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PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN
PAKISTAN TELECOMMUNICATION AUTHORITY

NOTIFICATION

Islamabad, the 8th March, 2021

S.R.O. 1172(I)/2021.—In exercise of powers conferred under sub-section (2) of section 29 read with clause (o) of sub-section (2) of section 5 of the Pakistan Telecommunication (Re-organization) Act, 1996 the Authority hereby makes the following regulations, namely:

PART – I

Preliminary

1. **Short title and Commencement.**—(1) These Regulations may be called, the “Type Approval Technical Standards Regulations, 2021”.

(2) These Regulations shall come into force with effect from 25th January 2021.

(1405)

Price: Rs. 40.00

2. **Definitions.**—In these regulations, unless there is anything repugnant in the subject or context:

- (a) **“Act”** means the Pakistan Telecommunication (Re-organization) Act, 1996;
- (b) **“Authority”** means the Pakistan Telecommunication Authority established under section 3 of the Act;
- (c) **“Terminal Equipment”** means any apparatus directly or indirectly connected to any network termination point and used for sending, processing receiving intelligence;
- (d) **“Applicant”** means company/entity/authorized distributor by manufacture applying for type approval for terminal equipment to the Authority;
- (e) **“Type Approval Certificate (Certificate)”** means the certification that a type/model of terminal equipment conforms to the technical standards prescribed by the Authority;
- (f) **“Mobile Device”** means a communication device, that uses SIM(s) (Subscriber Identity Module)/IMEI (International Mobile Equipment Identity) include mobile phone, tablet, Dongles, Trackers, Smart watch etc.;
- (g) **“Person”** means a natural or juristic person who intends to imports PTA approved terminal equipment into Pakistan with the objective of personal use or sale of such equipment, for connection to a public switched network.

Words and expressions used but not defined herein shall bear the meanings given there in the Act or the Rules.

3. **Terminal Equipment Standards.**—(1) All Terminal Equipment shall conform to the technical standards as prescribed by the Authority from time to time.:

Provided that where the Authority has not prescribed any technical standards for a type of terminal equipment, the technical standards laid down by following standardization bodies may be adopted:

- a. ITU Telecommunication Standardization Sector (ITU-T).
- b. European Standards (EN).

- c. The International Electro- Technical Commission (IEC) and its International Special Committee on Radio Interference (CISPR).
- d. The European Committee for Electro Technical Standardization (CENELEC).
- e. The European Telecommunications Standards Institute (ETSI).
- f. Occupational Health and Safety Assessment Specification (OHSAS).
- g. International Organization for Standardization (ISO).
- h. Directive 2014/53/EU for Radio Equipment Directive (RED).
- i. IEC 62368 Safety standards.

(2) The Authority may recognize the test reports issued by world-renowned laboratories duly accredited by the accreditation council within the originating country.

(3) All Terminal equipment must also comply with the essential requirements & standards which are as follow:

- a. Interoperability.
- b. Valid International Mobile Equipment Identity Code.
- c. Safety Requirements *i.e.* Mobile/Handheld devices are required to comply with a Specific Absorption Rate (SAR) limit of 2 Watts/Kg of tissue (average over 10 gm) when exposed to a radio frequency (RF) electromagnetic field.
- d. Provided test report(s) conforming to notified standards must be issued by an accredited laboratory duly registered by National accreditation council of their country.

PART-II

Procedure for Type Approval of Terminal Equipment

4. **Application.**—(1) An application for the type approval of Terminal Equipment shall be submitted to the Authority in the prescribed format as Annex-A, along with supporting information as specified in regulation 5:

Provided that the Type Approval Certificate may, subject to requirements provided in these regulations, be issued to applicant.

(2) The application shall be examined and subject to fulfillment of the requirements provided in these Regulations and the type approval certificate shall be issued on fulfilment of the same.

