

General Guidelines for Radio Spectrum Licensing

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DEFINITIONS & ABBREVIATIONS

Affiliate:	A company which is related to another company in some way.
Allocation of radio spectrum:	Entry in the national frequency allocation table of a given frequency band for the purpose of its use by one or more terrestrial or space radio-communications services or the radio astronomy service under specified conditions.
Assignment of a radio frequency or radio frequency channel	Authorization given by the General Secretariat pursuant to this By-Law for a radio station to use a radio frequency or radio frequency channel under specified conditions.
By Law:	The Executive By-Law of the Telecommunications Law.
Harmful Interference:	Interference that seriously degrades, obstructs or repeatedly interrupts a radio communication service operating in accordance with the ITU Radio Regulations.
ICNIRP:	the International Commission on Non-Ionizing Radiation Protection
ictQATAR:	The regulator in Qatar established under Amiri decree Law No. 36 for 2004 and as further defined in Amiri decree Law No. 34 of 2006.
Law:	The Telecommunications Law issued by Decree Law No. (34) of 2006.
Licensee:	A person who holds a License pursuant to the provisions of the Telecom Law and the executive by-law.
Non-SOLAS Ship:	Ships under 300 Gross Tonnage and sailing in territorial waters only, that are not required to carry certain radio equipment to ensure safety of Life as per the International convention for Safety of life at Sea (SOLAS), 1974
Radio Spectrum license:	The permission issued by the Board or the General Secretariat to an individual or class of individuals to use radio frequency spectrum and it does not constitute a contract or bilateral agreement.
RTTE:	Radio and Telecommunications Terminal Equipment
SOLAS Ship:	Ships over 300 Gross Tonnage and sailing beyond territorial waters into regional / International waters that are required to carry certain radio equipment to ensure safety of Life as per the International convention for Safety of life at Sea (SOLAS), 1974
VSAT:	A small telecommunication earth station that receives and transmits real-time data via satellite

These general Licensing guidelines are issued by the Supreme Council of Information and Communication Technology (“ictQATAR”) in accordance with Decree Law No. (34) of 2006 on the promulgation of the Telecommunications Law, the Executive By-Law for the Telecommunications Law and ictQATAR Radio Spectrum Policy.

These are general guidelines that are applicable to all types of spectrum licenses. In addition to these, there are specific guidelines for each license category, which should be referred for further details.

1. BACKGROUND

The terms and conditions and guidelines for radio spectrum licensing are developed to enable ictQATAR to meet its obligations under the Telecommunications Law and By-Law, particularly to ensure that spectrum is efficiently and effectively used, and the radio communication services are operated without cause or risk of harmful interference to other users, both nationally and internationally while ensuring the easy accessibility to important information for spectrum users so that they can make appropriate choices with respect to licensing products.

The applicant or licensee must ensure that it meets the required criteria for a radio spectrum license as illustrated in the guidelines and in the terms and conditions for radio spectrum licensing before submitting application to ictQATAR. A fully completed application form, supported by the required data and any associated documents shall be submitted afterwards. All associated license fees must be paid to ictQATAR before the license is issued.

The main purpose of the document is to illustrate the different approaches used by ictQATAR to license the radio frequency spectrum including a brief overview of the licensing categories and their scope. Additionally, the document elaborates several sections of the general terms and conditions for radio spectrum licensing .

2. LICENSING APPROACHES

There are six different licensing approaches for granting access to radio spectrum that may be adopted by ictQATAR:

- a) Station
- b) Network
- c) Area
- d) Band
- e) Light
- f) Class

The approach adopted for the different types of spectrum uses and applications ensures reduction in the administrative burden whilst ensuring the efficient use of spectrum and minimising the potential for harmful interference. Table 1 summarises the different approaches.

Table 1. Licensing approaches

Station	Network	Area	Band	Light	Class
<p>This approach is used to license such stations that use internationally agreed bands and where there is no administrative work required to ensure interference free operation. Examples include Ship Stations, Aircraft Stations and Amateur Stations.</p>	<p>There is a requirement to authorize the spectrum use by a small onsite radio frequency network. In such instances administrative work is required to ensure the interference free operation as there is a significant risk of interference between users. Therefore, each frequency is individually planned and coordinated with other licensees in the same frequency band and frequencies are assigned and licensed on a first come first served basis.</p> <p>The license defines the specific technical criteria, such as transmitter power, bandwidth, geographic location, equipment, antenna details and mounting</p>	<p>There is a requirement to license spectrum use within a specified geographic area to allow the Licensee the flexibility to reuse assigned spectrum and relocate transmitters within the area.</p> <p>ictQATAR will assign the frequency(ies) on a first come first served basis and the Licensee can determine how the frequency(ies) are planned and deployed within the defined geographic area. However, the user is required to submit all the details such as frequency, power bandwidth & location 10 working days prior to establishing any station within the area. They must also assist ictQATAR to facilitate the licensing of frequencies in</p>	<p>There is a requirement to license spectrum use by a large network with a greater number of stations or links within the State of Qatar.</p> <p>Like network licensing approach, here as well there is a significant risk of interference but the licensee is responsible for undertaking the detailed frequency planning to meet their network requirements and must hold details of each individual assignment within the frequency block.</p> <p>It may be necessary to coordinate assignments with those users operating in adjacent frequencies.</p> <p>The license defines the technical conditions that apply to the use of frequency block.</p>	<p>There is a requirement to authorize the radio spectrum use in the available bands to provide some protection from interference or to ensure there is the possibility to modify, if necessary, the use of the spectrum at a later date.</p> <p>The user must notify 10 working days prior to each deployment, under the license, for approval and inclusion in ictQATAR's database. ictQATAR will not undertake any individual frequency planning or coordination.</p> <p>The equipment deployed in frequency bands authorized under light licensing approach must comply with the associated technical requirements and conditions of the license.</p>	<p>There is no requirement for the user of the radio frequencies to hold an individual license as it is considered by ictQATAR that the efficient use of the radio spectrum is not at risk and harmful interference is unlikely to occur.</p> <p>It is essential that equipment deployed in these frequency bands complies with any specified technical requirements such as transmitter power, interference avoidance techniques (e.g. frequency hopping) or other criteria as specified in the Class License.</p> <p>The equipment may be deployed anywhere within the State of Qatar on a non-protection non-interference basis.</p>

