible for collecting the charges shall establish a monthly account showing all the amounts due and send it to the administrations\*/operating agencies concerned.

**MOD** RCC/14A1/121

**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~~ a period of 50 days following the month ~~following that~~ to which they relate.

**MOD** RCC/14A1/122

**1/13** 2.3 In principle an account shall be considered as accepted without the need for specific notification of acceptance to the administration\*/operating agency which sent it.

**MOD** RCC/14A1/123

**1/14** 2.4 However, any administration\*/operating agency has the right to question the contents of an account ~~for a period of two calendar months~~ before the end of the 50-day period after the receipt of the account, but only to the extent necessary to bring any differences within mutually agreed limits.

**Reasons:** The deadlines are in accordance with Recommendation ITU-T D.195 "Time-scale for settlement of accounts for international telecommunication services".

The proposed addition ("... even if the bill was paid") eliminates the contradiction between the time-frames stipulated in the appendices to the ITRs and time-frames in countries' legislations. In particular, the time-frame for payment of balances of account (3.3.1) and the time-frame for questioning an account (2.4) are significantly shorter than the period during which the end user has the right to submit a claim regarding an account.

**MOD** RCC/14A1/124

**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\*/operating agency and shall be sent in duplicate to the debtor administration\*/operating agency, which, after verification, shall return one of the copies endorsed with its acceptance.

**MOD** RCC/14A1/125

**1/16** 2.6 In indirect relations where a transit administration\*/operating agency 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\*/operating agencies beyond it in the international routing sequence as soon as possible, but no later than 50 calendar days after receiving that data from the originating administration\*/operating agency.

## **1/17** 3 Settlement of balances of accounts

### **1/18** 3.1 Choice of the currency of payment

**(MOD)** RCC/14A1/126

**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.

**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 3.2 Determination of the amount of payment**

**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.

**(MOD)** RCC/14A1/127

**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.

**(MOD)** RCC/14A1/128

**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.

**SUP** RCC/14A1/129

~~**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.~~

**MOD** RCC/14A1/130

**1/26** 3.2.5 If, in accordance with a special arrangement, the balance of the account is not 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:

**(MOD)** RCC/14A1/131

**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;

**(MOD)** RCC/14A1/132

**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.

**1/29 3.3 Payment of balances**

**MOD** RCC/14A1/133

**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~~50 days after the day on which the settlement statement is despatched by the creditor administration<sup>\*/operating agency</sup>. Beyond this period, the creditor administration<sup>\*/operating agency</sup> 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.

**(MOD)** RCC/14A1/134

**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.

**(MOD)** RCC/14A1/135

**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.

**(MOD)** RCC/14A1/136

**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.

**SUP** RCC/14A1/137

**1/34** ~~3.4~~ **Additional provisions**

**MOD** RCC/14A1/138

**1/35** ~~3.4.13.3.5~~ Provided the periods of payment are observed, administrations<sup>\*/operating agencies</sup> may by mutual agreement settle their balances of various kinds by offsetting:

- credits and debits in their relations with other administrations<sup>\*/operating agencies</sup>; and/or

– ~~debts arising from postal services~~ any other mutually agreed settlements, if appropriate.

**ADD** RCC/14A1/139

**1/35A** This rule also applies in case payments are made through specialized payment agencies in accordance with arrangements with administrations/operating agencies.

**ADD** RCC/14A1/140

**1/35B** **3.4 Additional provisions**

**MOD** RCC/14A1/141

**1/36** ~~3.4.23.4.1~~ 3.4.23.4.1 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 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.

**MOD** RCC/14A1/142

**1/37** ~~3.4.33.4.2~~ 3.4.33.4.2 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 ~~\*/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.

**(MOD)** RCC/14A1/143

## APPENDIX 2

### **Additional Provisions Relating to Maritime Telecommunications**

**Discussion:** Article 6 and Appendices 1 and 2 are inextricably linked and contain cross-references. Appendix 2 provides the necessary legal basis and instrument to be used by an accounting authority in cases where a shipowner does not settle its account for operation in international waters, whereby a user (or shipowner) may at its own discretion modify the ship's ownership structure, its location or its country of registration.

Appendix 2 is also necessary for operating agencies which, having no accounting authority, encounter problems arising in relation to the provision of communication services to shipowners and the receipt of payment for services rendered.

Therefore, deleting Appendix 2 will have a negative impact on the financial position of around 100 accounting authorities and on the provision of international telecommunication services for ships worldwide.

The RCC administrations are in favour of retaining Appendix 2 with the relevant amendments set forth below.

