

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1990 Nr. 59

A. TITEL

*Internationaal telecommunicatie reglement, met Bijlagen en
Slotprotocol;
Melbourne, 9 december 1988*

B. TEKST¹⁾

International Telecommunications Regulations

Preamble

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

Article 1

Purpose and Scope of the Regulations

- 2 1.1 a) These Regulations establish general principles which relate to the provision and operation of international telecommunication services offered to the public as well as to the underlying international telecommunication transport means used to provide such services. They also set rules applicable to administrations*.

¹⁾ De Arabische, Chinese, Franse, Russische en Spaanse teksten zijn niet afgedrukt.

* or recognized private operating agency(ies)

- 3 b) These Regulations recognize in Article 9 the right of
Members to allow special arrangements.
- 4 1.2 In these Regulations, "the public" is used in the sense of the
population, including governmental and legal bodies.
- 5 1.3 These Regulations are established with a view to facilitating
global interconnection and interoperability of telecommunication
facilities and to promoting the harmonious development and efficient
operation of technical facilities, as well as the efficiency, usefulness
and availability to the public of international telecommunication
services.
- 6 1.4 References to CCITT Recommendations and Instructions in
these Regulations are not to be taken as giving to those Recommenda-
tions and Instructions the same legal status as the Regulations.
- 7 1.5 Within the framework of the present Regulations, the provision
and operation of international telecommunication services in each
relation is pursuant to mutual agreement between administrations*.
- 8 1.6 In implementing the principles of these Regulations, admini-
strations* should comply with, to the greatest extent practicable, the
relevant CCITT Recommendations, including any Instructions form-
ing part of or derived from these Recommendations.
- 9 1.7 a) These Regulations recognize the right of any Member,
subject to national law and should it decide to do so, to require that
administrations and private operating agencies, which operate in its
territory and provide an international telecommunication service to
the public, be authorized by that Member.
- 10 b) The Member concerned shall, as appropriate, encourage
the application of relevant CCITT Recommendations by such service
providers.
- 11 c) The Members, where appropriate, shall cooperate in implemen-
ting the International Telecommunication Regulations (For interpre-
tation, also see Resolution No. 2).²⁾
- 12 1.8 The regulations shall apply, regardless of the means of trans-
mission used, so far as the Radio Regulations do not provide
otherwise.

²⁾ Resolutie No. 2 is afgedrukt op bladzijde 21 van dit Tractatenblad.

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Article 2

Definitions

- 13 For the purpose of these Regulations, the following definitions shall apply. These terms and definitions do not, however, necessarily apply for other purposes.
- 14 2.1 *Telecommunication*: Any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems.
- 15 2.2 *International telecommunication service*: The offering of a telecommunication capability between telecommunication offices or stations of any nature that are in or belong to different countries.
- 16 2.3 *Government telecommunication*: A telecommunication originating with any: Head of a State; Head of a government or members of a government; Commanders-in-Chief of military forces, land, sea or air; diplomatic or consular agents; the Secretary-General of the United Nations; Heads of the principal organs of the United Nations; the International Court of Justice,
or reply to a government telegram.
- 17 2.4 *Service telecommunication*
A telecommunication that relates to public international telecommunications and that is exchanged among the following:
– administrations;
– recognized private operating agencies,
– and the Chairman of the Administrative Council, the Secretary-General, the Deputy Secretary-General, the Directors of the International Consultative Committees, the members of the International Frequency Registration Board, other representatives or authorized officials of the Union, including those working on official matters outside the seat of the Union.
- 18 2.5 *Privilege telecommunication*
- 19 2.5.1 A telecommunication that may be exchanged during:
– sessions of the ITU Administrative Council,
– conferences and meetings of the ITU
between, on the one hand, representatives of Members of the Administrative Council, members of delegations, senior officials of the permanent organs of the Union and their authorized colleagues attending conferences and meetings of the ITU and, on the other, their administrations or recognized private operating agency or the ITU,
and relating either to matters under discussion by the Administrati-

ve Council, conferences and meetings of the ITU or to public international telecommunications.

