

**REGULATION NO . 3 OF THE SUPREME COMMITTEE SUPERVISING
THE
TELECOMMUNICATIONS NETWORK**

Issued on 28/9 / 2004

Corresponding to 14 Shaa'aban 1424 H .

**EMBODYING THE IMPLEMENTATION REGULATION OF THE FEDERAL DECREE
- LAW NO . 3/2003 REGULATING THE TELECOMMUNICATIONS SECTOR**

Amended by

Regulation No . 4/2005 dated 24/9 / 2005 , and

Regulation No . 2/2006 dated 24/1 / 2006

The Supreme Committee Supervising the Telecommunications Sector ,

Pursuant to the perusal of the Federal Decree - Law No . 3 of 2003 regulating the Telecommunications Sector ; and

The Federal Decree No . 22 of 2004 forming the Supreme Committee supervising the Telecommunications Sector ; and

Upon the proposal made by a member of the Supreme Committee Supervising the Telecommunications Sector and the approval of the Supreme Committee Supervising the Telecommunications Sector ;

It was decided the following :

DEFINITIONS

Article 1

Unless the context provides otherwise the expressions and words stated in the Federal Decree - Law No . 3 of 2003 concerning the regulation of the Telecommunications Sector , wherever they appear in this Regulation , shall have the same meanings as determined in the said Federal Decree - Law . Moreover , the following expressions and words shall have the meanings shown opposite to each :

Decree - Law : The Federal Decree - Law No . 3 of 2003 regulating the Telecommunications Sector [2](#)

The Supreme Committee : The Supreme Committee supervising the Telecommunications Sector .

The Board of Directors or the Board : The Board of Directors of the Organization .

The Organization : The public Organization regulating the Telecommunication Sector .

License Conditions : The conditions imposed by the Supreme Committee on licenses granted to the licensed Bodies and any amendments to these conditions .

Drilling works : Any drilling works by any means whatsoever and any work connected with construction , restoration or demolition works ; or related to installation or connection of pipes , wires , apparatus or other equipment .

Interconnection : the linking by whatever means of Telecommunications Networks in order to allow users of one entity to communicate with users of the same or another entity or enabling the users to make use of Telecommunications Services provided by another entity .

Interconnection Agreement : An agreement under which the interconnection will be achieved pursuant to the rules and conditions issued by the Organization .

Telecommunications Network : a system comprising one or more items of apparatus or means of communication medium for broadcasting , transmission , switching or receiving of Telecommunications Services , by means of electric , magnetic , electro - magnetic , electro - chemical or electro - mechanical energy and any other means of communication medium .

Public Telecommunications Network : a Telecommunications Network operating for the provision of Public Telecommunications Services by the Licensee to the subscriber pursuant to the provisions of this Decree - Law . and this Regulation .

Private Telecommunications Network : a Telecommunications Network operated exclusively for the benefit of one person , or a group of persons who have a common ownership , to serve their private needs .

Telecommunications Services : the service of transmitting , broadcasting , switching or receiving by means of a Telecommunications Network of any of the following :

- 1 - wire and wireless telecommunications ;
- 2 - voice , music and other sounds ;
- 3 - visual images ;
- 4 - signals used in transmission other than the production and broadcasting of programs ;
- 5 - signals used to operate or control any machinery or apparatus ;
- 6 - the installation , maintenance , adjustment , repair , replacement moving , or removal of apparatus that is or will be connected to a Public Telecommunications Network ;
- 7 - the installation , maintenance and operation of networks for telegraph , telephone , telex , leased circuits , domestic and international data networks , internet and wireless transmission ;
- 8 - any other Telecommunications Services approved by the Supreme Committee but does not include any services used in the production and broadcasting of programs .

Public Telecommunications services : Any telecommunications services provided to users in general , or to a specific class of them , in consideration of a fee .

Wireless Transmission : the transmitting or receiving of electro - magnetic energy which may be used for the conveyance of data , or messages or voice or visual images , or for the operation or control of machinery or apparatus .

The National Register of Frequencies : Data base comprising all administrative and technical information , services and frequency licenses .

