INTERNATIONAL TELECOMMUNICATIONS CONVENTION, 1959

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Note: The Philippine instrument of ratification was signed by the President, October 6, 1963 and was deposited with the Secretary General of the Union, November 6, 1963. The Convention entered into force January 1, 1961, and with respect to the Philippines, November 6, 1963.

INTERNATIONAL TELECOMMUNICATION CONVENTION

PREAMBLE

While fully recognizing the sovereign right of each country to regulate its telecommunication, the plenipotentiaries of the Contracting Governments, with the object of facilitating relations and co-operation between the peoples by means of efficient telecommunication services, have agreed to conclude the following Convention.

The countries and groups of territories which become parties to the present Convention constitute the International Telecommunication Union.

CHAPTER I

COMPOSITION, FUNCTIONS AND STRUCTURE OF THE UNION

ARTICLE 1

COMPOSITION OF THE UNION

1. The International Telecommunication Union shall comprise Members and Associate Members.

2. A Member of the Union shall be:

a) any country or group of territories listed in Annex 1 upon signature and ratification of, or accession to, this Convention, by it or on its behalf;

b) any country, not listed in Annex 1, which becomes a Member of the United Nations an6 which accedes to this Convention in accordance with Article 18;

c) any sovereign country, not listed in Annex X and not a Member of the United Nations, which applies for Membership in the Union and which, after having secured approval of such application by two-thirds of the Members of the Union, accedes to this Convention in accordance with Article 18.

3. An Associate Member of the Union shall be:

a) any country, territory or group of territories listed in Annex 2 upon signature and ratification of, or accession to, this Convention, by it or on its behalf;

b) any country which has not become a Member of the Union in accordance with 4 to 6 by acceding to this Convention in accordance with Article 18, after its application for Associate Membership has received

approval by a majority of the Members of the Union;

c) any territory or group of territories, not fully responsible for the conduct of its international relations, on behalf of which a member of the Union has signed and ratified or acceded to this Convention in accordance with Article 18 or 19, provided that its application for Associate membership is sponsored by such a member, after the application has received approval by a majority of the Members of the Union;

d) any trust territory on behalf of which the United Nations has acceded to this Convention in accordance with Article 20, and the application of which for Associate Membership has been sponsored by the United Nations.

4. If any territory or group of territories, forming part of a group of territories constituting a Member of the Union, becomes or has become an Associate Member of the Union in accordance with 7 and 9, its rights and obligations under this Convention shall be those of an Associate Member only.

5. For the purposes of 6, 8 and 9, if an application for Membership or Associate Membership is made, by diplomatic channel and through the intermediary of the country of the seat of the Union, during the interval between two Plenipotentiary Conferences, the Secretary-General shall consult the Members of the Union; a Member shall be deemed to have abstained if it has not replied within four months after its opinion has been requested.

ARTICLE 2

RIGHTS AND OBLIGATIONS OF MEMBERS AND ASSOCIATE MEMBERS

1. (1) All Members shall be entitled to participate in conferences of the Union and shall be eligible for election to any of its organs.

(2) Each Member shall have one vote at all conferences of the Union, at meetings of the International Consultative Committees in which it participates and, if it is a Member of the Administrative Council, at all sessions o£ that Council.

(3) Each Member shall also have one vote in all consultations carried out by correspondence.

2. Associate Members shall have the same rights and obligations as Members of the Union, except that they shall not have the right to vote in any conference or other organ of the Union or to nominate candidates for membership of the International Frequency Registration Board. They shall not be eligible for election to the Administrative Council.

ARTICLE 3

SEAT OF THE UNION

The seat of the Union shall be at Geneva.

ARTICLE 4

PURPOSES OF THE UNION

1. The purposes of the Union are:

a) to maintain and extend international co-operation for the improvement and rational use of telecommunication of all kinds;

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b) to promote the development of technical facilities and their most efficient operation with a view to improving the efficiency of telecommunication services, increasing their usefulness and making them, so far as possible, generally available to the public;

c) to harmonize the actions of nations in the attainment of those common ends.

2. To this end, the Union shall in particular:

a) effect allocation of the radio frequency spectrum and registration of radio frequency assignments in order to avoid harmful interference between radio stations of different countries;

b) coordinate efforts to eliminate harmful interference between radio stations of different countries and to improve the use made of the radio frequency spectrum;

c) foster collaboration among its Members and Associate Members with a view to the establishment of rates at levels as low as possible consistent with an efficient service and taking into account the necessity for maintaining independent financial administration of telecommunication on a sound basis;

d) foster the creation, development and improvement of telecommunication equipment and networks in new or developing countries by every means at its disposal, especially its participation in the appropriate programmes of the United Nations;

e) promote the adoption of measures for ensuring the safety of life through the co-operation of telecommunication service;

f) undertake studies, formulate recommendations and opinions, and collect and publish information concerning telecommunication matters for the benefit of all Members and Associate Members.

ARTICLE 5

STRUCTURE OF THE UNION

The organization of the Union shall be as follows:

1. the Plenipotentiary Conference, which is the supreme organ of the Union;

2. Administrative Conferences;

3. the Administrative Council;

4. the permanent organs of the Union, which are:

a) the General Secretariat;

b) the International Frequency Registration Board (I.F.R.B.);

c) the International Radio Consultative Committee (C.C.I.R.);

d) the International Telegraph and Telephone Consultative Committee C.C.I.T.T.).

ARTICLE 6

PLENIPOTENTIARY CONFERENCE

1. The Plenipotentiary Conference shall:

a) determine the general policies for fulfilling the purposes of the Union prescribed in Article 4 of this

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Convention;

b) consider the report by the Administrative Council on its activities and those of the Union since the last Plenipotentiary Conference;

c) establish the basis for the budget of the Union and determine a fiscal limit for the expenditure of the Union until the next Plenipotentiary Conference;

d) fix the basic salaries, the salary scales and the system of allowances and pensions for all the officials of the Union;

e) finally approve the accounts of the Union;

f) elect the Members of the Union which are to serve on the Administrative Council;

g) elect the Secretary-General and the Deputy Secretary-General and fix the dates of their taking office;

h) revise the Convention if it considers this necessary;

i) conclude or revise, if necessary, agreements between the Union and other international organizations, examine any provisional agreements with such organizations concluded, on behalf of the Union, by the Administrative Council, and take such measures in connection therewith as it deems appropriate;

j) deal with such other telecommunication questions as may be necessary.

2. The Plenipotentiary Conference shall normally meet at a date and place decided on by the preceding Plenipotentiary Conference.

3. (1) The date and place of the next Plenipotentiary Conference, or either one of these, may be changed:

a) when at least twenty Members and Associate Members of the Union have individually proposed a change to the Secretary-General, or,

b) on a proposal of the Administrative Council.

(2) In either case a new date or place or both shall be determined with the concurrence of a majority of the Members of the Union.

ARTICLE 7

ADMINISTRATIVE CONFERENCES

1. Administrative conferences of the Union shall comprise:

a) ordinary administrative conferences;

b) extraordinary administrative conferences;

c) special conferences, which include:

— special regional conferences;

— special service conferences, world or regional.

2. (1) Ordinary administrative conferences shall:

a) revise the Regulations provided for in 193 with which they are respectively concerned;

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b) deal with all other matters deemed necessary within the terms of the Convention and the General Regulations and any directives given by the Plenipotentiary Conference.

(2) In addition, the ordinary administrative radio conference shall:

a) elect the members of the International Frequency Registration Board,

b) issue instructions to the Board concerning its activities and review these activities.

3. (1) The date and place of an ordinary administrative conference shall be determined:

a) by the preceding administrative conference, if it so desires; or

b) when at least twenty Members and Associate Members of the Union, have addressed individual requests to the Secretary-General; or

c) on a proposal of the Administrative Council.

(2) When 57 or 58 applies, the place and date shall be determined with the concurrence of a majority of the Members of the Union.

4. (1) Extraordinary administrative conferences shall be convened to consider certain specific telecommunication matters. Only items included in their agenda may be discussed by such conferences.

(2) Extraordinary administrative conferences may revise certain provisions of any set of Administrative Regulations with which they are concerned, provided that the revision of such provisions is included in the Agenda approved by a majority of the Members in accordance with 65.

5. (1) An extraordinary administrative conference may be convened:

a) by a decision of the Plenipotentiary Conference, which shall determine its agenda and the date and place of its meeting; or

b) when at least twenty Members and Associate Members of the Union have individually informed the Secretary-General of their desire that such a conference shall be held to consider an agenda proposed by them; or

c) on a proposal of the Administrative Council.

(2) In the cases specified in 63 and 64 the date and place of the conference, as well as its agenda, shall be determined with the concurrence of a majority of the Members of the Union.

6. Special conferences shall be convened to consider only the matters included in their agenda. Their decisions must in all circumstances be in conformity with the terms of the Convention and Administrative Regulations.

7. (1) A special conference may be convened:

a) by a decision of the Plenipotentiary Conference or an ordinary or extraordinary administrative conference which shall determine its agenda and the date and place at which it shall meet; or

b) when at least twenty Members and Associate Members of the Union in the case of a special service world conference or one quarter of the Members and Associate Members of the region concerned in the case of a special regional conference or special service regional conference have individually made known to the Secretary-General their desire that such a conference should be held to consider an agenda proposed by them; or

c) on a proposal of the Administrative Council.

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(2) In the cases specified in 68 and 69, the date and place of the conference as well as its agenda shall be determined with the concurrence of majority of the Members of the Union for special service world conferences or a majority of the Members in the region concerned for special regional conferences or for special service regional conferences.

8. (1) The date and place, or either, of an ordinary administrative conference, of an extraordinary administrative conference, or of a special service world conference may be changed:

a) when at least twenty Members and Associate Members of the Union have individually proposed a change to the Secretary-General; or

b) on a proposal of the Administrative Council.

(2) In either case a new date or place or both shall be determined with the concurrence of a majority of the Members of the Union.

9. (1) The date and place, or either, of special regional conferences or of special service regional conferences may be changed:

a) on a proposal of at least one quarter of the Members and Associate Members of the region concerned; or

b) on a proposal of the Administrative Council.

(2) In each case, a new date and place, or either, shall be determined with the concurrence of the majority of the Members of the region concerned.

ARTICLE 8

RULES OF PROCEDURE OF CONFERENCES

For the organization of their work and the conduct of their discussions, conferences shall apply the Rules of Procedure in the General Regulations annexed to the Convention. However, each conference may adopt such additional provisions as it may consider indispensable.

ARTICLE 9

ADMINISTRATIVE COUNCIL

A. Organization and working arrangements

1. (1) The Administrative Council shall be composed of twenty-five Members of the Union elected by the Plenipotentiary Conference with due regard to the need for equitable representation of all parts of the world. The Members of the Union elected to the Council shall hold office until the date on which a new Council is elected by the Plenipotentiary Conference. They shall be eligible for re-election.

(2) If between two Plenipotentiary Conferences a seat becomes vacant on the Administrative Council, it shall pass by right to the Member of the Union from the same region as the Member whose seat is vacated, which had obtained at the previous election the largest number of votes among those not elected.

2. Each of the Members of the Administrative Council shall appoint to serve on the Council a person qualified in the field of telecommunication services and so far as possible shall endeavour to avoid replacing that representative during the term of office of the Council.

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3. Each Member of the Council shall have one vote.

4. The Administrative Council shall adopt its own Rules of Procedure.

5. The Administrative Council shall elect its own Chairman and Vice-Chairman at the beginning of each annual session. They shall serve until the opening of the next annual session and shall be eligible for re-election. The Vice-Chairman shall serve as Chairman in the absence of the latter.

6. (1) The Council shall hold an annual session at the seat of the Union.

(2) During this session it may decide to hold, exceptionally, an additional session.

(3) Between ordinary sessions, it may be convened, as a general rule at the seat of the Union, by its Chairman at the request of the majority of its Members.

7. The Secretary-General and the Deputy Secretary-General, the Chairman and the Vice-Chairman of the International Frequency Registration Board and the Directors of the International Consultative Committees may participate as of right in the deliberations of the Administrative Council, but without taking part in the voting. Nevertheless, the Council may hold meetings confined to its own members.

8. The Secretary-General of the Union shall act as Secretary of the Administrative Council.

9. (1) In the interval between Plenipotentiary Conferences, the Administrative Council shall act on behalf of the Plenipotentiary Conference within the limits of the powers delegated to it by the latter.

(2) The Council shall act only in formal session.

10. The representative of each Member of the Administrative Council shall have the right to attend, as an observer, all meetings of the permanent organs of the Union mentioned in 31, 32 and 33.

11. Only the travelling and subsistence expenses incurred by the representative of each Member of the Administrative Council in this capacity at Council sessions shall be borne by the Union.

B. Duties

12. (1) The Administrative Council shall be responsible for taking all to facilitate the implementation by the Members and Associate Members of provisions of the Convention, of the Regulations, of the decisions of the Plenipotentiary Conference, and, where appropriate, of the decisions of other conferences and meetings of the Union.

(2) It shall ensure the efficient coordination of the work of the Union.

13. In particular the Administrative Council shall:

> a) perform any duties assigned to it by the Plenipotentiary Conference;
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> b) in the interval between Plenipotentiary Conferences, be responsible for effecting the coordination with all international organizations referred to in Articles 28 and 29 of this Convention; and, to this end,
>
> 1. conclude, on behalf of the Union, provisional agreements with the international organizations referred to in Article 29 of the Convention, and with the United Nations in application of the Agreement contained in Annex 6 to the Convention; these provisional agreements shall be submitted to the next Plenipotentiary Conference in accordance with 42.
>
> 2. appoint, on behalf of the Union, one or more representatives to participate in the conferences of such organizations, and, when necessary, in coordinating committees established in conjunction with those

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organizations;

c) decide on the numbers and grading of the staff of the General Secretariat and of the specialized secretariats of the permanent organs of the Union, taking into account the general directives given by the Plenipotentiary Conference;

d) draw up such regulations as it may consider necessary for the administrative and financial activities of the Union; the administrative regulations to take account of current practice of the United Nations and of the specialised agencies applying the Common System of pay, allowances and pensions;

e) supervise the administrative functions of the Union;

f) review and approve the annual budget of the Union, ensuring the strictest possible economy;

g) arrange for the annual audit of the accounts of the Union prepared by the Secretary-General and approve them for submission to the next Plenipotentiary Conference;

h) adjust as necessary:

1. the basic salary scales for staff in the professional and director categories, excluding the salaries for posts filled by election, to accord with any changes in the basic salary scales adopted by the United Nations for the corresponding Common System categories;

2. the basic salary scales for staff in the general service categories to accord with changes in the rates applied by the United Nations organization and the specialized agencies at the seat of the Union;

3. the post adjustment for professional categories and above, including posts filled by election, in accordance with decisions of the United Nations, for application at the seat of the Union;

4. the allowances for all staff of the Union, in accordance with any changes adopted in the United Nations Common System;

5. the contributions payable by the Union and the staff to the United Nations Joint Staff Pension Fund, in accordance with the decisions of the United Nations Joint Staff Pension Board;

i) arrange for the convening of Plenipotentiary and administrative conferences of the Union in accordance with Articles 6 and 7 of this Convention;

j) offer to the Plenipotentiary Conference of the Union any recommendations deemed useful;

k) coordinate the activities of the permanent organs of the Union, take such action as it deems appropriate on requests or recommendations made to it by such organs, and review their annual reports;

l) provide, if it considers it desirable, for the filling ad interim of a vacancy for Deputy Secretary-General;

m) provide for the filling ad interim of vacancies for Directors of the International Consultative Committees;

n) perform the other functions prescribed for it in this Convention and, within the framework of the Convention and the Regulations, any functions deemed necessary for the proper administration of the Union;

o) take the necessary steps, with the agreement of the majority of Members of the Union, provisionally to resolve questions which are not covered by the Convention and its Annexes and cannot await the next competent conference for settlement;

p) submit a report on its activities and those of the Union for consideration by the Plenipotentiary Conference;

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q) promote international cooperation for the provision of technical assistance to the new or developing countries by every means at its disposal especially through the participation of the Union in the appropriate programmes of the United Nations; and, in accordance with the purposes of the Union, to promote by all possible means, the development of telecommunication.