Station	Network	Area	Band	Light	Class
	height etc. that must be observed.	adjacent frequency channels and geographic areas		There is no limitation on the number of users.	There is no limitation on the number of users.

Table 2 below provides an overview of the spectrum licensing categories formulated as per the licensing approaches illustrated above and explains different licensing options available in each category to cover the particular application.

Table 2. Licensing Categories Overview.

Service category	Application	Licensing approach	Licensing Options	Comments	License duration (years)
Fixed	Point to point	Frequency assigned	Link basis	Each link and associated frequencies planned and assigned by ictQATAR	5
			Area basis	Licensee can use the individual licensed frequency anywhere within the defined geographic area	5
		Block assigned	Nationwide	Licensee undertakes own frequency planning using the frequencies within the licensed frequency block across the State of Qatar	5
		Light licensing for 65 GHz, 70 GHz or 80 GHz bands.	Nationwide	License allows user to deploy one or more links anywhere within the State of Qatar on a <i>non-exclusive</i> basis.	5
	Point –to-multipoint	Frequency assigned	Network basis	License allows the deployment of point to multipoint fixed wireless network comprising of a single base station and multiple out stations using assigned frequency(ies).	5
	Point –to-multipoint / multipoint –to-multipoint	Frequency assigned	Area basis	Each frequency is individually assigned by ictQATAR on a first come first served basis to be used within the specified area.	5

Service category	Application	Licensing approach	Licensing Options	Comments	License duration (years)
				The license is available in 450-470 MHz, 360-380 MHz, 4900 MHz & 26000 MHz bands	
	Point-to-multipoint / multipoint-to-multipoint	Block assigned	Nationwide	Licensee undertakes own planning using the frequencies within the licensed frequency block across the State. The license is available in 4900 MHz and 26000 MHz bands.	5
	Point-to-point / Point-to-multipoint/multipoint-to-multipoint	Light licensing	Nationwide	License allows user to deploy one or more links/networks anywhere within the State of Qatar, on a non-exclusive basis, in 2400–2483.5 MHz, 5470 – 5725 MHz and 5725 – 5875 MHz bands.	5
Aeronautical	Aircraft radio station		Individual per aircraft	Individual license per aircraft covering all equipment deployed on board	5
	Aircraft portable radio equipment		Individual per portable radio equipment	Individual license that specifically covers the portable radio equipment, which can be used on any aircraft. The licensee must have a license for at least one aircraft to be eligible.	5
	Aeronautical ground stations	Frequency assigned (International Frequencies)	Individual station per airfield / aerodrome	License covers the ground station, which will be operating in internationally harmonised frequency bands. The frequency is individually assigned from the pool of international channels.	5
	Aeronautical navigational aids	Frequency assigned (International Frequencies)	Individual station per airfield / aerodrome		5
	Aeronautical ground based radar	Frequency assigned (International Frequencies)	Individual station per airfield / aerodrome		5

Service category	Application	Licensing approach	Licensing Options	Comments	License duration (years)
Broadcasting	Commercial Radio broadcasting Station	Frequency assigned	Station	License is issued subject to identifying suitable frequency within current FM radio plan and limited to a small geographic area to be covered by a single station.	10
	Community Radio Broadcasting Station	Frequency assigned	Station		5
	Digital Terrestrial TV Multiplexer Network	Frequency assigned	Area	Possible frequencies defined in GE-06 plan.	10
	Digital Terrestrial Audio Multiplexer Network	Frequency assigned	Area		10
	Digital Video Broadcasting – Handheld Multiplexer Network	Frequency assigned	Area		10
Maritime	Ship Radio station (SOLAS)		Station	Individual license per SOLAS ship covering all equipment deployed on board	5
	Ship Radio station (non-SOLAS)		Station	Individual license per non-SOLAS ship covering all equipment deployed on board	5
	Maritime portable radio equipment		Station	Individual license for the portable radio equipment which can be deployed on board. The licensee must have a license for at least one vessel to be eligible	5
	Maritime navigational aids and radar (International Frequencies)	Frequency assigned	Station	Individual license for each navigational aids and radar station fitted on fixed structures or on floating aids (buoys). The frequency is individually assigned from the pool of international channels.	5