Telecommunications Apparatus : apparatus made or adapted for use in transmitting , receiving or conveying any of the Telecommunications Services through a Telecommunications Network dedicated to the purpose .

Private Land : any land granted or leased to any person other than any public bodies .

Public Land : all lands under the control or ownership of any Public Body but excluding any Private Land .

TITLE ONE

STRUCTURE OF THE ORGANIZATION

CHAPTER ONE

THE BOARD OF DIRECTORS , GENERAL MANAGER AND EMPLOYEES

Article 2

1 - The Organization is administered by a Board of Directors composed of five members , including the Chairman and the General Manager who will replace the Chairman in case of absence or vacancy of the office . They are appointed by resolution of the Supreme Committee for a period of four years renewable for similar periods by the same instrument that appointed them . The Board shall select a Reporter from among the Organization's employees but his vote shall not be counted when voting the resolutions .

2 - The Board may , when necessary , convene experts and counselors of its choice to attend its meetings but they shall not be entitled to vote on the resolutions of the Board .

Article 3

1 - The remuneration of the Chairman , the General Manager and the other Board members shall be determined by decision of the Supreme Committee .

2 - The Board shall issue a bylaw regulating the affairs of the Organization's employees fixing their salaries , allowances and the other employment conditions without being tied up by a government scale of salaries or any other schemes .

3 - The Board of Directors shall issue the organic structure of the Organization showing the jurisdiction of each division of this structure .

4 - The Board of Directors shall have competence to appoint the Executives , occupying high - level positions , according to the bylaw , in force , regulating the affairs of the employees .

Article 4

1 - The Board of Directors shall meet , when need arises , upon convocation from its Chairman or pursuant to the directives of the Supreme Committee . The Board must , in all cases , meet at least once every two months . Meeting of the Board shall be considered valid if attended by a majority of its members provided that the Chairman or , in his absence , the General Manager , be among them .

2 - Meetings of the Board shall be presided by the Chairman or , in his absence , the General Manager .

3 - Resolutions shall pass by absolute majority of the attending members . In case of a tie , the side of the President of the meeting shall prevail .

Article 5

1 - The General Manager is the legal representative of the Organization . He is answerable to the Board for the management of the daily work of the Organization and is bound to discharge these duties in accordance with the provisions of this Decree - Law , its Implementing Regulation , all decisions and directives issued by the Supreme Committee and the regulations applicable in the Organization including its bylaws and the resolutions of the Board of Directors .

2 - With due consideration to the provision of paragraph Four of Article 3 of this Implementing Regulation , the General Manager has jurisdiction to appoint the employees according to the bylaw regulating the employees affairs so as to ensure that the work process in the Organization is run in an efficient and competent manner .

Article 6

1 – The Board’s reporter shall keep a register of the Board’s meetings in which he will record the minutes of the meetings on the date they are held signed by the attending Board members .

Resolutions of the Board shall bear the signature of the Chairman or , in his absence , the General Manager .

2 - The Organization shall provide the Supreme Council with a copy of the minutes of each meeting of the Board of Directors within a week from the date of such meeting .

Article 7

Tenure of membership for a Board member shall terminate for one of the following reasons :

1 - Discharge by decision of the Supreme Committee in accordance with the provisions of Article 11 of the Decree - Law .

2 - Expiry of the membership term unless renewed .

3 - Resignation .

4 - Death .

Article 8

1 - A member of the Board of Directors may resign from his membership in the Board provided he submits his resignation in writing to the Supreme Committee . Membership in the Board shall end only when a decision accepting the resignation is issued by the Supreme Committee . In case no action is taken within sixty days from date of its submission , the resignation is considered accepted .

2 - Absence of one of the Board members from attending three consecutive meetings of the Board of Directors , without reason or excuse accepted by the Board , shall be considered as a submission of the resignation referred to in paragraph 1 of this Article .

Article 9

Within thirty days from the termination of membership of any member of the Board , the Supreme Committee shall appoint a new member in replacement thereto . The remaining members of the Board shall discharge all the functions entrusted to the Board of Directors until the completion of the appointment of the substitute as long as the quorum required for the meeting of the Board , as set forth in this Implementing Regulation , is met .

