

Consultation Document

Revision of the Private Network and Resale Class Licenses

A Consultation on Proposed Revisions to the “Class License to Own and/or Operate a Private Network” and the “Class License for the Resale (Retail) of Telecommunications Services”

The deadline to respond to this consultation is **March 10, 2022**

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1 Introduction

1.1 Private Telecommunications Networks

Private Telecommunications Networks are an important enabler for both the private and Government sectors. Corporations and Government entities, whose operations are not confined to a single location, have used Private Telecommunications Networks for decades to ensure reliable, flexible and secure voice and data communications between sites.

As Qatar works to enhance its international competitiveness by promoting a knowledge-based economy driven by innovation, technology and entrepreneurship, the Communications Regulatory Authority (**CRA**) acknowledges that Private Telecommunications Networks are now more important than ever and will play a key role in the digital transformation that will contribute to the realization of Qatar's long-term vision.

As workforces become more mobile and dispersed, Private Telecommunications Networks support and enable efficient and effective operations. The requirement to communicate is not restricted to people; the Internet of Things (IoT) and Industry 4.0 both require the integration and interconnection of machines and many different types of devices enabling a variety of applications, even when the machines and devices are mobile or geographically dispersed. Factory automation, control of autonomous vehicles, remote sensors, meters and patient monitoring, and high definition video surveillance are all examples of applications which require large amounts of data to be transferred reliably over telecommunications networks which could be private. Further, Private Telecommunications Networks using 5G technology have the potential to transform the shipping, airfreight and manufacturing sectors.

The above brief overview illustrates the importance of Private Telecommunications Networks and, in many ways, this is just the beginning. As Qatar's digital transformation gathers pace, we can expect to see more IoT, machine to Machine, cloud and big data applications in Qatar. Private Telecommunications Networks will have an important role to play in realizing their full potential. It is therefore important to ensure that the regulatory framework associated with Private Telecommunications Networks in Qatar continues to be fit for purpose.

The operation of a Private Telecommunications Network in Qatar is only permissible with a license granted in accordance with Article 9.3 of the Telecommunications Law¹. Therefore, in July 2011, the Supreme Council for Information and Communications Technology (ictQATAR)

¹ Decree Law No. (34) of 2006 on the promulgation of the Telecommunications Law.

issued the “Class License to Own and/or Operate a Private Network” (**Private Network Class License**). The License was later amended and a revised version published in September 2013.

In the meantime, amendments² to the Telecommunications Law have transferred the authority for granting, amending, renewing, suspending and revoking Class Licenses from the General Secretariat of ictQATAR to CRA. It is therefore necessary to update the Private Network Class License to reflect this change in authority. At the same time, CRA also wishes to update the Private Network Class License to ensure that it remains fit for purpose in supporting Qatar’s digital transformation.

1.2 Resale of Telecommunications Services

Resale of Telecommunications Services (Resale) is an established practice in many contexts, for example in the hospitality sector, where a hotel provides a Telecommunications Service to a guest which is then included on the invoice issued to the guest, or at an Internet café where a customer pays a fee for the provision of an Internet access. Each of these examples involves the payment of an explicit, or direct fee in return for provision of the Telecommunications Service. In some Resale scenarios, the Telecommunications Service is provided in return for an indirect fee, for example when a Landlord provides a fully serviced property that includes a Telecommunications Service within a fixed rental payment (i.e., the Tenant does not make any explicit fee payment to the Landlord in return for the Telecommunications Service), in the same way that no explicit payment is made for electricity or water consumed by the Tenant during their stay.

Resale occurs when a Telecommunications Service, purchased at a retail tariff from an Individual Public Telecommunications Licensee, is resold to a third party. Article (9) of the Telecommunications Law foresees Resale and requires that any person who resells a Telecommunications Service, whether for a direct or indirect fee, must be licensed to do so in accordance with the provisions of the Telecommunications Law. Therefore, in July 2011, the Supreme Council for Information and Communications Technology (ictQATAR) issued the “Class License for the Resale (Retail) of Telecommunications Services” (**Resale Class License**). The Resale Class License was later amended and the revised version published in September 2013.

As stated above, amendments to the Telecommunications Law have transferred the authority

² Law No. 17 of 2017 Amending the Telecommunications Law Promulgated by Law No. 34 of 2006

for granting, amending, renewing, suspending and revoking Class Licenses from the General Secretariat of ictQATAR to CRA and therefore it is also necessary to update the Resale Class License to reflect this change in authority. At the same time, CRA also wishes to update the Resale Class License to ensure that it remains fit for purpose in supporting legitimate Resale activities in Qatar.

2 Revisions to the Private Network Class License

2.1 Overview of the Revised Text

In overview, the revisions to the Private Network Class License cover the following:

- The replacement of ictQATAR by CRA as the entity authorized by the Telecommunications Law to issue Class Licenses;
- Updated definitions and use of defined terms;
- Ensuring consistency with the recently issued licenses and regulations; and
- Other improvements that we have identified.

The full text of the revised Private Network Class License is attached in two forms:

- at **Annex 1a**: The original (published) version of the text with all proposed changes tracked;
- at **Annex 1b**: The clean copy of the proposed revised text without any tracked changes.

2.2 Specific Questions

Stakeholders are encouraged to provide justified views and comments related to any aspects and clauses of the proposed revised Private Networks Class License. However, CRA would also be pleased to receive inputs in response to the following specific questions:

1. Is it appropriate for the Private Network Class License to be technology neutral, or are there technologies which should be excluded from use in Private Telecommunications Networks? Please provide supporting arguments should you wish to exclude any technologies.
2. Do you agree with the scope of the Private Network Class License? Please provide

supporting arguments should you wish to vary the scope.

3. Do you agree with the terms defined and their use? Please provide supporting arguments should you wish to vary any defined terms or use of defined terms.
4. Is there anything that you would like to add to or remove from the Private Network Class License? Please provide supporting arguments for each suggestion.

3 Revisions to the Resale Class License

3.1 Overview of the Revised Text

In overview, the proposed revisions to the Resale Class License cover the following:

- The replacement of ictQATAR by CRA as the entity authorized by the Telecommunications Law to issue Class Licenses;
- Clarifications relating to existing Eligible Persons who are authorized to resell Telecommunications Services;
- Updated definitions and use of defined terms;
- Ensuring consistency with the recently issued licenses and regulations; and
- Other improvements that we have identified.

The proposed revised Resale Class License text also clarifies that the Eligible Persons have the right to resell a Telecommunications Service purchased at a retail tariff from an Individual Public Telecommunications Licensee. This is consistent with the definition of Resale included in the Resale Class License (i.e., a Reseller is required to purchase a Telecommunications Service from an Individual Public Telecommunications Licensee at retail tariffs). CRA is of the opinion that Resale should not be subject to any further contractual obligations beyond those included in the agreement associated with the retail service.

The full text of the revised Resale Class License is attached in two forms:

- at **Annex 2a**: The original (published) version of the text with all proposed changes tracked;
- at **Annex 2b**: The clean copy of the proposed revised text without any tracked changes.

In addition, a placeholder has been added in the proposed revised Resale Class License

regarding the possible inclusion of “Residential and Commercial Properties” as Eligible Persons. CRA’s initial thinking on this matter is discussed in Section 3.2 below.

3.2 Details of Further Possible Changes Related to Eligible Persons

This section presents possible changes to the scope of Eligible Persons being considered by CRA. It provides:

- the justification for the change being considered; and
- the changes that would be required to the Resale Class License text if the proposed change to Eligible Persons is adopted (i.e., these changes would be in addition to those included in the attached draft revised text).

CRA is aware that the list of Eligible Persons included within the currently published (i.e., September 2013) version of the Resale Class License does not fully address the scope of all Resale activities which appear to be required in Qatar. Therefore, CRA wishes to consult with stakeholders on the possible broadening of the scope of Resale scenarios authorized by the Resale Class License.

CRA is considering including providers of accommodation for low income workers as Eligible Persons in the revised Resale Class License and potentially including a broader “Landlords” category of Eligible Person that would include providers of accommodation for low income workers.

Resale by Landlords is necessary for the development of specific aspects of their business including the following:

At commercial properties: The provision of serviced office accommodation and retail space, where the Tenant will receive Telecommunications Services included as part of a package of services provided by the Landlord.

At residential properties: The provision of residential accommodation with Telecommunications Services included as part of the rent. In the case of short-term accommodation, this is the only practical way for a Tenant to have a fixed broadband connection (i.e., a short-term Tenant would not be able to

procure a fixed broadband connection for themselves).

We also note that Ooredoo has recently published its “Ooredoo Next Gen” tariff (C05-03) which includes the Business Residential Plan that enables a Landlord to include a Telecommunications Service within the rental cost of a property. The proposed update to the Resale Class License is required to enable a Landlord to benefit from this tariff.

Companies operating accommodation for low-income workers wish to provide workers living at the accommodation the option to purchase access to a Telecommunications Service (typically broadband access facilitated by Wi-Fi) for a small monthly fee. This is motivated on compassionate grounds to support workers whose low income means that even the lowest priced mobile data packages represent a significant proportion of their income.

It follows therefore that, for Tenants (including low-income workers), the benefits arising from Resale by their Landlord include:

- For low-income workers at accommodation provided by their employer: Resale would enable access to a broadband service at a tariff which is more affordable and accessible than the direct services of an Individual Public Telecommunications Licensee. There are also potential quality of service benefits to be realized by such Resale at locations where indoor coverage provided by public 4G or 5G mobile networks is not adequate.
- The convenience of having a Telecommunications Service arranged by the (commercial or residential) Landlord with the associated cost included with the rent;
- In the case of a short-term³ Tenant: Resale by the Landlord would give access to a fixed broadband service which they would otherwise not be able to arrange for themselves;
- For Tenants of serviced office accommodation: Serviced office accommodation is particularly important for start-up and smaller businesses and, by definition, the very existence of such office accommodation depends on the Landlord being able to provide

³ i.e., a period of time for which it would not be possible or practical for the Tenant to arrange for the installation and activation of a broadband service.

the office equipped with Telecommunications Services.

CRA therefore is considering adding one or more additional categories of Eligible Person to the Resale Class License to enable resale by Landlords of residential or commercial properties. This may be limited to resale by specified types of Landlords, for example operators of Worker Accommodation, or it may authorize resale by Landlords of all types of residential or commercial properties. CRA is seeking stakeholder views on this matter (please see the questions below).

If the scope of Eligible Persons is extended to include some type or types of Landlords as discussed above, then appropriate supporting changes would also need to be made to definitions used in the Resale Class License. CRA anticipates that such changes would include some or all of the following, depending on the feedback received during the consultation:

Resale: the subsequent sale or lease for a Direct or Indirect Fee, with or without adding value, of a Telecommunications Service purchased on a retail basis from an Individual Public Telecommunications Licensee.

Landlord: the person who grants the right to occupy Residential or Commercial Property. The term Landlord also encompasses companies or organizations authorized to establish and operate Worker Accommodation facilities. A Landlord may subcontract the provision and operation of any Telecommunications Network required to support the Resale activity to a third party.

Tenant: the person who is authorized by the Landlord to occupy part of, or all of, a property. This includes Workers living at Worker Accommodation.

Worker: a low-income employee who has accommodation provided by their employer.

Worker Accommodation: a place to stay or live provided by an employer to a Worker. Such accommodation is typically communal with shared facilities.

Residential Property: a property used or intended to be used for residential purposes and includes individual houses/villas, compounds, apartments and Worker Accommodation.

Commercial Property: a property used or intended to be used specifically for business or income-generating purposes and includes shops, malls, offices, workshops and factories.

Direct Fee: where the Licensee charges the Customer an explicit fee for the provision of the resold Telecommunications Service.

Indirect Fee: when the Licensee does not charge the Customer an explicit fee for the provision of the resold Telecommunications Service (i.e., the Telecommunications Service is treated as a commodity or utility which is included in a non-telecommunications related service provided by the Licensee, for example, in the rent paid by a Tenant or in the cost of food and/or drinks in the case of Resale at cafes or restaurants).

