

قرار رقم 36

صادر بتاريخ 30/12/2009م 2

بشأن اعتماد السياسة التنظيمية للاتصال الصوتي عبر بروتوكول الانترنت

الهيئة العامة لتنظيم قطاع الاتصالات

بعد الاطلاع على المرسوم بقانون اتحادي رقم (3) لسنة 2003 في شأن تنظيم قطاع الاتصالات وتعديلاته ؛
وعلى قرار اللجنة العليا للإشراف على قطاع الاتصالات رقم (3) لسنة 2004 بإصدار اللائحة التنفيذية للمرسوم
بقانون اتحادي رقم (3) لسنة 2003 في شأن تنظيم قطاع الاتصالات والقرارات المعدلة لها ؛
وبناءً على ما عرضه مدير عام الهيئة العامة لتنظيم قطاع الاتصالات وموافقة مجلس إدارة الهيئة ؛
تقرر :

المادة الاولى

اعتماد السياسة التنظيمية للاتصال الصوتي عبر بروتوكول الانترنت كما هو مبين في المرفق .

المادة 2

يعمل بهذا القرار اعتباراً من تاريخ صدوره وينشر في الجريدة الرسمية .

صدر في أبو ظبي

بتاريخ 30 ديسمبر 2009م

محمد احمد القمزي

رئيس مجلس الادارة

نشر هذا القرار في عدد الجريدة الرسمية رقم 504 ص 371 .

Regulatory Policy Voice Over Internet Protocol

Version 2.0 issue date : 30 decembre 2009

Revision Control :

: Version	: Issue Date	: Reason for Revision
1.0	December 2006 26	VoIP policy
2.0	December 2009 30	Replaces VoIP Policy ver 1.0

1 . Purpose and Scope

1.1 The advent of new transmission technologies that make use of the Internet have and are having a profound impact on the development of Telecommunication Services and Telecommunication Networks . One group of such technologies is often referred to as " VoIP " .

1.2 However , the term VoIP is often used in different ways by different commentators for different purposes . Sometimes it is used to refer to a transmission and routing technology , and at other times to a service offered over one of a number of different types of related technologies . Moreover , VoIP is often used interchangeably with other terms such " Internet Telephony " . Such confusion in the exact meaning and import of the term VoIP often confuses the policy debate . The TRA believes that such confusion exists in the public debate within the State concerning VoIP .

1.3 In any event , while such technologies may bring some short - term advantages to consumers , if they are introduced and allowed to be provided on an unregulated basis at too early a stage in the development of a liberalising regime , they can in fact be counterproductive as regards consumer interests , and retard the process of introducing sustainable and meaningful competition .

1.4 The purpose of this Policy is to clarify the TRA's position as regards the provision of VoIP Services (as defined) in the United Arab Emirates .

1.5 This Policy replaces the TRA's Voice over Internet Protocol (VoIP) Policy Version 1.0 issued on 26th December 2006 .

2 . Definitions

All words , terms and phrases used in this Regulatory Policy shall have the meanings ascribed to them , if any , in the Federal Law by Decree No 3 of 2003 Regarding the Organization of the Telecommunications Sector , unless otherwise provided for in this Policy . The following terms and phrases shall have the meanings ascribed to them below when used in this Policy :

Alternative Voice Services	Any Telecommunication Service allowing Users to carry on real time voice communications , other than VoIP Services .
Application for Exemption	Application for Exemption referred to in paragraph 4.2 of this Policy .

Internet	The publicly available worldwide collection of Telecommunication Networks that transmit data by Packet Switching using the Internet Protocol (IP), which allows them to function as a single virtual network .
Internet Protocol (IP)	The Internet network - layer protocol , defined by Internet Engineering Task Force (IETF).
Law	The Federal Law by Decree no 3 of 2003 Regarding the Organization of the Telecommunications Sector as amended from time to time .
Numbering Resources	The prefixes , individual numbers , numbering ranges , and codes used by Licensees to provide Telecommunication Services .
Packet Switching	A communications method in which packets (discrete blocks of data) are routed between nodes over data links shared with other traffic .
Policy	This Policy .
Closed Group Network	A Telecommunication Network which is : - operated exclusively for the benefit of Users of that network , which Users are either employed by or are a part of one entity or group of entities with a common ownership , or which Users are connected , related or associated with each other for a Public Interest Purpose beyond the mere exchange of telecommunications ; and not interconnected with any other Closed Group Network or Public Telecommunication Network , in such a way so to allow real time voice communications to be carried between a User connected to or on the first network , and a User connected to or on a Public Telecommunication Network .
Public Interest Purpose	An educational purpose , or purpose for the benefit of research or education at an academic institution within the UAE (which academic institution is recognised by the Federal Ministry of Education or the Ministry of Education of an individual Emirate), or for the sole benefit of one or more UAE federal or local governmental entities .

