

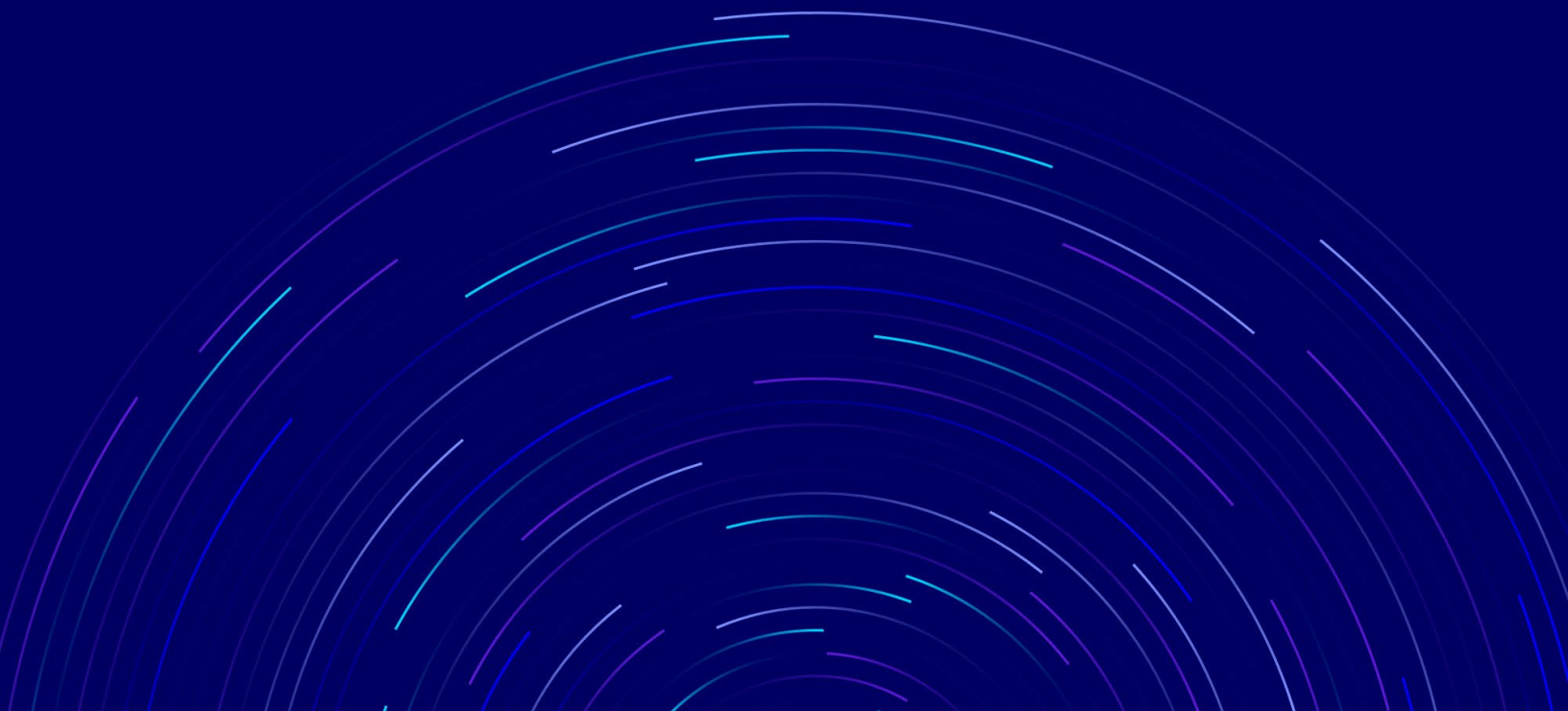


هيئة الاتصالات والفضاء والتقنية  
Communications, Space &  
Technology Commission

# National Radio Spectrum Law

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March 2023



## Chapter 1: Definitions, Goals and Scope

### Article 1: Definitions

The following expressions and terms, wherever mentioned in the Law, shall have the meanings assigned against each of them, unless the context requires otherwise:

**Kingdom:** The Kingdom of Saudi Arabia.

**Law:** This National Radio Spectrum Law.

**Implementing Regulation:** The implementing regulation of the Law.

**Technical Regulations:** Any rules, plans, directives, procedures, regulatory rules, conditions, requirements and standards of a technical nature issued by the Commission.

