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DECISION No. (80/2013)

Issuance of Regulation on the Provision of Automated System for Vehicles Management Service

Pursuant to the Telecommunications Regulatory Act issued by Royal Decree No. 30/2002 & its amendments,

And to the Executive Regulations of the Telecommunications Regulatory Act issued by Decision No. 144/2008,

And Decision No 116/2012 on the Exemption of Some Telecommunications Services from the Obligation to Obtain Telecommunications Licenses Stipulated in the Telecommunication Regulatory Act;

And to the approval of the Board of Directors in the Authority meeting No. 1/ 2013 dated 11/2/2013,

Based on what the public interest.

It is decided

Article I:	The attached regulations shall be enforced with regard to the Provision of Automated System for Vehicles Management Service
Article II:	With respect to the attached regulation, addressees shall ensure to adjust their situation in accordance with its terms within a period not exceeding thirty (30) days from the date these regulation became operative.
Article III:	All decisions contradict or conflict with this decision shall be cancelled.
	This Decision shall be published in the Gazette and shall become operative from the date following its publication.

Mohammed bin Hamad al-Rumahy

Chairman of the Telecommunications Regulatory Authority

Issued on: 20 Thu AL-Qeda 1434
Corresponding: 26th September 2013 A.D

Regulation on the Provision of Automated System for Vehicles Management Service

Article (1): In the application of this regulation, Automated Vehicles Management Service means the Service of determining and transmitting the geographic location of a transportation or distribution vehicles such as trucks, containers and equipment or moving objects by using technical systems to determine location such as GPS via systems or authorized and licensed mobile networks that are authorized by the TRA for usage in Oman, with exemption of telecommunication systems via satellite.

Article (2): The provision of the automated vehicles location service shall be after obtaining the necessary Authorization from the Authority.

Article (3): The Applicant shall file an application to the concerned department in the Authority, after filling the application form, copy of the following documents shall be attached:

1. Valid ID card or Passport for authorized person.
2. Valid Commercial Registration
3. Membership certificate to Oman Chamber of Commerce and Industry
4. List of Authorized employees & Copy of sample signatures
5. A technical brief of the system structure, explanatory drawings in providing the service, any other information requested by the Authority.
6. A plan regarding the mechanism of fulfilling the terms in this regulation.
7. A 30 (OMR) Bank Receipt for the application study.

Article (4):

- a. The Concerned department shall study the Application within period of (30) days its satisfactory submission in fulfillment of all necessary procedures and documents, the decision shall be justified; the applicant shall be notified of the reasons for the rejection.

With respect to the rejection decision, the Addressee shall file grievance to the Chief Executive within (60) days of notification; a decision on the grievance shall be made within 30 days of its application.

- b. In case the application is complete, the concerned department shall issue a provisional approval to enable the applicant to establish his private system for the service provision, preparing the data processing servers within (90) days of issuing the approval; the applicant shall notify the concerned department in writing after completing his preparation which shall not exceed the period above.
- c. After obtaining the notification mentioned in clause (b) by the concerned department, the applicant shall be notified to pay (80 OMR) as inspection fee where inspection done after paying the fees.
- d. In case the Authority approve the particular private system for the service provision, the applicant shall be notified to pay (50 OMR) as Authorization fee within (30) days of the notification; the Authorization shall be issued after payment prove is provided by the applicant.
- e. The application shall be considered cancelled in any stage, in all cases, if the applicant fails to fulfill any of the procedures or stick to periods stipulated in this Article.
- f. In accordance to the applicant appeal and with the presence of objective reasons justifying the case, the concerned department shall not stick to the stipulated periods in this Article.

Article (5):

- a. The authorization shall last for a period of 3 years, automatically renewed to a similar period with the same issuance fees, unless the authorized entity file a cancellation application 30 days before the Authorization expiry.

- b. In the event of a delay the authorized entity shall pay a fine of (10 OMR) for every 30 days on delay, in case of delay of paying renewal fees Statement for more than 90 days, the authorization shall be considered cancelled (null and void).

Article (6): In case of reissue, when lost, amend or in the case of waiver to others in accordance with the provisions of this regulation, the applicant shall pay (10 OMR) in each case.

Article (7): The authorized entity shall comply with the following:

1. SMSC and the equipment needed for service provision including transmitters, receivers, system management devices, subscriber data storage system, servers and call centers shall be located inside Sultanate of Oman. It is prohibited to transmit these data outside the Sultanate.
2. The service shall not be used in tracking private individual vehicle.
3. The necessary approval from any other relevant party shall be obtained.
4. Stickers to be affixed on vehicle for tracking, where an agreement may be made with the TRA on any other mechanism that indicate that the vehicle is subject to the Automatic Vehicle Location System.
5. Maintain the vehicle traffic for a period not less than 90 days and shall be made possible to the competent authorities upon request.
6. The necessary radio license shall be obtained, if required.
7. The systems used in the provision of service or the location of the data storage servers shall not be changed without obtaining the TRA approval.
8. The necessary arrangements shall be made to ensure the safety of the system operators and users around the clock.
9. Taking the necessary measures to ensure the reparation of the faults that may affect the safety or efficiency of the telecommunication system and equipment used in the provision of the service.
10. Maintain all data, technical charts for the telecommunication systems used in service provision and beneficiaries record and presented to the Authority or other party upon request.

Article (8): The authorized entity shall be allowed to waive the authorization to other party after the obtaining a writing approval from the Authority. The assignee shall provide all documents specified in Article 3 of this regulation.

Article (9): The authorization shall expire if the legal personality of authorized entity is dissolved, or entered the phase of liquidation or bankruptcy or any legal proceedings taken against or having a similar effect or waiver of property for the benefit of its creditors or for any other reason.

Article (10): Without prejudice to any penalty issued in the Telecommunication Regulatory Act and frameworks and decision issuing executing to, or in any other Act, the Authority in case of violating the provision of the regulations take any of the following procedures:

1. Impose a fine not exceeding (1000) one Thousand OMR per each breach.
2. Cancel the Authorization.