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Decision No. 18/2015

**Regulations on Operating Private Network Not Connected
To the Public Network for the Personal Utilization**

Pursuant to the Telecommunications Regulatory Act issued by the Royal Decree No. 30/2002 and;

The Executive Regulation issued by Decision No. 144/2008; and

The Decision No 153/2008 on Establishing & Operating Private Network Not Connected to the Public Network for the Personal Utilization; and

The Decision No 116/2012 on the Exemption of some Telecommunications Services from the Licensing Conditions in the Telecom Act;

The approval of the Telecommunications Regulatory Authority obtained on 16th March 2014 on its meeting No. 9/2014 and;

The Approval of the Ministry of Finance; and

Based on the exigencies of the public interest;

It is decided:

Article 1

In the application of Regulations on Operating Private Network Not Connected to the Public Network for the Personal Utilization, the following regulations shall be applied.

Article 2

Decision No 153/2008 shall be considered cancelled and all provisions contravening & contradicting these Regulations shall be repealed

Article 3

All whom concerned with the attached regulations shall comply with these regulations within (30) day from the date the regulation become operative.

Article 4:

This Resolution shall be published in the Gazette and shall become operative from the date following its publication.

Issued on: 29 Rabee Thani 1436 H.
Corresponding to: 19 February 2015

Mohammed Bin Hamed Al-Rumhi
Chairman of Board □

**Regulations on Operating Private Network Not Connected
To the Public Network for the Personal Utilization**

Article 1

Establishing or operating Private Network Not Connected to the Public Network for the personal utilization shall not be permitted unless the respective Authorization from the TRA is obtained.

Article 2:

In accordance to the provisions of these regulations, all fixed links point-to-point or point-to-multi-point being utilized for the personal use not connected to the public network; if this point scope exceeded the entity scope or the applicant land, where the parallel connections link the exact locations for the same applicant consider a single network.

Article 3:

The authorization applications shall be submitted to the concerned department in the Authority according to the designed form, the following documents attached shall be:

1. Copy of the following firm document:
 - a. A copy of Valid ID or passport of the Signatree
 - b. Copy of Valid Commercial Registration Certificate
 - c. Copy of Certificate of affiliation to the Chamber of Commerce and Industry (OCCI)
 - d. Signatree authorization with signature sample
2. Statement of the area & suggested locations to be covered with a marked map if required.
3. Network structure and the suggested provided services if required.
4. Any additional documents, information requested by the Authority with respect to the prospective telecommunications system and equipment to be utilized in establishing the network.
5. Payment receipt of (250 OMR) as payment application.

Article 4:

- a. The concerned department shall examine the application within (30) days of the date of submission of the necessary documents; the decision of rejection shall be justified.
- b. In case the Authority Approval is obtained, the applicant shall be notified to process the fees payment of (1500 OMR) within 30 days of the notification date; the Authorization shall be issued after the receipt of the payment evidence.
- c. In all case, the application deemed to be cancelled if the applicant did not comply with, in any stage of the application, period or the stipulated procedure in this article.
- d. The concerned department, upon applicant appeal shall not stick to the periods stipulated in this article when subjective reasons justified the Authority action.

Article 5:

The concerned entity shall appeal to the executive president against the application disapproval within (60) days of the notification. The decision shall be made within 30 days of submission.

Article 6:

The authorization shall be for a period of three years renewable unless the authorized request cancellation, where the authorized shall pay (1500 OMR) as renewal fee (30) days from the renewal date.

Article 7:

The authorized shall pay (10 OMR) for the reissuing of the Authorization in case of the loss, modification or waiving in accordance to the provisions of these regulations.

Article 8:

Every natural or legal person authorized by law to succeed, in case of dependency or management transmitted rights or merger or reorganization or otherwise, to submit the necessary documents required by the Authority to determine eligibility to acquire the rights guaranteed by the authorization.

Article 9:

The authorized entity to establish or operate a Private Network shall be prohibited from the following practices:

- a. Connecting his private network to the Public Network or to any other Telecommunications Network.
- b. Providing telecommunication services to others either with or without remuneration.
- c. Selling or leasing the network extra capacity to others unless an approval is obtained from the TRA.
- d. Waiving the Authorization to any natural or legal person without a prior written consent from the TRA.

Article 10:

The authorized entity to establish or operate a Private Network shall be committed to all laws, systems and regulations related to environment protection and local orders issued in this regard.

Article 11:

The authorization shall be deemed invalid if the authorized entered the stage of liquidation or bankruptcy or judicial proceedings have been taken against him with similar effect or waive the ownership for the benefit of Creditors or any other reason.

Article 12:

The Authority in case of breach of the provision of these regulations may take any of the stipulated procedures in Article (51) of the Act mentioned above.