Annex (3)

License Classification Regulations

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1. Introduction

1.1. The Telecoms Act (the "Act") and its Bylaw (the "Bylaw") provide the Communications and Information Technology Commission (the "Commission") with the authority to define the classification of telecommunications licenses and establish the conditions for issuance of each type of license.

1.2. Pursuant to its powers under the Act and the Bylaw, the Commission had adopted the "Regulatory Framework on Fixed and Mobile Services Licenses", issued by Commission as a basis for a "technology-neutral and service-specific" approach governing the overall licensing framework in the Kingdom.

1.3. Article 5.1 of the same Regulatory Framework states that, over a period of time, and after reviewing the experience gained, the Commission may decide to move towards a "technology-neutral and service-neutral" regime (i.e. a Converged or Unified Licensing Regime).

1.4. Subsequently, the Commission had adopted the "Regulatory Framework on License Classification" issued by the Commission as a basis for the introduction of "Facilities Based Unified License" to selected licensed service providers to move towards a "technology-neutral and service-neutral" regime.

1.5. Based on the continued evolution of telecommunications markets in the Kingdom and the Commission's powers under the above-mentioned Commission Statutes, this "Regulation on License Classification" introduces an updated, technology-neutral and service-neutral regime in the Kingdom and adjusts accordingly the classification and scope of the telecommunications licenses that the Commission can issue.

1.6. Article 11.2(e) of the Bylaw empowers the Commission to add a requirement for an individual license to types of services other than those already mentioned in that article's preceding list.

1.7. This License Classification Regulation document replaces and supersedes the "Regulatory Framework on License Classification" and "Regulatory Framework on Fixed and Mobile Services Licenses" referred to in Article 1.4 and Article 1.2 above.

2. Definitions

2.1. The terms and expressions defined in the Act and the Bylaw shall have the same meaning in this Regulation.

2.2. "Services" means electronic communications services between fixed, nomadic or mobile apparatus or stations.

2.3. "Subscriber" means any person or any entity that is a party to a contract or other similar arrangement that is in force with a service provider for the supply of ICT service(s).

2.4. "Facilities Based Provider" (FBP) means a service provider who builds, owns and operates a public telecommunication network for the provision of public telecommunications services to users by that FBP or another service provider.

2.5. "Service Based Provider" (SBP) means a service provider who does not build or own a public telecommunications network and may utilize such networks from any FBP in order to offer Information and Communication Technology (ICT) services to End-users.

2.6. "Individual License" means a telecommunications license issued by the Commission that authorizes an individual service provider to provide telecommunications service in accordance with the conditions set out in the license. As per the above definition in the ByLaw, and this License Classification Regulation, Individual Licenses would include Unified License, Facilities based Fixed License, Facilities based Data Service Provider and Wholesale License.

2.7. "Class License" means a telecommunications license issued by the Commission that authorizes all service providers that fit within the class described in the license to provide telecommunications services in accordance with the conditions set out in that license. As per the above definition in the ByLaw, and this License Classification Regulation document, Class Licenses would include General Class License.

2.8. "Unified License" means an individual license permitting a licensed service provider to provide any telecommunications services using any type of telecommunications infrastructure and technology capable of delivering the desired service

2.9. "Wholesale License" means an individual license permitting the service provider to build, own and operate a public telecommunication network for the provision of public telecommunication services only to other Individual Licensed service providers.

2.10. "General Class License" means a class license permitting the service provider to provide any telecommunications services authorized under that license.

2.11. “Unified Licensed Service Provider (USP)” means any service provider who holds a Unified License

2.12. “Wholesale Licensed Service Provider (WSP)” means any service provider who holds a Wholesale License

2.13. “General Class Licensed Service Provider (GSP)” means any service provider who holds a General Class License.

2.14. “Fixed Services” mean electronic communications services between fixed or nomadic apparatus or stations.

2.15. “Mobile Services” are defined as radio communication services configured so as to permit full mobility of user terminals (radio stations), which permits a Subscriber within the mobile network to receive communications from or communicate with any apparatus or station.

2.16. “Nomadic” means the end user termination device may be in different places but it must be stationary while in use.