Service category	Application	Licensing approach	Licensing Options	Comments	License duration (years)
	Coastal station	Frequency assigned (International Frequencies)	Station	Individual license that covers each costal station using international frequencies used at coastal location such as ports & harbours. It also covers the spectrum use by Coastal station for training purposes. The frequency is individually assigned from the pool of international channels.	5
		Frequency assigned (Qatar only)	Network	Individual license that covers each costal station such as fishing vessel fleet operators, Marinas, Yacht Clubs etc. and associated vessels	5
Private Mobile Radio (PMR)	Network comprising of Individual base station and associated mobile stations and handhelds	Frequency assigned	Network	License allows the use of assigned frequency (ies) via a network consisting of a single base station. Frequencies are assigned on a first come first served basis and cannot be re-used. The network can include a number of mobile stations or handheld stations that will also be covered under the license	5
	Exclusive use networks (e.g. networks of strategic, safety or national importance)	Frequency assigned	Area	License allows the use / reuse of the licensed frequency within the specified geographical area. Frequencies are assigned on a first come first served basis.	5
	National / regional networks (Large PMR network)	Block assigned	nationwide	License allows the use of a block of frequencies to deploy a large nationwide network for private use. e.g. Trunk Radio, TETRA networks etc.	5
Amateur	basic		Station	License allows the use of the identified frequencies and	lifetime
	General		Station		5

Service category	Application	Licensing approach	Licensing Options	Comments	License duration (years)
	Advanced		Station	associated transmitter powers and modes within the State of Qatar	5
	Extra		Station		5
	Resident Visitor / Resident		Station		5
	Club		Station		5
	Repeater		Station	License allows the use of amateur frequency bands specified in the license.	5
	Beacon		Station		5
Citizen's Band			Station	License allows the use of the identified frequencies with transmitter power limit anywhere in the State of Qatar	5
Satellite	Fixed Earth Station (including VSAT central hub station)	Frequency assigned	Station	License allows the use of the specified range of frequencies to transmit to the identified satellite and associated orbital position.	10
	Satellite Earth Station Network Link	Frequency assigned	Network	License allows the deployment of VSAT network links by Foreign Missions and Embassies.	5
	Transportable Earth Station		Station	License is issued for multiple transportable earth stations and allows the deployment of the stations anywhere within the State of Qatar (except the restricted locations mentioned in the license) subject to approval by ictQATAR prior to operation.	5
Test & Development	Research	Frequency assigned	Station	The license will define the applicable frequency(ies), technical parameters and geographic area based on the individual requirements.	Max 12 months
	Trial demonstration or	Frequency assigned	Station		Max 6 months
Temporary	For any radio equipment not covered under the defined license categories.	Frequency assigned	Network, Station or Link	The license will be for a pre-defined duration, location, frequency(ies) and a separate license will be issued for each applicable service.	Related to duration of event (Max 1 month)

Service category	Application	Licensing approach	Licensing Options	Comments	License duration (years)
	For supporting special events.				

3. REGULATORY FRAMEWORK FOR SPECTRUM LICENSING

Regulatory framework for spectrum licensing consists of the following documents:

1. Law & By Law	The articles in the chapter 4 of the Law and chapter 3 of the by law set the foundations for assignment and licensing of the radio frequency spectrum through ictQATAR.
2. ictQATAR Radio Spectrum Policy	Section 2.3 of the policy highlights the need for clarity around conditions for the issuing and renewal of frequency licences, and mechanisms established which allow for an efficient licensing process.
3. General Terms and Conditions	These terms and conditions further enhances and illustrates the relevant sections and sub sections of the law and the by-law and cover the terms and conditions for regulating the spectrum that are common to all types of spectrum uses.
4. Radio Spectrum license	The Radio Spectrum License defines clearly the scope of the particular license category along-with the duration of period for which the license is issued. Where applicable it also mentions the call sign /MMSI to be used for radio station identification.
a) Specific Terms and conditions	This section of the license illustrates the terms and conditions that are applicable to the particular type of spectrum use.
b) Special Conditions	This section of the license gives provision for applying any specific conditions on a particular licensee if required.
c) Technical schedule (1)	This section of the license illustrates in detail all the technical parameters along-with the location/ area coordinates according to which the spectrum is to be used.

<p>d) Technical schedule (2)</p>	<p>This section where applicable (area based & transportable earth station licenses) gives the format according to which the licensee is required to submit the technical details of a station or a network at the time of application submission and/or 10 working days prior to any new deployment or change of location to ictQATAR for approval before deployment. ictQATAR holds the right to object or reject any new deployment if there is a risk of harmful interference to be caused by the deployment. The objection or rejection will be sent within 10 working days after the date of receipt of the technical details. In case no objection/rejection is sent the deployment will be automatically considered as approved.</p>
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General terms and conditions for spectrum licensing have been explained in detail below. For details regarding the license templates, specific terms and conditions, special conditions and technical schedules relating to the particular license categories, the specific guidelines may be consulted.

4. GENERAL TERMS & CONDITIONS FOR RADIO SPECTRUM LICENSING

These terms and conditions address most of the issues concerning the regulation of radio frequency spectrum that are common to all types of spectrum access and form part of each Radio Spectrum License issued by ictQATAR. The different sections of these terms and conditions are being explained in detail below:

4.1 Limitations of the License

This section clarifies the limitations that apply to the holders of radio spectrum licenses. Particularly it has been clarified that the holders of radio spectrum licenses are not allowed to provide telecommunication services to general public for direct or indirect fee unless and until the licensee holds a separate license/authorization for the same. As per article 9 of chapter 3 of the Law, there are two categories of licenses defined for allowing the provision of telecom services to general public as well as for operating any telecom network and that are individual and class licenses that must be obtained before providing such services.

