

TELECOMMUNICATIONS LAWS OF THE WORLD

Australia vs Qatar



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AUSTRALIA



Last modified 6 October 2022

OVERVIEW OF LEGAL LANDSCAPE

The Australian telecommunications regulatory landscape and regulatory perimeter is broad and complex.

The primary telecommunications legislation, the 1997 Telecommunications Act, removed barriers to participation and added to earlier legislation which was intended to permit facilities-based competition. The 1997 Telecommunications Act implemented an access regime applicable only to the telecommunications industry and also provided prohibitions against anti-competitive conduct.

The telecoms industry is heavily-regulated and has seen additional complexity arising through a governmental decision to support the construction of a National Broadband Network (NBN) and the incorporation of a wholesale only company to supply broadband services (NBN Co). This has resulted in significant regulatory changes (in particular, to shield NBN Co from certain types of competition). The current government has announced changes to the NBN, in particular potentially removing cross-subsidies between urban and rural areas which were intended to provide for a single, Australia-wide access price, as well as adjustments to its facility-based competition principle (which saw other operators connect fiber-to-the-building (FTTB) infrastructure to high-density, higher use buildings such as apartment blocks).

QATAR



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OVERVIEW OF LEGAL LANDSCAPE

Communications Regulatory Authority (“**CRA**”) is the communications regulator of the State of Qatar established by virtue of the Amiri Decree 42 in 2014. CRA regulates the telecommunications and information technology sector, the postal sector and the access to digital media. The country's primary service providers include only two licensees, which provide both fixed and mobile telecommunications services in Qatar. They are Vodafone Qatar and Ooredoo (formerly QTel). Each offers mobile, broadband, and fixed line services. [Ooredoo](#) is a state-majority owned company that is also responsible for building much of the country's telecom infrastructure. [Vodafone](#) is a private company also operates within Qatar under the Telecommunications Law. Both of these operators are listed in the Qatari capital markets.

Additionally, the Qatari Government has incorporated the Qatar National Broadband Network (QNBN), which was developed in order to provide passive access network infrastructure to these licensees. QNBN was incorporated by the government to provide passive dark fibre network infrastructure to telecommunication service providers on a wholesale basis, and owners and operators of private networks on a retail basis.

Qatar is considered one of the regional leaders in terms of its telecoms maturity, having one of the highest fixed and mobile penetrations in the world.

Until 2014, Qatar's telecoms sector was regulated by Supreme Council for Information and Communications Technology (“**ictQatar**”), which was part of the now Ministry of Transport and Communications.

Through various amendments and restructures of the regulatory framework in 2014, the CRA was established as an independent regulator and has taken over the role of ictQatar. Therefore, references to ictQatar in the applicable regulatory framework (below) are now taken to refer to the CRA.

Licenses

Individual Licenses

- Ooredoo QPSC:
 - Public Fixed Telecommunications Networks and Services (Oct. 7, 2007):
 - Unilateral administrative grant by the State of Qatar acting in the public interest through the Supreme Council issued pursuant to a decision of the Supreme Council authorizing the Licensee to provide the specified telecommunications networks and services pursuant to the terms and conditions of the license.
 - Public Mobile Telecommunications Networks and Services (Oct. 7, 2007):
 - Authorizes licensee to establish, install, operate and provide to the public on a non-exclusive basis the Authorized Telecommunications Services by means of the Authorized Telecommunications Networks in accordance with the requirements [contained in license].
- Vodafone Qatar QPSC:
 - Public Mobile Telecommunications Networks and Services (June 29, 2008):
 - This license shall provide Public Mobile Telecommunications Networks and Services in conformity with each of the network roll-out and Coverage Obligations [contained in license].
 - Amended Mobile Telecommunications Networks and Services (April 4, 2009):
 - This license shall provide Public Mobile Telecommunications

Networks and Services in conformity with each of the network roll-out and Coverage Obligations [contained in license].