Article 10

Any member of the Board of Directors and any employee of the Organization working according to the directives issued to them by the Supreme Committee shall not bear personally any civil liability by reason of the work they execute , or abstain to do so , within the framework of such directives , if they act in good faith and in order to enable the Organization to perform its functions according to the provisions of the Decree - Law and this Implementing Regulation .

Article 11

The Organization shall issue the regulations , instructions , decisions and rules required to achieve the following :

- 1 - Ensure connecting the telecommunications services to all parts of the State so as to satisfy the needs of all those wishing to benefit from these services .
- 2 - Enhance the standard of services extended by the Telecommunications Sector to the benefit of the users observing public security and safety to the users and third persons .
- 3 - Observing the criteria of good performance by the licensees and the conditions set forth in their licenses .
- 4 - Promote , develop and progress the telecommunications industry and the State data system .
- 5 - Acting for the development and modernization of the telecommunications system in the State through training and adaptation , establishing relevant teaching institutions and obtaining the most modern apparatus and facilities achieved by telecommunications techniques .
- 6 - Settling disputes that may arise between the licensees .
- 7 - Extending free of charge telecommunications services by the licensees in cases of emergency .
- 8 - Constrain the licensees to conclude binding agreements to achieve the objectives specified in the license .
- 9 - Obligate the licensees to keep separate accounts of the licensed activities and organize financial consolidation between these activities .

CHAPTER TWO

REPORTS

Article 12

The General Manager shall , at the close of each financial year , prepare the yearly draft report for the Organization and submit it to the Board of Directors for approval prior to referring it to the Supreme Committee . The report must include the following :

- 1 - Activities of the Organization during that year .
- 2 - Developments relating to matters falling within the duties and functions of the Organization .
- 3 - Plans concerning its activities for the coming year .
- 4 - Any other subject deemed by the Organization worthy to be submitted to the Supreme Committee .

The Organization shall provide any concerned body copy of the report .

Article 13

The Organization must provide the Supreme Committee with any other reports related to the functions of the Organization whenever asked by the Supreme Committee .

CHAPTER THREE

PUBLISHING AND RECORDING INFORMATION

Article 14

The Organization shall , as deemed fit by it , put the necessary control measures for publishing the information relating to the criteria and conditions concerning licenses issued by the Supreme Committee and the occurring modifications thereon , in accordance with the provisions of the Decree - Law , this Implementing Regulation and the regulations and work rules issued by the Organization .

Article 15

With due observance of the provision of the preceding Article , the Organization shall publish the criteria and conditions concerning licenses , authorizations , licenses , systems , information and directions which it deems that the users and third persons are supposed to be aware of .

Article 16

The Organization shall prepare a general register to record all information relating to the following :

- 1 - Licenses and exceptions issued by the Supreme Committee as well as any modifications or cancellations occurring thereto .
- 2 - Licenses and authorizations relating to Telecommunications apparatus and any modifications or cancellations occurring thereto .
- 3 - Any exemption from compliance with any of the license conditions or any amendment or cancellation to the said exemption .

Article 17

As an exception to the provision of the preceding Article , when need arises and after the approval of the Board of Directors , the Organization may decide not to record any of the information , referred to in the preceding Article , in the general register but in an ad hoc register prepared for the purpose .

Article 18

Pursuant to the approval of the Board of Directors , the Organization shall allow to the concerned bodies , upon their request , to peruse the recorded information , according to the provisions of the Implementing Regulation and the conditions put down by the Organization , as well as provide the said bodies with an extract issued by the Organization that includes the required information .

CHAPTER FOUR

FINANCIAL AFFAIRS

Article 19

1 - The Organization shall keep financial accounts and records for its operations and affairs that will include its expenses , assets and liabilities . Moreover , it shall , within three months prior to the end of each financial year , prepare its closing accounts for the ending financial year showing the genuine financial position of the Organization for that financial year as well as the assets and liabilities of the Organization as it is at the end of the said financial year according to internationally accepted accounting criteria .

