
Policy

Telecommunications Equipment

Type Approval Regime

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1. Definitions

Unless the context requires otherwise, terms, words, and phrases contained in this Policy shall have the same meanings as are ascribed to them in Federal Law by Decree No. 3 of 2003 regarding the Organization of the Telecommunications Sector. The following terms and words shall have the corresponding meaning:

- "UAE": United Arab Emirates
- "Telecom Law": Federal Law by Decree No. 3 of 2003 regarding the Regulation of the Telecommunications Sector.
- "Executive Regulation": Executive Regulation of the Federal Law by Decree No. 3 of 2003 regarding the Organization of the Telecommunications Sector.
- "Type Approval Regime (TAR)": the regulatory framework of Type Approval policy, regulation, guidelines, rules, procedures, forms and fees issued by the TRA.
- "Type Approval": procedures followed by TRA to authorize RTTE to be placed on the UAE market.
- "Telecommunications Equipment": RTTE made or adapted for use in transmitting and/or receiving and/or conveying any of the telecommunications services through a telecommunications network.
- "Wireless Equipment": Equipment or relevant component thereof capable of communication by means of the transmission and/or reception of electromagnetic radio waves of frequencies from 9 kHz to 3000 GHz propagated in space.
- "Telecommunications Terminal Equipment (TTE)": Equipment that is intended to be connected directly to a public telecommunications network at a network termination point at which a user is provided with access to a public telecommunications network.
- "Authorized Wireless Equipment": Wireless equipment for which the end-user must obtain a spectrum frequency authorization prior to operating or using it in the UAE.
- "Technical Specification": A document issued by TRA listing the technical requirements that must be fulfilled.
- "TRA": the Telecommunications Regulatory Authority established pursuant to the provisions of Article (6) of Federal Law by Decree No. (3) of 2003.
- "Telecommunication Equipment Manufacturer": any legal person who manufactures telecommunications equipment or has Telecommunications Equipment designed or manufactured under his own name or trademark; the manufacturer can also make telecommunications equipment available on the

market, if he is based in the UAE and has a valid trade license for the telecommunications equipment concerned.

- “Local Manufacturer”: a manufacturer based in the UAE, which can manufacture, assemble, offer or sell telecommunications equipment in the UAE market, provided that he holds a valid trade license for the relevant telecommunications equipment and is registered in Type Approval Regime.
- “International Manufacturer”: a manufacturer based outside the UAE, which can provide telecommunications equipment in the UAE market through an importer based in the UAE and registered in the Type Approval Regime. The International Manufacturer shall provide official documents in Arabic or English establishing the legal form of the economic entity and its business in the telecommunications sector.
- “Telecommunications Equipment Importer”: any legal person established within the UAE who imports telecommunications equipment from other countries. The Importer can also offer, sell or acquire telecommunications equipment in the UAE market.
- “Telecommunications Equipment Distributor”: any legal person established within the UAE who offers, sells or acquires telecommunications equipment in the UAE market.
- “Government Entities”: federal ministries and local departments, authorities and public organizations linked thereto, including the armed forces, police and security services of the State but excluding any commercial company or establishment even if it is owned by any of the foregoing or in which any of the foregoing may have interests;
- “Supplier’s Declaration of Conformity (SDoC)”: a written statement issued by a registered telecommunications equipment importer or distributor in accordance to the requirements of ISO/IEC 17050-1, stating, under his responsibility, that the said equipment complies with the Type Approval Regime and all relevant technical specifications issued by TRA.
- “Custom Release”: an official permit issued by TRA to UAE customs entities for the release of imported telecommunications equipment shipment.
- “Personal Use”: the possession of a telecommunications equipment for personal use only, without putting it on the market or using it in the country.
- “Public Telecommunications Network”: a telecommunications network operated for the provision of public telecommunications services to subscribers by a licensee pursuant to the provisions of the Law;
- “Mutual Recognition Agreement (MRA)”: an agreement between two entities for the mutual recognition of formal documents, certificates, and conformity assessment results of telecommunications equipment.
- “Telecommunications Network”: a system comprising one or more items of apparatus or means of communication for transmitting, broadcasting, switching or receiving of telecommunications services, by means of electric,

magnetic, electro-chemical or electro-mechanical energy and any other means of communication.

- “Temporary Admission”: a formal authorization issued by TRA under which the telecommunications equipment is temporarily released for certain purpose and a specific period. Equipment temporarily released shall not be placed or made available on the UAE market without following the necessary procedures.
- “Wireless Transmission”: transmitting or receiving electro-magnetic energy that may be used for the conveyance of data, messages, voice or visual images; or for the operation or control of machinery or telecommunications equipment.
- “Commercial Activity”: any transaction, act or conduct that is of a commercial character, including selling, bartering or leasing.
- “Trade License Issuer”: the local or federal entity responsible for regulating economic activities pursuant to laws and legislation.

2. Legal References

Article 42 of the Telecommunications Law grants TRA the exclusive competence in issuing all authorizations and approvals in relation to telecommunications devices intended for use in connection with a telecommunications network or in the provision of a telecommunications service in accordance with the Executive Order of Federal Law by Decree No. 3 of 2003 regarding the Regulation of the Telecommunications Sector.