- Amended Mobile Telecommunications Networks and Services (March 25, 2018):
 - Extension of the term of the license of Vodafone Qatar for the Provision of Public Mobile Telecommunications Networks and Services for forty years. License term: valid for period of sixty years beginning Effective Date.
- Public Fixed Telecommunications Networks and Services (April 29, 2010):
 - Unilateral administrative grant by the State of Qatar acting in the public interest through the Supreme Council issued pursuant to a decision of the Supreme Council authorizing the Licensee to provide the specified telecommunications networks and services pursuant to the terms and conditions of the license.
- Amended Public Fixed Telecommunications Networks and Services (April 29, 2010):
 - Obligations relating to provisions and quality of service to retail customers (as amended in March 2018).
- Qatar National Broadband Network Company “Qnbn” QPJSC:
 - Passive Fixed Telecommunications Networks and Services (July 22, 2012):
 - Unilateral administrative grant by the State of Qatar acting in the public interest through the Supreme Council issued pursuant to a decision of the Supreme

Council authorizing the Licensee to provide the specified telecommunications networks and services pursuant to the terms and conditions of the license.

- Amended Passive Fixed Telecommunications Networks and Services (Aug 30, 2018):
 - [Document Unavailable].
- Qatar Satellite Company “Es’hailSat”:
 - Public Satellite Telecommunications Networks and Services (Oct. 7, 2013)
 - Unilateral administrative grant by the State of Qatar acting in the public interest through the Supreme Council issued pursuant to a decision of the Supreme Council authorizing the Licensee to provide the specified telecommunications networks and services pursuant to the terms and conditions of the license.
- United Development Company QPSC:
 - Wholesale Fixed Telecommunications Networks (March 15, 2010):
 - Unilateral administrative grant by the State of Qatar acting in the public interest through the Supreme Council issued pursuant to a decision of the Supreme Council authorizing the Licensee to provide the specified telecommunications networks and services pursuant to the terms and conditions of the license.
- RigNet Qatar WLL:
 - Very Small Aperture Terminal (“VSAT”) Networks and Services (Dec. 22, 2010):

- Licensee is hereby authorized to establish, install, operate and provide to “Closed User Group” on a non-exclusive basis to the Authorized VSAT services by means of the Authorized VSAT Network in accordance with the requirements [contained in this license].
- Qsat Communications WLL:
 - Very Small Aperture Terminal (“VSAT”) Networks and Services (Dec. 22, 2010):
 - Licensee is hereby authorized to establish, install, operate and provide to “Closed User Group” on a non-exclusive basis to the Authorized VSAT services by means of the Authorized VSAT Network in accordance with the requirements [contained in this license].
- Harris Salam WLL:
 - Very Small Aperture Terminal (“VSAT”) Networks and Services (March 22, 2012):
 - Licensee is hereby authorized to establish, install, operate and provide to “Closed User Group” on a non-exclusive basis to the Authorized VSAT services by means of the Authorized VSAT Network in accordance with the requirements [contained in this license].

Class Licenses

- CLASS LICENSE for the Resale of Retail Telecommunications Services:
 - Version 3 of July 10, 2011 license; clarifies scope of license, various text updates and improvements, and replaces Supreme Council of Information and Communication Technology with Communications Regulatory Authority, removal of the notification requirements

for Resale.

- CLASS LICENSE to Own and/or Operate a Private Telecommunications Network:
 - Version 3 of July 11, 2011 license; clarifies scope of license, various text updates and improvements, and replaces Supreme Council of Information and Communication Technology with Communications Regulatory Authority.

KEY TELECOMMUNICATIONS LAWS, REGULATIONS AND POLICIES

As noted above, the Telecommunications Act 1997 is the key legislation which regulates, amongst other things, telecommunications carriers in Australia.

It is supported by a range of other legislation, instruments and codes including the [Telecommunications \(Consumer Protection and Service Standards\) Act 1999](#), which provides for the establishment of the universal service obligation with respect to standard telephone services in Australia, the ability of the Australian Communications and Media Authority (ACMA) to set performance standards and obligations on carriers, and the requirement for carriage service providers to enter the Telecommunications Industry Ombudsman scheme. ACMA has also recently published codes regarding:

- **emergencies:** The C536:2020 Emergency Call Services Requirements Industry Code (Updated 17 December 2020) requires carriers and carriage service providers to ensure access to emergency call services. Carriers are also required under the Telecommunications Act 1997 to provide help as is reasonably necessary, in the event of a National Emergency Declaration or state of disaster or emergency; and
- **scams:** Industry Code C661:2022 Reducing Scam Calls and Scam SMS (Updated 12 July 2022) provides for processes for carriers and carriage service providers to disrupt scam calls and SMS. This includes provision for processes that enable carriers to exchange information in relation to spam materials, to facilitate the reduction of spam in telecommunications.

