

**PLENARY MEETING**

**Revision 1 to  
Document 16(Add.1)-E  
3 November 2012  
Original: English**

## **European Administrations**

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

#### **Contents**

<a href="#">Proposals</a> .....	2
<a href="#">Preamble</a> .....	2
<a href="#">Article 1</a> .....	2
<a href="#">Article 2</a> .....	4
<a href="#">Article 3</a> .....	8
<a href="#">Article 4</a> .....	9
<a href="#">Article 5</a> .....	10
<a href="#">Article 6</a> .....	11
<a href="#">Article 7</a> .....	14
<a href="#">Article 8</a> .....	14
<a href="#">Article 9</a> .....	15
<a href="#">Article 10</a> .....	16
<a href="#">Appendix 1</a> .....	17
<a href="#">Appendix 2</a> .....	17
<a href="#">Appendix 3</a> .....	17
<a href="#">Resolutions</a> .....	19
<a href="#">Recommendations</a> .....	20
<a href="#">Opinion</a> .....	21

## PROPOSALS

Europe supports NOC to any proposed modification / addition on Articles 2, 3, 4, 5, 6, 7, 8, 9 and 10 which is not indicated in this contribution.

**NOC** EUR/16A1/1

### INTERNATIONAL TELECOMMUNICATION REGULATIONS

**NOC** EUR/16A1/2

#### PREAMBLE

**Reasons:** Title and title of Preamble remain unchanged.

**MOD** EUR/16A1/3

**1** While the sovereign right of each ~~country-state~~ to regulate its telecommunications is fully recognized, the provisions of the present International Telecommunication Regulations (hereinafter "Regulations") ~~supplement~~complement 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.

**Reasons:** The term "state" is the one used in the Constitution. The term "complement" is the one used in the Constitution.

**NOC** EUR/16A1/4

#### ARTICLE 1

##### Purpose and Scope of the Regulations

**Reasons:** Title of Article 1 remains unchanged.

**MOD** EUR/16A1/5

**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 also set rules applicable to administrations\*.~~

---

\* ~~or recognized private operating agency(ies)~~

**Reasons:** The revised ITRs should only contain provisions regarding obligations of Member States, and not direct the activities of private parties.

**MOD** EUR/16A1/6

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

**Reasons:** Editorial update.

**NOC** EUR/16A1/7

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

**Reasons:** The proposal stood the test of time.

**NOC** EUR/16A1/8

**5** 1.3 These Regulations are established with a view to facilitating global interconnection and interoperability of telecommunication facilities and to promoting the harmonious development and efficient operation of technical facilities, as well as the efficiency, usefulness and availability to the public of international telecommunication services.

**Reasons:** The proposal stood the test of time.

**MOD** EUR/16A1/9

**6** 1.4 References to ~~CCITT-ITU-T 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:** The ITU Constitution does not provide ITU Recommendations with a binding force, by their nature ITU-T Recommendations are non-binding, i.e. of voluntary application, and should not therefore be imposed as a matter of routine. Europe considers that the ITRs revision shall not be used to change the nature of ITU Recommendations.

Europe supports the suppression of the reference to “Instructions”. Both Recommendation C.3 (Instructions for international communications services) and ITU-T Recommendation E.141, (Instructions for operators on the operator-assisted international telephone service) were withdrawn. Therefore, Europe considers that references to instructions are outdated and should be suppressed.

**SUP** EUR/16A1/10

**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\*.~~

**Reasons:** International traffic handling today is more complex than previously experienced and this is reflected in the commercial relationships currently existing between operators.

Art. 42 of the ITU Constitution and Art. 9 of the current ITRs refer to special arrangements therefore the text on existing 1.5 seems to be in contradiction.

**MOD** EUR/16A1/11

**8** 1.6 In implementing the principles of these Regulations, ~~administrations\*~~Member States should encourage recognized operating agencies to comply with, to the greatest extent practicable, the relevant CCITT-ITU-T Recommendations, ~~including any Instructions forming part of or derived from these Recommendations.~~

**Reasons:** The Constitution of the Union does not provide ITU Recommendations with a binding force, by their nature ITU-T Recommendations are non-binding, i.e. of voluntary application, and should not therefore be imposed as a matter of routine. Europe considers that the ITRs revision shall not be used to change the nature of ITU Recommendations.