Similarly, it has also been clarified that radio spectrum licensees are not allowed to provide any type of broadcasting service unless and until a valid license or authorization is being granted by a competent government authority. This authority is the Ministry of Culture, Arts and Heritage who are responsible for regulating the broadcasting content in the state of Qatar.

4.2 Renewal

This section details the provisions relating to the renewal of the radio spectrum licenses. Applications for license renewal shall be made within the 3 months prior to the date of expiry. Failing to comply with this or to respond to two reminders issued by the end of the subsequent months after the date of license expiry, license cancellation procedure will be invoked and the assigned frequency(ies) will be withdrawn.

The licensee is required to confirm that the information provided to obtain the license is correct and has not changed. The annual fee is also required to be submitted along with the application for renewal.

Spectrum licenses are usually renewed by ictQATAR if the licensee and the service are compliant with current license conditions and if there are no competition or spectrum management reasons to do otherwise (e.g. the need to reform the band to another use).

Temporary authorisations are not renewable. Upon expiry a new application form is required to be submitted.

4.3 Amendment, Suspension, Cancellation or Revocation

This section details the provisions relating to the non-renewal, amendment, suspension, cancellation or revocation of the radio spectrum licenses.

a) **Amendment:**

Applications to amend a license can be made at any time during the license period. It should be noted that if the technical parameters of the application are different from those on the original application there is no guarantee that it will be possible to continue to use any previously licensed frequency/ies.

b) **Cancellation:**

A licensee may apply for cancellation of a license at any time using the relevant application form. In these circumstances a refund of part of the license fee may be retrievable.

c) **Revocation or Suspension:**

There are two main reasons for license revocation or suspension which are being illustrated below:

i. **Non-compliance with terms of license:**

Failure to comply with the terms and conditions of a license will be a main reason to suspend or revoke the license. The license may also be suspended or revoked due to regulatory requirements or in the national interest. In these circumstances, no compensation shall be payable to the licensee.

ii. **Spectrum management:**

If a license needs to be revoked for the purposes of changes to the Radio Spectrum Policy or to meet changed international or national requirements, then due notice shall be provided to the licensee. In recognition of licensees' equipment investments and the time taken to put in place alternative communications facilities ictQATAR will provide a notice period of 3 years. The procedures to be followed will vary depending on the circumstances (e.g. frequency bands, number of licenses, timescales) and revocation will be handled on a case by case basis. The revocation process in this regard may be subject to a public consultation.

d) Equipment Write-off in case of non-renewal, amendment, suspension, cancellation or revocation:

If a radio spectrum license is cancelled, suspended, revoked or not renewed, then the use of the radio equipment associated with the license becomes illegal. Hence the licensee is required to get the radio equipment written off or exported. A declaration regarding the action taken is to be provided to ictQATAR within 1 month of the cancellation, suspension, revocation or non-renewal of the license. Please note that the license fee will continue to be payable until the relevant documents have been satisfactorily submitted.

e) Storage of the Unauthorized Radio Equipment:

The licensee upon cancellation or expiration of the license term may request for keeping the radio equipment for re-use later on. Such request will be carefully considered by ictQATAR and approval will be granted only if the requirement is justified. In such cases the applicant is required to securely store the equipment, and submit a declaration clearly stating that the equipment will be kept without operation in the storage facility and will only be operated again after getting the license from ictQATAR. Please note that there is no guarantee that the applicant will be re-assigned the previously assigned spectrum and the radio equipment may require re-programming.

4.4 Transfer

There may be circumstances in which a licensee wishes to transfer a license to another party, for example, the acquisition of an already licensed company by another company. The licensee should seek advice from ictQATAR at the earliest opportunity when the licensee thinks that a license transfer may be necessary. A decision on whether to allow a transfer of the license will be made on review of the application and in line with the general terms and conditions for radio spectrum licensing .

Licensees wishing to transfer their license must submit a formal transfer request to ictQATAR. The request should provide information about the proposed transferee. A copy of the transfer agreement signed by both the licensee and the transferee must be submitted along-with the request. The transferee shall have commercial registration in Qatar and shall meet the conditions of the original license being transferred. The request shall be submitted to ictQATAR at least 60 days before the date of the proposed transfer.

The licensee whose license is being transferred has to clear all the outstanding dues with ictQATAR before the transfer is made.

4.5 Sub-contracting

There may be instances where a licensee may require to out-source some of their work to other entities who are not under the direct ownership of the licensee. Since, such entities will be working on the licensee's project they may require to use the licensee's radio communication equipment. In such cases licensee can request for approval to exercise the licensing rights through such entity/ies with the condition that licensee will remain liable for meeting the conditions of the radio spectrum license.

The prior written approval of ictQATAR shall not be required if the affiliate is and remains wholly-owned by the licensee, provided that ictQATAR shall be notified of such arrangement.

4.6 License Fees

License fees, as noted above, are determined as per the Schedule of Radio Spectrum Fees and must be paid to ictQATAR on or before the date of issue or renewal of the license. The fees will be payable annually covering the period from 1st January to 31st of December and in cases where a license is issued during any month within this period the fees will be prorated accordingly.