3.3 Specific Questions

Stakeholders are encouraged to provide justified views and comments related to any aspect of the proposed revised Resale Class License. However, CRA would also be pleased to receive inputs in response to the following specific questions:

1. Do you agree that Resale is a necessary activity in Qatar? If not, please explain and support your position with justifications.
2. Do you agree that some Resale activities will require the Licensee to own/operate a Telecommunications Network and that this should be authorized under the scope of the Resale Class License? If not, please explain and support your position with justifications.
3. Is the list of Eligible Persons and their scope of authorized Resale activities provided in the attached revised Resale Class License clear and appropriate for the market in Qatar? If not, please propose and explain the amendments that you deem to be necessary.
4. Do you agree that Resale for an Indirect fee should be within the scope of the Resale Class License? Please explain and support your position with justifications.
5. Do you agree that there is a legitimate need for the proposed scope of Resale by Landlords as outlined above? If not, please explain what scope of Resale by Landlords should/should not be authorized and support your position with justifications.
6. Do you think that resale by Landlords of Residential or Commercial Properties should be limited to specific types of properties (sub-categories) only? If so, which ones? Please explain your reasons why.
7. If you are an Eligible Person, can you provide data on the number of Customers to whom you are currently reselling or number of locations at which you currently resell in order to illustrate the demand for Resale activities? Such information could include any of the

following (as appropriate to your own activities):

- Number of Hotels and/or Customers
 - Number of Public Call Offices and/or Customers
 - Number of Internet Cafes and/or Customers
 - Number of Wireless Internet Zones and/or Customers
 - Number of Data Centers and/or Customers
 - Number of residential or commercial properties and/or Tenants
8. What implications for Individual Public Telecommunications Licensees might arise from authorizing Resale by Landlords in any of the scenarios outlined in the discussion above? Please identify any benefits arising from specific Resale scenarios or alternatively the resale scenarios that might cause harm. Please define/quantify the benefit or detriment as clearly as possible, including where applicable in terms of:
- Improved efficiency (i.e., from bulk selling to Landlords)
 - Pricing
 - Revenues
 - Profitability
 - Subscriber numbers and market share
 - Potential to distort or lessen competition
9. Should the requirement to notify CRA be maintained for all Licensees? What detriment would arise from removing the need for all Licensees to notify CRA? Please explain your reasoning.
10. Could the requirement to notify CRA only apply under specified circumstances? If so, under which circumstances should the Licensee be required to notify CRA? Please explain your reasoning.
11. If you are of the opinion that notification to CRA should be retained in some or all circumstances, do you also believe that the requirement to pay the notification fee should be retained in all/some cases where notification is required? Please state in which cases of notification the fee should be retained and also what benefit or detriment

would arise from removing the requirement to pay the notification fee?

12. If you are of the opinion that notification to CRA should be retained in some or all circumstances, do you also believe that a fee should be payable when informing CRA of changes to details included in the original notification? What benefit or detriment would arise from removing the requirement to pay this minor modification fee?
13. Do you agree with the terms defined in the Retail Class License and their use? Please provide supporting arguments should you wish to vary any defined terms or use of defined terms.
14. Is there anything not included in the questions above that you would like to add to or remove from the Resale Class License? Please provide supporting arguments for each suggestion.

4 How to Respond to the Consultation

4.1 Consultation procedures

In keeping with an open and transparent regulatory process, CRA is consulting on the attached draft revised licenses. Stakeholders and other interested parties are invited to provide their views and comments on the content of each draft revised license and to respond to the specific questions mentioned in Sections 2.2 and 3.3 of this Consultation Document. **Each response and comment made should refer to the number of the question or to the number of the related clause (paragraph) of the relevant draft revised license.**

Respondents should provide evidence in support of their comments where necessary. This will enable CRA to understand why the submitted opinions are held by the respondent and take better account of the underlying reasoning.

All submissions received in response to this consultation will be carefully considered by CRA. However, it should be noted that nothing included in the draft revised licenses is final or binding, and CRA is under no obligation to adopt or implement any comments or proposals submitted.

Responses to this consultation (and questions about this consultation) should be submitted by email to: raconsultation@cra.gov.qa. The subject reference in the email should be stated as "Consultation on the Revision of Class Licenses". It is not necessary to provide a hard copy of the responses.

The deadline to respond to this consultation is March 10, 2022.

4.2 Consultation Response Template

Responses to this consultation must be in the following template format (table). Please use a separate table for each Class License:

Respondent: [Name of company, organization, or individual].

Class License: ["Private Network Class License" OR "Resale Class License"]

Question or License clause reference	Responses and Comments
[For each comment, please specify the number of the question or the number of the clause/paragraph of the draft revised license that the comment refers to]	[Please provide your responses and comments in relation to the question or clause/paragraph mentioned in the first column]
...	...
...	...

4.3 Publication of Comments

In the interests of transparency and accountability, CRA may publish the responses to this consultation on its website at (www.cra.gov.qa). All responses will be processed and treated as non-confidential unless confidential treatment has been requested by the respondents.

In order to claim confidentiality of information in submissions, respondents must provide a non-confidential version of such material in which all information considered confidential has been redacted and replaced with "[CONFIDENTIAL]" or "[CONFIDENTIAL INFORMATION]".

A comprehensive justification must be provided for each section of a response that respondents

wish to be treated as confidential. Furthermore, respondents cannot request confidentiality for the entire response or whole sections of the response.

While CRA will endeavour to respect the wishes of respondents, in all instances the decision to publish responses (in full or in part) will be at the sole discretion of CRA.

By responding to this consultation, respondents will be deemed to have waived all copyright and/or intellectual property rights over the material provided.

5 Annexes

5.1 Annex 1a: Private Network Class License – All proposed changes tracked

5.2 Annex 1b: Private Network Class License – Clean copy

5.3 Annex 2a: Resale Class License – All proposed changes tracked

5.4 Annex 2b: Resale Class License – Clean copy

Consultation Document

Annex 1a: Private Network Class License – All proposed changes tracked

CLASS LICENSE to Own and/or Operate a Private Telecommunications Network

Issued by

~~The Communications Regulatory Authority~~ ~~Supreme Council for
Information and Communication Technology~~

~~July 10, 2011~~

~~Amended 29 September 2013~~

Ref. ICTRA-2011/07/10b **[New date and reference]**

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Revision History

Issue Date	Version	Notes
10 July 2010	1-0	First version issued
29 September 2013	1-12	Addition of signature page
<u>[Insert issue date]</u>	<u>3</u>	<p><u>Replacing Supreme Council of Information and Communication Technology (ictQATAR) with Communications Regulatory Authority (CRA) in accordance with Law No. 17 of 2017 amending the Telecommunications Law.</u></p> <p><u>Updating the format to align with current CRA standards.</u></p> <p><u>Various text updates and improvements to respond to market developments and to clarify the scope of the License.</u></p>

For the ~~Supreme Council of Information and Communication Technology~~Communications Regulatory Authority—ictQATAR (CRA)

Signed by

Mohammed Ali Al-Manna

President of the Communications Regulatory Authority

Dr. Hessa Al Jaber

~~Minister of Communication & Information Technology~~

Dated: ~~29 September 2013~~ [insert issue date]

1. Legal Nature of ~~the~~is License

- 1.1 The ~~Supreme Council of Information and Communication Technology Communications Regulatory Authority~~ (“~~ictQATAR CRA~~”) ~~has established grants~~ this Class License to Own and/or Operate a Private Telecommunications Network (“**License**”) under Article (4) and Article (9) of the Telecommunications Law No. (34) of 2006 of the State of Qatar.
- ~~1.2 This License follows the public consultation conducted by ictQATAR in 2009 on the proposed Licensing Framework and its Appendix B “Draft Class License to Own and/or Operate a Private Network” dated 10 May 2009.~~
- ~~1.2~~ This License ~~supersedes all previous versions and~~ applies to ~~all~~ legal persons ~~(Closed User Groups)~~ who own and/or operate a Private Telecommunications Network within a Closed user Group Private Telecommunications Networks in the State of Qatar without having to apply for ~~the~~is License. Such legal person is referred to hereinafter as the “**Licensee**”.
- 1.3 The License supersedes any prior licenses and authorizations issued by the Supreme Council of Information and Communication Technology (ictQATAR) or CRA relating to owning and/or operating Private Telecommunications Networks.
- 1.4 The Licensee must comply with the terms and conditions ~~set forth hereinof the License~~ and with the ~~Telecommunications Law No. (34) of 2006 and its~~ Executive By-Law, ~~of 2009 the Emiri Decision, relevant legislation and international treaties,~~ and any ~~other rules, relevant~~ regulations, decisions, orders, ~~policies rules, guidelines,~~ instructions or notices issued by ~~ictQATAR CRA before or after the grant of the License as well as relevant laws of the State of Qatar and international treaties that the State of Qatar has subscribed to~~ (hereinafter, collectively referred to as the “**Applicable Regulatory Framework**” or “**ARF**”).
- 1.5 ~~Legal persons (Closed User Groups) who wish to own and/or operate Private Networks~~ The Licensee ~~are is~~ not required to notify ~~ictQATAR CRA~~ of ~~their its~~ intention to ~~do so~~ own and/or operate a Private Telecommunications Network and ~~are is~~ not required to pay any fees to ~~ictQATAR CRA in order to benefit from the License.~~
- ~~1.6 The Licensee is required to have obtained all other necessary approvals or licenses from all other competent authorities in Qatar in accordance with the applicable Qatari laws.~~

2. ~~Activities Covered~~ Authorized by ~~the~~ this License

2.1 The Licensee is hereby authorized to establish, install, own, operate and use a Private Telecommunications Network within a Closed User Group ~~in the State of Qatar~~, subject to the terms and conditions of ~~this~~ the License and the ARF. For the avoidance of ~~any~~ doubt, ~~the Licensee is not permitted to charge a fee for the use of a Private Telecommunications Network to the users of the Closed User Group – established under the License and~~ the resale of ~~T~~telecommunications ~~S~~services to the public is not ~~covered by~~ authorised under by this Class ~~the~~ License.

2.2 The Licensee may own and/or operate Private Telecommunications Networks by means of:

- a) obtaining ~~T~~telecommunications ~~facilities~~ Networks and Services from holders of an Individual Public Telecommunications Licensee; or
- b) installing ~~and operating~~ its own ~~T~~telecommunications Networks ~~facilities~~ Equipment.

~~2.3~~ ~~The~~ Private Telecommunications Networks may be established using any communications technology including, but not limited to, Leased Lines and Virtual Private Telecommunications Networks.

~~2.4~~ ~~There will be no restriction on the type of traffic that could~~ permitted to be carried over the facilities acquired from Individual Public Telecommunications Licensees.

~~2.5~~ ~~This License supersedes any prior~~ licenses and authorizations relating to Private Networks.

~~2.6~~ ~~2.3~~ ~~The activities covered by this License may be modified at any time at the sole discretion of~~ ictQATAR.

3. Definitions

~~The words and expressions used in the License have the meanings set forth in the Telecommunications Law, Emiri Decision, Executive By-Law, regulations issued pursuant to the Telecommunications Law and the License, including the definitions set forth in Annex A that forms an integral part of the License~~ The key words and expressions used in this License are defined in Annex A. The other words and expressions shall have the meanings set forth in the Telecommunications Law and the ARF.

4. Compliance Obligations of the Licensee

- 4.1 The Licensee ~~shall~~must comply (and ~~shall~~must ensure that its officers, subcontractors and agents comply) with the terms and conditions of ~~this~~the License and the ARF.
- 4.2 The Licensee ~~shall~~must also comply with ~~any~~all obligations imposed on it by any of the laws, regulations, rules, guidelines, orders or others issued by the State of Qatar.
- 4.3 ~~The Licensee is required to have obtained all necessary approvals or licenses from all competent authorities in Qatar in accordance with the applicable Qatari laws and regulations. For the avoidance of doubt, This~~the License does not absolve the Licensee from any requirement under the applicable laws or decrees of and regulations in Qatar to obtain ~~such additional~~all and any consents, permissions or authorizations, including frequency authorizations as may be necessary for the operation of the Private Telecommunications Network.
- 4.4 The Licensee is responsible for all costs, expenses and other commitments (financial and non-financial) in respect of the License and operation of Private Telecommunications Networks.

