

**THE EXECUTIVE REGULATION OF
THE TELECOMMUNICATIONS REGULATORY ACT**

**INTRODUCTORY CHAPTER
Definitions**

Article 1

- 1.** In implementing the provisions of this Regulation, any word or expression set out hereinafter shall have the same meaning as it has in the Telecommunications Regulatory Act, or in the Fixed and Mobile Licenses issued by the Royal Decree No. 20/2004, unless the context requires otherwise.
- 2.** The following words and expressions shall have the meanings shown against each one of them, unless otherwise specified or required by the context:
 - A. The Act:** The Telecommunications Regulatory Act referred to.
 - B. Fixed License:** Class (A) License for the provision of Public Fixed Basic Telecommunications Services.
 - C. Mobile License:** Class (A) License for the provision of Public Mobile Basic Telecommunications Services.
 - D. Member:** Full-time member including Chairman and members.
 - E. Applicant:** Includes its authorized agent.
 - F. Person:** Includes natural and juristic persons.
 - G. Number Blocks:** A group of numbers consisting of one hundred or one thousand consecutive numbers of the same range that are allocated to the Licensees for designation to customers.
 - H. Codes:** Numbers consisting of four digits starting with 1. There are two types of codes: Type A which is used to access public services and type B which is used to access services provided through a Licensee's public network.
 - I. Ranges:** Prefix, which is an indicator consisting of one or more digits to indicate the type of service to be reached.

CHAPTER ONE
Areas of Functions and Duties of the Members of the Authority
Article 51 (1) of the Act

Article 2 Subject to the provisions of Articles 8, 9 and 11 of the Act, the members of the Authority shall perform their functions and duties in the following areas:

- (1) Licensing, including preparation of the License Forms, granting such Licenses and monitoring their execution, determining and collecting their fees and initiating universal service tenders.
- (2) Industry, including monitoring anti-competitive behavior, tariff, interconnection, dispute resolution, customers' complaints and general consultations.
- (3) Technical services, including engineering, quality, technical criteria, equipment type approval, numbering, management of numbering and domain names plan and management of radio spectrum allocation.
- (4) Formulate a long-term strategy to achieve the Authority's basic objectives and issue the necessary decisions and guidance to implement this strategy and review it on a regular basis.
- (5) Keep abreast of the developments in the telecommunications sector and the other associated sectors.
- (6) Improve and enhance the Authority's image with the Licensees and the customers.
- (7) Formulate the Authority's business plan.
- (8) Manage the Authority's financial resources efficiently and effectively.
- (9) Approve the Authority's financial obligations within its authorized jurisdictions.
- (10) Appoint executive employees and specialists for the necessary exercise of the Authority's functions.
- (11) Provide guidance to the Authority's employees for purposes of developing their fields of work in line with the Authority's objectives.
- (12) Participate in representing the Sultanate in regional and international organizations, unions, committees and forums specialized in the telecommunications field.
- (13) Any other fields related to the Authority's functions as assigned to the Members by the Minister.

Article 3 Without prejudice to the generality of the Authority's functions, primary responsibility shall be assigned to each Member upon his appointment by a resolution from the Chairman, in the areas stipulated in Article 2 which are determined by the Authority according to its organizational structure.

CHAPTER TWO
Meetings of the Authority's Members
Article 51 (2) of the Act

- Article 4** Members of the Authority shall meet at such times and at such places as they may see appropriate. At least twelve meetings shall be held in a year.
- Article 5** The Chairman shall preside over the meetings in which the issues relating to Article 11 of the Act are to be decided and any other issues the discussion of which in a meeting chaired by the Minister is regarded necessary by one of the members. Chairmanship of other meetings shall be by annual rotation between the members.
- Article 6** The Chairman may at any time call special meetings of the members of the Authority within three days of the receipt of a request for that purpose signed by two members.
- Article 7** The quorum of any of the Authority's meetings attended by the Chairman shall be three members and two members for the other meetings. Where it is considered necessary, any person may be invited to attend the meeting; however, such person shall not have the right to vote.
- Article 8** Recommendations and decisions shall be by the majority of votes.
- Article 9** Where a member has an interest as stipulated in Article 42 of the Act in a matter enlisted in the agenda, such member shall disclose this interest and shall withdraw from the meeting while this issue is being discussed.
- Article 10** In case a member is absent or is unable to attend for more than seven days, he shall provide a written authorization to another member determining the jurisdictions authorized to him.
- Article 11** The Authority shall designate a person from among its staff to act as a secretary who shall be responsible for preparing agenda and circulating it to the members along with documents relating to the issues contained in the agenda at least seven days prior to date of the meeting.
- Article 12** The secretary shall take the minutes of meetings with details of venue and date of meeting, names of attendees and their designations and the issues considered, discussions made and decisions and