4.7 Radio Equipment Operation

This section details the general terms and conditions regarding the radio equipment operation. The specific terms and conditions regarding the particular type of radio equipment are being detailed in the respective licensing guidelines. This section refers to two technical schedules that become part of the license template as discussed in section 1.2 above. Additionally, it illustrates the two methods to calculate the Geographic area for Area based licenses that may be chose depending on the licensees requirements:

- a) **Using centre point and Radius:** this allows the identification of a circle shaped area
- b) **Using four quardinates:** this allows the estimation of a square shaped area

The section also sets the provisions for radio operator qualifications, the records to be maintained by the licensee and the compliance with the non-ionization radiation limits as published by ictQATAR and ICNIRP.

4.8 Harmful Interference

This section elaborates the licensee's obligations concerning the harmful interference. All spectrum assigned (network, link, area or nationwide) licensees are provided protection from harmful interference by ictQATAR. All such licensees have been encouraged to amicably resolve any case of harmful interference and keep ictQATAR informed of any action taken in this regard. However, licensee or any other affected party can launch a complaint to ictQATAR anytime for protection of their assigned radio spectrum. In such cases, ictQATAR will investigate the matter and issue a decision, determination or order as appropriate to the affecting party to resolve the issue. ictQATAR may also direct the licensee to take, such action as may be necessary to resolve a case of harmful interference, however, licensee will be liable to pay all the costs in this regard.

4.9 Co-ordination across national boundaries

In some cases it may be necessary for ictQATAR to undertake international coordination and registration procedures, particularly where there is a possibility of interference to/from the terrestrial and/or satellite services of another administration. In such cases the applications will be kept pending until the necessary agreements are made with the neighbouring administrations.

4.10 Access and Inspection & modification, restriction and close down of unauthorized radio equipment

The sections (13 & 14) of the general terms and conditions further illustrate the article 63 of the law and details the judicial seizure power of ictQATAR with regards to having access to and to inspect and if required modify, restrict or close down the radio user's

radio equipment or installation, to ensure that the radio equipment is being used in accordance with the terms and conditions of the license.

4.11 Force Majeure

Force majeure refers to a devastating act of nature or other disaster that is beyond the reasonable control of a licensee, including but not limited to earthquakes, floods, widespread fires, tropical storms, or acts of war or terrorism. In such cases if licensee figures out that there are certain license obligations which cannot be fulfilled in such a scenario, it can refer such obligations to ictQATAR for suspension and ictQATAR after analysis will take the necessary action as requested.

4.12 Type Approval

In order to ensure interference free spectrum to all the authorized users of spectrum it is necessary that only standardized radio equipment is allowed for operation. Type approval of the radio equipment is done as per Type Approval Guidelines for Radio Equipment and Telecommunications Terminal Equipment (“RTTE”)¹ to serve this purpose. This section of the general terms and conditions obliges the licensee to use only type approved equipment for accessing the radio spectrum.

5. TEMPORARY AUTHORISATIONS

Temporary authorisations to use specific spectrum for a particular service or application may be granted by ictQATAR - for example, to allow coverage of special events such as sporting occasions and festivals. It may also be granted in cases where spectrum use is not covered under any of the defined licensing categories. The duration of a temporary authorisation will depend on the service, its application and other circumstances.

Applications for a temporary authorisation should provide details of the spectrum band, technical characteristics of the equipment, antennae and services and the requested duration of the temporary authorisation. The purpose of the request should also be stated.

Applications should be made to ictQATAR at least one month prior to the required date of the temporary authorisation. It is recognised that a temporary authorisation may be needed to meet urgent requirements, e.g. in case of emergency or unexpected circumstances, and these applications will be handled with priority. All requests will be addressed on the merits of the application.

There is no presumption that a temporary authorisation will be granted by ictQATAR.

6. ICTQATAR PROCESS

The Regulatory Authority – Spectrum Affairs department handles applications on behalf of ictQATAR. This section details only the general application process flow. Specific guidelines for each licensing category should be consulted to know the process flow of the applications for respective sub-categories of radio spectrum licenses.

¹ <http://www.ictqatar.qa/en/documents/document/final-type-approval-guidelines>

ictQATAR has a KPI to respond to a valid license application and issue the license within 10 working days. The exception is those licenses which require international co-ordination where fulfilling the KPI becomes beyond the control of ictQATAR. On receipt of a valid application for a radio spectrum license, ictQATAR will:

- a) ensure that all the mandatory fields of the application form are completed and all supporting documentation requested are provided. Incomplete application forms will be returned to the applicant, which will lead to delays in the issuing of a license.
- b) Ensure that the application form is signed by a person authorized to sign the application on behalf of the applicant.
- a) ensure that the application fee has been paid
- b) evaluate the application against the National Frequency Allocation Plan (NFAP) and the National Frequency Allocation Table (NFAT) to ensure compliance with all ITU relevant rules, regulations and recommendations and national requirements.
- c) ensure that the licensee meets the required eligibility criteria and compliance with the required technical and operational criteria.

On completion of the evaluation, ictQATAR will either:

- a) Recommend changes to the application
- b) Recommend approval, or
- c) Reject the application stating the reasons for rejection.

ictQATAR will determine the spectrum fees as per the Schedule of Radio Spectrum Fee and, when the application has been approved, notify the applicant that the radio Spectrum license certificate is available and ready for collection or delivery. When the applicant has paid all associated fees for the right to use the assigned radio frequency and/or frequency band, ictQATAR will issue a Radio Spectrum license to operate the equipment listed in the application on the specified frequencies or frequency bands only.