- 20 2.5.2 A private telecommunication that may be exchanged during sessions of the ITU Administrative Council and conferences and meetings of the ITU by representatives of Members of the Administrative Council, members of delegations, senior officials of the permanent organs of the Union attending ITU conferences and meetings, and the staff of the Secretariat of the Union seconded to ITU conferences and meetings, to enable them to communicate with their country of residence.
- 21 2.6 *International route*: Technical facilities and installations located in different countries and used for telecommunication terminal exchanges or offices
- 22 2.7 *Relation*: Exchange of traffic between two terminal countries, always referring to a specific service if there is between their administrations*:
- 23 a) a means for the exchange of traffic in that specific service:
– over direct circuits (direct relation), or
– via a point of transit in a third country (indirect relation), and
- 24 b) normally, the settlement of accounts.
- 25 2.8 *Accounting rate*: The rate agreed between administrations* in a given relation that is used for the establishment of international accounts.
- 26 2.9 *Collection charge*: The charge established and collected by an administration* from its customers for the use of an international telecommunication service
- 27 2.10 *Instructions*: A collection of provisions drawn from one or more CCITT Recommendations dealing with practical operational procedures for the handling of telecommunication traffic (e.g., acceptance, transmission, accounting)

Article 3

International Network

- 28 3.1 Members shall ensure that administrations* cooperate in the establishment, operation and maintenance of the international network to provide a satisfactory quality of service.

* or recognized private operating agency(ies)

- 29 3.2 Administrations* shall endeavour to provide sufficient telecommunication facilities to meet the requirements of and demand for international telecommunication services.
- 30 3.3 Administrations* shall determine by mutual agreement which international routes are to be used. Pending agreement and provided that there is no direct route existing between the terminal administrations* concerned, the origin administration* has the choice to determine the routing of its outgoing telecommunication traffic, taking into account the interests of the relevant transit and destination administrations*
- 31 3.4 Subject to national law, any user, by having access to the international network established by an administration*, has the right to send traffic. A satisfactory quality of service should be maintained to the greatest extent practicable, corresponding to relevant CCITT Recommendations

Article 4

International Telecommunication Services

- 32 4.1 Members shall promote the implementation of international telecommunication services and shall endeavour to make such services generally available to the public in their national network(s).
- 33 4.2 Members shall ensure that administrations* cooperate within the framework of these Regulations to provide by mutual agreement, a wide range of international telecommunication services which should conform, to the greatest extent practicable, to the relevant CCITT Recommendations.
- 34 4.3 Subject to national law, Members shall endeavour to ensure that administrations* provide and maintain, to the greatest extent practicable, a minimum quality of service corresponding to the relevant CCITT Recommendations with respect to:
- 35 a) access to the international network by users using terminals which are permitted to be connected to the network and which do not cause harm to technical facilities and personnel;
- 36 b) international telecommunication facilities and services available to customers for their dedicated use;
- 37 c) at least a form of telecommunication which is reasonably accessible to the public, including those who may not be subscribers to a specific telecommunication service; and

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

Article 5

Safety of Life and Priority of Telecommunications

- 39 5.1 Safety of life telecommunications, such as distress telecommunications, shall be entitled to transmission as of right and shall, where technically practicable have absolute priority over all other telecommunications, in accordance with the relevant Articles of the Convention and taking due account of relevant CCITT Recommendations.
- 40 5.2 Government telecommunications, including telecommunications relative to the application of certain provisions of the United Nations Charter, shall, where technically practicable, enjoy priority over telecommunications other than those referred to in No. 39, in accordance with the relevant provisions of the Convention and taking due account of relevant CCITT Recommendations.
- 41 5.3 The provisions governing the priority enjoyed by all other telecommunications are contained in the relevant CCITT Recommendations.

Article 6

Charging and Accounting

- 42 6.1 *Collection charges*
- 43 6.1.1 Each administration* shall, subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations* should try to avoid too great a dissymetry between the charges applicable in each direction of the same relation.
- 44 6.1.2 The charge levied by an administration* on customers for a particular communication should in principle be the same in a given relation, regardless of the route chosen by that administration*.
- 45 6.1.3 Where, in accordance with the national law of a country, a fiscal tax is levied on collection charges for international telecommunication services, this tax shall normally be collected only in respect of international services billed to customers in that country, unless other arrangements are made to meet special circumstances.

