



POLICY

Radiocommunications

Version 1.0

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Article (1)

Purpose

- 1.1 This Policy establishes a framework for the management of radiocommunications and the national resource of radio frequency spectrum by measures aimed at:
 - 1.1.1 efficient and effective management of radio frequency spectrum appropriate to meet this policy objectives that contribute to national development, socio-economic growth, employment and public welfare;
 - 1.1.2 providing the widest possible range of wireless services in accordance with the National Telecom Policy, while maximising the spectrum available to the services reliant upon radio frequency;
 - 1.1.3 increasing and promoting greater spectrum efficiency in the management and allocation of radio frequency spectrum;
 - 1.1.4 use of radio frequency spectrum in accordance with the provisions of the Federal Law No. 3 of 2003 as amended and ITU Radio Regulations and Recommendations and based upon principles of openness, transparency, objectivity, non-discrimination and competition;
 - 1.1.5 defining the regulatory criteria for meeting the commercial and public demand for radio frequency spectrum;
 - 1.1.6 providing for frequency assignment procedures that ensure minimum harmful interference between radiocommunication services;
 - 1.1.7 ensuring the fulfilment of essential requirements of national security and safeguard the national interests at international forums;
 - 1.1.8 providing an efficient spectrum management system based on spectrum economic value for commercial and non-commercial uses of radio frequency spectrum;
 - 1.1.9 representing the UAE interests in international agreements, treaties and conventions relating to radiocommunications or the radio frequency spectrum;

- 1.1.10 Encouraging innovative uses of spectrum by the local industry in the UAE.

Article (2)

Implementation

- 2.1 This Policy shall apply to:-
- 2.1.1 any Person engaged in radiocommunications or transmission, emission or reception of electromagnetic energy by radio frequency spectrum;
- 2.1.2 Wireless Equipment manufactured, sold, offered for sale, within the UAE;
- 2.1.3 Wireless Equipment shipped, imported to the UAE or exported from the UAE.

Article (3)

Definitions

- 3.1 In applying this policy, the following terms shall have the following meanings unless the context requires otherwise, whereas any term undefined in the following shall be defined inline with the Federal Law by Decree No. 3 of 2003 and its Executive Order:
- 3.1.1 “**Allocation**” means the entry of a designated frequency or frequency band in the National Spectrum Plan for use by one or more users for a terrestrial or space radiocommunication service in the UAE.
- 3.1.2 “**Applicant**” means any Person who has applied for a License or an Authorization in accordance with the Telecom Law or other Policy Instruments issued by the Authority.
- 3.1.3 “**Application**” means the request for issuance of a License or an Authorization, received at the Authority on prescribed forms as per the procedure in vogue.
- 3.1.4 “**Assigned frequency**” means the centre of the frequency band assigned to a station by the Authority.
- 3.1.5 “**Assigned frequency band**” means the frequency band within which the emission of a station is authorized by the Authority.

- 3.1.6 “**Authorization**” means a Frequency Spectrum Authorization granted by the Authority.
- 3.1.7 “**Authorized User**” means a Person that has been granted a Frequency Spectrum Authorization by the Authority.
- 3.1.8 “**Class Authorization**” means the Frequency Spectrum Authorization which permits the operation of Wireless Equipment by any Person within designated frequency bands subject to the terms and conditions stipulated by the Authority.
- 3.1.9 “**Harmful Interference**” means Interference which impairs the functioning of a radiocommunication service or which materially degrades or obstructs or repeatedly interrupts Radiocommunication.
- 3.1.10 “**International Regulations**” means Regulations, rules, standards, specifications, definitions, recommendations or agreements recognized by the UAE at the international level.
- 3.1.11 “**ITU**” means International Telecommunication Union, a leading United Nations agency for information and communication technologies.
- 3.1.12 “**National Spectrum Plan**” means Radio Frequency Allocation plan for the UAE.
- 3.1.13 “**National Telecom Policy**” means the Policy issued by the Supreme Committee regarding the telecom sector.
- 3.1.14 “**Person**” will include ‘juridical entities’ as well as ‘natural persons’.
- 3.1.15 “**Primary Services**” means Radiocommunication Services having a higher priority and protection from harmful interference when notified than secondary Radiocommunication Services. The name of these Radiocommunication Services appears as capital letters in the National Spectrum Plan.
- 3.1.16 “**Radiocommunication Service**” means the transmitting or receiving of Radio Frequency 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.
- 3.1.17 “**Radio Frequency**” means radiated electromagnetic energy measured in Hz or cycles / sec.

