

Digital Content Platforms Regulations

November 2021

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1-1 Introduction

In a clear reflection of the Kingdom's strong will to support the development of Digital Content sector and provide the necessary enabling environment for all companies providing related services in the Kingdom to achieve a globally leading role by 2030, the Saudi Cabinet of Ministers issued decree #125 dated 21/02/1443 AH, approving the creation of The Council for Digital Content, and endorsing the IGNITE program.

The Council for Digital Content:

The council aims to develop digital content sectors in the Kingdom, coordinate efforts related to enhancing regulatory environment, assess bottlenecks and challenges hindering digital content sector growth, and recommend policies, strategies, initiatives, and plans required for sector enablement.

Council roles and mandates:

- 1- Regulate digital content platforms market, and develop and implement sector development plans
- 2- Cooperate with government entities to develop digital content regulations, in accordance with latest sector developments
- 3- Coordinate with relevant government entities to cope with latest sector requirements and limit roles and mandates overlaps (technical and regulatory), helping unlock sector potential
- 4- Coordinate between public and private sector to organize sector development initiatives and plans, and monitor implementation
- 5- Participate in enabling growth of private sector investments, incentivizing local digital content, and localizing related capabilities
- 6- Coordinate between public and private sector to support establishments of new companies and organizations focused on digital content
- 7- Build partnerships with public and private entities (including NGOs), supporting the council's development objectives
- 8- Coordinate between public and private sector to raise awareness on the importance of developing digital content sector
- 9- Evaluate government development efforts, and advise on needed supports and interventions
- 10- Aim to enhance digital content sector business and regulatory environments
- 11- Conduct studies related to digital content sector development
- 12- Determine the obstacles and challenges related to the development of digital content, and provide visuals and proposing the necessary reforms to the competent authorities, and follow-up the commitment to implement them.

- 13- Contribute to raising public awareness on the importance of digital content revolution, and possible negative impact on individuals and society
- 14- Contribute to conducting workshops and spread legal, regulatory and policies awareness with sector experts
- 15- Monitor latest global developments in areas related to digital content regulation, participate in conferences, and cooperate with global alliances to counter possible negative impact of digital content

The council is chaired by the Minister of Communications and Information Technology, and consists of the following members:

- Representative from Ministry of Media
- Representative from Ministry of Culture
- Representative from Ministry of Commerce
- Representative from Ministry of Investments
- Representative from Ministry of Education
- Representative from General Commission for Audiovisual Media
- Representative from Communications and Information Technology Commission
- Representative from Saudi Authority for Intellectual Property
- Two subject matter experts with digital content experience

Digital Content and its Platforms Regulation Project -IGNITE executive program :

To support implementation of the Kingdom's ambition to develop the digital content sector, which will be delivered through providing a rich enabling environment supporting sector development on par with global leading economies.

The program focuses on three main pillars:

- 1) Develop the digital media sector and its platforms.
- 2) Regulate the digital media sector and its platforms.
- 3) Govern the digital media sector and its platforms..

IGNITE segments of focus:

IGNITE program focuses on developing four main segments of the digital content sector: Video, Audio, Gaming, and Advertising, with comprehensive focus on different elements of their respective value-chains.

IGNITE initiatives:

The program is implemented through 36 initiatives distributed to relevant entities according to their mandates and expected contribution to each initiative.

This document comes as an outcome of a CITC assigned initiative: “Create clear and transparent licensing framework for digital content platforms”, in alignment with GCAM and other related entities and with the main objective to create a clear and transparent regulatory framework for digital content platforms in line with global practices and supports achieving sector development objectives.

1-2 Scope and Objective of this document

The purpose of this public consultation is to provide interested parties with an opportunity to submit their views on digital content platforms regulation which is aimed at setting a clear regulatory environment for domestic and international media platforms providing services in KSA. The regulation is focused towards four key media sectors (video, audio, gaming, advertising) and lays out applicable regulations across each of these media sectors.

1-3 How to respond to this Consultation

Participants who wish to submit their views/comments on this Public Consultation Document must submit them to CITC no later than the 30 November 2021. Views/comments can be submitted to one or more of the following addresses:

- By email to: DGP_REG@citc.gov.sa
- Hand-delivered (paper and electronic) at the CITC premises or by mail to:

Communications and Information Technology Commission

Al-Nakheel District

Prince Turki Bin Abdul Aziz I Street intersection with Imam Saud Bin Abdul Aziz Road

PO Box 75606, Riyadh 11588

Saudi Arabia

CITC calls on all relevant and interested parties inside and outside the Kingdom of all sectors to provide their views, observations and suggestions on what is contained in this document. CITC urges the submission of views, supported by the required details, justifications, analytical studies, benchmarking studies and other information, if any, in accordance with the form shown below, noting that what is submitted in this regard is not considered binding on the authority. The Authority also reserves its absolute right to publish/or not publish all comments received on the request for visuals if it deems appropriate:

Note: Please follow the correct methodology below for submission

Article NO#	Clause No#	Comments

Article (2): Definitions

The terms used in these regulations shall have the same meanings that are stated in the Telecom Act, its executive regulations, and CITC regulations. In addition, the following words and expressions shall have the meanings associated with them unless the context requires otherwise:

- 2-1 The Kingdom: The Kingdom of Saudi Arabia.
- 2-2 CITC or "Commission": Communications and Information Technology Commission
- 2-3 Digital content platforms or platforms: The platforms specified in Article (4) below to which the provisions of these regulations apply, including, but not limited to:
 - 2-3-1 Platforms that provide visual or audio content or both via satellite broadcasting, IPTV, the Internet or any other means free of charge or for a fee.
 - 2-3-2 Platforms that allow online games to be played on different devices (including but not limited to smart phone, laptop, PC, console or TV).
 - 2-3-3 Electronic platforms that post advertisements on their websites or applications or allow influencers (followed by other users) to promote brands, products and services on their platforms.
- 2-4 Service Provider: The entity that provides the services specified within the scope of application of these regulations to users in the Kingdom.
- 2-5 Regulatory Tool: authorization mechanism by CITC for the service provider, which is represented by - for example, but not limited to - licensing, registration, or notification, with the aim of regulating the sector and providing services to users within the Kingdom.
- 2-6 License: Authorization document issued by CITC to a person to use or provide the services of digital platforms in accordance with regulations, and the document includes: the type of service, the duration, and the general provisions related to it.
- 2-7 Registration: Registering the information of service provider with CITC to provide specific services for digital content platforms in accordance with the terms and conditions contained in the Telecom act, its executive regulations, and CITC's regulations.
- 2-8 Notification: The service provider informs CITC of the services it provides in accordance with the applicable terms and conditions.