2.17. “Existing Obligations” means the obligations of the Licensee in force on the date of these License Classification Regulations but prior to its entry into effect, pursuant to its Existing License(s) or any Commission Statute, including but not limited to any obligations relating to quality and terms of service, use of numbers and number portability, network and service rollout, universal service, rights of way, rights of users, use of communications devices and equipment, wholesale and retail tariffs, emergency services and disaster recovery.

2.18. “Service Regulation” means the associated regulations for each service defined under the scope of services of the General Class License.

2.19. “Service Authorization” means the service specific authorization issued by CITC to permit the provision of a specific service under that service providers existing General Class License

3. License Classification and scope of services

3.1. CITC has decided to adopt a "Technology-Neutral and Service-Neutral" approach to create a more efficient regulatory environment, enhance competition and provide greater market transparency in order to attract additional new investment.

3.2. Article 11 of the Telecom Bylaw empowers CITC to be able to issue two types of telecommunications licenses, Individual licenses and Class licenses

3.3. In line with the considerations and previous stage of transition, CITC plans to introduce two types of Individual licenses:

3.3.1. "**Unified License"** means an individual license permitting a duly authorized service provider to provide any telecommunications services using any type of telecommunications infrastructure and technology capable of delivering the desired service

3.3.2. "**Wholesale License**" means an individual license permitting the service provider to build, own and operate a public telecommunication network for the provision of public telecommunication services only to other Individual Licensed service providers

3.4. Class Licenses shall be required for any telecommunications services or networks that may be provided by SBPs and require a class license pursuant to a Commission Statute. There will be only one type of Class License:

3.4.1. "**General Class License**" is a type of class license permitting the service provider to provide any telecommunications services authorized under that license.

4. Unified License Regulations

4.1. The Unified License shall allow the Unified Licensed Service Provider (USP) to:

4.1.1. Establish, operate, maintain and use a Public Fixed Telecommunications Network in the Kingdom, conforming to international standards approved by an international standards organization acceptable to the Commission, to provide its own public telecommunications services to users and wholesale services to other service providers that have a right to make use of such services under a Commission statute;

4.1.2. Establish, operate, maintain and use a public mobile cellular telecommunications network in the Kingdom, conforming to international standards approved by an international standards organization acceptable to the Commission, to provide its own public telecommunications services to users and wholesale services to other service providers that have a right to make use of such services under a Commission statute;

4.2. Establish, operate and maintain an international access network.

4.3. Provide any public telecommunications services on the local, national and international level including but not limited to:

4.3.1. Fixed voice communications services;

4.3.2. Fixed data communications services;

4.3.3. Mobile voice communications services, subject to the conditions of Article 4.5 and Article 4.6 below

4.3.4. Mobile data communications services, subject to the conditions of Article 4.5 and Article 4.6 below

4.3.5. Other telecommunications services related to the services mentioned in Articles 4.3.1 and 4.3.2 above including, but not limited to, voice messages, text, video and pictures or a combination thereof and other value added services as can be offered by the USP.

4.3.6. Other telecommunications services related to the mobile services mentioned in Articles 4.3.3 and 4.3.4 above, including, but not limited to, short message services, multimedia services (such as video calls and video streaming), push-to-talk over cellular (PoC), location based services and other such value added services can be offered by the USP.

4.4. The USP can provide any other services and/or establish, operate and maintain any other network that is covered under the scope of services of the Wholesale License and General Class License, provided the USP adheres to the Service Regulations of that particular service.

4.5. The USP does not need a Service Authorization to provide services covered under the scope of services under the General Class License, but it needs to notify CITC about its intent to launch the service 30 days prior to service launch and adhere to the Service Regulations of that service.

4.6. The provision of Mobile telephony services over the USP's own network shall not be permitted until such time as the USP has complied with the obligations imposed under Article 4 and Article 5 of the Telecom Act.

4.7. Mobile telephony services may be provided by the USP using wholesale network capacity leased/purchased from other licensed service providers, in adherence to applicable MVNO Regulations.