Public Telecommunication Network	Any Telecommunication Network which is either : - of a type within the definition of " Telecommunication Network " in Article (1) the Law , or - is a Telecommunication Network situated in one or more places outside of the State , which is operated for the purposes of providing Telecommunication Services to Users for a fee .
Regulatory Framework	The regulatory policies , regulations , instructions , orders , resolutions , procedures , guidelines , directions , directives , determinations or such other regulatory instruments as may be made or amended by the TRA from time to time .
TRA	The General Authority for Regulating the Telecommunication Sector in United Arab Emirates established pursuant to Article (6) of the Law .
User	In respect of a Telecommunication Service , the individual or entity which uses or has access to that service .
VoIP Network	A Public Telecommunication Network over which VoIP Services are provided .
VoIP Service (s)	All of the services and technologies that allow the transmitting , receiving , delivering and routing of voice telecommunications by means of Internet Protocol (IP).
VoIP Deployment Guidelines	Any regulatory instrument issued by the TRA in relation to or dealing with the practical application of this Policy , including amongst other matters , describing the deployment and use of VoIP Services in various circumstances through the discussion of various theoretical call - cases and call scenarios .

3 . General Provisions

3.1 Subject to paragraph 3.3 below , to the extent that the provision of VoIP Services requires a person to engage in or conduct a Regulated Activity in the State , that person will need to have been issued with a Licence to do so , in accordance with the Law . At present there are two Licensees which are legally entitled to engage in or conduct Regulated Activities in the State . It

is not the TRA's present intention to issue any further Licences that would allow the holders of such Licences to provide VoIP Services .

3.2 Where a Licensee believes that a VoIP Service is being provided by a person not licensed to do so under the Law , over a Public Telecommunication Network operated by that Licensee , that Licensee will be entitled to block that VoIP Service , unless instructed by the TRA to do otherwise .

3.3 This Policy does not apply to the provision of VoIP Services exclusively over a Closed Group Network .

3.4 Further , a VoIP Service may be provided by any person whether or not that person has a Licence , where that VoIP Service is provided only between Users of a Closed Group Network .

3.5 The TRA may at its discretion issue VoIP Deployment Guidelines ..

4 . Conditions of Service for VoIP Services provided over Public Telecommunication Networks

4.1 Unless the TRA provides otherwise , where a person is licensed to provide VoIP Services , that person shall provide those VoIP Services strictly in accordance with the Regulatory Framework , insofar as it is relevant to the provision of Telecommunication Services allowing real time voice communications between Users . For the sake of clarity this includes without limitation , the Regulatory Framework regarding Numbering Resources , free - of - charge access to emergency numbers , the provision of calling line identification , and directory services .

4.2 A Licensee may request the TRA to exempt the Licensee from complying with any aspect of the Regulatory Framework as regards a VoIP Service or any feature of that service . To seek such an exemption from the TRA , a Licensee will make an Application for Exemption to the TRA in respect of the relevant VoIP Service or relevant feature of that VoIP Service . The TRA may in its absolute discretion grant or refuse the exemption the subject of the Application , as it sees fit . In considering the Application the TRA may but is not obliged to consider any of the following matters :

- (a) any technical features of the service ;
- (b) the cost to the Licensee of complying with the Regulatory Framework or aspect of it the subject of the Application for Exemption ;
- (c) the price for the service charged by the Licensee to any User ;
- (d) any substitutes or alternatives for the service available to Users for the service , and any features of that alternative service ; and
- (e) the effect on competition for any Telecommunication Service of granting or refusing to grant the Application for Exemption .

5 . Quality of Service (QoS)

Any Licensee offering or marketing a VoIP Services as an alternative to any Alternative Voice Services offered by any Licensee , shall inform Users and potential Users of that VoIP Service , of any differences between the VoIP Service and any such Alternative Voice Services , as regards :

- a) service quality ;
- b) latency ;
- c) availability ;
- d) voice quality ;
- e) nature of operation ;
- f) ease of use ;
- g) price ;
- h) any other matters that may impact on the decision of any User or potential User to access the VoIP Service as opposed to any Alternative Voice Services ; and
- i) any other matter of which the TRA from time to time requires the Licensee to inform Users or potential Users .

6 . Network security

6.1 Licensees shall implement all appropriate security measures concerning their VoIP Networks and protect them from unauthorised or unlawful access .

6.2 The TRA may either itself conduct or authorise a third party to conduct , security audits on a Licensee's VoIP Network and associated facilities , so as to ensure the security and integrity of that VoIP Network and associated facilities . Licensees shall provide access to the TRA or any third party appointed by the TRA to conduct these security audits , to its VoIP Network and associated facilities .

6.3 In respect of any VoIP Services and VoIP Networks over which those VoIP Services are provided , Licensees shall comply with all requirements of the State (or agencies of the State) as regards national security requirements or matters relating to the prevention or prosecution of crime .

7 . Effective Date

This Policy shall be effective on the date of issue .

8 . Revocation

The TRA may revise , revoke , or reissue this Policy from time to time as it sees fit .