**Board of Directors:** the board of directors of the Communications, Space and Technology Commission.

**Commission:** The Communications, Space and Technology Commission, being the government entity responsible for regulating, managing, supervising and licensing the use of Radio Spectrum in the Kingdom and will exercise its functions in accordance with the objectives and principles set out in the Law and the Implementing Regulation.

**Radio Spectrum:** The part of the electromagnetic spectrum lower than 3,000 Gigahertz, such part is defined as radio waves, including the set of frequency bands mentioned in the International Radio Regulations and the National Frequency Allocation Table.

**Wireless Devices:** Any wireless devices, or wireless broadcasting sensitive equipment, or apparatus and equipment which causes interference, and any equipment, apparatus, products, tools, machines, or any other materials, which are connected to Radiocommunication Services or whose use may affect the technical capability for the provision of Radiocommunication Services.

**Emerging Technologies:** Technical innovations that represent a progressive development within a certain field, and which create a competitive advantage over prevailing technologies.

**Harmful Interference:** A harmful effect of radio waves propagating from any thermal emission, radiation, electrical induction, or transmission that harms the use, efficiency, or operation of the Wireless Devices, wireless communication systems, or other devices which are sensitive to radio waves.

**International Radio Regulations:** The regulations published by the International Telecommunication Union (ITU) in relation to the use of Radio Spectrum containing the rules agreed by the ITU member states, as amended from time to time.

**Person:** A person with a physical or juristic capacity, or a public or private entity.

**License:** A document issued by the Commission to one or more Persons for the right to access and use a specified part of Radio Spectrum, and any of the resources relating to the Radio Spectrum if applicable, subject to compliance with certain terms and conditions relating to such use.

**Licensee:** the Person who has obtained a License from the Commission in accordance with the Law, Implementing Regulation and any relevant Technical Regulations.

**User:** A Person who uses Radio Spectrum.

**National Frequency Allocation Table:** A document which describes the allocation of frequency bands in the Kingdom for Radiocommunication Services in accordance with the International Radio Regulations, which may include other information relating to conditions for use of frequency bands.

**Frequency Reallocation:** A process carried out by the Commission to change the Radiocommunication Service or technology or change usage controls in the National Frequency Allocation Table.

**National Frequency Register:** A register that contains all data relating to the Radio Spectrum used in the Kingdom, and data related to Licenses.

**Radiocommunication Services:** The types of Radio Spectrum uses as defined in the International Radio Regulations and involves the transmission, emission and/or reception of radio waves.

**Orbital Resources:** The paths created around any object in space, such resources comprising of orbital locations and orbital paths.

**Committee:** The committee entrusted with the examination of the violations of the Law.

## Article 2: Goals of the Law

The law aims to:

1. Promote the technical efficiency and economic value of the use of Radio Spectrum, in an environment free from Harmful Interferences, to provide an attractive landscape for investment in the Kingdom for the greatest benefit to Users, the national economy, society, and national security.
2. Promote innovation, research, and technical development and sciences across all relevant sectors that use Radio Spectrum, including developing subsectors and Emerging Technologies.

3. Promote and encourage fair competition in using the Radio Spectrum for the promotion of User benefit.
4. Promote clarity and transparency in the procedures of administering the use of Radio Spectrum.
5. Provide frequency bands to meet current and future demands for Radio Spectrum, including for commercial purposes, defence purposes, national security purposes, or for any other purposes such as public safety or other community purposes.
6. Promote optimal utilization of Radio Spectrum and adopt radio technologies that efficiently utilize the use of Radio Spectrum.
7. Protect the national security interest.
8. Improve the management and use of Radio Spectrum data, without prejudice to maintaining the confidentiality of confidential data.
9. Protect the public from harmful radio waves.