ARTICLE 10

GENERAL SECRETARIAT

1. (1) The General Secretariat shall be directed by a Secretary-General, assisted by one Deputy Secretary-General.

(2) The Secretary-General and the Deputy Secretary-General shall take up their duties on the dates determined at the time of their election. They shall normally remain in office until dates determined by the following Plenipotentiary Conference, and they shall be eligible for reelection.

(3) The Secretary-General shall be responsible to the Plenipotentiary Conference and, between meetings of the Plenipotentiary Conference, to the Administrative Council, for all duties entrusted to the General Secretariat and for all the administrative and financial services of the Union. The Deputy Secretary-General shall be responsible to the Secretary-General.

(4) If the post of Secretary-General falls vacant, the Deputy Secretary-General shall discharge the duties ad interim.

2. The Secretary-General shall:

a) coordinate the activities of the permanent organs of the Union through a Coordination Committee presided over by him and composed of the Deputy Secretary-General and the Heads of the permanent organs; this coordination shall apply to administrative matters, technical assistance, external relations, public information and any other important matters laid down specifically by the Administrative Council;

b) organize the work of the General Secretariat and appoint the staff of that Secretariat in accordance with the directives of the Plenipotentiary Conference and the rules established by the Administrative Council;

c) undertake administrative arrangements for the specialized secretariats of the permanent organs of the Union and appoint the staff of those secretariats in agreements with the Head of each permanent organ; the appointments shall be made on the basis of the latter's choice, but the final decision for appointment or dismissal shall rest with the Secretary-General;

d) report to the Administrative Council any decisions taken by the United Nations and the specialized agencies which affect Common System conditions of service, allowances and pensions;

e) ensure that in the specialized secretariats all the financial and administrative regulations approved by the Administrative Council are applied;

f) supervise, for administrative purposes only, the staff of those specialised secretariats who shall work directly under the orders of the Heads of the permanent organs of the Union;

g) undertake secretariat work preparatory to, and following, conferences of the Union;

h) provide, where appropriate in co-operation with the inviting government, the secretariat of every conference of the Union, and, when so requested or provided in the Regulations annexed to the Convention, the secretariat of meetings of the permanent organs of the Union or meetings placed under its auspices; he may also, when so requested, provide the secretariat of other telecommunication meetings on a contractual basis;

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i) keep up-to-date the official lists, compiled from data supplied for this purpose by the permanent organs of the Union or by Administrations, with the exception of the master registers and such other essential records as may be related to the duties of the International Frequency Registration Board;

j) publish the recommendations and principal reports of the permanent organs of the Union;

k) publish international and regional telecommunication agreements communicated to him by the parties thereto, and keep up-to-date records of these agreements;

l) publish the technical standards of the International Frequency Registration Board, as well as such other data concerning the assignment and utilization of frequencies as are prepared by the Board in the discharge of its duties;

m) prepare, publish and keep up-to-date with the assistance, where appropriate, of the other permanent organs of the Union:

1. a record of the composition and structure of the Union;

2. the general statistics and the official service documents of the Union as prescribed by the Regulations annexed to the Convention;

3. such other documents as conferences or the Administrative Council may direct;

n) distribute the published documents;

o) collect and publish, in suitable form, data, both national and international, regarding telecommunication throughout the world;

p) assemble and publish, in co-operation with the permanent organs of the Union, both technical and administrative information that might be specially useful to new or developing countries in order to help them to improve their telecommunication networks. Their attention shall also be drawn to the possibilities offered by the international programmes under the auspices of the United Nations;

q) collect and publish such information as would be of assistance to Members and Associate Members regarding the development of technical methods with a view to achieving the most efficient operation of telecommunication services and especially the best possible use of radio frequencies so as to diminish interference;

r) publish periodically, with the help of information put at his disposal or which he may collect, including that which he may obtain from other international organizations, a journal of general information and documentation concerning telecommunication;

s) prepare and submit to the Administrative Council annual budget estimates which, after approval by the Council, shall be transmitted for information to all Members and Associate Members;

t) prepare a financial operating report and accounts to be submitted annually to the Administrative Council and recapitulative accounts immediately preceding each Plenipotentiary Conference; these accounts, after audit and approval by the Administrative Council, shall be circulated to the Members and Associate Members and be submitted to the next Plenipotentiary Conference for examination and final approval;

u) prepare an annual report on the activities of the Union which, after approval by the Administrative Council, shall be transmitted to all Members and Associate Members;

v) perform all other secretarial functions of the Union.

3. The Deputy Secretary-General shall assist the Secretary-General in the performance of his duties and undertake

such specific tasks as may be entrusted to him by the Secretary-General. He shall perform the duties of the Secretary-General in the absence of the latter.

4. The Secretary-General or the Deputy Secretary-General may participate in a consultative capacity, in Plenary Assemblies of International Consultative Committees and in all conferences of the Union; the Secretary-General or his representative may participate in a consultative capacity in all other meetings of the Union.

ARTICLE 11

THE OFFICIALS AND STAFF OF THE UNION

1. The Secretary-General, the Deputy Secretary-General and the Directors of the International Consultative Committees, shall all be nationals of different countries, Members of the Union.

2. (1) In the performance of their duties, the Secretary-General, the Deputy Secretary-General, the members of the International Frequency Registration Board and the Directors of the International Consultative Committees, as well the staff of the Union, shall neither seek nor accept instructions from any government or from any other authority outside the Union. They shall refrain from acting in any way which is incompatible with their status as international officials.

(2) Each Member and Associate Member shall respect the exclusively international character of the duties of the officials mentioned in 150 and of the staff of the Union, and refrain from trying to influence them in the performance of their work.

3. The paramount consideration in the recruitment of staff and in the determination of the conditions of service shall be the necessity of securing for the Union the highest standards of efficiency, competence and integrity. Due regard must be paid to the importance of recruiting the staff on as wide as a geographical basis as possible.

ARTICLE 12

INTERNATIONAL FREQUENCY REGISTRATION BOARD

1. The essential duties of the International Frequency Registration Board shall be:

a) to effect an orderly recording of frequency assignments made by the different countries so as to establish, in accordance with the procedure provided for in the Radio Regulations and in accordance with any decisions which may be taken by competent conferences of the Union, the date, purpose and technical characteristics of each of these assignments, with a view to ensuring formal international recognition thereof;

b) to furnish advice to Members and Associate Members with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur;

c) to perform any additional duties, concerned with the assignment and utilization of frequencies, prescribed by a competent conference of the Union, or by the Administrative Council with the consent of the majority of the Members of the Union in preparation for or in pursuance of the decisions of such a conference;

d) to maintain such essential records as may be related to the performance of its duties.

2. (1) The International Frequency Registration Board shall consist of eleven independent members designated in accordance with 160 to 169.

(2) The members of the Board shall be thoroughly qualified by technical training in the field of radio and shall possess practical experience in the assignment and utilization of frequencies.

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(3) Moreover, for the more effective understanding of the problems coming before the Board under 154, each member shall be familiar with geographic economic and demographic conditions within a particular area of the world.

3. (1) At each of its meetings, the Ordinary Administrative Radio Conference shall elect the eleven members of the Board. These members shall be chosen from the candidates sponsored by countries, Members of the Union. Each Member of the Union may propose only one candidate who shall be a national of its country. Each candidate shall possess the qualifications described in 158 and 159.

(2) The election procedure shall be established by the Conference itself, in such a way as to ensure an equitable representation of the various parts of the world.

(3) At each election any serving member of the Board may be proposed again as a candidate by the country of which he is a national.

(4) The members of the Board shall take up their duties on the date determined by the Ordinary Administrative Radio Conference which elected them. They shall normally remain in office until the date determined by the following Conference for their successors to take up their duties.

(5) If in the interval between two Ordinary Administrative Radio Conferences, an elected member of the Board resigns or abandons his duties without good cause for a period exceeding three months, the country Member of the Union of which he is a national shall be asked by the Chairman of the Board to provide a replacement as soon as possible, who shall also be a national of that country.

(6) If the country Member of the Union, concerned does not provide a replacement within a period of three months from the date of this request, it shall lose its right to designate a person to serve on the Board for the unexpired period of its current term.

(7) If in the interval between two Ordinary Administrative Radio Conferences, the replacement also resigns or abandons his duties without good cause for a period exceeding three months, the country Member of the Union of which he is a national shall not be entitled to designate a further replacement.

(8) In the circumstance described in 165 and 166, the Chairman of the Board shall then request the country Member of the Union whose candidate had obtained, at the previous election, the largest number of votes among those not elected in the region concerned, to designate that person to serve on the Board for the unexpired period of its current term. If the person is not available, the country concerned shall be invited to designate a replacement who shall be a national of that country.

(9) If in the interval between two Ordinary Administrative Radio Conferences an elected member of the Board or his replacement dies, the country Member of the Union of which he was a national shall retain the right to designate a successor who shall also be a national of that country.

(10) In order to safeguard the efficient operation of the Board, any country a national of which has been elected to the Board, shall refrain, as far as possible, from recalling that person between two Ordinary Administrative Radio Conferences.

4. (1) The working arrangements of the Board are defined in the Radio Regulations.

(2) The members of the Board shall elect from their own numbers a Chairman and a Vice-Chairman, for a period of one year. Thereafter, the Vice-Chairman shall succeed the Chairman each year and a new Vice-Chairman shall be elected.

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(3) The Board shall be assisted by a specialized secretariat.

5. (1) The members of the Board shall serve, not as representatives of their respective countries, or of a region, but as custodians of an international public trust.

(2) No member of the Board shall request or receive instructions relating to the exercise of his duties from any government or a member thereof, or from any public or private organization or person. Furthermore, each Member and Associate Member must respect the international character of the Board and of the duties of its members and shall refrain from any attempt to influence any of them in the exercise of their duties.

(3) No member of the Board or of its staff shall participate in any manner or have any financial interest whatsoever in any branch of telecommunication, apart from the work of the Board. However, the term "financial interest" is not to be construed as applying to the continuation of retirement benefits accruing in respect of previous employment or service.

ARTICLE 13

INTERNATIONAL CONSULTATIVE COMMITTEES

1. (1) The duties of the International Radio Consultative Committee (C.C.I.R.) shall be to study technical and operating questions relating specifically to radiocommunication and to issue recommendations on them.

(2) The duties of the International Telegraph and Telephone Consultative Committee (C.C.I.T.T.) shall be to study technical, operating and tariff questions relating to telegraphy and telephony and to issue recommendations on them.

(3) In the performance of its duties, each Consultative Committee shall pay clue attention to the study of questions and to the formulation of recommendations directly connected with the establishment, development and improvement of telecommunication in new or developing countries in both the regional and international fields.

(4) At the request of the countries concerned, each Consultative Committee may also study and offer advice concerning their national telecommunication problems.

2. (1) The questions studied by each International Consultative Committee, on which it shall issue recommendations, shall be those submitted to it by the Plenipotentiary Conference, by an administrative conference, by the Administrative Council, by the other Consultative Committee, or by the International Frequency Registration Board, in addition to those decided upon by the Plenary Assembly of the Consultative Committee itself, or, in the interval between its Plenary Assemblies, when requested or approved by correspondence, by at least twelve Members and Associate Members of the Union.

(2) The Plenary Assemblies of the International Consultative Committees are authorized to submit to administrative conferences proposals arising directly from their recommendations or from findings on questions under their study.

3. The International Consultative Committees shall have as members:

a) of right, the administrations of all Members and Associate Members of the Union;

b) any recognized private operating agency which, with the approval of the Member or Associate Member which has recognized it, expresses a desire to participate in the work of these Committees.

4. Each Consultative Committee shall work through the medium of:

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a) the Plenary Assembly, meeting normally every three years. When a corresponding ordinary administrative conference has been convened, the Plenary Assembly should meet, if possible, at least eight months before this conference;

b) study groups, which shall be set up by the Plenary Assembly to deal with questions to be examined;

c) a Director elected by the Plenary Assembly, His status shall be that of a permanent official, but his conditions of service may be subject to separate regulation;

d) a specialized secretariat, which assist the Director;

e) laboratories or technical installations set up by the Union.

5. (1) Consultative Committees shall, as far as they apply, observe the Rules of Procedure of Conferences contained in the General Regulations annexed to this Convention.

(2) The Plenary Assembly of a Consultative Committee may adopt additional provisions to facilitate the work of the Committee if they do not conflict with the Rules of Procedure of Conferences.

6. The working arrangements of the Consultative Committees are defined in Part II of the General Regulations annexed to this Convention.

ARTICLE 14

REGULATIONS

1. Subject to the provisions of Article 8f the General Regulations contained in Annex 5 to this Convention shall have the same force and duration as the Convention.

2. (1) The provisions of the Convention are completed by the following sets of Administrative Regulations which shall be binding on all Members and Associate Members:

Telegraph Regulations,

Telephone Regulations,

Radio Regulations,

Additional Radio Regulations.

(2) Members and Associate Members shall inform the Secretary-General of their approval of any revision of these Regulations by administrative conferences. The Secretary-General shall inform Members and Associate Members promptly regarding receipt of such notifications of approval.

3. In case of inconsistency between a provision of the Convention and a provision of the Regulations, the Convention shall prevail.

ARTICLE 15

FINANCES OF THE UNION

1. The expenses of the Union shall comprise the costs of:

a) the Administrative Council, the General Secretariat, the International Frequency Registration Board, the secretariats of the International Consultative Committees, and the Union's laboratories and technical

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equipment;

b) conferences, which, with regard to the provisions of Articles 6 and 7 of the Convention, are convened by the decision or with the agreement of the majority of the Members of the Union;

c) all meetings of the International Consultative Committees.

