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INTERNATIONAL TELECOMMUNICATION UNION

FINAL ACTS

**of the
Regional Administrative Conference
of the Members of the Union
in the African Broadcasting Area
to abrogate certain parts
of the Geneva Agreement (1963)**

Geneva, 1985



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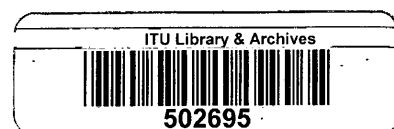


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the Regional Agreement for the African Broadcasting Area
(Geneva, 1963)**

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REGIONAL AGREEMENT

**PROTOCOL AMENDING THE REGIONAL AGREEMENT
FOR THE AFRICAN BROADCASTING AREA**

(Geneva, 1963)

PREAMBLE

The undersigned Delegates of the Administrations of:

Republic of Botswana, Republic of Burundi, Republic of Cameroon, Republic of the Ivory Coast, Arab Republic of Egypt, Spain, Ethiopia, France, Gabonese Republic, Ghana, Republic of Kenya, Democratic Republic of Madagascar, United Kingdom of Great Britain and Northern Ireland, Republic of Senegal, Togolese Republic, Republic of Zambia,

meeting in Geneva for a Regional Administrative Conference of the Members of the Union in the African Broadcasting Area, convened in conformity with Article 63 in connection with Article 62 of the International Telecommunication Convention (Nairobi, 1982),

mindful of Article 7 of the Regional Agreement for the African Broadcasting Area (Geneva, 1963),

having considered Resolution No. 5 of the Regional Administrative Conference for the Planning of the VHF Sound Broadcasting (Region 1 and Part of Region 3) (Geneva, 1984),

have adopted, subject to the approval of their Administrations, the following provisions relating to the abrogation of certain parts of the Regional Agreement for the African Broadcasting Area (Geneva, 1963) and contained in the present Protocol.

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ARTICLE 1

Definitions

For the purposes of the present Protocol, the following terms shall have the meanings defined below:

- 1.1 *Union*: The International Telecommunication Union.
- 1.2 *Secretary-General*: The Secretary-General of the Union.
- 1.3 *Convention*: The International Telecommunication Convention (Nairobi, 1982).
- 1.4 *Radio Regulations*: The Radio Regulations (Geneva, 1979) annexed to the Convention.
- 1.5 *African Broadcasting Area*: The area designated as such in Nos. 400 to 403 of the Radio Regulations, i.e.:
 - a) African countries, parts of countries, territories and groups of territories situated between the parallels 40° South and 30° North;
 - b) islands in the Indian Ocean west of meridian 60° East of Greenwich, situated between the parallel 40° South and the great circle arc joining the points 45° East, 11°30' North and 60° East, 15° North;
 - c) islands in the Atlantic Ocean east of line B defined in No. 398 of these Regulations, situated between the parallels 40° South and 30° North.
- 1.6 *Agreement (1963)*: The Regional Agreement for the African Broadcasting Area (Geneva, 1963) concerning the use of frequencies by the broadcasting service in the very high frequency and ultra high frequency bands.
- 1.7 *Protocol*: The present Protocol amending the Agreement (1963) by abrogating certain parts thereof.
- 1.8 *Regional Agreement (1984)*: The Regional Agreement Relating to the Use of the Band 87.5 - 108 MHz for FM Sound Broadcasting (Region 1 and Part of Region 3) (Geneva, 1984).
- 1.9 *Sound Broadcasting Plan of the Agreement (1963)*: The "Plan for Sound Broadcasting Stations in the Frequency Band 87.5 - 100 Mc/s", as contained in Annex 2 to the Agreement (1963).
- 1.10 *Plan of the Regional Agreement (1984)*: The Plan forming Annex 1 to the Regional Agreement (1984) and its Appendix.
- 1.11 *Administration*: Any governmental department or service responsible for discharging the obligations undertaken in the Convention and the Regulations.
- 1.12 *Party to the Agreement (1963)*: Any Member of the Union in the African Broadcasting Area having approved, or acceded to, the Agreement (1963).¹

¹ At the time of signature of the present Protocol, the following 11 Members of the Union were Parties to the Agreement (1963): Egypt (Arab Republic of), Spain (with respect to the Canaries), Ethiopia, France (with respect to the Department of Reunion), Kenya (Republic of), Nigeria (Federal Republic of), Uganda (Republic of), Senegal (Republic of), Sierra Leone, South Africa (Republic of) and Tanzania (United Republic of).

ARTICLE 2

Abrogation and replacement of certain parts of the Agreement (1963)

2.1 The parts of the Agreement (1963) relating to sound broadcasting in the band 87.5 - 100 MHz and listed in the Annex to the Protocol shall be abrogated and replaced by the Regional Agreement (1984) and by the Plan of the Regional Agreement (1984).

ARTICLE 3

Entry into force of the Protocol

3.1 The Protocol shall enter into force on 1 July 1987, at 0001 UTC, i.e. the date of the entry into force of the Regional Agreement (1984).

ARTICLE 4

Approval of the Protocol

4.1 Any Member of the Union in the African Broadcasting Area who is a Party to the Agreement (1963) and a signatory of the Protocol shall notify its approval of the Protocol, as soon as possible and, at any rate, prior to its entry into force (1 July 1987, at 0001 UTC), to the Secretary-General, who shall at once inform the other Members of the Union. The Secretary-General is authorized to take, at any time, any appropriate action aimed at the timely implementation of the provisions of the present paragraph.