### **Article 3: Scope of Application**

1. The Radio Spectrum is a national and natural resource owned by the Kingdom and administered by the Commission in accordance with the provisions of the Law, Implementing Regulation and Technical Regulations.
2. The Law applies to:
  - a) all uses of Radio Spectrum in or over all territories of the Kingdom, including the Kingdom's land, sea and water territories, and the outer space above the land, sea and water territories to the atmosphere and outer space, in accordance with the laws of the Kingdom and rules of international law;
  - b) all Wireless Devices in the Kingdom that use Radio Spectrum including devices on board a ship, aircraft or other vehicle that is registered in the Kingdom as applicable; and
  - c) the use of Orbital Resources and Radio Spectrum through satellites for telecommunication, broadcast, navigation or other purposes and any such space objects or space services that rely on the use of Radio Spectrum.

## **Chapter 2: Radio Spectrum Management Responsibilities**

### **Article 4: Communications, Space and Technology Commission**

The Commission shall manage, monitor, and License Radio Spectrum uses in the Kingdom, and it has the broadest authorities to undertake this mandate, including the following:

1. Managing the Radio Spectrum in accordance with the provisions of the Law so that it achieves its goals.

2. Ratifying the Technical Regulations issued in accordance with the provisions of this Law and the Implementing Regulation.
3. Managing all aspects and resources relating to the Radio Spectrum in accordance with the provisions of this Law, the Implementing Regulation, and the Technical Regulations.
4. Submitting to the Board of Directors proposals that require its approval, including Technical Regulations on licensing fees for the use of Radio Spectrum, preparing strategies and other strategic decisions relating to Radio Spectrum.
5. Subject to the approval of the Board of Directors, the allocation of frequency bands to Radiocommunication Services and Frequency Reallocation.
6. Coordinating with relevant stakeholders on all matters relating to the Radio Spectrum.
7. Maintaining the National Frequency Register, updating its data, and taking appropriate measures to maintain its confidentiality.
8. Specifying the levels of exposure to the electromagnetic fields of the non-ionising Radio Spectrum, setting down the rules and criteria necessary for ensuring conformity and compliance, and the measurement procedures, in addition to taking whatever necessary measures as specified by the relevant Technical Regulations.
9. Monitoring the use of Radio Spectrum in the Kingdom, including the fulfilment of License conditions, and enforcing compliance with those conditions and with the provisions of the Law, Implementing Regulation and Technical Regulations in general by all Users.
10. Resolving incidents of Harmful Interference between Users in accordance with the relevant Technical Regulations.
11. International coordination of Radio Spectrum allocation and orbital slots in accordance with the provisions of the International Radio Regulations and resolving any arising cross-border interference cases.
12. Representing the Kingdom before regional and international organizations in respect of Radio Spectrum matters and delegating such representation authority to other relevant entities.
13. Promoting innovation, research and development, and carrying out research related to Radio Spectrum, or arranging for others entities to carry out such research.
14. Taking the necessary measures to achieve technical and economic efficiency in the use of Radio Spectrum, including by implementing different methods such as, but not limited to, the publication of reports and setting utilization standards by recommending appropriate Technical Regulations.

15. Acting in compliance with the Kingdom's international obligations regarding Radio Spectrum, and taking all necessary measures to implement those obligations, taking into account the obligations arising from any bi- or multilateral agreements or arrangements.
16. Approving the requirements of using Radio Spectrum in Wireless Devices.
17. Developing plans related to the future use of Radio Spectrum in coordination with the relevant stakeholders.
18. Doing anything incidental to or conducive to the fulfilment of any responsibilities delegated to the Commission in accordance with the laws.