recommendations taken, issues postponed and reasons for postponement. The secretary shall record the agenda and the relevant documents and the minutes in a special register that is kept in his custody. Minutes of meetings shall be signed by the members present and the secretary.

CHAPTER THREE

Declarations of members and employees of the Authority

Article 51 (3) of the Act

Article 13 Each member and each executive employee or specialist shall at the commencement of his tenure or employment at the Authority, and within the first week of each year thereafter, submit the declaration set out in Article 42 of the Act on the form designed for this purpose.

Article 14 If the interest arises at any time after the submission of the first or annual declaration, each one of those stated in Article 13 shall submit the declaration of this interest not later than seven days of his becoming aware of it.

Article 15 Subject to the provisions of Article 9 any member or staff, shall in any of the conditions set out in Article 42 of the Act, notify the Chairman and shall withdraw from looking into the matter.

Article 16 Without prejudice to the provisions of Article 67 of the Act, failing to submit the declaration at the times specified in Articles 13 & 14 shall result in obliging the member or the employee to pay a sum of money estimated by the Authority that does not exceed R.O 500/=.

Article 17 The Authority shall designate an employee to be in charge of receiving the declarations set out in Articles 13 & 14, and recording them on the date of their receipt in the declaration register. The declarer shall be given a signed receipt on the same date on the form designed for this purpose. The register and the declarations shall be in the custody of the designated employee.

CHAPTER FOUR

Applications for licenses, and procedures for examining them

Article 51 (4) of the Act

Article 18 Applications for any of the Telecommunications Licenses or the Radio Licenses shall be submitted to the Authority on the application form prepared by the Authority for this purpose after obtaining the form against payment of the prescribed fee.

Article 19 The applicant shall deliver the application form to the employee-in-charge against obtaining an acknowledgement receipt issued by the employee on the same date and on the form designed for this purpose and shall sign it. The employee shall record the application in the applications and licenses register on the same date and shall present it to the concerned member.

Article 20 Within ten days of receiving the application the Authority shall request the applicant to pay the application fees required for examining the application. By no way will the application be considered if such fees have not been paid within ten days of requesting the payment.

Article 21 The Authority shall examine the application after receiving payment of the prescribed fees in accordance with the provisions of the Act in respect of the Telecommunications Licenses and Radio Licenses. The Authority may request the applicant to furnish the information necessary for the application to meet its legal conditions at the time specified which is not later than four months for (Class I) License application, three months for (Class II) License application, and two months for (Class III) License application and the Radio License. In all cases, the application will by no way be considered if the requirements of the Authority were not met during any of the above periods.

Article 22 The authority shall decide on the application within thirty days of the application's fulfillment of its legal conditions in accordance with Article 21 and shall notify the applicant of its approval or rejection of the application. In case of rejection, reasons for rejection shall be stated in the notification.

Article 23 By the end of the thirty days period mentioned in Article 22 the Authority shall submit to the Minister its decision approving the License application (Class I & II) so that:

- 1. For (Class I) License:** The Minister submits within thirty (30) days of his notification by the Authority's decision a recommendation to issue a Royal Decree for issuing the License, or notifies the Authority and the applicant within the same period of the rejection of the application for reasons relating to the national security of the Sultanate or to its international relations.
- 2. For (Class II) License:** The Minister issues, within thirty (30) days of his notification by the Authority's decision, a decision to grant the License, or notifies the Authority and the applicant within the same period of the rejection of the application for

reasons relating to the national security of the Sultanate or to its international relations.

