

This is an unofficial English translation of the Telecommunications By-Law No. (1) of 2009 which will be adopted and applied by Supreme Council for Information and Communication Technology (ictQATAR). The Arabic version of the same By-Law is the definitive legal text.

Decision of the Board of the

The Supreme Council for Information and Communication Technology

No. (1) of 2009 on the promulgation of the Executive By-Law for the Telecommunications Law

The Board,

Having perused the Telecommunications Law issued by Decree Law No. (34) of 2006, and The Emiri Decision No. (29) of year 1996 regarding the decisions of the Council of Ministers that are submitted to The Emir for certification and promulgation, and the Council of Ministers' approval of the draft of this Decision in its ordinary meeting (24) of 2008 held on 2/7/2008,

have decided the following:

Article (1)

The By-Law for the Telecommunications Law enclosed with this Decision, shall be effective.

Article (2)

All competent authorities, each within its own competence, shall implement this decision which shall come into force on date of publication in the Official Gazette.

Tamim Bin Hamad Al-Thani

The Chairman of the Board

The Supreme Council for Information and Communication Technology

Issued on: 2/7/1430 A.H.

Corresponding to: 25/6/2009 A.D.

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THE TELECOMMUNICATIONS BY-LAW

Chapter One

Definitions and General Provisions

Article (1)

For implementation of this By-Law, the following terms and expressions shall have the meanings assigned to them, unless the context requires otherwise:

Supreme Council: The Supreme Council of Information and Communication Technology “ictQATAR.”

Board: The Board of the Supreme Council.

General Secretariat: the General Secretariat of the Supreme Council.

Law: The Telecommunications Law issued by Decree Law No. (34) of 2006.

By-Law: The Executive By-Law of the Telecommunications Law.

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

Access: access to any telecommunications network, telecommunications facilities or telecommunications services between Service Providers which makes facilities, services or both facilities and services available by one Service Provider to another Service Provider, under defined terms and conditions, on either an exclusive or non-exclusive basis, for the purpose of providing telecommunications services. It includes access to network elements and associated facilities, the connection of equipment, and in particular includes access to the local loop and to facilities and services necessary to provide services over the local loop, access to physical infrastructure including buildings, ducts and masts, access to relevant software systems including operational support systems, access to number translation or systems offering equivalent functionality, access to fixed and mobile networks for roaming and access to conditional access systems for digital broadcasting services; but does not include access to facilities or services by end-user customers.

Control: the power of a Person to exercise decisive influence over, or to determine the actions of another Person in any manner, whether directly through the ownership of shares, stocks or other securities or voting rights, or indirectly through an agreement or arrangement of any type. Many factors shall be taken into consideration in determining Control including any Person that owns or has at its disposal, directly or indirectly, at least 10% of voting rights in another Person shall be deemed to be in control of such other Person.

Customer: subscriber, user or consumer of telecommunications services, whether an individual, corporation, governmental body or any other public or private legal entity and regardless of whether the services are acquired for the customer's own use or for resale.

License: The permission issued by the Board or the General Secretariat to an individual or class of individuals to own or operate a telecommunications network, provide telecommunications services, or use radio frequency spectrum and it does not constitute a contract or bilateral agreement.

Significant Market Power: a position of an economic strength of a service provider in the market that permits it to act independently of customers or competitors, or to dominate one or more identified telecommunications service markets, through acting either individually or jointly with others, in accordance with the provisions of chapter nine of the Law and in accordance with chapter eight of this By-Law. Also referred to as "SMP".

Telecommunications Equipment: equipment capable of being connected directly or indirectly to a telecommunications network in order to send, transmit or receive telecommunications services, and includes radio-communications equipment.

Affiliate or Affiliated Person: any natural or juridical person that directly or indirectly, is related to, is controlled by, or is under common control with another person.

Allocation of radio spectrum: entry in the national frequency allocation table, prepared by the General Secretariat pursuant to this By-Law, of a given frequency band for the purpose of its use by one or more terrestrial or space radio-communications services or the radio astronomy service under specified conditions.

Assignment of a radio frequency or radio frequency channel: authorization given by the General Secretariat pursuant to this By-Law for a radio station to use a radio frequency or radio frequency channel under specified conditions.

Information Request: an order issued by the General Secretariat requiring the provision of specified information, including original documents or copies of the same, pursuant to the Law or this By-Law.

Tariff: any statement of prices, rates, charges or any other compensation including related service descriptions or terms and conditions such as rebates, waivers or discounts offered by a Service Provider regarding any of its services.

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.

Article (2)

The Board may issue amendments to this By-Law as it deems appropriate after following the procedures set out by law.

Article (3)

Licensees and Service Providers shall comply with the Law, this By-Law, the terms and conditions of their respective Licenses, and all regulations, decisions, orders, rules, and notices issued thereunder.

Article (4)

The Secretary General shall issue other regulations, decisions, rules, orders, instructions and notices for the implementation of the provisions of the Law and this By-Law.

Article (5)

The General Secretariat shall carry out the powers and authorities stipulated in the Law and this By-Law.

Article (6)

The General Secretariat shall take measures, actions and decisions, as it deems appropriate, to ensure that Licensees and Service Providers comply with the provisions of the Law, this By-Law and the provisions of the Licenses, or to remedy their breaches.

Chapter Two

Telecommunications Licenses

Article (7)

Individual Licenses shall be in writing, and the General Secretariat shall make copies of them available on the Supreme Council's official website, in addition to paper copies available for inspection by the public and it may exclude from published copies of Individual Licenses any information that it determines is confidential or commercially sensitive.

Article (8)

The licensing criteria, procedures and the basic terms and conditions of the Individual License shall be published on the official website of the Supreme Council. The form of Class License and the scope of licensed activities shall also be published on the official website of the Supreme Council. In all cases, the publication shall contain the period of time expected to reach a decision concerning an application for a License.

Article (9)

The General Secretariat shall establish the terms and conditions of granting Individual Licenses on a case by case basis and the terms and conditions of granting Class Licenses.

Article (10)

In determining whether Telecommunications Networks and Telecommunications Services should be subject to an Individual License, the following general criteria shall be taken into account:

- (1) whether the Telecommunications Services are provided to the public, directly or indirectly, or to another Individual Licensee in return for a direct or indirect fee.
- (2) whether the owners or operators of a Telecommunications Network or Telecommunications Facility use the network or facility to provide services to the public, directly or indirectly, or to another Individual Licensee in return for a direct or indirect fee.
- (3) any other criteria that the Supreme Council considers relevant for the efficient and effective administration of the licensing process and supervision of compliance by Licensees.

Article (11)

Class Licenses will generally be issued to authorize more than one person of the same class to provide Telecommunications Services or own or operate Telecommunications Networks or Telecommunications Facilities in cases where Individual Licenses are not issued.

Article (12)

The General Secretariat may issue regulations or instructions containing further requirements for applicants for Individual and Class Licenses and service providers in order to provide clarification of services, telecommunications and related activities that require an Individual or Class License.

Article (13)

An Individual License will not be deemed to be assigned by contract or for any other reason, without the prior approval of the Board.

If a Licensee wishes to assign its Individual License to another person, the Licensee shall deliver to the General Secretariat a written notification of the intended transaction and the written notification shall be given without delay, within a period not less than sixty (60) days prior to the intended completion date of the transaction. The written notification shall with sufficient clarity identify the parties to the transaction, including their respective Affiliates, and shall state the nature of the transaction, including the intended completion date in order for the General Secretariat to review the proposed assignment. The Licensee shall provide

information, and comply with the procedural requirements, as specified by the General Secretariat.

The term “Assignment” shall include, without limitation, a transfer of the Individual License or a change of control of a Licensee.

The Board shall determine whether to approve such assignment or not within thirty (30) days from the date of receiving the request, unless the review requires a longer period, the term of which shall be specified by the General Secretariat before expiry of the initial 30 day period.