2 - The auditor must declare whether the Organization's accounts , its assets and liabilities for the concerned financial year are true and conform to the actual facts . He must also declare whether the Organization has kept , during the concerned financial year , regular financial records and accounts and any other matter that he deems necessary .

Article 20

1 - The General Manager shall prepare the draft estimated yearly balance - sheet of the Organization and submit it to the Board of Directors for approval in order to refer it to the Supreme Committee for issuance .

2 - The Chairman of the Board is the one who orders payment of the funds allotted in the budget of the Organization . He shall exercise all powers granted to him by the Decree - Law , this Implementing Regulation and its executive rules . He may delegate some of his powers to the General Manager of the Organization or any of its executive officers .

Article 21

With due observance of the provisions of this Chapter , the Chairman of the Board , after the approval by the Board of Directors , shall issue the financial scheme of the Organization which will include organization of its financial accounts and records according to the accounting principles .

CHAPTER FIVE

CONTRACTS AND PURCHASES

Article 22

The purchase of articles and requirements , contracting and supply works required by the Organization shall be done through public adjudication to the lowest bidder in order to reach the best bids or offers . In specific cases , however , contracts may be done by limited tenders , practice or direct orders .

Article 23

Sale of used materials , equipment and articles shall be done by adjudication to the highest bidder but it may also be done according to practice or by direct order if the value thereof does not exceed One Hundred Thousand Dirhams .

Article 24

The General Manager shall issue the necessary decisions to form one or more committee for tenders , auctions , or free bargaining provided that each committee includes among its members a finance member .

Article 25

With due observance of the provisions included in this Chapter , the Chairman , upon approval of the Board of Directors , shall issue a system regulating contracts and purchases of the Organization .

TITLE TWO

APPARATUS LICENSES AND LICENSES

CHAPTER ONE

LICENSES

Article 26

As amended by Regulation no . 2/2006 dated 24/1 / 2006 :

The Supreme Committee shall put objective and specified criteria on basis of which issue of the licenses or exemption therefrom , shall be decided .

Article 27

The license issued by the Supreme Committee shall specify the kind of activity a juristic person may exercise as well as the period within which the license is in force . Giving up the license must be notified to the Organization in order to obtain its approval thereon .

Article 28

Decisions of the Supreme Committee granting licenses to juristic persons shall be published in the Official Gazette .

Article 29

The Supreme Committee shall issue instructions or decisions to any licensee , or include in the issued license conditions , concerning any of the following matters :

- 1 - Fixing the fee to be paid upon issuance of the license and during the period of its validity .
- 2 - The instances that require the cancellation or suspension of the license .
- 3 - Performance by the Licensee of a specific act or abstaining from specific matters , within the framework of the licensed activity .
- 4 - The manner according to which certain matters specified in the license or arising therefrom should be settled as well as the settlement of matters having a specific description that must be settled by a qualified person .
- 5 - Fixing a ceiling for the shares that licensees or companies or entities depending from , or connected with , them , may own in any of the other licensees .
- 6 - Compel the licensees to provide the Supreme Committee or the Organization with any documents , information or data they require .

Article 30

Should the Organization notice that one of the licensed entities or any other person violates or has violated the provisions of the Decree - Law , this Implementing Regulation , any regulations issued thereunder , the supreme policy of the Telecommunications Sector in the State or of the license conditions , the Organization may , in order to exercise its powers under this Decree - Law or this Implementing Regulation , address , if need be , a notice to the infringer to submit whatever in his possession of the documents or information determined and specified in the notice , in the manner and at the time fixed by him .

Upon verifying the occurrence of such violation , the Organization shall issue directives to the licensee to compel him to do or abstain from doing an act as specified in these directives .

Article 31

Licenses may not be transferred or assigned to third parties except if they meet the two following conditions :

1 - The license issued by the Supreme Committee includes a provision allowing its transfer or assignment to third parties ;

2 - Securing the prior approval of the Board of Directors which approval may be subject to conditions specified by the Board , as it sees fit .