- 2-9 User: Any person dealing with digital content platforms to obtain the services provided in their various forms, including subscribers, customers, consumers, viewers, listeners, and the like.
- 2-10 Relevant Revenue: Revenues generated from providing a licensed or registered service, which are specifically obtained from services provided in the Kingdom
- 2-11 Linear Content: Visual or audio content, or both, that is provided to users according to a specific program schedule.
- 2-12 On-demand content: Audio or visual content, or both, provided to the user upon request without being bound by a predetermined program schedule.
- 2-13 Satellite Pay TV Platforms: Platforms that provide audio and visual content in encrypted form (using a conditional access systems) via satellite allowing users to access content via a set-top box or similar device and charges users for its service.
- 2-14 Internet Protocol TV (IPTV) Platforms: Platforms that deliver audio and video content through IP-based networks via a set-top box or similar devices.
- 2-15 Online Video OTT Platforms: Platforms that provide linear or on-demand video content to users over the Internet for free or for a fee. These platforms play an active role in determining the content available through them.
- 2-16 Video Sharing Platforms: Platforms that provide linear or on-demand online content to users free of charge or for a fee. These platforms have limited control over the content available on the platform as users can upload and share content with other users through it.
- 2-17 Audio-on-Demand Platforms: Platforms that provide on-demand audio content (music, podcasts, audiobooks, or other audio) over the Internet to users free of charge or for a fee.
- 2-18 Internet Radio Platforms: Platforms that provide linear audio content (music, podcasts, audiobooks, or other audio content) over the Internet to users free of charge or for a fee.
- 2-19 Online gaming platforms: platforms that allow users to play games (downloadable or on cloud) using the Internet via a mobile phone, laptop, PC, console, TV or other device.
- 2-20 e-sports Participation Platforms: Platforms that allow users to participate in online esports tournaments.
- 2-21 Online Advertising Platforms: Online platforms (websites that contain any video, audio, text, games or other content) or applications that post advertisements on their platforms.
- 2-22 Social Media Platforms: Platforms that operate through a website or application that facilitates social interaction and content sharing between users, and the content on the platform is independently developed.

Article (3): Objectives

These regulations aim to regulate digital content platforms to ensure that:

- 3-1 Emphasis on compliance with the regulations, laws and decisions related to the regulation of content issued by the relevant government agencies.
- 3-2 Implement the approved policies, plans and programs to develop digital content platforms and set appropriate procedures for this purpose.
- 3-3 Protect the interests of users, by ensuring the provision of high-quality services, content and various professional digital services that enrich the digital life of users in the Kingdom.
- 3-4 Ensure that users are protected from unfair and uncompetitive practices that occur through digital content platforms.
- 3-5 Provide appropriate regulations for developing the role of digital content platforms in the Kingdom in order to keep pace with global developments, transfer and benefit from the best practices, technologies and modern applications.
- 3-6 Establish controls in line with the Kingdom's national and social strategic goals in the field of digital content platforms, and in line with the Kingdom's regional and international commitments.
- 3-7 Ensuring transparency, clarity, objectivity, fairness, and non-discrimination with regard to regulations, rules, and operational, administrative and financial requirements for service providers in general, and obtaining the necessary license to work in the Kingdom in particular.
- 3-8 Support the creation and development of local platforms, stimulate foreign investments, and develop national talent, expertise, and human resources.

Q1: Do you have any comments/ suggestions on the regulation's objectives?

Article (4): Segments in regulatory scope

- 4-1 Without prejudice to the provisions in CITC relevant regulations and what may be issued by it and the amendments that may occur to it regarding the regulation of digital content platforms, the provisions of these regulations shall apply to every person who provides the services listed below within the Kingdom, including licensed service providers and users :
 - 4-1-1 Digital video platforms, including:
 - 4-1-1-1 Satellite Pay TV platforms
 - 4-1-1-2 IPTV platforms
 - 4-1-1-3 Video OTT platforms
 - 4-1-1-4 Video sharing platforms

4-1-2 Digital audio platforms, including:

4-1-2-1 Audio-on-demand platforms

4-1-2-2 Internet radio platforms

4-1-3 Digital gaming platforms, including:

4-1-3-1 Online gaming platforms

4-1-3-2 Esports participation platforms

4-1-4 Digital advertising platforms, including:

4-1-4-1 Online advertising platforms

4-1-4-2 Social media platforms

4-1-5 Any other platforms that CITC deems to be included in the scope of these regulations in the future.

4-2 These regulations do not restrict the work of any other laws, regulations, or decisions in force in the Kingdom, nor do they conflict with what is issued by the relevant competent authorities.

Article (5): Digital content platforms service provision regulations

5-1 It is not permitted for any service provider that manages any of the digital content platforms that fall within the scope of application of these regulations in Article (4), to provide any service (free of charge or for a fee) to the public in the Kingdom before it fulfills and satisfactorily achieves the regulatory tool referred to in (5-2). Annex (1) details needed application requirements, and article (11) details the relevant procedures.

5-2 Local and foreign digital content platforms - providing services to users within the Kingdom - are subject to regulatory tools (licensing, registration, or notification) depending on the nature of the services being provided. Digital content platforms that provide multiple services can also be subject to more than one regulatory tool. The table below shows the appropriate regulatory tool for each platform, as follows:

Platform	Regulatory Tool	Exemptions
Satellite pay TV platforms	Licensing	No applicable exemptions
IPTV platforms	Licensing	
Video OTT & Audio-on-demand platforms	Licensing	Exempted Service Providers are required to notify CITC if the exemption criteria referred to in Annex (3) are applicable.
Internet radio platforms	Registration	Exempted Service Providers are required to notify CITC if the exemption criteria referred to in Annex (3) are applicable.