2. Expenses incurred by special conferences referred to in 51 which are not covered in 197 and which are of a regional nature as determined by the Administrative Council after ascertaining the majority view of the Members and Associate Members of the region in question shall be borne in accordance with their unit classification by all the Members and Associate Members of that region and by any Members and Associate Members of other regions which may have participated in such conferences.

3. Expenses incurred by other social conferences not covered by 197 and 199 above, shall be borne in accordance with their unit classification by those Members and Associate Members which agree to participate, or have participated in such conferences.

4. The Administrative Council shall review and approve the annual budget of the Union, taking account of the limits for expenditure set by the Plenipotentiary Conference.

5. The expenses of the Union shall be met from the contributions of the Members and Associate Members, each Member and Associate Member paying a sum proportional to the number of units in the class of contribution it has chosen from the following scale:

30

Unit

class

8

Unit

class

25

"

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5

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20

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6. Members and Associate Members shall be free to choose their class of contribution for defraying Union expenses.

7. (1) At least six months before the Convention comes into force, each Members and Associate Members shall inform the Secretary-General of the class of contribution it has chosen.

(2) This decision shall be notified to Members and Associate Members by the Secretary-General.

(3) Members and Associate Members who have failed to make known their decision before the date specified by 204 will be required to contribute in accordance with their class of contribution under the provisions of the International Telecommunication Convention (Buenos Aires, 1952).

(4) Members and Associate Members may at any time choose a class of contribution higher than the one already adopted by them.

(5) No reduction in a unit classification established in accordance with 204 and 206 can take effect during the life of the Convention.

8. Members and Associate Members shall pay in advance their annual contributory shares, calculated on the basis of the budget approved by the Administrative Council.

9. The amounts due shall bear interest from the beginning of each financial year of the Union at 3% (three per cent) per annum during the first six months, and at 6% (six per cent) per annum from the beginning of the seventh month.

10. (1) Recognized private operating agencies and scientific or industrial organizations shall share in defraying the expenses of the conferences or meetings in which they have agreed to participate, or have participated.

(2) International organizations shall also share in defraying the expenses of the conferences or meetings in which they have been allowed to participate, unless exempted by the Administrative Council on condition of reciprocity.

(3) The amounts of these contributions shall be fixed by the Administrative Council and shall be considered as income of the Union. They shall bear interest in accordance with rules established by the Administrative Council.

11. Expenses incurred by laboratories and technical installations of the Union, in measurements, testing, or special research for individual Members or Associate Members, groups of Members or Associate Members, or regional organizations or others, shall be borne by those Members or Associate Members, groups, organizations or others.

12. The sale price of documents sold to administrations, recognized private operating agencies, or individuals, shall be determined by the Secretary-General, in collaboration with the Administrative Council, bearing in mind that the cost of printing and distribution should in general be covered by the sale of the documents.

ARTICLE 16

LANGUAGES

1. (1) The official languages of the Union shall be Chinese, English, French, Russian and Spanish.

(2) The working languages of the Union shall be English, French and Spanish.

(3) In case of dispute, the French text shall be authentic.

2. (1) The final documents of the plenipotentiary and administrative conferences, their final acts, protocols, resolutions, recommendations and opinions, shall be drawn up in the official languages of the Union, in versions

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equivalent in form and content.

(2) All other documents of these conferences shall be issued in the working languages of the Union.

3. (1) The official service documents of the Union as prescribed by the Administrative Regulations shall be published in the five official languages.

(2) All other documents for general distribution prepared by the Secretary-General in the course of his duties shall be drawn up in the three working languages.

4. Any of the documents referred to in 219 to 222 may be published in languages other than those there specified, provided that the Members or Associate Members requesting such publication undertake to defray the whole of the cost of translation and publication involved.

5. (1) At conferences of the Union and whenever it is necessary at meetings of its permanent organs and of the Administrative Council, the debates shall be conducted with the aid of an efficient system of reciprocal interpretation between the three working languages and Russian.

(2) When all participants in a meeting agree, the debates may be conducted in fewer than the four languages mentioned above.

6. (1) At conferences of the Union and at meetings of its permanent organs and of the Administrative Council, languages other than those mentioned in 217 and 224 may be used:

> a) if an application is made to the Secretary-General or to the Head of the permanent organ concerned to provide for the use of an additional language or languages, oral or written, provided that the additional cost so incurred shall be borne by those Members and Associate Members which have made or supported the application;
>
> b) if any delegation itself makes arrangements at its own expense for oral translation from its own language into any one of the languages referred to in 224.

(2) In the case provided for in 227, the Secretary-General or the Head of the permanent organ concerned shall comply to the extent practicable with the application, having first obtained from the Members or Associate Members concerned an undertaking that the cost incurred will be duly repaid by them to the Union;

(3) In the case provided for in 228, the delegation concerned may, furthermore, if it wishes, arrange at its own expense for oral interpretation into its own language from one of the languages referred to in 224.

CHAPTER II

APPLICATION OF THE CONVENTION AND REGULATIONS

ARTICLE 17

RATIFICATION OF THE CONVENTION

1. This Convention shall be ratified by each of the signatory governments. The instruments of ratification shall be deposited, in as short a time as possible, with the Secretary-General by diplomatic channel through the intermediary of the government of the country of the seat of the Union. The Secretary-General shall notify the Members and Associate Members of each deposit of ratification.

2. (1) During a period of two years from the date of entry into force of this Convention, a signatory government,

even though it may not have deposited an instrument of ratification in accordance with the provisions of 231, shall enjoy the right conferred on Members of the Union in 13 to 15.

(2) After the end of a period of two years from the date of entry into force of this Convention, a signatory government which has not deposited an instrument of ratification in accordance with the provisions of 231 shall not be entitled to vote at any conference of the Union, or at any sessions of the Administrative Council or at any meeting of any of the permanent organs of the Union until it has so deposited such an instrument.

3. After the entry into force of this Convention in accordance with Article 52, each instrument of ratification shall become effective on the date of its deposit with the General Secretariat.

4. If one or more of the signatory governments do not ratify the Convention, it shall not thereby be less valid for the governments which have ratified it.

ARTICLE 18

ACCESSION TO THE CONVENTION

1. The government of a country, not a signatory of this Convention, may accede thereto at any time subject to the provisions of Article 1.

2. The instruments of accession shall be deposited with the Secretary-General by diplomatic channel through the intermediary of the government of the country of the seat of the Union. Unless otherwise specified therein, it shall become effective upon the date of its deposit. The Secretary-General shall notify the Members and Associate Members of each accession when it is received and shall forward to each of them a certified copy of the act of accession.

ARTICLE 19

APPLICATION OF THE CONVENTION TO COUNTRIES OR TERRITORIES FOR WHOSE FOREIGN RELATIONS MEMBERS OF THE UNION ARE RESPONSIBLE

1. Members of the Union may declare at any time that their acceptance of this Convention applies to all or a group or a single one of the countries or territories for whose foreign relations they are responsible.

2. A declaration made in accordance with 238 shall be communicated to the Secretary-General of the Union. The Secretary-General shall notify the Members and Associate Members of each such declaration.

3. The provisions of 238 and 239 shall not be deemed to be obligatory in respect of any country, territory or group of territories listed in Annex 1 of this Convention.

ARTICLE 20

APPLICATION OF THE CONVENTION TO TRUST TERRITORIES OF THE UNITED NATIONS

The United Nations shall have the right to accede to this Convention on behalf of any territory or group of territories placed under its administration in accordance with a trusteeship agreement as provided for in Article 75 of the Charter of the United Nations.

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ARTICLE 21

EXECUTION OF THE CONVENTION AND REGULATIONS

1. The Members and Associate Members are bound to abide by the provisions of this Convention and the Regulations annexed thereto on all telecommunication offices and stations established or operated by them which engage in international services or which are capable of causing harmful interference to radio services of other countries, except in regard to services exempted from these obligations in accordance with the provisions of Article 50 of this Convention.

2. They are also bound, in addition, to take the necessary steps to impose the observance of the provisions of this Convention and of the Regulations annexed thereto upon private operating agencies authorized by them to establish and operate telecommunication and which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries.

ARTICLE 22

DENUNCIATION OF THE CONVENTION

1. Each Member and Associate Member which has ratified, or acceded to, this Convention shall have the right to denounce it by a notification addressed to the Secretary-General of the Union by diplomatic channel through the intermediary of the government of the country of the seat of the Union, The Secretary-General shall advise the other Members and Associate Members thereof.

2. This denunciation shall take effect at the expiration of a period of one from the day of the receipt of notification of it by the Secretary-General.

ARTICLE 23

DENUNCIATION OF THE CONVENTION ON BEHALF OF COUNTRIES OR TERRITORIES FOR WHOSE FOREIGN RELATIONS MEMBERS OF THE UNION ARE RESPONSIBLE

1. The application of this Convention to a country, territory or group of territories in accordance with Article 19 may be terminated at any time, and such country, territory or group of territories, if it is an Associate Member, ceases upon termination to be such.

2. The declaration of denunciation contemplated in the above paragraph shall be notified in conformity with the conditions set out in 244, it shall take effect in accordance with the provisions of 245.

ARTICLE 24

ABROGATION OF THE EARLIER CONVENTION

This Convention shall abrogate and replace, in relations between the Contracting Governments, the International Telecommunication Convention of Buenos Aires, 1952.

ARTICLE 25

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VALIDITY OF ADMINISTRATIVE REGULATIONS IN FORCE

The Administrative Regulation referred to in 193, shall be regarded as annexed to this Convention and shall remain valid until the time of entry into force of new Regulations drawn up by the competent ordinary, and where the case arises, extraordinary administrative conferences.

ARTICLE 26

RELATIONS WITH NON-CONTRACTING STATES

1. Each Member and Associate Member reserves to itself and to the recognized private operating agencies the right to fix the conditions under which it admits telecommunications exchanged with a State which is not a party to this Convention.

2. If a telecommunication originating in the territory of such a non-contracting State is accepted by a Member or Associate Member, it must be transmitted and, in so far as it follows-the telecommunication channels of a Member or Associate Member, the obligatory provisions of the Convention and Regulations and the usual charges shall apply to it.

ARTICLE 27

SETTLEMENT OF DIFFERENCES

1. Members and Associate Members may settle their differences on questions relating to the application of this Convention or of the Regulations contemplated in Article 14, through diplomatic channels, or according to procedures published by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon.

2. If none of these methods of settlement is adopted, any Member or Associate Member party to a dispute may submit the dispute to arbitration in accordance with the procedure defined in Annex 4.

CHAPTER III

RELATIONS WITH THE UNITED NATIONS AND WITH INTERNATIONAL ORGANIZATIONS

ARTICLE 28

RELATIONS WITH THE UNITED NATIONS

1. The relationship between the United Nations and the International Telecommunication Union is defined in the Agreement, the text of which appears in Annex 6 of this Convention.

2. In accordance with the provision of Article XVI of the above-mentioned Agreement, the telecommunication operating services of the United Nations shall be entitled to the rights and bound by the obligations of this Convention and of the Administrative Regulations annexed thereto. Accordingly, they shall be entitled to attend all conferences of the Union, including meetings of the International Consultative Committees, in a consultative capacity.

ARTICLE 29

RELATIONS WITH INTERNATIONAL ORGANIZATIONS

In furtherance of complete international coordination on matters affecting telecommunication, the Union will cooperate with international organizations having related interests and activities.

CHAPTER IV

GENERAL PROVISIONS RELATING TO TELECOMMUNICATIONS

ARTICLE 30

THE RIGHT OF THE PUBLIC TO USE THE INTERNATIONAL TELECOMMUNICATION SERVICE

Members and Associate Members recognize the right of the public to correspond by means of the international service of public correspondence. The services, the charges, and the safeguards shall be the same for all users in each category of correspondence without any priority or preference.

ARTICLE 31

STOPPAGE OF TELECOMMUNICATIONS

1. Members and Associate Members reserve the right to stop the transmission of any private telegram which may appear dangerous to the security of the State or contrary to their laws, to public order or to decency, provided that they immediately notify the office of origin of the stoppage of any such telegram or any part thereof, except when such notification may appear dangerous to the security of the State.

2. Members and Associate Members also reserve the right to cut off any private telephone or telegraph communication which may appear dangerous to the security of the State or contrary to their laws, to public order or to decency.

ARTICLE 32

SUSPENSION OF SERVICES

Each Member and Associate Member reserves the right to suspend the international telecommunication service for an indefinite time, either generally or only for certain relations and/or for certain kinds of correspondence, outgoing, incoming or in transit, provided that it immediately notifies such action to each of the other Members and Associate Members through the medium of the General Secretariat.

ARTICLE 33

RESPONSIBILITY

Members and Associate Members accept no responsibility towards users of the international telecommunication services, particularly as regards claims for damages.

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ARTICLE 34

SECRECY OF TELECOMMUNICATIONS

1. Members and Associate Members agree to take all possible measures, compatible with the system of telecommunication used, with a view to ensuring the secrecy of international correspondence.

2. Nevertheless, they reserve the right to communicate such correspondence to the competent authorities in order to ensure the application of their internal laws or the execution of international conventions to which they are parties.

ARTICLE 35

ESTABLISHMENT, OPERATION, AND PROTECTION OF TELECOMMUNICATION INSTALLATION AND CHANNELS

1. Members and Associate Members shall take such steps as may be necessary to ensure the establishment, under the best technical conditions, of the channels and installations necessary to carry on the rapid and uninterrupted exchange of international telecommunications.

2. So far as possible, these channels and installations must be operated by the best methods and procedures developed as a result of practical operating experience, maintained in proper operating condition and kept abreast of scientific and technical progress.

3. Members and Associate Members shall safeguard these channels and installations within their jurisdiction.

4. Unless other conditions are laid down by special arrangements, each Member and Associate Member shall take such steps as may be necessary to ensure maintenance of those sections of international telecommunication circuits within its control.

ARTICLE 36

NOTIFICATION OF INFRINGEMENTS

In order to facilitate the application of the provisions of Article 21 of this Convention, Members and Associate Members undertake to inform one another of infringements of the provisions of this Convention and of the Regulations annexed thereto.

ARTICLE 37

CHARGES AND FREE SERVICES

The provisions regarding charges for telecommunications and the various cases in which free services are accorded are set forth in the Regulations annexed to this Convention.

ARTICLE 38

PRIORITY OF TELECOMMUNICATIONS CONCERNING SAFETY OF LIFE

The international telecommunication services must accord absolute priority to telecommunications concerning safety of life at sea, on land, or in the air, and to epidemiological telecommunications of exceptional urgency of

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the World Health Organization.

ARTICLE 39

PRIORITY OF GOVERNMENT TELEGRAMS AND TELEPHONE CALLS

Subject to the provisions of Articles 38 and 48 of this Convention, government telegrams shall enjoy priority over other telegrams when priority is requested for them by the sender. Government telephone calls may also be accorded priority, upon specific request and to the extent practicable, over other telephone calls.

