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# REGULATIONS

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## The International Telecommunications Cable Regulations

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## 1 Introduction

- 1.1 Article (6) of Federal Law by Decree No. 3 of 2003 Regarding the Organisation of the Telecommunications Sector, as amended (hereinafter the “**Telecommunications Law**”) establishes the TDRA as the General Authority for Regulating the Telecommunications Sector and pursuant to Article (10)4 of the Telecommunications Law, the Board of the TDRA has jurisdiction to issue decisions, rules, regulations, and instructions regarding the implementation of the Law and its Executive Order.
- 1.2 Article (14)2 grants the TDRA power to issue regulations, instructions, decisions and rules regulating anything related to the use and Interconnection of Telecommunications Networks and Article (14)12 empowers the TDRA to qualify persons in installing, connecting, adjusting and maintaining Telecommunications Apparatus.
- 1.3 In the exercise of its powers under the Telecommunications Law, the Board of the TDRA issues these Regulations to clarify the rules regarding installing, laying, maintaining, and removing **International Telecommunications Cables** in the United Arab Emirates (including the Territorial Waters of the UAE) and to qualify, by way of Permits, persons other than Qualified Licensees involved in installing, landing, connecting, adjusting, maintaining, and the like, International Telecommunications Cables in the UAE.
- 1.4 These Regulations apply to all persons involved in planning, installing, connecting, maintaining, or removing International Telecommunications Cables in the UAE.
- 1.5 These Regulations are in addition to and complement other applicable UAE laws and the TDRA’s Regulatory Framework. Nothing in these Regulations shall be construed as waiving or modifying obligations to comply with any other applicable laws in the UAE.
- 1.6 These Regulations are without prejudice to any relevant international agreements to which the UAE is a party including in particular any agreements regarding the extent of and the use of the Territorial Waters of the UAE and any agreements regarding the laying, landing, interconnection, maintenance, or removal of International Telecommunications Cables.

## 2 Definitions and interpretation

- 2.1 The terms, words, and phrases used in these Regulations shall have the same meaning as are ascribed to them in the Telecommunications Law and failing that in the Regulatory Framework, unless these Regulations expressly provides for otherwise, or the context in which those terms, words and phrases are used in these Regulations requires otherwise.
- 2.2 For the purposes of these Regulations, the following terms and words shall have the meanings ascribed to them below:
- 2.2.1 **“Cable Landing Station”** means – a designated facility housing Power Feed Equipment (PFE) and/or line termination equipment operated for the purposes of powering and/or terminating Submarine Telecommunications Cables and providing interconnection between terminating Submarine Telecommunications Cables and land-based telecommunications networks;
- 2.2.2 **“Effective Date”** means – the date on which these Regulations enter into force as further defined/qualified in sub-article 8.1;
- 2.2.3 **“International Telecommunications Cable”** or **“ITC”** means – a telecommunications cable which originates, and/or terminates, in a country other than the UAE and where a section of that cable is laid within the UAE or its territorial waters and in the context of these Regulations, the term International Telecommunications Cable includes both: ‘Submarine Telecommunications Cables’ and ‘Terrestrial Telecommunications Cables’- as those terms are defined herein;
- 2.2.4 **“Licence”** as defined in the Telecommunications Law means – a licence issued pursuant to the provisions of the Law and its Executive Order which allows the Licensee to carry out any of the Regulated Activities;
- 2.2.5 **“Licensed Cable Landing Station”** means – a Cable Landing Station which is located in the UAE and is operated by a Licensee;
- 2.2.6 **“Licensee”** as defined in the Telecommunications Law generally means – such entities as may be licensed by the TDRA to perform Regulated Activities;
- 2.2.7 **“Permit”** means – an instrument issued by the TDRA which permits the Permit Holder to perform such activities as specified in the instrument;
- 2.2.8 **“Permit Holder”** means – the Person to which a Permit is issued;

- 2.2.9 **“Person”** means – any natural or juridical person;
- 2.2.10 **“Qualified Licensee”** means – any Licensee which by virtue of the provisions in the Licence granted to such licensee is authorised to perform the activities described in these Regulations related to: installing; landing; operating; maintaining; servicing; or the like, of any ITC in the UAE and in the context of these Regulations it follows that not all Licensees are necessarily Qualified Licensees;
- 2.2.11 **“Submarine Telecommunications Cable”** or **“STC”** means – a type of International Telecommunications Cable which is used in the connection of land-based stations to carry telecommunications signals across stretches of water including but not limited to ocean, sea, inlet, estuary, lake, and lagoon;
- 2.2.12 **“Terrestrial International Cable Gateway”** means – a designated facility operated by a UAE Licensee for the purposes of housing Power Feed Equipment (PFE) and/or equipment for terminating telecommunications cables and providing interconnection between such international telecommunications cables and the telecommunications networks located in the UAE;
- 2.2.13 **“Terrestrial Telecommunications Cable”** or **“TTC”** means – a type of International Telecommunications Cable which is used in the connection of telecommunications infrastructure and where some part of that cable is laid on, in, or over the land mass of the UAE;
- 2.2.14 **“Territorial Waters of the UAE”** means – all internal waters, and all parts of the ocean, including the ocean floor, immediately adjacent to the coast of the UAE and extending to a distance of 12 nautical miles from the coast of UAE;
- 2.2.15 **“Transit Submarine Telecommunications Cable”** means – a type of Submarine Telecommunications Cable which enters, crosses, and leaves the Territorial Waters of the UAE without landing in the UAE;
- 2.2.16 **“Transit Terrestrial Telecommunications Cable”** means – a type of Terrestrial Telecommunications Cable which enters, crosses, and leaves the UAE without being connected to a Terrestrial International Cable Gateway or any telecommunications networks in the UAE;
- 2.2.17 **“UAE”** or **“State”** means – the United Arab Emirates.