Article 24 The Authority shall issue a decision to grant (Class III) License or the Radio License in accordance with the provisions of Articles 30& 31 of the Act and shall hand to the applicant an approved copy of (Class II or Class III) License or the Radio License against the applicant's signature acknowledging receipt in the applications and licenses register.

CHAPTER FIVE
Conditions of the License
Article 51 (5) of the Act

First: Conditions of (Class I) License

Article 25 Subject to the provisions of the Act, (Class I) License should include the following:

- 1) In the Fixed License: Conditions governing System Expansion, Universal Service and connection of terminal equipment.
- 2) In the Mobile License: The condition governing the coverage.
- 3) In both Fixed and Mobile Licenses:
 - a. Definitions and General Provisions of the scope, Connection, Royalties and License Fees, Duration, Modification, Expiration, Compliance and Notices.
 - b. Conditions governing Licensed Services: Provision of Public Emergency Call Services, Provision of Directory Information Services, Provision of Access to Operator Assistance Services, Public Emergency and National Security, International Services, Customer Obligations, Quality of Service Requirements, Provision of Maintenance Services, Interruption to the Licensed Services, Charges, Terms and Conditions, Provision of Access services, Provision of Serviced for Resale, Third Party Service provision, Interconnection, Interoperability and Technical Standards, Billing, Numbering, Radiocommunications and Frequency Allocation, Employees Obligations, Privacy and Confidentiality, Prohibition of Unfair Cross-Subsidy, Undue Discrimination and anti competitive Practices, accounting Requirements, Requirement to Provide Information, Pre-notification in change of shareholding, License Fees, Property Rights, Transfer of Rights and Obligations, Disputes and Penalties.

c. Annexes.

Article 26 The authority shall prepare and publish the Telecommunications License and the Radio License Specimen Forms, including the terms and conditions of each License in accordance with the provisions of the Act and this Regulation, that are characterized by transparency and equity to all Licensees.

Second: Penalties imposed on the Licensee in case of violating the License Conditions

Article 27

1. Without violating any of the penalties set out in the License, or any penalties set out in the Act and the other laws and Executive Regulations, if the Licensee fails to remedy any default arising from violating any of the Licensing Conditions, the Authority shall issue a decision to impose an amount not exceeding double the costs necessary to remedying the default.
2. Prior to issuing its decision to impose the amount, the Authority shall inform the Licensee in writing of the Licensee's violations and of the relevant Conditions, and the Licensee shall be given a reasonable period to be estimated by the Authority of not less than fifteen (15) days and not exceeding thirty (30) days to submit a plan for remedying the default resulting from the violation that includes the period required for its implementation. The Authority may approve the plan and notify the Licensee to implement it.
3. If the plan was not approved by the Authority, or if the Licensee fails to implement the plan within the specified period, the Authority shall issue a decision to impose the amount set out in Para 1 of this Article and the Licensee shall pay the amount to the Authority within the period specified in the License which is computed as from the date of the Licensee's notification of the decision.
4. Contesting the decision issued to impose the amount in accordance with the provisions of Article 50 of the Act shall not prevent payment of the amount within the period specified in Para 3. Where a delay of payment occurs beyond

this period, the Licensee shall incur the interest or the delay penalty set out in the License.

CHAPTER SIX
Type-approval of Telecommunications Equipment
Article 51 (6) of the Act

Article 28

1. No person shall use or connect any telecommunications equipments unless such equipments were approved by the Authority or were compatible with the Authority's approved technical specifications or criteria. The telecom equipments that are actually used at the date on which the Act has come into force shall be considered approved unless the Authority decides to amend or cancel any approved equipment in accordance with Article 35 of this Regulation.
2. The Authority shall publish a list of the type-approved Telecommunications equipments in the Sultanate.

Article 29 The Authority shall issue and publish the internal regulations organising the connection of the approved telecommunications equipment with the telecom systems and shall issue result certificates of examining or inspecting the telecommunications equipment for the purpose of connecting them with any telecommunications system in light of the technical standards as approved by the international organisations and their specialised agencies.

Article 30 No person shall manufacture, import, sell, lease, offer for sale or lease telecommunications equipments unless these were type-approved or conforming to the Authority's approved technical specifications or criteria. Such equipments shall bear a mark from the Authority showing their certification by the Authority or their compatibility with the Authority's approved technical specifications or criteria.