ARTICLE 40

SECRET LANGUAGE

1. Government telegrams and service telegrams may be expressed in secret language in all relations.

2. Private telegrams in secret language may be admitted between all countries with the exception of those which have previously notified, through the medium of the General Secretariat, that they do not admit this language for those categories of correspondence.

3. Members and Associate Members which do not admit private telegrams in secret language originating in or destined for their own territory must let them pass in transit, except in the case of suspension of service provided for in Article 32 of this Convention.

ARTICLE 41

RENDERING AND SETTLEMENT OF ACCOUNTS

1. Administrations of Members and Associate Members and recognized private operating agencies which operate international telecommunication services, shall come to an agreement with regard to the amount of their credits and debits.

2. The statements of accounts in respect to debits and credits referred to in 275 shall be drawn up in accordance with the provisions of the Regulations annexed to this Convention, unless special arrangements have been concluded between the parties concerned.

3. The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the countries concerned, in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special agreements made under Article 43 of this Convention, these settlements shall be effected in accordance with the Regulations.

ARTICLE 42

MONETARY UNIT

The monetary unit used in the composition of the tariffs of the international telecommunication services and in the establishment of the international accounts shall be the gold franc of 100 centimes, of a weight of 10/31 of a gramme and of a fineness of 0.900.

ARTICLE 43

SPECIAL AGREEMENTS

Members and Associate Members reserve for themselves, for the private operating agencies recognized by them and for other agencies duly authorized to do so, the right to make special agreements on telecommunication matters which do not concern Members and Associate Members in general. Such agreements, however, shall not be a conflict with the terms of this Convention or of the Regulations annexed thereto, so far as concerns the harmful interference which their operation might be likely to cause to the radio services of other countries.

ARTICLE 44

REGIONAL CONFERENCES, AGREEMENTS AND ORGANIZATIONS

Members and Associate Members reserve the right to convene regional conferences, to conclude regional agreements and to form regional organizations, for the purpose of settling telecommunication questions which are susceptible of being treated on a regional basis. However, such agreements must not be in conflict with this Convention.

CHAPTER V

SPECIAL PROVISIONS FOR RADIO

ARTICLE 45

RATIONAL USE OF FREQUENCIES AND SPECTRUM SPACE

Members and Associate Members recognize that it is desirable to limit the number of frequencies and the spectrum space used to the minimum essential to provide in a satisfactory manner the necessary services.

ARTICLE 46

INTERCOMMUNICATION

1. Stations performing radiocommunication in the mobile service shall be bound, within the limits of their normal employment, to exchange radio-communications reciprocally without distinction as to the radio system adopted by them.

2. Nevertheless, in order not to impede scientific progress, the provisions of 282 shall not prevent the use of a radio system incapable of communicating with other systems, provided that such incapacity is due to the specific nature of such system and is not the result of devices adopted solely with the object of preventing intercommunication.

3. Notwithstanding the provisions of 282, a station may be assigned to a restricted international service of telecommunication, determined by the purpose of such service, or by other circumstances independent of the systems used.

ARTICLE 47

HARMFUL INTERFERENCE

1. All stations, whatever their purpose, must be established and operated in such a manner as not to result in harmful interference to the radio services or communications of other Members or Associate Members or of recognized private operating agencies, or of other duly authorized operating agencies which carry on radio service, and which operate in accordance with the provisions of the Radio Regulations.

2. Each Member or Associate Member undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose, to observe the provisions of 285.

3. Further, the Members and Associate Members recognize the desirability of taking all practicable steps to prevent the operation of electrical apparatus and installations of all kinds from causing harmful interference to the radio services or communications mentioned in 285.

ARTICLE 48

DISTRESS CALLS AND MESSAGES

Radio stations shall be obliged to accept, with absolute priority, distress calls and messages regardless of their origin, to reply in the same manner to such messages, and immediately to take such action in regard thereto as may be required.

ARTICLE 49

FALSE OR DECEPTIVE DISTRESS, SAFETY OR IDENTIFICATION SIGNALS

Members and Associate Members agree to take the steps required to prevent the transmission or circulation of false or deceptive distress, safely or identification signals, and to collaborate in locating and identifying stations transmitting such signals from their own country.

ARTICLE 50

INSTALLATIONS FOR NATIONAL DEFENSE SERVICES

1. Members and Associate Members retain their entire freedom with regard to military radio installations of their army, naval and air forces.

2. Nevertheless, these installations must, so far as possible, observe statutory provisions relative to giving assistance in case of distress and to the measures to be taken to prevent harmful interference, and the provisions of the Regulations concerning the types of emission and the frequencies to be used, according to the nature of the service performed by such installations.

3. Moreover, when these installations take part in the service of public correspondence or other services governed by the Regulations annexed to this Convention, they must, in general, comply with the regulatory provisions for the conduct of such services.

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CHAPTER VI

DEFINITIONS

ARTICLE 51

DEFINITIONS

In this Convention, unless the context otherwise requires,

a) the terms which are defined in Annex 3 of this Convention shall have the meanings therein assigned to them;

b) other terms which are defined in the Regulations referred to in Article 14 shall have the meanings therein assigned to them.

CHAPTER VII

FINAL PROVISIONS

ARTICLE 52

EFFECTIVE DATE OF THE CONVENTION

The present Convention shall enter into force on January first nineteen hundred and sixty-one between countries, territories or groups of territories, in respect of which instruments of ratification or accession have been deposited before that date.

IN WITNESS WHEREOF the respective plenipotentiaries have signed the Convention in each of the Chinese, English, French, Russian and Spanish languages, in a single copy, in which in case of dispute, the French text shall be authentic, and which shall remain deposited in the archives of the International Telecommunication Union, which shall forward a copy to each of the signatory countries.

Done at Geneva, 21 December, 1959.

ANNEX 1

(see number 4)

Afghanistan

Iraq (Republic of)

Albania (People's Republic of)

Ireland

Saudi Arabia (Kingdom of)

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Iceland

Argentine Republic

Israel (State of)

Australia (Commonwealth of)

Italy

Austria

Japan

Belgium

Jordan (Hashemite Kingdom of)

Byelorussian Soviet Socialist Republic

Kuwait

Burma (Union of)

Laos (Kingdom of)

Bolivia

Lebanon

Brazil

Liberia

Bulgaria (People's Republic of)

Libya (United Kingdom of)

Cambodia (Kingdom of)

Luxembourg

Canada

Malaya (Federation of)

Ceylon

Morocco (Kingdom of)

Chile

Mexico

China

Monaco

Vatican City State

Nepal

Colombia (Republic of)

Nicaragua

Belgian Congo and Territory of Ruanda-Urundi

Norway

Korea (Republic of) Pakistan

New Zealand

Costa Rica

Panama

Cuba

Paraguay

Denmark

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Netherlands (Kingdom of the)

Dominican Republic

Peru

El Salvador (Republic of)

Philippines (Republic of the)

Ecuador

Poland (People's Republic of)

Spain

Portugal

Overseas States of the French Community and French Overseas Territories

Spanish Provinces in Africa Portuguese Oversea Provinces United Arab Republic

United States of America

Federal Republic of Germany

Ethiopia

Federal People's Republic of Yugoslavia

Finland

Ukrainian Soviet Socialist Republic

France

Rhodesia and Nyasaland (Federation of)

Ghana

Romanian People’s Republic

Greece

United Kingdom of Great Britain and Northern Ireland

Guatemala

Sudan (Republic of the)

Guinea (Republic of)

Sweden

Haiti (Republic of)

Switzerland (Confederation)

Honduras (Republic or)

Czechoslovakia

Hungarian People's Republic

Territories of the United States of America

India (Republic of)

Union of South Africa and Territory of South-West Africa[1]

Indonesia (Republic of)

Union of Soviet Socialist Republics

Iran

Uruguay (Oriental Republic of)

Overseas Territories for the international relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible

Venezuela (Repulic of)

Thailand

Viet-Nam (Republic of)

Tunisia

Yemen

Turkey

ANNEX 2

(see number 7)

British West Africa

Singapore-British Borneo Group

British East Africa

Trust Territory of Somaliland under

Bermuda-British Carribbean Group

Italian Administration

ANNEX 3

(see Article 51)

DEFINITION OF TERMS USED IN THE INTERNATIONAL TELECOMMUNICATION CONVENTION AND ITS ANNEXES

Administration: Any governmental department or service responsible for implementing the obligations undertaken in the International Telecommunication Convention and the Regulations annexed thereto.

Private operating agency: Any individual or company or corporation, other than a governmental establishment or agency, which operates a telecommunication installation intended for an international telecommunication service or which is capable causing harmful interference with such a service.

Recognized private operating agency: Any private operating agency, as defined above, which operates a service of public correspondence or of broadcasting and upon which the obligations provided for in Article 21 are imposed by the Member or Associate Member in whose territory the head office of the agency is situated, or by the Member or Associate Member which has authorized this operating agency to establish and operate a telecommunication service on its territory.

Delegate: A person sent by the government of a Member or Associate Member of the Union to a Plenipotentiary Conference, or a person representing a government or an administration of a Member or Associate Member of the Union at an administrative conference, or at a meeting of an International Consultative Committee.

Representative: A person sent by a recognized private operating agency to an administrative conference, or to a meeting of an International Consultative Committee.

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Expert: A person sent by a national scientific or industrial organization which is authorized by the government or the administrative o£ its country to attend meetings of study groups of an International Consultative Committee.

Observer: A person sent by:

— the United Nations in accordance with Article 28 of the Convention;

— one of the international organizations invited or admitted in accordance with the provisions of the General Regulations to participate in the work of a conference;

— the government of a Member or Associate Member of the Union participating in a non-voting capacity in a special conference of a regional character held under the terms of Article 7 of the Convention.

Delegation: The totality of the delegates and, should the case arise, any representatives, attaches or interpreters sent by the same country.

Each Member and Associate Member shall be free to make up its delegation as it wishes. In particular it may include in its delegation in the capacity of delegates or advisers, persons belonging ro private operating agencies which it recognizes or persons belonging to other private enterprises interested in the field of telecommunication.

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.

Telegraphy: A system of telecommunication which is concerned in any process providing transmission and reproduction at a distance of documentary matter, such as written or printed matter or fixed images, or the reproduction at a distance of any kind of information in such a form. For the purposes of the Radio Regulations, however, unless otherwise specified therein, telegraphy shall mean "A system of telecommunication for the transmission of written matter by the use of a signal code".

Telephony: A system of telecommunication set up for the transmission of speech or, in some cases, other sounds.

Radiocommunication: Telecommunication by means of radio waves.

Radio: A general term applied to the use of radio waves.

Harmful Interference: Any omission, radiation or induction which endangers the functioning of a radionavigation service or of other safety services[1], or seriously degrades obstructs or repeatedly interrupts a radiocommunication service operating in accordance with the Radio Regulations.

International Service: A telecommunication service between telecommunication offices or stations of any nature which are in different countries or are subject to different countries.

Mobile Service: A service of radiocommunication between mobile and land stations, or between mobile stations.

Broadcasting Service: A radiocommunication service in which the transmission are intended for direct reception by the general public. This service may include sound transmissions, television transmissions or other types of transmissions.

Public Correspondence: Any telecommunication which the offices and stations must, by reason of their being at the disposal of the public, accept for transmission.

Telegram: Written matter intended to be transmitted by telegraphy for delivery to the addressee. This term also includes radio telegrams unless otherwise specified.

Government Telegrams and Government Telephone Calls: Telegrams or telephone calls originating with any of

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the authorities specified below:

— the Head of a State;

— the Head of a government and members of a government;

— the Head of a territory, or the Head of a territory forming part of a group, Member or Associate Member;

— the Head of a territory under the trusteeship or mandate of the United Nations or of a Member or Associate Member;

— Commanders-in-Cbief 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 at The Hague.

Replies to government telegrams as defined herein shall also be regarded as government telegrams.

Private Telegrams: Telegrams other than service or government telegrams.

Service Telegrams: Telegrams exchanged between:

a) administrations;

b) recognized private operating agencies;

c) administrations and recognized private operating agencies;

d) administrations and recognized private operating agencies, on the one hand, and the Secretary-General, on the other, and relating to public international telecommunication.

ANNEX 4

(see Article 27)

ARBITRATION

1. The party which appeals to arbitration shall initiate the arbitration procedure by transmitting to the other party to the dispute a notice of the submission of the dispute to arbitration.

2. The parties shall decide by agreement whether the arbitration is to be entrusted to individuals, administrations or governments. If within one month after notice of submission of the dispute to arbitration, the parties have been unable to agree upon this point, the arbitration shall be entrusted to governments.

3. If arbitration is to be entrusted to individuals, the arbitrators must neither be nationals of the parties involved in the dispute, nor have their domicile in the countries parties to the dispute, nor be employed in their service.

4. If arbitration is to be entrusted to governments, or to administrations thereof, these must be chosen from among the Members or Associate Members which are not parties to the dispute, but which are parties to the agreement, the application of which caused the dispute.

5. Within three months from the date of receipt of the notification of the submission of the dispute to arbitration, each of the two parties to the dispute shall appoint an arbitrator.

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6. If more than two parties are involved in the dispute, an arbitrator shall be appointed in accordance with the procedure set forth in 403 and 404, by each of the two groups of parties having a common position in the dispute.

7. The two arbitrators thus appointed shall choose a third arbitrator who, if the first two arbitrators are individuals and not governments or administrations, must fulfil the conditions indicated in 402, and in addition must not be of the same nationality as either of the other two arbitrators. Failing an agreement between the two arbitrators as to the choice of a third arbitrator, each of these two arbitrators shall nominate a third arbitrator who is in no way concerned in the dispute. The Secretary-General of the Union shall then draw lots in order to select the third arbitrator.

8. The parties to the dispute may agree to have their dispute settled by a single arbitrator appointed by agreement; or alternatively, each party may nominate an arbitrator, and request the Secretary-General of the Union to draw I to decide which of the persons so nominated is to act as the single arbitrator.

9. The arbitrator or arbitrators shall be free to decide upon the procedure to be followed.

10. The decision of the single arbitrator shall be final and binding upon the parties to the dispute. If the arbitration is entrusted to more than one arbitrator, the decision made by the majority vote of the arbitrators shall be final and binding upon the parties.

11. Each party shall bear the expense it shall have incurred in the investigation and presentation of the arbitration. The costs of arbitration other than those incurred by the parties themselves shall be divided equally between the parties to the dispute.

12. The Union shall furnish all information relating to the dispute which the arbitrator or arbitrators may need.

ANNEX 5

GENERAL REGULATIONS ANNEXED TO THE
INTERNATIONAL TELECOMMUNICATION CONVENTION

PART I

GENERAL PROVISIONS REGARDING CONFERENCES

CHAPTER 1

INVITATION AND ADMISSION TO PLENIPOTENTIARY CONFERENCES, WHEN THERE IS AN INVITING GOVERNMENT

1. The inviting government, in agreement with the Administrative Council, shall fix the definitive date and the exact place of the conference.