Video sharing platforms	Notification	No applicable exemptions
Esports participation platforms	Notification	
Social media platforms	Notification	
Online gaming platforms	No licensing, registration or notification is required, but service providers must comply with the provisions of these regulations.	No applicable exemptions
Online advertising platforms		

Q2: Do you think license categories should be as currently defined based on services (e.g., IPTV, Video OTT), or technology (e.g., internet, DTH, cable)? Please elaborate.

Q3: Do you think that Satellite Pay TV is considered as a digital video platform? Please elaborate.

Q4: Given the increasing convergence in the sector, do you think that the following platforms: (Satellite Pay TV, IPTV, Video OTT, and Audio-on-Demand) should be merged under one license category? Please elaborate.

(Please note that having multiple services under one license category could also raise operational risk in case of license suspension or rejection)

Q5: Given the increasing convergence in the sector, do you think that internet based platforms: (IPTV, Video OTT, and Audio-on-Demand) should be merged under one license category? Please elaborate.

Q6: Given the increasing convergence in the sector, do you think Video Sharing platforms and Social Media platforms should be merged under one category?

Q7: Given the increasing convergence in the sector, do you think Satellite Pay TV platforms should be included under the digital content platforms regulations proposed by CITC? Or kept as-is under GCAM's regulatory jurisdiction? Please elaborate.

Q8: Do you have any other comments/suggestions on service provision regulations?

Article (6): General Obligations

The service provider who has obtained the relevant regulatory tool shall comply with the provisions of the digital content platforms regulations "this document", the provisions of the Telecom Act and its executive regulations, CITC's regulatory provisions, in addition to the following obligations:

- 6-1 Comply with the regulations, acts, decisions, and instructions related to content regulations in force in the Kingdom. Which may include, but not limited to: suspend broadcasting, delete, or remove content etc.
- 6-2 Commitment to the Saudi talent employment conditions stipulated by relevant government agencies.

6-3 Full cooperation with CITC to carry out its duties. In addition to the cooperation with CITC's inspectors, facilitating their tasks and making available all possible resources of the service provider to carry out the inspection process, including reviewing the systems of the service provider and providing inspectors with all the required documents and information that would confirm the service provider's commitment to CITC's regulations, and CITC will deal - at its absolute discretion - collected documents and information in strict confidentiality. The information that CITC may request includes, but not limited to:

- 6-3-1 Information related to financial performance (including but not limited to revenue, revenue sources, and operational performance).
- 6-3-2 Measurements relating to users (including, but not limited to, number and nature of users, viewers, listeners, participants, and users' satisfaction).
- 6-3-3 Quality of services to include high-quality services and various professional digital services that enrich the digital life of users in the Kingdom
- 6-3-4 Any evidence required by CITC that proves the service provider's compliance with the obligations issued within this regulations, other CITC regulations, and other relevant bodies.

Q9: Do you have any comments/ suggestions on general obligations?

Article (7): Specific obligations

The service provider that operates the digital content platform, and falls under licensing or registration regulatory requirements, has the following obligations:

- 7-1 Foreign service providers providing digital content services to users inside the Kingdom to have a main physical presence or a representative office - in addition to an official representative of the service provider - in the Kingdom.
- 7-2 To commence service operations to the public, within a maximum of twelve (12) Gregorian months from the date of issuance of the license or registration.
- 7-3 In the event of cancellation, suspension, or non-renewal of any license/registration, the licensee/registered service provider shall comply with the regulations issued in this regard, including, but not limited to return the subscription fees to users for the remaining period to them.
- 7-4 Maintain a record of the content displayed on the Platform for a period of at least ninety (90) days from the date of its release, and submission to any Saudi government entity when necessary.
- 7-5 Comply with the regulations and decisions issued by CITC related to Data protection of users, including - for example, but not limited to - "General Principle for Personal Data Protection".

7-6 Comply with the regulations and decisions issued by CITC related to Rights protection of users including - for example, but not limited to -"Regulations on the Protection of Rights of ICT Services' Users and on the Terms of ICT Service Provision". which includes - for example, but not limited to the following:

7-7-1 Service provider obligations regarding to contracts with users, including the following but not limited to:

7-7-1-1 Service provider must present -in a clear and unambiguous manner- the service information, promotional offers - if any - and their prices and the terms and conditions of service provision.

7-7-1-2 The service provider shall obtain the user's consent to the offered services, prices, payment mechanism, cancellation and refund before subscribing to the service.

7-7-1-3 The service provider shall provide the user with an electronic invoice or a sms explaining the details of the subscription fees that have been paid, including tax and discounts, if any.

7-7-1-4 The service provider shall ensure that terms and conditions of Users agreement comply with CITC regulations including but not limited this document.

7-7-2 Service provider obligations regarding to complaint of users including the following but no limited:

7-7-2-1 The service provider shall allocate an administrative unit to receive, manage and handle user complaints in accordance with the criteria specified by CITC.

7-7-2-2The service provider shall prepare and publish procedures for receiving and handling complaints, and timing of complaint response.

7-7-2-3The service provider must provide free channels to receive users' complaints in which complaint procedures are documented from the beginning of the complaint's submission until its closure, which complaint number and date are recorded, and the user is provided with a reference number for his complaint.

7-7-2-4The complaint must be kept for a period of no less than one calendar year from the date of its closure.

7-7-2-5The user may escalate the complaint to CITC if service provider does not respond to the complaint, or closes it without addressing it after the expiry of the statutory period - (2) working days from the date of submitting the complaint -.

7-7-2-6CITC will decide on the complaint and issue its decision according to available information if the service provider did not inform CITC of the details, information and documents required within the specified period, or the complaint cannot resolved by mutual consent.

7-7-2-7 The service provider must implement CITC decision issued in the complaint immediately upon being notified of it, and no later than (2) working days from the date of notification.

Q10: Do you agree with having a requirement for licensed/registered foreign players to issue a commercial registration in addition to setup physical offices in KSA? Please elaborate and suggest appropriate alternatives in case of objection.

Q11: Do you have any other comments/suggestions on specific obligations?