Article 31

1. All those mentioned in article 30 shall submit a request to the Authority to obtain a type-approval certificate for the unapproved telecommunications equipments or for the equipments that are incompatible with the Authority's approved technical specifications or criteria on the form designed for this purpose and against payment of the prescribed fee.
2. After submission of the request, the Authority may:

- A. Carry out, at the Applicant's cost, the necessary measurements and tests to verify the compatibility of the telecommunications equipments under request with the Authority's approved technical specifications or criteria in a recognised laboratory, inside or outside the Sultanate.
- B. Grant the Type-Approval certificate through requesting the Applicant to prove that the equipments are in conformity with the Authority's approved technical specifications or criteria.

Article 32 The equipments that are issued with type-approval certificates must bear a mark from the Authority showing their certification by the Authority.

Article 33

1. The Authority may recognise laboratories or local and international bodies for type-approval and publish a list of their names and addresses. All telecom equipments approved by them shall be considered as approved by the Authority and shall be subject to the preceding article.
2. The Authority may enter into Memoranda of Understanding with local or international bodies on mutual recognition of type-approval.

CHAPTER SEVEN

Amendment or revocation of type-approval certificates, examination or inspection charges, issue, amendment or revocation of certificates

Article 51 (7) of the Act

Article 34 The Authority may amend or revoke the type-approval certificates if it was of the opinion that the telecommunications equipments that are issued with certificates and are properly connected or installed may endanger the safety and health of any persons or any domestic animals or property or the operator's network or staff, or that such equipments do not comply with the requirements published by the Authority.

Article 35 The Authority shall charge type-approval fees in accordance with the decision No. 45/2003 for the examination, inspection, issue and amendment or revocation of certificates.

CHAPTER EIGHT
Systems and services of telecommunications
equipments and their specifications
Article 51 (8) of the Act

- Article 36** The licensee shall comply with all international technical and regulatory standards applicable to Telecommunication services that are used or provided by the Licensee e.g. ITU standards or standards set out or approved by the Authority.
- Article 37** The technology of the telecommunications equipments systems and services used or provided by the Licensee must comply with the technical standards issued by the Authority from time to time, and the Licensee shall submit to the Authority its plans for signaling, transmission, switching and synchronization.
- Article 38** The Licensee shall comply with any regulations, technical specifications and rules issued by the Regulatory Authority in order to ensure interoperability of the Licensee's services and Systems with the Telecommunications Services and Systems provided by another Licensee to the extent technically and economically feasible.
- Article 39** The Licensee shall ensure that all equipments comprised in (and connected to) the licensed systems and used in the provision of the Licensed Services are approved in accordance with Article 8 (6) of the Act or the following article.
- Article 40** The telecommunications technical equipments shall be compatible with the specifications laid down by the ITU standards and the standards issued by the Authority.
- Article 41** The following must be provided in the communications network of the Licensee:
1. The network must be technically sound and must conform to ITU standards and the standards issued by the Authority.
 2. The network should have an adequate capacity for expected traffic volume and the services offered and should have the capability for expansion.
 3. The network should be able to support a satisfactory quality of service to meet the targets as given in the license. TRA may review the standards it issues from time to time in order to achieve a service compatible to that of International level.

CHAPTER NINE
Rules and Procedures relating to Numbering
and Domain Names Plan
Article 51 (9) of the Act

First: The Numbering Plan

Article 42 The numbers allocated by the Authority to the Licensees and the personal numbers allocated by the Licensees to the beneficiaries are considered as a national resource the ownership of which shall not be transferred to any party or individual upon allocation.

Article 43 The Authority shall set up and print the Numbering Plan in a document to be available to interested parties against payment of the price determined by the Authority. The Plan shall be managed and controlled by the Authority in accordance with the following rules and procedures:

FIRST: Rules for setting up the Plan:

1. Full compatibility with relevant international agreements, standards and recommendations.
2. Availability of sufficient numbers to meet reasonable demand of Licensees and beneficiaries.
3. Different types of numbers shall give indication of the service and the tariff.
4. Use of decimal character set of (0-9) for all number allocations.
5. Letters and other non-decimal characters shall not normally form any part of the Numbering Plan.
6. Allocation of short codes for public access to Licensed Services and Emergency Services.