The proposed text, including the use of the term “encourage” is in line with existing provision of the ITRs 1.7 b).

Europe supports the suppression of the reference to ITU-T “Instructions”.

**MOD** EUR/16A1/12

**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~~recognized operating agencies, which operate in its territory and provide an international telecommunication service to the public, be authorized by that Member State.

**Reasons:** The ITRs may only indirectly apply to recognised operating agencies.

**SUP** EUR/16A1/13

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

**Reasons:** This provision seems to be very similar to 1.6 and should be suppressed as there is a need to avoid repetition.

**MOD** EUR/16A1/14

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

**Reasons:** Editorial update. The provision stood the test of time.

**NOC** EUR/16A1/15

**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:** The provision stood the test of time.

**NOC** EUR/16A1/16

## ARTICLE 2

### Definitions

**Reasons:** Title of Article 2 remains unchanged.

**NOC** EUR/16A1/17

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

**NOC** EUR/16A1/18

**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:** Europe does not support expanding the definition of Telecommunication to include “processing” as it would excessively broaden the scope of the ITRs. Europe does not agree to include the term “ICT” in the revised ITRs.

This topic is seldom discussed within ITU and Member States never agreed on this subject.

Telecommunication is defined in the Annex to the ITU Constitution (No. 1012). As stated in Art. 4 of the ITU Constitution, “In the case of inconsistency between a provision of this Constitution and a provision of the Convention or of the Administrative Regulations, the Constitution shall prevail”. Therefore, it is not possible to agree on a definition which is not consistent with the CS.

**NOC** EUR/16A1/19

**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:** The current definition is broad and flexible to accommodate technological developments.

International telecommunication service is defined in the Annex to the ITU CS (No. 1011). ). As stated in Art. 4 of the CS, “In the case of inconsistency between a provision of this Constitution and a provision of the Convention or of the Administrative Regulations, the Constitution shall prevail”. Therefore, it is not possible to agree on a definition which is not consistent with the CS.

**SUP** EUR/16A1/20

**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:** Obsolete.

SUP EUR/16A1/21

**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, the members of the International Frequency Registration Board, other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union.~~

**Reasons:** Obsolete.

SUP EUR/16A1/22

**18** ~~2.5~~ ~~Privilege telecommunication~~

SUP EUR/16A1/23

**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 Members 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:** Obsolete.

SUP EUR/16A1/24

**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 Members 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:** Obsolete.

SUP EUR/16A1/25

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

**Reasons:** Europe considers that this definition is no longer required as it does not reflect reality (multitude of routing arrangements).

SUP EUR/16A1/26

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

SUP EUR/16A1/27

~~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~~

SUP EUR/16A1/28

~~24 b) — normally, the settlement of accounts.~~

**Reasons:** Europe considers that this definition is no longer required as it does not reflect reality (competitive markets).

SUP EUR/16A1/29

~~25 2.8 — *Accounting rate*: The rate agreed between administrations\* in a given relation that is used for the establishment of international accounts.~~

**Reasons:** Europe considers that this definition is no longer required as it does not reflect reality (wide variety of arrangements).

SUP EUR/16A1/30

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

**Reasons:** As Europe is proposing to suppress provision 6.1.1 this definition is no longer needed.

SUP EUR/16A1/31

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

**Reasons:** Europe proposes the suppression of the reference to “Instructions”. Both Recommendation C.3 (Instructions for international communications services) and ITU-T Recommendation E.141, (Instructions for operators on the operator-assisted international telephone service) were withdrawn. Therefore, Europe considers that references to instructions are outdated and should be suppressed.

**NOC** EUR/16A1/32

## ARTICLE 3

### International Network

**Reasons:** Title of Article 3 remains unchanged.

**MOD** EUR/16A1/33

**28** 3.1 ~~Members~~ States shall ~~ensure that administrations\*~~ encourage recognized operating agencies to cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service.