In the event that the assignment involves an assignment of radio spectrum or a transfer of control, the General Secretariat shall also follow a coordinated procedure with respect to its review it in accordance with this Article and Articles (32), (33), (77), (78), (79), (80), (81), (82), (83), (84) and (85) of this By-Law.

The Licensee will have 180 days to consummate the proposed assignment from the date of approval by Board and notify the General Secretariat of its completion. The General Secretariat may approve one or more extensions to the above-mentioned period upon request of the Licensee.

Article (14)

The Board may amend Individual Licenses and the General Secretariat may amend Class Licenses in one of the following cases:

- (1) in accordance with the Law, this By-Law, rules, regulations or the applicable License terms and conditions.
- (2) following changes to international treaties or any other applicable laws that require an amendment.
- (3) where an amendment has been requested or agreed to by the Licensee.
- (4) the Licensee have committed repeated violations of the provisions of the Law, this By-Law, regulations, orders, decisions of the Board or the General Secretariat, or License terms.

Article (15)

The Board may suspend, revoke or refuse to renew Individual Licenses and the General Secretariat may suspend, revoke or refuse to renew Class Licenses in one of the following cases:

- (1) in accordance with the Law, this By-Law, and the applicable License terms and conditions.
- (2) the Licensee have committed repeated violations of the provisions of the Law, this By-Law, regulations, orders or decisions issued by the Board or the General Secretariat, or License terms.

- (3) non-payment of fees specified for the License or its renewal or any other financial amount pursuant to the provisions of the Law or this By-Law.
- (4) The death of a natural person or the dissolution of a juridical person for any ground specified by law.
- (5) The Individual Licensee assigned the Individual License without the approval of the Board or the Class Licensee assigned the Class license without the approval of the Secretary General.

Article (16)

Prior to amendment, suspension, revocation or non-renewal of an Individual License by the Board, pursuant to the preceding two Articles, the General Secretariat shall notify the Licensee of this in order for the Licensee to submit its comments and the General Secretariat shall comply with the following:

- (1) shall give the Licensee sufficient time to prepare comments on the intended action.
- (2) shall set out any procedures the Board may use in further consideration of the action.
- (3) request comments from other interested parties or the general public, when necessary.
- (4) study the comments received.

Article (17)

If the Board amends an Individual License, it shall provide the Licensee with a reasonable amount of time as determined by the Board to implement any changes needed to comply with the amendment.

Article (18)

The Board shall not suspend or revoke or refuse to renew an Individual License without giving the Licensee a reasonable amount of time, as determined by the Board, to remedy any breach or reason that is the basis for the suspension, revocation or refusal to renew, unless proven that the breach or the reason still continues after receipt by the Licensee of one or more written warnings issued by the General Secretariat ordering the Licensee to remedy same.

Article (19)

Where a License is amended, suspended, revoked or not renewed, the General Secretariat shall take measures to ensure the continuity of service to customers and include in its orders in this regard terms and conditions as it deems appropriate.

Article (20)

The General Secretariat may issue regulations, rules or orders containing further procedures related to the amendment, revocation, suspension or non-renewal of a License.

Article (21)

The term of a License shall be stated in the License. Upon request by the Licensee, a License may be renewed by the Board or the General Secretariat on the same conditions or on the basis of new conditions, subject to the applicable License terms, regulations and decisions issued by the Supreme Council in this regard.

Article (22)

The Board shall determinate the License fees, any other fees, remuneration or charges and the General Secretariat shall issue in this regard, from time to time, regulations, decisions and orders regulating this matter.

Article (23)

The regulations, decisions and orders issued in accordance with the preceding Article shall contain the following:

- (1) the entity which the fees and charges are to be paid to.
- (2) fees and charges may be based on a percentage or proportion of the revenues of Licensees.
- (3) fees and charges payable under the Law and this By-Law as set by the Board are in addition to any other fees or charges that must be paid by Service Providers in connection with their operations or commercial activities.
- (4) the totality of fees applied to each Licensee and to the sector as a whole pursuant to the Law, and the impact on Licensees and end users shall be considered in the light of the objectives stated in paragraphs (1), (2) and (3) of Article (2) of the Law.

Chapter Three

Radio Spectrum Management

Article (24)

In relation to radio spectrum management, the General Secretariat shall:

- (1) prepare and publish a national frequency assignment plan for the spectrum allocated to the telecommunications sector and to promote the optimal and most efficient use of radio spectrum, and assign radio spectrum in accordance with that plan.

- (2) prepare and publish a national frequency allocation table identifying all radio spectrum allocations.
- (3) ensure that the use of radio spectrum is consistent with the national frequency assignment plan, related allocations and assignments, any applicable international treaties, commitments, protocols and standards and Radio Spectrum License conditions, including taking related compliance and enforcement actions.
- (4) ensure the best and most efficient use of radio spectrum in accordance with international best practice in order to promote the objectives identified in Article (2) of the Law.
- (5) determine, allocate, and assign, and re-allocate or re-assign, radio frequencies and frequency bands and channel assignments, and issue Radio Spectrum Licenses or radio frequency Authorizations, in accordance with the national frequency assignment plan.
- (6) advise the Council of Ministers and government agencies on matters specifically referred to the Supreme Council relating to the use or management of radio spectrum.
- (7) regulate matters related to radio spectrum fees.
- (8) conduct public inquiries relating to the use or management of radio spectrum as it deems appropriate.
- (9) mediate, resolve and manage interference disputes, where such disputes are not resolved by the disputing parties to the satisfaction of the General Secretariat.
- (10) issue regulations, rules, orders or notices relating to the use of radio spectrum as the General Secretariat deems appropriate.
- (11) determine any other matters relating to the transmission of radio-communications whether by satellite, terrestrial or other transmissions.
- (12) perform such other radio spectrum-related functions as are conferred on the Supreme Council by other applicable laws or regulations.

Article (25)

The General Secretariat shall issue Radio Spectrum Licenses in writing and shall refer to the Licenses in the national frequency assignment plan available on the Supreme Council's website.

Article (26)

The General Secretariat shall develop a regulation to implement an efficient approach to management of the radio spectrum in the State of Qatar. This regulation shall include in particular the following:

- (1) specify the procedures, conditions and restrictions relating to the operation of the radio spectrum and radio-communications equipment, including the use of radio spectrum and operation of radio-communications equipment without authorization.
- (2) specify the requirements for Radio Spectrum Licenses in respect of the operation of the radio spectrum.
- (3) specify the requirements for any other authorization for the use of radio-communications equipment.
- (4) specify the technical requirements and standards in relation to radio-communications equipment, interference-causing equipment and radio-sensitive equipment.

Article (27)

All service providers utilising radio spectrum or radio-communications equipment in the State of Qatar shall comply with the regulation mentioned in the preceding Article.

Article (28)

Applications for Radio Spectrum Licenses shall be submitted separately from applications for Licenses to provide Telecommunications Networks and Services. The General Secretariat may from time to time publish procedures of general or specific applicability to facilitate the simultaneous review of Individual Licenses with associated applications for Radio Spectrum Licenses.

Article (29)

The General Secretariat shall grant the Radio Spectrum Licenses or Authorizations in accordance with the national frequency assignment plan.

Article (30)

In all circumstances where a Radio Spectrum License or Authorisation is required, the General Secretariat shall publish on the website of the Supreme Council the following:

- (1) the applicable licensing procedures and licensing criteria.
- (2) the basic terms and conditions of the License.
- (3) the period of time expected to reach a decision concerning an application for a License.

Article (31)

The General Secretariat shall establish the terms and conditions of all Licenses and shall monitor compliance by Licensees with the terms and conditions of their Licenses, and the General Secretariat may take any measures and procedures in this regard.

The General Secretariat may establish the criteria through Radio Spectrum Regulations in order to determine what radio spectrum should be available for common use and this may be awarded by means of a Class License.