5. License Term

The License ~~shall~~will remain valid until withdrawn by CRA~~e is authorized to own and/or operate a Private Network as long as the Licensee complies with the terms and conditions of this License and with the ARF.~~

6. Connection with Public Telecommunications Networks

- 6.1 ~~The Licensee is not allowed~~permitted to interconnect with a Public Telecommunications Network on wholesale tariffs (mobile termination rates, fixed termination rates).The connection with a Public Telecommunications Network ~~can~~must be ~~done~~achieved only via a Gateway (e.g., PBX) where the ~~Private Network operator~~Licensee ~~has to~~must pay the applicable retail ~~charge~~stariff. For the avoidance of ~~any~~ doubt, ~~the Licensee is not permitted to interconnect with a Public Telecommunications Network on wholesale tariffs (mobile termination rates, fixed termination rates)~~wholesale rates such as Interconnection rates (e.g., fixed and mobile termination rates) do not apply.
- 6.2 ~~The Licensee shall not use Private Networks in such a way as to bypass the telecommunications facilities of the Individual Public Telecommunications Licensees in Qatar.~~

~~6.36.2 The resale of public telecommunications services and the routing of national and international public calls through a Private Network are prohibited. For the avoidance of doubt, national and international public Telecommunications Services may be accessed by a user of a Private Telecommunications Network and, further, national and international public Telecommunications Services they may be terminated on a Private Telecommunications Network.~~

7. Lawful Interception and Security

- 7.1 The Licensee ~~shall~~must make available to ~~duly~~ authorized law enforcement agencies of the State of Qatar, upon request, all stored information that is held by the Licensee in conducting the activities authorized by ~~this the~~ License and ~~shall~~must otherwise cooperate with such authorities in accordance with procedures established by applicable laws and regulations.
- 7.2 The Licensee ~~shall~~must comply with the requirements of the authorized agencies of the State of Qatar relating to national security and with the directions of governmental bodies in cases of public emergencies, and it ~~shall~~must implement the orders and instructions of ~~ictQATARCRA~~ with respect to service issues related to same.

8. Access to Premises and Information

The employees of ~~ictQATARCRA~~ who are vested with judicial seizure powers in accordance with Article (63) of the Telecommunications Law may enter and inspect the offices, places and premises used by the Licensee in relation to owning and/or operating a Private Telecommunications Network, in order to verify that the Licensee is in compliance with the terms and conditions of ~~this the~~ License and the ARF. ~~ictQATARCRA~~ will keep Licensee's data and information confidential and will not release them to any other entities except as required by law.

9. Telecommunications Equipment

- 9.1 The Licensee ~~shall~~must ensure that it takes any measures prescribed by the ARF and other reasonable and necessary safety measures regarding the installation, lease, purchase and usage of all Telecommunications Equipment to safeguard life or property and to limit exposure to electromagnetic emission, radiation and related risks.
- 9.2 The Licensee ~~shall~~must ensure that all Telecommunications Equipment deployed meets the requirements of ~~ictQATARCRA~~'s Type Approval regime.

10. Radio Frequency

10.1 If the operation of the Private Telecommunications Network requires the use of radio frequencies, the Licensee must (prior to the use of such frequencies) obtain from ictQATARCRA a radio frequency license or authorization, ~~if applicable~~, subject to spectrum availability.

~~10.2 The grant of the spectrum license or authorization will not create any property right or interests on the part of the Licensee in such spectrum and the Licensee shall remain subject to the authority of ictQATAR to release spectrum or alter, amend or cancel spectrum allocations or assignments, in accordance with the ARF.~~

~~10.3~~10.2 The Licensee must comply with the ARF relating to the use of radio frequency and operation of radio equipment.

11. Assignment of License

~~The Licensee may not assign this License, and the License will not be deemed to be assigned by contract, by operation of law or for any other reason, without the prior written approval of ictQATAR in accordance with the provisions of the ARF.~~

12.11. Breach of License Conditions

12.11.1 The Licensee ~~shall~~will be liable for all breaches of ~~this the~~ License and/or of any other terms or provisions of the ARF whether caused or carried out by itself or by any Person acting on its behalf.

12.211.2 Except in situations involving imminent and irreparable harm to Persons or property, where there are reasonable grounds to suspect that the Licensee (or its officers, subcontractors or agents) is in breach of ~~this the~~ License, the Licensee will be served with a written notice by ictQATARCRA requesting to rectify the breach.

12.311.3 If the Licensee fails to remedy any breach resulting from non-compliance with any condition of ~~this the~~ License or the ARF, ictQATARCRA may take any enforcement action or measure as it deems appropriate in accordance with the ARF and/or Chapters (15 and 16) of the Telecommunications Law.

11.4 Without prejudice to any other enforcement powers of ~~ictQATAR~~CRA, the Licensee ~~shall~~will lose its right to own and/or operate a Private Telecommunications Network, through a notice to this effect from ~~ictQATAR~~CRA, if the Licensee commits repeated violations of the License terms and/or the ARF.

12. Force Majeure

If the Licensee is prevented from complying with the terms and conditions of the License because of Force Majeure:

(a) the Licensee must notify CRA as to the reasons why as soon as reasonably practicable;
and

(b) CRA may suspend specific conditions of the License for as long as the Force Majeure continues.

13. Amendment of the License

13.1 ~~ictQATAR~~CRA may amend ~~the~~is License from time to time as it deems necessary.

13.2 Any amended License will be published on the CRA web-site and the Licensee must amend its activities to always ensure compliance with the most recently published version of the License.

13.3 ~~13.4~~ CRA will not be liable for any consequences arising from the publication of an amended License. By way of an example, such consequences may arise from the Licensee having to adjust its activities under the License as a result of the removal of rights that existed under the previous version of the License or the imposition of new or additional obligations which did not exist in the previous version of the License.

14. Governing Law

This License ~~shall be~~is governed by and interpreted in accordance with the laws of the State of Qatar.

Annex A - Definitions

The words and expressions used in the License have the meaning assigned by the relevant provisions of the Applicable Regulatory Framework when used herein.

Words and expressions which are expressly defined for purposes of the License are set forth below or are identified in the boldface type where they are defined in the License. Any terms that are not defined by the License or the Applicable Regulatory Framework shall be defined in accordance with the definitions applied by the International Telecommunication Union or in the absence of same, international best practice.

The terms and expressions listed below are defined as follows, unless the specific context requires otherwise, in line with the Applicable Regulatory Framework~~The following terms and expressions shall have the meanings assigned to each of them:~~

Applicable Regulatory Framework (“ARF”): ~~the Telecommunications Law No. (34) of 2006 of the State of Qatar and its Executive By-Law of 2009 and any other relevant rules and regulations, decisions, orders, policies, guidelines, instructions or notices issued by ictQATAR/CRA as well as this License terms and conditions and relevant laws of the State of Qatar and international treaties that the State of Qatar has subscribed to.~~

Bypass: ~~is when a Person uses any means to access national, international or other telecommunications services without using the telecommunications facilities of an Individual Public Telecommunications Licensee.~~

Class License: ~~the~~ a License granted in accordance with Chapter Three of the Telecommunications Law for a certain class of service providers and which applies to any Person falling within that class without that Person having to apply for such license.

Closed User Group: means legal a group of persons or entities (i) with an ongoing professional and/or business relationship~~common economic and non-economic links, (ii) that can be identified as being part of an the same existing corporate group or Government entity, and (iii) that exists on the basis of an ongoing professional and business relationship between members of the group, or with another entity of the group, and~~ whose internal communication needs result from the common interest underlying the relationship. ~~Closed User Groups shall do not include natural persons or private individuals.~~

Emiri Decision: Emiri Decision No. (42) of 2014 on Establishing the Communications Regulatory Authority.

Executive By-Law: Decision of the Board of The Supreme Council for Information and Communication Technology No. (1) of 2009 on the promulgation of the Executive By-Law for the Telecommunications Law.

Gateway: For the purpose of ~~this the~~ License, a Gateway is ~~a~~ Telecommunications Equipment that connects a Private Telecommunications Network to a Public Telecommunications Network. For clarity, a Gateway is distinct from Interconnection. The Licensee is not allowed to interconnect with a Public Telecommunications Network on wholesale tariffs (mobile termination rates, fixed termination rates). The connection with a Public Telecommunications Network can be done only via a Gateway (e.g., PBX) where the Private Telecommunications Network operator has to pay the applicable retail ~~charges~~ tariffs. For the avoidance of any doubt, wholesale rates such as Interconnection rates (e.g., fixed and mobile termination rates) do not apply.

Individual License: a license granted to a particular person in accordance with the provisions of Chapter Three of the Telecommunications Law.

Individual Licensee: a holder of an Individual License.

Individual Public Telecommunications License: an Individual License granted ~~by~~ ~~ictQATARCR~~ the Minister of Transport and Communications for the provision of ~~Public Fixed, or Mobile or Satellite~~ public Telecommunications Networks and Services. The holder of such license is called Individual Public Telecommunications Licensee.

Interconnection: the physical and logical linking of telecommunications networks used by the same service provider or by a number of service providers in order to ~~allow~~ enable the customers of one service provider to communicate with ~~customers of the same~~ each other or communicate with customers of another service provider or to enable them to access services provided by another service provider.

License: this “Class License to Own and/or Operate a Private Telecommunications Network”.

Licensee: a ~~legal person~~ Closed User Group who owns and/or operates a Private Telecommunications Network under this Class License.

Person: a natural or legal person of any type or form.

Private Telecommunications Network: a Telecommunications Network that is utilized for the internal communications needs of a Closed User Group, as distinct from providing

Public Telecommunications Network: a Telecommunications Network operated by an Individual Public Telecommunications Licensee used for the provision of Telecommunications Services to the public. The term includes Virtual Private Telecommunications Networks.

Public Telecommunications Network: a Telecommunications Network operated by an Individual Public Telecommunications Licensee used for the provision of Telecommunications Services to the public.

Service Provider: a person that is licensed to provide one or more telecommunications services to the public or licensed to own, establish or operate a telecommunications network to provide telecommunications services to the public. This includes providers of information or content provided using a telecommunications network.

Telecommunications Equipment: equipment capable of being connected directly or indirectly with a Telecommunications network in order to send, transmit or receive telecommunications services.

Telecommunications Facilities: any facility, apparatus or other used or capable of being used for transmitting telecommunications services or for any operation directly connected with the transmission of telecommunications services.

Telecommunications Law: is the Telecommunications Law No. (34) of 2006 of the State of Qatar.

Telecommunications Network: any wire, radio, optical or electromagnetic systems for routing, switching and transmitting telecommunications services, ~~between network termination points~~ including fixed and mobile terrestrial networks, satellite networks, electricity transmission systems or other utilities (to the extent used for telecommunications), circuit or packet switched networks (including those used for Internet Protocol services), and networks used for delivery of broadcasting services (including cable television networks).

Telecommunications Service: any form of transmission, emission or reception of signs, signals, writing, text, images, sounds or other intelligence provided by means of a telecommunications network to a third party.

Consultation Document

Annex 1b: Private Network Class License – Clean copy

CLASS LICENSE

to Own and/or Operate a Private Telecommunications Network

Issued by

The Communications Regulatory Authority

[New date and reference]

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Revision History

Issue Date	Version	Notes
10 July 2010	1	First version issued
29 September 2013	2	Addition of signature page
[Insert issue date]	3	Replacing Supreme Council of Information and Communication Technology (ictQATAR) with Communications Regulatory Authority (CRA) in accordance with Law No. 17 of 2017 amending the Telecommunications Law. Updating the format to align with current CRA standards. Various text updates and improvements to respond to market developments and to clarify the scope of the License.