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46 6.2 *Accounting rates*

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

48 6.3 *Monetary unit*

49 6.3.1 In the absence of special arrangements concluded between administrations*, the monetary unit to be used in the composition of accounting rates for international telecommunication services and in the establishment of international accounts shall be:

- either the monetary unit of the International Monetary Fund (IMF), currently the Special Drawing Right (SDR), as defined by that organization;
- or the gold franc, equivalent to 1/3.061 SDR.

50 6.3.2 In accordance with relevant provisions of the International Telecommunication Convention, this provision shall not affect the possibility open to administrations* of establishing bilateral arrangements for mutually acceptable coefficients between the monetary unit of the IMF and the gold franc.

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

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

53 6.5 *Service and privilege telecommunications*

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

Article 7

Suspension of Services

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

56 7.2 The Secretary-General shall immediately bring such informa-

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tion to the attention of all other Members, using the most appropriate means of communication.

Article 8

Dissemination of Information

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

Article 9

Special Arrangements

- 58 9.1 a) Pursuant to Article 31 of the International Telecommunication Convention (Nairobi, 1982), special arrangements may be entered into on telecommunication matters which do not concern Members in general. Subject to national laws, Members may allow administrations* or other organizations or persons to enter into such special mutual arrangements with Members, administrations* or other organizations or persons that are so allowed in another country for the establishment, operation, and use of special telecommunication networks, systems and services, in order to meet specialized international telecommunication needs within and/or between the territories of the Members concerned, and including, as necessary, those financial, technical, or operating conditions to be observed.
- 59 b) Any such special arrangements should avoid technical harm to the operation of the telecommunication facilities of third countries.
- 60 9.2 Members should, where appropriate, encourage the parties to any special arrangements that are made pursuant to No. 58 to take into account relevant provisions of CCITT Recommendations.

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Article 10

Final Provisions

- 61 10.1 These Regulations, of which Appendices 1, 2 and 3 form integral parts, shall enter into force on 1 July 1990 at 0001 hours UTC.
- 62 10.2 On the date specified in No. 61, the Telegraph Regulations (Geneva, 1973) and the Telephone Regulations (Geneva, 1973) shall be replaced by these International Telecommunication Regulations (Melbourne, 1988) pursuant to the International Telecommunication Convention.
- 63 10.3 If a Member makes reservations with regard to the application of one or more of the provisions of these Regulations, other Members and their administrations* shall be free to disregard the said provision or provisions in their relations with the Member which has made such reservations and its administrations*.
- 64 10.4 Members of the Union shall inform the Secretary-General of their approval of the International Telecommunication Regulations adopted by the Conference. The Secretary-General shall inform Members promptly of the receipt of such notifications of approval.

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

DONE at Melbourne, 9 December 1988.

Het Reglement werd op 9 december 1988 ondertekend voor de volgende staten:

Algerije
Angola
Argentinië
Australië

* or recognized private operating agency(ies)

Bahama's
België
Benin
Bhoetan
de Bondsrepubliek Duitsland
Botswana
Brazilië
Brunei
Bulgarije
Burkina Faso
Canada
de Centraal Afrikaanse Republiek
Chili
China
Colombia
Cuba
Cyprus
Denemarken
Djibouti
de Duitse Democratische Republiek
Egypte
El Salvador
Ethiopië
Fiji
de Filippijnen
Finland
Frankrijk
Gabon
Ghana
Griekenland
Guatemala
Guinee
Hongarije
Ierland
India
Indonesië
Irak
Iran
Israël
Italië
Ivoorkust
Japan
Jemen (Noord-)
Jemen (Zuid-)
Joegoslavië
Kameroen
Kenya

Koeweit
Kongo
Korea
Noord-Korea³⁾
Libanon
Liechtenstein
Luxemburg
Madagascar
de Maldiven
Maleisië
Mali
Malta
Marokko
Mauritius
Mexico
Monaco
het Koninkrijk der Nederlanden
Nepal
Nieuw Zeeland
Niger
Nigeria
Noorwegen
Oeganda
de Oekraïne
Oman
Oostenrijk
Pakistan
Papoea Nieuw-Guinea
Paraguay
Polen
Portugal
Qatar
Roemenië
Rwanda
San Marino
Saoedi-Arabië
Senegal
Singapore
de Sovjet-Unie
Spanje
Swaziland
Syrië
Tanzania

³⁾ De Democratische Volksrepubliek Korea wordt door het Koninkrijk der Nederlanden niet erkend.