Article (32)

A Radio Spectrum Licensee may not assign a License or Authorization, spectrum rights or any portion thereof by contract or for any other reason, without the approval of the Secretary General.

A transfer or change of control of a Licensee or segregation or partitioning of radio frequency spectrum rights, or combination of the two or sharing radio frequency spectrum rights with a third party shall be deemed to be an assignment of the License, Authorization, spectrum rights or any portion thereof.

Article (33)

The Licensee shall notify the Secretary General in writing of its wish to assign a License or Authorization at least 60 days before the date of the proposed assignment. The Licensee shall provide the information, and comply with the procedural requirements specified in the regulations issued by the General Secretariat in this regard.

The Secretary General shall issue its decision, whether to approve such assignment or not, within 30 days from receiving the request, unless the Secretary General finds that circumstances warrant a longer period of review, the term of which shall be specified by the General Secretariat before expiry of the initial 30 day period.

In the event that the assignment of a Radio Spectrum Licence also involves assignment of an Individual Licence or a transfer of control, the General Secretariat will follow a coordinated procedure with respect to its review in accordance with Articles (13), (32), (33), (77), (78), (79), (80), (81), (82), (83), (84) and (85) of this By-Law, as the case may be.

The Secretary General shall determine whether to approve such assignment based on the suitability of the proposed assignee to use the radio spectrum, in accordance with the terms of the Individual License, the terms of its issuance, and the provisions of the Law and this By-Law. A Licensee will have 180 days, from the date of approval by the Secretary General, to consummate the proposed assignment and notify the General Secretariat of its completion. If necessary, the Licensee may request, and the General Secretariat may approve, one or more extensions to the 180-day deadline.

Article (34)

The General Secretariat may amend a Radio Spectrum License in one of the following circumstances:

- (1) in accordance with the Law, this By-Law, and the terms and conditions of the License.
- (2) as requested or agreed to by the Licensee.

- (3) to implement changes to international treaties or laws that require the amendment.

Article (35)

The Supreme Council may suspend, revoke or refuse to renew Radio Spectrum Licenses in one of the following cases:

- (1) the Licensee have committed repeated violations of the Law, this By-Law, other regulations, orders or decisions issued by the Board or the General Secretariat, or the terms of the License.
- (2) the misuse of radio spectrum or its use for an unauthorised purpose.
- (3) non-payment of fees specified for the License or its renewal or any other financial amount pursuant to the provisions of the Law or this By-Law.
- (4) The death of a natural person or the dissolution of a juridical person for any ground specified by law.
- (5) The Licensee assigned the License without the approval of the Secretary General.

Article (36)

The General Secretariat shall, prior to amendment, suspension, revocation, or refusal to renew a License, notify the Licensee of this in writing and shall consider any comments submitted by the Licensee in this regard. The notice shall contain the following:

- (1) provide the Licensee with sufficient time to prepare comments on the intended action.
- (2) specify the procedures that the General Secretariat may use in further consideration of the action.
- (3) may invite comments from interested parties or the general public regarding the intended action.

Article (37)

In the case where the General Secretariat amends the License, the General Secretariat shall provide the Licensee with a period of time as it deems appropriate, to implement any changes needed to comply with the amendment.

Article (38)

The General Secretariat shall not implement the suspension, revocation or refuse to renew a License without giving the Licensee a period of time, as it deems appropriate, to remedy any breach or reason that is the basis for the suspension, revocation or refusal to renew, unless proven that the breach or reason continues following the issuance of one or more written warnings by the General Secretariat to remedy such breach or reason.

Article (39)

Where a License is amended, suspended, revoked or not renewed, the General Secretariat shall take measures to ensure continuity of service to customers and include in its orders terms and conditions as it deems appropriate to ensure the least amount of negative disruption to customers which may result therefrom.

Article (40)

The General Secretariat may issue regulations, rules or orders containing further procedures related to the amendment or revocation of a License.

Article (41)

The term of a License shall be stated in the License. Upon application by the Licensee, a License may be renewed by the General Secretariat in accordance with the provisions of the License, regulations and decisions issued by the General Secretariat.

Article (42)

The Board shall set the License fees and any other fees, remuneration or charges and the General Secretariat shall issue in this regard, from time to time, the regulations and orders regulating this matter.

Article (43)

Any regulations, decisions and orders issued pertaining to fees shall contain the following principles:

- (1) stipulate the entity which the fees and charges are to be paid to.
- (2) fees and charges shall be levied on Licensees in an impartial manner.
- (3) fees and charges may be based on factors such as the amount of radio frequency spectrum provided in the License; whether the Licensee is operating in a shared or exclusive frequency band; or a percentage or proportion of the revenues of Licensees from the use of radio spectrum.
- (4) fees and charges payable under the Law and this By-Law are in addition to any other fees or charges that must be paid by Service Providers in connection with their operations or commercial activities.

Article (44)

In resolving radio spectrum interference disputes, the General Secretariat may carry out the following:

- (1) assign its professional staff or technical experts to mediate the dispute, and if failing mediation to submit a report to the General Secretariat on possible ways to resolve the dispute.
- (2) submit the dispute for arbitration in accordance with the procedure of the International Telecommunications Union (ITU), or such other arbitration rules or processes as the General Secretariat shall select.
- (3) issue an order to resolve the dispute.

Article (45)

The Supreme Council shall consult with and coordinate the use of the radio spectrum with other countries, users, and organizations such as the International Telecommunications Union “ITU”, as required by law, treaty in force or as otherwise determined by the General Secretariat.

Chapter Four

Interconnection and Access

Article (46)

The General Secretariat shall issue regulations, orders or notices to specify interconnection and access terms, conditions and processes, including the types of interconnection and facilities access that shall be provided by one or more Service Providers, and to facilitate interconnection and related access in accordance with its duties and objectives pursuant to the Law.

The General Secretariat shall have the authority to determine and oversee compliance with the rights, obligations, terms and conditions governing interconnection of telecommunications networks and access to telecommunications facilities and telecommunications services, in accordance with the Law, this By-Law and any regulations, rules, orders or notices issued by the General Secretariat and the License terms.

Article (47)

Subject to any limitations that may be established concerning the types of Service Providers that are entitled to interconnect, a Service Provider shall, upon receipt of a written request by another Service Provider licensed to operate a telecommunications network, enter into good faith negotiations to reach interconnection or access agreement in order to achieve the following objectives:

- (1) connect and keep connected the telecommunications networks of both Service Providers.
- (2) provide access to such telecommunications facilities, including but not limited to central offices and other equipment locations, mast sites, towers, conduits, poles, subscriber access lines and underground facilities, as are reasonably requested in

order for the Service Providers to provide telecommunications service to their customers. Any co-location of facilities shall also be subject to Articles (112) and (113) of this By-Law.

The parties shall have a period of (60) day from date of receipt of the request for interconnection in which to reach agreement. If the parties are unable to reach agreement, either or both parties may resort to the General Secretariat for resolution. The General Secretariat may issue interim orders before final determination.

Service Providers and any other interested parties may at any time request the General Secretariat to clarify or interpret the interconnection and access rights or obligations set out in the Law, this By-Law, any regulation, rule or order, or any interconnection or access agreement. Decisions issued by the General Secretariat shall be binding.

Article (48)

Articles (49), (50), (51) and (52) of this By-Law apply only to Service Providers that the General Secretariat has designated as Dominant Service Providers in one or more telecommunications markets relevant to interconnection and related facilities access in accordance with Chapter Nine of the Law and Chapter Eight of this By-Law.

Article (49)

Interconnection or access arrangements offered by Dominant Service Providers designated in accordance with the preceding Article, in addition to meeting the requirements of Article (47) of this By-Law shall:

- (1) meet all requirements of the Law, this By-Law and any regulations, rules and orders issued by the General Secretariat, including any requirements relating to interconnection or access charges, interconnection provisioning intervals or quality of service.
- (2) be in accordance with any applicable reference interconnection offer approved by the General Secretariat for the Service Provider.
- (3) meet all reasonable requests for interconnection with the Dominant Service Provider's telecommunications network, at any technically feasible point, including to permit traffic originating on the Dominant Service Provider's network to be terminated on the networks of the interconnecting Service Provider and all other licensed Service Providers.
- (4) incorporate reasonable terms and conditions, including technical standards and specifications.