#### **Article 5: The Board of Directors of the Communications, Space, and Technology Commission**

The Board of Directors shall supervise matters related to the management of Radio Spectrum at the national level, including the following:

1. Approving the Implementing Regulation.
2. Approving of the National Frequency Allocation Table, allocation of frequency bands and Frequency Reallocation.
3. Approving the regulation on licensing fees for the use of Radio Spectrum -based on the recommendations made by the Commission- and in agreement with the Ministry of Finance and the Non-Oil Revenues Development Center.
4. Concluding agreements and various types of contracts within the limits of the Board of Director's authority and delegating the Commission's personnel for concluding such agreements.
5. Forming committees and empowering them with necessary authorization to carry out their tasks.
6. Approving strategies relating to Radio Spectrum based on the recommendations made by the Commission.
7. Approving the selection of the delegation representing the Kingdom's interests at the ITU's World Radiocommunications Conferences, based on the recommendations made by the Commission
8. Resolving any issues regarding the national coordination of Radio Spectrum.

The Board may delegate some of its authorities to any personnel or committees in the Commission as it deems appropriate and as required by the conduct of its work.

## Chapter 3: Regulations and Policies

### Article 6: The National Frequency Allocation Table

The Commission shall prepare the National Frequency Allocation Table -in coordination with the relevant authorities- which shall be approved by the Board of Directors, and License the use of Radio Spectrum based on its terms. The Commission shall propose updates to the National Frequency Allocation Table and manage it, taking into account the objectives of the Law and provisions of other laws and the international agreements to which the Kingdom is a party.

### Article 7: Fees for Licensing the Use of Frequencies

1. The Board shall approve the fees for licensing the use of Radio Spectrum -based on the recommendations made by the Commission-, and in agreement with the Ministry of Finance and the Non-Oil Revenues Development Center.
2. Fees shall be collected, and transferred to the State Public Treasury, for the issuance and renewal of Licenses to use frequencies.
3. The Commission shall prepare the fees for licensing the use of frequencies, in agreement with the Ministry of Finance and the Non-Oil Revenues Development Centre.
4. The Commission shall receive a percentage -determined by the Commission in agreement with the Ministry of Finance and the Non-Oil Revenues Development Centre- from the revenues collected from licensing the use of Radio Spectrum to cover the administrative costs of managing the Radio Spectrum.

### Article 8: Radio Spectrum Strategies and Plans

1. The Commission shall prepare plans relating to the future use of Radio Spectrum in coordination with the relevant stakeholders.
2. The Commission - in coordination with relevant stakeholders - shall prepare strategies relating to Radio Spectrum in the Kingdom, including objectives aimed at enhancing the way Radio Spectrum is managed and its national policies. The Board of Directors shall approve such strategies.

### Article 9: Frequency Reallocation

1. Without prejudice to Article 2 and Article 6 of the Law, the Commission may reallocate one or more specified frequency bands of Radio Spectrum subject to the approval of the Board of Directors.
2. The Commission shall take the views of the Licensees or Users in circumstances where it determines to reallocate one or more specified frequency bands of Radio Spectrum, except in circumstances where the Frequency Reallocation is for the implementation of any changes in International Radio Regulations.

3. The Commission shall specify a timeline for compliance by Licensees affected by the Frequency Reallocation, and the Licensees and Users must comply with any instructions issued by the Commission in this regard.
4. The Commission may compensate Licensees and/or Users, effected as a result of Frequency Reallocation, and take into account all fair circumstances and any relevant aspects as described in the Implementing Regulation and any relevant Technical Regulations.

## **Chapter 4: Radio Spectrum Licensing**

### **Article 10: Types of Licenses, methods and conditions**

1. Subject to Article 13 of the Law, it is prohibited to use any frequency of Radio Spectrum without having the necessary License from Commission and without settlement of any applicable fees. The Commission may divide the fees in accordance with the relevant Technical Regulations.
2. The Commission shall classify the Licenses into categories that vary in the level of exclusivity in respect of the use of Radio Spectrum and level of protection from Harmful Interferences, and the Commission shall lay down the terms and conditions of each category.
3. The Commission shall determine the most appropriate mechanism of Radio Spectrum licensing and may issue Licenses pursuant to a competitive process.
4. The Commission may include conditions for Licenses to guarantee efficient and effective use of Radio Spectrum.
5. The Commission may impose different License conditions for competing Radiocommunication Services or Users using the same frequency bands if this is demonstrated to be necessary to achieve the objectives of the Law.
6. The Commission shall License the resources associated with the use of Radio Spectrum, in accordance with the Implementing Regulation.
7. Licenses may be terminated, amended and renewed pursuant to a request from the Licensee and subject to the approval of the Commission, in accordance with the Implementing Regulation and any relevant Technical Regulations.
8. A Licensee is prohibited from transferring or leasing their rights of use for Radio Spectrum prior to obtaining the approval of the Commission, and in accordance with the rules and conditions set out in the relevant Technical Regulations.
9. The Technical Regulations shall specify the requirements for the use of Radio Spectrum by Wireless Devices, the radio technologies used, the Radiocommunication Services and the various uses of the Radio Spectrum.