**Reasons:** Given market liberalization, it may be difficult under national law for some Member States to ensure quality of service.

Competition in the market is the best way to guarantee a satisfactory quality of service.

**MOD** EUR/16A1/34

**29** 3.2 ~~Administrations\*~~ Member States shall ~~endeavour to provide~~ encourage the provision of sufficient telecommunication facilities to meet the ~~requirements of and~~ demand for international telecommunication services inter alia through the fostering of competitive and liberalised telecommunication markets.

**Reasons:** Proposal that aims at fostering of liberalised and competitive International telecommunication services.

**SUP** EUR/16A1/35

**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:** Obsolete.

**ADD** EUR/16A1/36

**30A** 3.3A Member States should encourage the appropriate use of those numbering resources which are the responsibility and remit of the ITU, in order that they are used only for the purposes for which they were assigned. Member States shall endeavour to ensure that resources, which are the responsibility and remit of the ITU, are not used until they are assigned.

**Reasons:** Europe proposes to address the issue related to the conformity of use of numbering resources.

**MOD** EUR/16A1/37

**31** 3.4 Subject to national law, any user, by having access to the international telecommunication network established by ~~an administration\*~~ recognized operating agency, has

the right to send traffic. A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to relevant ~~CCITT~~ ITU-T Recommendations.

**Reasons:** The provision stood the test of time.

**ADD** EUR/16A1/38

**31A** 3.5.A Member States should encourage recognized operating agencies to take measures to further robustness of their networks used for international telecommunication services.

3.5.B Member States are encouraged to cooperate in that sense.

**NOC** EUR/16A1/39

## ARTICLE 4

### International Telecommunication Services

**Reasons:** Title of Article 4 remains unchanged.

**MOD** EUR/16A1/40

**32** 4.1 Members ~~States~~ shall to the greatest extent practicable, establish policies to promote the ~~implementation~~ development of international telecommunication services and shall endeavour to make such services generally available to foster the general availability to the public of such services in their national network(s).

**Reasons:** Europe supports text in favour of the general availability to the public of international telecommunication services.

**MOD** EUR/16A1/41

**33** 4.2 Members ~~States~~ shall ~~ensure that~~ encourage administrations\* recognized operating agencies to cooperate within the framework of these Regulations to provide by ~~mutual commercial~~ agreements, a wide range of international telecommunication services which should conform, to the greatest extent practicable, to the relevant ~~CCITT~~ ITU-T Recommendations.

**Reasons:** Europe considers the best way for providing choice and innovation in the provision of international services is by facilitating competition in the provision of such services

**MOD** EUR/16A1/42

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

**MOD** EUR/16A1/43

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

**MOD** EUR/16A1/44

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

**SUP** EUR/16A1/45

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

**MOD** EUR/16A1/46

**38** d) a capability for interworking between different services, as appropriate, to facilitate international telecommunications services.

**Reasons:** The proposed text complements the wording proposed by CEPT for the revision of provision 3.1.

**ADD** EUR/16A1/47

**38A** 4.4 Tariff transparency

Member States shall ensure that recognized operating agencies providing international telecommunication services, at least provide free of charge, transparent and up-to-date information on retail charges to the end users, including international roaming charges.

**Reasons:** Europe aims at ensuring that customers receive the necessary pricing information to make an informed purchase decision regarding international telecommunication services, in particular, international roaming services. Transparency refers to retail prices.

**NOC** EUR/16A1/48

## ARTICLE 5

### Safety of Life and Priority of Telecommunications

**Reasons:** Title of Article 5 remains unchanged.

**MOD** EUR/16A1/49

**39** 5.1 Safety Member States shall adopt policies that, to the greatest extent practicable, ensure that safety of life telecommunications, such as distress telecommunications,

~~shall bear~~ entitled to transmission as of right and shall, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant Articles of the Constitution and Convention and taking due account of relevant ~~CCITT-ITU-T~~ Recommendations.