2. (1) One year before this date, the inviting government shall send an invitation to the government of each country Member of the Union and to each Associate Member of the Union.

(2) These invitations may be sent directly or through the SecretaryGeneral or through another government.

3. The Secretary-General shall send an invitation to the United Nations 'n accordance with Article 28 of the Convention.

4. The inviting government, in agreement with or on a proposal by the Administrative Council, may invite such specialized agencies in relationship with the United Nations as grant to the Union reciprocal representation at their

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conferences to send observers to take part in the conferences in an advisory capacity.

5. The replies of the Members and Associate Members must reach the inviting government not later than one month before the date of opening of the conference, and should include whenever possible full information on the composition of the delegation.

6. Any permanent organ of the Union shall be entitled to be represented at the conference in an advisory capacity when the conference is discussing matters within its competence. In case of need, the conference may invite an organ which has not considered it necessary to be represented.

7. The following shall be admitted to Plenipotentiary Conferences:

a) delegations as defined in 307 of Annex 3 to the Convention;

b) observers of the United Nations;

c) observers of the specialized agencies in conformity with 504.

CHAPTER 2

INVITATION AND ADMISSION TO ADMINISTRATIVE CONFERENCES, WHEN THERE IS AN INVITING GOVERNMENT

1. (1) The provisions of 500 to 505 above shall be applicable to administrative conferences.

(2) However, as regards extraordinary administrative conferences and special conferences, the time-limit for the despatch of invitations may be reduced to six months.

(3) Members and Associate Members of the Union may inform the private operating recognized by them of the invitation they have received.

2. (1) The inviting government, in agreement with or on a proposal by the Administrative Council, may notify the international organizations which are interested in sending observers to participate in the work of the conference in an advisory capacity.

(2) The interested international organizations shall make applications for admission to the inviting government within a period of two months from the date of the notification.

(3) The inviting government shall assemble the requests and the conference itself shall decide whether the organizations concerned are to be admitted or not.

3. (1) The following shall be admitted to administrative conferences:

a) delegations as defined in 307 of Annex 3 to the Convention;

b) observers of the United Nations;

c) observers of the specialized agencies in conformity with 504;

d) observers from international organizations admitted in accord519 ance with 513 to 515,

e) representatives of recognized private operating agencies, duly authorized by the Member country to which they belong;

f) permanent organs of the Union, subject to the conditions set forth in 506.

(2) Moreover, observers from Members and Associate Members which do not belong to the region concerned

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shall be admitted to special conferences of a regional character.

CHAPTER 3

SPECIAL PROVISIONS FOR CONFERENCES MEETING WHEN THERE IS NO INVITING GOVERNMENT

When a conference is to be held without an inviting government the provisions of Chapters 1 and 2 are applicable. The Secretary-General shall take the necessary steps to convene and organize it at the seat of the Union, after agreement with the Government of the Swiss Confederation.

CHAPTER 4

TIME-LIMITS FOR PRESENTATION OF PROPOSALS TO CONFERENCES AND CONDITIONS OF SUBMISSION

1. Immediately after the invitations have been despatched, the Secretary-General shall ask Members and Associate Members to send him, within four months, their proposals for the work of the conference.

2. All proposals submitted, the adoption of which will involve revision of the text of the Convention or Regulations, must carry references identifying by chapter, article or paragraph number those parts of the text which will require such revision. The reasons for the proposal must be given, as briefly as possible, in each case.

3. The Secretary-General shall assemble and coordinate the proposals received from administrations and from the International Consultative Committees and shall communicate them, at least three months before the opening of the conference, to all Members and Associate Members.

CHAPTER 5

CREDENTIALS FOR CONFERENCES

1. (1) Delegations sent by Members of the Union to take part in a conference must be duly accredited to exercise their right to vote and must be furnished with the necessary powers for the signing of the Final Acts.

(2) Delegations sent by Associate Members of the Union to take part in the conference must be duly accredited to participate therein in accordance with 16.

2. For Plenipotentiary Conferences:

> (1) a) delegations shall be accredited by instruments signed by the Head of State or by the Head of the government or by the Minister for Foreign Affairs;
>
> b) however, they may be provisionally accredited by the Head of the diplomatic mission accredited to the government of the country in which the conference is held;
>
> c) any delegation representing a trust territory, for which the United Nations has acceded to the Convention in accordance with Article 20, shall be accredited by the Secretary-General of the United Nations.
>
> (2) In order to sign the Final Acts of the conference, delegations must be furnished with full powers signed by the authorities mentioned in 529. Powers sent by telegram are not acceptable.

3. For administrative conferences:

> (1) the provisions of 529 to 532 are applicable.

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(2) Independently of the authorities mentioned in 529 above, the Minister responsible for questions dealt with during the conference may accredit a delegation and empower it to take part in the work and to sign the Final Acts.

4. A special committee shall be entrusted with the verification of the credentials of each delegation; this committee shall reach its conclusions within the period specified by the Plenary Assembly.

5. (1) The delegation of a Member of the Union shall exercise its right to vote from the moment when it begins to take part in the work of the conference.

(2) However, a delegation shall no longer have the right to vote from the time that the Plenary Assembly decides that its credentials are not in order until this state of affairs has been rectified.

6. As a general rule, Member countries should endeavour to send their own delegations to the conferences of the Union. Nevertheless, if, for exceptional reasons, a Member is unable to send its own delegation it may accredit the delegation of another Member of the Union and give this delegation to act and sign on its behalf.

7. A duly accredited delegation may give a mandate to another duly accredited delegation to exercise its vote at one or more sessions at which it is unable to be present. In this case it must notify the Chairman of the conference.

8. A delegation may not exercise more than one proxy vote in any of the cases referred to in 538 and 539.

CHAPTER 6

PROCEDURE FOR CALLING EXTRAORDINARY ADMINISTRATIVE CONFERENCES AT THE REQUEST OF MEMBERS OF THE UNION OR ON A PROPOSAL OF THE ADMINISTRATIVE COUNCIL

1. Any Member of the Union wishing to have an extraordinary administrative conference convened shall so inform the Secretary-General, indicating the proposed agenda, place and date of the conference.

2. On receipt of twenty similar requests, the Secretary-General shall inform all Members and Associate Members thereof by telegram, asking the Members to indicate, within six weeks, whether or not they agree to the proposal.

3. If a majority of the Members agree to the proposal as a whole, that is to say, jf they accept the agenda, date and place of the proposed meeting, the Secretary General shall so inform the Members and Associate Members of the Union by circular telegram.

4. (1) If the proposal accepted is for a conference elsewhere than at the seat of the Union, the Secretary-General shall ask the government of the country concerned whether it agrees to act as inviting government.

(2) If the answer is in the affirmative, the Secretary General, with the assent oi the government concerned, shall take the necessary steps to convene the conference.

(3) If the answer is in the negative, the Secretary-General shall request the Members desiring the conference to make alternative suggestions for the place of the conference.

5. Where the proposal accepted is for a conference at the seat of the Union the provisions of Chapter 3 shall apply.

6. (1) If the proposal as a whole (agenda, time, and place) is not accepted bv a majority of the Members, the Secretary General shall inform the Members and Associate Members of the Union of the replies received, requesting the Members to give a final reply on the point or points under dispute.

(2) Such points shall be regarded as adopted when they have been approved by a majority of the Members.

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7. The procedure indicated above shall also be applicable when the proposal to convene an extraordinary administrative conference is initiated by the Administrative Council.

CHAPTER 7

PROCEDURE FOR CONVENING SPECIAL ADMINISTRATIVE CONFERENCES AT THE REQUEST OF MEMBERS OF THE UNION OR ON A PROPOSAL BY THE ADMINISTRATIVE COUNCIL

1. The provisions of Chapter 6 shall be applicable in their entirety to special conferences of a world-wide character.

2. In the case of a special conference of a regional character, the procedure described in Chapter 6 shall be applicable only to the Members of the region concerned. If the conference is to be convened on the initiative of the Members of the region, it will suffice for the Secretary-General to receive concordant requests from a quarter of the total number of Members in that region.

CHAPTER 8

PROVISIONS COMMON TO ALL CONFERENCES CHANGE IN THE TIME OR PLACE OF A CONFERENCE

1. The provisions of Chapters 6 and 7 above shall apply, by analogy, when a change in the time or place of a conference is requested by Members of the Union or is proposed by the Administrative Council. However, such changes shall only be made if a majority of the Members concerned have pronounced in favour.

2. It shall be the responsibility o£ any Member or Associate Member proposing a change in the time or place of a conference to obtain for its proposal the support of the requisite number of other Members and Associate Members.

3. Where the issue arises, the Secretary-General shall indicate, in the communication referred to in 542 the probable financial consequences of a change in the time or place, as, for example, when there has been an outlay of expenditure in preparing for the conference at the place initially chosen.

CHAPTER 9

RULES OF PROCEDURE OF CONFERENCES

RULE 1

ORDER OF SEATING

At meetings of the conference, delegations shall be seated in the alphabetical order of the French names of the countries represented.

RULE 2

INAUGURATION OF THE CONFERENCE

1. (1) The inaugural meeting of the conference shall be preceded by a meeting of the Heads of Delegations to prepare the agenda for the first Plenary Assembly.

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(2) The Chairman of the meeting of Heads of Delegations shall be appointed in accordance with the provisions of 559 and 560.

2. (1) The conference shall be opened by a person appointed by the inviting government.

(2) When there is no inviting government, it shall be opened by the oldest Head of Delegation.

3. (1) At the first meeting of the Plenary Assembly, the Chairman of the conference shall be elected; generally, he will be someone appointed by the inviting government.

(2) If there is no inviting government, the Chairman shall be chosen, taking into account the proposal made by the Heads of Delegations at the meeting described in 557.

4. The first Plenary Assembly shall also:

a) elect the Vice-Chairmen of the conference;

b) set up the conference committees and elect their respective Chairmen and Vice-Chairmen;

c) constitute the conference Secretariat, made up of the staff of the General Secretariat of the Union, and, in case of need, of staff provided by the administration of the inviting government.

RULE 3

POWERS OF THE CHAIRMAN OF THE CONFERENCE

1. The Chairman, in addition to performing any other duties incumbent on him under these Rules of Procedure, shall open and close the meetings on the Plenary Assembly, direct its deliberations, ensure that the Rules of Procedure are applied, give the floor to speakers, put questions to the vote, and announce the decisions adopted.

2. He shall have the general direction of all the work of the conference, and shall ensure that order is maintained at meetings of the Plenary Assembly. He shall give his ruling on motions of order and points of order, and in particular, he shall be empowered to propose that discussion on a question be post-poned or closed, or that a meeting be suspended or adjourned. He may also decide to postpone the convening of a Plenary Assembly or meeting thereof should he consider it necessary.

3. It shall be the duty of the Chairman to protect the right of each delegation to express its opinion freely and fully on the point at issue.

4. He shall ensure that discussion is limited to the point at issue, and he may interrupt any speaker who departs therefrom and request him to confine his remarks to the subject under discussion.

RULE 4

APPOINTMENT OF COMMITTEES

1. The Plenary Assembly may appoint committees to consider matters referred to the conference. These committees may in turn appoint sub-committees. Committees and sub-committees may form working groups.

2. However, committees and sub-committees may appoint subcommittees and working groups only when it is absolutely necessary.

RULE 5

BUDGET CONTROL COMMITTEE

1. At the opening of each conference or meeting, the Plenary Assembly shall appoint a budget control committee to determine the organization and the facilities available to the delegates, and to examine and approve the accounts for expenditure incurred throughout the duration of the conference or meeting. In addition to the members of delegations who wish to participate, this committee shall include a representative of the Secretary-General and where there is an inviting government, a representative of that country.

2. Before the budget approved by the Administrative Council for the conference or meeting is exhausted, the budget control committee, in collaboration with the secretariat of the conference or meeting, shall present an interim statement of the expenditure already incurred to the Plenary Assembly. The Plenary Assembly shall take this statement into account in considering the question whether the progress made is sufficient to justify a prolongation of the conference or meeting after the date when the approved budget will be exhausted.

3. At the end of each conference or meeting, the budget control committee shall present a report to the Plenary Assembly showing, as accurately as possible, the estimated total expenditure at the close of the conference or meeting.

4. After consideration and approval by the Plenary Assembly, this report, together with the observations of the Plenary Assembly, shall be transmitted to the Secretary-General for submission to the Administrative Council at its next annual session.

RULE 6

COMPOSITION OF COMMITTEES

1. Plenipotentiary Conferences:

Committees shall be composed of the delegates of Members and Associate Members and the observers referred to in 508 and 509, who have so requested or who have been designated by the Plenary Assembly.

2. Administrative Conferences:

Committees shall be composed of the delegates of Members and Associate Members, and the observers and representatives referred to in 517 to 520, who have so requested or who have been designated by the Plenary Assembly.

RULE 7

REPORTERS, CHAIRMEN AND VICE-CHAIRMEN OF SUB-COMMITTEES

The Chairman of each committee shall propose to his committee the nomination of the reporters and the choice of the Chairmen, Vice-Chairmen and reporters of the sub-committees which may be set up.

RULE 8

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SUMMONS TO MEETINGS

Meetings of the Plenary Assembly, committees, sub-committees and working groups shall be announced in good time in the meeting place of the conference.

RULE 9

PROPOSALS PRESENTED BEFORE THE OPENING OF THE CONFERENCE

Proposals presented before the opening of the conference shall be allocated by the Plenary Assembly to the appropriate committees appointed in accordance with Rule 4 of these Rules of Procedure. Nevertheless, the Plenary Assembly itself shall be entitled to deal directly with any proposal.

RULE 10

PROPOSALS OR AMENDMENTS PRESENTED DURING THE CONFERENCE

1. Proposals or amendments presented after the opening of the conference must be delivered to the Chairman of the conference, or to the Chairman of the appropriate committee, as the case may be. They may also be handed to the Secretariat of the conference for publication and distribution as conference documents.

2. No written proposal or amendment may be presented unless signed by the Head of the delegation concerned or by his deputy.

3. The Chairman of a conference or of a committee may at any time submit proposals likely to accelerate the debates.

4. Every proposal or amendment shall give, in precise and exact terms, the text to be considered.

5. (1) The Chairman of the conference or the Chairman of the appropriate committee shall decide in each case whether a proposal or amendment submitted during a meeting shall be made orally or presented in writing for publication and distribution in accordance with 581.

(2) In general, the texts of all major proposals to be put to the vote at a meeting of the Plenary Assembly shall be distributed in good time in the working languages of the conference, in order that they may be studied before discussion.

(3) In addition, the Chairman of the conference on receiving proposals or amendments referred to in 581, shall refer them to the appropriate committee or to the Plenary Assembly as the case may be.

6. Any authorized person may read, or may ask to have read, at a meeting of the Plenary Assembly any proposal or amendment submitted by him during the conference, and he shall be allowed to explain his reasons therefor.