- 3.1.18 “**Frequency Spectrum Authorization**” means an authorization, which permits the use of Radio Frequency subject to terms and conditions as stipulated by the Authority.
- 3.1.19 “**Radio Regulations**” means a publication by ITU, adopted by the World Radiocommunication Conference and ratified by the UAE.
- 3.1.20 “**Regulatory Instruments**” means any instrument issued by the Authority under its powers, and includes without limitation; Regulations, violation decisions, directives, instructions, guidance and recommendations and regulatory policies.
- 3.1.21 “**Secondary Service**” means Radiocommunication Service which shall not cause harmful interference to stations of Primary Services. This service appears as lower case in the National Spectrum Plan.
- 3.1.22 “**Station**” means an installation operated by an Authorized User, for carrying on a Radiocommunication Service.
- 3.1.23 “**Temporary Authorization**” means Frequency Spectrum Authorization issued by the Authority which permits the use of assigned frequency for a period up to 90 days.
- 3.1.24 “**The Authority**” means the General Authority for Regulating the Telecommunication Sector known as Telecommunications Regulatory Authority (TRA) established pursuant to the provisions of Article 6 of Federal Law by Decree No. 3 of 2003.
- 3.1.25 “**UAE**” means the United Arab Emirates including its territorial waters and the airspace above.
- 3.1.26 “**Wireless Equipment**” means a category of Telecommunication Apparatus used for Radiocommunication service.

Article (4)

Spectrum Management

- 4.1 The Authority has the exclusive rights to manage and regulate the Radiocommunication Service in the UAE which includes but is not limited to the following:-
- 4.1.1 To receive and process applications for the assignment of Radio Frequencies;
 - 4.1.2 To allocate and assign radio frequency to all users for all types of telecommunication services or others taking into consideration the International Regulations;
 - 4.1.3 To make band plans or channel plans according to the National Spectrum Plan and / or the applicable ITU Radio Regulations and Recommendations;
 - 4.1.4 To regulate all Wireless Equipment;
 - 4.1.5 To impose terms and conditions or standards or technical specifications for the use Radio Frequency and Wireless Equipment;
 - 4.1.6 To modify, suspend, cancel, withdraw and / or revoke the Frequency Spectrum Authorization;
 - 4.1.7 To inspect all Stations required to be authorized or already authorized;
 - 4.1.8 To monitor Radio Frequency;
 - 4.1.9 To review and as required re-assign frequency allocations and frequency assignments;
 - 4.1.10 To issue any Regulatory Instruments in relation to any matter relating to Radiocommunications Service;

Article (5)

Frequency Spectrum Authorization

- 5.1 A Frequency Spectrum Authorization is required to use radio frequency in the UAE.
- 5.2 All the Authorized Users shall comply with the obligations of this Policy, Regulations made there under and all the applicable laws of the UAE.
- 5.3 For international recognition, the Frequency Spectrum Authorizations issued by the Authority for the following services will be titled as licenses:
 - a) Vessels Stations
 - b) Aeronautical Stations
- 5.4 In all cases of withdrawal, re-allocation, re-assignment or modification of assigned frequency, the dates specified by the Authority for vacation of the assigned frequencies shall be binding on the Authorized Users.
- 5.5 The Radio Frequency Authorisation does not confer any ownership right, merely the right to use the authorized Radio Frequency. It follows that any Authorized User has no right to transfer or sublet the assigned frequencies whatsoever. Also unless stated otherwise by the Authority, a Frequency Spectrum Authorization does not grant exclusive rights to the Authorized User.
- 5.6 The priority of the assigned frequencies as primary or secondary shall be as defined in the National Spectrum Plan. For the radiocommunication services having the same priority status in the National Spectrum Plan, the Authority shall determine the order of priority while making the assignment.
- 5.7 It is an aim of the Authority that Radio Frequency will be shared where technically feasible subject to the discretion of the Authority.
- 5.8 Any Radio Frequency assignment made on a Non-interference and Non Protection basis shall be considered as a Secondary Service.
- 5.9 The Frequency Spectrum Authorization does not relieve a Person from any obligation to obtain any other applicable license or authorization that may be required from the Authority or any other government entity.
- 5.10 In cases of national emergency and natural disasters, the Authority may in its absolute discretion withdraw any Frequency Spectrum Authorization and re-assign the same to relevant organizations.
- 5.11 The Authority will advise on mitigation techniques to reduce harmful interference to the assigned frequencies. However, the Authority shall not

be liable for any damages or other recompense for any harm or loss caused in this regard.

- 5.12 The Authority may change the conditions of an Authorization due to *Radio* Frequency re-planning or to avoid harmful interference or where new regulations governing the use of Radio Frequencies are issued by the Authority.

Article (6)

Frequency Spectrum Authorization Application

- 6.1 All the applications for issuance of the Frequency Spectrum Authorizations shall be made to the Authority on the application forms prescribed by the Authority along with the necessary information as required by the Authority.
- 6.2 The Authority shall have the right to reject any application for Frequency Spectrum Authorization.

Article (7)

Frequency Spectrum Authorization Charges

- 7.1 All the applicants or the Authorized Users shall have to pay application processing fees and as applicable spectrum fees to the Authority in accordance with the Spectrum Fees Policy.

Article (8)

Temporary Frequency Spectrum Authorization

- 8.1 The Authority may issue a temporary Frequency Spectrum Authorization and the onus to demonstrate the need for the Temporary Authorization to the satisfaction of the Authority lies with the applicant. Such Temporary Authorization can be issued for a maximum period of 90 days. Any application for renewal of a temporary Frequency Spectrum Authorization shall be dealt as a new application.