**Reasons:** This proposal clarifies the roles of Member States.

**SUP** EUR/16A1/50

**40** ~~5.2—Government telecommunications, including telecommunications relative to the application of certain provisions of the United Nations Charter, shall, where technically practicable, enjoy priority over telecommunications other than those referred to in No. 39, in accordance with the relevant provisions of the Convention and taking due account of relevant CCITT Recommendations.~~

**Reasons:** Obsolete.

**SUP** EUR/16A1/51

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

**Reasons:** Obsolete.

**NOC** EUR/16A1/52

## ARTICLE 6

### Charging and Accounting

**Reasons:** Title of Article 6 remains unchanged.

**SUP** EUR/16A1/53

**42** ~~6.1—Collection charges~~

**SUP** EUR/16A1/54

**43** ~~6.1.1—Each administration\* shall, subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations\* should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation.~~

**Reasons:** It is inappropriate for Member States in an international treaty to make commitments which dictate the detail of how private operators conduct their commercial activities with operators in other countries in the current liberalised and competitive international telecommunications market.

**ADD** EUR/16A1/55

**43A** 6.1. Subject to applicable national law, the terms and conditions between recognized operating agencies for the provision of international telecommunication services shall be subject to commercial agreement.

**Reasons:**

Europe supports the view that the ITRs should be technological neutral and in no circumstance should provide prominent treatment to a sort of arrangement over others.

In particular, the accounting rates system is one among different sort of arrangements that are currently used by the industry and therefore the ITRs should not provide a prominent treatment to it.

Europe considers that any reference to particular arrangements should be dealt within ITU-T Recommendations which can more easily be adapted to technical developments and market circumstances.

**SUP** EUR/16A1/56

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

**Reasons:** It is inappropriate for Member States in an international treaty to make commitments which dictate the detail of how private operators conduct their commercial activities with operators in other countries in the current liberalised and competitive international telecommunications market.

**SUP** EUR/16A1/57

**45** ~~6.1.3—Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.~~

**Reasons:** Europe advocates that fiscal issues are not within the scope of the ITRs.

**SUP** EUR/16A1/58

**46** **6.2—Accounting rates**

**SUP** EUR/16A1/59

**47** ~~6.2.1—For each applicable service in a given relation, administrations\* shall by mutual agreement establish and revise accounting rates to be applied between them, in accordance with the provisions of Appendix 1 and taking into account relevant CCITT Recommendations and relevant cost trends.~~

**Reasons:** Europe supports the view that the ITRs should be technological neutral and in no circumstance should provide prominent treatment to a sort of arrangement over others.

In particular, the accounting rates system is one among different sort of arrangements that are currently used by the industry and therefore the ITRs should not provide a prominent treatment to it.

Europe considers that any reference to particular arrangements should be dealt within ITU-T Recommendations which can more easily be adapted to technical developments and market circumstances.

SUP EUR/16A1/60

48 ~~6.3 — Monetary unit~~

SUP EUR/16A1/61

49 ~~6.3.1 — In the absence of special arrangements concluded between administrations\*, the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:  
—— either the monetary unit of the International Monetary Fund (IMF), currently the Special Drawing Right (SDR), as defined by that organization;  
—— or the gold franc, equivalent to 1/3.061 SDR.~~

Reasons: Obsolete.

SUP EUR/16A1/62

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.

SUP EUR/16A1/63

51 ~~6.4 — Establishment of accounts and settlement of balances of account~~

SUP EUR/16A1/64

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

Reasons: Europe supports the view that the ITRs should be technological neutral and in no circumstance should provide prominent treatment to a sort of arrangement over others.

In particular, the accounting rates system is one among different sort of arrangements that are currently used by the industry and therefore the ITRs should not provide a prominent treatment to it.

Europe considers that any reference to particular arrangements should be dealt within ITU-T Recommendations which can more easily be adapted to technical developments and market circumstances.

SUP EUR/16A1/65

53 ~~6.5 — Service and privilege telecommunications~~

SUP EUR/16A1/66

54 ~~6.5.1 — Administrations\* shall follow the relevant provisions as set out in Appendix 3.~~

Reasons: Obsolete.