For the Communications Regulatory Authority (CRA)

Signed by

Mohammed Ali Al-Mannai

President of the Communications Regulatory Authority

Dated: [Insert date]

1. Legal Nature of the License

- 1.1 The Communications Regulatory Authority (“**CRA**”) grants this Class License to Own and/or Operate a Private Telecommunications Network (“**License**”) under Article (4) and Article (9) of the Telecommunications Law No. (34) of 2006 of the State of Qatar.
- 1.2 The License applies to legal persons who own and/or operate a Private Telecommunications Network within a Closed user Group without having to apply for the License. Such legal person is referred to hereinafter as the “**Licensee**”.
- 1.3 The License supersedes any prior licenses and authorizations issued by the Supreme Council of Information and Communication Technology (ictQATAR) or CRA relating to owning and/or operating Private Telecommunications Networks.
- 1.4 The Licensee must comply with the terms and conditions of the License and with the Telecommunications Law the Executive By-Law, the Emiri Decision, relevant legislation and international treaties, and any relevant regulations, decisions, orders, rules, instructions or notices issued by CRA before or after the grant of the License (hereinafter, collectively referred to as the “**Applicable Regulatory Framework**” or “**ARF**”).
- 1.5 The Licensee is not required to notify CRA of its intention to own and/or operate a Private Telecommunications Network and is not required to pay any fees to CRA in order to benefit from the License.

2. Activities Authorized by the License

- 2.1 The Licensee is hereby authorized to establish, install, own, operate and use a Private Telecommunications Network within a Closed User Group, subject to the terms and conditions of the License and the ARF. For the avoidance of doubt, the Licensee is not permitted to charge a fee to the users of the Closed User Group and the resale of Telecommunications Services to the public is not authorised under the License.
- 2.2 The Licensee may own and/or operate Private Telecommunications Networks by means of:
 - a) obtaining Telecommunications Networks and Services from holders of an Individual License; or
 - b) installing its own Telecommunications Networks.

- 2.3 Private Telecommunications Networks may be established using any communications technology including, but not limited to, Leased Lines and Virtual Private Telecommunications Networks.

3. Definitions

The words and expressions used in the License have the meanings set forth in the Telecommunications Law, Emiri Decision, Executive By-Law, regulations issued pursuant to the Telecommunications Law and the License, including the definitions set forth in Annex A that forms an integral part of the License.

4. Compliance Obligations of the Licensee

- 4.1 The Licensee must comply (and must ensure that its officers, subcontractors and agents comply) with the terms and conditions of the License and the ARF.
- 4.2 The Licensee must also comply with all obligations imposed on it by any of the laws, regulations, rules, guidelines, orders or others issued by the State of Qatar.
- 4.3 The Licensee is required to have obtained all necessary approvals or licenses from all competent authorities in Qatar in accordance with the applicable Qatari laws and regulations. For the avoidance of doubt, the License does not absolve the Licensee from any requirement under the applicable laws and regulations in Qatar to obtain all and any consents, permissions or authorizations, including frequency authorizations as may be necessary for the operation of the Private Telecommunications Network.
- 4.4 The Licensee is responsible for all costs, expenses and other commitments (financial and non-financial) in respect of the License and operation of Private Telecommunications Networks.

5. License Term

The License will remain valid until withdrawn by CRA.

6. Connection with Public Telecommunications Networks

- 6.1 The connection with a Public Telecommunications Network must be achieved only via a Gateway (e.g., PBX) where the Licensee must pay the applicable retail tariff. For the avoidance of doubt,

the Licensee is not permitted to interconnect with a Public Telecommunications Network on wholesale tariffs (mobile termination rates, fixed termination rates).

- 6.2 National and international public Telecommunications Services may be accessed by a user of a Private Telecommunications Network and they may be terminated on a Private Telecommunications Network.

7. Lawful Interception and Security

- 7.1 The Licensee must make available to authorized law enforcement agencies of the State of Qatar, upon request, all stored information that is held by the Licensee in conducting the activities authorized by the License and must otherwise cooperate with such authorities in accordance with procedures established by applicable laws and regulations.
- 7.2 The Licensee must comply with the requirements of the authorized agencies of the State of Qatar relating to national security and with the directions of governmental bodies in cases of public emergencies, and it must implement the orders and instructions of CRA with respect to service issues related to same.

8. Access to Premises and Information

The employees of CRA who are vested with judicial seizure powers in accordance with Article (63) of the Telecommunications Law may enter and inspect the offices, places and premises used by the Licensee in relation to owning and/or operating a Private Telecommunications Network, in order to verify that the Licensee is in compliance with the terms and conditions of the License and the ARF. CRA will keep Licensee's data and information confidential and will not release them to any other entities except as required by law.

9. Telecommunications Equipment

- 9.1 The Licensee must ensure that it takes any measures prescribed by the ARF and other reasonable and necessary safety measures regarding the installation, lease, purchase and usage of all Telecommunications Equipment to safeguard life or property and to limit exposure to electromagnetic emission, radiation and related risks.

- 9.2 The Licensee must ensure that all Telecommunications Equipment deployed meets the requirements of CRA's Type Approval regime.

10. Radio Frequency

- 10.1 If the operation of the Private Telecommunications Network requires the use of radio frequencies, the Licensee must (prior to the use of such frequencies) obtain from CRA a radio frequency license or authorization, subject to spectrum availability.
- 10.2 The Licensee must comply with the ARF relating to the use of radio frequency and operation of radio equipment.

11. Breach of License Conditions

- 11.1 The Licensee will be liable for all breaches of the License and/or of any other terms or provisions of the ARF whether caused or carried out by itself or by any Person acting on its behalf.
- 11.2 Except in situations involving imminent and irreparable harm to Persons or property, where there are reasonable grounds to suspect that the Licensee (or its officers, subcontractors or agents) is in breach of the License, the Licensee will be served with a written notice by CRA requesting to rectify the breach.
- 11.3 If the Licensee fails to remedy any breach resulting from non-compliance with any condition of the License or the ARF, CRA may take any enforcement action or measure as it deems appropriate in accordance with the ARF and/or Chapters (15 and 16) of the Telecommunications Law.
- 11.4 Without prejudice to any other enforcement powers of CRA, the Licensee will lose its right to own and/or operate a Private Telecommunications Network, through a notice to this effect from CRA, if the Licensee commits repeated violations of the License terms and/or the ARF.

12. Force Majeure

If the Licensee is prevented from complying with the terms and conditions of the License because of Force Majeure:

- (a) the Licensee must notify CRA as to the reasons why as soon as reasonably practicable;
and
- (b) CRA may suspend specific conditions of the License for as long as the Force Majeure continues.

13. Amendment of the License

- 13.1 CRA may amend the License from time to time as it deems necessary.
- 13.2 Any amended License will be published on the CRA website and the Licensee must amend its activities to always ensure compliance with the most recently published version of the License.
- 13.3 CRA will not be liable for any consequences arising from the publication of an amended License. By way of an example, such consequences may arise from the Licensee having to adjust its activities under the License as a result of the removal of rights that existed under the previous version of the License or the imposition of new or additional obligations which did not exist in the previous version of the License.

14. Governing Law

This License is governed by and interpreted in accordance with the laws of the State of Qatar.

Annex A – Definitions

The words and expressions used in the License have the meaning assigned by the relevant provisions of the Applicable Regulatory Framework when used herein.

Words and expressions which are expressly defined for purposes of the License are set forth below or are identified in the boldface type where they are defined in the License. Any terms that are not defined by the License or the Applicable Regulatory Framework shall be defined in accordance with the definitions applied by the International Telecommunication Union or in the absence of same, international best practice.

The terms and expressions listed below are defined as follows, unless the specific context requires otherwise, in line with the Applicable Regulatory Framework:

Class License: a License granted in accordance with Chapter Three of the Telecommunications Law for a certain class of service providers and which applies to any Person falling within that class without that Person having to apply for such license.

Closed User Group: means a group of persons (i) with an ongoing professional and/or business relationship, (ii) that can be identified as being part of the same existing corporate group or Government entity, and (iii) whose internal communication needs result from the common interest underlying the relationship.

Emiri Decision: Emiri Decision No. (42) of 2014 on Establishing the Communications Regulatory Authority.

Executive By-Law: Decision of the Board of The Supreme Council for Information and Communication Technology No. (1) of 2009 on the promulgation of the Executive By-Law for the Telecommunications Law.

Gateway: for the purpose of the License, a Gateway is Telecommunications Equipment that connects a Private Telecommunications Network to a Public Telecommunications Network. For clarity, a Gateway is distinct from Interconnection. The Licensee is not allowed to interconnect with a Public Telecommunications Network on wholesale tariffs (mobile termination rates, fixed termination rates). The connection with a Public Telecommunications Network can be done only via a Gateway (e.g., PBX) where the Private Telecommunications Network operator has to pay the applicable retail tariffs. For the avoidance of any doubt, wholesale rates such as Interconnection rates (e.g., fixed and mobile termination rates) do not apply.

Individual License: a license granted to a particular person in accordance with the provisions of Chapter Three of the Telecommunications Law.

Individual Licensee: a holder of an Individual License.

Individual Public Telecommunications License: an Individual License granted for the provision of public Telecommunications Networks and Services. The holder of such license is called Individual Public Telecommunications Licensee.

Interconnection: the physical and logical linking of telecommunications networks used by the same service provider or by a number of service providers in order to enable the customers of one service provider to communicate with each other or communicate with customers of another service provider or to enable them to access services provided by another service provider.

License: this “Class License to Own and/or Operate a Private Telecommunications Network”.

Licensee: a Closed User Group who owns and/or operates a Private Telecommunications Network under this Class License.

Person: a natural or legal person of any type or form.

Private Telecommunications Network: a Telecommunications Network that is utilized for the internal communications needs of a Closed User Group, as distinct from providing Telecommunications Services to the public, and which can have a Gateway to the Public Telecommunications Network. The term includes Virtual Private Telecommunications Networks.

Public Telecommunications Network: a Telecommunications Network operated by an Individual Public Telecommunications Licensee used for the provision of Telecommunications Services to the public.

Service Provider: a person that is licensed to provide one or more telecommunications services to the public or licensed to own, establish or operate a telecommunications network to provide telecommunications services to the public. This includes providers of information or content provided using a telecommunications network.

Telecommunications Equipment: equipment capable of being connected directly or indirectly with a Telecommunications network in order to send, transmit or receive telecommunications services.

Telecommunications Facilities: any facility, apparatus or other used or capable of being used for transmitting telecommunications services or for any operation directly connected with the transmission of telecommunications services.

Telecommunications Law: is the Telecommunications Law No. (34) of 2006 of the State of Qatar.

Telecommunications Network: any wire, radio, optical or electromagnetic systems for routing, switching and transmitting telecommunications services, including fixed and mobile terrestrial networks, satellite networks, electricity transmission systems or other utilities (to the extent used for telecommunications), circuit or packet switched networks (including those used for Internet Protocol services), and networks used for delivery of broadcasting services (including cable television networks).

Telecommunications Service: any form of transmission, emission or reception of signs, signals, writing, text, images, sounds or other intelligence provided by means of a telecommunications network to a third party.

- End of License -

Consultation Document

Annex 2a: Resale Class License – All proposed changes tracked

CLASS LICENSE

for the Resale ~~(Retail)~~ of Retail Telecommunications Services

Issued by

~~The Communications Regulatory Authority~~ ~~Supreme Council for Information and Communication Technology~~

~~July 10, 2011~~

~~Amended 29 September 2013~~

Ref. ICTRA 2011/07/10c [New date and reference]

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Revision History

Issue Date	Version	Notes
10 July 2010	1-0	First version issued
29 September 2013	4-12	Addition of Data Centers as Eligible Persons
<u>Insert issue date</u>	3	<p><u>Replacing Supreme Council of Information and Communication Technology (ictQATAR) with Communications Regulatory Authority (CRA) in accordance with Law No. 17 of 2017 amending the Telecommunications Law.</u></p> <p><u>Updating the format to align with current CRA standards.</u></p> <p><u>Various text updates and improvements to respond to market developments and to clarify the scope of the License.</u></p>

For the ~~Supreme Council of Information and Communication Technology~~
~~ictQATAR~~ Communications Regulatory Authority (CRA)

Signed by

Mohammed Ali Al-Mannai

President of the Communications Regulatory Authority

Dr. Hessa Al Jaber

Minister of Communication & Information Technology

Dated: ~~29 September 2013~~ Insert issue date

1. Legal Nature of ~~the~~**is** License

1.1 The Communications Regulatory Authority (“CRA”) Supreme Council of Information and Communication Technology (“ictQATAR”) ~~has established grants~~ this Class License for the Resale of Retail Telecommunications Services (“**License**”) under Article (4) and Article (9) of the Telecommunications Law No. (34) of 2006 of the State of Qatar.