**2/1        1        General**

**MOD**        RCC/14A1/144

**2/2**        The provisions contained in Article 6 and Appendix 1, taking into account the relevant ~~CCITT-ITU~~ Recommendations, shall also apply to maritime telecommunications in so far as the following provisions do not provide otherwise.

**2/3        2        Accounting authority**

**(MOD)**        RCC/14A1/145

**2/4**        2.1        Charges for maritime telecommunications in the maritime mobile service and the maritime mobile-satellite service shall in principle, and subject to national law and practice, be collected from the maritime mobile station licensee:

**2/5**        a)        by the administration that has issued the licence; or

**MOD**        RCC/14A1/146

**2/6**        b)        by a ~~n recognized private~~ operating agency; or

**2/7**        c)        by any other entity or entities designated for this purpose by the administration referred to in a) above.

**MOD**        RCC/14A1/147

**2/8**        2.2        The administration or the ~~recognized private~~ operating agency or the designated entity or entities listed in paragraph 2.1 are referred to in this Appendix as the “accounting authority”.

**MOD**        RCC/14A1/148

**2/9**        2.3        References to ~~a receiving~~ administration~~\*/operating agency~~ contained in Article 6 and Appendix 1 shall be read as “accounting authority” when applying the provisions of Article 6 and Appendix 1 to maritime telecommunications.

**MOD** RCC/14A1/149

**2/10** 2.4 Member States shall designate their accounting authority or authorities for the purposes of implementing this Appendix and notify their names, identification codes and addresses to the Secretary-General for inclusion in the List of Ship Stations; the number of such names and addresses shall be limited taking into account the relevant CCITT-ITU-T Recommendations.

### **2/11 3 Establishment of accounts**

**MOD** RCC/14A1/150

**2/12** 3.1 In principle, an account shall be considered as accepted without the need for specific notification of acceptance to the accounting authority that sent it to the administration.

**MOD** RCC/14A1/151

**2/13** 3.2 However, any accounting authority has the right to question the contents of an account for a period of six calendar months after dispatch of the account, even after the account has been paid.

### **2/14 4 Settlement of balances of account**

**(MOD)** RCC/14A1/152

**2/15** 4.1 All international maritime telecommunication accounts shall be paid by the accounting authority without delay and in any case within six calendar months after dispatch of the account, except where the settlement of accounts is undertaken in accordance with paragraph 4.3 below.

**(MOD)** RCC/14A1/153

**2/16** 4.2 If international maritime telecommunication accounts remain unpaid after six calendar months, the administration that has licensed the mobile station shall, on request, take all possible steps, within the limits of applicable national law, to ensure settlement of the accounts from the licensee.

**MOD** RCC/14A1/154

**2/17** 4.3 If the period between the date of dispatch and receipt exceeds one month, the receiving accounting authority should at once notify the ~~originating~~ accounting authority that sent the account that queries and payments may be delayed. The delay shall, however, not exceed three calendar months in respect of payment, or five calendar months in respect of queries, both periods commencing from the date of receipt of the account.

**MOD** RCC/14A1/155

**2/18** 4.4 The debtor accounting authority may refuse the settlement and adjustment of accounts presented more than ~~eighteen~~12 calendar months after the date of the traffic to which the accounts relate.

**(MOD)** RCC/14A1/156

## APPENDIX 3

### Service and Privilege Telecommunications

#### **3/1 1 Service telecommunications**

**MOD** RCC/14A1/157

**3/2** 1.1 Administrations ~~\*/operating agencies~~ may provide service telecommunications free of charge.

**MOD** RCC/14A1/158

**3/3** 1.2 Administrations ~~\*/operating agencies~~ may in principle forego inclusion of service telecommunications in international accounting, under the relevant provisions of the ~~Constitution and Convention of the~~ International Telecommunication ~~Union Convention~~ and the present Regulations, having due regard for the need for reciprocal arrangements.

#### **3/4 2 Privilege telecommunications**

**MOD** RCC/14A1/159

Administrations ~~\*/operating agencies~~ may provide privilege telecommunications free of charge, and accordingly may forego the inclusion of such classes of telecommunication in international accounting, under the relevant provisions of the ~~Constitution and Convention of the~~ International Telecommunication ~~Union Convention~~ and the present Regulations.

**MOD** RCC/14A1/160

#### **3/5 3 Applicable provisions**

The general operational, charging and accounting principles applicable to service and privilege telecommunications should take account of the relevant ~~CCITT~~ITU-T Recommendations.

**Reasons:** The appendix is used.

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