**ADD** EUR/16A1/67

**54A 6.5A Costs of International Roaming Services**

- Member States shall encourage competition in the provision of international roaming services;
- Member States are encouraged to cooperate to develop policies for reducing charges on international roaming services.

**Reasons:** Europe seeks to encourage competition and cooperation to develop policies to address international roaming charges.

**NOC** EUR/16A1/68

## ARTICLE 7

### Suspension of Services

**Reasons:** Title of Article 7 remains unchanged.

**MOD** EUR/16A1/69

**55** 7.1 If a Member State exercises its right in accordance with the ITU Constitution and Convention to suspend international telecommunication services partially or totally, that Member States 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:** Align with Art. 35 of the Convention.

**MOD** EUR/16A1/70

**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:** Align with Art. 35 of the Convention

**SUP** EUR/16A1/71

## ARTICLE 8

### Dissemination of Information

**Reasons:** Article 8 to be suppressed.

**SUP** EUR/16A1/72

**57** ~~Using the most suitable and economical means, the Secretary General shall disseminate information, provided by administrations\*, 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 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 Assemblies of the International Consultative Committees.~~

**Reasons:** Many references are out of date and Nos. 98 and 99 of Article 5 of the Convention contain similar text.

**NOC** EUR/16A1/73

## ARTICLE 9

### Special Arrangements

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

**MOD** EUR/16A1/74

**58** 9.1 a) ~~Pursuant to Article 31 of the International Telecommunication Convention (Nairobi, 1982), Pursuant to Article 42 of the Constitution~~ ~~s~~Special arrangements may be entered into on telecommunication matters which do not concern Members ~~s~~States in general. Subject to national laws, Members ~~s~~States may allow ~~administrations\*~~recognized operating agencies or other organizations or persons to enter into such special mutual arrangements with ~~Members,~~ ~~administrations\*~~recognized operating agencies or other organizations or persons that are so allowed in another country for the establishment, operation, and use of special telecommunication networks, systems and services, in order to meet specialized international telecommunication needs within and/or between the territories of the Members ~~s~~States concerned, and including, as necessary, those financial, technical, or operating conditions to be observed.

**MOD** EUR/16A1/75

**59** b) ~~Any such s~~Special arrangements should avoid technical harm to the operation of ~~the any~~ telecommunication facilities/~~services of third countries~~.

**Reasons:** Technical harm to any telecommunication facilities should be avoided.

**SUP** EUR/16A1/76

**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:** Not needed in light of 1.6.

**NOC** EUR/16A1/77

## ARTICLE 10

### Final Provisions

**MOD** EUR/16A1/78

**61** 10.1 These Regulations, ~~of which Appendices 1, 2 and 3 form integral parts, which complement the provisions of the Constitution and Convention of the International Telecommunication Union,~~ shall enter into force on ~~1 July 1990 at 0001 hours UTC~~ January 2015 and shall be applied as of that date pursuant to Article 54 of the Constitution.

**SUP** EUR/16A1/79

~~**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.~~

**ADD** EUR/16A1/80

**62A** 10.2A The revision of ITR can only be undertaken by a competent World Conference on International Telecommunication in accordance with Article 25 of the ITU Constitution.

**SUP** EUR/16A1/81

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

**SUP** EUR/16A1/82

~~**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.~~

**MOD** EUR/16A1/83

IN WITNESS WHEREOF, the delegates of the Members of the International Telecommunication Union named below have, on behalf of their respective competent authorities, signed one copy of ~~the present these~~ Final Acts ~~in the Arabic, Chinese, English, French, Russian and Spanish languages.~~ In case of dispute, the French text shall prevail. This copy shall remain be deposited in the archives of the Union. The Secretary-General shall forward one certified copy to each Member of the International Telecommunication Union.

Done at MelbourneDubai, 9[x] December ~~1988~~ 2012.

**SUP** EUR/16A1/84

## APPENDIX 1

### General Provisions Concerning Accounting

**Reasons:** Suppress all of Appendix 1. Appendix 1 is obsolete and should be suppressed.

Europe supports NOC to any further modification/addition on Appendix 2.