~~1.2 This License follows the public consultation conducted by ictQATAR in 2009 on the Licensing Framework and its Appendix A “Draft Class License for the Resale (Retail) of Telecommunications Services” dated 10 May 2009.~~

1.2 ~~The~~**is** License ~~supersedes all previous versions and~~ applies to all Eligible Persons (as specified in Section 2-3 of ~~this the~~ License) who resell retail Telecommunications Services in Qatar, without having to apply for ~~this the~~ License. Such a person is referred to hereinafter as the “**Licensee**”.

1.3 ~~The License~~ ~~supersedes all prior licenses and authorizations issued by the Supreme Council of Information and Communication Technology (ictQATAR) or CRA relating to the Resale of Telecommunications Services in Qatar.~~

~~The Licensees~~ must comply with the terms and conditions ~~set forth hereinof the License~~ and with the Telecommunications Law, Law No. (34) of 2006 and its it's the Executive By-Law, the Emiri Decision, relevant legislation and international treaties, and any ~~other rules, relevant regulations, decisions, orders, policies, rules, guidelines,~~ instructions or notices issued by ictQATARCRA before or after the grant of the License as well as relevant laws of the State of Qatar and international treaties that the State of Qatar has subscribed to (hereinafter, collectively referred to as the “**Applicable Regulatory Framework**” or “**ARF**”).

1.4 ~~The Licensee is hereby authorized to resell telecommunications services to the public in Qatar on a non-exclusive basis. This involves the purchase of services by commercial agreement from an Individual Public Telecommunications Licensee on a non-exclusive basis at retail rates to resell to end-users on a technology neutral basis (i.e., using any technology). Any use of radio frequencies is subject to spectrum licensing where this is applicable.~~

~~1.3 This License is subject to the Licensee entering into a commercial agreement with one or more Individual Public Telecommunications Licensees on a non-exclusive basis to resell telecommunications services to end-users.~~

- ~~1.4~~ Eligible persons who wish to resell telecommunications services to the public are required to notify QATAR of their intention to do so following the procedures set out in Section 6 of this License and pay the notification fee.
- ~~1.5~~ The Licensee is required to have obtained all other necessary approvals or licenses from all other competent authorities in Qatar in accordance with the applicable Qatari laws.
- ~~1.6~~ This License supersedes any prior authorizations relating to the eligible persons listed in Section 2 below.

2. Authorized Services and Networks

- ~~2.1~~ The Licensee is hereby authorized to resell retail Ttelecommunications Sservices to the public in Qatar on a non-exclusive basis (hereinafter referred to as the "Authorized Services"). This involves the purchase of Telecommunications Sservices ~~by commercial agreement~~ from an Individual Public Telecommunications Licensee on a non-exclusive basis at retail ~~rates~~ tariffs to resell to ~~end-users~~ Customers on a technology neutral basis (i.e., using any technology). Any use of radio frequencies is subject to spectrum licensing where this is applicable.
- ~~2.2~~ The Licensee is hereby authorised to install, establish and operate the Telecommunications Network required to provide the Authorized Services (hereinafter referred to as the "Authorized Telecommunications Network"). However, the License does not absolve a Licensee from its obligations to comply with other regulatory provisions relating to the installation and operation of the Authorized Telecommunications Network including, but not limited to, radio frequency licensing.

2.3. Eligible Persons

~~2.13.1~~ ~~Only the following~~ The legal persons will be eligible ~~authorised~~ to resell retail Ttelecommunications Sservices under ~~the~~ is Class License ~~are the owners, operators and/or managers of the specific categories listed below (referred to as Eligible Persons). The scope of the authorized resale for each category is also specified.~~

- 1) Hotels (Resale of Telecommunications Services to their guests);-
- 2) Public Call Offices (Resale of national or international voice calls to their customers);-
- 3) Internet Cafés (Resale of Internet access to their customers);-

- 4) Wireless Internet Zones (Resale of wireless Internet access to the public ~~for a fee~~);
- 5) Data Centers (Resale of Telecommunications Services inside the Data Center to the customers of the main activities of the Data Center (i.e., only to the entities/customers of the Data Center which have equipment hosted in the Data Center and which are using the services of the Data Center)); and
- 5)6) Residential and Commercial Properties (Please refer to Section 3.2 in the Consultation Document for details).

2.23.2 The list of Eligible Persons may be modified at any time at the sole discretion of QATAR CRA.

3.4. Definitions

The words and expressions used in the License have the meanings set forth in the Telecommunications Law, Emiri Decision, Executive By-Law, regulations issued pursuant to the Telecommunications Law and the License, including the definitions set forth in Annex A that forms an integral part of the License~~The key words and expressions used in this License are defined in Annex A. The other words and expressions shall have the meanings set forth in the Telecommunications Law and the ARF.~~

4.5. License Term

~~The Licensee is authorized to resell telecommunications services as long as the Licensee complies with the terms and conditions of this License and with the ARF~~will remain valid until withdrawn by CRA.

5.6. Compliance Obligations of the Licensee

5.16.1 The Licensee ~~shall~~must comply (and ~~shall~~must ensure that its officers, subcontractors and agents comply) with the terms and conditions of ~~this~~the License and the ARF.

5.26.2 The Licensee ~~shall~~must also comply with ~~any~~all obligations imposed on it by any of the laws, regulations, rules, guidelines, orders or others issued by the State of Qatar, including obligations towards Customers before and after purchase.

5.36.3 The Licensee is required to have obtained all necessary approvals or licenses from all competent authorities in Qatar in accordance with the applicable Qatari laws and regulations. For the

~~avoidance of doubt, t~~The License does not absolve the Licensee from any requirement under the ~~applicable laws or decrees of and regulations in~~ Qatar to obtain ~~such additional~~ all and any consents, permissions or authorizations, including frequency authorizations as may be necessary ~~for the provision of to enable~~ the resale ~~of T~~telecommunications ~~S~~services.

5.46.4 The Licensee is responsible for all costs, expenses and other commitments (financial and non-financial) in respect of the License and resale of ~~T~~telecommunications ~~S~~services.

6.7. Notification and Fees

6.17.1 ~~Licensees~~Persons are required to notify ~~ictQATAR~~CRA of their intention to resell ~~T~~telecommunications ~~S~~services prior to the commencement of doing so ~~through the~~ completing and submitting of the online Notification Form using the portal on the CRA website (www.cra.gov.qa). One completed Nnotification Form is required ~~per location~~. ~~In this case location means a for each~~ separate geographical physical address at which Resale activities will take place (for example, a separate notification is required for each Hhotel site). ~~A copy of the Notification Form is set out in Annex B of this License. This form can be downloaded from ictQATAR's website.~~

6.27.2 A one-time Nnotification Ffee of ~~one five~~ thousand ~~five hundred~~ Qatari Riyals (QR ~~1,5005,000~~) must be ~~included along with the~~ paid via the online portal for each Notification Form submitted. ~~This notification fee covers the costs incurred by ictQATAR associated with processing the Notification Forms and performing market surveillance activities.~~

~~6.3~~ The Licensee shall inform ~~ictQATAR~~ of any changes of details by filing in the Notification Form. Such notification about any changes should be accompanied by a fee of three hundred Qatari Riyals (QR 300).

~~6.4~~ A Licensee who decides to terminate the provision of its telecommunications services shall notify ~~ictQATAR~~ at least thirty (30) days prior to the date on which the services are planned to be terminated.

~~6.5~~ In the first stage, the submission of the Notification Form and payment of the notification fee must be made in person at the offices of ~~ictQATAR~~. At a later stage, interested parties will be able to do so online through the website of ~~ictQATAR~~.

~~6.6~~ No refunds will be made for incorrectly or incomplete filed Relevant information from- Notification Forms which have been properly submitted via the online portal will automatically be added to -

~~7.3~~ ictQATAR will maintain a register of all-Resale Class Licensees published on the CRA that will be accessible to the public via its website. The notification process is deemed not to have been completed successfully until the Licensee has been added to the register of Resale Class Licensees.

~~6.7.7.4~~ The Licensee ~~shall~~ must use the online portal to inform ictQATAR-CRA of any changes ~~of to any~~ details previously submitted to CRA with a notification by filing in the Notification Form. Such notification about any changes should be accompanied by a A fee of three five hundred Qatari Riyals (QR 5300) must be paid using the online portal each time a notification is updated.

~~6.8.7.5~~ A Licensee who decides to terminate the provision of its ~~telecommunications services~~ Resale activities ~~shall~~ must notify ictQATAR-CRA using the online portal at least thirty (30) days prior to the date on which the ~~services-Resale activities~~ are planned to be terminated.

7.8. **Connection with Public Networks**

~~7.18.1~~ The Licensee is not ~~allowed~~ authorised to interconnect with a Public Network on wholesale tariffs (mobile termination rate, fixed termination rate). The connection with a Public Network can only be ~~done via a Gateway where the Licensee has to pay the applicable retail charges.~~ For the avoidance of any doubt, wholesale rates such as Interconnection rates (e.g., fixed and mobile termination rates) do not apply achieved via a Telecommunication Service procured at retail tariffs from a holder of an Individual Public Telecommunications License.

~~7.28.2~~ The Licensee ~~shall~~ must not resell Ttelecommunications Sservices in such a way as to bypass the Ttelecommunications Ffacilities of the Individual Public Telecommunications Licensees in Qatar, ~~except as stipulated in the commercial agreement between the Licensee and an Individual Public Telecommunications Licensee.~~

8.9. **Obligations of the Licensee to Customers**

~~8.1~~ The Licensee ~~shall~~ comply with the provisions of the ARF regarding consumer protection and fair trading. In addition, ictQATAR may issue further instructions to Licensees in relation to consumer protection.

~~8.29.1~~ A Licensee who ~~offers-resells~~ Telecommunications Services to the public ~~shall~~must make available to its Customers the following information prior to the Customer purchasing the services:

- a) The name of the Licensee;
- b) The terms and conditions under which the Telecommunications Services are offered;
- c) The Customer service hotline number or other contact information available;
- d) ~~Whether~~ User instructions (including access numbers, access passwords or other methods used for obtaining the services, and any activation procedures) ~~are available;~~
- e) ~~Whether access numbers, access passwords or other methods used for obtaining the services are available, and any activation procedures;~~
- f) e) All costs and charges; and
- g) f) The validity period of the services.

9.10. Treatment of Customer Communications and Data

~~9.110.1~~ A Licensee who collects data on its Customers ~~shall~~must not:

- a) ~~(a) collect, use, process, maintain, store or disclose (hereinafter collectively "use") any Customer information except as permitted or required by the relevant provisions of applicable laws and regulations or with the informed consent of the Customer~~ collect, use, retain or advertise any Customer information without the Customer's prior consent;
- b) a) ~~disclose Customer information to third parties except with the consent of the Customer or as may be authorized by or under the applicable laws of Qatar;~~
- e) b) ~~intercept, monitor, record or alter the content of a Customer's communications except with the Customer's prior consent or as permitted under the applicable laws of Qatar; or~~
- d) c) ~~utilize or manipulate information about Customers that is obtained in the course of reselling T~~ telecommunications S ~~services in a way that would have the effect of preventing or hindering competition~~ of-for such services.

~~9.210.2~~ Additionally, a Licensee who collects data on its Customers ~~s~~ shall:

- a) must, at a Customer's request, grant Customers the right that ~~correct or remove~~ any information collected about them ~~can be corrected or removed at their request;~~ and
- b) is permitted to use Customer information for all legitimate business purposes identified in the terms and conditions under which the Telecommunications Service is resold or in

~~accordance with any Customer notice and consent and any applicable laws and regulations. If Customer consent is required, the information may only be used after the Licensee discloses to the Customer the proposed uses of the information and the Customer either affirmatively explicitly consents or does not object within a reasonable timeframe safeguard the privacy and confidentiality of any communications associated with the use of telecommunications services in accordance with the ARF.~~

~~9.310.3~~ The Licensee ~~shall~~**must** ensure that Customer information and Customer communications are protected by appropriate security and technical safeguards.