7. CONTACT DETAILS

For further queries, please contact:

Manager Spectrum Affairs,
Regulatory Authority,
The Supreme Council of Information & Communication Technology (ictQATAR)
P.O. Box 23264, Al Nassr Tower, Post Office Roundabout, Al Corniche,
Doha, Qatar
Fax: 44830630
Email: spectrumaffairs@ict.gov.qa

ANNEX A

GENERAL TERMS AND CONDITIONS FOR RADIO SPECTRUM LICENSING

(Issued under Articles (3) and (4) of Decree Law No. (34) of 2006)

1. Title

- 1.1 These terms and conditions are titled as General Terms and Conditions for Radio Spectrum Licensing

2. Introduction

- 2.1 These general terms and conditions form part of all categories and sub-categories of radio spectrum licenses issued as per Article 15 of Chapter 4 of The Telecommunications Law.

3. Legal Nature of the License

- 3.1 The license is a unilateral administrative grant by the State of Qatar acting in the public interest through ictQATAR, and is issued pursuant to a decision of ictQATAR authorising the licensee to use the assigned radio spectrum, pursuant to and in accordance with the applicable regulatory framework.
- 3.2 The license does not grant the licensee any ownership interest or property rights in the assigned radio spectrum, nor shall any such rights be created or implied by virtue of the Licensee's use of the assigned radio spectrum.
- 3.3 The license shall be valid only in the State of Qatar.

4. Limitations of the License

- 4.1 The licensee and any person authorised to act on the licensee's behalf is not authorized to use assigned radio spectrum to provide any type of telecommunication service to general public unless and until a valid license or authorization is obtained for this purpose from ictQATAR.
- 4.2 The licensee and any person authorised to act on the Licensee's behalf is not authorized to use assigned radio spectrum to provide the broadcasting services unless and until a valid license or authorization is obtained from a competent government authority.
- 4.3 Nothing in these terms and conditions shall absolve the licensee from any other requirements to obtain any approvals, consents, licenses, permissions or authorizations that may be necessary for complying with the applicable regulatory framework.

5. License Renewal

- 5.1** The licensee shall submit applications for the renewal at least three months prior to expiration of the current license. If the applicant fails to request for renewal, or respond to two reminders issued by the end of the subsequent months after the date of license expiry, the license revocation procedure shall be invoked.
- 5.2** The application for renewal shall be made as per the procedure in vogue².
- 5.3** There shall be no automatic right to renewal of the Frequency Licence.

6. Non-renewal, Amendment, Suspension, Cancellation or Revocation

- 6.1** ictQATAR may amend a license:
- a) in accordance with the Law, By-Law, specific terms and conditions, special conditions & technical Schedules of the license
 - b) as requested or agreed by the Licensee
 - c) to implement changes to international treaties or laws that require the amendment
- 6.2** ictQATAR may cancel a license:
- a) as requested by the Licensee
 - d) in accordance with the Law, By-Law, and specific terms and conditions, special conditions & technical Schedules of the license
- 6.3** ictQATAR may suspend or revoke a license:
- a) If there has been a breach of any of the conditions of the license
 - b) If required for the effective and efficient management of radio spectrum
 - c) In accordance with Articles (17) of the Telecommunications Law and 35 of the Executive By-Law

² The application procedures for each category of licenses are explained in the Guidebook

d) If required by any other Law or By-Law.

6.4 A request for any amendment to a technical schedule (1) of the particular category of license will be reviewed by ictQATAR and the licensee may be required to apply for cancellation of the license if the requested amendment results in a breach of technical parameters specified in the technical schedule (1).

6.5 In the case of a license being cancelled prior to its expiry date license fee refunds may be made to the licensee.

6.6 If a radio spectrum license is cancelled, suspended, revoked or not renewed, then it shall be illegal to make use of the equipment associated with the license. The licensee shall ensure that the radio equipment is written off or exported. A declaration regarding the action taken shall be provided to ictQATAR within 1 month of the cancellation, suspension, revocation or non-renewal of the license. The license fee will continue to be payable until the relevant documents have been satisfactorily submitted.

6.7 The licensee upon cancellation or expiration of the license term may request for keeping the radio equipment for re-use later on. Such request will be carefully considered by ictQATAR and approval will be granted only if the requirement is justified. ictQatar may inspect to ensure that the equipment is securely stored and a declaration shall be submitted by the applicant on annual basis clearly stating that the equipment will be kept without operation in the storage facility and will only be operated again after getting the license from ictQATAR and there is no guarantee that the applicant will be re-assigned the previously assigned radio spectrum.

7. License Transfer

7.1 The license may be transferred subject to the prior approval from ictQATAR .

7.2 The transferee shall have commercial registration in State of Qatar and shall meet the conditions of the original license being transferred.

7.3 The licensee whose license is being transferred is required to clear all outstanding dues with ictQATAR before the transfer takes place.

8. Sub-contracting

8.1 The licensee may, with the prior approval of ictQATAR, exercise its rights under this license through an affiliate – provided that the licensee shall continue to be fully liable for meeting the conditions of the radio spectrum license.

8.2 ictQATAR may revoke its approval at any time by providing reasonable advance notice to the licensee in writing.