Each transfer or assignment occurring in violation of this Article shall be void .

Article 32

Upon request from the Organization and within the period fixed by it , all licensees shall be under obligation to submit a report , in the form fixed by it , specifying the number of complaints raised against them for the period covered by the report and the procedures taken in respect thereto .

CHAPTER TWO

APPARATUS LICENSES

Article 33

1 - The Board of Directors shall issue the technical specifications of the Telecommunications apparatus . The Board may , in this respect , delegate its authority to the General Manager or to an ad hoc Committee formed for the purpose .

2 - In issuing any regulatory decisions under this Article , the Organization shall have to observe any applicable international Treaty or Convention or any laws in force .

3 - The Organization shall coordinate with the competent Customs Departments the regulation of importing Telecommunications apparatus according to the prescribed technical specifications .

Article 34

1 - Licenses for Telecommunications apparatus shall be given pursuant to an application to be submitted in accordance with the procedures and conditions issued by the Organization from time to time as regards these licenses .

2 - In examining the applications for a license concerning Telecommunications apparatus , the Organization shall , if need be , refer such application to any other authority .

3 - The Organization may , at any time and for any reason deemed necessary , alter , amend or cancel the licenses given by it provided that the measure taken be published .

Article 35

The Organization shall include in the licenses issued by it concerning Telecommunications apparatus the following information :

- a - Title and description of the concerned Telecommunications apparatus for which the license has been issued .
- b - The Telecommunications Network through which the Telecommunications apparatus shall be used .
- c - Specification and description of the Telecommunications Network through which the Telecommunications apparatus shall be used .
- d - Any other information deemed by the Organization necessary to include in the license .

Article 36

In examining the applications for licenses concerning Telecommunications apparatus , the Organization shall consider the following :

- a - The expected risks as a result of using the concerned Telecommunications apparatus .
- b - The risks to which may be exposed the employees and workers as a result of dealing with Telecommunications apparatus during the execution of the work assigned to them .
- c - Protection of the Public Telecommunications Network from any expected damages .
- d - The extent of aptitude of the apparatus upon its use and its compatibility with the available Telecommunications apparatus .
- e - The efficient use of the Frequency Spectrum and circular means .
- f - Avoiding interferences in earthly and aerial telecommunications systems and other technical systems .
- g - Possibility of using the Telecommunications apparatus in unfair competition .

Article 37

The Organization shall have to record , in the form and manner specified by it , all licenses and licenses given under this Chapter for Telecommunications apparatus . Entries in the record shall include the following information :

- a - Information about every applicant who has been given a license for a Telecommunications apparatus .
- b - Information about all licensed Telecommunications apparatus . Such information shall include technical specifications and characteristics of these apparatus .
- c - Details of the conditions , provisions and restrictions mentioned in the Telecommunications apparatus licenses including those relative to the period of validity .
- d - Details about all alterations and modifications entered in the Telecommunications apparatus licenses and the reasons therefor .
- e - Details about the cancellation of the Telecommunications apparatus licenses and the reasons that prompted such cancellation .
- f - [2](#) Any other information that the Organization deems necessary to record .

Article 38

The Organization shall issue instructions and directives ordering the necessity to make available the information and guidance relative to the use of the licensed Telecommunications apparatus , whether this is done by enclosing them with the apparatus or by fixing and writing same on the apparatus , as it deems appropriate .

Article 39

- 1 - All licensed Telecommunications apparatus shall be subject to testing and examination by the Organization , as decided by it ,
- 2 - If so required and pursuant to a written application , the Organization may commission a third party to execute these tests and examinations on the concerned Telecommunications apparatus on condition that the applicant binds himself to pay all fees required by such third party in consideration of such examination as required by the Organization .

Article 40

Telecommunications apparatus licensed by the Organization may not be installed , prepared , connected , modified or maintained except by the person or the body licensed to operate the Public Telecommunications network as decided by the Organization .

Article 41

Licenses issued to companies , bodies , organizations , in accordance with the provisions of this Chapter , shall be considered as allowing the physical persons appointed by these companies , bodies or organizations to install , prepare , connect , modify or maintain the Telecommunication apparatus .