~~9.410.4~~ Any failure to comply with the legal obligations concerning Customer information and privacy will constitute a breach of the License and/or the ARF.

10.11. Billing

~~10.411.1~~ The Licensee ~~shall~~**must** comply with the ARF in relation to billing¹ and ensure the accuracy and reliability of any billing system used in connection with the resale of ~~T~~telecommunications ~~S~~services, if applicable.

~~10.211.2~~ Where services are provided on a subscription basis, the Licensee must provide an itemized billing invoice to its subscribers at no charge within twenty (20) days following the end of each billing period.

~~10.311.3~~ Any billing invoice prepared by the Licensee must be in a format that is clear, legible and easily understood. It must also include information for the entire period covered by ~~such an~~**the** invoice, including the details of the services rendered to the subscriber and the breakdown of all charges associated with each rendered service and their method of calculation.

11.12. Requirement to Provide Information to ~~ict~~QATAR**CRA**

~~ict~~**QATAR**CRA ~~shall have~~**has** the right to request the Licensee to submit any information including periodic reports, statistics and other data as well as additional information as necessary

¹ See <https://www.cra.gov.qa/en/document/consumer-protection-policy>

to ~~enable~~ effectively supervise and monitor ~~ing of~~ compliance with the terms and conditions of ~~this the~~ License and the ARF.

12.13. Access to Premises and Information

The employees of ~~ictQATAR~~CRA who are vested with judicial seizure powers in accordance with Article (63) of the Telecommunications Law may enter and inspect the offices, places and premises used by the Licensee in relation to the resale of ~~T~~telecommunications ~~S~~services, in order to verify that the Licensee is in compliance with the terms and conditions of ~~this the~~ License and the ARF.

13.14. Lawful Interception and Security

~~13.14.1~~ The Licensee ~~shall~~**must** make available to duly authorized law enforcement agencies of the State of Qatar, upon request, all stored information that is held by the Licensee in conducting the activities authorized under ~~this the~~ License and ~~shall~~**must** otherwise cooperate with such authorities in accordance with procedures established by applicable laws and regulations.

~~13.214.2~~ The Licensee ~~shall~~**must** comply with the requirements of the authorized agencies of the State of Qatar relating to national security and with the directions of governmental bodies in cases of public emergencies, and it ~~shall~~**must** implement the orders and instructions of ~~the ictQATAR~~CRA with respect to service issues related to same.

14.15. Telecommunications Equipment

~~14.115.1~~ The Licensee ~~shall~~**must** ~~ensure to~~ implement any measures prescribed by the ARF and other reasonable and necessary safety measures regarding the installation, lease and usage of all ~~T~~telecommunications ~~E~~equipment to safeguard life or property and to limit exposure to electromagnetic emission, radiation and related risks.

~~14.215.2~~ The Licensee ~~shall~~**must** ensure that all ~~T~~telecommunications ~~E~~equipment, deployed in order to provide the ~~T~~telecommunications ~~S~~services, meets the requirements of ~~ictQATAR~~CRA's Type Approval regime.

15.16. Radio Frequency

15.16.1 If the resale of ~~T~~telecommunications ~~S~~services requires the use of radio frequencies, the Licensee must obtain from ~~ictQATARCRA~~ a radio frequency license or authorization, subject to spectrum availability.

16.2 If the use of radio frequencies is required, the radio frequency license or authorization must be obtained from ~~ictQATARCRA~~ prior to the use of such radio frequencies and submitted to ~~ictQATARCRA~~ as part of the notification process described in Section ~~6-7~~ of ~~this~~ ~~the~~ License.

16.17. Breach of License Conditions

16.17.1 The Licensee ~~shall~~ ~~will~~ be liable for all breaches of ~~the~~ ~~is~~ License and/or of any other terms or provisions of the ARF whether caused or carried out by itself or by any Person acting on its behalf.

16.217.2 Except in situations involving imminent and irreparable harm to Persons or property, where there are reasonable grounds to suspect that the Licensee (or its officers, subcontractors or agents) is in breach of ~~this~~ ~~the~~ License, the Licensee will be served with a written notice by ~~ictQATARCRA~~ requesting to rectify the breach. Additionally, if there is evidence to support the possibility of a breach causing consumer detriment, ~~ictQATARCRA~~ may serve the Licensee with a written notice suspending immediately its right to ~~resell~~ ~~T~~telecommunications ~~S~~services during the inquiry or investigation stage.

16.317.3 If the Licensee fails to remedy any breach resulting from non-compliance with any condition of ~~the~~ ~~is~~ License or the ARF, ~~ictQATARCRA~~ may take any enforcement action or measure as it deems appropriate in accordance with the ARF and/or Chapters ~~15 and~~ 16) of the Telecommunications Law.

16.417.4 Without prejudice to any other enforcement powers of ~~ictQATARCRA~~, the Licensee ~~shall~~ ~~will~~ lose its right to resell ~~T~~telecommunications ~~S~~services, through a notice to this effect from ~~ictQATARCRA~~, if the Licensee commits repeated violations of the License terms and/or the ARF.

17-18. Continuity of Service

~~17.1~~18.1 A Licensee who decides to terminate the provision of any of its services ~~shall~~must notify its Customers in writing by public notice at least thirty (30) days prior to the date on which the services are planned to be terminated and reimburse any Customer who has already paid for services that extend beyond this period.

~~17.2~~18.2 When a Licensee loses its right to resell ~~T~~Itelecommunications ~~S~~Sservices in line with the terms of Section ~~01717~~ of the ~~eis~~ License, the Licensee must provide a minimum of thirty (30) days' notice, or such other period as may be specified by ~~ictQATAR~~CRA, to all Customers and reimburse any Customer who has already paid for services that extend beyond the notice period. The Licensee ~~shall~~must also comply with any orders issued by ~~ictQATAR~~CRA in this regard to ensure the least amount of negative disruption to services and Customers.

18-19. Force Majeure

If the Licensee is prevented from providing the ~~T~~Itelecommunications ~~S~~Sservices according to the terms and conditions of the ~~eis~~ License because of Force Majeure,

- a) the Licensee ~~must~~shall notify ~~ictQATAR~~CRA as to the reasons why as soon as reasonably practicable; and
- b) ~~CRA~~ictQATAR may suspend specific conditions of the ~~eis~~ License for as long as the Force Majeure continues.

19-20. Amendment of the License

~~20.1~~ ictQATAR~~CRA~~ may amend the ~~eis~~ License from time to time as it deems necessary.

~~20.2~~ Any amended License will be published on the CRA website and the Licensee must ensure compliance with the most recently published version of the License.

~~20.3~~ CRA will also inform Licensees when the License is amended using contact information provided by the Licensee on the Notification Form. However, the obligation to remain informed about changes to the License will remain with the Licensee.

~~20.4~~ CRA will not be liable for any consequences arising from the publication of an amended License. By way of an example, such consequences may arise from the Licensee having to adjust its

activities under the License as a result of the removal of rights that existed under the previous version of the Licence or the imposition of new or additional obligations which did not exist in the previous version of the License.

20.21. Governing Law

The ~~is~~ License ~~shall be~~ is governed by and interpreted in accordance with the laws of the State of Qatar.

ANNEX A – Definitions

The words and expressions used in the License have the meaning assigned by the relevant provisions of the Applicable Regulatory Framework when used herein.

Words and expressions which are expressly defined for purposes of the License are set forth below or are identified in the boldface type where they are defined in the License. Any terms that are not defined by the License or the Applicable Regulatory Framework shall be defined in accordance with the definitions applied by the International Telecommunication Union or in the absence of same, international best practice.

The terms and expressions listed below are defined as follows, unless the specific context requires otherwise, in line with the Applicable Regulatory Framework~~The following terms and expressions shall have the meanings assigned to each of them:~~

~~**Applicable Regulatory Framework (“ARF”):** the Telecommunications Law No. (34) of 2006 and its By-Law and any other rules and regulations, decisions, orders, policies, guidelines, instructions or notices issued by ictQATAR as well as this License terms and conditions and relevant laws of the State of Qatar and international treaties that the State of Qatar has subscribed to.~~

Bypass: is when a Person uses any means to access national, international or other ~~T~~telecommunications ~~S~~services without using the ~~T~~telecommunications ~~F~~facilities of an Individual Public Telecommunications Licensee.

Class License: ~~the a~~ License granted in accordance with Chapter Three of the Telecommunications Law for a certain class of service providers and which applies to any ~~P~~person falling within that class without that ~~P~~person having to apply for such license.

~~**Closed User Group:** means legal persons or entities with common economic and non-economic links, that can be identified as being part of a corporate group that exists on the basis of an ongoing professional and business relationship between members of the group, or with another entity of the group, and whose internal communication needs result from the common interest underlying the relationship. Closed User Groups shall not include natural persons or private individuals.~~

Customer: any subscriber or user of ~~T~~telecommunications ~~S~~services, whether such services are acquired for the customer’s own use or for resale.

Data Center: for the purpose of ~~this the~~ License, a Data Center is a facility housing Information Technology equipment used to provide services such as data back-up, web site hosting, remote

hosting of servers for private data networks, email server hosting etc. to third parties on a commercial basis. Data Centers are consumers of large quantities of public Telecommunications Services.

Emiri Decision: Emiri Decision No. (42) of 2014 on Establishing the Communications Regulatory Authority.

Executive By-Law: Decision of the Board of The Supreme Council for Information and Communication Technology No. (1) of 2009 on the promulgation of the Executive By-Law for the Telecommunications Law.

Force Majeure: a devastating act of nature or other disaster or action taken by a third party 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.

~~**Gateway:** for the purpose of this License, a Gateway is a Telecommunications Equipment that connects a Private Network to a Public Telecommunications Network. For clarity, a Gateway is distinct from Interconnection.~~

Hotel: a commercial establishment, duly authorized by the Ministry of Business and Trade and other competent authorities in Qatar in accordance with the applicable Qatari laws, which primary business is providing lodging and other guest services usually on a short-term (daily) basis. A hotel may also have ancillary services supporting the lodging such as restaurants, conference rooms, stores, and other services that may also be accessible to the general public.

Individual Public Telecommunications License: an Individual License granted ~~by ict~~QATAR for the provision of ~~public Fixed or Mobile public~~ Telecommunications Networks and Services. The holder of such license is called an Individual Public Telecommunications Licensee.

Interconnection: the physical and logical linking of telecommunications networks used by the same service provider or by a number of service providers in order to ~~allow~~enable the customers of one service provider to communicate with ~~customers of the same~~each other or communicate with customers of another service provider or to enable them to access services provided by another service provider.

Internet Café: a place, which is duly registered and/or authorized by the Ministry of Business and Trade and other competent authorities in Qatar in accordance with the applicable Qatari laws, where the public can pay to access the Internet either through their own computer or through a computer supplied by the Internet Café.

License: this “Class License for the Resale (Retail) of Telecommunications Services”.

Licensee: a legal person who resells telecommunications services to the public under this Class License.

Person: a natural or legal person of any type or form.

~~**Private Network:** a telecommunications network that is utilized for the internal communications needs of a Closed User Group, as distinct from providing telecommunications services to the public, and which can have a Gateway to the public telecommunications network. The term includes Virtual Private Networks.~~

Public Call Office: an office, which is duly registered and/or authorized by the Ministry of Business and Trade and other competent authorities in Qatar in accordance with the applicable Qatari laws, that makes certain Itelecommunications Sservices available to the public for a fee. These services may be available inside shops or at stand-alone facilities that enable people who may not be able to afford to purchase telephones and subscribe to services to still have access to Itelecommunications Sservices.

Public Network: a Itelecommunications Network operated by an Individual Public Telecommunications Licensee used for the provision of Itelecommunications Sservices to the public.

Resale: the subsequent sale or lease on a commercial basis, with or without adding value, of a Itelecommunications Sservice provided-purchased on a retail basis by-from an Individual Public Telecommunications Licensee.

Reseller: a legal person who provides to the public a Itelecommunications Sservice that was acquired on a retail basis from an Individual Public Telecommunications Licensee.