Second: Rules and procedures for managing and controlling the Plan:

1. The Plan shall determine the eligibility criteria for the allocation of numbers, codes, ranges, allocation criteria and all the data and the information that need to be incorporated into the allocation requests, or reservation of the numbering capacity and procedures and time for application, reservation period and cancellation of reservation, conditions for using numbers, codes and allocated ranges, procedures for submission and consideration of complaints such as rejection

or amendment of applications, and any other matters that the Authority may see appropriate to include in the Plan.

2. Publication of additional annexes to the Plan after consultation with the Licensees, beneficiaries and the other relevant stakeholders. The normal consultation period shall not be less than ninety (90) days, and in exceptional cases it shall not be less than thirty (30) days. The Licensees shall in all cases be given a period not less than ninety (90) days to adjust their positions in accordance with the above annexes.
3. Review and amendment of the Plan from time to time, in full or in part, by the Authority or based on a written request from a Licensee having a substantial interest in the amendment. The effect of the amendments made by the Authority shall be minimal to the beneficiaries.
4. Preparation and publication of an annual report to organise the usage of the Plan.
5. If more than half the numbers allocated to a Licensee were transferred to another Licensee, numbers shall be re-allocated to the latter. In cases other than this, numbers, codes or ranges shall be re-allocated based on a written request from both the Licensee who was allocated numbers, codes or ranges and the other Licensee who will have a re-allocation.
6. The Authority may, without any liability, withdraw the numbering capacity allocated, in part or in full, if its continued use is not in compliance with the standards set out in the Plan or in the allocation conditions after consultation with the interested parties for a period of not less than forty five (45) days. The withdrawal notice shall be for ninety (90) days following the consultation period during which the Authority allocates other numbers in accordance with similar standards.
7. Without violating the confidentiality in accordance with the numbering capacity reservation request, the Authority shall publish the details of allocating and reserving numbers, including ranges of numbers allocated, reserved or withdrawn, and names of parties to whom such numbers were allocated, reserved or withdrawn from, date of expiry of allocation, reservation or withdrawal, names of parties to whom they were re-allocated and date of expiry of re-allocation.

8. Taking any measures the Authority deems necessary for managing and controlling the Plan.
9. Before opening any new ranges or specific parts of ranges or making any changes to the Plan, the Authority shall issue a public notification for at least forty five (45) days to invite the Licensees to express interest in obtaining short codes on the date specified by the Authority for this purpose. The Authority shall notify the ITU-T of the changes made to the Plan and shall ensure that such notification is given in the ITU-T Operational Bulletin and shall, where appropriate, notify any parties not subscribing in this Bulletin,.
10. Maintaining comprehensive records and a database on the status of all number ranges, codes and blocks of numbers in consistence with the Plan.

Article 44 The Authority shall allocate and reserve the number ranges, codes, and blocks of numbers based on “first come first served” principle and according to fair, equitable and transparent procedures as determined by the Authority, and subject to the following:

1. Written requests shall be submitted containing all information specified in the Plan in accordance with the clause 1 in the second item of the preceding Article.
2. Fees shall be paid in advance.
3. Allocation or reservation shall be made within a reasonable period of at least forty five (45) days and not exceeding ninety (90) days after payment of the prescribed fees and subject to the following rules:
 - I. The request shall meet the conditions of the Plan for its sound management.
 - II. The anticipated growth in the demand for allocation of numbers.
 - III. Conservation of numbering capacity in all ranges.
 - IV. The utilization of previous numbering allocations, including any numbers made available for porting.
 - V. Considering the numbers allocated in the current Numbering Plan and the laid down rules of the numbering standards.

- VI. The extent to which the proposed use of the numbering range is considered appropriate.
- VII. Consideration of the relevant conditions of the Telecommunications Licenses and the wishes of the applicant, to the greatest possible extent.
- VIII. Consultation, where appropriate, with applicants and other interested parties.
- IX. Notification of the applicant in writing of the assignment or reservation that shall appear in the updated version of the Numbering Plan as published from time to time by the Authority.
- X. The ITU shall be notified of the assignment of numbers, number series for the purpose of inclusion in the ITU's Operational Bulletin.