9. License Fees

9.1 Radio spectrum license fees shall be collected in accordance with the Schedule of Radio Spectrum Fees.

- 9.2 License fees shall be paid to ictQATAR before the issuance or renewal of the license.
- 9.3 The license fee shall be payable annually covering the period from 1st of January to 31st of December and in cases where license is issued during any month within this period the fees will be prorated accordingly.
- 9.4 Following a public consultation process and at least ninety (90) days' notice (which may include a portion or all of the consultation period), ictQATAR may change the method by which the Spectrum license fee shall be calculated or the timing of the payment of the fees.

10. Radio Equipment Operation

- 10.1 In addition to these terms and conditions, the radio equipment under each category or sub-category of radio spectrum license shall be installed, operated and maintained in accordance with the;
- Specific terms and conditions where applicable;
 - Special Conditions where applicable;
 - Technical parameters provided in the technical schedule (1) of the license where applicable.
- 10.2 The geographic coverage area where applicable will be defined either by:
- The co-ordinates of the central point of a circle and a radius, or
 - The four co-ordinates of the corners of a rectangle
- in the technical schedule (1) of the license.
- 10.3 The licensee where applicable is required to submit technical details regarding the station/link/network to be deployed and submit at the time of application submission and/or 10 working days prior to any new deployment or change of location to ictQATAR for approval before deployment as per the format provided in technical schedule (2) of the license and ictQATAR holds the right to object or reject any new deployment if there is a risk of harmful interference to be caused by the deployment. The objection or rejection will be sent within 10 working days after the date of receipt of the technical details.
- 10.4 The Licensee shall use the assigned radio spectrum effectively and efficiently and shall notify ictQATAR promptly if the Licensee no longer requires the use of any portion of the assigned radio spectrum. In addition:
- During the term of this spectrum license ictQATAR may direct the licensee to identify and release any or all of the assigned radio spectrum if ictQATAR determines that the assigned radio spectrum is not being used or is being used inefficiently or if required to maintain competition in favour of customers and the public good.

b) Except as otherwise provided in the applicable regulatory framework, and subject to consultation with ictQATAR and a minimum of 90 days notice (which may include part or all of the consultation period), the licensee shall comply fully with any instructions issued by ictQATAR to identify or release any radio spectrum as determined by ictQATAR in accordance with the applicable regulatory framework. The Licensee shall comply fully with any timetables for the release of radio spectrum designated by ictQATAR for release, as specified by ictQATAR from time to time.

10.5 The licensee shall maintain accurate up to date records of technical parameters of the equipment and location of each station deployed. These shall be made available to ictQATAR for inspection on request as per the format provided.

10.6 The licensee shall ensure that radio equipment is used and operated by trained and certified operators.

10.7 The Licensee shall ensure that non-ionising radiation emissions from the radio equipment operated by the Licensee are within the limits specified by the guidelines published by ictQATAR and ICNIRP, and radiation emission standards adopted and published by ICNIRP, or its successors.

11. Harmful Interference

11.1 The Licensee shall take all necessary steps to ensure that the use of the assigned radio spectrum does not cause harmful Interference to other stations and telecommunications networks.

11.2 Where applicable, the Licensee shall take all appropriate measures to ensure that its stations, and apparatus and Radio Equipment comprised therein, have the appropriate and necessary immunity from harmful electromagnetic disturbances and interference, which may be caused by stations and telecommunications networks, operating lawfully in close proximity to the Licensee's station.

11.3 Notwithstanding ictQATAR's authority under the Telecommunications Law, the use of any part of the assigned radio spectrum to mitigate the likelihood of harmful interference occurring (including the provision of guard band(s)) shall be at the discretion of the Licensee and at its costs.

11.4 Where applicable, the Licensee may take any reasonable and necessary steps to ensure that any harmful interference experienced from a source within the State of Qatar is resolved amicably between the concerned parties and shall keep ictQATAR informed of any steps taken to resolve the interference and the results obtained thereafter.

11.5 Where harmful interference problems have not been resolved amicably between the licensee and the other party or parties, the licensee must refer the matter to ictQATAR as per the procedure in vogue and ictQATAR shall investigate the matter and issue a decision, determination or order with respect thereto.

12. Co-ordination Across National Boundaries

- 12.1 The licensee shall co-operate fully with ictQATAR in order to assist in the co-ordination of frequencies assigned via the spectrum licence, for the purposes of protection from harmful interference and the avoidance of harmful interference to the radiocommunication services of neighbouring administrations.
- 12.2 In cases where coordination across national boundaries is required as per clause 12.1, ictQATAR may keep applications pending until the necessary agreements are made accordingly.

13. Access and Inspection

- 13.1 The license template shall be displayed at all times at a prominent place with the equipment.
- 13.2 The licensee shall allow any person authorised by ictQATAR to have access to and inspect the radio equipment / installations/ documents, to ensure that the radio equipment is being used in accordance with the applicable regulatory framework.

14. Modification, Restriction and Closedown

- 14.1 An authorized person or a notice issued to the licensee may require the Radio Equipment, or any part of the Radio Equipment, to be modified or restricted in use, or temporarily or permanently removed from use immediately or on expiry of a specified period:
- a) if in the opinion of ictQATAR or its authorized person a breach in the terms and conditions of the license has occurred
 - b) if the use of the radio equipment is causing or contributing to undue interference to the use of other authorised radio equipment
 - c) in the event of a national or local state of emergency being declared.