- a. If a manufacturer/person intends to obtain type approval under its name, they shall to apply for type approval for the terminal equipment by submitting the prescribed application along with codal requirements listed within these regulations.
- b. Provided that terminal equipment model that has been type approved by PTA, all persons shall be allowed to use such equipment for connection to a Public Switch to Network in Pakistan subject to grant of certificate of compliance (CoC) by PTA under these regulations.
- c. Provided further that for each new consignment consisting of SIM/IMEI based mobile devices being imported in Pakistan by any person, an application shall be made to PTA by submitting IMEI and other listed documents via PTA online portal system available at dirbs.pta.gov.pk/drs or any other mechanism prescribed by PTA from to time.
- d. The type approval applicant may appoint a local 3rd party/ representative/consultant etc. for submission of the type approval and certificate of compliance to technical standards (CoC) application and to represent them at PTA.
- e. For all SIM/IMEI based mobile devices including fixed or mobile devices, type approval holder shall only use a unique IMEI containing Type Allocation Code (TAC) issued by GSM Association.
- f. All type approval holders and persons importing PTA type approved terminal equipment/mobile devices for sale and market in Pakistan shall ensure that they will establish customer service/ after sales mechanism for facilitation of their customers and also obtain CoC for parts imported for after sales provision through PTA.
- g. For devices operating in VHF frequency bands, type approval holder shall ensure that that the equipment is sold to PTA License holders and devices are programmed within the allocated frequency band only as per License conditions. Furthermore, a monthly report

for such device sale along with end user and PTA license details shall be provided to PTA.

- h. For devices operating in HF and UHF frequencies band, type approval shall be granted subject to provision of PTA issued license and device shall be programmed within the allocated frequencies band and output power as per License conditions.
- i. For equipment for maritime functionality, Authorization from Pakistan Maritime Security agencies (MSA) along with issued License from PTA is required.
- j. For module falling under terminal equipment category shall be granted type approval to be used within a finished product, whereby each specific module shall require type approval and shall be used within the declared finished product within the type approval application.

(3) Provided that any concealment of material facts, by the applicant at the time of submitting application or thereafter shall render the type approval certificate liable to be cancelled.

(4) PTA has the right to cancel/suspend the issued Type Approval Certificate in case the product being imported/sold is found to be having manufacturing faults, hazardous to health/safety and not conforming to standards stated at the time of type approval.

(5) A Type Approval application is to be made for each model separately and issuance of the certificate referred in sub-regulation (2) shall be made for one of model of the terminal equipment and be stated within the certificate with model name and model number respectively.

(6) Applicant is required to submit a sample quantity (1) along with the application for type approval to be used for testing and evaluation by the PTA. Furthermore, PTA may return the sample if the applicant will provide the documentary evidence from the manufacture reflecting manufacturing price to be more than USD 2000 within 3 months from issuance of type approval certificates. Any claim after lapse of time duration shall not be entertained.

Note: *Submitted sample may be disassembled by PTA, to perform internal hardware/PCBA validation/testing etc. as part of technical assessment. Applicant is made aware that such assessment may result in voidance of device warranties by manufacturer and PTA shall not be liable for it.*

(7) The applicant is not authorized to alter/reprogram or change description of the type approved equipment unless it is approved by the authority.

(8) All concerned shall follow the directives, guidelines and standing operating procedure of the type approval issued from time to time by the Authority.

5. **Supporting Information.**—(1) All applications under regulation 4 shall include following supporting information along with application request attached as Annex C to these Regulations and submitted in soft format e.g. CD/DVD/USB etc. or any other format required by authority from time to time.

- (a) Application Form.
- (b) Applicants Undertaking.
- (c) Credentials of the Applicant will be required:
 - a. CNIC of Individual.
 - b. Registration from SECP/City Government/ Registrar/ Firm along with NTN for the local company/organization/entity.
 - c. In case of applicant being a foreign entity, the applicant shall provide following documents as part of type approval process issued from their country of origin:
 - i. Company Registration.
 - ii. Authorization from board of directors to apply for PTA type approval.
 - iii. Shareholder details of board of directors of manufacturer of device(s).
- (d) Declaration of Conformity by the manufacturer reflecting the applied device standards e.g. RF, Safety, SAR, EMC/EMI etc. or any other document required by authority from time to time.
- (e) Detailed test reports for standards reflected within Declaration of Conformity may be asked by PTA as and when required e.g. RF, Safety, SAR, EMC/EMI etc.
- (f) Technical Data Sheet, reflecting Specifications for the device e.g. output power, operating frequency etc.