RULE 11

CONDITIONS REQUIRED FOR DISCUSSION OF, AND VOTE ON, ANY PROPOSAL OR AMENDMENT

1. No proposal or amendment submitted prior to the opening of the conference or by a delegation during the conference may be discussed unless it is supported by at least one other delegation when it comes to be considered.

2. Each proposal or amendment duly supported shall be submitted to a vote after discussion.

RULE 12

PROPOSALS OR AMENDMENTS PASSED OVER OR POSTPONED

When a proposal or an amendment has been passed over or when its examination has been postponed, the delegation sponsoring it shall be responsible for seeing that it is considered later.

RULE 13

RULES FOR DEBATES OF THE PLENARY ASSEMBLY

1. Quorum

For a valid vote to be taken at a meeting of the Plenary Assembly, more than half of the delegations accredited to the conference and having the right to vote must be present or represented at the meeting.

2. Order of debates

(1) Persons desiring to speak must first obtain the consent of the Chairman. As a general rule, they shall begin by announcing in what capacity they speak.

(2) Any person speaking must express himself slowly and distinctly, separating his words and pausing as necessary in order that everybody may understand his meaning.

3. Motions of order and points of order

(1) During debates, any delegation may, when it thinks fit, submit a motion of order or raise a point of order, which shall at once be settled by the Chairman in accordance with these Rules of Procedure. Any delegation may appeal against the Chairman's ruling, which shall how.ever stand unless a majority of the delegations present and voting are against it.

(2) A delegation submitting a motion of order shall not, during its „ speech, discuss the substance of the matter in question.

4. Priority of motions of order and points of order

The motions and points of order mentioned in 595 and 596 shall be dealt with in the following order:

a) any point of order regarding the application of these Rules of Procedure;

b) suspension of a meeting;

c) adjournment of a meeting;

d) postponement of debate on the matter under discussion;

e) closure of debate on the matter under discussion;

f) any other motions of order or points of order that may be submitted, in which case it shall be for the Chairman to decide the relative order in which they shall be considered.

5. Motion for suspension or adjournment of a meeting

During the discussion of a question, a delegation may move that the meeting be suspended or adjourned, giving reasons for its proposal. If the proposal is seconded, the floor shall be given to two speakers to oppose the suspension or adjournment and solely for that purpose, after which the motion shall be put to the vote.

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6. Motion for postponement of debate

During discussion of any question, a delegation may propose that the debate, be postponed for a stated period. Once such a proposal has been made, any discussion theteon shall be limited to no more than three speakers, not counting the person submitting the proposal: one for the motion, and two against.

7. Motion for closure of debate

A delegation may at any time propose that discussion on the point at issue be closed. In such cases, before a vote is taken on the proposal, the floor may be given to not more than two speakers opposing the motion.

8. Limitation of speeches

(1) The Plenary Assembly may, if necessary, decide how many speeches any one delegation may make on any particular point, and how long they may last.

(2) However, as regards questions of procedure, the Chairman shall limit the time allowed for a speech to a maximum of five minutes.

(3) When a speaker has exceeded the time allowed, the Chairman shall notify the Assembly and request the speaker to conclude his remarks briefly.

9. Closing the list of speakers

(1) During the debate, the Chairman may rule that the list of speakers wishing to take the floor be read. He shall add the names of other delegations who indicate that they wish to speak and he may then, with the assent of the Assembly rule that the list be closed. Nevertheless, as an exceptional measure, the Chairman may rule, if he thinks fit, that a reply may be made to any previous statement, even after the list of speakers has been closed.

(2) The list of speakers having been exhausted, the Chairman shall declare discussion on the matter closed.

10. Questions of competence

Any questions of competence that may arise shall be settled before a vote is faken on the substance of the matter under discussion.

11. Withdrawal and re-submission of a motion

The author of a motion may withdraw it before it is put to a vote. Any motion, whether it be amended or not, which has been withdrawn from debate may be re-submitted or taken up by the author of the amendment or by another delegation.

RULE 14

RIGHT TO VOTE

1. At all meetings of the conference, the delegation of a Member of the Union duly accredited by that Member to take part in the work of the conference shall be entitled to one vote in accordance with Article 2 of the Convention.

2. The delegation of a Member of the Union shall exercise the right to vote under the conditions described in Chapter 5 of the General Regulations.

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RULE 15

VOTING

1. Definition of a majority

(1) A majority shall consist of more than half the delegations present and voting.

(2) In computing a majority, delegations abstaining shall not be taken into account.

(3) In case of a tie, a proposal or amendment shall be considered rejected.

(4) For the purpose of these Rules of Procedure, a "delegation present and voting" shall be a delegation voting for or against a proposal.

2. Non-participation in voting

Delegations which are present but do not take part in a particular vote or expressly state they do not wish to take part shall be considered neither as absent, for the purpose of determining a quorum as defined in 592, nor as abstaining for the purpose of 621.

3. Special majority

In cases where Members of the Union are to be admitted, the majority described in Article 1 of the Convention shall apply.

4. Abstentions of more than fifty per cent.

When the number of abstentions exceeds half ihe number of votes cast (for, against, abstentions), consideration of the matter under discussion shall be postponed to a later meeting, at which time abstentions shall not be taken into account.

5. Voting procedures

(1) The following voting procedures shall be adopted except in the case provided for in 625:

a) by a show of hands, as a general rule;

b) by roll call, if the above-mentioned procedure shows no clear majority or if so requested by at least two delegations.

(2) Votes by roll call shall be taken in the alphabetical order of the "French names of the Members represented.

6. Secret ballot

Voting shall be by secret ballot when at least five of the delegations present and entitled to vote so request. In such cases, the Secretariat shall ar once take steps to ensure the secrecy of the vote.

7. Prohibition of interruptions during votes

No delegation may interrupt once a vote has begun, unless to raise a point of order in connection with the way in which the vote is being taken.

8. Reasons for votes

The Chairman shall authorize any delegations which so request to give the reasons for their vote, after the vote has been taken.

9. Voting on parts of a proposal

(1) When the author of a proposal so requests, or when the Assembly thinks fit, or when the Chairman, with the approval of the author, so proposes, that proposal shall be sub-divided and its various sections put to the vote separately. The parts of the p-oposal which have been adopted shall then be put to the vote as a whole.

(2) If all the sections of a proposal are rejected the proposal shall be regarded as rejected as a whole.

10. Order of voting on concurrent proposals

(1) When there are two or more proposals on any one matter, they shall be put to the vote in the order in which they were presented, unless the Assembly decides to the contrary.

(2) After each vote, the Assembly shall decide whether or not die following proposal shall he voted on.

11. Amendments

(1) Any proposal for modification consisting only of a deletion from, an addition to, or a change in a part of the original proposal shall be considered an amendment.

(2) Any amendment to a proposal accepted by the delegation submitting the proposal shall at once be embodied in the original proposal.

(3) No proposal for modification shall be regarded as an amendment if the Assembly considers it to be incompatible with the original proposal.

12. Voting on amendments

(1) When an amendment is submitted to a proposal, a vote shall first be taken on the amendment.

(2) When two or more amendments are submitted to a proposal, the amendment furthest from the original text shall be put to the vote first; of the remainder, that furthest from the proposal shall then be put to the vote and the same procedure shall be followed until all the amendments submitted have been considered.

(3) If one or more amendments arc adopted, the proposal thus amended shall then be put to the vote.

(4) If no amendment is adopted, the original proposal shall be put 10 the vote.

RULE 16

COMMITTEES AND SUB-COMMITTEES
RULES FOR DEBATES AND VOTING PROCEDURES

1. The Chairmen of all committees and sub-committees shall have powers similar to those conferred by Rule 3 on the Chairman of the conference.

2. The provisions set forth in Rule 13 for the conduct of debates in the Plenary Assembly shall also apply to the discussions of committees and sub-committees, except in the matter of the quorum.

3. The provisions set forth in Rule 15 shall also apply to votes taken in committees and sub-committees, except as regards 620.

RULE 17

RESERVATIONS

1. As a general rule, any delegation whose views are not shared by ihc remaining delegations shall endeavour, as far as possible, to conform to the opinion of the majority.

2. However, if any decision appears to a delegation to be of such n nature as to prevent its government from ratifying the Convention or from approving the revision of the Regulations, the delegation may make reservations, final or provisional, regarding this decision.

RULE 18

MINUTES OF PLENARY ASSEMBLIES

1. The minutes of Plenary Assemblies shall be drawn up by the Secretariat of the conference, which shall endeavour to ensure their distribution to delegations as early as possible before the date on which they are to be considered.

2. After the minutes have been distributed, delegations may submit in writing to the Secretariat of the conference the corrections they consider to be justified; this shall be done in the shortest possible time. This shall not prevent them from presenting amendments orally during the meeting at which the minutes are approved.

3. (1) As a general rule, the minutes shall contain proposals and conclusions, together with the principal arguments for them, presented in terms as concise us possible.

(2) However, any delegation shall have the rigbt to require the insertion in the minutes, either summarized or in full, of any statement it has made during die debates. In this case, the delegation should, as a general rule, announce this at the beginning of its statement in order to facilitate the work of the reporters and must itself hand in the text to the Secretariat of the conference within two hours after the end of the meeting.

4. The right accorded in 647 regarding the insertion of statements in iho minutes shall in all cases be used with discretion.

RULE 19

SUMMARY RECORDS AND REPORTS OF COMMITTEES AND SUB-COMMITTEES

1. (1) The debates of committees and sub-committees shall be summarized. meeting by meeting, in summary records, in which shall be brought out the essential points of the discussion, and the various opinions of which note ought to be taken, together with any proposals or conclusions resulting from the debate as a whole.

(2) Nevertheless, any delegation shall be entitled to invoke 647.

(3) The right referred to above shall in all circumstances be used with discretion.

2. Committees and sub-committees may prepare any interim reports they deem necessary and, if circumstances warrant, they may submit, at ibe end of iheir work, a final report recapitulating in concise terms the proposals and conclusions resulting from the studies entrusted to them.

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RULE 20

APPROVAL OF MINUTES, SUMMARY RECORDS AND REPORTS

1. (1) As a general rule, at the beginning of each meeting of the Plenary Assembly, committee, or sub-committee, the Chairman shall inquire whether there are any comments on the minutes of the previous meeting, or, in the case of committees or sub-committees, on the summary record of the previous meeting. These documents shall be considered approved if no amendments have been handed in to the Secretariat and no objection is made orally. Otherwise, the appropriate amendments shall be made in the minutes or summary record as the case may be.

(2) Any interim or final report must be approved by the committee or sub-committee concerned.

2. (1) The minutes of the last Plenary Assembly shall be examined and approved by the Chairman of the Assembly.

(2) The summary record of the last meeting of each committee or subcommittee shall be examined and approved by the Chairman of the committee or sub-committee.

RULE 21

EDITORIAL COMMITTEE

1. The texts of the Convention, the Regulations and other Final Acts of the conference, which shall be worded as far as practicable in their definitive form by the various committees, taking account of the views expressed, shall be submitted to an editorial committee charged with perfecting their form without altering the sense and with combining ibem with those parts of former texts which have not been altered.

2. The texts shall be submitted by the editorial committtee to the Plenary Assembly of the conference, which shall approved them, or refer them back to the appropriate committee for further examination.

RULE 22

NUMBERING

1. The numbers of the chapters, articles and paragraphs of the texts subjected to revision shall be preserved until the first reading in Plenary Assembly. The passages added shall bear provisionally the number of the last paragraph in the original text, with the addition of "a", "b", etc . . .

2. The definitive numbering of the chapters, articles and paragraphs shall he entrusted to the editorial committee after their adoption at the first rending.

RULE 23

FINAL APPROVAL

The texts of the Convention, the Regulations and other Final Acts shall be considered final when they have been approved at the second reading in Plenary Assembly.

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RULE 24

SIGNATURE

The final texts approved by the conference shall be submitted for signature, in the alphabetical order of the French names of their countries, to the delegates provided with the full powers defined in Chapter 5 of the General Regulations.

RULE 23

PRESS NOTICES

Official releases to the press about the work of the conference shall be issued only as authorized by the Chairman or a Vice-Chairman of the conference.

RULE 26

FRANKING PRIVILEGES

During the conference, members of delegations, members of the Administrative Council, senior officials of the permanent organs of the Union, and the staff of the Secretariat of the Union seconded ro the conference shall be entitled to postal, telegraph and telephone franking privileges to the extent arranged by ilie government of the country in which the conference is held in agreement with the other governments and recognized private operating agencies concerned.

PART II

INTERNATIONAL CONSULTATIVE COMMITTEES

CHAPTER 10

GENERAL PROVISIONS

1. The provisions of Part II of the General Regulations supplement Article 13 of the Convention defining the duties and structure of the International Consultative Committees.

2. (1) The Consultative Committees shall also observe the applicable Rules nf Procedure of Conferences contained in Part 1 of the General Regulations.

(2) In order to facilitate the work of the Consultative Committee the Plenary Assembly may adopt additional provisions if they do not conflict with the Rules of Procedure of Conferences. These additional provisions shall be published in the form of a Resolution in the documents of the Plenary Assembly concerned.

CHAPTER 11

CONDITIONS FOR PARTICIPATION

1. (1) The International Consultative Committees shall have as members:

a) of right, the administrations of all Members and Associate Members of the Union;

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b) any recognized private operating agency which, with the approval of the Member or Associate Member which has recognized it, subject to the procedure prescribed below, expresses a desire to participate in the work of the Committees.

(2) The first request from a recognized private operating agency to take part in the work of a Consultative Committee shall be addressed to tbe Secretary-General who shall inform all the Members and Associate Members and the Director of the Consultative Committee concerned. A request from a recognized private operating agency must be approved by the Member or Associate Member recognizing it.

2. (1) International organizations which coordinate their work with the International Telecommunication Union and which have related activities may be admitted to participate in the work of the Consultative Committees in an advisory capacity.

(2) The first request from an international organization to take part in the work of a Consultative Committee shall be addressed to the Secretary-General who shall inform by telegram all the Members and Associate Members and invite Members to say whether the request should be granted; tbe request shall be granted if the majority of tbe replies of the Members received within a period of one month are favourable. The Secretary-General shall inform all the Members and Associate Members and the Director of tbe Consultative Committee concerned of the result of the consultation.

3. (1) Scientific or industrial organizations, which are engaged in the study of telecommunication problems or in the design or manufacture of equipment intended tor telecommunication services, may be admincd to participate in an advisory capacity in meetings of the study groups of ihe Consultative Committees, provided that their participation has received the approval of the administrations of the countries concerned.

(2) The first request from a scientific or industrial organization for admission to meetings of study groups of a Consultative Committee shall be addressed to the Director of the Consultative Committee; such a request must be approved by the administration of the country concerned.