Every Dominant Service Provider designated, shall ensure that:

- (1) it applies substantially the same terms and conditions to all Service Providers requiring interconnection or facilities access under similar circumstances.

- (2) it provides interconnection and facilities access to all Service Providers under substantially the same conditions and quality as it provides for its own telecommunications service operations or those of its Affiliates.
- (3) it makes available on request, and without delay, all necessary or reasonably required information and specifications to Service Providers requesting interconnection or facilities access.
- (4) it uses information received from a Service Provider seeking interconnection or facilities access only for the purposes for which it was supplied and does not disclose the information or use the information for any other anti-competitive purpose.

Article (50)

- (1) The General Secretariat may require that interconnection or access charges of any Dominant Service Provider be subject to Article (29) of the Law and Articles (56), (57), (58) and (59) of this By-Law. The General Secretariat may also direct Dominant Service Providers to implement specific interconnection or access charges, or changes to such charges, as determined by the General Secretariat.
- (2) Interconnection and facilities access charges of Dominant Service Providers designated in accordance with Article (48) of this By-Law shall be cost-based and in accordance with rules or standards determined by the General Secretariat.
- (3) In establishing charges for interconnection or facilities access, Dominant Service Providers designated in accordance with Article (48) of this By-Law shall comply with any rules or orders applicable to interconnection or access, including any pricing, costing and cost separation requirements as prescribed by the General Secretariat.

Article (51)

- (1) Every Dominant Service Provider designated in accordance with Article (48) of this By-Law shall perform the following:
 - (a) prepare a reference interconnection offer for approval by the General Secretariat within the time period prescribed by order of the General Secretariat.
 - (b) periodically update the reference interconnection offer as directed by orders of the General Secretariat.
 - (c) publish its approved reference interconnection offer in the following manner:
 - (-) filing a copy with the Supreme Council, who shall publish the reference interconnection offer on the Supreme Council's official website.
 - (-) making a copy available to the public in its principal business offices;
 - (-) publishing the agreement on the Service Provider's website.
 - (-) sending a copy to any other Service Provider on request.

- (2) Every reference interconnection offer shall:
 - (a) comply with any rules or orders applicable to interconnection or facilities access, including any applicable instructions regarding the form and content of a reference interconnection offer as prescribed by the General Secretariat.
 - (b) include a full list of services, sufficiently unbundled, to be supplied to Service Providers, setting out the associated terms and conditions, including the provisioning processes and charges for each service.
 - (c) not be amended by the Dominant Service Provider except as directed or approved by the General Secretariat.
- (3) In the event that a Dominant Service Provider does not submit a reference interconnection offer within the time period prescribed by the General Secretariat, or delays finalization of a reference interconnection offer acceptable to the General Secretariat, the General Secretariat may require the Dominant Service Provider to adopt a reference interconnection offer as prepared or prescribed by the General Secretariat.

Article (52)

- (1) Every Dominant Service Provider designated in accordance with Article (48) of this By-Law shall within five (5) days from signing the interconnection or access agreement, file a copy of the agreement with the General Secretariat.
- (2) Subject to the following paragraph, the Supreme Council may place a copy of any interconnection or access agreements filed with it in accordance with paragraph (1) of this Article on its official website.
- (3) A Dominant Service Provider or any other party to an interconnection or access agreement that has been filed with the General Secretariat may identify specific information contained in the interconnection or access agreement as confidential, and may request that such confidential information be excluded from the copy of the agreement placed on the Supreme Council's official website. Details of interconnection or access charges and all other essential terms and conditions offered by any Dominant Service Provider shall not be considered confidential; and the General Secretariat shall determine what information will be treated as confidential.

Article (53)

If the General Secretariat decides that an interconnection or access agreement is in violation of the Law or this By-Law, or the requirements of any regulation, rule, order, notice or License, it may issue an order requiring one or more of the parties to the agreement to amend the agreement.

Chapter Five

Tariff Regulation

Article (54)

The General Secretariat shall have the authority to review all Service Provider tariffs, including wholesale and retail tariffs, and to determine any requirements regarding tariffs, their approval and publication, and the General Secretariat may issue regulations or orders to regulate the tariffs of Service Providers.

Article (55)

Articles (56), (57), (58) and (59) of this By-Law apply to Service Providers that the General Secretariat has designated as Dominant Service Providers in one or more telecommunications markets, in accordance with Articles (72), (73) and (74) of this By-Law. These tariff requirements shall apply to all service tariffs of a Dominant Service Provider, including all retail and wholesale tariffs. These tariff requirements shall also apply to interconnection or access related charges where those charges have been the subject of an order under paragraph (1) of Article (50) of this By-Law.

Article (56)

Tariffs that are subject to filing with and approval by the General Secretariat shall enter into force only after they have been approved by a decision from the General Secretariat.

The General Secretariat shall be entitled to issue interim orders regarding service tariffs and tariff related matters pending further evaluation and final determination. Final orders may confirm, amend or revoke any interim order.

Article (57)

Unless the General Secretariat orders otherwise, the Service Provider shall from the date on which the tariff or tariff revision is filed until the tariff or tariff revision is approved publish an electronic copy on its website; and maintain a paper copy available to the public at its main business offices; and within ten (10) days from the day on which the tariff or tariff revision is filed, place a notice of the tariff filing summarizing its contents and specifically identifying its effects, including its commercial impact on customers, in two local newspapers published in Arabic and English, or as otherwise directed by the General Secretariat.

Dominant Service Providers shall also comply with the tariff information and disclosure requirements of Articles (97), (98) and (99) of this By-Law and License Terms.

Article (58)

Tariffs charged by a Dominant Service Provider to other Service Providers shall be filed with and subject to approval by the General Secretariat in accordance with Article (29) of the Law and Article (56) of this By-Law; and the terms of the License.

Those tariffs must also comply with the orders issued by the General Secretariat.

Article (59)

The General Secretariat may require a Dominant Service Provider to prepare or participate in the development of a cost study of its telecommunications services if it determines that a cost study would be an effective and necessary means of addressing the effects of dominance or significant market power, preventing anti-competitive conduct or would otherwise be effective and necessary in implementing any scheme of tariff or price regulation.

The General Secretariat may require any Dominant Service Provider to prepare or participate in the development of a cost study for the purpose of determining the costs of providing different types of telecommunications services or the business activities of the Service Provider and the General Secretariat shall decide on the cost categories, form, approach, procedures and timing of the cost study; the Service Provider shall comply with all requirements identified by the General Secretariat; and shall file with the General Secretariat the study.

The General Secretariat shall consult with the Service Provider required to file a cost study and any other interested parties before it makes an order requiring the study.

The General Secretariat may require a Dominant Service Provider to adopt identified cost accounting practices to facilitate cost studies or to achieve any other regulatory purpose under the Law or this By-Law, including the separation of accounts among different categories of business activities or services or as directed by the General Secretariat.

Article (60)

The General Secretariat may develop methods of price control and may consult Service Providers or any other interested parties.

The General Secretariat may issue orders or notices prescribing guidelines for the development of proposals for methods of price control; or setting out directions for the further development of any proposal that has been filed with the General Secretariat or any method of price control that is under development by the General Secretariat.

The General Secretariat may also approve of a proposal or method of price control for implementation by one or more Service Providers. Following development and approval of any method of price control, the General Secretariat may also issue regulations, rules, orders or notices required for its implementation.