**MOD** EUR/16A1/85

## APPENDIX 2

### ~~Additional~~ Provisions Relating to Maritime Telecommunications

**2/1**      **1**      **General**

**MOD** EUR/16A1/86

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

**2/3**      **2**      **Accounting authority**

**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** EUR/16A1/87

**2/6**      b)      by a 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** EUR/16A1/88

**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".

SUP EUR/16A1/89

~~2/9 2.3 References to administration\* 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 EUR/16A1/90

2/10 2.43 Members 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.

SUP EUR/16A1/91

~~2/11 3 Establishment of accounts~~

SUP EUR/16A1/92

~~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.~~

SUP EUR/16A1/93

~~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.~~

## 2/14 4 Settlement of balances of account

MOD EUR/16A1/94

2/15 4.1 All accepted 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 EUR/16A1/95

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

SUP EUR/16A1/96

~~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 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** EUR/16A3/97

**2/18** 4.43 The debtor accounting authority may refuse the settlement and adjustment of accounts presented more than eighteen calendar months after the date of the traffic to which the accounts relate.

**SUP** EUR/16A1/98

### APPENDIX 3

#### **Service and Privilege Telecommunications**

**Reasons:** Suppress all of Appendix 3. Appendix 3 is obsolete and should be suppressed

**SUP** EUR/16A1/99

### RESOLUTION NO. 1

#### **Dissemination of Information Concerning International Telecommunication Services Available to the Public**

**Reasons:** The Resolution is out of date. Covered by no. 183 of the Constitution and 202 and 203 of the Convention.

**SUP** EUR/16A1/100

### RESOLUTION NO. 3

#### **Apportionment of Revenues in Providing International Telecommunication Services**

**Reasons:** No longer relevant, because the studies called for in the Resolution have been carried out by ITU-T Study Group 3.

**SUP** EUR/16A1/101

### RESOLUTION NO. 4

#### **The Changing Telecommunication Environment**

**Reasons:** No longer relevant, because the invitation was acted upon by the 1989 Plenipotentiary Conference.

**SUP** EUR/16A1/102

RESOLUTION NO. 5

**CCITT and World-Wide Telecommunications Standardization**

**Reasons:** No longer relevant, because the actions called for were taken by the Administrative Council and the 1989 Plenipotentiary Conference.

**SUP** EUR/16A1/103

RESOLUTION NO. 7

**Dissemination of Operational and Service Information  
Through the General Secretariat**

**Reasons:** No longer relevant, since the information is published as appropriate in the Operational Bulletin, and covered by Nos. 202 and 203 of the Convention.

**SUP** EUR/16A1/104

RESOLUTION NO. 8

**Instructions for International Telecommunication Services**

**Reasons:** Not relevant anymore. Both Recommendation C.3 (Instructions for international communications services) and ITU-T Recommendation E.141 (Instructions for operators on the operator-assisted international telephone service), have been withdrawn.

**SUP** EUR/16A1/105

RECOMMENDATION NO. 1

**Application to the Radio Regulations of the Provisions  
of the International Telecommunication Regulations**

**Reasons:** The mentioned transitional period between the entry into force of the partially revised Radio Regulations (October 3, 1989) and the entry into force of the International Telecommunication Regulations (July 1, 1990), is over.

**SUP** EUR/16A1/106

## RECOMMENDATION NO. 2

### **Changes to Definitions Which also Appear in Annex 2 to the Nairobi Convention**

**Reasons:** The actions called for were taken by the Administrative Council and the 1989 Plenipotentiary Conference.

**SUP** EUR/16A1/107

## RECOMMENDATION NO. 3

### **Expeditious Exchange of Accounts and Settlement Statements**

**Reasons:** No longer required, because the provisions in question are covered by ITU-T D-series Recommendations (see in particular D.190 on Exchange of international traffic accounting data between Administrations using electronic data interchange (EDI) techniques).

**SUP** EUR/16A1/108

## OPINION NO. 1

### **Special Telecommunication Arrangements**

**Reasons:** Outdated.

---