4.8. Existing obligations remain applicable on licensees migrated to the Unified Licenses

4.9. FBP licensees who do not to migrate to the Unified License, may retain their existing licensees as per the existing terms and conditions and existing obligations, and for the validity of the existing license

4.10. The Commission may issue other Unified Licenses in the future. At that point in time, the requirements for new applicants to apply for this License will be published by CITC on its website

4.11. CITC reserves the right to reject any application for Unified License that is deemed not to be in line with the objectives of the ICT Sector, as defined in Article Three of the Telecom Act or other relevant regulations

5. Wholesale License Regulations

5.1. The Wholesale License shall allow the Wholesale Licensed Service Provider (WSP) to:

5.1.1. Establish, operate, maintain and use a public telecommunications network and the underlying infrastructure that constitutes such a network, in the Kingdom, including but not limited to:

5.1.2. Category A: Towers and masts

5.1.3. Category B: Small cells, distributed antenna systems, in-building solutions and wireless access points

5.1.4. Category C: Dark fiber and ducts, including active backhaul and active fixed access services

5.1.5. Category D: Fixed wholesale data connectivity, including active backhaul and active fixed access services, including vertical cabling, in-building wiring, and installation of Consumer Premise Equipment (CPE).

5.1.6. Category E: International cable landing stations, including terrestrial and marine connection

5.1.7. Category F: Provide telecommunication services based on surplus communication capacity from existing infrastructure (optical fiber, towers, right of way, etc) or from new build from utility companies such as electricity, water, railway entities and others utility providers

5.2. CITC may expand or reduce the scope of infrastructure and services covered under the Wholesale License at its discretion.

5.3. CITC may impose rollout obligations or geographical coverage restrictions at its discretion

5.4. Wholesale License allow provision of services only to:

5.4.1. Unified Licensed Service Providers (USPs)

5.4.2. Wholesale Licensed Service Providers (WSPs)

5.4.3. Facility based Fixed Service Providers

5.4.4. Facility based Data Service Providers

5.5. Except otherwise permitted under clause 5.5, Wholesale License Service Providers (WSPs) cannot directly sell any services to General Authorization Service Providers (GSPs) or directly to end users

5.6. The Wholesale License supersedes and replaces the existing wholesale infrastructure license (WISP)

5.7. The Commission may make Wholesale Licenses available to other service providers in the future.

5.8. A WSP shall comply with all conditions of the Wholesale Service Regulations

5.9. Requirements to apply for a Wholesale License are mentioned in Wholesale Services Regulations. In the future CITC may decide to modify the requirements as per the state of competition and investment in the ICT market at that point in time.

5.10. A service provider or its subsidiaries holding a Wholesale License may not hold a Unified License or a General Class License

6. General Class License Regulations

6.1. The General Class License shall allow the General Class Licensed Service Provider (GSP) to provide one or more services from the list of services below.

6.1.1. Internet Service Provider (ISP) Service

6.1.2. Network Operations Center Services

6.1.3. Automated Vehicle Location (AVL) services

6.1.4. Call Center Services

6.1.5. Mobile Virtual Network Operators Service (MVNOs)

6.1.6. Internet of Things (IoT) – Virtual Network Operator (VNO) Services

6.1.7. Broadband Satellite Services

6.1.8. Provision of Global Mobile Personal Communications Services (GMPCS)

6.1.9. Operation System and Networks of GMPCS

6.1.10. Mobile Communication Service Onboard Aircraft in KSA

6.1.11. Internet Services on Airplanes in KSA Airspace

6.1.12. Short Messaging Service (SMS)

6.1.13. Audio Text Services (700)

6.1.14. VSAT System Communication Service

6.1.15. Digital Certification Services

6.1.16. IXP services

6.1.17. International Cable Landing Station Service

6.1.18. Fixed Voice Reselling Services

6.2. An applicant who is issued a General Class License will automatically be granted a Service Authorization for the following services

6.2.1. Internet Service Provider (ISP) Service

6.2.2. Network Operations Center Services

6.2.3. Automated Vehicle Location (AVL) services

6.2.4. Call Center Services

6.3. If a GSP wishes to offer any of the services in clause 6.1 (in addition to the services in clause 6.2), it should apply to CITC at least 30 days before launch of service to obtain a Service Authorization after providing evidence to CITC that it will be able to fulfill all conditions of the Service Regulation for that particular service.

6.4. An application for a Service Authorization may be declined if CITC determines that the GSP does not adhere to all the requirements as per the Service Regulation of that particular service.