## **Article 11: Wireless Devices**

1. Technical Regulations shall determine the conditions relating to the use of Radio Spectrum in Wireless Devices in the Kingdom.
2. The Commission and the relevant entities concerned with product conformity, shall take the necessary procedures to ensure that Wireless Devices are in compliance with the relevant Technical Regulations.

## **Article 12: Restriction of Radio Spectrum rights**

1. The Commission may refuse a request to renew, revoke or amend a License, in any of the following cases as applicable:
  - (a) The need to reallocate one or more specified frequency bands of Radio Spectrum in accordance with Article 9 of the Law.
  - (b) If it is necessary to comply with the international obligations of the Kingdom.
  - (c) The need to ensure continuous and efficient utilization of the Radio Spectrum from both technical and economic perspectives.
  - (d) If the Licensee is not using the Licensed Radio Spectrum or not utilizing it efficiently.
  - (e) The failure of the Licensee to pay due fees.
  - (f) The failure of the Licensee to provide the Commission with any frequency data related to the License.
  - (g) Suspicion of a breach of the Law, Implementing Regulation or Technical Regulations.
  - (h) Any other cases specified by the Implementing Regulation or Technical Regulations.
2. Pursuant to a decision by the Board of Directors, the Commission may provide compensation to the Licensee affected by any decision made under paragraph 1 of this Article, subject to agreement with the Ministry of Finance and the Non-Oil Revenues Development Center.

## **Article 13: License Exemptions**

1. The Commission may exempt Users from obtaining a License for public safety purposes, low power devices, receiver devices and other purposes and uses.
2. The Commission shall issue Technical Regulations that specify License exempt uses, and the relevant rules and conditions for such uses.
3. The Commission may register the data of the exempted Wireless Devices in the National Frequency Register.

## Chapter 5: International Matters

### Article 14: International Representation and Obligations

1. The Commission shall represent the Kingdom in relation to international aspects of Radio Spectrum on any regional, international or other bodies and World Radiocommunications Conferences where the International Radio Regulations are reviewed and updated, and may delegate such representation rights to other relevant stakeholders.
2. The Board of Directors –based on a recommendation of the Commission– shall identify the delegation responsible for representation of the Kingdom’s interest at the World Radiocommunications Conferences of the ITU. The Commission is mandated with the enforcement of the Kingdom’s international obligations in relation to the use of Radio Spectrum.

### Article 15: International Coordination

1. The Commission shall coordinate with the relevant authorities in other countries for the management of cross-border interference in accordance with the provisions of the International Radio Regulations and the provisions of the Technical Regulations issued in this regard.
2. The Commission shall coordinate internationally all matters relating to Orbital Resources and its related Radio Spectrum, and record the orbital locations and Radio Spectrum of the Kingdom in the ITU’s records, in accordance with the provisions of the International Radio Regulations and the provisions of the Technical Regulations issued in this regard.
3. In accordance with the International Radio Regulations, the Commission shall submit any required data to the ITU so that Radio Spectrum Licenses in the Kingdom can be registered in the ITU’s master international frequency register and receive international recognition for protection from Harmful Interference.

## Chapter 6: Data, Radio Spectrum Monitoring and Inspection

### Article 16: National Frequency Register

1. The Commission shall establish a National Frequency Register in the Kingdom and register data relating to Radio Spectrum. The Commission is responsible for managing, updating, and taking the appropriate measures to maintain its confidentiality.
2. The Commission shall ensure that the National Frequency Register is kept up-to-date, and it may, at its discretion, request additional information or documents from any User at any time for the purpose of updating the data of the National Frequency Register, and Users shall provide and update any data that the Commission requires.

