

TELECOMMUNICATIONS LAWS OF THE WORLD

Qatar



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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

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.1 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 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](#).

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

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 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

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

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

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 ("MoI"). 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 MoI 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

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

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.

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