Chapter Six

Numbers and Numbering

Article (61)

The General Secretariat shall prepare, publish and manage a National Numbering Plan and shall allocate and assign numbers and number ranges in accordance with the National Numbering Plan. The General Secretariat shall, in preparing the National Numbering Plan take into account the following:

- (1) The National Numbering Plan shall be consistent with the requirements of international agreements, commitments, conventions, regulations and recommendations to which the State of Qatar is party therewith.
- (2) expected growth in demand for telecommunications services, and to allow numbers to be assigned with no delay.
- (3) the plan and resulting allocation and assignment of numbers shall reflect the needs of Service Providers and customers, and be consistent with the efficient use of the Service Providers' telecommunications networks.
- (4) the plan may provide for many features such as number portability and service provider selection when required.
- (5) allocation or assignment of numbers shall not confer an unreasonable advantage or disadvantage to any Service Provider.

Article (62)

In preparing and managing the National Numbering Plan, the General Secretariat shall have due regard for existing allocations and assignments of numbers and for the costs to Service Providers in accommodating the plan.

Article (63)

The General Secretariat may modify the National Numbering Plan and notify the Service Providers of this within a period of time as it deems appropriate, prior to the date when the modification is to be effected. Service Providers shall notify their customers regarding any such modification and its practical effects in accordance with any direction issued by the General Secretariat.

Article (64)

Service Providers and customers shall not have any property rights in numbers.

Article (65)

A Service Provider shall only change a customer's number in the following cases:

- (1) based on the request of the customer.
- (2) a change in the location of fixed service customer which makes the retention of the existing number not technically or economically feasible.
- (3) modification to the National Numbering Plan which orders this or any direction from the General Secretariat.
- (4) the Service Provider has other reasonable grounds, including compliance with any orders, decisions or notices issued by the General Secretariat, and in this case the Service Provider has to give a written notice to the customer in question, stating the reason and anticipated date of change including any compensation to be paid by the Service Provider in accordance with Article (35) of the Law. In cases of emergency, oral notice with subsequent written confirmation shall be sufficient.

Article (66)

The General Secretariat may publish instructions on practices and procedures for the allocation and assignment of numbers, including identification of any fees or charges payable by Service Providers or customers for the allocation or assignment of numbers. The instructions will form part of the National Numbering Plan.

Article (67)

Subject to the requirements of any statement published by the General Secretariat, Service Providers shall ensure, at the time of allocation or assignment, that customers understand that they have no ownership, special or property rights in numbers and that numbers may be re-allocated or re-assigned, including where the customer has paid a special fee or charge for the assignment or use of a particular number. Service Providers shall also ensure that they provide customers with adequate remedies in the event such numbers are re-allocated or re-assigned, including appropriate refunds of any special fees or charges or other form of fair compensation.

Article (68)

The General Secretariat may, after consultation with Service Providers and other interested parties, issue an order to one or more Service Providers to develop or to assist in the development of a number portability implementation plan, for approval and implementation by the General Secretariat. Such order will form part of the National Numbering Plan. Any order issued by the General Secretariat in this regard shall contain:

- (1) the schedule for implementation of number portability.
- (2) markets and Service Providers covered by the plan.

- (3) the technical means of providing number portability.
- (4) the recovery of costs for implementation of the plan.

The number portability implementation plan shall identify specific responsibilities for the supply, development and operation of the facilities and systems needed to implement number portability.

Following development and approval of a number portability implementation plan, the General Secretariat may issue any other regulations, rules, orders or notices required for its implementation.

Article (69)

The General Secretariat may, after consultation with Service Providers and other interested parties, issue an order directing one or more Service Providers to develop or to assist in the development of a Service Provider selection or Service Provider pre-selection implementation plan, for approval and implementation by the General Secretariat.

Following development and approval of a Service Provider selection or Service Provider pre-selection implementation plan, the General Secretariat may issue any other regulations, rules, orders or notices required for its implementation.

Chapter Seven

Universal Service

Article (70)

- (1) The General Secretariat may set out a policy stating specific objectives, and related principles and service obligations, relating to the provision of universal service and related access to telecommunications services and telecommunications facilities in the State of Qatar and the General Secretariat may consult with Service Providers and other interested parties when developing a universal service policy.
- (2) In setting out the universal service policy, the General Secretariat shall take into account the following:
 - (a) the objectives for the development of universal service, including the state of universal access.
 - (b) the telecommunications services and telecommunications facilities to be included in universal service offerings.
 - (c) the service areas or types of service areas in which specified levels of universal service should be achieved.
 - (d) the costs of the universal service obligations, and how these costs should be met.

In developing a universal service policy, the General Secretariat shall ensure that any universal service obligations of Service Providers are administered in a transparent, non-discriminatory and competitively neutral manner.

Article (71)

Universal Service Fund

Following approval by the Board of the universal service policy, the General Secretariat may issue a regulation to establish a Universal Service Fund to subsidize the net costs of providing universal service. The regulation shall determine how the Universal Service Fund shall be operated and administered. The Universal Service Fund shall be administered by and under the direction of, the General Secretariat.

All Service Providers shall contribute to the Universal Service Fund in accordance with the policy approved by the Board, the terms of their Licenses, any implementing regulation or decisions issued by the General Secretariat.

The disbursement procedures of the Universal Service Fund shall be prescribed by the Secretary General, and shall be administered in a transparent, non-discriminatory and competitively neutral manner.

Chapter Eight

Competition Policy

Article (72)

The General Secretariat shall issue a notice which establishes the standards and methodology that it will apply in determining whether Significant Market Power exists in a particular relevant market. The General Secretariat shall publish the methodology on the website of the Supreme Council and may be modified from time to time by it.

The methodology may include the following elements and any other relevant factors which will be applied in accordance with criteria set out in third paragraph of this Article:

- (1) definition of the relevant telecommunications market or markets in terms of products and geographic scope.
- (2) assessment of market power based on a review of the economic and behavioural characteristics of the relevant market and an examination of the extent to which a Service Provider, acting alone or jointly with others, is in a position to behave independently of customers or competitors.

The methodology may include the following criteria for assessing the degree of market power in a relevant market:

- (1) market share.

- (2) absolute and relative size of the firm in the relevant market.
- (3) degree of control of facilities and infrastructure that would be uneconomical for another person to develop to provide services in the relevant market.
- (4) economies of scope and scale.
- (5) absence of countervailing buyer power, including customer churn characteristics.
- (6) structural and strategic barriers to entry and expansion.
- (7) any other factors relevant to evaluating the existence of market power in a particular market.

The methodology may also provide guidance on the parameters that will be used for measuring market share (number of lines, number of minutes, revenues or other relevant metrics), and for ease of administration, the General Secretariat may, in the absence of evidence to the contrary, may deem that an individual Service Provider with a share of more than 40 percent of the relevant market is a Dominant Service Provider.

Article (73)

The General Secretariat shall undertake a baseline review of those telecommunications markets that it determines should be examined as a matter of priority. In undertaking its assessment, the General Secretariat shall rely on the best data available to it, and all market participants shall cooperate fully in furnishing information requested by the General Secretariat in order to carry out its evaluation. Where true, complete and accurate data is not available, the assessment may be based on reasonable estimates, proxies and regulatory actions in comparable jurisdictions in the region.

Article (74)

The General Secretariat's decisions on dominance designations shall be published on the official website of the Supreme Council in a format that conceals information classified by the General Secretariat as confidential, along with a current list of all Service Providers which the General Secretariat has designated as dominant and the specific market(s) in which they been found to be dominant.

The General Secretariat shall, from time to time, review its designation of service providers as dominant in the relevant markets and the specific requirements imposed upon those service providers as a result of that designation. In doing so, the General Secretariat will take into account the presence of new market entrants and evaluate whether market forces are sufficient to safeguard the interests of customers and the public.

Article (75)

Dominant Service Providers are prohibited from undertaking any activities or actions that abuse their dominant position. In addition to the conduct and activities specifically identified in Article (43) of the Law, the General Secretariat may prohibit any other action or activities

engaged in by a Dominant Service Provider that the General Secretariat determines to have the effect or to be likely to have the effect of substantially lessening competition in any telecommunications market.