3. Without prejudice to paragraph 1 of this Article, the Commission may publish the National Frequency Register data or provide access thereto.

#### **Article 17: Collection, analysis and publication of data**

1. The Commission may compile and analyze data relating to Radio Spectrum and its uses in the following aspects, and publish in any way it considers appropriate without prejudice to paragraph 1 of Article 16 of the Law:
  - (a) The efficiency of Radio Spectrum use and its effects.
  - (b) Radio monitoring and actual use of Radio Spectrum.
  - (c) Future developments in technologies relating to use of Radio Spectrum.
  - (d) Any other connected matters that the Commission considers relevant.
2. The Commission may publish or share the Radio Spectrum data for the following purposes:
  - (a) For the purpose of facilitating any of the Commission's functions under the Law, Implementing Regulation or Technical Regulations.
  - (b) For the purpose of implementing any proceedings brought under or because of the Law, Implementing Regulation or Technical Regulations.

#### **Article 18: Radio Monitoring**

1. The Commission shall monitor and supervise compliance with the License conditions, provisions of the Law, Implementing Regulation and Technical Regulations.
2. The Commission shall specify the levels of exposure to radio waves that are part of the Radio Spectrum and set the rules and conditions required to comply with such levels and take measurements and other steps as necessary in accordance with the relevant Technical Regulations.
3. The Commission shall monitor the use of Radio Spectrum in order to minimise Harmful Interference.
4. The Commission may require Licensees or any Person found in possession of Wireless Devices to provide all information necessary to verify compliance with the License conditions or with any obligation under the provisions of the Law, Implementing Regulation or Technical Regulations.

5. The Commission may suspend Radiocommunication Services or technology systems that use Radio Spectrum in the event of a violation suspicion, as a precautionary measure.

#### **Article 19: Inspection**

1. Inspectors designated pursuant to a decision of the Board of Directors – based on the recommendation of the Commission – shall, collectively or individually:
  - (a) Pursue any violations of the provisions of the Law, Implementing Regulation, Technical Regulations and the relevant Licenses and shall investigate, collect evidence or refer such violations to the Committee, in accordance with the procedures set out in the Implementing Regulation.
  - (b) Have judicial authority within their mandate in order to evidence violations of the Law, Implementing Regulation, Technical Regulations, and related Licenses, and shall carry out their functions and responsibilities in accordance with the Implementing Regulation.
  - (c) Examine documents, technology systems, and databases, and take copies of them, and seize any Wireless Devices suspected of being used in a violation, or otherwise illegally being used, and/or creating Harmful Interference to other legitimate Users.
2. The Commission, as a precautionary measure, may withhold the seizures until the violation is examined before the Committee. If the violation is established by a final decision, the Commission may dispose of the seizures as specified by the Implementing Regulation without prejudice to the offender's right to claim compensation for any damages

### **Chapter 7: Compliance and Enforcement**

#### **Article 20: Licensee and Users Compliance**

1. Licensees shall comply with the terms and conditions of the Licenses.
2. All Users shall comply with the provisions of the Law, Implementing Regulation, Technical Regulations and any relevant conditions issued by the Commission.

#### **Article 21: Suspension**

1. If Radio Spectrum is used in violation of the Law, Implementing Regulation, Technical Regulations, or the terms and conditions of a License, the Commission may suspend the operation of the Wireless Devices used in the violation or withdraw them from service, and it may seek the assistance of the competent security authorities, when necessary.