Specific NBN Co Laws, Regulations and Policies

KEY TELECOMMUNICATIONS LAWS, REGULATIONS AND POLICIES

Key telecoms statutes include:

Decree Law No. (34) of 2006 on the promulgation of the Telecommunications Law ('Telecoms Law')

This contains provisions relating to telecommunications licences, radio spectrum management, controls on interconnection and access agreements, dominant service providers, service tariffs, numbers and numbering, competition policy, consumer protection and property access, as well as the objectives and powers of the Supreme Council of Information and Communication Technology (ictQATAR). The Telecoms Law can be found [here](#).

Executive By-Law No. I of 2009 for the Telecommunications Law ('Bylaws')

This supplements the Telecoms Laws, and includes provisions regulating the telecommunications sector.

Amiri Decision No. (42) of 2014 establishing the Communications Regulatory Authority of Qatar

This is the instrument by which the CRA (successor to ictQatar's regulatory arm) was established, and it covers, amongst other things, the CRA's objectives and powers functions and management responsibilities, and financial resources.

Regulatory documents

ictQATAR, and more recently the CRA, have also published a number of regulatory documents. These include, for example, the recently published Competition Framework, Market Definition and Dominance

The regulatory framework for the NBN was established through the [National Broadband Network Companies Act 2011](#) and the [Telecommunications Legislation Amendment \(National Broadband Network Measures - Access Arrangements\) Act 2011](#) which added to the existing generic telecommunications regulatory framework. In addition:

- **Nondiscrimination obligations:** The Australian Competition and Consumer Commission (ACCC) must publish guidance on NBN Co's non-discrimination obligations.
- **ACCC explanatory material on the Part XIC nondiscrimination provisions:** Under the legislation, NBN Co can choose to publish a standard form of access agreement and/or give a special access undertaking to the ACCC in relation to its terms and conditions for the supply of wholesale services. Where an access agreement differs from the standard form of access agreement, NBN Co must provide a statement of the differences to the ACCC.
- **Special Access Undertaking (SAU):** In December 2013, the ACCC accepted an SAU lodged by NBN Co, in accordance with section 152CBA of Part XIC of the Competition and Consumer Act. The SAU specifies basic terms and conditions under which NBN Co will provide its wholesale services.
- **Authorised conduct:** The NBN Access Act introduced Division 16 into Part XIB of the Competition and Consumer Act, which authorises, for the purposes of the Act, certain conduct by NBN Co that is reasonably necessary for it to achieve uniform national wholesale pricing. This conduct relates to refusal to interconnect other than at listed points of interconnection, the bundling of services and cross-subsidising in charging for services. However, current Government policy on the issue of uniform pricing may result in differential charging between urban, rural and remote locations.
- **Telecommunications Act:** The NBN Access Act applies to fixed-line local access networks, or parts of such networks, that are built, upgraded, altered or extended after 1 January 2011 so that they are capable of providing a carriage service where the download transmission speed is

Designation, and Consumer Protection Policy which contains principles and rules relating to monitoring and enforcing service provider's compliance with fair competition and dispute resolution processes. These, and other regulations, can be found on the [CRA website](#).

normally more than 25 megabits per second to residential or small business owners.

REGULATORY BODIES OR AUTHORITIES

The Australian Competition and Consumer Commission's main responsibilities include:

- The promotion of competition within the Australian telecommunications industry and to ensure that consumers' interests are protected
- Overseeing the telecommunications access regime provisions for controlling anti-competitive conduct and price control arrangements
- Focussing on access determinations to bottleneck services

The Australian Communications and Media Authority's main responsibilities include:

- Forming part of the Department of Infrastructure, Transport, Regional Development and Communications
- As a converged telecommunications regulator, overseeing the broadcasting, internet, radio communications and telecommunications industries
- Regulating technical and non-competition aspects of the industry, licensing telecommunications carriers, regulating fixed-line and mobile telecommunications, developing codes of practice for the industry and monitoring compliance, monitoring the performance of carriage service providers, setting and enforcing industry and technical standards and monitoring industry performance numbering, advising consumers on their rights and safeguards and managing the delivery of services to people with communication impairment

The Telecommunications Industry Ombudsman's main responsibilities include:

- The provision of a fast, free and fair dispute resolution service for small businesses and residential consumers who have a complaint about their telephone or internet service

REGULATORY BODIES OR AUTHORITIES

CRA

The CRA regulates the telecommunications and information technology, postal services and access to digital media sectors.