6.5. CITC reserves the right to revoke a Service Authorization from a GSP if CITC determines that the GSP is in violation of one or more conditions of the Service Regulation or any other commission statue while offering that service.

6.6. GSPs are permitted to sell authorized Services to end users.

6.7. GSPs are permitted to sell authorized Services to other GSPs

6.8. Content broadcasting is subject to separate authorizations/ licensing from the relevant Government agencies.

6.9. General Class License supersedes and replaces any and all other Class licenses currently held by a Licensee and all Class licenses in force on the date of this Regulation.

6.10. Notwithstanding Article 6.9 above, existing Obligations shall remain in force after migration to General Class License, as per the duration stipulated in the Bylaw, unless terminated or amended through a Commission Statute.

6.11. The General Class License shall remain valid for a period of 1 year (one year), and is automatically renewed at the end of the year, unless amended or revoked by a Commission Statue.

6.12. Validity of each Service Authorization provided under the umbrella of the General Class License are valid as long as the service provider has a valid General Class License.

6.13. The GSP is required to notify CITC at least 30 days in advance of modifying an existing service, along with proof that it has fulfilled all requirements as per the Service Regulation of that particular service

6.14. Procedure to apply for a General Class License will be published by CITC separately on its website

6.15. CITC reserves the right to reject any application for General Class License that is deemed not to be in line with the objectives of the ICT Sector, as defined in Article Three of the Telecom Act.

7. General Conditions

7.1. The Arabic language version of these regulations shall be the official version. In case of any differences between the text of the official version written in the Arabic language and a translation into another language, the Arabic version shall prevail.

7.2. All licensed service providers shall comply with the Telecommunications Act, the Bylaw, the Ordinance, the conditions of this Regulation, and any CITC Decisions.

7.3. All licensed service providers shall comply with the 'General Conditions' prescribed in this Article 7

7.4. All licensed service providers shall comply with all other relevant Saudi regulations and laws as issued by other government authorities

7.5. All licensed service providers shall not engage in any practices that constitute abuse of market power due to the creation of a dominant market position pursuant to the provisions outlined in the Telecom Act and its Bylaws

7.6. **Emergency calls**: All licensed service providers are required to transmit all emergency calls to the respective public organizations responsible for handling emergency calls regardless of whether the user subscribes to the operator's service or not.

7.7. **Emergency services**: The Commission may require licensed service providers to offer emergency services including calling line information, caller location and information, and national roaming for emergency calling based on the developments in the market and technology.

7.8. **Continuity of services in emergency:** In an emergency and/or disaster situation as determined by the Government, the licensed service provider must allow the use of its services or facilities by the concerned Government Departments and is entitled to be compensated by these Departments for such use.

7.9. **Interconnection**: All licensed service providers are required to ensure that their infrastructure is interoperable and inter-connectable with the networks of other licensed service providers, and bear the cost of any modifications in its infrastructure required to maintain such interoperability and interconnectivity

7.10. If interconnection is required, the licensed service provider shall interconnect its network to any other networks belonging to licensed service providers in the Kingdom in accordance with the CITC Statutes.

7.11. **Sub-contracting**: Facility based licensed service providers may, after obtaining written approval from the Commission, sub-contract with other persons to provide functions required by the service provider to support the telecommunication services it is permitted to provide under its license. Sub-contracting shall not affect any obligations under the licensed service provider's license conditions or the

Commission Statutes and shall continue to remain the responsibility of the service provider.

7.12. **Numbers**: CITC will assign the numbers required by the licensed service provider to provide the licensed services in accordance with the provisions stated in the National Numbering Plan and decisions regulating the assignment of numbers. The licensed service provider shall use such numbers in accordance with Commission Statutes and any decisions and regulations issued by CITC to regulate numbering.

7.13. **Signaling point codes**: Signaling point codes required by the licensed service provider to provide licensed services shall be assigned by CITC in accordance with the provisions stated in the Signaling Numbering Plan and Guidelines, and related CITC regulations.

7.14. **Security requirements**: Facility based licensed service provider must ensure the provision of facilities through which security monitoring equipment can be connected to these networks. The Security Department shall be responsible for all reasonable costs of such security monitoring equipment, for operating and maintaining such equipment, and for the provision and operation of any needed interconnecting circuits.