Article 42

Where the holders of such licenses or those concerned with Telecommunications apparatus do not comply with any of the conditions or restrictions according to which the license has been issued , the Organization shall take the following measures :

- a - Impose a financial fine on the infringer .
- b - Cancel the issued license .

Article 43

Without prejudice to any applicable penalty , the Organization may , in case of non - compliance of the licensees and those concerned with the technical specifications and characteristics issued by the Organization relative to the Telecommunications apparatus , take the following measures :

- 1 - Address a warning to the infringer asking him to modify or change the concerned Telecommunications apparatus so as it becomes conform to the current specifications .
- 2 - Address a warning to the infringer asking him to deliver or destroy all concerned Telecommunications apparatus .
- 3 - Ask the competent police force to keep in custody the infringing apparatus .

4 - Ask the Customs Departments to seize all infringing Telecommunication apparatus that fall under its control .

5 - Order the infringer to disconnect immediately the concerned Telecommunications apparatus from the Telecommunications Network . The Organization may , in this respect and if need be , ask the assistance of the competent police force .

6 - Any other measure consistent with the nature of the infringement , after securing the approval of the Supreme Committee .

Article 44

The provisions set forth in the preceding Article shall be applicable when a Body undertakes to manufacture , offer , sell , supply or use unauthorized Telecommunications apparatus .

Article 45

A resolution of the Board of Directors shall determine the employees authorized by the Organization to enter the sites and premises used for manufacturing , warehousing , transporting to markets , displaying or operating Telecommunications apparatus for the purpose of examining and testing these apparatus .

Article 46

Without prejudice to any applicable penalties , should a person abstain from submitting Telecommunications apparatus to testing or examination or if he prevents any employee , worker or any person authorized by the Organization to enter the premises of his establishment , the Organization may , after addressing him a warning , take one of the following measures :

1 - Cancel the license relative to the concerned apparatus .

2 - Notify him to hand over or destroy the concerned Telecommunications apparatus .

Article 47

Upon request from the Organization , the license holders have to submit a report to it concerning the extent to which they observe the requirements of service quality as specified in the instructions issued by the Supreme Committee or in the licenses given to their holders .

Article 48

Upon advertising , by one of the entities , about the apparatus used in the field of telecommunications , the Organization shall ask it to submit a description that includes all information relative to the fitness and the method to use these apparatus . It may also impose requirements that should be included in these advertisements in order to get the information and data necessary for the proper use of the apparatus .

TITLE THREE

INTERCONNECTING THE NETWORKS ,SITES AND UTILITIES SHARING ,DRILLING AND NUMBERING WORKS

CHAPTER ONE

INTERCONNECTING THE NETWORKS AND SHARING THE SITES AND UTILITIES

Article 49

In executing its obligations specified in the Decree - Law and this Implementing Regulation , concerning the interconnection of networks and sites and utilities sharing , the Organization may take any of the following measures :

- 1 - Issue the regulations and directives it deems adequate .
- 2 - Issue instructions compelling the concerned licenses holders , in agreement with each other , to execute the connection to the networks or share the sites or utilities during a specific period of time fixed in these instructions .
- 3 - Intervention , when necessary , in the negotiations concerning sharing sites and utilities and determining the conditions that should be observed to complete the agreement between the concerned licenses holders , or issue instructions to any of the other license holders as concerns interconnection and sharing sites and utilities .
- 4 - Follow - up to ensure compliance by all parties with the provisions of the agreements relative to the sharing of sites and utilities .
- 5 - Issue the regulations , instructions , decisions and rules regulating the service of local patrolling .

CHAPTER TWO

DRILLING WORKS

Article 50

With due observance of the provisions of the Decree - Law and this Implementing Regulation , the Organization has the power to obligate any of the license holders , when executing drilling works , to comply with the following :

- 1 - Observe certain arrangements before starting drilling works .
- 2 - Take the necessary measures to ensure the safety of all persons during drilling works .
- 3 - Do whatever necessary to repair the concerned roads , lands and buildings to reinstate these to their status before commencing the drilling works .