4.2 The other Members of the Union in the African Broadcasting Area signatory of the Protocol may notify their approval of the latter to the Secretary-General, who shall at once inform the other Members of the Union, it being understood that such approval shall also imply the approval of, or accession to, the Agreement (1963).

ARTICLE 5

Accession to the Protocol

5.1 Any Member of the Union in the African Broadcasting Area who is a Party to the Agreement (1963), but not a signatory of the Protocol, is invited to accede to the latter as soon as possible and to deposit, at any rate prior to the entry into force of the Protocol (1 July 1987, at 0001 UTC), an instrument of accession with the Secretary-General, who shall at once inform the other Members of the Union. The Secretary-General is authorized to take, at any time, any appropriate action aimed at the timely implementation of the provisions of the present paragraph.

5.2 Accession to the Protocol shall be made without reservation and shall become effective on the date on which the instrument of accession is received by the Secretary-General.

ARTICLE 6

Approval of or accession to the Agreement 1963

6.1 Any Member of the Union in the African Broadcasting Area approving or acceding to the Agreement (1963) after the adoption of the Protocol shall be considered as also approving or acceding to the Protocol.

ARTICLE 7

Revision of the Protocol

7.1 The Protocol shall not be revised except by a competent administrative radio conference which is convened in accordance with the procedure laid down in the Convention and to which at least all the Members of the Union in the African Broadcasting Area shall be invited.

IN WITNESS WHEREOF, the undersigned Delegates of the Members of the Union in the African Broadcasting Area mentioned below have, on behalf of the competent authorities of their respective countries, signed this Protocol in a single copy in the Arabic, English, French and Spanish languages; in case of dispute, the French text shall be authentic. This copy shall remain deposited in the archives of the Union. The Secretary-General shall forward one certified true copy to each Member of the Union in the African Broadcasting Area.

Done at Geneva, 13 August 1985.

For the Republic of Botswana:

J. M. B. SEKETE

For the Republic of Burundi:

LAURENT NDIKUMWAMI
SIMEON CUBWA

For the Republic of Cameroon:

EMMANUEL KAMDEM-KAMGA
WILLIAM TALLAH
JACOB NKEMBE

For the Republic of the Ivory Coast:

CHARLES TIEMELE KOUANDE
JEAN-BAPTISTE YAO KOUAKOU

For the Arab Republic of Egypt:

MOHAMED FAWZY YASSIN

For Spain:

FRANCISCO VIRSEDA BARCA
PASCUAL MENENDEZ SANCHEZ

For Ethiopia:

KEBEDE GOBENA

For France:

PHILIPPE MARANDET
JEAN-LOUIS BLANC
DANIEL SAUVET-GOICHON

For the Gabonese Republic:

FRANCIS IMOUNGA

For Ghana:

Dr. B. A. OPPONG

For the Republic of Kenya:

JOED NGARUIYA
JAMES PETER KIMANI

For the Democratic Republic of Madagascar:

BENJAMIN RAKOTOARIVELO

For the United Kingdom of Great Britain and Northern Ireland:

MICHAEL J. BATES

For the Republic of Senegal:

GUILA THIAM

For the Togolese Republic:

KOUASSI ELE GNASSOUNOU-AKPA

For the Republic of Zambia:

EDWARD CHILESHE MULENGA

ANNEX

**List of the parts of the Agreement (1963)
abrogated by virtue of Article 2 of the Protocol**

1. The following parts of the Agreement (1963) are, by virtue of Article 2 of the Protocol, abrogated by deletion from the Final Acts of the African VHF/UHF Broadcasting Conference, Geneva, 1963 containing that Agreement:

- On page 1: (in footnote to Preamble):
"Frequencies 87.5 - 100 Mc/s: Band II";
- On page 2: (in Article 3, title of Section 1):
"87.5 - 100 Mc/s,";
- On page 3: (in Article 3, Section 1, sub-paragraph 1.1.1, b) (No. 20)):
"87.5 - 100 Mc/s,";
- On page 18: (in Annex 1):
the whole "TABLE B - BAND II" and the footnote *) thereto;
- On page 21: (in Annex 2, Chapter 1, Section 1, fourth line thereof):
", II";
- On page 24: (in Annex 2, Chapter 1, Section 8):
" ± 75 kc/s in Band II";
- On pages 35 to 158: (the whole "PLAN for SOUND BROADCASTING STATIONS in the FREQUENCY BAND 87.5 - 100 Mc/s";
- On page 321: (in Annex 3, Section 2):
the whole sub-section "2.1 FM Sound Broadcasting in the VHF Band";
- On page 324: (in Annex 3, Section 2):
the whole sub-paragraph "2.3.2 Band II";
- On page 327: (in Annex 3, Section 3):
the whole sub-section "3.1 Sound Broadcasting in the VHF Band";
- On page 385: the whole "FIGURE 43 - Protection ratios required by VHF-FM sound broadcasting services at frequencies between 87.5 Mc/s and 108 Mc/s using a maximum frequency deviation of ± 75 kc/s".

2. Any other parts, figures and references relating to sound broadcasting in the frequency band 87.5 to 100 Mc/s (Band II) and contained in the Final Acts of the African VHF/UHF Broadcasting Conference, Geneva, 1963, in particular in Section 5 of Annex 3 to the Agreement (1963) (see pages 335-342 thereof), are also, by virtue of Article 2 of the Protocol, considered as abrogated and deleted from the Final Acts referred to above.
