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| **Expert Group on the InternationalTelecommunication Regulations (EG-ITRs)** |  |
| **Third meeting - Virtual, 17-18 September 2020** |  |
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|  | **Document EG-ITRs-3\7-E** |
|  | **3 September 2020** |
|  | **Original: English** |
| Egypt(Arab Republic of) |
| Provision by Provision examination of articles 5,6,7, 8 and appendix 1 of the ITRs |

Egypt is pleased to send its views regarding the provisions of the preamble, articles 5, 6, 7, 8 and appendix 1 of the ITRs.

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| **2012 Article** | **Sub article and Provision** | **Related 1988 sub article and provision** | **Applicability in fostering provision and development of networks and services** | **Flexibility to accommodate New trends and Emergent issues** | **Summary Outcome** |
| **5 Safety of Life and Priority of Telecommunications** | 5.1 Safety-of-life telecommunications, such as distress telecommunications, shall be entitled to transmission as of right and, where technically practicable, have absolute priority over all other telecommunications, in accordance with the relevant articles of the Constitution and the Convention and taking due account of the relevant ITU-T Recommendations. | 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. | **This provision is applicable**  | **Can be more flexible if referring to ITU Recommendations instead of ITU-T Recommendations** | **Refer to ITU Recommendations in general** |
|  | 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. 45 (5.1) above, in accordance with the relevant provisions of the Constitution and the Convention and taking due account of the relevant ITU-T Recommendations. | 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. | **Text is applicable** | **Text can be more flexible if we refer to ITU Recommendations instead of ITU-T Recommendations** | **Refer to ITU Recommendations in general** |
|  | 5.3 The provisions governing the priority enjoyed by any other telecommunication services are contained in the relevant ITU-T Recommendations. | 5.3 The provisions governing the priority enjoyed by all other telecommunications are contained in the relevant CCITT Recommendations. | **Text is applicable** | **Text can be more flexible if we refer to ITU Recommendations instead of ITU-T Recommendations** | **Refer to ITU recommendations** |
|  | 5.4 Member States should encourage authorized operating agencies to inform all users, including roaming users, in good time and free of charge, of the number to be used for calls to the emergency services. | **N/A** | **Text is applicable** | **Text is flexible** |  |
| 6 Security and robustness of networks  | 6.1 Member States shall individually and collectively endeavour to ensure the security and robustness of international telecommunication networks in order to achieve effective use thereof and avoidance of technical harm thereto, as well as the harmonious development of international telecommunication services offered to the public. | **N/A** | **With the increasing security breaches of networks nowadays, this article is applicable**  |  |  |
| 7 Unsolicited bulk electronic communications | 7.1 Member States should endeavour to take necessary measures to prevent the propagation of unsolicited bulk electronic communications and minimize its impact on international telecommunication services. | **NA** | **Text is applicable** | **Text is generic and doesn’t talk about specific technology flexible**  |  |
|  | 7.2 Member States are encouraged to cooperate in that sense. | **NA** | **Text is applicable** | **No flexibility required** |  |
| **8 Charging & Accounting** | 8.1 International telecommunication arrangements |  |  |  |  |
|  | 8.1.1 Subject to applicable national law, the terms and conditions for international telecommunication service arrangements may be established through commercial agreements or through accounting-rate principles established pursuant to national regulation. |  | **Text is applicable** | **Text is flexible** | **No change** |
|  | 8.1.2 Member States shall endeavour to encourage investments in international telecommunication networks and promote competitive wholesale pricing for traffic carried on such telecommunication networks.**8.2 Accounting-rate principles****Terms & conditions** | **NA** | **Text is applicable** | **Text is flexible** | **No change** |
|  | 8.2.1 The following provisions may apply where the terms and conditions of international telecommunication service arrangements are established through accounting-rate principles, established pursuant to national regulation. These provisions do not apply to arrangements established through commercial agreements. | **NA** | **Applicable** | **flexible** | **No change** |
|  | 8.2.2 For each applicable service in a given relation, authorized operating agencies 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 the relevant ITU-T Recommendations. | 6.1.1 Each administration\* shall, subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations\* should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation. | **Applicable as some countries still use accounting rate system** | **flexible** | **Although there is limited use of the accounting rate system among Member States, it is still used in some countries, and therefore, it is important to keep a reference to the accounting rate system in the ITRs, since this is the only legal document that clarifies the settlement of accounts using that system. However, we suggest the advice of the legal advisor**  |
|  | 8.2.3 Unless otherwise agreed, parties engaged in the provision of international telecommunication services shall follow the relevant provisions as set out in Appendices 1 and 2. | 6.4.1 Unless otherwise agreed, administrations\* shall follow the relevant provisions as set out in Appendices 1 and 2. | **applicable** | **Flexible (it says “unless otherwise agreed”)** | **No change** |
|  | 8.2.4 In the absence of special arrangements concluded between authorized operating agencies, 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 freely convertible currencies or other monetary unit agreed between the authorized operating agencies. | 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. | **Applicable, gold franc has been deleted as it is obsolete** | **No flexibility needed** |  |