Article (8): Fee requirements

- 8-1 Service providers falling under the relevant regulatory tool - referred to in Article (5) - are subject to fee requirements described in Annex (1) in return for services provided to them by CITC. Which may include, but is not limited to, a fee to study the application, renewal, or annual fees.
- 8-2 Annex (2) explains annual fees calculation methodology based relevant revenues, and the article (12) details required procedures for annual fees calculation and collection.
- 8-3 CITC may amend or cancel any of the fee requirements - as it deems appropriate - in accordance with the controls stipulated within its regulations.
- 8-4 Fee requirements are due as soon as the payment invoice is issued. Service providers are obligated to pay the fees on their due dates and without any delay within thirty (30) days from the date of their issuance.
- 8-5 CITC will not impose any fees for submitting requests for cancellation or modification of the regulatory tool.
- 8-6 CITC is not obligated to refund the fees paid for licensing or registration applications in case of rejection.

Q12: Do you have any comments/suggestions on fee requirements?

Article (9): General provisions for licensing, registration, or notification

9-1 Duration and renewal

- 9-1-1 Service providers may provide the relevant licensed or registered service for the duration of the validity period specified in annex (1), and the license or registration begins from the date of its issuance or registration, respectively.
- 9-1-2 Renewal of the license or registration shall be at least ninety (90) days before the end of its duration. In the event of a desire not to renew, cancel or transfer, the service provider shall provide

CITC with a plan detailing the procedures to be taken within a period of no less than ninety (90) days.

- 9-1-3 Service providers that provide services requiring notification are not required to submit a renewal application to CITC.
- 9-1-4 Unless otherwise specified, the approval to renew the license or registration is subject to similar conditions to that of license or registration application. The term of the license or registration upon renewal shall be the same as the validity period of the license or registration upon its issuance.
- 9-1-5 It is not permitted for any platform -which requires obtaining a license or registration from CITC- to provide the service upon the expiry of the license or registration, except after the approval of the renewal request by CITC before expired and informing the service provider in that regards. Note that the expired license or registration is considered canceled and requires re-applying for the issuance.
- 9-1-6 CITC may amend the validity period of the license or registration set forth within these regulations in accordance with its regulations.

Q13: Do you have any comments on durations/suggestions and renewals regulations?

9-2 License or registration transfer and sub-contracting

- 9-2-1 License or registration transfer means the transfer of all rights and obligations associated with the license or registration to any other party, in accordance with the provisions and procedures stipulated in these regulations and those of the relevant authorities.
- 9-2-2 The license or registration issued by CITC may not be assigned to another entity without obtaining CITC's approval. Assignment is permitted for reasons including, but not limited to, mergers and acquisitions, or business transfers within a group company. Article (11-4) details the requirements for applying to transfer a license or registration and the procedures related thereto.
- 9-2-3 The licensee, or registration holder from CITC, may not subcontract with other persons to provide services on his behalf, until after obtaining the prior written approval of CITC. All obligations arising from licensing or registration in this case remain the sole responsibility of the licensee or the holder of a registration from CITC.

Q14: Do you have any comments on transfer and sub-contracting regulations?

9-3 Cancellation, modification, or suspension of the regulatory tool

- 9-3-1 Service providers who are licensed or registered with CITC may -if they wish to cancel, modify its license or registration- submit a written request to CITC in this regard. And CITC shall study the request and inform the service provider of its decision and any requirements or obligations that must be satisfactorily fulfilled towards CITC or any other parties (such as other government agencies, and users) before implementing the request.
- 9-3-2 Service providers who have notified CITC - in relation to services requiring notification to CITC before provision in the Kingdom - must submit a notification to CITC to report that the service has ceased operations in the Kingdom. It does not require CITC to approve the application; and approval is usually automatic.
- 9-3-3 All fee requirements owed by the service provider and/or unpaid before the date of cancellation shall remain valid and payable to CITC.

Q15: Do you have any comments/suggestions on cancellation, modification, or suspension regulations?

Article (10): Violations and penalties

- 10-1 In addition to what was mentioned in the Telecom Act and its executive regulations, any service provider, individual or legal person is specifically considered to have committed a violation of any of the following acts:
- 10-1-1 Appointment of a new Compliance Manager / Officer for a service provider that is licensed or registered with CITC without notice and approval from CITC.
- 10-1-2 Failure to comply with CITC's instructions to cut transmission in accordance with final rulings from relevant authorities.
- 10-1-3 Failure to comply with CITC's instructions by deleting/removing content to Users in the Kingdom in accordance with final rulings from relevant authorities.
- 10-1-4 Any other illegal practice approved by CITC or a practice in violation of the provisions of these regulations.
- 10-2 Violations and penalties are handled and imposed in accordance with CITC's regulations, without prejudice to any penalties or penalties that may be imposed under any other regulations applicable in the Kingdom.
- 10-3 CITC may cancel, modify or suspend the license, registration or any services in accordance with its regulations in the event that the service provider commits any compelling reason for this, provided

that the service provider bears the full responsibility resulting from that and without any liability or responsibility on CITC.

Q16: Do you have any comments/suggestions on violations and penalties regulations?

Article (11): Application procedures

11-1 Procedures for obtaining a license or registration

- 11-1-1 Service providers wishing to obtain a license or registration to provide licensed or registered services subject to these regulations must apply to CITC and pay the due application fees, while fulfilling all the requirements set forth in Annex (1) for consideration.
- 11-1-2 CITC shall issue a preliminary approval to foreign service providers who do not possess at the date of application a foreign investment license if the application is approved. The applicant must then take the legal procedures to obtain a foreign investment license, and then complete the application for a license or registration with CITC.
- 11-1-3 CITC may request clarifications, information, or additional documents from the applicant during the study and evaluation of his application. CITC may reject applications that are incomplete or that do not include all supporting documents.
- 11-1-4 CITC shall issue its decision to approve or reject the application within the period specified in Annex (1).

Q17: Do you think that Commercial Registration / MISA license requirements for licensed/registered services is considered a challenge to comply with (specially for foreign service providers)? Please elaborate and suggest appropriate alternatives in case of objection.

Q18: Do you think issuing a non-objection letter (i.e., NOC) from CITC before applying for Commercial Registration/ MISA license would benefit the companies? Please elaborate.