Article 45 Licensees who have received allocations of numbers shall act in accordance with the following:

- 1. Adopt and publish a numbering plan for such numbers or codes allocated to them in accordance with the Numbering Plan.
- 2. Use allocated numbers for the purposes stipulated in the allocation.
- 3. Comply with the relevant terms and conditions of numbers and codes allocated to them.
- 4. Observe the efficiency and effectiveness in the use of the allocated numbers.
- 5. Use the numbers and codes allocated within six (6) months of notifying the Licensee of the allocation; failing which, the Authority may withdraw the unused numbers and codes, after consultation with the Licensee for a period of not less than forty five (45) days. The withdrawal shall be subject to a notice period of ninety (90) days following the consultation, along with refunding the number charges paid for the remaining quarter or quarters of the year.
- 6. Return the unneeded numbers or codes to the Authority at the earliest opportunity, against retrieving the charges paid for the remaining quarter or quarters of the year.

7. Co-operation shall take place between Licensees on the development of number portability between the Licensees to ensure that a customer is able to retain his number if he decides to change his subscription to another Licensee.
8. Maintain a register of the portable numbers that are ported to another Licensee. The Authority and the other Licensees shall have the right for the inspection of such register.
9. When advertising or issuing any publicity material, Licensees shall not brand numbers, nor associate a number range with a given Licensee.
10. Submit an 'Annual Numbering Return' to the Authority within forty five (45) days of the Licensee's calendar year end. Such Annual Numbering Return shall contain the information outlined in the Authority's guidelines and any other information requested by the Authority at any time regarding the use of the allocated numbers or codes.
11. Notify the Licensees in the Sultanate, and overseas where appropriate, when activating a number and code allocation within the timescale determined by the international standards issued by the ITU.
12. Provide the Authority, on an ongoing basis, with a list of the contacts to whom notifications are sent to advise the operation dates of allocated numbers or codes. The Authority shall keep these lists and make them available upon request or need.

Article 46 The Authority shall publish a list of the annual fees for the allocation and reservation of numbers and codes after being determined in proportion to the Licensee's benefit, and subject to the costs of managing and controlling the plan. Such fees shall be collected on the basis of the quantity and type of numbers and codes allocated or reserved and the reservation period in accordance with the following:

1. For allocated numbers or codes, fees shall be collected in advance for a full year.
2. For numbers or codes allocated during the year, charges shall be collected in advance for the remaining quarters of the year, including the quarter when the allocation was made.
3. The Authority shall withdraw the allocation of any numbers or codes where the annual charges are not paid in advance.

4. Charges for reserving the numbering capacity shall be collected quarterly in advance, including the quarter in which the reservation is made.

Article 47 The Authority shall determine and collect the allocation charge for premium numbers and shall deposit the proceeds in a special account to be spent in the public good purposes. Such numbers shall not be relinquished unless the Authority's approval is obtained and after payment of the prescribed fee.

Second: Domain Names

Article 48

The Authority shall set up the domain names including the rules and procedures to allocate, reserve, assign, modify and withdraw domain names, and shall print it in a document to be available to interested parties against payment of the price determined by the Authority. The Plan shall be managed and controlled by the Authority in accordance with the following rules and procedures:

1. The Authority shall be the sole manager of Oman's Top Level Domain (TLD) as defined by ISO 3166 and Oman's second level domain.
2. The Authority may set up an advisory committee with representatives from the Licensees and the beneficiaries to assist the Authority in the allocation and management of the domain names.

Article 49 All applicants for domain names must satisfy one of the following criteria:

1. Must physically reside in the Sultanate.
2. Must belong to an entity registered in the Sultanate.
3. Must belong to an entity that provides goods and services physically in the Sultanate.

Article 50 The Authority shall publish a list of the annual fees for the allocation, reservation, assignment and modification of domain names after being determined in proportion to the Licensee's benefit, and subject to the costs of managing and controlling the plan. Such fees shall be collected in accordance with the provisions of article 46.