2. The Commission may set a timeline for the Licensee to rectify its violations.

## **Article 22: Violations**

Any of the following acts shall be deemed as a violation of the Law:

1. Possessing, selling, leasing out, making available, manufacturing, producing, or trading, in any way, any Wireless Device, material, tool, service, system, programme, which is related to the use of Radio Spectrum, and that is not in compliance with the conditions and specifications set out in the relevant Technical Regulations.
2. Without prejudice to Article 13 of the Law, using any frequency of the Radio Spectrum without having the necessary License and/or without settlement of any applicable fees.
3. Obstructing the monitoring and inspection work of the Commission in accordance with the provisions of the law.
4. Failing to provide the Commission with any reports, information, or documents requested that enable it to perform its work.
5. Breach of the terms or conditions of the License.
6. Manufacturing, distributing, selling, possessing or using any Wireless Device without having the necessary authorization(s) and/or without settlement of any applicable fees.
7. Any other activity that is contrary to the provisions of the Law, Implementing Regulation, Technical Regulations issued by the Commission.

## **Article 23: Penalties**

1. Without prejudice to any greater penalty provided for in any other law, any Person who commits any of the violations mentioned in Article 22 of the Law.
2. , or whoever attempts to commit or assists in the commission of such violation, shall be subject to one or more of the following penalties:
  - (a) A fine not exceeding twenty-five (25) million riyals.
  - (b) Suspension of the License which is the subject-matter of the violation, either totally or partially.
  - (c) Deprivation, for a certain period, from the right to obtain a License, or deprivation from the right to renew such License.
  - (d) Obliging the violator to surrender of the proceeds realised as a result of the violation.

3. The offender shall commit to cease, rectify, or remove the violation, as the case may be, during the period specified by the Committee. The Commission may require before the Committee that the offender be sentenced to one penalty or more of the penalties mentioned in paragraph 1 of this Article, if the offender does not cease, rectify, or remove the violation during the period specified by the Committee.
4. When imposing the penalty, it is required to consider the gravity, nature, and impact of the violation.
5. The Committee may include in its decision that a summary must be published, at the expense of the offender, in a local newspaper or by any other way, depending on the type of violation committed, its gravity, and impact. The summary shall be published after the decision becomes irrevocable.

#### **Article 24: The Committee**

1. A committee or more comprising of at least three members with the right qualifications, shall be established pursuant to a decision of the Board of Directors and based on the recommendation of the Commission, such members to include at least one legal advisor to examine the violations of the provisions of the Law, Implementing Regulation, and Technical Regulations, and to impose the penalties mentioned in Article 23 of the Law.
2. Implementing Regulation shall determine the procedures of the Committee.

#### **Article 25: Grievances**

Any Person against whom a decision is issued by the Commission or Committee may submit a grievance according to the statutory procedures adopted for objection against the administrative decision.

## **Chapter 8: Final Provisions**

#### **Article 26: Transitioning Provisions**

The Commission shall issue the transitioning provisions and timelines to comply with the provisions of the Law, Implementing Regulation and Technical Regulations in respect of the Licenses, fees or Users.

#### **Article 27: Assistance from public and private bodies**

The Commission shall seek assistance from public or international or local private bodies to carry out some of its functions as per the Law and may delegate some of such functions to such bodies, in accordance with the policies and criteria set out by the Board of Directors.

### **Article 28: Emergency Cases**

In emergency cases, the Board of Directors may, at its sole discretion, restrict the access to and use of any Radio Spectrum in accordance with previously issued Licenses, and making it available to any other entity.

### **Article 29: Amicable settlement**

If a dispute arises between Licensees and other Users, or between Users, in connection with any matter falling within the scope of the Law, Implementing Regulation or Technical Regulations, any party to the dispute may apply to the Commission for an amicable settlement of the dispute. Upon the failure of any settlement, or the elapse of thirty (30) days without a settlement, such Licensee or User may have recourse to the competent judicial authority. Implementing Regulation shall specify the amicable settlement procedures.

### **Article 30: Publication and Entry into effect**

1. Subject to the transitioning provisions and timeframes set out in Article 27 of the Law, the Law shall enter into effect after one hundred and eighty (180) days from the date of its publication in the Official Gazette.
2. Any provisions that are inconsistent with the provisions of the Law shall be abrogated or disappplied and the Law should in any event take precedence over any provisions, regulations or regulatory decisions relating to Radio Spectrum.



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