- 2.3 In interpreting the provisions of these Regulations, unless these Regulations expressly provide for otherwise, or the context requires otherwise:
- 2.3.1 references to the TDRA shall, to the extent necessary, be construed as meaning a reference to the TDRA and its predecessors including in particular, the TRA;
  - 2.3.2 references to the UAE or the State shall be construed as being a reference to the land mass of the United Arab Emirates and its territorial waters;
  - 2.3.3 references to 'cables' shall be construed as being a reference to telecommunications cables;
  - 2.3.4 references to Submarine Telecommunications Cables shall be construed as including the principal cable and any spur(s) thereof;
  - 2.3.5 references to Terrestrial Telecommunications Cables shall be construed as including the principal cable and any spur(s) thereof;
  - 2.3.6 references to 'instal Submarine Telecommunications Cables' shall be construed as including 'lay Submarine Telecommunications Cables on the seabed';
  - 2.3.7 references to 'instal Terrestrial Telecommunications Cables in the UAE' shall be construed as including 'installing, laying, stringing, or suspending Terrestrial Telecommunications Cables on, in, under, or over the land mass of the UAE';
  - 2.3.8 references to the term 'seabed' shall be construed as including a reference to the 'ocean floor', and all references to the term 'ocean floor' shall be construed as including a reference to the 'seabed';
  - 2.3.9 references to articles, sub-articles, annexure, and attachments shall be construed as being references to articles, sub-articles, annexure, and attachments in or to these Regulations;
  - 2.3.10 headings and sub-headings in these Regulations are intended for guidance and are not to be construed as limiting the effect of the provisions these Regulations;
  - 2.3.11 words importing the singular shall be construed as importing the plural and vice-versa;

2.3.12 words importing persons shall be construed as importing juridical entities;  
and

2.3.13 words importing one gender shall be construed as importing all genders.

2.4 These Regulations may be referred to as “**The TDRA’s International Telecommunications Cable Regulations**” or the “**ITC Regulations**”.

### **3 Scope**

3.1 These Regulations deal with:

3.1.1 procedural matters regarding the installation and maintenance of International Telecommunications Cables in the UAE; and

3.1.2 procedural matters regarding applications for Permits.

3.1.3 and these regulations apply to all such International Telecommunications Cables regardless of whether any given cable transits (enters, crosses and exits), or terminates in, the UAE.

3.2 These Regulations apply to:

3.2.1 all International Telecommunications Cables originating in, or terminating in, or transiting the UAE; and

3.2.2 all Licensees and cable owners (including their respective agents and representatives) which: have installed or intend to install; or maintain or intend to maintain, any Terrestrial Telecommunications Cable originating in, or terminating in, or transiting the UAE; and

3.2.3 all Licensees and cable owners (including their respective agents and representatives) which: have laid or intend to lay; or maintain or intend to maintain any Submarine Telecommunications Cable in the Territorial Waters of the UAE regardless of whether such STC lands in the UAE or transits the Territorial Waters of the UAE.

3.3 These Regulations are without prejudice to the rights of Licensees and these Regulations do not vary, limit, or restrict any Licence issued by the TDRA.

3.4 These Regulations do not in any way authorise a Permit Holder to:

3.4.1 operate a Public Telecommunications Network; or

3.4.2 provide Public Telecommunications Services; or

3.4.3 conduct any other form of Regulated Activity,

in the UAE.

#### **4 General Provisions**

4.1 Licensees who operate Terrestrial International Cable Gateways and/or Cable Landing Stations in the UAE shall obligate their agents, partners, representatives, and interconnecting parties to adhere to these Regulations to the extent appropriate and necessary.

4.2 No Person other than a Qualified Licensee shall:

4.2.1 install, or cause to be installed, any Terrestrial Telecommunications Cable (TTC) in the UAE; or

4.2.2 install, or cause to be installed, any Submarine Telecommunications Cable (STC) in the Territorial Waters of the UAE; or

4.2.3 operate, maintain, or service any ITC in the UAE and its Territorial Waters; or

4.2.4 land any STC in the UAE; or

4.2.5 amend or wilfully remove, or wilfully cause to be removed, any ITC from the UAE or its Territorial Waters,

without first obtaining the relevant Permit(s) from the TDRA.