Article (76)

In addition to the provision of Article (46) of the Law and any other remedies identified by the General Secretariat from time to time in accordance with this By-Law, the General Secretariat may require the Service Provider involved in the abusive action or anti-competitive practices, and the persons affected by such actions or practices, to meet and attempt to determine remedies for such actions or practices.

In case of repeated breaches of an order made by the General Secretariat to prohibit a Dominant Service Provider from the abuse of its dominant position or other anti-competitive action or activities, the General Secretariat may issue a order requiring the Service Provider to divest itself of some lines of business provided that:

- (1) the Service Provider is notified in writing prior to issuing such an order to allow the Service Provider to provide its comments regarding this matter.
- (2) the General Secretariat determines that such an order is an effective measure to end an abuse of dominant position or anti-competitive practices.

Article (77)

No transfer of control of a Service Provider shall become effective by any transaction without one or more parties providing written notification of the intended transaction to the General Secretariat. The written notification shall be given without delay, within a period of not less than sixty (60) days prior to the intended completion date of the transaction. The written notification shall in reasonable detail and with sufficient clarity identify all the parties to the transaction, including their respective Affiliates or any related Persons, and shall summarize the nature of the transaction, including the intended completion date. In addition, the Licensee shall provide such information, and comply with such procedural requirements, as the General Secretariat may specify.

Within thirty (30) days of receiving the above-mentioned notification, the General Secretariat shall issue a written order in reply to the parties confirming whether the transaction will require approval under Article (78) of this By-Law. If approval of the transaction is not required, the order will state this. In such case, the order will also specify the conditions, if any, that would apply to any additional ownership, voting or other rights in the entity to be acquired, or to any Affiliates of the entity to be acquired. The order will also indicate under what circumstances any proposal to acquire additional rights in the entity must be notified to the General Secretariat for review.

Article (78)

No transfer of control of a Service Provider shall be effected without the prior approval of the General Secretariat if:

- (1) a Dominant Service Provider, or an Affiliate of a Dominant Service Provider is the Person ultimately acquiring control of the Service Provider; or the Person whose control is being transferred.
- (2) the General Secretariat determines, in its sole but reasonable discretion, that as a result of the transfer a Person, alone or with its Affiliates or related persons, may become a Dominant Service Provider.
- (3) The General Secretariat determines, in its sole but reasonable discretion, that the proposed transfer of control may result in a substantial lessening of competition.

Article (79)

No transfer of control that requires prior approval under the preceding Article shall be completed or have any legal force or effect unless the Person makes written application for approval of the transfer to the General Secretariat, and receives written approval for the transfer from the General Secretariat.

Article (80)

Applications for transfers of control stipulated under the preceding Article shall contain detailed information regarding the proposed transaction(s) provided that such information shall, at a minimum, include the following:

- (1) the Persons involved in the transaction(s), including the buyers, sellers, their affiliated Persons, any related persons, and any shareholders or other Persons that have ownership rights in all such Persons;
- (2) a description of the nature of the transaction(s) and a summary of the commercial terms.
- (3) financial information regarding the Persons involved in the transaction(s), including their annual revenues from telecommunications markets identified by specific markets, value of assets for the telecommunications business and copies of any updated annual or quarterly financial reports.
- (4) a description of the relevant telecommunications markets where those Persons involved or engaged in the transaction(s) operate in.

Article (81)

The General Secretariat may request at any time additional information regarding any transaction that is the subject of a notification under Articles (77) and (79) of this By-Law.

Article (82)

The General Secretariat shall, within sixty (60) days from receipt of the above-mentioned application stipulated under Article (79), or from date of receipt of the additional information requested pursuant to the preceding Article:

- (1) approve the transfer of control with no conditions.
- (2) conditional approval of the transfer of control. The conditions shall be related to the promotion and development of telecommunications markets in order to make them open and competitive in the State of Qatar and related to the protection of customers' interests.
- (3) deny the transfer of control.
- (4) issue an order extending the review period for an identified period of time.
- (5) issue a notice to initiate an investigation regarding the proposed transfer of control and take one of the above-mentioned decisions set out in subparagraphs (1), (2) or (3) of this Article.

Article (83)

Any party to a proposed transaction may apply to the Supreme Council requesting expedited approval of the transaction, including in the event that the General Secretariat does not take any of the decisions identified in the preceding Article within the identified 60 day period.

Article (84)

Transfers of control involving the assignment of Individual Licenses or Radio Spectrum Licences shall be reviewed by the General Secretariat pursuant to the competition policy and criteria, and in accordance with Articles (13), (32), (33) of this By-Law, also pursuant to a coordinated timetable corresponding to the provisions of Articles (77), (78), (79), (80), (81), (82), (83), (84), (85).

Article (85)

Following approval by the General Secretariat, a party seeking to effect a transfer of control of the Licensee will have 180 days to consummate the proposed transaction and notify the General Secretariat of its completion. If necessary, the General Secretariat may approve one or more extensions to the above-mentioned period upon request of the Licensee.

Chapter Nine

Consumer Protection Provisions

Article (86)

Licenseses and Service Providers shall comply with the provisions of this Chapter, the terms and conditions of applicable Licenses and with any regulations, rules, orders or notices issued by the General Secretariat in this regard.

Article (87)

Service Providers shall not transfer or attempt to transfer customers, and shall not charge customers for services, except in accordance with customer orders, agreed service terms or other written customer directions.

In addition to the orders issued by the General Secretariat regarding customer terms, service provision or billing, the Service Providers shall provide customers with invoices as follows:

- (1) at least once every three (3) months and for free.
- (2) in paper form, or in electronic form if the customer consents.
- (3) in a plain and simple format.
- (4) that provide accurate information on the services provided, the amounts due for each service and the method of calculation of tariffs for any service on which invoices are based, on the length of calls or other measure of usage.

Article (88)

Service Providers shall retain accurate records of all customer orders, service provisioning and billing for a period of at least twelve (12) months from the relevant billing date, and shall make them available to the General Secretariat upon request in accordance with the Law.

Article (89)

Where the General Secretariat has a concern relating to billing practices, it may require Service Providers to publish information on billing systems or billing practices or to take such other steps relating to their billing systems or billing practices as the General Secretariat may consider appropriate.

Article (90)

No Service Provider shall make any false or misleading claim or suggestion regarding the availability, price or quality of its telecommunications services or equipment; or the telecommunications services or equipment of another Service Provider.

A claim or suggestion is false or misleading if the Service Provider knew or ought to have known at the time it was made that it was false or misleading or that it was likely to deceive or mislead the person to whom it was made.

Article (91)

Service Providers shall take all reasonable steps to ensure the confidentiality of customer communications. Service Providers shall not intercept, monitor or alter the content of a customer communication, except with the customer's explicit consent or as expressly permitted or required by applicable laws of the State of Qatar.

Article (92)

The purposes for which customer information is collected by a Service Provider shall be identified at or before collection, and a Service Provider shall not, except as permitted or required by law, or with the consent of the person to whom the information relates, collect, use, maintain or disclose customer information for undisclosed or unauthorised purposes. The Service Provider shall be entitled to use customer information for all legitimate purposes identified in its terms of service, or in accordance with the customer's consent in accordance with legal and constitutional controls.

A Service Provider shall be responsible for any records, which are under its custody or control or under the custody or control of its agents, containing customer information and communications. Service Providers shall ensure that customer information and customer communications are protected by security and technical safeguards that are appropriate to their sensitivity.

A Service Provider shall not disclose customer information to any person without the customer's consent, unless disclosure is required or permitted by the General Secretariat in accordance with the applicable laws or regulations of the State of Qatar.

All customer-specific information, and in particular billing-related information, shall be retained and used by a Service Provider only for purposes specifically provided for in the applicable terms of service or other agreed customer terms, or in accordance with any rules or orders made by the General Secretariat, or as otherwise permitted by applicable laws.

