

RESOLUTION PCC.III RES.9 (II-95)

CONSIDERATION OF THE ESTABLISHMENT OF A PCC.III WORKING GROUP ON LEGAL MATTERS

The Second Meeting of the Permanent Consultative Committee.III Radiocommunications

CONSIDERING:

1. That Article 5 of the CITEL Statute, the Assembly has set up the Permanent Consultative Committees;

2. That the First CITEL Assembly has established Permanent Consultative Committee III: Radiocommunications, with its seat in Mexico, and formulated its mandate;

3. That said mandate calls for PCC.III to foster the harmonization of radiocommunications services, taking into account in particular the need to reduce to a minimum, factors that interfere with the working and operation of networks and service, as well as to encourage the use of modern technologies and the application of the ITU Radio Regulations;

4. That a legal group has been formed under PCC.I with their own terms of reference;

5. That there are distinct legal matters pertaining to radiocommunications that have not been addressed,

RESOLVES:

1. That, in preparation for the Third Meeting of PCC.III, Member Countries consider the need for the establishment of a legal Working Group within PCC.III;

2. That recommendations be made whether an Ad Hoc or Permanent Working Group is appropriate if one is established;

3. That Members analyze and comment on the draft terms of reference presented in Annex 1 with a view to adopting a mandate at the Third Meeting of PCC.III should it decide to form a legal group.

REQUESTS THE EXECUTIVE SECRETARY:

To bring this Resolution to the attention of Members of PCC-III and to the Ad-Hoc Group on Legal Matters of PCC-I as far in advance as possible of the Third Meeting of PCC-III and to request comments on this Resolution be sent to the Chairman of PCC-III.

ANNEX 1

DRAFT TERMS OF REFERENCE

1. The PCC.III Working Group on Legal Matters will advise PCC.III on legal and regulatory matters pertaining to radiocommunications, including the establishment of new radiocommunications systems and services;

2. Studies and analyses will include, but not be limited to, the following issues:

- a. Examination of legal and regulatory frameworks for radiocommunications with a view to liberalization and choice of different services
- b. Facilitation of trade in radiocommunications systems and services
- c. Fostering operation of satellite networks and earth stations throughout the Americas
- d. Promotion of international roaming
- e. Encouragement of open participation in the legal and regulatory processes.

3. PCC.III will work in coordination with the PCC.I for the purposes of avoiding duplication and identifying issues of common interest of a legal or regulatory nature.