Address

The Communications Regulatory Authority
Al Nasr Tower B
Corniche
PO Box 23404
Doha, Qatar
cra.gov.qa

- Being an independent body that complies with the Commonwealth's Benchmarks for Industry-Based Customer Dispute Resolution Services here

The [Communications Alliance's](#) main responsibilities include:

- Being an industry body for the communications industry
- Promoting the growth of the communications industry and the protection of consumer interests by fostering the highest standards of business ethics and behaviour through industry self-governance that uses practical, self-imposed solutions that are developed co-operative processes

The [Communications Compliance's](#) main responsibilities include being an independent monitoring body that oversees conduct of the Telecommunications Consumer Protections Code Compliance Framework, providing guidance on how to comply with the code and providing an overview of industry compliance. It should be noted that the Communications Compliance does not actually enforce compliance (ACMA is, in most cases, the key enforcement body).

The [Attorney General's Department's](#) main responsibilities include administering the Telecommunications (Interception and Access) Act 1979 and the Surveillance Devices Act 2004. However, the department does not investigate crimes (relevant police enforcement agencies investigate and potentially prosecute).

TYPES OF TELECOMMUNICATIONS ACTIVITIES AND/OR PERSONS WHICH ARE SUBJECT TO LEGAL AND REGULATORY REQUIREMENTS

Installing Facilities

The Telecommunications Act 1997 restricts carriers in their installation of telecommunications facilities. Primarily only low-impact facilities, which are designed to be unobtrusive and to be installed in line with the legislation, are permitted. Superfast network obligations also arise under the same legislation which limit the installation of superfast networks (in connection with the rollout of the NBN).

TYPES OF TELECOMMUNICATIONS ACTIVITIES AND/OR PERSONS WHICH ARE SUBJECT TO LEGAL AND REGULATORY REQUIREMENTS

The types of telecommunications activities which are subject to legal and regulatory requirements include but are not limited to:

- The provision of telecommunications services to the public in return for a fee
- Ownership or operation of a telecommunications network used for the provision of telecommunications services to or for the public

Approval of telecommunications facilities is the responsibility of the local government authority in the area.

Service Providers

Service providers including Carriage Service Providers (CSP), that use, but do not own, a telecommunications network unit to provide carriage services to the public (including Internet Service Providers and Internet Access Providers, as they fall within the category of a CSP), and content service providers that supply content services to the public must comply with obligations imposed by the telecommunications access regime, in addition to the following regulations:

- The Telecommunications Act 1997
- The Telecommunications (Consumer Protection and Service Standards) Act 1999
- The Competition and Consumer Act 2010
- The Telecommunications Consumer Protections Code

OVERVIEW OF CONSENTS, LICENCES AND AUTHORISATIONS REQUIRED PRIOR TO THE COMMENCEMENT OF TELECOMMUNICATIONS ACTIVITIES

In addition to the registration of a business name with the Australian Securities and Investments Commission, the following registration and licensing requirements must be adhered to:

- **Telecommunications licence:** Except in limited circumstances, the owner of a network unit (cable, wireless, or satellite) used to supply carriage services to the public must hold a Carrier Licence. Carriage Service Providers do not need a licence but must comply with the codes set out in the “Carriers and Carriage Service Providers” section.
- **Content Service Providers:** If a company uses, or proposes to use, any point-to-point carriage service to supply an online service to any other person that is not an officer of the company or a related body corporate then the company is a Content Service Provider under the Telecommunications Act 1997. A Content Service Provider is a general classification of

in return for a fee

- Ownership or operation of any other telecommunications network

In addition, a person who wishes to import telecoms equipment to Qatar must be registered with the CRA and may need to obtain an import authorisation license, type approval and a customs clearance certificate from the CRA.