- 4.3 No International Telecommunications Cables shall be connected to any telecommunications network in the UAE other than via a connection made at a designated facility. In particular:
- 4.3.1 Terrestrial Telecommunications Cables which terminate in the UAE shall only be connected to an Terrestrial International Cable Gateway; and
- 4.3.2 Submarine Telecommunication Cables which land in the UAE shall only be connected to a Licensed Cable Landing Station.

## 5 Permits

- 5.1 The TDRA shall maintain procedures for two (2) types of Permit as described below:

### 5.1.1 Permit to Install

A Permit which is valid for the lifetime of the concerned cable, and which authorises the Permit Holder to install and maintain:

- a Terrestrial Telecommunications Cable in the UAE, and if appropriate to seek Interconnection at an Terrestrial International Cable Gateway; or
- a Submarine Telecommunications Cable in the Territorial Waters of the UAE, and if appropriate to land the STC and to seek Interconnection at a Licensed Cable Landing Station.

### 5.1.2 Permit to Remove

A Permit which authorises the Permit Holder to remove or decommission permanently or temporarily – as specified in the Permit:

- a Terrestrial Telecommunications Cable; or
- a Submarine Telecommunications Cable.

- 5.2 Qualified Licensees wishing to install an ITC in, or decommission or remove an existing ITC from, the UAE shall serve notice to the TDRA only. Qualified Licensees are not required to obtain a Permit before performing such activities.

- 5.3 Any Person (including non-qualified Licensees) who wishes to install any ITC in, or remove any ITC from, the UAE may apply to the TDRA for the relevant Permit in accordance with the procedures more fully described in Annexure A.

## 6 Provisions concerning Legacy TTCs

- 6.1 In the context of these Regulations the term “legacy TTC” shall be construed as referring to any Terrestrial Telecommunications Cable which was installed in the UAE prior to the Effective Date and the provisions of this Article 6 shall apply to all legacy Terrestrial Telecommunications Cables.

- 6.2 For each Terrestrial Telecommunications Cable terminating at an Terrestrial International Cable Gateway the concerned Licensee shall provide a notification to the TDRA specifying:

6.2.1 the name/location of the Terrestrial International Cable Gateway;

6.2.2 the name (or unique identifier) of the concerned cable;

6.2.3 the name(s) of the cable owner(s);

6.2.4 a list of all those UAE based telecommunications networks with which the concerned Terrestrial Telecommunications Cable is directly Interconnected.

- 6.3 For each Transit Terrestrial Telecommunications Cable the concerned cable owner (or its agent) shall provide a notification to the TDRA specifying:

6.3.1 the name (or unique identifier) of the concerned cable;

6.3.2 the name(s) of the cable owner(s); and

6.3.3 the geographic route of the cable including its point of entry, its route across the UAE, and its point of exit; and

6.3.4 a declaration that the cable does not connect to any telecommunications network installed in the UAE.

- 6.4 The deadline for compliance with the provisions of this Article 6 is midnight on the date which is three (3) months after the Effective Date.

- 6.5 All Terrestrial Telecommunications Cables properly notified to the TDRA in accordance with 6.2 or 6.3 as appropriate, shall be considered to be compliant with these Regulations.

## **7 Provisions concerning Legacy STCs**

- 7.1 In the context of these Regulations the term “legacy STC” shall be construed as referring to any Submarine Telecommunications Cable which was installed in the Territorial Waters of the UAE prior to the Effective Date and the provisions of this Article 7 apply to all legacy Submarine Telecommunications Cables.

- 7.2 For each Submarine Telecommunications Cable terminating at a Licensed Cable Landing Station the concerned Licensee shall provide a notification to the TDRA specifying:

7.2.1 the name/location of the Cable Landing Station;

7.2.2 the name (or unique identifier) of the concerned cable;

7.2.3 the name(s) of the cable owner(s);

7.2.4 a list of all those UAE based telecommunications networks with which the concerned Submarine Telecommunications Cable is directly Interconnected.

- 7.3 For each Transit Submarine Telecommunications Cable the concerned cable owner (or its agent) shall provide a notification to the TDRA specifying:

7.3.1 the name (or unique identifier) of the concerned cable;

7.3.2 the name(s) of the cable owner(s); and

7.3.3 the geographic route of the cable including a description of where it enters, its route through, and where it exits the Territorial Waters of the UAE; and

7.3.4 a declaration that the cable does not land in the UAE and does not connect to any telecommunications network installed in the UAE.

- 7.4 The deadline for compliance with the provisions of this Article 7 is midnight on the day which is three (3) months after the Effective Date.

- 7.5 All Submarine Telecommunications Cables properly notified to the TDRA in accordance with 7.2 or 7.3 as appropriate shall be considered to be compliant with these Regulations.

## **8 Effective Date and Closing Provisions**

- 8.1 These Regulations shall be effective and enter into force on the date on which they are issued (the “**Effective Date**”).
- 8.2 The following TDRA Instruments are hereby repealed:
- 8.2.1 None.

--- End of Regulations ---