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PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN

PAKISTAN TELECOMMUNICATION AUTHORITY

NOTIFICATION

Islamabad, the 11th January, 2008

S. R. O. 56(I)/2008.—In exercise of the powers conferred under clause (o) of sub-section (2) of Section 5 of the Pakistan Telecommunication (Reorganization) Act, 1996 (Act XVII of 1996) Pakistan Telecommunication Authority is pleased to make the following amendments in the Regulations:

Page 3052 Regulation 1 sub-regulation (1) shall be substituted as follows:

“These Regulations shall be called as “Class Licensing and Registration Regulations 2007”.”

Page 3052 in Regulation 2 sub-regulation (1), sub-clause (c) may be re-worded as follows:

“ ‘Access Provider’ means Local loop Licensee and Mobile Cellular Licensee”;

(121)

[2046 (2008)/Ex. Gaz.]

Price: Rs. 10.50

Page 3052 in Regulation 2 sub-regulation (1), sub-clause (d) may be re-worded as follows:

“Broadband” means always on Internet connection with a download speed of at least 128 kbps connectivity”;

Page 3053 in regulation 2 sub-regulation (i) the definition of license shall be substituted as follow:

“(i) ‘License’ means for the purposes of these regulations an authorization granted by the Authority for the provision of any Class of services, or Registration certificate issued by the Authority for the provision of registered services shall be deemed to be a license for the purpose of section 20(1) of the Act”.

Page 3054 regulation 2 sub-regulation (1) sub-clause (r) shall be re-worded as follows:

“Class of Services” means all telecommunication services specified in Schedule E in addition to those services determined by the Authority from time to time; and”

Page 3054 regulation 2 sub-regulation (1) the words “Value Added Services” shall be substituted as “Class of Services”

Page 3054 regulation 4 shall be substituted as follows:

“Category of licensees.—Under these regulations, the Authority may issue the following authorizations for Class of services:

- (a) Class License for voice services;*
- (b) Class license for Data services; and*
- (c) Registration certificate for registered services.*

Page 3054 in regulation 5 sub-regulation (1) shall be substituted as follows:

“(1) An application for the grant of a license or registered services to provide a class of services shall be made in the form set out in Schedule “A” to these Regulations.”

Page 3054 in regulation 2 sub-regulation (2) the ‘rules’ may be replaced with the word ‘regulations’.

Page 3055 in regulation 5 sub-regulation (4) the word 'rule' shall be replaced with the word 'regulation'

Page 3056 in regulation 8 sub-regulation (2) may be substituted as follows:

"The Registration issued by the Authority shall not be renewable.

Provided that a fresh application for Registration may be submitted to the Authority in accordance with regulation (6), three months prior to completion of the period of five (5) years.

Page 3056 in regulation 8 sub-regulation (1) shall be substituted as follows:

"All licensees shall be entitled to apply for scarce resources as per the provisions of the Act and applicable regulations, however the Access Providers shall be given preference in allotment or allocation of scarce resources"

Page 3056 in regulation 10 sub-regulation (1) the word 'appropriate' shall be omitted. Page 3056 in regulation 11 sub-regulation (1) may be re-worded as follows:

"(1) The Licensee shall pay the annual license fee to the Authority, calculated on the basis of a percentage of the Licensee's annual gross revenue from Licensed Services for the most recently completed Financial Year minus Inter-operator payments from the effective date of the license as decided by the Authority from time to time.

Provided further that annual charges shall be payable for subsequent years"

Page 3057 in regulation 16 sub-regulation (2) the words "Value Added" shall be omitted.

Page 3057 in regulation 16 sub-regulation (1) after the word 'Act' the word 'Rules' shall be inserted.

Page 3058 in regulation 17 sub-regulation (3) the word "SCHEDULE-F" shall be replaced with the word "SCHEDULE-E"

Page 3058 in regulation 19 sub-regulation (1) the words "Value Added" mentioned two times shall be omitted.

Page 3060 under the heading of "Schedule A" the following shall be substituted below:

'Forms for license and registration for class of services'

Page 3060 below the first paragraph the words "Value Added" may be omitted from point 1 & 2.

Page 3061 the footnote on this page may be substituted as follows:

“At any time in future, if any of the above mentioned information changes, the applicant's official representative(s) mentioned above or any one of the shareholder director will be liable to submit the same to PTA licensing division.”

Page 3062 the checklist form shall be substituted as follows:

Application No. (to be filled by PTA)

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CHECK LIST FORM

(TO BE SUBMITTED WITH THE APPLICATION)

S. No.	Items	Cheek (✓) if attached	No. of Pages	PTA use only
1.	Category Form;			
2.	Applicant(s) profile;			
3.	Evaluation Fee;. Submit proof of deposit			
4.	Certificate of Incorporation (including Memorandum and Article of Association and Form-29 duly certified by SECP).			
5.	a. Attested Copies of Computerized National Identity Card for Pakistani national shareholder directors. b. Attested copies of Passports of foreign nationals submitted through Ministry of Foreign Affairs after security clearances.			
6.	Undertaking on duly notarized stamp paper for: a. That the Company or its Directors have never been declared insolvent by any court of law.			
	b. That the Directors of the company have never been convicted by a court of law for major offences or unethical/immoral turpitude (other than minor offences).			
	c. That neither the applicant Company nor its shareholder directors are defaulter(s) of PTA.			

S. No.	Items	Cheek (✓) if attached	No. of Pages	PTA use only
7.	Bio-data of key management personnel			
8.	Brief Description of the Applicant's Business Plan Including Bank statement in the name of the company, 3 to 5 years business plan (projected balance sheet, profit and lost account, cash flow statement, project cost.)			
9.	Network Plan			
10.	Copy of proposed Service Level Agreements with the Access/Infrastructure Provider/customers.			