Service Providers shall ensure that customers' information is accurate, complete and updated regularly for the purposes for which it is to be used.

Article (93)

Nothing in this By-Law prohibits or infringes upon the rights of authorized governmental authorities to access confidential information or communications relating to a customer, in accordance with applicable laws.

Article (94)

Service Providers shall identify a person or group of persons to receive complaints from customers other than Service Providers. Details of how to contact such person or group of persons shall be provided on all written communications sent to customers and also on each Service Provider's website.

Service Providers shall set certain procedures to deal with complaints of customers other than Service Providers and have them published in the form and manner that is approved by the General Secretariat. These procedures along with any amendments introduced shall be subject to the approval of the General Secretariat.

Service Providers shall not disconnect or change the telecommunications services being provided to a customer that are the subject of a complaint or dispute, other than in accordance with the terms of service approved by the General Secretariat pursuant to Article (96) of this By-Law or as permitted by an order made by the General Secretariat.

Article (95)

The General Secretariat shall undertake any other appropriate action to protect the public from harassing, offensive or illegal telecommunications in accordance with the Law, this By-Law and other applicable laws.

Article (96)

The General Secretariat may require a Service Provider to submit to it draft terms of service to it for approval and may prescribe a timetable for review, approval and implementation of the terms of service.

Terms of service shall be consistent with the Law, this By-Law, and all applicable regulations, rules, orders and License conditions, and shall describe the basic terms of the relationship between the Service Provider and its customers in the provision and use of telecommunications services.

The General Secretariat shall approve draft terms of service as submitted to it or after introducing changes to it as the General Secretariat deems appropriate. Once approved, the terms of service will replace the customer terms used by a Service Provider and shall become binding on the Service Provider and its customers.

The General Secretariat may issue an order discontinuing the requirement for a Service Provider to submit draft terms of service to the General Secretariat for approval where it determines that its approval is no longer required to protect the interests of customers.

Article (97)

Each Service Provider shall publish the following information on its website:

- (1) the current version of any terms of service or other standard customer terms and conditions of service approved by the General Secretariat.

- (2) Its tariffs, rates and charges for any equipment or services, including all approved tariffs and proposed tariff changes which have been filed with the General Secretariat in accordance with Article (55) of this By-Law.
- (3) the official website address and other contact information of the Supreme Council, along with a clear statement that the Service Provider is regulated by the Supreme Council under the Law, this By-Law and any other applicable laws, and that customers and other Service Providers may contact the Supreme Council if they are unable to resolve disputes with Service Providers.
- (4) a user-friendly navigation system that allows a customer to locate the above-mentioned information easily.

Article (98)

Service Providers shall also maintain paper copies of the information described in the preceding Article at all of their business offices. This information shall also be made available for public inspection, without charge, during normal business hours. Copies of the information shall also be sent to the Supreme Council for public reference, and may be published by the Supreme Council in the manner that the General Secretariat deems appropriate.

Article (99)

If required by an order of the General Secretariat, a Service Provider shall include the current version of its terms of service or other standard customer terms and conditions, copies of its tariffs, rates and charges being available for review at its business offices and the other information described in paragraph (3) of Article (97) of this By-Law in the introductory pages to every telephone directory published by it or on its behalf. Service Providers shall provide, upon request and at a reasonable charge, paper copies of its terms of service and all applicable tariffs, rates and charges to any customer who requests them.

Article (100)

The General Secretariat may issue regulations, rules or orders requiring Service Providers to provide customers with a telephone directory and access to directory services.

Service Providers shall provide customers with a telephone directory and access to directory services in accordance with any regulations, rules or orders issued by the General Secretariat.

Service Providers shall also exchange and compile customer information as required to facilitate the production of telephone directories or the provision of directory services in accordance with any regulations, rules or orders issued by the General Secretariat.

Article (101)

The General Secretariat shall set the minimum quality of service standards and may have them amended by following consultation with the related Service Providers.

The Supreme Council may include those criteria in the Licenses, or issue them by an order from it.

A Service Provider shall deliver to the General Secretariat a written quality of service report each quarter in the form and detail prescribed by the General Secretariat and setting out therein the Service Provider's actual results for each quality of service standard.

Article (102)

If the quality of service report mentioned in the preceding Article shows that a quality of service standard has not been fulfilled nor achieved, the Service Provider shall provide a clear explanation stating the reason behind it and the steps it has taken or to taken by it in order to implement that standard.

The General Secretariat shall advise the Service Provider within thirty (30) days from receipt of quality of service reports and whether it accepts the report and the explanation submitted regarding any standard not achieved. If the General Secretariat does not reply within the above-mentioned period, this shall be deemed approval by the General Secretariat of the report, including the explanation.

In case the General Secretariat does not accept the explanation, the General Secretariat shall issue an order stating the extra steps that the Service Provider shall take and the time frame within which those steps shall be taken, including submission of any additional reports by the Service Provider until the standard is achieved; and specific refunds, if any, or any other customer remedies to be implemented by the Service Provider as a result of its failure to comply with the quality of service standards.

Article (103)

A Service Provider shall publish on its website, in accordance with the orders of the General Secretariat, the quality of service report or any other additional related material submitted by it to the General Secretariat. The Supreme Council may also post on its official website the quality of service report or any additional related material submitted by a Service Provider.

The General Secretariat may require a Service Provider to publish all of the quality of service reports or parts therefrom or any information relating to quality of service in both the Arabic and English languages and in two local newspapers.

The Supreme Council may issue press releases and publish information regarding Service Provider quality of service performance, including comparisons regarding the quality of service performance among different Service Providers.

Article (104)

The service obligations of Service Providers described in this Chapter shall extend to the installation, operation, maintenance and repair of all telecommunications facilities that are owned or provided by the Service Provider and located on the customer's property.

A Service Provider shall have the right to enter a customer's premises or property for the purposes described in the preceding paragraph, subject to the following conditions:

- (1) the Service Provider has given the customer a notice and has received the consent of the customer.
- (2) the Service Provider dispatches identified and qualified personnel.

Article (105)

The General Secretariat may issue any orders relating to Service Provider liability, customer refunds and damages associated with the provision of services. The General Secretariat may take these provisions into consideration in the course of approving terms of service pursuant to Article (96) of this By-Law.

Chapter Ten

Access to Property

Article (106)

Where a Service Provider cannot, on commercially reasonable terms and within sixty (60) days following the commencement of negotiations between the Service Provider and the concerned party obtain the consent of the government authority having jurisdiction over State Public and Private Property or facilities to construct, maintain or operate telecommunications network facilities on that land or facility; or gain access to the pole, duct, tower or other supporting structure of a telecommunications, electrical power, or other transmission system constructed on that property or facility that is owned or controlled by the State, the Service Provider may apply to the Supreme Council for assistance or to exercise its powers under applicable laws and regulations.

Article (107)

Upon receipt of an application for assistance in accordance with the preceding Article, the General Secretariat shall consult with the concerned government authority to find a solution acceptable to both the Service Provider and the concerned government authority. If the General Secretariat's consultation fails to produce agreement within a period of (60) days from date of receipt by the General Secretariat of the request, the General Secretariat may refer the matter for resolution to any administrative, executive or any other competent authority that has jurisdiction, or the General Secretariat may provide assistance as it deems appropriate, or the parties to the dispute may refer the matter to the courts for resolution.

Article (108)

The Service Provider may apply to the General Secretariat for assistance in reaching an agreement with the owner of private land or private facility, or for the exercise of powers under applicable laws or regulations to obtain access to private land or private facility to construct, maintain or operate telecommunications network facilities, or to provide telecommunications services; if the Service Provider cannot, on commercially reasonable terms, reach an agreement with the owner of the private land or private facility within thirty (30) days from date of commencement of negotiations with the concerned party.