(Note that currently companies need to acquire Commercial Registration/ MISA license before applying to CITC, a NOC would serve to give clarity to companies on their possible application acceptance before committing to fee payments for a Commercial Registration/ MISA license)

Q19: Do you have any other comments/suggestions on license or registration procedures?

11-2 Procedures of service notification

- 11-2-1 Service providers wishing to provide services that require notification in accordance with the provisions of the regulations must notify CITC in this regard, while fulfilling all the requirements set forth in Annex.(1)

- 11-2-2 CITC may communicate and follow up with the service provider to obtain clarifications, information, or additional documents.
- 11-2-3 The provision of services requiring notification to CITC in accordance with these regulations, do not require the issuance of any decision or approval from CITC.

Q20: Do you have any comments/suggestions on notification procedures?

11-3 Procedures for renewal

- 11-3-1 Licensed or registered service providers with CITC has the right to apply for renewal and pay the fees for submitting the application, within a period of ninety (90) days prior to the expiry date of the license or registration.
- 11-3-2 Service providers that provide services requiring notification are not required to submit a renewal application.
- 11-3-3 Unless otherwise stated, approval to renew the license or registration is subject to similar conditions as the approval of the license or registration application.
- 11-3-4 The validity period of the renewed license or registration shall be the same as the validity period of the license or registration upon its issuance.

Q21: Do you have any comments/suggestions on renewal procedures?

11-4 Procedures for license or registration transfer

- 11-4-1 Applications for approval to transfer the license or registration include detailed information on the proposed transfer to the other party. It also includes, as a minimum, the following information:
- 11-4-1-1 Identification of all parties involved in the transfer process.
 - 11-4-1-2 A description of the nature of the operation for which the transfer is requested.
 - 11-4-1-3 The purpose and rationale for transferring the license or registration.
 - 11-4-1-4 Basic financial information about the parties involved in the transaction.
 - 11-4-1-5 A description of the platform services provided by the interested parties.
 - 11-4-1-6 Information about users or beneficiaries of platform services provided by interested parties
- 11-4-2 CITC shall, within ninety (90) days of receiving the duly submitted and completed application in accordance with the above paragraph, implement any of the following actions:
- 11-4-2-1 Unconditionally agree to transfer.

11-4-2-2 Conditional approval of the transfer on the terms CITC deems important to achieve the objectives of the regulations.

11-4-2-3 Refuse to transfer

Q22: Do you have any comments/suggestions on transfer procedures?

11-5 Procedures for canceling a license, registration or notification

11-5-1 Licensed or registered service providers with CITC, wishing to cancel his license or registration, must submit a written request to CITC in this regard. CITC then processes the cancellation request, determines its effective date, and informs the service provider of its decision and any requirements or obligations that must be met.

11-5-2 Service providers providing services that require notification, wishing to terminate services provision in KSA must send a termination notice to CITC in this regard. The termination shall be effective without the need for approval from CITC and is effective as of the date on which CITC is notified of the relevant termination notice unless a later date is specified within it.

Q23: Do you have any comments/suggestions on cancelation procedures?

Article (12): Procedures for applying for annual fees calculation

12-1 “Related Revenue Form” means the form submitted by the service provider subject to the provisions of CITC’s annual fee requirements, and which details the total relevant revenue due for collecting annual fees from it.

12-2 Companies prepare the relevant revenue form based on the accounting records on which the company's financial statements have been prepared.

12-3 Companies shall prepare the relevant revenue form in accordance with format provided by CITC.

12-4 Companies shall abide by the following when preparing and submitting the relevant revenue form:

12-4-1 If the service provider holds more than one license/registration, details of relevant revenues subject to annual fees must be provided based on each license/registration separately.

12-4-2 The relevant revenue form must be printed and signed by the CEO (or his representative), the financial manager (or his representative) and an external auditor and uploaded as an electronic copy on CITC’s electronic portal.

12-4-3 A checklist must be filled out to confirm the completeness of the submitted data as in Annex (2), to be attached with the relevant revenue form as one of the supporting documents. The application will not be accepted if the checklist is not attached with the supporting documents.

- 12-4-4 Revenues, exclusions and deductions must be prepared based on the accounting records used to prepare the financial statements (whether audited or not). The figures contained in the relevant revenue form are extracted from the accounting records and financial statements, that are prepared in accordance with the International Financial Reporting Standards approved in the Kingdom.
- 12-4-5 The financial statements must be submitted for the period for which the relevant revenue form is submitted.
- 12-4-6 In the event that the percentage difference in the results of the financial year differs from $\pm 10\%$ compared to the previous year, detailed justifications must be provided for the reason for the difference, and the justifications must be sufficient and acceptable in a detailed manner that explains the reasons for these differences.
- 12-4-7 In the event of a change or modification of annual fees applicable to the service provider during the financial period of the form, detailed statements for relevant revenues subject to different annual fees should be submitted, provided that it is certified by a certified public accountant.
- 12-5 Service providers shall prepare a list of settlements to ensure that the data contained in the relevant revenue form is consistent with the company's financial statements.
- 12-6 Service providers are allowed to include exclusion and/or deduction items described in Annex (2) from total relevant revenues, subject to CITC approval, and should be reflected clearly within the relevant revenue form.
- 12-7 Each service provider shall appoint one of the legal accounting offices licensed by the Saudi Organization for Certified Public Accountants to review the relevant revenue form and provide confirmation that the company has prepared the form in accordance with CITC's regulations. The company must obtain the report issued by the certified accountant in the indicated manner prepared by CITC.

Q24: For relevant segments, do you think audited revenue submissions are considered a challenge to comply with? Please elaborate and suggest appropriate alternatives in case of objection.

Q25: Do you have any comments/suggestions on annual fees calculation procedures?

Article (13): General provisions

- 13-1 CITC shall, from time to time, review these regulations and amend them whenever it deems necessary; according to CITC's regulations. Updates to it are approved by CITC's governor.

Q26: After reviewing this document, in your opinion, what is the proposed (appropriate) period for the regulations to shall enter into force?

Public Consultations

Annexures

Annex (1): Regulatory tools requirements

Licenses:

1. Satellite pay TV platform license.
2. IPTV platform license.
3. Video OTT & Audio-on-demand platform license.

Registrations:

4. Internet radio platform registration

Notifications:

5. Video sharing platform notification.
6. Esports participation platform notification.
7. Social media platform notification.