- (g) Wi-Max terminal equipment, certification from Wi-Max forum are to be provided.
- (h) Processing fee (Non-refundable) of US \$100 or equivalent Pak Rupees and Type Approval Certificate issuance fee in Pak Rupees equivalent to amount as stated in Annex B.
- (i) Sample quantity (ONE) of the terminal equipment for applied model. Submitted sample should be complete in all respect including accessories allowing PTA to carry out technical evaluation of sample. In case of an IMEI based sample, applicant will ensure sample device IMEI is registered as per DIRBS Regulations prior to submission.
- Note: Submitted sample may be disassembled by PTA, to perform internal hardware/PCBA validation/testing etc. as part of technical assessment. Applicant is made aware that such assessment may result in voidance of device warranties by manufacturer and PTA shall not be liable for it.*
- (j) Provision of Type Allocation Code (TAC) details (e.g. GSMA TAC Certificate or GSMA TAC Code programmed on applied model device etc. from GSMA Association in case of device offering IMEI/SIM based functionality. As part of evaluation of type approval request PTA will verify applied TAC with GSMA database and if needed further verification can be asked directly from GSMA for specific TAC. Upon approval of type approval request all GSMA TAC (excluding those TAC is placed on blacklist by the Authority) issued against the specific model to be included.
- (k) Undertaking from manufacturer that device being type approved is for mass produce consumer purpose only and all native applications installed do not support any customized in-built encryption as part of its primary device functions. Provided that PTA reserves the right to forward relevant device information to concerned government bodies for evaluation/clearance as and when deemed necessary.
- (l) Undertaking from manufacturer that sanctity/privacy of the user data shall be ensured.
- (m) As per part of type approval evaluation PTA will perform system-based checking e.g. operating system, firmware, output power, programmed frequencies, hardware inside the device as and when

required. PTA may also ask to provide demo of the device to show all the features programmed in the devices and compare the same with submitted test report. This demo may be asked in person or through video conferencing as deemed appropriate.

- (n) Any additional supporting information/documents that the Authority may require as part of application evaluation.

6. All Wireless Radio based Terminal Equipment.—All Terminal equipment having wireless functionality shall operate on non-interference basis within the allowed frequency spectrum allowed by PTA/FAB.

7. Application Processing and Type Approval Fees.—(1) The list of all terminal equipment to be type approved by the Authority along with processing and type approval fees shall be made available on PTA website (www.pta.gov.pk).

(2) The applicant shall pay the application processing fee along with the application for each type of terminal equipment.

(3) Provided that in the case an applicant intends to withdraw the application before the type approval is granted, the application processing fee shall not be refunded, however in case of application denial/withdrawal certification issuance fee shall be refunded or adjusted in future application subject to intimation by applicant for refund or adjustment of fee in future type approval application.

(4) Provided further that the type approval fee shall be charged upon grant of type approval of the requested terminal equipment.

(5) The amount specified as Application Processing and Type Approval fee is to be deposited in the name of Pakistan Telecommunication Authority in a prescribed bank account.

8. Processing of Application by the Authority.—Upon receipt of application complete in all respects and deposit of prescribed fee, the Authority shall carry out an initial assessment to determine the suitability for grant of type approval certificate and shall allot a reference number to the applicant for the purpose of future correspondence and identification of the application.

Provided that if the application is incomplete, the Authority may return the application to make up the deficiency within the given time *i.e.* 7 working days, failure to provide the same within the stipulated time may lead to denial of the application.

9. **Grant Type Approval Certificate.**—(1) The Type Approval Certificate may be issued if the Authority is satisfied that:

- (a) the application complies with these Regulations;
- (b) the Terminal Equipment fulfills all the relevant technical standards/requirements as well as provision of all documents required by the authority;
- (c) All fees due under these regulations have been deposited in the designated account;
- (d) Type Approval code for IMEI based devices issued by GSMA; and
- (e) Terms and conditions of Type Approval issued by Authority and any other directives issued from time to time.