Article (109)

Upon receipt of an application for assistance in accordance with the preceding Article, the General Secretariat shall take the steps it deems necessary to assist the concerned parties. If the General Secretariat's consultation fails to produce agreement within a period of sixty (60) days, from the date of receipt by the General Secretariat of request for assistance, the General Secretariat may refer the dispute to any administrative, executive or other competent body that has jurisdiction, or the General Secretariat may provide assistance as it deems appropriate, or the parties to the dispute may refer the matter for resolution by the court.

Article (110)

The Secretary General may prescribe regulations that require any Service Provider to allow other Licensees to have access to conduit, ducts, cabling, wire and space for switching facilities inside multi-tenanted buildings where historic or contractual arrangements create anti-competitive conditions in respect of such access. Such regulations shall prohibit any Service Provider from providing, installing or continuing to service inside wiring, duct, conduit and related facilities unless the property owner also permits other duly authorized Licensees to have the same rights of access, absent a proof showing of undue burden to the property-owner based on unusual circumstances.

Article (111)

A Service Provider shall, in exercising any rights of access stipulated in Articles (106), (107), (108), (109), (110) of this By-Law, comply with all other applicable laws and regulations and with all applicable planning and approvals requirements and related processes. Service Providers shall indemnify property owners for any damage to property, injury or expense caused by the Service Provider acting contrary to any terms of access, laws, regulations or planning and approvals processes.

In exercising the functions identified in Articles (106), (107), (108), (109), (110) or as otherwise appropriate to facilitate the construction, maintenance or operation of telecommunications facilities, the General Secretariat may establish and oversee the operation of a committee or other body to coordinate applicable planning and approvals requirements and related processes. The General Secretariat may issue regulations, rules, orders or notices required for the establishment or operation of such a committee or coordinating body.

Article (112)

Service Providers with existing telecommunications network facilities shall allow other Service Providers, whom the General Secretariat have decided that they are entitled to co-locate, to co-locate their telecommunications network facilities on those existing facilities, including central office premises and other equipment locations, land and roof tops, mast sites, towers, conduits, ducts, poles and underground facilities, and physical and virtual co-location arrangements, where such co-location is technically and economically feasible.

In the event that the parties fail to reach agreement within 30 days following the commencement of such negotiations, either party may request the assistance of the General

Secretariat to reach an agreement in accordance with the provisions of the Articles (106), (107), (108), (109), (110) of this By-Law.

The party requesting co-location shall compensate the party required to provide co-location for such an amount as the parties may agree to or where the parties are unable to agree, the party requesting co-location shall compensate for such an amount as determined by the General Secretariat.

Where the parties are unable to agree on the terms of co-location, any party may request the General Secretariat to resolve the dispute in accordance with Articles (121), (122), (123) of this By-Law.

Article (113)

In addition to the rules and conditions of this Chapter, the terms of co-location shall be subject to Chapter Four of this By-Law.

Article (114)

New telecommunications facilities shall be installed in a manner that do not create an undue adverse effect on existing telecommunications facilities or other existing installations including installations used to maintain public ways, water and gas lines, oil pipelines and electrical installations or other.

Article (115)

Any person installing new telecommunications facilities shall compensate affected persons for the reasonable costs of relocating, modifying or protecting existing facilities or installations which result from the installation of the new facilities.

Article (116)

The General Secretariat may issue regulations, rules, decisions, orders or notices related to access to private or public property, in coordination with other concerned authorities.

Chapter Eleven

Telecommunications Equipment Standards and Approval

Article (117)

The General Secretariat may issue regulations, rules, orders and notices regarding technical standards and specifications, equipment specifications, testing facilities, the application and procedures for certification or type approval of telecommunications equipment; and any other aspect of practice or procedure relevant to equipment standards or certification. The General

Secretariat may consult with the Ministry of Health in the State of Qatar regarding some matters relating to public health and telecommunications equipment, if any.

Article (118)

In exercising its functions and powers regarding equipment standards and certification procedures or type approval, the General Secretariat may require from the concerned any information or documentation regarding equipment performance, standards or certification.

Article (119)

The General Secretariat shall ensure that all technical standards, specifications and certification requirements that it identifies as mandatory requirements for telecommunications equipment, are consistent with, the technical requirements and procedures generally applicable to electrical equipment, radio-communications apparatus and consumer products approved for sale or use in the State of Qatar.

Article (120)

The General Secretariat may issue instructions regarding ceasing use or removal of the equipment that was in use prior to the effective date of the Law if it determines that such telecommunications equipment interfere(s) with the operation of other telecommunications equipment, or constitute a public hazard and may issue instructions regarding of any replacement or modified equipment.

Chapter Twelve

Dispute Resolution

Article (121)

In accordance with Article (61) of the Law, the General Secretariat shall resolve disputes arising between service providers, or between service providers and others, which are under its jurisdiction in accordance with the Law and this By-Law, and the General Secretariat shall establish procedures for the fair and efficient resolution of such disputes.

Article (122)

The General Secretariat may issue regulations, rules, orders and notices related to dispute resolution.

Article (123)

Where Service Providers have been unable to agree on the resolution of a matter following reasonable efforts to reach an amicable settlement, one or more Service Providers may apply

to the General Secretariat for assistance in resolving the dispute, and the General Secretariat may take any of the following measures:

- (1) assign members of its staff or an expert consultant to attempt to resolve the dispute.
- (2) issue a decision to resolve the dispute, and the decision shall be binding.
- (3) take any other action as it deems appropriate.
- (4) direct the parties to refer the dispute to the competent Court.

Article (124)

Where a customer other than a Service Provider has a dispute with a Service Provider that the parties have been unable to resolve among themselves, by means of the Service Provider's customer complaint process approved by the General Secretariat, either party may request the assistance of the General Secretariat to resolve the dispute, and the General Secretariat may take any of the following measures:

- (1) assign members of its staff or an expert consultant to attempt to resolve the dispute.
- (2) issue a decision to resolve the dispute and the decision shall be binding.
- (3) take such other action as it deems appropriate.
- (4) direct the parties to refer the dispute to the competent Court.

Article (125)

Parties to a dispute may refer the dispute to private mediation or arbitration and all costs arising therefrom including any travel or other expenses incurred by the General Secretariat in connection with any assistance in resolving the dispute, shall be paid for by the parties of the dispute.

Article (126)

Service Providers shall be subject to the dispute resolution processes defined or initiated by the General Secretariat pursuant to the Law and this By-Law or any other applicable laws, regulations or procedural rules. Service Providers shall also be subject to any customer complaint procedures established or approved by the General Secretariat.

Chapter Thirteen

Provision of Information

Article (127)

The General Secretariat may require Service Providers or others to provide it with information that it deems necessary for the exercise of its powers or that enables it to perform its functions.

Article (128)

Such information shall be provided in the format specified by the Information Request and may include, but not limited to, data that must be calculated or compiled by the recipient of the Information Request, original paper-based documents and information stored in digital electronic format.

Article (129)

The Information Request shall specify the data that is required, identify the proceeding and purpose for which the data is being collected, and indicate the time period within which the information must be supplied to the General Secretariat. The General Secretariat may extend the deadline for the submission of part or all of the information requested if the recipient of the Information Request provides a convincing justification, in writing, at least five (5) working days before the date on which the information is due.

Article (130)

The General Secretariat shall take into consideration a request made by the recipient of the Information Request for the confidential treatment of the information provided and the General Secretariat shall ensure that appropriate measures are taken to protect the confidentiality of information, which the General Secretariat determines to be confidential or commercially sensitive.

Article (131)

The recipient of an Information Request shall cooperate fully and shall provide true and complete answers to the questions posed within the timeframe established by the General Secretariat.

Article (132)

If a recipient of an Information Request does not furnish the requested information within the time stipulated by the General Secretariat, the General Secretariat may base its decisions or any other actions on the best alternative data available to it, and may collect the alternative data from published reports issued by third parties, relevant benchmarks, and reasonable estimates based on known data.