4 - Thorough recording of all drilling works executed .

5 - Take the necessary measures to ensure the execution of drilling works in such a manner as to prevent any interference in the Telecommunications Networks concerning other license holders or owners or operators of equipment , pipelines , water , electricity and gas services or any other services .

The Organization shall put the necessary controls regulating the cases of emergency that necessitate the execution of drilling works contrary to the applied rules .

CHAPTER THREE

NUMBERING

Article 51

1 - Pursuant to the approval of the Supreme Committee , the Board of Directors shall issue a regulation that includes special conditions for distribution , to licensees , of line switches and private telephone numbers (including services telephone numbers) and scope of numbers .

2 - Actual line switches , private telephone numbers and the numbering system in use shall continue to be operative unless modified in accordance with the preceding paragraph .

Article 52

The licensees are bound to provide the Organization with all information it requires under the numbering system of the Organization or for the purposes of devising or developing such system .

Article 53

1 - The Organization shall specify the regulating procedures for deciding on the line switches applications , numbers of private telephones and the scope of numbers .

2 - Upon deciding on the submitted applications according to the preceding paragraph of this Article , the Organization shall collect the fees fixed by the Supreme Committee for this purpose .

Article 54

Where it does not conflict with the technical requirements , the Organization shall obligate the licensees and the persons practicing regulatory activities or any other person , as well as those who have been allocated line switches or private telephone or scope numbers , to the following :

1 - Allow the users to keep the numbers allocated to them in case of change of their subscription to another operator without changing the geographical location of the user .

2 - Allow the users to keep one or more specific numbers pursuant to the change of their subscription to another operator or geographical location , whenever this is possible .

TITLE FOUR

FREQUENCY SPECTRUM

CHAPTER ONE

ADMINISTRATION OF THE FREQUENCY SPECTRUM

Article 55

1 - The Frequency Spectrum is a national wealth ; the use thereof shall be organized by the Organization according to the provisions of the Decree - Law which shall also apply on any Telecommunications system or radio - operated Telecommunications apparatus using a Frequency Spectrum .

2 - The Organization shall prepare a national register of frequencies so as to include all information concerning the use of the Frequency Spectrum by the licensees within the State , as well as full information about the licenses granted to them .

Article 56

It shall be prohibited to use a radio station on the State territory or a sea or air vessel registered in the State unless after obtaining a license in accordance with the provisions of the Decree - Law and this Implementing Regulation . It shall also be prohibited to enter a radio station to the State without obtaining the prior approval of the Organization .

CHAPTER TWO

LICENSING OF THE FREQUENCIES AND CONTROL OF THEIR USE

Article 57

The Organization shall issue , to the licensees , licenses for the use of frequencies with due observance of the National Frequency Plan , the extent of availability of the Frequency Spectrum , the distribution and coverage of radio stations and provided that this does not infringe any of the rights given to the licensees .

Article 58

The licensee is bound to use radio frequencies within the conditions and the criteria on basis of which the license has been granted , including :

1 - Radio Frequency Spectrum allocated to him .

- 2 - Conditions and specifications of the radio Telecommunications apparatus , location and space in which it is used , the object and method of operating these apparatus .
- 3 - Limits of the licensed geographical area concerning the station of the mobile apparatus .
- 4 - Period of validity fixed for the license .
- 5 - Any other technical conditions enhancing the efficiency of frequency use .

Article 59

The Organization shall cancel the license granted if the frequencies are not used within 4 months as of the date of issuance of this license .

Article 60

The licensees are bound to use the Frequency Spectrum and pay the prescribed financial fees upon renewal of the license to use the frequencies .

CHAPTER THREE

THE COORDINATION COMMITTEE

Article 61

1 - The Coordination Committee shall be formed in accordance with Article 46 of the Decree - Law presided by the General Manager of the Organization and the membership of two representatives of each of the following :

- The Ministry of Communications .
- The armed forces .
- The Ministry of Interior .
- State Security organisms .
- Ministry of Information and Education .
- The Civil Aviation Authority .
- The Organization .