10. **Issuance of Duplicate Type Approval Certificate and Revision of Existing Type Approval Certificate.**

1. Duplicate Type Approval Certificate may be issued by the Authority subject to the following:

- (a) Provision of request on type approval holder company letterhead;
- (b) Provision of an undertaking stating the reasons of requirement of duplicate certificate;
- (c) Deposit of the prescribed processing fee in Annex B;
- (d) Copy of Intimation to PTA of lost/misplaced original certificate; and
- (e) Copy of already issued type approval certificate.

2. Revision of Existing Type Approval Certificate.

All modifications in the certified terminal equipment, however small, shall be assessed by the type approval certificate holder for the purpose of compliance with the prescribed standards and approval from the Authority, if such change is informed after lapse of 90 days from issuance of certificate following shall be provided:

(3) Provided that the applicant shall send full details of the changes made in the terminal equipment along with supporting diagrams and processing fee (non-refundable):

(4) Provided that the Authority may require a test sample for verification purposes.

(5) The applicant/type approval holder shall notify to the Authority, if any of the information in the type approval certificate that becomes outdated, which includes but is not limited to:

- (a) the name/address / contact details of the holder; and
- (b) the name or model number of type approved equipment.

(6) Updating of Type approval certificate shall be done through issuance of Addendum and incorporating necessary changes in "Type Approval Register" on the request of the applicant /type approval holder.

(7) In case, if already type approved model has been upgraded by the manufacturer and there is no change in the hardware but in the software, it will not require Type approval from the Authority. However, if the hardware for the device has been changed amounting to modification of equipment it shall be considered to be a new model, the model will require a fresh Type Approval.

Explanation: Examples of such scenarios can be PCBA/Motherboard hardware change, RAM/ROM variants etc.

(8) Each Model/Variant of Terminal Equipment will require a separate Type Approval.

(9) In case of already type approved by PTA, where manufacturer/OEM company ownership has been changed, it shall require fresh type approval from PTA.

PART-III

General Conditions

11. **Withdrawal of Type Approval Certificate.**—The Authority may revoke the Type Approval Certificate at any time on any of the following grounds:—

- (a) If at any stage the type approval certificate holder acts in contrary to these Regulations;
- (b) if the terminal equipment that has been connected to a public switched network differs in any way from the original sample/ test reports submitted at the time of type approval by the applicant; and

- (c) In case the product being imported/sold is found to be having manufacturing faults, hazardous to health/safety and not conforming to standards stated at the time of type approval.

12. Procedure for issuance of Certificate of Compliance to Technical Standard Compliance.—(1) The Authority may consider a request for issuance of certificate of compliance to technical standards to companies, academia, government bodies, Law Enforcement Agencies (LEA) etc. on non-commercial and non-interference use basis and within PTA/FAB allowed frequency band for following categories:

- a. Research and Development (R&D), Test and Trial, Engineering samples/ prototype imported for non-commercial purpose up to quantity 5 for each model/variant to be used for internal testing purpose on non-interference basis and shall not be sold/used for commercial purpose.
- b. Sample imported for purpose of type approval for submission to PTA.
- c. Non-terminal equipment detained by customs authority requiring technical clarification from Authority.
- d. LEA, Armed forces, Security Agencies SIM based Devices for their organization official use only (GSMA Valid IMEIs) accompanied with tax exemption letter from FBR.

(2) Applicant may submit request for above mentioned category by submitting document and form reflected in **Annex D**.

(3) Authority shall allow commercial import of PTA type approved models by all Persons by issuing certificate of compliance to Technical standards for use within PTA/FAB allowed frequency bands as per below conditions:

- (a) **For SIM/IMEI based Terminal Equipment/ Mobile device(s) on following conditions:**

Parameter	Details
PTA Type Approved Mobile Device	Device shall be a model which is PTA Type approved
GSMA Type Allocation Code (TAC)	IMEI for device(s) will contain only GSMA issued TAC which are reflected within the PTA issued type approval certificate or PTA website from time to time. Furthermore, no TAC addition will be required for already type approved model and all new TAC notified by GSMA shall be added as and when made available by GSMA and placed on PTA website.