OVERVIEW OF CONSENTS, LICENCES AND AUTHORISATIONS REQUIRED PRIOR TO THE COMMENCEMENT OF TELECOMMUNICATIONS ACTIVITIES

A licence is required from the CRA to engage in:

- The provision of telecommunications services to the public in return for a fee
- Ownership or operation of a telecommunications network used for the provision of telecommunications services to or for the public in return for a fee
- Ownership or operation of any other telecommunications network

Telecommunications licences can be individual licences or class licences. Individual licences are for mobile and fixed services, VSAT and public satellite services. Class licences exist for short range devices, telecommunications service on-board aircraft, and private networks.

A telecommunications license typically lasts 25 years.

Updates

industry participants supplying content services to the public. There is no licence required, however the company will need to comply with the content rules determined by ACMA.

- **Installation Services:** If a company provides installation services for customers that involve customer cabling then they must register with ACMA and comply with the Telecommunications Cabling Provider Rules 2000 issued by ACMA.
- **Radiocommunications Equipment:** A CSP that operates radiocommunications equipment for the purpose of supplying carriage or content services may need to be licensed under the Radio Communications Act 1992. If a radio transmitter or receiver is required to provide services, the company will require a Spectrum, Class or Apparatus Licence.

There may also be local council planning regulations relating to the location of certain infrastructure (base stations, transmitters etc). The nature of these regulations differ between different council areas.

DOMICILE RESTRICTIONS PREVENTING THE OPERATION OF CERTAIN TELECOMMUNICATIONS ACTIVITIES BY NON-DOMICILED ENTITIES

No domicile requirements apply for carrier licences, provided that the applicant is a 'constitutional corporation', an 'eligible partnership' or a public body.

June 15, 2022: The Communications Regulatory Authority (CRA) launched a public consultation about fifth-generation (5G) private mobile networks, with the aim of receiving views and comments of stakeholders about their level of interest in implementing 5G private mobile networks in the State of Qatar and about various regulatory options to support enterprises, businesses and government entities, that wish to implement them.

June 20, 2022: CLASS LICENSE to Own and/or Operate a Private Telecommunications Network. Version 3 of July 11, 2011 license; clarifies scope of license, various text updates and improvements, and replaces Supreme Council of Information and Communication Technology with Communications Regulatory Authority.

June 20, 2022: CLASS LICENSE for the Resale of Retail Telecommunications Services. Version 3 of July 10, 2011 license; clarifies scope of license, various text updates and improvements, and replaces Supreme Council of Information and Communication Technology with Communications Regulatory Authority, removal of the notification requirements for Resale.

May 18, 2022: Minister of Communications and Information Technology Approves Amendments of Mobile Telecom Network Rollout and Coverage Obligations. His Excellency Mohammed bin Ali Al-Mannai, Minister of Communications and Information Technology approved the amendments made by the Communications Regulatory Authority (CRA) to Annexure "G" (related to Network Rollout and Coverage Obligations), which is part of Ooredoo Qatar Q.P.S.C. and Vodafone Qatar P.Q. S.C. licenses for the provision of public mobile telecommunications networks and services.

April 27, 2022: The Communications Regulatory Authority (CRA) issued the Class License for the use of Radio Local Area Network (RLAN) devices over the lower part (5925 - 6425 MHz) of the 6 GHz band (5925 - 7125 MHz), which is commercially known as Wireless Local Area Network (Wi-Fi 6E). Additionally, CRA published on its website the related Policy Statement.

DOMICILE RESTRICTIONS PREVENTING THE OPERATION OF CERTAIN TELECOMMUNICATIONS ACTIVITIES BY NON-DOMICILED ENTITIES

The CRA requires that companies wishing to hold licences should be registered in Qatar.

EXISTENCE OF RELEVANT INTERCONNECTION/ROAMING REGULATIONS

Domestic inter-carrier roaming

Domestic inter-carrier roaming is not a declared service (although it has been the subject of a regulatory enquiry to determine whether it should be) and is regulated through commercial agreements reached between the relevant carriers.