Article 51 The Authority shall determine the fee for the allocation of premium names and it shall be subject to the provisions of article 47.

CHAPTER TEN
Records
Article 51 (10) of the Act

- Article 52** The Authority shall establish and maintain a register of:
1. The authority's meetings.
 2. Notifications.
 3. Regulations, orders, decisions and guidelines of the Authority.
 4. Applications and telecommunications licenses.
 5. Interconnection agreements entered into between the Licensees, copies of which must be deposited with the Authority.
 6. Type-approval certificates and their amendments or revocation.
 7. Allocated or reserved numbers, ranges and blocks.
 8. Allocated or reserved domain names.
 9. Licenses, stations and Radio telecommunications equipment.
 10. The national register for the allocation radio frequencies.
 11. Judicial judgments issued in telecommunications matters.
 12. Issued minutes according to Chapter Thirteen.

Article 53 The Authority shall assign a number of registers to an employee who shall be individually in charge of making records on them. Such records shall be in his custody and under his responsibility.

Article 54 Without violating the provisions of articles 17 & 19 the employee in charge shall make records in the registers in his custody by following the rules and procedures outlined in the guidelines issued by the Authority according to the provisions of article 55.

CHAPTER ELEVEN
Exemption from recording in the registers, their perusal and the perusal fees
Article 51 (11) of the Act

Article 55 The Authority shall enter into each of the registers specified in article 52 all the relative information, with the exception of what the Authority considers, by a resolution, as classified or contravening with the exigencies of national security or public interest.

Article 56 Any person of interest may have the right to peruse the information entered into the registers specified in article 52 in the presence of the employee in charge of the register and under his control during the hours determined by the Authority against payment of the prescribed fee. Copies of any register pages may be obtained against payment of the prescribed fee.

Article 57 The Authority shall determine the fees specified in the preceding article to the extent sufficient to cover the cost of managing each register for an amount not exceeding RO 50.000 for perusal of the whole register and RO 5.000 for each page of it. The latter fee shall be doubled where copies of the register pages are requested.

CHAPTER TWELVE
Performance Evaluation
Article 51 (12) of the Act

Article 58 The Authority shall issue the rules regulating the Licensee's maintenance of the operation and accounts registers, the distribution of costs and making entries into them, and shall monitor the Licensee's compliance with them.

Article 59 The Authority shall request the Licensee to submit within a reasonable period the information it specifies on the levels of performance achieved and their cost in relation to each of the Licensed Services in accordance with the conditions of the License.

Article 60 The Licensee shall provide the Authority with the information specified in the preceding article within a specific period, unless an excuse acceptable to the Authority is given by the Licensee to exceed this period.

Article 61 If the excuse was not acceptable to the Authority or the information provided were found to be unsatisfactory, a fine shall be inflicted on the Licensee at 1% of the total cost of service or services under evaluation.

Article 62 The Licensee shall pay the fine stipulated in the preceding article within (15) fifteen days of its notification by the Authority's decision. In case of delay of payment, the Licensee shall be liable to article (68) of the Act.

Article 63 Payment of the fine or application of article (68) of the Act to the Licensee shall not hinder requesting the Licensee to again provide the information specified in article (59). In this regard the provisions of the preceding articles shall be applicable and the request shall continue till the Licensee provides the performance evaluation information required by the Authority.

Article 64 The Authority shall annually publish the information provided to it in accordance with article (59), where appropriate. Such publication shall not include any issue in relation to any person if serious damages to his interests may result.

CHAPTER THIRTEEN

Other functions of employees vested with inspection authority

Article 51 (13) of the Act

Article 65 In the violations that do not constitute a crime as stipulated in Chapter 7 of the Act, the employees vested with the inspection authority shall:

1. Record any violation discovered during the exercise of the functions provided in articles 26 & 35 of the Act in minutes signed by them. All necessary measures shall be taken to maintain evidences of the violation and its recording in the minutes.
2. Accept any reports or complaints submitted on any violation, scrutinize the report or complaint, gather information on the violation, carry out investigations and record them in minutes to be signed by them.
3. Record in the minutes the representations made by the violator and by all those having information while obtaining their signatures. The employee may seek assistance of experts.
4. Documents shall be recorded in the relevant register and forwarded to the concerned member for necessary action.