7.15. **Periodic reporting**: The licensed service provider shall submit periodical reports to CITC and shall provide any other information requested by CITC. CITC shall determine the reports, the information required, and the timing of their submission.

7.16. **Payment of fees**: The licensed service provider shall pay to the Commission the fees as per the 'Regulatory Framework on Fees' issued by CITC by the Council of Ministers resolution No. 196 dated 04/04/1440H and any future updates to this regulation.

7.17. **Spectrum**: The licensed service provider shall obtain a separate spectrum license where applicable, from the CITC in order to use any frequencies allocated for the purpose of providing the specified licensed services only

7.18. CITC has the right to amend the terms of this License Classification Regulations in the future in accordance with Commission Statutes and for the benefit of the public.

7.19. **License territory**: All licensed service providers are to offer licensed services only within the territory of the Kingdom of Saudi Arabia

7.20. **Cancelling of license**: If a licensed service provider intends to cease offering all services, it shall submit a written request to CITC requesting approval to cancel its license. The licensed service provider shall settle all outstanding obligations with CITC and any other affected party including its subscribers prior to ending its services.

7.21. **Violation and penalties**: Violations and penalties related to the license shall be dealt with in accordance with the CITC statues

7.22. **License amendment**: CITC is entitled to amend this License in accordance with its Statues and public interest requirements.

7.23. **License re-assignment**:

7.23.1. Re-assignment of a license is subject to provisions of Article 23 of the Telecommunications Act and its Bylaws.

7.23.2. The Licensee may re-assign a License, after obtaining prior written approval from the CITC, on condition that the assignee fulfills all legal, technical, financial and commercial requirements to obtain the License pursuant to the CITC decision and in compliance with its statutes

7.24. **License revocation and suspension**: The CITC has the right to revoke or suspend the License, in accordance with Commission Statutes, if the Licensee commits an act justifying thereof

Appendix A: List of General Conditions, License Related Regulations, and Service Regulations and links to related documents

Name of License	Name of document containing General Conditions	Name of document containing License Regulations	Link to document
Unified License	Section 7. General Conditions in License Classification Regulations	Section 4. Unified License Regulations in License Classification Regulations	[URL]
Fixed FBP (Legacy license)	Section 7. General Conditions in License Classification Regulations	As per conditions of the license when it was issued	[URL]
DSP (Legacy license)	Section 7. General Conditions in License Classification Regulations	As per the conditions of the license when it was issued	[URL]
Wholesale License	Section 7. General Conditions in License Classification Regulations	Section 5. Wholesale License Regulations in License Classification Regulations and Wholesale Services Regulations (currently in Annex A5)	[URL]
General Class License	Section 7. General Conditions in License Classification Regulations	Section 6. General Class License Regulations in License Classification Regulations	[URL]

Name of Service under GCL	Name of document containing Service Regulation	Name of document containing Requirements to obtain Service Authorization	Link to document
Internet Service Provider (ISP) Service	Internet Service Provider Service Regulations		[URL]
Mobile Virtual Network Operators Service (MVNOs)	MVNO and IoT VNO Service Regulations	MVNO and Iot VNO Service Regulations	[URL]

Internet of Things (IoT) – Virtual Network Operator (VNO) Services	MVNO and IoT VNO Service Regulations	MVNO and Iot VNO Service Regulations	[URL]
Broadband Satellite Services	Broadband Satellite Service Regulations	Broadband Satellite Service Regulations Appendix 1	[URL]
Provision of Global Mobile Personal Communications Services (GMPCS)	GMPCS Service Provider Regulations		[URL]
Operation System and Networks of GMPCS	GMPCS Operator Regulations		[URL]
Call Center Services	Call Center Service Regulations		[URL]
Network Operations Center Services	Network Operations Center Service Regulations		[URL]
Mobile Communication Service Onboard Aircraft in KSA	Mobile Service on Aircraft Regulations		[URL]
Internet Services on Airplanes in KSA Airspace	Internet Service on Aircraft Regulations		[URL]
Short Messaging Service (SMS)	Short Messaging Service Regulations		[URL]
Audio Text (700) service	Audio Text Service Regulations		[URL]
VSAT System Communication Service	VSAT Service Regulations		[URL]
Automated Vehicle Location (AVL)	Automated Vehicle Location (AVL) Service Regulations		[URL]
Digital Certification Services	Digital Certification Regulations		[URL]
IXP services	IXP Regulations		[URL]
International Cable Landing Station	International Cable Landing Station Regulations		[URL]
Fixed Voice Reselling	Fixed Voice Reselling		[URL]