International roaming

This is governed by the Telecommunications Service Provider (International Mobile Roaming) Determination 2019.

The Standard focused on four key consumer protection measures:

- A notification via a nominated method of communication to be sent to all consumers on arrival overseas, warning them that significantly higher charges for using roaming services may apply
- Enabling customers to stop international roaming at any time and at the maximum cost of AUD 1, including from an overseas location
- A notification to be sent via a nominated method of communication to customers of service providers giving them pricing information for using a range of roaming services. These services include any that would normally be free in the domestic market, such as receiving a call on a mobile device
- Spend management tools, including notifications in AUD 100 increments for data usage and notifications at 50, 85 and 100% of included value, if a customer has purchased an included value travel package from their International Roaming Mobile (IMR) service provider

TELECOMMUNICATION LAWS AND REGULATIONS AFFECTING CONSUMERS

EXISTENCE OF RELEVANT INTERCONNECTION/ROAMING REGULATIONS

The Telecoms Law and Bylaws contain provisions relating to interconnection and access, negotiations/requests between/by service providers to reach interconnection agreements and related objectives, and provides for a binding resolution by the General Secretariat in the event that an agreement cannot be reached (see, for example, 'Determination on Interconnection Charges between Vodafone & Qtel' issued in February 2009, and available [here](#)).

TELECOMMUNICATION LAWS AND REGULATIONS AFFECTING CONSUMERS

Telecom Rules

Differences between provision of services to businesses and provision of services to consumers

Subject to contractual commitments agreed between the service provider and the end customer, and as set out below, there are no significant differences in terms of the regulatory treatment of end users of telecommunications services from a general level.

Requirements for provision of services to consumers

- This is principally governed by the Telecommunications Consumer Protections Code, and complaints handling is governed by the Telecommunications (Consumer Complaints Handling) Industry Standard 2018
- Consumers and small businesses can complain to the Telecommunications Industry Ombudsman. Resolutions by the ombudsman are legally binding to the value of AUD 50,000
- If a service is 'declared' by the ACCC, standard access obligations then apply updated consumer protections have been implemented by industry code C628:2019 Incorporating Variation No.1 /2022 Telecommunications Consumer Protections (Updated 16 June 2022), which provides further consumer protection safeguards relating to sales, service and contracts, billing, credit and debt management and changing suppliers. It also sets out a framework of code compliance and monitoring

Prohibition on unfair contract terms in the Australian Consumer Law will likely apply to any standard form contract agreed between a service provider and an individual end user or corporate customer (where certain conditions are met).

The Telecoms Law provides for the preparation, development and implementation of a consumer protection policy and the setting of rules regulating the same. In addition, the Telecoms Laws prescribe certain 'fair dealing practices', including requiring the service provider to provide the consumer, before the consumer subscribes to the service or incurs any commercial obligations to the service provider, with the terms of the service and any other terms and conditions and all tariffs, rates and costs applicable to any telecommunications service. These rules have been supplemented by a number of regulatory documents that the CRA have issued.

Consumer Charges

The Service provider may not charge a consumer except for the service fee relating to telecommunications services or telecommunications equipment ordered by the consumer. The consumer cannot be liable for any service or equipment relating to telecommunications that has not been ordered. There are also additional protections relating to the protection of customer /consumer information.

The Bylaws overlap and supplement the consumer protection provisions in the Telecoms Law. Additional provisions in the Bylaws include, for example, requirements relating to the provision, accuracy and format of invoicing, record keeping, and the avoidance of certain misleading practices/claims to consumers.

Consumer Protection

The Executive Regulation of the Telecommunications Law of Qatar No. (1) of 2009 forbids service providers from charging customers for services other than what is outlined in customer orders, agreed service terms or other written customer directions. More information is available under Decree Law No. 14 of 2011 Amending Certain Provisions of Law No. 8 of 2008 on Consumer Protection as well as consumer's complaint process.

CRA President Decision No. (13) of 2020 – Cell Broadcast Orders

The CRA has developed the Cell broadcast Orders in collaboration with the Ministry of Interior ("Mol"). The primary objectives are to implement effectively a Cell Broadcast solution for emergencies. This requires telecom Service Providers to upgrade their platforms and connect to Mol emergency platform so that messages will be sent directly to mobile phones in the area where an

emergency has arisen. The users in the specific area will receive a notification in several languages, enabling them to react appropriately to the emergency.