Thailand
Togo
Tonga
Tsjaad
Tsjechoslowakije
Tunesië
Turkije
de Staat Vaticaanstad
de Verenigde Arabische Emiraten
de Verenigde Staten van Amerika
het Verenigd Koninkrijk van Groot-Brittannië
en Noord-Ierland
Vietnam
Wit-Rusland
IJsland
Zaire
Zimbabwe
Zweden
Zwitserland

APPENDIX 1

General Provisions Concerning Accounting

1. *Accounting rates*

1.1 For each applicable service in a given relation, administrations* shall by mutual agreement establish and revise accounting rates to be applied between them, taking into account the Recommendations of the CCITT and trends in the cost of providing the specific telecommunication service, and shall divide such rates into terminal shares payable to the administrations* of terminal countries, and where appropriate, into transit shares payable to the administrations* of transit countries.

1.2 Alternatively, in traffic relations where CCITT cost studies can be used as a basis, the accounting rate may be determined in accordance with the following method:

a) administrations* shall establish and revise their terminal and transit shares taking into account the Recommendations of the CCITT;

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b) the accounting rate shall be the sum of the terminal shares and any transit shares.

1.3 When one or more administrations* acquire, either by flat rate remuneration or other arrangements, the right to utilize a part of the circuit and or installations of another administration*, the former have the right to establish their share as mentioned in 1.1 and 1.2 above, for this part of the relation.

1.4 In cases where one or more routes have been established by agreement between administrations* and where traffic is diverted unilaterally by the administration* of origin to a route which has not been agreed with the administration* of destination, the terminal shares payable to the administration* of destination shall be the same as would have been due to it had the traffic been routed over the agreed primary route and the transit costs are borne by the administration* of origin, unless the administration* of destination is prepared to agree to a different share.

1.5 In cases where the traffic is routed via a transit point without authorization and or agreement to the transit share, the transit administration* has the right to set the level of the transit share to be included in the international accounts.

1.6 Where an administration* has a duty or fiscal tax levied on its accounting rate shares or other remunerations, it shall not in turn impose any such duty or fiscal tax on other administrations*.

2. *Establishment of accounts*

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

2.2 The accounts shall be sent as promptly as possible and, except in cases of force majeure, before the end of the third month following that to which they relate.

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

2.4 However, any administration* has the right to question the contents of an account for a period of two calendar months after the receipt of the account, but only to the extent necessary to bring any differences within mutually agreed limits.

2.5 In relations where there are no special agreements, a quarterly

* or recognized private operating agency(ies)

settlement statement showing the balances of the monthly accounts for the period to which it relates shall be prepared as soon as possible by the creditor administration* and shall be sent in duplicate to the debtor administration*, which, after verification, shall return one of the copies endorsed with its acceptance.

2.6 In indirect relations where a transit administration* acts as an accounting intermediary between two terminal points, it shall include accounting data for transit traffic in the relevant outgoing traffic account to administrations* beyond it in the routing sequence as soon as possible after receiving that data from the originating administration*.

3. *Settlement of balances of accounts*

3.1 *Choice of the currency of payment*

3.1.1 The payment of balances of international telecommunication accounts shall be made in the currency selected by the creditor after consultation with the debtor. In the event of disagreement, the choice of the creditor shall prevail in all cases subject to the provisions in 3.1.2 below. If the creditor does not specify a currency, the choice shall rest with the debtor.

3.1.2 If a creditor selects a currency with a value fixed unilaterally or a currency the equivalent value of which is to be determined by its relationship to a currency with a value also fixed unilaterally, the use of the selected currency must be acceptable to the debtor.

3.2 *Determination of the amount of payment*

3.2.1 The amount of the payment in the selected currency, as determined below, shall be equivalent in value to the balance of the account.

3.2.2 If the balance of the account is expressed in the monetary unit of the IMF, the amount of the selected currency shall be determined by the relationship in effect on the day before payment, or by the latest relationship published by the IMF, between the monetary unit of the IMF and the selected currency.