Note: On satisfactory completion of the above stated formalities by the applicant, PTA will issue the Class Licenses (CL) within 07 days.

A Defaulter of PTA can't apply for a new Class Registration or Class License of any type. A new company interested to apply for license for any telecom service will not be allowed to apply for the same in case any of its shareholders are also a shareholder of a defaulter company.

Page 3063 the category selection form shall be substituted as follows:

Application No. (to be filled by PTA)

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Category Selection form

(Please fill items I through III below and submit with the application)

I. Commercial **or** Not-For-Profit

II. Type of License of Registration (*Choose any one*)

Data Class License of Service

[Data rate: ANY]

[Services: Any number of service types¹, through PTA licensed operators, may be chosen, In future, relevant additions to the services may be made by the Authority from time to time]

Voice Class License of Service

[Voice only services², through PTA licensed operators]

Class of Registered Service³

III. **Province(s) selected** (*check as many as desired*)

Balochistan NWFP
 Sindh Punjab

Or

Nationwide

1. Vehicle Tracking, Data Service, Internet Service or as added by the Authority from time to time.
2. Payphone and Premium Rate Services or any other related service which may be added by the Authority from time to time.
3. Registered Services include: Video Conferencing; Voice Mail; SMS Aggregator; Content Service Provider; or any other related service as added by the Authority from time to time.
4. Selection desired for licensed value added services only. All registrations are for nationwide services.

Page 3064 the schedule B and E shall be substituted as follows:

Schedule B
License Fee Framework

License Processing Fee (non-refundable): Rs. 5,500

Initial License Fee

<u>Class License (CL)</u>	<u>Commercial Use</u>	<u>Own Use</u>
CL per Province ⁵	Rs. 100,000	Rs. 50,000
CL (Nationwide)	Rs. 300,000	Rs. 150,000

Registration Processing Fee (non-refundable): Rs. 10,000

Registration⁶	Registration Fee
For 5 years only	10,000

⁵ 50% less for Balochistan.

⁶ With Exception of fee for an Amateur Radio Registration for five years shall be Rs. 250/-only

Schedule E
Class of Services

1. **Voice**
 - (a) Card Payphone Service

- (b) Premium Rate Service
 - (c) Trunk Radio
2. **Data**
- (a) Internet Service
 - (b) Data service
 - (c) Vehicle tracking System
3. **Registered Services**
- (a) Voice Mail
 - (b) SMS Aggregator
 - (c) Video Conferencing
 - (d) Content Service provider
 - (e) Amateur Radio
-

Page 3065 schedule F/1 shall be substituted as follows:

Schedule F/1

Registration No. _____ Date _____

**Registration Certificate of
Class of Registered Services**

The Pakistan Telecommunication Authority is pleased to register M/s. < _____ name _____ > of < _____ address _____ > for providing Class of Registered service as mentioned in "Class Services Licensing and Registration Regulations 2007" to:

- a. Extend services to all, in a non-exclusive manner, free of all discriminations;
- b. Abstain from providing any telecom service without obtaining prior license;
- c. Promptly provide all information, as and when desired by the Authority, which helps it to quantify proliferation of the technologies or services whether technical, regulatory or financial in nature;

2. This registration is valid for a maximum period of five (5) years from its last registration. In case licensee wants to continue the licensed operation beyond five (5) years, a fresh application for registration may be submitted to the Authority in accordance with regulation (6) three months prior to the completion of the expiry of the five years period.

3. M/S <_____name_____> shall provide the Registered Services in accordance and in compliance with the laws of the Islamic Republic of Pakistan.

4. M/S <_____name_____> shall, in the course of provision of Registered Services, comply with the provisions of the Pakistan Telecommunication (Reorganization) Act 1996, Rules and Regulations framed thereunder and directions of the Authority, which may be issued from time to time.

5. Where the provisions of this Registration Certificate are silent or ambiguous, on any issue irrespective of its nature, Authority's decision shall be final and binding.

(for & on behalf of the Authority)

<_____Applicants name_____>	<_____Name of the DG_____>
<_____Applicants title_____>	Director General <WIn or WIs>
<_____Applicants address_____>	P.T.A. Headquarters

Page 3065 schedule F/2 shall be substituted as follows:

Schedule F/2

PAKISTAN TELECOMMUNICATION AUTHORITY

PTA Headquarters Building, F-5/1 Islamabad, Pakistan

(www.pta.gov.pk)

License No. <_____> Dated: <_____>

**LICENCE TO ESTABLISH, MAINTAIN AND OPERATE TYPE
<Voice or Data> Class License**

In exercise of the powers conferred by section 5 of Pakistan Telecommunication (Reorganization) Act, 1996 (hereinafter called the "Act"),

the Pakistan Telecommunication Authority (hereinafter called Authority), hereby, grants non-exclusive license to M/S. <_____ name _____> <_____ Address _____> (hereinafter called the "Licensee") to establish, maintain and operate Class of services, as mentioned above, on terms and conditions annexed to this license, provisions of existing enactments, including rules and regulations made thereunder and amendments/ modifications made thereto together with new enactment as may be considered expedient and necessary from time to time.

This License shall come into force on the date of issuance and shall be valid for the period of fifteen years duration subject to payment of such fee(s) as the Authority may specify from time to time.

This license may be renewed for another term(s) beyond fifteen years on three months prior written request of the licensee before expiry of the existing term of the license subject to the terms and conditions applicable at that time.

(For and on behalf of the Authority)

<_____ Applicants title _____>
<_____ Applicants address _____>

<_____ Applicants name _____>

<_____ Name of the DG _____>
Director General <Wln or Wls>
P.T.A. Headquarters, Islamabad

ERUM LATIF,
Assistant Director (Law and Regulations).