December 23, 2018: CRA Issues New Retail Tariff Instruction for Sustainable Competition and Development in the Telecommunications Market. In line with the Communications Regulatory Authority (CRA) aim of improving the consumers' experience and ensuring the sustainable competition and development of the telecommunications market in Qatar, His Excellency Mohammed Ali Al-Mannai, President of CRA has issued a decision to promulgate the new Retail Tariff Instruction (RTI) for telecommunications services, to be complied by all service providers in Qatar, effective January 1, 2019.

REGULATORY TAXES AND FEES

Telecommunications carriers who earn AUD 25 million or more in any eligible revenue period are required to pay annual levies and charges including the telecommunications industry levy, and the annual Carrier Licence charge. These are calculated based on their eligible revenue for the previous financial year.

The current fee for an application for a Carrier Licence is AUD2122. This fee covers the cost of processing the application.

Installation services

All individuals performing cabling work, except 'plug and play' cabling of customer equipment (which is not in a wall or ceiling cavity) must be a registered cabler for open cabling work.

Importation of goods for the provision of telecommunication services

Goods imported into Australia with a value above AUD 1000, including commercial quantities, must be cleared by submitting a completed import declaration form and paying duty, GST, and other taxes and charges that apply. The duty rates payable will depend on the tariff classification, the value of the goods in the exporting country and where the goods were manufactured. The Customs Tariff Act 1995 provides the tariff classifications, duty rates, interpretive rates and information on preference schemes, and other concessions and exemptions that may apply.

REGULATORY TAXES AND FEES

The CRA determines licence fees, any other fees, remuneration or charges. In addition, corporate taxes on taxable income and withholding taxes apply in Qatar.

KEY SANCTIONS AND PENALTIES IN THE CASE OF CONTRAVENTION OF TELECOMMUNICATIONS LAWS AND REGULATIONS

Infringement Notices

Under the Telecommunications Act 1997, ACMA can, instead of instituting court proceedings, give infringement notices for alleged contraventions of certain civil penalty provisions relating to telecommunications. If the penalty under the infringement notice is paid within the specified time frame (or other period agreed to by ACMA) then civil penalty proceedings cannot be initiated and the matter is disposed of without admission of guilt or a conviction. If the penalty is not paid then court action may be taken for civil penalties in relation to the alleged contravention.

Civil Penalties

The penalty specified in an infringement notice given to a body corporate must be a pecuniary penalty equal to 60 penalty units or, for breaches of the service provider rules or carrier licence conditions, the Minister for the Department of Infrastructure, Transport, Regional Development, Communications and The Arts may set a pecuniary penalty amount in a Determination up to 1,800 penalty units.

Privacy Laws

The Office of the Australian Information Commissioner is responsible for breaches of the Privacy Act 1988 (Cth).

Breach of Telecommunications Consumer Protections Code

ACMA enforces the code and it can take the following steps:

- Agree with the telecommunications provider on steps it will take to remedy the breach or improve compliance
- Give a formal warning
- Give a Direction to Comply with code provisions

Telecommunications Industry Ombudsman

- Is authorised to investigate complaints by residential and small business users of

KEY SANCTIONS AND PENALTIES IN THE CASE OF CONTRAVENTION OF TELECOMMUNICATIONS LAWS AND REGULATIONS

The Telecoms Laws list a number of offences and associated penalties. For example, providing a telecommunications service without a licence is punishable by imprisonment of up to one year and a fine of up to QAR 1,000,000.

Appeals

A decision by the Communications Regulatory Authority (CRA) constitutes final action of the CRA for purposes of the appeals process. There are no provisions in the current Decree Law No. 34 of 2006 on the Promulgation of the Telecommunications Law (Telecommunications Law) addressing appeals from CRA decisions. At present, the appeals procedure involves going through the administrative courts that can take few years before a final decision is issued.

telecommunications and internet services

- Can enforce resolution of complaints of up to AUD 50,000, and make recommendations for complaints of up to AUD 100,000

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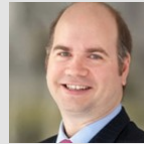
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