3.2.3 However, if the relationship of the monetary unit of the IMF to the selected currency has not been published, the amount of the balance of account shall, at a first stage, be converted into a currency for which a relationship has been published by the IMF, using the relationship in effect on the day before payment or the latest published relationship. The amount thus obtained shall, at a second stage, be converted into the equivalent value of the selected currency, using the closing rate in effect on the day prior to payment or the most

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recent rate quoted on the official or generally accepted foreign exchange market of the main financial centre of the debtor country.

3.2.4 If the balance of the account is expressed in gold francs, the amount shall, in the absence of special arrangements, be converted into the monetary unit of the IMF in accordance with the provisions of section 6.3 of the Regulations. The amount of payment shall then be determined in compliance with the provisions of 3.2.2 above.

3.2.5 If, in accordance with a special arrangement, the balance of the account is expressed neither in the monetary unit of the IMF nor in gold francs, the payment shall also be the subject of this special arrangement and:

a) if the selected currency is the same as the currency of the balance of account, the amount of the selected currency shall be the amount of the balance of account;

b) if the selected currency for payment is different from the currency in which the balance is expressed, the amount shall be determined by converting the balance of account to its equivalent value in the selected currency in accordance with the provisions of 3.2.3 above.

3.3 *Payment of balances*

3.3.1 Payment of balances of account shall be effected as promptly as possible, but in no case later than two calendar months after the day on which the settlement statement is despatched by the creditor administration*. Beyond this period, the creditor administration* may, subject to prior notification in the form of a final demand for payment, and unless otherwise agreed, charge interest at a rate of up to 6% per annum, reckoned from the day following the date of expiry of the said period.

3.3.2 The payment due on a settlement statement shall not be delayed pending settlement of a query on that account. Adjustments which are later agreed shall be included in a subsequent account.

3.3.3 On the date of payment, the debtor shall transmit the amount of the selected currency as computed above by a bank cheque, transfer or any other means acceptable to the debtor and the creditor. If the creditor expresses no preference, the choice shall fall to the debtor.

3.3.4 The payment charges imposed in the debtor country (taxes, clearing charges, commissions, etc.) shall be borne by the debtor. Any such charges imposed in the creditor country, including payment charges imposed by intermediate banks in third countries, shall be borne by the creditor.

3.4 *Additional provisions*

3.4.1 Provided the periods of payment are observed, administra-

* or recognized private operating agency(ies)

tions* may by mutual agreement settle their balances of various kinds by offsetting:

- credits and debits in their relations with other administrations*;
and/or

- debts arising from postal services, if appropriate.

3.4.2 If, between the time the remittance (bank transfer, cheques, etc.) is effected and the time the creditor is in receipt of that remittance (account credited, cheque encashed, etc.), a variation occurs in the equivalent value of the selected currency calculated as indicated in paragraph 3.2, and if the difference resulting from such variations exceeds 5% of the amount due as calculated following such variations, the total difference shall be shared equally between debtor and creditor.

3.4.3 If there should be a radical change in the international monetary system which invalidates or makes inappropriate one or more of the foregoing paragraphs, administrations* are free to adopt, by mutual agreement, a different monetary basis and/or different procedures for the settlement of balances of accounts, pending a revision of the above provisions.

APPENDIX 2

Additional Provisions Relating to Maritime Telecommunications

1. *General*

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

2. *Accounting authority*

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

- a) by the administration that has issued the licence; or
- b) by a recognized private operating agency; or
- c) by any other entity or entities designated for this purpose by the administration referred to in a) above.

2.2 The administration or the recognized private operating agency

* or recognized private operating agency(ies)

or the designated entity or entities listed in paragraph 2.1 are referred to in this Appendix as the “accounting authority”.

2.3 References to administration* contained in Article 6 and Appendix 1 shall be read as “accounting authority” when applying the provisions of Article 6 and Appendix 1 to maritime telecommunications.

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

3. *Establishment of accounts*

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

3.2 However, any accounting authority has the right to question the contents of an account for a period of six calendar months after dispatch of the account.

4. *Settlement of balances of account*

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

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

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

4.4 The debtor accounting authority may refuse the settlement and

* or recognized private operating agency(ies)

adjustment of accounts presented more than eighteen calendar months after the date of the traffic to which the accounts relate.

APPENDIX 3

Service and Privilege Telecommunications

1. *Service telecommunications*

1.1 Administrations* may provide service telecommunications free of charge.

Administrations* may in principle forego inclusion of service telecommunications in international accounting, under the relevant provisions of the *International Telecommunication Convention* and the present Regulations, having due regard for the need for reciprocal arrangements.