Article (9)

Radio Frequency Coordination

- 9.1 The Authority is the sole body responsible for radio frequency coordination, which includes but not limited to:-
- 9.1.1 Coordinating Radio Frequency for all kind of Radiocommunication Services at the national, regional and international level and issuing any regulatory instruments thereof.
 - 9.1.2 Coordination with the ITU regarding the Frequency Spectrum.
 - 9.1.3 Ratifying all Regional and International Agreements related to Radiocommunication Services.
 - 9.1.4 Representing the UAE on Radiocommunication matters at international and regional levels.

Article (10)

Prohibited uses of the Radio Frequency

- 10.1 It is prohibited to *use any* Radio Frequency for the following purposes:-
- 10.1.1. To convey services which contravene public order or public morals;
 - 10.1.2. To cause harassment, offence or nuisance towards others or for any other unlawful use;
 - 10.1.3. To disseminate the content of any communication through a Telecommunication Network without having the right to do so;
 - 10.1.4. To intentionally and / or unlawfully access a telecommunication network (private or public) or obstruct any Telecommunication Service;
 - 10.1.5. To intercept a telecommunications transmission without being authorized to do so;
 - 10.1.6. For any use contrary to the National interest or the Public Safety;
 - 10.1.7. To create harmful interference or in connection with the jamming of Radio Frequencies;
 - 10.1.8. To assist with or participate in criminal activities;

- 10.1.9. To transmit illegal messages;
- 10.1.10. To materially disrupt economic or commercial activity;
- 10.1.11. To adversely effect social or work environments;
- 10.1.12. To transmit or receive messages which are contrary to Islamic beliefs;
- 10.1.13. For commercial advertisements unless appropriate licenses and permissions are obtained;
- 10.1.14. For direct communication with persons in states that are not recognised by the UAE;
- 10.1.15. Anything which the Authority may prohibit.

Article (11)

Use of Encryption

- 11.1 It is not permitted to use encryption techniques for the purpose of obscuring the meaning in relation to contents unless explicitly authorized by the Authority. This means that a Frequency Spectrum Authorization does not accord any privacy rights to the users except in relation to the diplomatic official correspondence as defined in the Article 27 of Vienna Convention on Diplomatic Relations (1961).

Article (12)

Authorization for Diplomatic Missions

- 12.1 Any Frequency Spectrum Authorizations issued to the Diplomatic Missions including the visit of the foreign dignitaries will be subject to the following additional obligations:-
- 12.1.1 Reciprocation of the facility to the UAE Diplomatic Mission in these States for which the Authority has issued the Frequency Spectrum Authorization.
- 12.1.2 Assigned Frequencies should only be used inside the Diplomatic premises except for the visits.
- 12.2 Any frequency use falling outside the Article 12.1 above will not be treated as Diplomatic Use within the meaning of the Vienna Convention on Diplomatic Relations (1961) and all the Regulatory Instruments like Spectrum Fees Policy shall apply.

Article (13)

Suspension, Revocation and Cancellation

- 13.1 The Authority may, suspend, cancel or revoke a Frequency Spectrum Authorization upon proof sufficient to satisfy the Authority that the Authorized User has:-
- 13.1.1. Infringed or assisted in the infringement of this Policy, any regulations made under it or any term or technical specification or parameter of the Frequency Spectrum Authorization;
- 13.1.2. Failed to abide by instructions issued by the Authority;
- 13.1.3 Re-assigned, underlet, or otherwise make available the Frequency Spectrum Authorization to any other Person;
- 13.1.4 Ceased the use of authorised Radio Frequency for more than four consecutive months;
- 13.1.5 Not used the assigned frequency within four months from the date on which the Frequency Spectrum Authorization was issued by the Authority.
- 13.2 The Authority shall issue a show cause order to an Authorized User before suspending, cancelling or revoking a Frequency Spectrum Authorization.

Article (14)

Radio Frequency Monitoring & Enforcement

- 14.1 The Authority is the sole responsible body authorized to monitor and enforce the Radio Frequency in the UAE. The Authority may acquire and deploy any infrastructure, equipment or resources required to carry out this role.
- 14.2 The Authority if it deems appropriate may issue further regulations and / or guidelines for radio frequency monitoring and enforcement.

Article (15)

Interference Management

- 15.1 All the Wireless Equipment shall use assigned frequencies within the limits of the Assigned Frequency Band as not to cause Harmful Interference to other Radiocommunication Services.
- 15.2 All interference complaints shall be addressed to the Authority. The Authority shall take any steps which it considers necessary in this regard.
- 15.3 The Authority if it deems appropriate may issue further regulations and / or guidelines for radio frequency interference management.

Article (16)

Penalties

- 16.1 The penalties of the Federal Law by Decree No. 3 of 2003 and any amendments thereof and its Executive Order shall apply to any violation to this Policy or to any breach of a term of Frequency Spectrum Authorisation.