Q27: For relevant segments, do you have any comments/suggestions on application requirements?

Licenses

1. Satellite pay TV platform license



Description

To deliver visual and audio content in encrypted form (using a conditional access system) via satellite allowing users to access content via a set-top box or similar device and charging users.



Processing time

15 days



License duration

10 years



License application requirements

1. Commercial registration / MISA license related to the activity.
2. The service provider's articles of association.
3. Identity documents of partners, management, and license applicants.
4. Description of the entity (the applicant) with a full description of the service and technology used.
5. A detailed economic and operational feasibility study.
6. A full description of the content offered by the platform, list of channel packages, and associated pricing.
7. Details of the Platform Compliance Manager or Officer.
8. Audited financial statements for a period of 3 years, including activity information in the Kingdom of Saudi Arabia, or provide the available data in the case of service provision for a period less than 3 years, provided that such data are audited by a certified by SOCPA auditor for local service providers, or other accredited certified public accountants in jurisdictions other than the Kingdom if there is insufficient information about the activity in the Kingdom.



Undertakings of general and special obligations

1. Undertaking to abide by the guidelines, rules, and regulations in force with CITC.
2. Undertaking to submit an annual report that includes users, channels, and financial data.
3. Undertaking to suspend broadcasting at the request of CITC, if applicable.
4. Undertaking to delete or remove content from users in kingdom in accordance to CITC's request or relevant authority.

Licenses

2. IPTV platform license



Description

To deliver audio and visual content over Internet Protocol (IP)-based networks via a set-top box or similar device.



Processing time

15 days



License duration

10 years



License application requirements

1. Commercial registration / MISA license related to the activity.
2. The service provider's articles of association.
3. Identity documents of partners, management, and license applicants.
4. Description of the entity (the applicant) with a full description of the service and technology used.
5. A detailed economic and operational feasibility study.
9. A full description of the content offered by the platform (linear or on-demand), list of channel packages, and associated pricing.
6. Details of the Platform Compliance Manager or Officer.
7. Audited financial statements for a period of 3 years, including activity information in the Kingdom of Saudi Arabia, or provide the available data in the case of service provision for a period less than 3 years, provided that such data are audited by a certified by SOCPA auditor for local service providers, or other accredited certified public accountants in jurisdictions other than the Kingdom if there is insufficient information about the activity in the Kingdom.
8. Information security standards certificate.



Undertakings of general and special obligations

1. Undertaking to abide by the guidelines, rules, and regulations in force with CITC.
2. Undertaking to submit an annual report that includes users, channels, and financial data.
3. Undertaking to suspend broadcasting at the request of CITC, if applicable.
4. Undertaking to delete or remove content from users in kingdom in accordance to CITC's request or relevant authority.
5. Undertaking to use licensed and approved software solutions to provide the service.

Licenses

3. Video OTT & Audio-on-demand platform license



Description

To provide linear or on-demand visual content, and/or on-demand audio content (music, podcasts, or audiobooks) over the Internet to users free of charge or for a fee.



Processing time

15 days



License duration

5 years



License application requirements

1. Commercial registration / MISA license related to the activity.
2. The service provider's articles of association.
3. Identity documents of partners, management, and license applicants.
4. Description of the entity (the applicant) with a full description of the service and technology used.
5. A detailed economic and operational feasibility study.
6. A full description of the content offered by the platform (linear or on-demand) and associated pricing.
7. Details of the Platform Compliance Manager or Officer.
8. Audited financial statements for a period of 3 years, including activity information in the Kingdom of Saudi Arabia, or provide the available data in the case of service provision for a period less than 3 years, provided that such data are audited by a certified by SOCPA auditor for local service providers, or other accredited certified public accountants in jurisdictions other than the Kingdom if there is insufficient information about the activity in the Kingdom.
9. Information security standards certificate.



Undertakings of general and special obligations

1. Undertaking to abide by the guidelines, rules, and regulations in force with CITC.
2. Undertaking to submit an annual report that includes users, channels, and financial data.
3. Undertaking to delete or remove content from users in kingdom in accordance to CITC's request or relevant authority.
4. Undertaking to use approved software solutions to provide the service.



Notification requirements for exempt service providers

(as per the conditions set out in Annex 3 of the regulation document)

1. Identity documents of partners, management, and applicants.
2. Description of the entity (the applicant) with a full description of the service and technology used.
3. Details of the Platform Compliance Manager or Officer.
4. Undertaking to abide by the guidelines, rules, and regulations in force with CITC.
5. Undertaking to delete or remove content from users in kingdom in accordance to CITC's request or relevant authority.

Exemption is valid until the conditions of the exemption are no longer applicable.

Registrations

4. Internet radio platform registration



Description

To provide linear audio content (music, podcasts, audio books, or any other audio content) over the Internet to users free of charge or for a fee.



Processing time

5 days



License duration

5 years



License application requirements

1. Commercial registration / MISA license related to the activity.
2. Identity documents of partners, management, and license applicants.
3. Description of the entity (the applicant) with a full description of the service and technology used.
4. Details of the Platform Compliance Manager or Officer.



Undertakings of general and special obligations

1. Undertaking to abide by the guidelines, rules, and regulations in force with CITC.
2. Undertaking to suspend broadcasting at the request of CITC, if applicable.
3. Undertaking to delete or remove content from users in kingdom in accordance to CITC's request or relevant authority.



Notification requirements for exempt service providers

(as per the conditions set out in Annex 3 of the regulation document)

1. Identity documents of partners, management, and applicants.
2. Description of the entity (the applicant) with a full description of the service and technology used.
3. Details of the Platform Compliance Manager or Officer.
4. Undertaking to abide by the guidelines, rules, and regulations in force with CITC
5. Undertaking to delete or remove content from users in kingdom in accordance to CITC's request or relevant authority.

Exemption is valid until the conditions of the exemption are no longer applicable.

Notification

5. Video sharing platforms notification



Description

To provide linear or on-demand content over the Internet to users free of charge or for a fee. These platforms have limited control over the content available on the platform as users can upload and share content with other users through it.