|  | Collection Charges8.2.5 The charges levied on customers for a particular communication should in principle be the same in a given relation, regardless of the international route used for that communication. In establishing these charges, Member States should try to avoid dissymmetry between the charges applicable in each direction of the same relation. | 6.1.1 Each administration\* shall, subject to applicable national law, establish the charges to be collected from its customers. The level of the charges is a national matter; however, in establishing these charges, administrations\* should try to avoid too great a dissymmetry between the charges applicable in each direction of the same relation.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\*. | **Applicable – only to accounting rate system** | **Flexible** | **No change** |
|  | 8.3 Taxation8.3.1 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. | 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. | **Text is applicable and important to avoid double taxation** | **Text is flexible**  | **No Change** |
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|  | **8.4 Service Telecommunications**8.4.1 Authorized operating agencies may in principle forego the inclusion of service telecommunications in international accounting, under the relevant provisions of the Constitution and the Convention and these Regulations, having due regard for the need for reciprocal arrangements. Authorized operating agencies may provide service telecommunications free of charge. | Appendix 31.1 Administrations\* may provide service telecommunications free of charge.1.2 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. | **Applicable** | **No flexibility required** | **Might need a definition for service telecommunications** |
|  | 8.4.2 The general operational, charging and accounting principles applicable to service telecommunications should take account of the relevant ITU-T Recommendations. | **Appendix 3** **3 Applicable Provisions**The general operational, charging and accounting principles applicable to service and privilege telecommunications should take account of the relevant CCITT Recommendations. | **Applicable** | **No flexibility required** |  |
|  | **Appendix 1 – General Provisions concerning accounting** |  |  |  |  |
|  | 1.1 For each applicable service in a given relation, Member States shall endeavour to ensure that authorized operating agencies, by mutual agreement, establish and revise accounting rates to be applied between them, taking into account ITU-T Recommendations and trends in the cost of providing the specific telecommunication service, and divide such rates into terminal shares payable to the authorized operating agencies of terminal countries and, where appropriate, into transit shares payable to the authorized operating agencies of transit countries. | 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. | **Although there is limited use for the accounting rate system, it is still applicable in some countries.**  | **Specific to accounting rate system** | **Although there is limited use of the accounting rate system among Member States, it is still used in some countries, and therefore, it is important to keep a reference to the accounting rate system in the ITRs, since this is the only legal document that clarifies the settlement of accounts using that system. However, we suggest the advice of the legal advisor**  |
|  | 1.2 Alternatively, in traffic relations where ITU-T cost studies can be used as a basis, the accounting rate may be determined in accordance with the following method: *a)* authorized operating agencies shall establish and revise their terminal and transit shares taking into account ITU-T Recommendations; *b)* the accounting rate shall be the sum of the terminal shares and any transit shares. | 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; *b)* the accounting rate shall be the sum of the terminal shares and any transit shares. | **Applicable**  | **Specific to accounting rate system** |  |
|  | 1.3 When one or more authorized operating agencies acquire, either by flat-rate remuneration or other arrangements, the right to utilize a part of the circuit and/or installations of another authorized operating agency, the former have the right to establish their share as mentioned in Nos. 1/2 (1.1) and 1/3 (1.2) above, for this part of the relation. | 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. | **Applicable** | **flexible** |  |
|  | 1.4 In cases where one or more international routes have been established by agreement between authorized operating agencies and where traffic is diverted unilaterally by the authorized operating agency of origin to an international route which has not been agreed with the authorized operating agency of destination, the terminal shares payable to the authorized operating agency 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 authorized operating agency of origin, unless the authorized operating agency of destination is prepared to agree to a different share. | 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. | **Applicable** | **Specific to accounting rate system** |  |
|  | 1.5 In cases where traffic is routed via a transit point without authorization and/or agreement to the transit share, the transit authorized operating agency has the right to set the level of the transit share to be included in the international accounts. | 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. | **Applicable**  | **Specific to accounting rate** |  |
|  | 1.6 Where an authorized operating agency 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 authorized operating agencies. | 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\*. | **Applicable to accounting rate** | **Specific to accounting rate** |  |
|  | **2 Establishment of accounts** | **2 Establishment of accounts** |  |  |  |
|  | 2.1 Unless otherwise agreed, the authorized operating agencies responsible for collecting the charges shall establish a monthly account showing all the amounts due, and send it to the authorized operating agencies concerned. | 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. | **Applicable**  | **Flexible as it gives room for agreements** |  |