Service Provider: a Person that is licensed to provide one or more Itelecommunications Sservices to the public or licensed to own, establish or operate a Itelecommunications Network to provide Itelecommunications Sservices to the public. This includes providers of information or content provided using a Itelecommunications Network.

Telecommunications Equipment: equipment capable of being connected directly or indirectly with a Telecommunications Network in order to send, transmit or receive Itelecommunications Sservices.

Telecommunications Facilities: any facility, apparatus or other used or capable of being used for transmitting Itelecommunications Sservices or for any operation directly connected with the transmission of Itelecommunications Sservices.

Telecommunications Law: is the Telecommunications Law No. (34) of 2006 of the State of Qatar.

Telecommunications Network: any wire, radio, optical or electromagnetic systems for routing, switching and transmitting Itelecommunications Sservices, between network termination points including fixed and mobile terrestrial networks, satellite networks, electricity transmission systems or other utilities (to the extent used for Itelecommunications), circuit or packet switched networks (including those used for Internet Protocol services), and networks used for delivery of broadcasting services (including cable television networks).

Telecommunications Service: any form of transmission, emission or reception of signs, signals, writing, text, images, sounds or other intelligence provided by means of a Itelecommunications Network to a third party.

Wireless Internet Zone (also called Hotspot): a specific geographic location where the public can access the Internet through wireless broadband networks. These zones are increasingly found in but are not limited to places such as airports, restaurants, coffee shops, parks and other places where people congregate for a relatively short period of time (temporarily). The owner or operator of a Wireless Internet Zone must be duly registered and/or authorized by the Ministry of Business and Trade and other competent authorities in Qatar in accordance with the applicable Qatari laws. Wireless Internet Zones do not include the provision of wireless Internet access in residential properties.

ANNEX B – Notification Form **(to be updated after consultation)**



Regulatory Authority
هيئة تنظيم الاتصالات

P.O. Box 23264 Doha Qatar

T +974 4995-313

F +974 4935-913

Supreme Council of Information & Communication Technology

ص.ب: 23264 الدوحة قطر

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المجلس الأعلى للإتصالات و تكنولوجيا المعلومات

Resale Class License – NOTIFICATION FORM

Type of Notification (check one box only):

- Notification for commencement of resale services. (The notification fee is QR 1500).
 Notification for modification of the details previously submitted to ictQATAR. (The modification fee is QR 300).
 Notification for termination of resale services. (Free of charge). Specify the planned termination date:

Details of Notifying Person (Reseller):

Name :

Commercial Registration No:

Street and Postal Address:

Website:

Contact Details

Primary Contact Person:

Title:

Telephone No: Fax No: Mobile No. : Email:

Alternate Contact Person:

Title:

Telephone No: Fax No: Mobile No. : Email:

Type of Reseller (check one box only):

- Hotel Public Call Office Internet Café Wireless Internet Zone Data Centre

Address of the location where the telecoms services will be resold (One Notification Form for each address):

.....

Radio Frequency Requirements (check one box)

Will the Reseller require the use of radio frequency to provide the services?

- No
 Yes. An authorization from ictQATAR for using radio frequencies must be submitted along with this Form.

Resale Commencement Date:

Enclosed:

- Copy of the Qatari Commercial Registration.
 One-time notification fee: QR 1,500.
 Modification fee: QR 300.

Declaration:

I,, declare as the authorized owner, officer or agent of the Reseller that:

- All information provided as part of this Notification is true and complete with the understanding that any untrue, inaccurate, misleading or incomplete information may be grounds for losing the right to resell telecommunications services.
- The Reseller understands and consents to the terms and conditions of the "Class License for the Resale (Retail) of Telecommunications Services", in particular the condition that the Reseller must have a commercial agreement with an Individual Public Telecommunications Licensee before providing telecommunications services to the public.

Authorized Signatory:

Name: Signature Date:

Consultation Document

Annex 2b: Resale Class License – Clean copy

CLASS LICENSE for the Resale of Retail Telecommunications Services

Issued by

The Communications Regulatory Authority

[New date and reference]

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Revision History

Issue Date	Version	Notes
10 July 2010	1	First version issued
29 September 2013	2	Addition of Data Centers as Eligible Persons
[Insert issue date]	3	Replacing Supreme Council of Information and Communication Technology (ictQATAR) with Communications Regulatory Authority (CRA) in accordance with Law No. 17 of 2017 amending the Telecommunications Law. Updating the format to align with current CRA standards. Various text updates and improvements to respond to market developments and to clarify the scope of the License.

For the Communications Regulatory Authority (CRA)

Signed by

Mohammed Ali Al-Mannai

President of the Communications Regulatory Authority

Dated: [Insert date]

1. Legal Nature of the License

- 1.1 The Communications Regulatory Authority (“**CRA**”) grants this Class License for the Resale of Retail Telecommunications Services (“**License**”) under Article (4) and Article (9) of the Telecommunications Law No. (34) of 2006 of the State of Qatar.
- 1.2 The License applies to all Eligible Persons (as specified in Section 3 of the License) who resell retail Telecommunications Services in Qatar, without having to apply for the License. Such a person is referred to hereinafter as the “**Licensee**”.
- 1.3 The License supersedes all prior licenses and authorizations issued by the Supreme Council of Information and Communication Technology (ictQATAR) or CRA relating to the Resale of Telecommunications Services in Qatar.
- 1.4 The Licensee must comply with the terms and conditions of the License and with the Telecommunications Law, the Executive By-Law, the Emiri Decision, relevant legislation and international treaties, and any relevant regulations, decisions, orders, rules, instructions or notices issued by CRA before or after the grant of the License (hereinafter, collectively referred to as the “**Applicable Regulatory Framework**” or “**ARF**”).

2. Authorized Services and Networks

- 2.1 The Licensee is hereby authorized to resell retail Telecommunications Services to the public in Qatar on a non-exclusive basis (hereinafter referred to as the “**Authorized Services**”). This involves the purchase of Telecommunications Services from an Individual Public Telecommunications Licensee on a non-exclusive basis at retail tariffs to resell to Customers on a technology neutral basis (i.e., using any technology). Any use of radio frequencies is subject to spectrum licensing where this is applicable.
- 2.2 The Licensee is hereby authorised to install, establish and operate the Telecommunications Network required to provide the Authorized Services (hereinafter referred to as the “**Authorized Telecommunications Network**”). However, the License does not absolve a Licensee from its obligations to comply with other regulatory provisions relating to the installation and operation of the Authorized Telecommunications Network including, but not limited to, radio frequency licensing.

3. Eligible Persons

3.1 The legal persons authorised to resell retail Telecommunications Services under the License are the owners, operators and/or managers of the specific categories listed below (referred to as Eligible Persons). The scope of the authorized resale for each category is also specified.

- 1) Hotels (Resale of Telecommunications Services to their guests);
- 2) Public Call Offices (Resale of national or international voice calls to their customers);
- 3) Internet Cafés (Resale of Internet access to their customers);
- 4) Wireless Internet Zones (Resale of wireless Internet access to the public);
- 5) Data Centers (Resale of Telecommunications Services inside the Data Center to the customers of the main activities of the Data Center (i.e., only to the entities/customers of the Data Center which have equipment hosted in the Data Center and which are using the services of the Data Center)); and
- 6) Residential and Commercial Properties (*Please refer to Section 3.2 in the Consultation Document for details*).

3.2 The list of Eligible Persons may be modified at any time at the sole discretion of CRA.

4. Definitions

The words and expressions used in the License have the meanings set forth in the Telecommunications Law, Emiri Decision, Executive By-Law, regulations issued pursuant to the Telecommunications Law and the License, including the definitions set forth in Annex A that forms an integral part of the License.

5. License Term

The License will remain valid until withdrawn by CRA.

6. Compliance Obligations of the Licensee

6.1 The Licensee must comply (and must ensure that its officers, subcontractors and agents comply) with the terms and conditions of the License and the ARF.

- 6.2 The Licensee must also comply with all obligations imposed on it by any of the laws, regulations, rules, guidelines, orders or others issued by the State of Qatar, including obligations towards Customers before and after purchase.
- 6.3 The Licensee is required to have obtained all necessary approvals or licenses from all competent authorities in Qatar in accordance with the applicable Qatari laws and regulations. For the avoidance of doubt, the License does not absolve the Licensee from any requirement under the applicable laws and regulations in Qatar to obtain all and any consents, permissions or authorizations, including frequency authorizations as may be necessary to enable the resale of Telecommunications Services.
- 6.4 The Licensee is responsible for all costs, expenses and other commitments (financial and non-financial) in respect of the License and resale of Telecommunications Services.

7. Notification and Fees

- 7.1 Licensees are required to notify CRA of their intention to resell Telecommunications Services prior to the commencement of doing so by completing and submitting the online Notification Form using the portal on the CRA website (www.cra.gov.qa). One completed Notification Form is required for each separate physical address at which Resale activities will take place (for example, a separate notification is required for each Hotel site).
- 7.2 A one-time Notification Fee of five thousand Qatari Riyals (QR 5,000) must be paid via the online portal for each Notification Form submitted.
- 7.3 Relevant information from Notification Forms which have been properly submitted via the online portal will automatically be added to a register of Resale Class Licensees published on the CRA website. The notification process is deemed not to have been completed successfully until the Licensee has been added to the register of Resale Class Licensees.
- 7.4 The Licensee must use the online portal to inform CRA of changes to any details previously submitted to CRA with a notification. A fee of five hundred Qatari Riyals (QR 500) must be paid using the online portal each time a notification is updated.
- 7.5 A Licensee who decides to terminate the provision of its Resale activities must notify CRA using the online portal at least thirty (30) days prior to the date on which the Resale activities are planned to be terminated.

8. Connection with Public Networks

- 8.1 The Licensee is not authorised to interconnect with a Public Network on wholesale tariffs (mobile termination rate, fixed termination rate). The connection with a Public Network can only be achieved via a Telecommunication Service procured at retail tariffs from a holder of an Individual Public Telecommunications License.
- 8.2 The Licensee must not resell Telecommunications Services in such a way as to bypass the Telecommunications Facilities of the Individual Public Telecommunications Licensees in Qatar.

9. Obligations of the Licensee to Customers

- 9.1 A Licensee who resells Telecommunications Services to the public must make available to its Customers the following information prior to the Customer purchasing the services:
- The name of the Licensee;
 - The terms and conditions under which the Telecommunications Services are offered;
 - The Customer service hotline number or other contact information available;
 - User instructions (including access numbers, access passwords or other methods used for obtaining the services, and any activation procedures);
 - All costs and charges; and
 - The validity period of the services.

10. Treatment of Customer Communications and Data

- 10.1 A Licensee who collects data on its Customers must not:
- collect, use, process, maintain, store or disclose (hereinafter collectively “use”) any Customer information except as permitted or required by the relevant provisions of applicable laws and regulations or with the informed consent of the Customer;
 - intercept, monitor, record or alter the content of a Customer’s communications except with the Customer’s prior consent or as permitted under the applicable laws of Qatar; or
 - utilize or manipulate information about Customers that is obtained in the course of reselling Telecommunications Services in a way that would have the effect of preventing or hindering competition for such services.

- 10.2 Additionally, a Licensee who collects data on its Customers:
- must, at a Customer's request, correct or remove any information collected about them; and
 - is permitted to use Customer information for all legitimate business purposes identified in the terms and conditions under which the Telecommunications Service is resold or in accordance with any Customer notice and consent and any applicable laws and regulations. If Customer consent is required, the information may only be used after the Licensee discloses to the Customer the proposed uses of the information and the Customer either explicitly consents or does not object within a reasonable timeframe.
- 10.3 The Licensee must ensure that Customer information and Customer communications are protected by appropriate security and technical safeguards.
- 10.4 Any failure to comply with the legal obligations concerning Customer information and privacy will constitute a breach of the License and/or the ARF.

