

COM/CITEL RES.30 (III-95)

ESTABLISHMENT OF A JOINT WORKING GROUP ON LEGAL MATTERS AND ADMINISTRATIVE PROCEEDINGS OF PCCS I, II, AND III

The Third Meeting of the Permanent Executive Committee of CITEL (COM/CITEL),

HAVING SEEN:

Resolution N° 7 of the Permanent Executive Committee of CITEL (Extra-93) established the Ad Hoc Working Group on Legal Matters;

Decision N° 1 of the CITEL Assembly transferred the Working Group on Legal Matters from COM/CITEL to PCC.I, so that the Associate Members might be entitled to participate in the activities of this Group;

The Third Meeting of the Ad Hoc Working Group on Legal Matters of PCC.I deemed it advisable to recommend the establishment of one single Working Group which would advise all Permanent Consultative Committees (PCCs) and where Associate Members would be also entitled to participate;

Under Resolution CCP.III/RES.26(III-95), the Permanent Consultative Committee III requested COM/CITEL to replace the Ad Hoc Group on Legal Matters by a Joint Working Group on Legal Matters;

Under Resolution CCP.I/RES.18(III-95), the Permanent Consultative Committee I requested COM/CITEL to replace the Ad Hoc Group on Legal Matters by a Joint Working Group on Legal Matters;

CONSIDERING:

That the Summit of the Americas requested CITEL to prepare a working program to evaluate the legal means to promote liberalization, standardization, the possible inter-operation of networks, and the compatible utilization of the radio-electric spectrum;

That the creation of a joint Working Group would avoid the duplication of efforts and would facilitate the consideration of issues of common concern;

That the mandate of any joint Working Group on Legal Matters and administrative proceedings should be clearly defined so that its tasks are focused on the legal aspects and administrative proceedings with regard to the working programs of PCCs,

RESOLVES:

1. A Joint Working Group on Legal Matters and Administrative Proceedings is established for PCCs I, II, and III (JWGLM) under the mandate and the working methods indicated in the Annex to this Resolution.

2. The Chairman of the Joint Working Group, who shall be appointed by COM/CITEL, shall act as the coordinator of the Group and shall remain in office as long as the Chairman of COM/CITEL.

3. The Chairman of the Joint Working Group shall submit a report on the activities of the Group to the Chairpersons of the three PCCs at the meetings of the Steering Committee of COM/CITEL.

4. Each Chairperson of the three PCCs shall appoint one Vice-Chairman for the Joint Working Group, who shall jointly act as Vice-Chairmen of the Group.

5. The Vice-Chairmen shall remain in office as long as the Chairman of the corresponding PCC.
6. The Vice-Chairmen of the Joint Working Group shall submit a report on the activities of the Group to the corresponding PCCs.
7. To designate Mr(s) _____ as Chairman of the JWGLM.

ANNEX

MANDATE AND WORKING METHODOLOGY FOR THE JOINT WORKING GROUP FORMED BY THE CITEL PERMANENT CONSULTATIVE COMMITTEES ON LEGAL MATTERS AND ADMINISTRATIVE PROCEEDINGS

1. The purpose of the Joint Working Group on Legal Matters and Administrative Proceedings (JWGLM) is to study the various issues and to provide the advice requested by the three PCCs on legal matters and administrative proceedings in connection with the telecommunication networks and services included in the mandate of CITEL.
2. JWGLM will, as possible, develop its activities by mail. However, if the consideration of given issues so requires, it may hold meetings coincidentally with the meetings of the PCCs.
3. In order to ensure its focusing on its specific work, JWGLM will restrict its activities to those officially referred by PCCs; nevertheless, it may include in its recommendations to the PCCs, if necessary, the identification of those issues requiring the immediate attention of CITEL.

With regard to the above, the main activity of this Group will be to study specific issues and coordinate matters concerning administrative law practices within the Americas relating to telecommunication services and networks, in liaison with legal organizations in the region.

4. For the purpose of optimizing this task and take advantage of the ongoing work, the 1995-1997 schedule of activities that was prepared as a response to PCC.I requirements should adopt the schedule already approved by PCC.I subject to the modifications decided upon by PCC.I.

As regards PCC.II and PCC.III, requirements will be identified as soon as possible.