|  | 2.2 The accounts should be sent as promptly as possible, taking into account relevant ITU-T Recommendations, and, except in cases of *force majeure*, before the end of a period of 50 days following the month to which they relate, unless otherwise mutually agreed. | 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. | **Applicable and important to the accounting rate system**  | **Specific to the accounting rate system** |  |
|  | 2.3 In principle, an account shall be considered as accepted without the need for specific notification of acceptance to the authorized operating agency which sent it. | 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. | **Applicable** | **No flexibility required** |  |
|  | 2.4 However, any authorized operating agency has the right to question the contents of an account within 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. | 2.4 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. | **Applicable** | **Specific to that situation** |  |
|  | 2.5 In relations where there are no special agreements, a quarterly settlement statement showing the balances of the monthly accounts for the period to which it relates shall be prepared and issued as soon as possible by the creditor authorized operating agency, and shall be sent to the debtor authorized operating agency, which, after verification, shall return a copy endorsed with its acceptance. | 2.5 In relations where there are no special agreements, a quarterly 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. | **Applicable** | **Flexible as it gives room for special agreements** |  |
|  | 2.6 In indirect relations where a transit authorized operating agency acts as an accounting intermediary between two terminal points, Member States shall endeavour to ensure that authorized operating agencies include accounting data for transit traffic in the relevant outgoing traffic account to authorized operating agencies beyond it in the routing sequence as soon as possible after receiving the data from the originating authorized operating agency, in accordance with the relevant ITU-T Recommendations. | 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\*. | **Applicable as it refers to the ITU-T Recommendations** | **No flexibility required** |  |
|  | 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 No. 1/20 (3.1.2) below. If the creditor does not specify a currency, the choice shall rest with the debtor. | 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. | **Applicable** | **No flexibility required** |  |
|  | 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. | 3.1.2 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. | **Applicable**  | **No flexibility required** |  |
|  | 3.1.3 Provided the periods of payment are observed, authorized operating agencies have a right, by mutual agreement, to settle their balances of various kinds by offsetting: *a)* credits and debits in their relations with other authorized operating agencies;*b)* any other mutually agreed settlements, if appropriate.This rule also applies in case payments are made through specialized payment agencies in accordance with arrangements with authorized operating agencies. | 3.4.1 Provided the periods of payment are observed, administrations\* 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. | **Applicable**  | **No flexibility required** |  |
|  | 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. | 3.2.1 The amount of the payment in the selected currency, as determined below, shall be equivalent in value to the balance of the account. | **Applicable** | **No flexibility needed** |  |
|  | 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. | 3.2.2 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. | **Applicable** | **No flexibility required** |  |
|  | 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 recent rate quoted on the official or generally accepted foreign-exchange market of the main financial centre of the debtor country. | 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 recent rate quoted on the official or generally accepted foreign exchange market of the main financial centre of the debtor country. | **Applicable** | **flexible** |  |
|  | 3.2.4 If, in accordance with a special arrangement, the balance of the account is not expressed in the monetary unit of the IMF, 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 No. 1/28 (3.2.3) 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. | **Applicable** | **No flexibility required** |  |
|  | 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 dispatched by the creditor authorized operating agency. Beyond this period, the creditor authorized operating agency 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 cent per annum, reckoned from the day following the date of expiry of the said period. | 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. | **Applicable** | **No flexibility required** |  |
|  | 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. | 3.3.2 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. | **Applicable** | **No flexibility required** |  |
|  | 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. | 3.3.3 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. | **Applicable** | **No flexibility required** |  |
|  | 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. | 3.3.4 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. | **Applicable** | **No flexibility required** |  |
|  | 3.4 Additional provisions |  |  |  |  |
|  | 3.4.1 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 No. 1/25 (3.2) above, and if the difference resulting from such variations exceeds 5 per cent of the amount due as calculated following such variations, the total difference shall be shared equally between debtor and creditor. | 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. | **Applicable** | **No flexibility required** |  |
|  | 3.4.2 Should there be a radical change in the international monetary system which invalidates or makes inappropriate one or more of the foregoing paragraphs, authorized operating agencies 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. | 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. | **Applicable** | **flexible** |  |
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