Services	Regulations		

Appendix B: Draft Unified License

Unified License

The Communications and Information Technology Commission ("CITC") issues this license to:

- [Name of Company]
- Commercial Registration No. [Registration No. and date issued]
- Date of License Issue: [Date of license issue in Hijri and Gregorian format]
- Date of License Expiry: [Date of license expiry in Hijri and Gregorian format]

The Communications and Information Technology Commission ("CITC") issues this Unified License to the above-mentioned operator to be able provide telecommunication services as per the

1. General Conditions for Licensees prescribed in the 'License Classification Regulations'
2. Unified License Regulations prescribed in the 'License Classification Regulations'
3. In accordance with all other relevant CITC's regulations
4. Additional special conditions (including Spectrum conditions) to this license are attached as an Annexure to this document.
5. Additionally, this license holder can provide additional service(s) as per the list of services prescribed under the Wholesale License or General Class License as long as it meets the Service Regulations of the particular service(s) it offers

Governor of the Communications and Information Technology Commission

[*Signature*]

[Seal of Governor of CITC]

Appendix C: Draft Wholesale License

Wholesale License

The Communications and Information Technology Commission ("CITC") issues this license to:

- [Name of Company]
- Commercial Registration No. [Registration No. and date issued]
- Date of License Issue: [Date of license issue in Hijri and Gregorian format]
- Date of License Expiry: [Date of license expiry in Hijri and Gregorian format]

The Communications and Information Technology Commission ("CITC") issues this Wholesale License to the above-mentioned operator to be able provide telecommunication services as per the

1. General Conditions for Licensees prescribed in the 'License Classification Regulations'
2. Wholesale License Regulations prescribed in the 'License Classification Regulations'
3. Requirements prescribed in the 'Wholesale Service Regulations'
4. In accordance with all other relevant CITC's regulations
5. Additional special conditions to this license are attached as an Annexure to this document.

Governor of the Communications and Information Technology Commission

[*Signature*]

[Seal of Governor of CITC]

Appendix D: Draft General Class License

General Class License

The Communications and Information Technology Commission ("CITC") issues this license to:

- [Name of Company]
- Commercial Registration No. [Registration No. and date issued]
- Date of License Issue: [Date of license issue in Hijri and Gregorian format]
- Date of License Expiry: [Date of license expiry in Hijri and Gregorian format]

The Communications and Information Technology Commission ("CITC") issues this General Class License to the above-mentioned operator to be able provide telecommunication services as per the

1. General Conditions for Licensees prescribed in the 'License Classification Regulations'
2. General Class License Regulations prescribed in the 'License Classification Regulations'
3. In accordance with all other relevant CITC's regulations
4. Additional special conditions to this license are attached as an Annexure to this document
5. Additionally, this license holder can provide services as per the list of services prescribed under the General Class License after obtaining a Service Authorization for each service that it wishes to offer. The list of Service Authorizations for each service shall form the Annexures to this license.

Governor of the Communications and Information Technology Commission

[*Signature*]

[Seal of Governor of CITC]

Appendix E: Draft Service Authorization

Service Authorization Annexure

The Communications and Information Technology Commission ("CITC") issues this Service Authorization to:

- [Name of Company]
- Commercial Registration No. [Registration No. and date issued]
- Holding [General Class License] issued on [Date of license issue in Hijri and Gregorian format]
- Service Authorization for [Name of service for which this Service Authorization is requested]
- Date of Service Authorization Issue: [Date in Hijri and Gregorian format]
- Date of Service Authorization Expiry: [Date in Hijri and Gregorian format]

The Communications and Information Technology Commission ("CITC") issues this Service Authorization to the above-mentioned operator to be able provide the specific service as per the Service Regulations for [Name of the service for which this Service Authorization is requested]. This Service Authorization will constitute an Annexure to the operators existing license

Communications and Information Technology Commission

[*Signature*]

[Seal of the Licensing Department]