Duplicated/Cloned/Stolen/Counterfeit IMEI	Devices that contain duplicated/cloned/stolen/counterfeit shall not be considered for issuance of CoC by PTA
Undertaking by Applicant	Undertaking by, applicant to abide by all GoP, PTA, regulations and import terminal equipment which are operational/ functional, do not incorporate Duplicated/ Cloned/ Stolen/Counterfeit IMEI and provide after sales to its customer
Apply via PTA online Portal	Applicant shall apply via PTA online portal link available at dirbs.pta.gov.pk/drs and upload all listed requirement into the portal system

- (b) **For non-SIM/IMEI based Wireless Terminal device(s) following conditions are required:**

Applicant may submit request by submitting document and form attached at Annex-D.

- (c) **For SIM/IMEI based Terminal mobile device(s) imported by a person for personal use following conditions shall be fulfilled:**

Parameter	Details
GSMA Type Allocation Code (TAC)	IMEI for device(s) will contain only GSMA TAC excluding placed in blacklist by the Authority.
Duplicated/Cloned/Stolen/Counterfeit IMEI	Mobile devices that contain duplicated/ cloned/ stolen/counterfeit shall not be allowed for issuance of CoC by PTA
Quantity	Only 5 mobile devices in a calendar year will be allowed
Apply via PTA online Portal	Applicant shall apply <i>via</i> PTA online portal link available at dirbs.pta.gov.pk/drs or USSD *8484# and upload all listed requirement into the portal system

Note: Foreign Missions including High Commissions and Embassies shall file their COC requests for import of telecommunication equipment through Ministry of Foreign Affairs, however they will have to apply for Type approval for terminal equipment after providing required documents/sample/fee to the PTA.

(4) PTA has the right to cancel/suspend the CoC issued in case the product being imported/sold is found to be having manufacturing faults, hazardous to health/safety and not conforming to standards stated at the time of grant of COC.

13. **Type Approval Register.**—The concerned division shall maintain a register of all terminal equipment approved under these Regulations and shall keep it open for inspection by the authority.

14. **Identity of Terminal Equipment that is type approved by PTA.**—(1) In order to verify that the terminal equipment being sold commercially is a type approved model, the type approval holder/person will place a verifiable sign (Paper or Electronic embedded within the software) with following details at a minimum on each type approved terminal equipment as follows:

(a) Unique Type Approval number issued by PTA and verifiable sign reflecting “Approved by PTA”.

(2) Manufacturer(s) / distributor(s) / person / importer(s) / dealer(s) / Retailers etc. shall, specify through a verifiable sign (Paper or Electronic embedded within the software) that the terminal equipment offered by them is “Approved by PTA”.

(3) Type Approval holder using electronic identification sign shall ensure that type approved device equipped with an integrated electronic display screen, or a device without an integrated screen that can only operate in conjunction with a device that has an electronic display screen will show on the electronic display the PTA Identifier that equipment is type approved.

15. **Miscellaneous.**—(1) All Terminal Equipment shall conform to the technical standards as prescribed by the Authority from time to time.

(2) Terms and conditions of Type Approval issued by Authority and any other directives issued from time to time.

(3) Authority approved exemption list (Annex-E) may be revised from time to time.

16. **Repeal and Savings.**—(1) The Type Approval Regulations, 2019 and amendments issued in 2019 vide S.R.O are hereby repealed.

(2) Notwithstanding anything contained hereinbefore, all orders made, actions taken, notifications issued, shall be deemed always to have been lawfully and validly made, taken, issued, vested or transferred under these regulations and shall continue to be in force unless amended, varied, withdrawn, rescinded or annulled by a person or authority competent to do so under these regulations.

[No. 94/Regs/PTA/2019/445.]

ERUM LATIF,
Director (Law & Regulations).