2. *Privilege telecommunications*

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

3. *Applicable provisions*

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

FINAL PROTOCOL

At the time of signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the undersigned delegates take note of the following statements made by signatory delegations⁴⁾:

⁴⁾ Afgedrukt zijn alleen de verklaringen van Nederland (nr. 73), van de twaalf EG-lidstaten (nr. 35), en die welke werden afgelegd door afzonderlijke EG-lidstaten (nrs. 44 en 45).

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No. 35

Original: English/French/Spanish

For the Federal Republic of Germany, Belgium, Denmark, Spain, France, Greece, Ireland, Italy, Luxembourg, Portugal, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland:

In signing the Final Acts of the World Administrative Telegraph and Telephone Conference (Melbourne, 1988), the Delegations of the above-mentioned Members of the Union, being Member States of the European Economic Community, declare that these States will apply the International Telecommunication Regulations in accordance with their obligations under the Treaty establishing the European Economic Community.

No. 44

Original: English

For the United Kingdom of Great Britain and Northern Ireland:

In signing these Regulations, the Delegation of the United Kingdom of Great Britain and Northern Ireland wishes to reaffirm its Government's commitment to the development of competition in the provision of international telecommunication infrastructure and services. It believes such competition to be in the interest of telecommunication users, and economic development generally. Every effort should be made, where practicable, to meet the reasonable preferences of customers.

In implementing the provisions of the Regulations, the Government of the United Kingdom of Great Britain and Northern Ireland intends to be guided, as appropriate, by these principles. It wishes, in particular, to disassociate itself from those parts of Opinion No. 1 which it believes may suggest views contrary to these principles.

No. 55

Original: Spanish

For Spain:

With reference to the reservations made by a number of delegations in connection with the conditions required for the provision of international telecommunication services, the Delegation of Spain at the World Administrative Telegraph and Telephone Conference

(Melbourne, 1988) declares that such reservations will under no circumstances constitute a valid argument for the avoidance of the application of Spanish national law on the part of any entity which directly intends to provide such services on the territory of Spain or via the Spanish telecommunication network.

No. 73

Original: English

For the Kingdom of the Netherlands:

The Delegation of the Kingdom of the Netherlands has accepted the Regulations set at the World Administrative Telegraph and Telephone Conference (Melbourne, 1988) because it sees these Regulations as a balanced package serving the harmonious and efficient development, operation and use of telecommunications world-wide.

Noting that several Members of the Union have made reservations on their position towards the principles and provisions with regard to special arrangements contained in the Regulations which have consequences on the balanced contents of these Regulations, the Delegation of the Kingdom of the Netherlands therefore formally declares that it does not endorse in any way procedures requiring approval for providers of telecommunication services and services dependent on telecommunication transport in those Member countries.

Het Slotprotocol werd ondertekend voor de zelfde staten als het Reglement (zie blz. 9 van dit Tractatenblad).

D. PARLEMENT

Het Reglement behoeft ingevolge artikel 91 van de Grondwet de goedkeuring van de Staten-Generaal.

E. BEKRACHTIGING

Goedkeuring van het Reglement is voorzien in artikel 10, vierde lid.

G. INWERKINGTREDING

De bepalingen van het onderhavige Reglement zullen ingevolge artikel 10, eerste lid, op 1 juli 1990 in werking treden.

J. GEGEVENS

Het onderhavige Reglement is tot stand gekomen tijdens de van 28 november t/m 9 december 1988 te Melbourne gehouden Administratieve Wereld Telegraaf- en Telefoon Conferentie (WATTC-88).