Processing time

None



License duration

Valid until surrendered



License application requirements

1. Identity documents of partners, management, and license applicants.
2. Description of the entity (the applicant) with a full description of the service and technology used.
3. Details of the Platform Compliance Manager or Officer.



Undertakings of general and special obligations

1. Undertaking to abide by the guidelines, rules, and regulations in force with CITC.
2. Undertaking to delete or remove content from users in kingdom in accordance to CITC's request or relevant authority.

Notifications

6. Esports participation platform notification



Description

To provide services that allow users to participate in online esports tournaments.



Processing time

None



License duration

Valid until surrendered



License application requirements

1. Identity documents of partners, management, and license applicants.
2. Description of the entity (the applicant) with a full description of the service and technology used.
3. Details of the Platform Compliance Manager or Officer.



Undertakings of general and special obligations

1. Undertaking to abide by the guidelines, rules, and regulations in force with CITC.
2. Undertaking to delete or remove content from users in kingdom in accordance to CITC's request or relevant authority.

Notifications

7. Social media platform notification



Description

To provide services that allow Influencers to advertise or promote a brand, product, or service to users on the Platform.



Processing time

None



License duration

Valid until surrendered



License application requirements

1. Identity documents of partners, management, and license applicants.
2. Description of the entity (the applicant) with a full description of the service and technology used.
3. Details of the Channel Compliance Manager or Officer.



Undertakings of general and special obligations

1. Undertaking to abide by the guidelines, rules, and regulations in force with CITC.
2. Undertaking to delete or remove content at CITC's request.

Annex (2): Fee requirements

The service provider listed under the relevant regulatory tool is obligated to pay the fee requirements to CITC as shown in the table below:

Table: Fees applicable to service providers under platform categories

Platform	Regulatory Tool	Application/ renewal fees	Annual fees
Satellite pay TV platforms	– Licensing	– SAR 10,000	– Progressive percentage ranging from 0.2% to 0.5% of relevant revenues
IPTV platforms	– Licensing	– SAR 10,000	– Progressive percentage ranging from 0.2% to 0.5% of relevant revenues
Video OTT & Audio-on-demand platforms	– Licensing	– SAR 5,000	– Progressive percentage ranging from 0.2% to 0.5% of relevant revenues
Internet radio platforms	– Registration	– SAR 5,000	– Progressive percentage ranging from 0.2% to 0.5% of relevant revenues
Video sharing platforms	– Notification	– Not Applicable	– Not Applicable
Esports participation platforms	– Notification	– Not Applicable	– Not Applicable
Social media platforms	– Notification	– Not Applicable	– Not Applicable

Q28: For relevant segments, do you think application fees are set appropriately and fairly? Please elaborate and suggest appropriate alternatives in case of objection.

Q29: For relevant segments, do you think a 0.2%-0.5% progressive percentage annual fees based on relevant revenues generated from the service is a fair methodology? Please elaborate and suggest appropriate alternatives in case of objection.

Q30: Do you have any other comments/suggestions on applied fees?

Annual fees calculation:

1. The following table shows, without limitation, the revenue related to licenses and/or registrations (where annual fees apply). CITC reserves the right to update/modify the relevant revenue definitions in the future.

Table: Relevant Revenue items subject to annual fees

Relevant Revenue	Description
Revenue from users	Revenue from fees charged to users in the Kingdom of Saudi Arabia (including, but not limited to, subscription fees / one-time fees). Licensed or registered service providers must provide CITC with reliable information about licensed or registered service offerings that are sold directly to users and the revenue generated from such activity.
Partnerships and third-party retailer revenue	Revenues generated from providing licensed or registered services through partnerships (i.e., providing the service as a bundled offer with another service), or external retailers (i.e., distribution to users) that target users in the Kingdom. Licensed or registered service providers are required to provide CITC with reliable information on their licensed or registered service product offerings sold through partnerships or external retailers and the revenue generated from such activity.
Advertising revenue	Revenue from advertisements displayed on licensed or registered platforms. Licensed or registered service providers are required to provide CITC with reliable information on advertising revenue generated from viewing and/or usage in the Kingdom.

2. Annual fees are calculated incrementally, with license or registration holders paying proportionately more fees as relevant revenue increases, based on a cumulative graded scale (table below).
3. In the event that a service provider provides more than one licensed or registered services on one platform, he shall pay the corresponding fees for the “relevant revenues” for each service separately. For example, a service provider that provides Satellite Pay TV services and Video OTT services, is obligated to pay the annual fees related to both Satellite Pay TV service and Video OTT separately.

Table: Annual fee percentages applicable to Relevant Revenue Ranges

Relevant Revenue Band	Lower limit	Upper limit	Annual fee percentage
Band One	-	> SAR 35 million	0.20%
Band Two	=SAR 35 million	> SAR 75 million	0.30%
Band Three	=SAR 75 million	Above SAR 75 million	0.50%

Clarifying example:

To calculate the annual fee payable for a service provider, 0.20% is charged on the first SAR 35 million of relevant revenue; 0.30% on the next SAR 40 million; and 0.50% on the remaining revenues until the annual fees required are calculated on the entire amount of the relevant revenues.

Q31: For relevant segments, do you think the identified relevant revenue streams provide clarity for chargeable revenue identification? Please elaborate.

Q32: Do you have any other comments on annual fees?

Permitted deductions and exclusions

Item	Description
Revenue share agreements	Share of revenues which never comes into the hands of the license or registration holder (i.e., is taken "off the top") as a relevant third party is contractually entitled to retain such amount (e.g., platform back-end operators, App stores)
Non-platform services	Revenues generated from sales not linked to licensed or registered services provision. (e.g., physical events, sales of merchandise)
Commissions payable to third parties	Service providers are entitled to deduct payable commissions retained by or paid to third party with commission-based agreements (e.g., advertising agents), provided that the maximum amount deducted not to exceed 15% of the amount payable to the third party.
Revenues from parent CITC licensed telecom company	If a telecom operator licensed by CITC already pays a percentage of the revenue from a licensed or registered service as part of the telecom license fee, platform generated revenues are excluded from digital content platforms annual fee. Provided valid proof is presented that the annual Telcom license fee covers revenue generated from licensed or registered service.
Refunds/ rewards	Service providers may deduct/ exclude from relevant revenues any refunds, returns, and/or rewards paid out to users, provided that these costs are paid directly by the service provider itself.
Value-added tax, other sales taxes	Value-added and/or other sales taxes to be deducted in the relevant revenue form.
Other revenue streams	Service provider may request additional other deductions/ exclusions from chargeable relevant revenues, provided they provide CITC with written request with detailed justification (subject to CITC approval), and detailed in the relevant revenue form.