2 - The Head of the Coordination Committee shall nominate one of the Organization's employees to perform the duties of Secretary to prepare the Agenda of its meetings , record its Minutes , keep and record its documents and all other administrative matters assigned to him by the Head of the Committee .

Article 62

The Committee shall study the actual and future needs and uses of the Frequency Spectrum and distribute them , observe in so doing any use for military , government , security and commercial purposes , submitting same to the Coordination Committee to exercise its powers in accordance with Article 46 of the Decree - Law .

Article 63

The Coordination Committee has jurisdiction to prepare the National Plan of Frequencies allocated for telecommunication services to be consistent with the International and Regional Agreements and Specifications , as well as the adopted systems and criteria then submit it to the Supreme Committee for ratification according to Article 46 of the Decree - Law .

Article 64

The Ministry of Communications or the Organization may ask the Coordination Committee to look into reviewing and amending the National Plan of Frequencies , whenever need arises , observing , in this respect , the policies and targets relating to future uses of radio frequencies in the State .

CHAPTER FOUR

INFRINGEMENTS IN THE USE OF FREQUENCIES

Article 65

1 - The Organization shall suspend or cancel the licenses of frequencies utilization whenever it notices that the license holder has violated the license conditions or when so required by public interest .

2 - Prior to suspending or canceling the relevant license , the Organization must observe the following :

a - Notify the licensee in writing of the suspension or cancellation of the license .

b - Grant the infringer an adequate respite to remedy such infringement but he has to answer the Organization in writing explaining his point of view in respect thereof .

TITLE FIVE

INTERNET NETWORKS

CHAPTER ONE

LICENSING AND ADMINISTRATION OF INTERNET NETWORKS

Article 66

The Organization shall prepare a National Plan for the administration of Internet Networks to be submitted for ratification to the Supreme Committee . Internet services may not be provided to users without a license to this end issued by the Supreme Committee .

Article 67

The licensee is under obligation to provide Internet services within the conditions and criteria specified in the issued license . The Organization shall control the service supplied by the licensees .

Article 68

The Supreme Committee shall cancel the license granted to the licensees if the service is not provided within 4 months from the license date of issue .

TITLE SIX

GENERAL AND CLOSING PROVISIONS

Article 69

After securing the approval of the Supreme Committee , the Board of Directors shall issue the controls and conditions relative to the setting up and operation of the private networks telecommunications .

Article 70

As amended by Regulation no . 4/2005 dated 24/9 / 2005 :

The Organization shall prepare a draft Regulation to impose additional fees on the licensees that have to be approved by the Supreme Committee . These fees shall be fixed in accordance with the universal standards and the amount thereof shall be allocated for the consolidation of research and development in the Telecommunications Sector and data systems .

Article 71

The Supreme Committee shall issue special regulations allowing licensees to enter private lands and any buildings or constructions erected thereon thus enabling them to perform their activities determined in the licenses issued to them as well as the controls and conditions thereof . The entry to private lands should , however , be proportionate to the need required to allow them to execute the necessary works and for a limited period . The persons occupying these private lands should , however , be notified in advance of the names of those allowed to enter these premises and the necessary measures should be taken as specified by law .

Article 72

The Organization , in cooperation with the Government bodies concerned , shall represent the State in International Conventions and Meetings relative to the Telecommunications Sector .

Article 73

The Organization's employees determined by the Board of Directors shall have the authority given to the judiciary police in exercising the powers specified to them under the provisions of the Decree - Law , this Implementing Regulation and the regulations and decisions issued by the

Board of Directors . The Organization shall , in accordance with the law , take the necessary measures in this respect .

Article 74

The Supreme Council shall issue the regulations , decisions , instructions and directives complementing this Regulation .

Article 75

This Regulation shall be published in the Official Gazette and shall come into force as of the date of its publication .

Dated 14 Sha'aban 1425 H ,

Corresponding to 28 September 2004

The President of the Supreme Council

Supervising the Telecommunications Sector

This Regulation has been published in the Official Gazette , issue no . 421 , page 60 .