Tijdens deze conferentie werden voorts 8 resoluties, 3 aanbevelingen, en één „opinion” vastgesteld. De tekst van Resolutie nr 2, genoemd in artikel 1, zevende lid, onder c, van het Reglement luidt als volgt¹⁾:

RESOLUTION No. 2**Cooperation of the Members of the Union in Implementing the International Telecommunication Regulations**

The World Administrative Telegraph and Telephone Conference (Melbourne, 1988),

recalling

the principle of the sovereign right of each country to regulate its telecommunication as embodied in the Preamble to the International Telecommunication Convention (Nairobi, 1982), and in the Preamble to the International Telecommunication Regulations as well as the purposes of the Union contained in Article 4 of that Convention;

realizing

that, in the case of difficulties in the applicable national law in the implementation of the International Telecommunication Regulations, appropriate cooperation amongst the Members concerned is desirable;

resolves

that, upon request by a Member concerned about the limited effectiveness of its national law in relation to international telecommunication services offered to the public in its territory, the Members concerned shall, where appropriate, consult on a reciprocal basis, with a view to maintaining and extending international cooperation between Members of the Union, in the spirit of Article 4 of the above-mentioned Convention for the improvement and rational use of telecommunications, including the orderly use of the international telecommunication network.

¹⁾ Alleen resolutie nr. 2 is hier afgedrukt.

Van het op 6 november 1982 te Nairobi tot stand gekomen Internationaal Verdrag betreffende de Telecommunicatie, met Bijlagen, Slotprotocol, additionele Protocollen en Facultatief Protocol, naar welk Verdrag in ondermeer de preambule tot het onderhavige Reglement wordt verwezen, is de tekst geplaatst in *Trb.* 1983, 164; zie ook, laatstelijk, *Trb.* 1984, 120.

Bovenstaand Verdrag van 1982 is in de plaats gekomen van het op 25 oktober 1973 te Malaga-Torremolinos tot stand gekomen Internationaal Verdrag betreffende de Telecommunicatie, met Bijlagen, Slotprotocol, additionele Protocollen en Facultatief Protocol (zie laatstelijk *Trb.* 1984, 119).

De Internationale Vereniging voor Telecommunicatie²⁾, genoemd in de preambule tot het onderhavige Reglement, werd opgericht bij het op 9 december 1932 te Madrid tot stand gekomen Internationaal Verdrag betreffende de verreberichtgeving, met Reglementen en Slotprotocollen (zie *Stb.* 1934, 19), dat nadien werd vervangen door achtereenvolgens het op 2 oktober 1947 te Atlantic City tot stand gekomen Internationaal Verdrag betreffende de verreberichtgeving (*Stb.* 1949, J 55), het op 22 december 1952 te Buenos Aires tot stand gekomen Internationaal Verdrag betreffende de verreberichtgeving (zie, laatstelijk, *Trb.* 1955, 152), het op 21 december 1959 te Genève tot stand gekomen Internationaal Verdrag betreffende de Verreberichtgeving (zie, laatstelijk, *Trb.* 1975, 56), het op 12 november 1965 te Montreux tot stand gekomen Internationaal Verdrag betreffende de Verreberichtgeving (zie, laatstelijk, *Trb.* 1971, 29), en de Verdragen van 1973 en 1982 voornoemd. Dit laatste Verdrag zal op zijn beurt worden vervangen door het Verdrag van Nice van 30 juni 1989.

Van het op 6 december 1979 te Genève tot stand gekomen Radioreglement 1979, met Bijlagen, behorende bij het Internationale Verdrag van 1979 voornoemd, naar welk Reglement wordt verwezen in artikel 1, achtste lid, van het onderhavige Reglement, is de tekst geplaatst in *Trb.* 1981, 78; zie ook, laatstelijk, *Trb.* 1989, 93.

Van het op 11 april 1973 te Genève tot stand gekomen Telegraafreglement en Telefoonreglement, met Aanhangsels, Bijlagen en Slotakte, genoemd in artikel 10, tweede lid, van het onderhavige Reglement, is de tekst geplaatst in *Trb.* 1974, 178; zie ook *Trb.* 1990, 60.

²⁾ Afgekort ITU; voorheen genoemd de Internationale Vereniging voor Verreberichtgeving.

Het Internationale Monetaire Fonds, genoemd in artikel 6, derde lid, eerste paragraaf, van het onderhavige Reglement, werd opgericht bij de op 27 december 1945 te Washington tot stand gekomen Overeenkomst betreffende het Internationale Monetaire Fonds, met Bijlagen; voor de tekst van deze Overeenkomst, zoals gewijzigd, zie *Trb.* 1977, 40; zie ook, laatstelijk, *Trb.* 1983, 114.

Uitgegeven de *zevenentwintigste* april 1990.

De Minister van Buitenlandse Zaken,

H. VAN DEN BROEK