CHAPTER 12

DUTIES OF THE PLENARY ASSEMBLY

The Plenary Assembly shall:

a) consider the reports of study groups and approve, modify or reject the draft recommendations contained in these reports;

b) decide new questions to be studied in conformity with the provisions of 180; and, if need be, establish a study programme;

c) so far as necessary, maintain existing study groups and set up new study groups;

d) allocate to study groups the questions to be studied;

e) consider and approve the report of the Director on the activities of the Committee since the last meeting of the Plenary Assembly;

f) approve a report on the financial needs of the Committee until the next Plenary Assembly, for submission to the Administrative Council;

g) consider any other matters deemed necessary within the provisions of Article 13 of the Convention and Part II

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of the General Regulations.

CHAPTER 13

MEETINGS OF THE PLENARY ASSEMBLY

1. The Plenary Assembly shall normally meet every three years at a time and place fixed by the preceding Plenary Assembly.

2. The date of the meeting of the Plenary Assembly may be changed with rhe approval of. the majority of the Members of the Union which participated in the previous meeting of the Plenary Assembly, or which, not having so participated, have informed the Secretary-General of their wish to take an active part in the work of the Consultative Committee concerned.

3. At each of these meetings, the Plenary Assembly shall be presided over by the Head of the delegation of the country in which the meeting is held or, in ihe case of a meeting held at the seat of the Union by a person elected by the Plenary Assembly itself; the Chairman shall be assisted by Vice-Chairmen elected by the Plenary Assembly.

4. The Secretariat of the Plenary Assembly of a Consultative Committee shall be composed of the specialized secretariat of that Committee, with the help, if necessary, of the personnel of the administration on the inviting government and of the General Secretariat.

CHAPTER 14

LANGUAGES AND METHOD OF VOTING IN PLENARY ASSEMBLIES

1. (1) The languages used in the Plenary Assemblies shall be as provided in Article 16 of the Convention.

(2) The preparatory documents of study groups, the documents and minutes of Plenary Assemblies and the documents published after these Assemlies by the International Consultative Committees shall be issued in the three working languages of the Union.

2. The Members which are authorized to vote at sessions of Plenary Assemblies of the Consultative Committees are those to which reference is made in 14 and 232. However, when a country, Member of the Union, is not represented by an administration, the representatives of the recognized private operating agencies of that country shall, as a whole, and regardless of their number, he entitled to a single vote.

CHAPTER 15

COMPOSITION OF STUDY GROUPS

1. The Plenary Assembly shall set up the necessary study groups 10 deal with questions to be studied. The administrations, recognized private operating agencies and international organizations admitted in accordance with 671 and 672 which wish to take part in the work of the study groups shall give in their names cither at the meeting of the Plenary Assembly or, at a later date, to the Director of the Consultative Committee concerned.

2. In addition, and subject to the provisions of 673 and 674, experts of scientific or industrial organizations may be admitted to take parr in an advisory capacity in any meeting of any study group.

3. The Plenary Assembly shall appoint the Chairman and Vice-Chairman of each study group. If in the interval

between two meetings of the Plenary Assembly, a Group Chairman is unable to carry out his duties, the Vice-Chairman shall take his place, and the study group concerned shall elect, at its next meeting, from among its members, a new Vice-Chairman. It shall likewise elect a new Vice-Chairman should the Vice-Chairman find himself no longer able, during this period, to carry out his duties.

CHAPTER 16

TREATMENT OF BUSINESS OF STUDY GROUPS

1. Sludy groups shall normally conduct their work by correspondence.

2. (1) However, the Plenary Assembly may give directives concerning the convening of any meetings of the study groups that may appear necessary to deal with large groups of questions.

(2) Moreover, if after a Plenary Assembly, a Group Chairman considers it necessary for his study, group to hold one or more meetings not provided for by the Plenary Assembly to discuss orally questions which could not be solved by correspondence, he may, with the approval of his administration and after consultation with the Director concerned and the members of his study group, suggest a meeting at a convenient place bearing in mind the need to keep expenses to a minimum.

3. However, in order to avoid unnecessary journeys and prolonged absences, the Director of a Consultative Committee, in agreement with the Group Chairmen of the various study groups concerned, shall draw up the general plan of meetings of groups of study groups which are to meet in the same place during the same period.

4. The Director shall send the final reports of the study groups to the participating administrations, to the recognized private operating agencies of the Consultative Committee and, as occasion may demand, to such international organizations as have participated. These shall be sent as soon as possible and, in any event, in time for them to be received at least one month before the date of the next meeting of the Plenary Assembly. This provision may only be waived when study group meetings are held immediately prior to the meeting of the Plenary Assembly. Questions which have not formed the subject of a report furnished in this way shall not appear on the agenda for the meeting of the Plenary Assembly.

CHAPTER 17

DUTIES OF THE DIRECTOR. SPECIALIZED SECRETARIAT

1. (1) The Director of a Consultative Committee shall coordinate the work of the Plenary Assembly and study groups, and shall be responsible for the organization of the work of the Consultative Committee.

(2) He shall be responsible for the documents of the Committee.

(3) The Director shall be assisted by a secretariat composed of a specialized staff to work under his direction and to aid him in the organization of the work of the Committee.

(4) The staffs of the specialized secretariats, laboratories and technical installations of a Consultative Committee shall be under the administrative control of the Secretary-General.

2. The Director shall choose the technical and administrative members of the secretariat within the framework of the budget as approved by the Plenipotentiary Conference or the Administrative Council. The appointment of the technical and administrative personnel is made by the Secretary-General in agree ment with the Director. The final decision for appointment or dismissal rests with the Secretary-General.

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3. The Director shall participate as of right, but in an advisory capacity, in meetings of the Plenary Assembly and of the study groups. He shall make all necessary preparations for meetings of the Plenary Assembly and of the study groups.

4. The Director shall submit to the Plenary Assembly a report on the activities of the Consultative Committee since the last meeting of the Plenary Assembly. After approval, this report shall be sent to the Secretary-General for submission to the Administrative Council.

5. The Director shall submit to the Administrative Council at its annual session a report on the activities of the Committee during the previous year for the information of the Council and of the Members and Associate Members of the Union.

6. The Director shall submit for the approval of the Plenary Assembly a report on the financial needs of the Consultative Committee up to the next meeting of the Plenary Assembly; this report, after approval by the Plenary Assembly, shall be sent to the Secretary-General for transmission to the Administrative Council.

7. The Director shall prepare, for inclusion by the Secretary-General in the annual budget of the Union, an estimate of the expenses of the Committee for the following year, based on the report on the financial needs of the Committee approved by the Plenary Assembly.

8. The Director shall participate as necessary in technical assistance activities of the Union within the framework of the Convention.

CHAPTER 18

PROPOSALS FOR ADMINISTRATIVE CONFERENCES

1. In accordance with 181, the Consultative Committees may make proposals for modification of the Regulations mentioned in 193.

2. Such proposals shall be sent to the Secretary-General in good time for assembly, coordination and communication, as laid down in 526.

CHAPTER 19

RELATIONS OF CONSULTATIVE COMMITTEES BETWEEN THEMSELVES AND WITH OTHER INTERNATIONAL ORGANIZATIONS

1. (1) Plenary Assemblies of Consultative Committees may set up joint study groups to study and make recommendations on questions of common interest.

(2) The Directors of Consultative Committees may, in collaboration with the Group Chairman, organize joint meetings of study groups of both Consultative Committees, to study and prepare draft recommendations on questions of common interest. Such draft recommendations shall be submitted to the next meeting of the Plenary Assembly of each Consultative Committee.

2. The Plenary Assembly or the Director of a Consultative Committee may invite a representative of this Committee to attend, in an advisory capacity, meetings of the other Consultative Committee or of other international organizations to which that Consultative Committee has been invited.

The Secretary-General, the Deputy Secretary-General, the Chairman of the International Frequency Registration Board, and the Director of the other Consultative Committee, or their representatives, may attend meetings of a

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Consultative Committee in an advisory capacity. In case of need, a Consultative Committee may invite to attend its meetings, in an advisory capacity, representatives of any permanent organ of the Union which has not considered it necessary to be represented.

ANNEX 6

(see Article 28)

AGREEMENT BETWEEN THE UNITED NATIONS
AND THE INTERNATIONAL TELECOMMUNICATION UNION

PREAMBLE

In consideration of the provisions of Article 57 of the Charter of the United Nations and of Article 26 of the Convention of the International Telecommunication Union of Atlantic City 1947, the United Nations and the International Telecommunication Union agree as follows:

ARTICLE I

The United Nations recognizes the International Telecommunication Union (hereinafter called "the Union") as the specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II

RECIPROCAL REPRESENTATION

1. The United Nations shall be invited to send representatives lo participate, without vote, in the deliberations of all the Plenipotentiary and Administrative Conferences of the Union. It shall also, after appropriate consultation, be invited to send representatives to attend international consultative committees or any other meetings convened by the Union with the right to participate without vote in the discussion of items of interest to the United Nations.

2. The Union shall be invited to send representatives to attend meetings of the General Assembly of the United Nations for the purposes of consultation on telecommunication matters.

3. The Union shall be invited to send representatives to be present at the meetings of the Economic and Social Council of the United Nations and of the Trusteeship Council and of their commissions or committees, and to participate, without vote, in the deliberations thereof with respect to items on the agenda in which the Union may be concerned.

4. The Union shall be invited to send representatives to attend meetings of the main committees of the General Assembly when matters within the competence of the Union are under discussion and to participate, without vote, in such discussions.

5. Written statements presented by the Union shall be distributed by the Secretariat of the United Nations to the Members of the General Assembly, the Economic and Social Council and its commissions, and the Trusteeship Council as appropriate. Similarly, written statements presented by the United Nations shall be distributed by the Union to its Members.

ARTICLE III

PROPOSAL OF AGENDA ITEMS

After such preliminary consultation as may be necessary, the Union shall include on the agenda of Plenipotentiary or Administrative Conferences or meetings of other organs of the Union, items proposed to it by the United Nations. Similarly, the Economic and Social Council and its commissions and the Trusteeship Council shall include on their agenda items proposed by the Conferences or other organs of the Union.

ARTICLE IV

RECOMMENDATIONS OF THE UNITED NATIONS

1. The Union, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter and the function and power of the Economic and Social Council under Article 62 of the Charter to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and lo make recommendations concerning these matters to the specialized agencies concerned and having regard to the responsibility of the United Nations, under Articles 58 and 63 of the Charter; to make recommendations for the coordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to its appropriate organ for such action as may seem proper of all formal recommendations which the United Nations may make to it.

2. The Union agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Union or by its Members to give effect to such recommendations or on the other results of their consideration.

3. The Union will co-operate in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to cooperate with any body or bodies which the Economic and Social Council may establish for the purpose of facilitating such co-ordination and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE V

EXCHANGE OF INFORMATION AND DOCUMENTS

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of appropriate information and documents shall be made between the United Nations and the Union to meet the requirements of each.

2. Without prejudice to the generality of the provisions of the preceding paragraph:

a) the Union shall submit to the United Nations an annual report on its activities;

b) the Union shall comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information;

c) the Secretary-General of the United Nations shall, upon request, consult with the appropriate authority of the Union with a view to providing to the Union such information as may be of special interest to it.

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ARTICLE VI

ASSISTANCE TO THE UNITED NATIONS

The Union agrees to co-operate with and to render all possible assistance to the United Nations, its principal and subsidiary organs, in accordance with the United Nations Charter and the International Telecommunication Convention, taking fully into account the particular position of the individual members of the Union who are not members of the United Nations.

ARTICLE VII

RELATIONS WITH THE INTERNATIONAL COURT OF JUSTICE

1. The Union agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the court.

2. The General Assembly authorizes the Union to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its competence other than questions concerning the mutual relationships of the Union and the United Nations or other specialized agencies.

3. Such request may be addressed to the Court by the Plenipotentiary Conference or the Administrative Council acting in pursuance of an authorization by the Plenipotentiary Conference.

4. When requesting the International Court of Justice to give an advisory opinion the Union shall inform the Economic and Social Council of the request.

ARTICLE VIII

PERSONAL ARRANGEMENTS

1. The United Nations and the Union agree to develop as far as practicable common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the Union agree to co-operate to the fullest extent possible in achieving these ends.

ARTICLE IX

STATISTICAL SERVICES

1. The United Nations and the Union agree to strive for maximum cooperation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication, standardization, improvement and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national governments and other organizations from which such information may be collected.

2. The Union recognizes the United Nations as the central agency for the collection, analysis, publication, standardization, improvement and dissemination of statistics serving the general purposes of international organizations.

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3. The United Nations recognizes the Union as the central agency responsible for the collection, analysis, publication, standardization, improvement and dissemination of statistics within its special sphere, without prejudice to the rights of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world. All decisions as to the form in which its service documents are compiled rest with the Union.

4. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the Union for incorporation in its basic statistical series or special reports should so far as practicable be made available to the United Nations upon request.

5. It is agreed that data supplied to the United Nations for incorporation in its basic statistical series or special reports should so far as practicable and appropriate be made available to the Union upon request.

ARTICLE X

ADMINISTRATIVE AND TECHNICAL SERVICES

1. The United Nations and the Union recognize the desirability in the interests of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment of competitive or overlapping services, and when necessary to consult thereon to achieve these ends.

2. Arrangements shall be made between the United Nations and the Union in regard to the registration and deposit of official documents.

ARTICLE XI

BUDGETARY AND FINANCIAL ARRANGEMENTS

1. The budget or the proposed budget of the Union shall be transmitted to the United Nations at the same time as such budget is transmitted to the Members of the Union and the General Assembly may make recommendations thereon to the Union.

2. The Union shall be entitled to send representatives to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Union is under consideration.

ARTICLE XII

FINANCING OF SPECIAL SERVICES

1. In the event of the Union being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or assistance in accordance with Article VI or with any other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

2. Consultation between the United Nations and the Union shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance requested by the Union and provided by the United Nations.

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ARTICLE XIII

UNITED NATIONS LAISSEZ-PASSER

Officials of the Union shall have the right to use the laissez-passer of the United Nations in accordance with special arrangements to be negotiated between the Secretary-General of the United Nations and the competent authorities of the Union.

ARTICLE XIV

INTER-AGENCY AGREEMENTS

1. The Union agrees to inform the Economic and Social Council of the nature and scope of any formal agreement contemplated between the Union and any other specialized agency or other inter-governmental organization or international non-governmental organization, and further will inform the Economic and Social Council of the details of any such agreement, when concluded.

2. The United Nations agrees to inform the Union of the nature and scope of any formal agreement contemplated by any other specialized agencies on matters which might be of concern to the Union and further will inform the Union of the details of any such agreement, when concluded.

ARTICLE XV

LIAISON

1. The United Nations and the Union agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever measures may be necessary to this end.

2. The liaison arrangements provided for in this agreement shall apply, as tar as appropriate, to the relations between the Union and the United Nations, including its branch and regional offices.

ARTICLE XVI

UNITED NATIONS TELECOMMUNICATION SERVICES

1. The Union recognizes that it is important that the United Nations shall benefit by the same rights as the Members of the Union for operating telecommunication services.