Article 66 In the violations that constitute a crime as stipulated in Chapter 7 of the Act, if an employee vested with the inspection authority learns of or is informed of an incident constituting such crime, he shall immediately notify the public prosecution of it and shall move on to the location of the incident and make the necessary examination, collect any findings that may assist investigation and follow all other procedures necessary to maintain evidences of the crime. He shall record all the procedures in minutes to be signed by him and shall state the time of doing the job or taking the procedure and its place. The minutes shall contain signatures of witnesses and experts who were heard and shall be sent to the public prosecution along with the captured items after being recorded in the relative register, and the member concerned shall be informed.

Article 67 Employees vested with the inspection authority shall, while gathering evidences of any incident that constitutes a crime as stipulated in Chapter 7, hear representations of those having information on the incident and its perpetrator, ask the accused and seek assistance of experts. However, they may not bring witnesses or experts under oath unless it is feared no testimony will be later given under oath. They shall record in the minutes the statements of the accused and his defense. If confession to the crime is given, it should be recorded in the minutes and the accused shall be referred to the public prosecution to verify his statements. None of the employees may initiate investigations.

Article 68 If any of the employees vested with the inspection authority sees, during the course of gathering evidences that it is necessary to search a person or a private residence without the owner's permission, he has to obtain a permission from the public prosecution and he must use the means of search and enquiry that is not detrimental to individuals or constraining to their freedoms.

CHAPTER FOURTEEN
Publication of the Authority's final accounts
(Last Para) of Article 15 of the Act

Article 69 The final accounts of the Authority shall be published within thirty (30) days of approval by the Financial Affairs and Energy Resources Council in the Gazette as well as in two local newspapers in both Arabic and English languages. The final accounts shall also be published in the latest annual report to be issued by the Authority after their approval.

Article 70 The final accounts published shall include the following:

1. Full details of the Authority's annual budget.
2. The resources set out in article 16 of the Act.
3. The loans borrowed by the authority in accordance with article 11 (4) of the Act.
4. The government funding of the authority in accordance with article 18 of the Act.
5. The capital costs and expenses spent in the establishment of the Authority, in the first final accounts to be published.
6. The expenses as stipulated in article 16 of the Act.
7. Name and address of the auditor or auditors.

CHAPTER FIFTEEN

Formulation of the Arbitration Authority and procedures for consideration and resolution of disputes (Para 2) of Article 28 of the Act

Article 71

1. Provisions of Chapter Three of the Arbitration Act in the civil commercial disputes issued by the Royal Decree No. 47/97 shall be applicable with regard to the formulation of the Arbitration Authority.
2. Provisions of Chapter 4,5,6 & 7 of the said act shall be applicable with regard to the procedures regulating consideration and resolution of dispute.

Article 72

1. Without violating the provisions of article 47 of the said Act, a person in whose favor a judgment has been issued shall deposit with the court the original judgment or a signed copy of it in the language in which it was issued.
2. The employee in charge of the register of judicial judgments in telecommunications matters shall issue minutes on depositing the original judgment or its signed copy and shall record the judgment and the minutes in this register and both shall be in his custody. Both parties to the arbitration may obtain a copy of the minutes.

CHAPTER SIXTEEN

Agreements preventing or limiting market competition Article 40 (2) of the Act

Article 73 Direct or indirect co-ordination between two or more Licensees shall be regarded as an agreement with other parties for the purpose of preventing or limiting market competition to achieve any of the following in the telecommunications market:

1. Fixing the tariff or other service conditions.
2. Pre-selection of a person as a winner of a contract or a job opportunity.

3. Division of shares between Licensees.
4. Any other agreement regarded by the Authority as preventing or limiting competition.

CHAPTER SEVENTEEN
Licensing by using encryption
in telecommunications or computer networks
Article 48 of the Act

Article 74 In the License as stipulated in article 48 of the Act, the License shall determine the persons who are allowed operation and its conditions and the controls for maintaining the decryption key in accordance with a decision issued by the Minister including the fees for issuing the License, in co-ordination with the parties concerned.