3. Basic Principles

In order to facilitate competition in manufacturing and importing telecommunications equipment, provide a wide range of reasonably priced equipment on the UAE market, and to provide an attractive business environment. The Type Approval Regime intends to facilitate the procedures and requirements for manufacturers and dealers prior to accessing UAE's telecommunications equipment market. The process shall be transparent, fair, and supportive of competition in the Telecommunications Sector.

4. Type Approval Regime Responsibility

- TRA shall have the exclusive competence and power to issue regulations, orders, resolutions and procedures in relation to the importation, manufacturing, dealing in, use and approval of telecommunications equipment, and shall issue respective technical standards.
- In addition, TRA shall determine other approved bodies from which it will accept evidence of compliance at different levels and requirements with regards to Type Approval.

5. Type Approval Regime Scope

- All wireless telecommunications and terminal equipment shall be subjected to the Type Approval Regime. Such equipment shall be referred to collectively as Radio and Telecommunications Terminal Equipment (RTTE).
- The Type Approval Regime shall not apply to equipment imported for personal use, equipment imported by public entities and public telecommunications network operators.
- The Type Approval Regime shall not address matters relating to the quality of telecommunications equipment.

6. Type Approval Regime Objectives

The objectives of the Type Approval Regime are to ensure that:

- Telecommunications equipment do not cause harm to the public or employees of public telecommunications networks;
- Emitted electromagnetic waves do not exceed the level at which other telecommunications equipment cannot function as intended;
- Telecommunications equipment have a level of immunity to the electromagnetic disturbance generated by other telecommunications equipment, allowing telecommunications equipment to operate without affecting its intended use.
- Wireless equipment effectively use the spectrum and does not cause damage or harmful interference with other telecommunications network.

7. Essential Requirements

The key objectives of the Type Approval Regime are to protect the health and safety of persons, the public interest, property and telecommunications networks. These objectives are to develop and identify essential requirements, which are mandatory provisions for any RTTE. These requirements are designed and adopted globally as well as in the UAE, to ensure a high level of protection. TRA shall publish technical standards for different types of telecommunications equipment with sets of internationally recognized standard requirements that constitute the essential requirements.

Essential requirements relevant to telecommunications equipment compliance levels shall depend on the equipment type and the level of potential impact on safety, electromagnetic compatibility and the efficient use of frequency spectrum.

Telecommunications Equipment approved by TRA shall be considered as a commodity that may be offered, sold and used for commercial purposes in the UAE market. Such telecommunications equipment shall be allowed to be used for the specific purpose for which it has been designed. The wireless telecommunication equipment shall be subject to additional laws and regulations such as the Radio Spectrum Authorization and provision of the relevant service.

8. Nature of the Type Approval Regime – key principles and features

- Telecommunications Equipment shall be approved based on compliance levels identified by TRA. These levels shall reflect the assessment of risks associated with telecommunications equipment and their impact on consumers and telecommunications networks. Essential requirements for approval shall vary for each compliance level as determined by TRA.
- TRA shall have the competence to assign special Type Approval conditions for particular types of telecommunications equipment. TRA shall have the

competence to subject telecommunication equipment to technical testing, provided that further testing shall be at the applicant's expense.

- An application for Type Approval shall be made by an importer, manufacturer or distributor who is registered with TRA. The Registered UAE-based importer, manufacturer or distributor planning to distribute telecommunications equipment on the UAE market shall have a valid trade license. The registered telecommunications equipment manufacturer or importer shall be responsible for ensuring that telecommunications equipment is compliant with TRA-approved technical standards.

9. Type Approval Regime Documents

The Type Approval Regime framework shall be defined by the following instruments:

- Type Approval Policy (this document).
- Type Approval Regulation.
- Type Approval Fees Policy.
- Technical Standards.
- Restricted and Prohibited Telecommunications Equipment.

10. Type Approval Regime Service Fees

- TRA shall determine and publish fees related to Type Approval within the Type Approval Fees Policy. Such fees shall be intended as a contribution towards the costs incurred by TRA for operating the Type Approval Regime, including market monitoring.
- TRA shall charge the direct costs of any investigation procedure of telecommunications equipment not meeting the Type Approval requirements to the registered importer, manufacturer or distributor who supplied the non-compliant equipment.

11. Conformity Mark

- The manufacturer, importer and distributor of telecommunications equipment shall undertake to include the Type Approval conformity mark when the equipment is offered to consumers via any channel in order to demonstrate that the equipment has been Type Approved as per TRA's procedures.
- Conformity Mark requirements shall be identified in the Type Approval Regulation.

12. Market Monitoring

TRA shall monitor compliance with TAR requirements by monitoring and screening UAE market offerings. In the event of non-conformity or if there is reason to indicate that the registered telecommunications equipment poses a risk to health or safety or to other aspects of safeguarding the public interest, TRA shall take all necessary measures to limit and/or prevent registered telecommunications equipment from reaching the UAE market and/or ensure that it is withdrawn from the market.