Q33: For relevant segments, do you think the identified exclusions/ deductions provide clarity for chargeable revenue identification? Please elaborate.

Q34: Do you think the above permitted deductions and exclusions are sufficient? In your opinion, do you think there are other items that should be included?

Periodic Submission of Relevant Revenue Form:

1. Companies must submit the relevant revenue form and supporting documents on CITC's electronic portal within the specified period, as shown in the table below.

Table: Relevant revenue form submission deadlines and supporting documents

Type of company	Listed companies	Not listed companies, legally obligated to keep accounting records	Not listed companies, not legally obligated to keep accounting records
Grace period to submit relevant revenue form	Within a maximum period of 15 days from the date of announcing initial financial results in the financial market	Within a maximum period of 140 days from the end of the service provider’s financial year	Within a maximum period of 140 days from the end of the service provider’s financial year
Supporting documents	<div><div></div><div><div>1.</div><div>Relevant revenue form in “PDF” format, signed by the CEO (or his representative), CFO (or his representative) and a certified public accountant</div></div><div><div>2.</div><div>Relevant revenue form in “Excel” format</div></div><div><div>3.</div><div>Audited financial statements</div></div><div><div>4.</div><div>Independent reasonable assurance engagement report in accordance with International Standard on Assurance Engagements No. 3000</div></div><div><div>5.</div><div>A list of the adjustments between revenues as in the financial statements and revenues as in the relevant revenue form, signed by the company’s financial manager (or his representative)</div></div><div><div>6.</div><div>Explanation of the differences that exceeded ±10% in the items of the form compared to the previous year</div></div><div><div>7.</div><div>Management's assurance letter on the reasonable assurance engagement report</div></div><div><div>8.</div><div>Checklist for the completeness of the submitted data, signed by the Regulatory Affairs Officer. the submission will not be accepted if not provided to CITC</div></div><div><div>9.</div><div>Any other documents required by CITC</div></div></div> <div><div></div><div><div>1.</div><div>Relevant revenue form in “PDF” format, signed and stamped by the management.</div></div><div><div>2.</div><div>Relevant revenue form in “Excel” format</div></div><div><div>3.</div><div>Tax return forms</div></div><div><div>4.</div><div>Trial balance for the period signed and stamped by management (if any)</div></div><div><div>5.</div><div>Unaudited financial statements (in the absence of audited financial statements) signed and stamped by management (if applicable)</div></div><div><div>6.</div><div>Explanation of the differences that exceeded ±10% in the items of the form compared to the previous year</div></div><div><div>7.</div><div>Any other documents required by CITC</div></div></div>		

2. Service providers must provide responses to CITC's inquiries within period specified by CITC

Q35: Do you have any comments/suggestions on annual relevant revenues submission timeline and procedures?

Checklist of submitted data for the relevant revenue form and its supporting documents

#	Document	Yes / No	Reason of (No)
Relevant revenue form and its supporting documents			
1	Relevant revenue form in "PDF" format in accordance with CITC's regulations.		
2	Full relevant revenue form in "Excel" format.		
3	Audited financial statements in accordance with CITC's regulations.		
4	Independent Reasonable Assurance Engagement Report in accordance with CITC's regulations.		
5	A list of adjustments between revenues as in the financial statements and revenues as in the relevant revenue form in accordance with CITC's regulations.		
6	Tax return form for companies that are not legally obligated to keep accounting records.		
7	Trial balance for the period signed and sealed by the management for companies that are not legally obligated to keep accounting records.		
8	Explanation of the differences that exceeded $\pm 10\%$ in the items of the form compared to the previous year.		
9	CITC's approval of deductions and/ or exclusions requests (if any).		
10	Details of other revenue items (relevant revenues, deductions, and exclusions as in the relevant revenue form).		
11	Management confirmation letter in accordance with CITC's regulations.		
Reasonable Assurance Engagement Report Requirements			
1	Independent Reasonable Assurance Engagement Report in accordance with International Standard on Assurance Engagements No. 3000.		
2	The controls in place for preparing the report shall be in accordance with CITC's regulations.		
3	Signed by the certified public accountant.		
4	The reporting period for a reasonable assurance engagement report corresponds to the period of the relevant revenue form.		

Q36: Do you have any comments/suggestions on annual fees submission requirements?

Annex (3): Exemptions

Service providers with the following conditions are subject to exemptions from regulatory requirements

Platform	Regulatory Tool	Exemption conditions	Applicable exemptions
Satellite pay TV platforms	Licensing	No exemption conditions	No applicable exemptions
IPTV platforms	Licensing	No exemption conditions	No applicable exemptions
Video OTT & Audio-on-demand platforms	Licensing	<p>Video OTT platforms with less than 10,000 subscribers (average last 12 months) in KSA</p> <p>Audio-on-demand platforms with less than 25,000 monthly active users (average last 12 months) in KSA</p>	Exemption from licensing requirements, however, service provider is obligated to notify CITC of service
Internet radio platforms	Registration	<p>Internet radio platforms affiliated with traditional radio stations with valid license from GCAM</p> <p>Platforms that hold a valid Audio-on-demand license from CITC.</p> <p>Pure-play internet radio platforms with less than 10,000 monthly active users (average last 12 months) in KSA</p>	Exemption from registration requirements, however, service provider is obligated to notify CITC of service
Video sharing platforms	Notification	No exemption conditions	No applicable exemptions
Esports participation platforms	Notification	No exemption conditions	No applicable exemptions
Social media platforms	Notification	No exemption conditions	No applicable exemptions

Q37: For relevant segments, do you think identified exemption conditions are appropriately/fairly defined to support startups and SMEs? Please elaborate and suggest appropriate alternatives in case of objection.



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