2. The United Nations undertakes to operate the telecommunication services under its control in accordance with the terms of the International Telecommunication Convention and the regulations annexed thereto.

3. The precise arrangements for implementing this article shall be dealt with separately.

ARTICLE XVII

IMPLEMENTATION OF AGREEMENT

The Secretary-General of the United Nations and the appropriate authority of the Union may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable.

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ARTICLE XVIII

REVISION

On six months' notice given on either part, this agreement shall be subject to revision by agreement between the United Nations and the Union.

ARTICLE XIX

ENTRY INTO FORCE

1. This agreement will come into force provisionally after approval by the General Assembly of the United Nations and the Plenipotentiary Telecommunication Conference at Atlantic City in 1947.

2. Subject to the aforementioned approvals, the agreement will formally enter into force at the same time as the International Telecommunication Convention concluded at Atlantic City in 1947 or at some earlier date as may be arranged for by a decision of the Union.

FINAL PROTOCOL
TO THE
INTERNATIONAL TELECOMMUNICATION CONVENTION

GENEVA, 1959

At the time of signing the International Telecommunication Convention (Geneva, 1959), the undersigned plenipotentiaries take note of the following statements forming part of the Final Acts of the Plenipotentiary Conference, Geneva, 1959:

I

For the Argentine Republic:

The Argentine Delegation declares:

The International Telecommunication Convention (Geneva, 1959), provides in 4 that any country or group of territories listed in Annex 1 thereto is a Member of the Union. Annex 1 lists for this purpose the "Overseas Territories for the International Relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible."

Since the Government concerned habitually includes the territories which it calls the "Falkland Islands and Dependencies" in this entity, a practice reflected in the official documents published by the International Telecommunication Union, the Argentine Delegation formally declares that this practice in no wise detracts from Argentine sovereignty over these islands, occupied by the United Kingdom as a result of an act of force never accepted by the Argentine Government, which hereby reaffirms the inalienable rights of the Republic and declares that the Malvinas Islands, the South Sandwich Islands, the South Georgia Islands, and the Argentine Sector of the Antartic are the colony or possession of no other nation, that they form part of Argentine national soil and are subject to Argentine dominion and sovereignty.

This declaration also holds good for any other mention of the same kind which may be included in the Convention or its Annexes.

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II

For Canada:

The signature of Canada to the International Telecommunication Convention (Geneva, 1959), is subject to the reservation that Canada does not accept 193 of this Convention. Canada agrees to be bound by the Radio Regulations, the Telegraph Regulations and, subject to one reservation, by the Additional Radio Regulations, all as annexed to this Convention but does not agree to be bound by the Telephone Regulations.

III

For China:

The Delegation of the Republic of China to the Plenipotentiary Conference of the International Telecommunication Union at Geneva, 1959, as at Atlantic City and Buenos Aires, is the only legitimate representation of China therein, and is recognized as such by the Conference. Any Declarations or Reservations made in connection with or attached to the present Convention by any Members of the Union, incompatible with the position of the Republic of China as set forth above, are illegal and therefore null and void. To those Members of the Union, the Republic of China does not, by signature of this Convention, accept any obligation arising out of the International Telecommunication Convention (Geneva, 1959), or any of the Protocols annexed thereto.

VI

For the Belgian Congo and Territory of Ruanda-TJrundi:

In signing the International Telecommunication Convention (Geneva, 1959), the Belgian Congo and Territory of Ruanda-Urundi officially declare that they reserve the right not to abide by Article 3 of the Radio Regulations (Geneva, 1959), except in so far as the application of this article permits to meet the indispensable requirements of their domestic broadcasting.

V

For Costa Rica:

The Delegation of the Republic of Costa Rica reserves its Government's right to accept or not to accept the consequences of any reservations made by other governments represented at this Conference, should such reservations entail any increase in Costa Rica's financial contribution to the Union.

VI

For Cuba:

The Delegation of Cuba, in signing this Convention on behalf of the Government of the Republic of Cuba, formally reserves its position with regard to acceptance of the Telegraph Regulations, Telephone Regulations, and Additional Radio Regulations, mentioned in Article 14 of the International Telecommunication Convention (Geneva, 1959).

VII

For the Republic of El Salvador:

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A

The Government of the Republic of El Salvador reserves the right to take such action as may be required to protect its interest, should any Member or Associate Member of the Union not share in defraying the expenses of the Union or make reservations such that El Salvador's share in defraying the expenses of the Union is thereby increased.

B

In signing this Convention on behalf of the Republic of El Salvador, I hereby reserve the right of the Government of El Salvador to accept or not to accept the obligations entailed by the Telephone Regulations and the Additional Radio Regulations mentioned in Article 14 of the International Telecommunication Convention (Geneva, 1959).

VIII

For the United States of America:

Signature of this Convention for and in the name of the United States of America constitutes, in accordance with its constitutional processes, signature also on behalf of all territories of the United States of America. The United States of America formally declares that the United States of America docs not, by signature of this Convention on its behalf, accept any obligation in respect of the Telephone Regulations or the Additional Radio Regulations referred to in Article 14 of the International Telecommunication Convention (Geneva, 1959).

IX

For Greece:

On behalf of its Government, the Hellenic Delegarion hereby declares that it accepts no consequence of any reservation which might lead to an increase of its share in defraying the expenses of the Union.

X

For the Republic of India:

1. Upon signing the Final Acts of the International Telecommunication Conference, Geneva, 1959, the Republic of India does not accept any financial implications resulting from any reservation that might be made on the budgetary matters of the Union by any delegation participating in the present Conference.

2. The Delegation of the Republic of India states that the signature by the Delegation to this Convention is also subject to the reservation that the Republic of India may or may not be in a position to accept certain provisions of the Telegraph and the Telephone Regulations (Geneva, 1958), referred to in Article 14 of this Convention.

3. The Delegation of the Republic of India further reserves the right of its Government to take appropriate steps if necessary to ensure proper functioning of the Union and its permanent organs and implementation of the Regulations, listed in Article 14 of the Convention, should any country reserve and/or not accept the provisions of the Convention and of the Regulations mentioned above

XI

For the Republic of Indonesia:

Due to the fact that Irian Barat (Wes-tern New Guinea) constitutionally is an integrated part of the Republic of

Indonesia, the Indonesian Delegation to the Plenipotentiary Conference and the Administrative Radio Conference, Geneva, 1959, formally declares that its signature to this Convention and to the Radio Regulations in no way implies the acceptance of the mentioning of Irian Barat (New Guinea) preceded by the word "Netherlands" in documents of the Union and the Radio Regulations (annexes and/or appendices).

XII

For the State of Israel:

The Delegation of the State of Israel cannot accept the reservations made by the Delegations of the Kingdom of Saudi Arabia, the Republic of Iraq, the Hashemite Kingdom of Jordan, Kuwait, Lebanon, the United Kingdom of Libya, the Kingdom of Morocco, the United Arab Republic, the Republic of the Sudan and Tunisia, concerning Israel, and reserves the right of its Government to take any appropriate measure it may deem necessary to safeguard the interests of the State of Israel in the application of this Convention and the Regulations annexed thereto, as far as the above Member countries are concerned.

XIII

For Japan:

Japan reserves the right to take such action as it may consider necessary to safeguard its interests should reservations by other countries lead to an increase in the share it takes in defraying the expenses of the Union.

XIV

For the Kingdom of the Netherlands:

The Delegation of the Kingdom of the Netherlands declares that it does not accept the statement of the Delegation of the Republic of Indonesia contained in its formal declaration in so far as this statement disputes the sovereignty of the Government of the Netherlands over the non-self-governing territory of Netherlands New Guinea.

As for the denomination "Netherlands New Guinea" it declares that this denomination is the constitutionally correct one and is formally recognized as such and applied by the Secretariat of the United Nations.

XV

For the Republic of the Philippines:

The Republic of the Philippines formally declares upon signing the present Convention that it cannot currently accept any obligations with reference to the Telegraph and Telephone Regulations mentioned in 193 of the Convention.

XVI

For the United Kingdom of Great Britain and Northern Ireland:

The Delegation of the United Kingdom of Great Britain and Northern Ireland declares: that it does not accept the statement of the Argentine Delegation contained in its declaration in so far as this statement disputes the sovereignty of Her Majesty's Government in the United Kingdom over the Falkland Islands and the Falkland Islands Dependencies and it wishes formally to reserve the rights of Her Majesty's Government on this question. The Falkland Islands and the Falkland Islands Dependencies are and remain an integral part of the territories together making up the Member hitherto known as: Colonies, Protectorates, Overseas Territories and Territories

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under Mandate or Trusteeship of the United Kingdom of Great Britain and Northern Ireland on behalf of which the United Kingdom of Great Britain and Northern Ireland acceded to the International Telecommunication Convention (Buenos Aires, 1952) on 16 November, 1953, and which is described in the International Telecommunication Convention (Geneva, 1959) as: Overseas Territories for the international relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible.

XVII

For the Czechoslovak Republic:

The Czechoslovak Delegation declares on behalf of the Government of the Czechoslovak Republic that it will not be bound by any consequences that may arise from reservations designed to raise its contributory share towards defraying the expenses of the Union.

XVIII

For Turkey:

The Delegation of Turkey declares that the Government of the Republic of Turkey cannot accept any financial consequences that might arise as a result of reservations made by other Governments taking part in the Plenipotentiary Conference, Geneva, 1959.

XIX

For the Union of South Africa and Territory of South-West Africa:[1]

The Delegation of the Union of South Africa and Territory of South-West Africa declares that the signature of the Union of South Africa and Territory of South-West Africa to this Convention is subject to the reservation that the Union of South Africa and Territory of South-West Africa does not agree to be bound by the Telephone Regulations referred to in Article 14 of the International Telecommunication Convention (Geneva, 1959).

XX

For the Republic of Venezuela:

In signing this Convention, the Delegation of the Republic of Venezuela, on behalf of its Government, maintains the reservations indicated in the Telegraph Regulations and the Telephone Regulations (Geneva, 1958), and also with regard to the Radio Regulations (Geneva, 1959).

XXI

For Afghanistan, the Argentine Republic, Belgium, the Republic of Colombia, the Belgian Congo and Territory of Ruanda-Urundi, Denmark, Spain. Overseas State of the French Community and French Overseas Territories, France, Mexico, Monaco, Norway, Paraguay, Peru, Portugal, Portuguese Oversea Provinces, the Federal Republic of Germany, Federal People's Republic of Yugoslavia, Sweden and Switzerland.

The delegations of the above-mentioned countries declare on behalf of their respective Governments that they accept no consequences of any reservations which would lead to an increase in the shares they take in defraying the expenses of the Union.

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XXII

For the People's Republic of Albania, the Byelorussian Soviet Socialist Republic, the People's Republic of Bulgaria, the Hungarian People's Republic, the People's Republic of Poland, the Ukrainian Soviet-Socialist Republic, the Roumanian People's Republic, the Czechoslovak Republic and the Union of Soviet Socialist Republics:

These Delegations hereby declare on behalf of their Governments that the decision taken by the Plenipotentiary Conference, Geneva, 1959, of the International Telecommunication Union, to recognize the credentials of Chiang Kai-Shek's representatives to take part in the Conference and to sign the Final Acts on behalf of China, is illegitimate, in so far as the legal representatives of China can only be the representatives appointed by the Central People's Government of the People's Republic of China.

XXIII

For the People's Republic of Albania, the People's Republic of Bulgaria, the Hungarian People's Republic, the People's Republic of Poland, the Roumanian People's Republic and the Czechoslovak Republic:

On signing the International Telecommunication Convention (Geneva, 1959), the Delegations of the People's Republic of Albania, the People's Republic of Bulgaria, the Hungarian People's Republic, the People's Republic of Poland, the Roumanian People's Republic, and the Czechoslovak Republic reserve for their Governments the right to accept or not to accept the Radio Regulations, in whole or in part.

XXIV

For the Kingdom of Saudi Arabia, the Republic of Iraq, the Hashemite Kingdom of Jordan, Kuwait, Lebanon, the United Kingdom of Libya, the Kingdom of Morocco, the United Arab Republic, the Republic of the Sudan and Tunisia:

The above mentioned Delegations declare that the signature, and possible subsequent ratification by their respective Governments to the International Telecommunication Convention (Geneva, 1959), are not valid with respect to theMember appearing in Annex 1 of this Convention under the name of Israel, and in no way imply its recognition.

XXV

For Austria and Italy:

Austria and Italy reserve the right to take such action as they may consider necessary to safeguard their interests, should Members or Associate Members not share in defraying the expenses of the Union in the manner specified in the International Telecommunication Convention (Geneva, 1959), or should reservations by other countries jeopardize their telecommunication services.

XXVI

For the Bielorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics:

The Delegations of the Bielorussian Soviet Socialist Republic, the Ukranian Soviet Socialist Republic and the Union of Soviet Socialist Republics, hereby formally declare that in signing this Convention they maintain the reservations relating to the Radio Regulations that were made by their Governments in ratifying the International

Telecommunication Convention (Buenos Aires, 1952).

XXVII

For Ghana, the Republic of Guinea and Iran:

The Delegations oi the above-mentioned countries declare that they reserve the right of their Governments to take any action they deem necessary to safe-guard their interests should Members or Associate Members in any way fail to comply with the requirements of the International Telecommunication Convention (Geneva, 1959) or should reservations by other countries jeopardize theirtelecommunication services.

XXVIII

For the Hashemite Kingdom of Jordan and the United Arab Republic:

The Delegations oi the Hashemite Kingdom oi Jordan and the United Arab Republic declare on behalf of their Governments, their disagreement with 42 and with 97, which authorize the Administrative Council to conclude agreements with international organizations on behalf of the Union. Any such agreements which they will consider against their interest shall not be binding on them.

XXIX

For the Commonwealth of Australia, New Zealand, Pakistan, the Republic of the Philippines, the United Kingdom of Great Britain and Northern Ireland and the Union of South Africa and Territory of South-West Africa:

The Delegations of the above-mentioned countries reserve for their Governments the right to take such action as they may consider necessary to safeguard their interests, should certain Members or Associate Members not share in defraying the expenses of the Union, or should they fail in any other way to comply with the requirements of the International Telecommunication Convention (Geneva, 1959) or its Annexes or the Protocols attached thereto, or should reservations by other countries jeopardize their telecommunication services.

In witness whereof, the respective plenipotentiaries have signed this Final Protocol in each of the Chinese, English, French, Russian and Spanish languages, in a single copy, which shaft remain deposited in the archives of the International Telecommunication Union, which shall forward a copy to each of the signatory countries.

Done at Geneva, 21 December 1959.

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[1]Effective May 31, 1961, this name was changed to "Republic of South Africa and Territory of South West Africa". (Source: ITU Notification No. 867, June 1, 1961.)

[1] Any radiocommunication service used permanently or temporarily for the safeguarding of human life and property.

[1] Effective May 31, 1961, changed to "Republic of South Africa and Territory of South-West Africa."

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