15. Force Majeure

- 15.1 If the Licensee is prevented from performing any of its obligations under the spectrum Licence because of force majeure the Licensee shall notify ictQATAR of the obligations it is prevented from performing as soon as practicable after it becomes aware or reasonably should become aware of such force majeure.
- 15.2 ictQATAR shall suspend the obligations referred to in Clause 15.1 and the licensee shall not be liable to perform such obligations, for so long as the force majeure continues, only if and to the extent that the inability to perform could not have been prevented by taking steps specifically required under the Telecommunications Law or the spectrum Licence, or other reasonable precautions.

16. Type Approvals

- 16.1 Radio equipment shall meet the applicable Type Approval requirements in accordance with ictQATAR Type Approval Policy.
- 16.2 ictQATAR will determine and publish on its website the recognized technical standards with which radio and telecommunications terminal equipment (RTTE) must conform in order to be eligible for Type Approval. These standards will be based on the standards prepared by recognized international, regional or national standards-making bodies and agencies.

17. Assistance to ictQATAR

- 17.1 Upon request of ictQATAR, the Licensee shall provide upon mutually agreed terms and conditions technical assistance and support to ictQATAR in connection with the latter's representation of the State of Qatar before and during its participation in regional and international governmental organisations and fora, including the ITU.
- 17.2 Unless expressly authorised in writing by ictQATAR, the Licensee shall not represent or act on behalf of the State of Qatar before the ITU or any other national, international or multilateral organisations.

18. Definitions

- 18.1 **Affiliate:** any legal Person that directly or indirectly, (i) controls, (ii) is controlled by, or (iii) is under common control with another Person. An unaffiliated Person is a Person that is not an Affiliate.
- 18.2 **Applicable Regulatory Framework:** includes but is not limited to the Telecommunications Law No (34) of 2006 and its Executive By-Law of 2009 and any other rules, regulations, decisions, orders, policies, guidelines, instructions, or notices issued by the Supreme Council, as well as relevant laws of the State of Qatar and international treaties that the State of Qatar has subscribed to.
- 18.3 **Assigned Radio Spectrum:** The radio spectrum identified in the specific terms and conditions or technical Schedule (1) of the spectrum license.
- 18.4 **Authorization:** an approval granted to use radio spectrum or provide telecommunications services.
- 18.5 **Authorized person:** an individual allowed to act on behalf of ictQATAR.
- 18.6 **By-Law:** The Executive By-Law of the Telecommunications Law.
- 18.7 **Customer:** subscriber, user or consumer of telecommunications services, whether an individual, corporation, governmental body or any other public or private legal entity and regardless of whether the services are acquired for the customer's own use or for resale.

- 18.8 **Day:** calendar day, if not otherwise explicitly specified.
- 18.9 **Force Majeure:** a devastating act of nature or other disaster that is beyond the reasonable control of the Licensee, including but not limited to earthquakes, floods, widespread fires, tropical storms, or acts of war or terrorism.
- 18.10 **Frequency Band:** a contiguous block of the radio spectrum which starts at a frequency and ends at another.
- 18.11 **Harmful Interference;** is **Interference** which endangers the functioning of a radio navigation service or other safety services or seriously degrades, obstructs or repeatedly interrupts a **Radiocommunication Service** operating in accordance with the State's National Frequency Plan.
- 18.12 **Interference:** the effect of unwanted energy due to one or a combination of emissions, radiations, or inductions upon reception in a Radiocommunication system, manifested by any performance degradation , misinterpretation, or loss of information which could be extracted in the absence of such unwanted energy.
- 18.13 **ictQATAR:** The regulator in State of Qatar established under Amiri decree Law No. 36 for 2004 and as further defined in Amiri decree Law No. 34 of 2006.
- 18.14 **International Telecommunications Union (ITU):** a specialised agency established under the United Nations concerned with the development of information and communications technologies through the coordination of radio spectrum use and standardisation world-wide.
- 18.15 **Law:** The Telecommunications Law issued by Decree Law No. (34) of 2006.
- 18.16 **License:** The permission issued by the Board or the General Secretariat to an individual or class of individuals to own or operate a telecommunications network, provide telecommunications services, or use radio frequency spectrum and it does not constitute a contract or bilateral agreement.
- 18.17 **Licensee:** A person who holds a License pursuant to the provisions of the Telecom Law and the executive by-law.
- 18.18 **Notice:** Formal written instruction from ictQATAR.
- 18.19 **Radiocommunication Service:** a service involving the transmission or emission and/or reception of radio waves for specific telecommunication purposes.
- 18.20 **Radio Equipment:** a product, or relevant component thereof, capable of communication by means of the emission and/or reception of radio waves utilising the spectrum allocated to terrestrial and/or space Radiocommunication.
- 18.21 **Radio Spectrum:** Radio frequencies that are capable of being used in radio communication in accordance with the publications of the International Telecommunications Union.
- 18.22 **Schedule of Fees for the use of Radio Spectrum:** A document published by the Supreme Council that details the fees payable for the use of Radio Spectrum under a license granted by the Supreme Council.

- 18.23 **Securely stored:** The equipment is stored in a non-operational state to ensure that it cannot emit any radiation.
- 18.24 **The Telecommunications Law:** The official Telecommunications law defined in the Amiri decree Law No. 34 of 2006.