

*Approved  
by Resolution No 238  
of the Cabinet of Ministers  
of the Azerbaijan Republic  
dated 23 December 2005*

# **Procedure for preventing radio disturbances caused by all types of radio transmitters and other radio frequency facilities**

## **1. Basic provisions**

1.1. The present Procedure has been developed on the basis of Clause 1.7 of Decree No 277 of the President of the Azerbaijan Republic «On enforcing the Law of the Azerbaijan Republic on telecommunication» dated 9 August 2005 and establishes the rules for preventing radio disturbances caused by all types of radio transmitters and other radio frequency facilities.

1.2. The present Procedure applies to all types of radio communication and radio broadcasting facilities used on the territory of the Azerbaijan Republic in accordance with existing legislation, and establishes the procedure for documenting the search, on the basis of appropriate applications, location, analysis and elimination of the duly registered technical facilities, industrial installations or other legally operating radio electronic facilities causing radio disturbance.

1.3. Applications regarding the creation of disturbances in the work of radio-electronic facilities used on the territory of the Azerbaijan Republic (hereinafter referred to as applications) are submitted by physical and legal entities to the State Department for Radio Frequencies (hereinafter referred to as the State Department for Radio Frequencies) under the Ministry of Communication and Information Technologies of the Azerbaijan Republic. Based on the said applications, the State Department for Radio Frequencies takes mandatory appropriate organizational and technical measures to eliminate the disturbances from radio transmission.

1.4. The State Department for Radio Frequencies informs the physical and legal entities of the measures taken to establish and eliminate radio disturbances in accordance with the procedure established under legislation.

## **2. Submission of applications**

2.1. The incoming applications are registered in a special log. The applications are registered on the day they are received.

2.2. The application shall state the duration of the disturbance, its location, information about the equipment or network affected by the disturbance, and the presumed direction and nature of the disturbance.

## **3. Consideration of applications**

3.1. The applications regarding disturbances affecting special purpose telecommunication networks and radio communication networks of common use shall be considered without delay, while other applications shall be considered in accordance with the following procedure:

- if a search for a source of radio disturbance is not required — not later than in three days;
- if a search for a source of radio disturbance is required — not later than in seven days.

3.2. If a search for a source of radio disturbance is to be conducted in difficult conditions, if it is determined that the source of radio disturbance is located outside the republic or if previously unforeseen technical problems emerge, the duration of search may be extended to 30 days. In all these cases the applicant, the owner of a radio-electronic facility or another person using it in accordance with law shall be provided with official and detailed information.

3.3. The consideration of applications involving identification of a source of disturbance shall be conducted in the presence of representatives of the applicant.

3.4. While acting upon applications, the following requirements shall be observed:

3.4.1. if it is established that the reason for the failure is a problem in the receiver or the antenna-feeder system, the applicant is informed that there is no outside disturbance and that it is necessary to conduct certain repairs and adjustment on the equipment;

3.4.2. if a problem is discovered in the applicant's antenna-feeder system or the receiver and if a disturbance remains on other radio receivers in the vicinity, work on identification of a source of disturbance shall be continued. At the same time, the applicant shall be provided with a notification (warning) regarding the importance of conducting inspection, adjustment and repairs on malfunctioning facilities in operation. Work on eliminating the disturbance is carried out by the State Department for Radio Frequencies;

3.4.3. if the disturbance indicated in the application is not discovered at the address provided, the presence of a disturbance on receivers of neighboring networks is examined in the following cases:

- if disturbances are not established, the applicant is officially informed of the absence of disturbances and it is recommended that the applicant check the receiver or the antenna-feeder system it is using;
- if disturbances are discovered, the source of the radio disturbance is discovered, eliminated and the applicant is informed in due course.

3.4.4. if no disturbances are established in the applicant's network in the time previously agreed with the applicant, the network is taken into control for the duration of one hour. If the disturbance is still not discovered in this time, work is terminated and the applicant is informed in due course;

3.4.5. if irregular and short-term radio disturbances are discovered (for the duration which make it impossible to conduct a search for the radio disturbance),

the affected radio frequency is taken into control. Official and detailed information is provided to the applicant and it is recommended that it send another message in the event of a longer-term disturbance.

#### **4. Examining and eliminating radio disturbance**

4.1. If the source of radiation causing radio disturbance operates illegally, measures shall be taken by the State Department for Radio Frequencies. If the source of radiation causing radio disturbance operates legally, a joint investigation is conducted with the aim of eliminating the factor causing disturbance and the decision is made to take appropriate action. If the source of radio disturbance is discovered outside the boundaries of the Azerbaijan Republic, measures shall be taken by the State Department for Radio Frequencies on the basis of recommendations of the International Telecommunication Union and bilateral agreements with neighboring countries.

4.2. While eliminating the discovered source of radio disturbance, the State Department for Radio Frequencies shall take the following into consideration:

4.2.1. if the technical facility and the source of radio disturbance is owned by a legal entity, serves the health and protection of people and its operation cannot be suspended, the State Department for Radio Frequencies issues an official notification to the owner of such facility concerning the need to eliminate to disturbance using its own resources and within a period of one hour. The second copy of such notification is sent to the parent organization of such an entity for the purposes of control. If there is no parent organization, the second copy of the notification is sent to the body which issued permission for the operation of the entity.

In this case, information is sent to the applicant about the measures taken (notification sent) and the requirement is put forward that the State Department for Radio Frequencies be informed of whether the impacts of radio disturbance still remain;

4.2.2. if the legal entity fails to meet the requirements indicated in the notification before an established deadline, the State Department for Radio Frequencies sends another notification concerning the need to eliminate the disturbance and the requirement is put forward to stop the operation of the source of radio disturbance;

4.2.3. after radio disturbance has been eliminated, the operation of the technical facility and the source of radio disturbance may be resumed on the basis of a special permission and under direct control of the State Department for Radio Frequencies;

4.2.4. if the source of radio frequency is owned by a physical entity, the State Department for Radio Frequencies recommends that the owner of the facility suspend the operation of the source of radio disturbance, repair or replace it.

4.3. The reasons for radio disturbance at the discovered source of radio disturbance shall be investigated and, following the investigation, the State Department for Radio Frequencies shall issue appropriate instructions.

4.4. If it is discovered that the discovered technical facility which causes radio disturbance does not operate in line with applicable legislation, that the source of radio disturbance does not have an appropriate state certificate or that the facility does not operate in accordance with appropriate standards, the requirement is put forward that it stop its operation and action is taken against its owner in accordance with applicable legislation of the Azerbaijan Republic.

4.5. If special purpose telecommunication networks within state bodies create radio disturbance to each other, the elimination of such disturbance shall be undertaken by communication services of the said bodies. If required, the State Department for Radio Frequencies may provide assistance in that.

4.6. If radio disturbances are caused by multi-storey buildings (structures), the application is informed of that. This information is also communicated to the owner of the building (structure). In this case, it is recommended that the applicant change the location of the receiver or place it on the roof of the buildings causing disturbance.