11. Billing

- 11.1 The Licensee must comply with the ARF in relation to billing¹ and ensure the accuracy and reliability of any billing system used in connection with the resale of Telecommunications Services, if applicable.
- 11.2 Where services are provided on a subscription basis, the Licensee must provide an itemized billing invoice to its subscribers at no charge within twenty (20) days following the end of each billing period.
- 11.3 Any billing invoice prepared by the Licensee must be in a format that is clear, legible and easily understood. It must also include information for the entire period covered by the invoice, including the details of the services rendered to the subscriber and the breakdown of all charges associated with each rendered service and their method of calculation.

¹ See <https://www.cra.gov.qa/en/document/consumer-protection-policy>

12. Requirement to Provide Information to CRA

CRA has the right to request the Licensee to submit any information including periodic reports, statistics and other data as well as additional information as necessary to enable effective supervision and monitoring of compliance with the terms and conditions of the License and the ARF.

13. Access to Premises and Information

The employees of CRA who are vested with judicial seizure powers in accordance with Article (63) of the Telecommunications Law may enter and inspect the offices, places and premises used by the Licensee in relation to the resale of Telecommunications Services, in order to verify that the Licensee is in compliance with the terms and conditions of the License and the ARF.

14. Lawful Interception and Security

- 14.1 The Licensee must make available to duly authorized law enforcement agencies of the State of Qatar, upon request, all stored information that is held by the Licensee in conducting the activities authorized under the License and must otherwise cooperate with such authorities in accordance with procedures established by applicable laws and regulations.
- 14.2 The Licensee must comply with the requirements of the authorized agencies of the State of Qatar relating to national security and with the directions of governmental bodies in cases of public emergencies, and it must implement the orders and instructions of CRA with respect to service issues related to same.

15. Telecommunications Equipment

- 15.1 The Licensee must implement any measures prescribed by the ARF and other reasonable and necessary safety measures regarding the installation, lease and usage of all Telecommunications Equipment to safeguard life or property and to limit exposure to electromagnetic emission, radiation and related risks.
- 15.2 The Licensee must ensure that all Telecommunications Equipment, deployed in order to provide the Telecommunications Services, meets the requirements of CRA's Type Approval regime.

16. Radio Frequency

- 16.1 If the resale of Telecommunications Services requires the use of radio frequencies, the Licensee must obtain from CRA a radio frequency license or authorization, subject to spectrum availability.
- 16.2 If the use of radio frequencies is required, the radio frequency license or authorization must be obtained from CRA prior to the use of such radio frequencies and submitted to CRA as part of the notification process described in Section 7 of the License.

17. Breach of License Conditions

- 17.1 The Licensee will be liable for all breaches of the License and/or of any other terms or provisions of the ARF whether caused or carried out by itself or by any Person acting on its behalf.
- 17.2 Except in situations involving imminent and irreparable harm to Persons or property, where there are reasonable grounds to suspect that the Licensee (or its officers, subcontractors or agents) is in breach of the License, the Licensee will be served with a written notice by CRA requesting to rectify the breach. Additionally, if there is evidence to support the possibility of a breach causing consumer detriment, CRA may serve the Licensee with a written notice suspending immediately its right to resell Telecommunications Services during the inquiry or investigation stage.
- 17.3 If the Licensee fails to remedy any breach resulting from non-compliance with any condition of the License or the ARF, CRA may take any enforcement action or measure as it deems appropriate in accordance with the ARF and/or Chapters (15 and 16) of the Telecommunications Law.
- 17.4 Without prejudice to any other enforcement powers of CRA, the Licensee will lose its right to resell Telecommunications Services, through a notice to this effect from CRA, if the Licensee commits repeated violations of the License terms and/or the ARF.

18. Continuity of Service

- 18.1 A Licensee who decides to terminate the provision of any of its services must notify its Customers in writing by public notice at least thirty (30) days prior to the date on which the services are

planned to be terminated and reimburse any Customer who has already paid for services that extend beyond this period.

- 18.2 When a Licensee loses its right to resell Telecommunications Services in line with the terms of Section 17 of the License, the Licensee must provide a minimum of thirty (30) days' notice, or such other period as may be specified by CRA, to all Customers and reimburse any Customer who has already paid for services that extend beyond the notice period. The Licensee must also comply with any orders issued by CRA in this regard to ensure the least amount of negative disruption to services and Customers.

19. Force Majeure

If the Licensee is prevented from providing the Telecommunications Services according to the terms and conditions of the License because of Force Majeure,

- a) the Licensee must notify CRA as to the reasons why as soon as reasonably practicable; and
- b) CRA may suspend specific conditions of the License for as long as the Force Majeure continues.

20. Amendment of the License

- 20.1 CRA may amend the License from time to time as it deems necessary.
- 20.2 Any amended License will be published on the CRA website and the Licensee must ensure compliance with the most recently published version of the License.
- 20.3 CRA will also inform Licensees when the License is amended using contact information provided by the Licensee on the Notification Form. However, the obligation to remain informed about changes to the License will remain with the Licensee.
- 20.4 CRA will not be liable for any consequences arising from the publication of an amended License. By way of an example, such consequences may arise from the Licensee having to adjust its activities under the License as a result of the removal of rights that existed under the previous version of the License or the imposition of new or additional obligations which did not exist in the previous version of the License.

21. Governing Law

The License is governed by and interpreted in accordance with the laws of the State of Qatar.

ANNEX A – Definitions

The words and expressions used in the License have the meaning assigned by the relevant provisions of the Applicable Regulatory Framework when used herein.

Words and expressions which are expressly defined for purposes of the License are set forth below or are identified in the boldface type where they are defined in the License. Any terms that are not defined by the License or the Applicable Regulatory Framework shall be defined in accordance with the definitions applied by the International Telecommunication Union or in the absence of same, international best practice.

The terms and expressions listed below are defined as follows, unless the specific context requires otherwise, in line with the Applicable Regulatory Framework:

Bypass: is when a Person uses any means to access national, international or other Telecommunications Services without using the Telecommunications Facilities of an Individual Public Telecommunications Licensee.

Class License: a License granted in accordance with Chapter Three of the Telecommunications Law for a certain class of service providers and which applies to any Person falling within that class without that Person having to apply for such license.

Customer: any subscriber or user of Telecommunications Services, whether such services are acquired for the customer's own use or for resale.

Data Center: for the purpose of the License, a Data Center is a facility housing Information Technology equipment used to provide services such as data back-up, web site hosting, remote hosting of servers for private data networks, email server hosting etc. to third parties on a commercial basis. Data Centers are consumers of large quantities of public Telecommunications Services.

Emiri Decision: Emiri Decision No. (42) of 2014 on Establishing the Communications Regulatory Authority.

Executive By-Law: Decision of the Board of The Supreme Council for Information and Communication Technology No. (1) of 2009 on the promulgation of the Executive By-Law for the Telecommunications Law.

Force Majeure: a devastating act of nature or other disaster or action taken by a third party 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.

Hotel: a commercial establishment, duly authorized by the Ministry of Business and Trade and other competent authorities in Qatar in accordance with the applicable Qatari laws, which primary business is providing lodging and other guest services usually on a short-term (daily) basis. A hotel may also have ancillary services supporting the lodging such as restaurants, conference rooms, stores, and other services that may also be accessible to the general public.

Individual Public Telecommunications License: an Individual License granted for the provision of public Telecommunications Networks and Services. The holder of such license is called an **Individual Public Telecommunications Licensee**.

Interconnection: the physical and logical linking of telecommunications networks used by the same service provider or by a number of service providers in order to enable the customers of one service provider to communicate with each other or communicate with customers of another service provider or to enable them to access services provided by another service provider.

Internet Café: a place, which is duly registered and/or authorized by the Ministry of Business and Trade and other competent authorities in Qatar in accordance with the applicable Qatari laws, where the public can pay to access the Internet either through their own computer or through a computer supplied by the Internet Café.

License: this “Class License for the Resale (Retail) of Telecommunications Services”.

Licensee: a legal person who resells telecommunications services to the public under this Class License.

Person: a natural or legal person of any type or form.

Public Call Office: an office, which is duly registered and/or authorized by the Ministry of Business and Trade and other competent authorities in Qatar in accordance with the applicable Qatari laws, that makes certain Telecommunications Services available to the public for a fee. These services may be available inside shops or at standalone facilities that enable people who may not be able to afford to purchase telephones and subscribe to services to still have access to Telecommunications Services.

Public Network: a Telecommunications Network operated by an Individual Licensee used for the provision of Telecommunications Services to the public.

Resale: the subsequent sale or lease on a commercial basis, with or without adding value, of a Telecommunications Service purchased on a retail basis from an Individual Public Telecommunications Licensee.

Reseller: a legal person who provides to the public a Telecommunications Service that was acquired on a retail basis from an Individual Public Telecommunications Licensee.

Service Provider: a Person that is licensed to provide one or more Telecommunications Services to the public or licensed to own, establish or operate a Telecommunications Network to provide Telecommunications Services to the public. This includes providers of information or content provided using a Telecommunications Network.

Telecommunications Equipment: equipment capable of being connected directly or indirectly with a Telecommunications Network in order to send, transmit or receive Telecommunications Services.

Telecommunications Facilities: any facility, apparatus or other used or capable of being used for transmitting Telecommunications Services or for any operation directly connected with the transmission of Telecommunications Services.

Telecommunications Law: is the Telecommunications Law No. (34) of 2006 of the State of Qatar.

Telecommunications Network: any wire, radio, optical or electromagnetic systems for routing, switching and transmitting Telecommunications Services, including fixed and mobile terrestrial networks, satellite networks, electricity transmission systems or other utilities (to the extent used for Telecommunications), circuit or packet switched networks (including those used for Internet Protocol services), and networks used for delivery of broadcasting services (including cable television networks).

Telecommunications Service: any form of transmission, emission or reception of signs, signals, writing, text, images, sounds or other intelligence provided by means of a Telecommunications Network to a third party.

Wireless Internet Zone (also called Hotspot): a specific geographic location where the public can access the Internet through wireless broadband networks. These zones are increasingly found in places such as airports, restaurants, coffee shops, parks and other places where people congregate for a relatively short period of time (temporarily). The owner or operator of a Wireless Internet Zone must be duly registered and/or authorized by the competent authorities in Qatar in

accordance with the applicable Qatari laws. Wireless Internet Zones do not include the provision of wireless Internet access in residential properties.

ANNEX B – Notification Form (to be updated after consultation)



Regulatory Authority
هيئة تنظيم الاتصالات

P.O. Box 23264 Doha Qatar

T +974 4995-313

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Supreme Council of Information & Communication Technology

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المجلس الأعلى للإتصالات و تكنولوجيا المعلومات

Resale Class License – NOTIFICATION FORM

Type of Notification (check one box only):

- Notification for commencement of resale services. (The notification fee is QR 1500).
 Notification for modification of the details previously submitted to ictQATAR. (The modification fee is QR 300).
 Notification for termination of resale services. (Free of charge). Specify the planned termination date:

Details of Notifying Person (Reseller):

Name :

Commercial Registration No:

Street and Postal Address:

Website:

Contact Details

Primary Contact Person:

Title:

Telephone No: Fax No: Mobile No. : Email:

Alternate Contact Person:

Title:

Telephone No: Fax No: Mobile No. : Email:

Type of Reseller (check one box only):

- Hotel Public Call Office Internet Café Wireless Internet Zone Data Centre

Address of the location where the telecoms services will be resold (One Notification Form for each address):

.....

Radio Frequency Requirements (check one box)

Will the Reseller require the use of radio frequency to provide the services?

- No
 Yes. An authorization from ictQATAR for using radio frequencies must be submitted along with this Form.

Resale Commencement Date:

Enclosed:

- Copy of the Qatari Commercial Registration.
 One-time notification fee: QR 1,500.
 Modification fee: QR 300.

Declaration:

I,, declare as the authorized owner, officer or agent of the Reseller that:

- All information provided as part of this Notification is true and complete with the understanding that any untrue, inaccurate, misleading or incomplete information may be grounds for losing the right to resell telecommunications services.
- The Reseller understands and consents to the terms and conditions of the "Class License for the Resale (Retail) of Telecommunications Services", in particular the condition that the Reseller must have a commercial agreement with an Individual Public Telecommunications Licensee before providing telecommunications services to the public.

Authorized Signatory:

Name: Signature Date: