



Republic of Lebanon
Telecommunications
Regulatory Authority

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Telecommunications Regulatory Authority

Decision No:/2011

Radio Sites Installation and Modification Regulation

The Telecommunications Regulatory Authority, during its meeting held on

Pursuant to law No 431 dated 22/07/2002 (Telecommunications Law),

Pursuant to Decree No 14264 dated 4/03/2005 (Financial and administrative management of the Telecommunications Regulatory Authority),

Pursuant to Decree No 1 dated 08/02/2007 (Appointment of the Authority Board),

And upon the advice of the Council of State (Opinion No. dated),

Issued the following Regulation:

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Article 1 Background

1. The radio sites installation and modification Regulation (the Regulation) is issued by the Telecommunications Regulatory Authority of the Republic of Lebanon (the Authority). The Authority was established by the Telecommunications Law No. 431 dated 22 July 2002 (the Telecommunications Law) and Decree No. 14264 dated 4 March 2005.
2. This Regulation is a binding document that may be subject to review and amendment by the Authority. Such review and amendment may be periodically undertaken as deemed necessary by the Authority in light of the development of the Lebanese telecommunications market, changes to Lebanese national laws affecting the telecommunications sector or other relevant factors.
3. In preparing this Regulation, the Authority has had regard to international best practices, as well as the Lebanese Constitution, general principles of law and other applicable laws and regulations.

Article 2 Legal basis

1. The Telecommunications Law provides that the Authority may issue regulations, among others under Articles 5(1)(a) and 5(1)(i).
2. Article 15 of the Telecommunications Law confers to the Authority the exclusive authority to manage, allocate and monitor the use of Radio Frequencies Spectrum in Lebanon.
3. Article 16 of the Telecommunications Law provides a framework for the licensing of Radio Frequencies by the Authority.
4. This Regulation is issued pursuant to the Authority's prerogatives and responsibilities as outlined in the aforementioned provisions of the Telecommunications Law, and according to the related regulations and decisions issued by the Authority.

Article 3 Interpretation

1. Individual clauses containing the word "will or shall" are mandatory requirements and are binding on the service providers.
2. Individual clauses containing the word "will or shall," when applied to the Authority, refer to its current intention as to how it will approach the matter referred to.

Article 4 Purpose of the Regulation

1. The principal purpose of this Regulation is to identify the directives set by the Authority to install and modify radio sites for the purpose of using radio frequencies by the providers of telecommunications services as well as Terrestrial Television and Radio broadcast services.
2. This Regulation describes the applicable procedure to an authorization for the installation or modification of a radio site.
3. This Regulation applies to all Service Providers in Lebanon.
4. This Regulation will be posted on the Authority's website and will enter into effect on the date of its publication in the Official Gazette.

Article 5 Definitions

The terms defined in the telecommunications law shall have the same meaning when used in this Regulation. Unless otherwise defined and unless the context requires otherwise, any word, phrase or expression used in this Regulation will have the meaning given to it in the Telecommunications Law. In the event of conflict or ambiguity between the terms defined herein and the terms defined in the Telecommunications Law, the following order of precedence shall apply:

- a. Telecommunications Law.
- b. Spectrum management and Licensing Regulation.
- c. Radio sites installation and modification Regulation.

In this Regulation, the following terms shall have the corresponding meanings:

Radio site: The place, antennas, towers, bases, equipment, radio stations installed or to be installed at that place that are using or will be using licensed radio frequencies according to the Telecommunications Law.

Equipment room: means any facility accommodating the indoor units of the radio equipment.

Telecom Tower: means any metallic or concrete structure which is used or will be used to carry radio equipment and antennas or any telecom equipment.

Radio equipment: means any electronic equipment that use licensed radio frequencies to carry any type of information and requires type approval certification and importation license from the Authority according to the Type Approval Regulation (Authority's decision No. 5/2009).

Indoor unit: means the internal unit of the radio equipment that is usually installed inside the equipment's room.

Outdoor unit: means the external unit of the radio equipment that is usually installed on the telecom towers.

Authorization: means the technical and the legal approval of the Authority of the application to install or modify a radio site in order to allow licensed providers of public telecommunications services to use radio frequencies.

Article 6 Organizational framework

A radio site cannot be installed or modified without the prior written authorization of the Authority, in accordance with the procedures mentioned in this Regulation.

Article 7 Procedures for obtaining an authorization

1. In order to obtain an authorization for the installation or modification of one or more radio sites, a formal application should be submitted to the Authority according to procedures mentioned in this Regulation .
2. The television and radio broadcast service providers shall obtain the Authority's authorization for the installation or modification of one or more radio sites, before applying for a license for the frequencies of the radio site to be installed or modified.
3. The service provider shall submit, as part of the application, a technical study including the following requirements:
 - a. The region to be covered with a detailed coverage map/coverage expansion of the radio network in the serviced area.
 - b. The complete information and details relating to the interconnection between the radio site and the service provider's backbone network with clear drawings to be included in the application form.
 - c. A report confirming that the radio stations used for public telecommunications services, radio broadcasting or television broadcasting in the covered area are in line with international standards relating to the health and environmental safety and shall abide by the "Human EMF Exposure Limit Regulation" issued by the Authority, in addition to the measurement documents applicable to the operations of radio stations.
 - d. Layout drawings showing the location of antennas and external parts of radio equipment in the radio site, together with front panel drawings illustrating the internal parts of indoor units in their cabinets and a floor plan describing the location of the related cabinets in the equipment's room as included in the application.
4. All radio equipment that are planned to be installed, shall hold a type approval certification from the Authority according to the "Type Approval regulation".
5. The applicant shall attach to the application all supporting documents issued by the equipment' supplier that confirm the completion of the procurement process (Final purchase order, bill of shipment) (In case the application includes installation of new radio equipment/antennas) in order to avoid any change or mismatch in the identification tags of these radio equipment that were issued by the Authority upon the grant of the authorization.
6. The application form for radio sites installation and modification and the issuance of the identification tags shall be processed by the Authority within 30 days after the receipt of the application form. The Authority may ask the applicant to provide any incomplete or additional information as it deems necessary. The applicant has 15 days to submit the missing documents. A new 30-day period will be renewed as from the time the additionally requested information is received by the applicant.
7. When the authorization is granted:
 - a. The service provider will be informed of the authorization, in addition to any other necessary requirements or conditions that the Authority deems necessary in accordance with the provisions of the "Spectrum Management and Licensing Regulation".
 - b. The service provider shall inform the Authority in advance about the date of activation/commissioning of any authorized radio site.
 - c. The Authority will issue/update all appropriate identification tags.

- d. The Service provider will collect the appropriate tags from the Authority's premises and fix them in accordance with the provisions of this Regulation.
 - e. If the applicant is unable to install the radio site after the expiration of a period of six months from the date of obtaining the identification tags, all identification tags shall immediately be returned to the Authority which will cancel the authorization and reserves the right to impose penalties on the service provider in case of unjustified reason of breaching authorization period.
 - f. Any Radio site should carry the appropriate identification Tag upon its installation/ activation. In case of breaching this condition, the Authority may take any action its deem necessary, including equipment confiscation, cancellation of the radio site authorization and imposing penalties on the service provider.
 - g. The service provider must update all the information related to radio sites and submit them to TRA every 6 months.
8. When the application is rejected, the service provider will be informed of such refusal. The Authority may also indicate some suggestions to help the applicant in receiving the requested authorization.

Article 8 Identification tags

1. The Authority aims through the issuance of identification tags for radio sites (installed or planned to be installed) on the Lebanese territories to eliminate the unauthorized radio sites which constitute a danger to the telecommunications sector, citizens and National security. In addition, the identification tags will allow the Authority to determine the ownership and usage of the radio sites and to identify any misuse thereof.
2. The identification tags, issued by the Authority and fixed on any radio site, shall not be considered in any event whatsoever as a type approval certification of the radio equipment located in such radio site.
3. The Authority is the only body responsible for issuing appropriate identification tags for each type of radio site, while the service provider/ applicant is responsible for fixing them according to the following conditions:
 - a. **Identification tags for equipment room:** Each equipment room should be identified by a tag issued by the Authority. This tag shall be installed on the upper half of the door of the equipment room in a clear and visible manner. The owner of the radio site is responsible for obtaining and maintaining the identification tags.
 - b. **Identification tags for telecom towers:** Each telecom tower should be identified by a tag issued by the Authority. This tag shall be installed on one of the front legs of the tower or on the concrete base in a clear and visible manner. The owner of the radio site is responsible for obtaining and maintaining the identification tags.
 - c. **Identification tags for outdoor units and antenna:** Each telecom outdoor unit and related antenna should be identified by a tag issued by the Authority. This tag shall be installed in a clear and visible manner with the possibility of using special metallic ties in case of impossibility of direct installation. The service provider/ authorization's owner is responsible for obtaining and maintaining the identification tags.

d. Identification tags for indoor units: Each telecom Indoor unit should be identified by a tag issued by the Authority. This tag shall be installed on one of the upper corners of the front and the back panel of the indoor unit in a clear and visible manner. The service provider/ authorization's owner is responsible for obtaining and maintaining the identification tags.

e. Identification tags for cables: Each cable going in/out the Indoor unit, Outdoor unit and antenna should be identified by a tag issued by the Authority. This tag shall be installed on the cable within 30 cm from its final termination at both ends. The service provider/ authorization's owner is responsible for obtaining and maintaining the identification tags.

Article 9 General provisions

1. The service provider shall sign a declaration confirming its commitment to get all the essential authorizations from all the authorities (Governmental entities as well as the relevant properties owners and occupants) that are associated with the radio sites. Furthermore, the service provider shall submit these authorizations to the Authority upon request.
2. The service provider shall submit with the application form a copy of the municipality and the property's owners' authorizations for the whole duration of the radio site(s) use.
3. If the Authority, after having authorized an applicant to install or modify a radio site, discovers that one of the concerned authorities, the municipality, the property's owner, etc... had objected to the installation of the radio site for a valid legal or regulatory grounds, the Authority shall notify the service provider through a formal letter about the necessity to remedy the situation with the relevant parties within a specified period. Once the situation is remedied, and provided that all the required conditions are met, the Authority shall re-examine the application; otherwise, the authorization shall be deemed rejected. In all cases, the service provider shall submit to the Authority the supporting documents proving that the objections are no longer existent or founded.
4. In addition to the requirements stated in article7, where a service provider is contemplating sharing an authorized radio site with other service providers, the concerned service provider shall submit to the Authority an application to obtain a specific authorization to share the concerned radio site . This application shall include the following:
 - a. A document proving that the service provider who owns the radio site is authorized to share such site with the applicant.
 - b. Sharing radio sites among telecommunications service providers is subject to the "Infrastructure Sharing Regulation" issued by the Authority.
 - c. The service provider who owns the radio site shall keep copies of all the layouts and diagrams as the Authority may ask him to submit any release/ update of the schematics.
5. The authorized radio site owner shall be accountable for updating and keeping consistent all the drawings and information related to his authorized radio site.The applicant is responsible for installing and fixing the identification tags in the right manner as described above.
6. If the applicant decides to dismantle or take any radio site out of service, it shall return all related identification tags within one week from the date of obtaining the Authority's approval to dismantle such radio site.

7. Each The service provider/ authorization's owner is responsible for notifying the Authority about any unauthorized radio site, unidentified radio site or a suspect identification tag especially if he owns the radio site.

Article 10 Special provisions

1. If the service provider wants to use towers in the radio site, it shall comply with the following:
 - a. Install a warning light on the top of the tower as per the applicable laws and regulations.
 - b. Install a warning light at least on top of the tower the applicable laws and regulations.
2. In case the Authority discovers that an authorized radio site is not in compliance with the provisions of the "Human EMF Exposure Limit Regulation, the Authority shall require the service provider to take immediate measures to remedy the situation and reserve the right to cancel the authorization and impose penalties on the service provider.
3. A service provider intending to operate a mobile radio site such as Cell on wheels (COWs) shall obtain the Authority's authorization to do so.
4. The service provider shall comply with the laws, regulations and guidelines of any relevant governmental entity before installing a radio site with a tower, and particularly with the provisions of the laws governing civil aviation matters.
5. The service providers shall include the cleaning of the different types of identification tags in their routine maintenance action list. The service provider is responsible for keeping the identification tags visible, clean and in good shape, and asking the Authority for replacement in case of damage with the obligation of returning the damaged identification tag to the Authority within one week of the replacement occurrence.
6. The service provider shall not be allowed in any case, to dismantle and reuse any identification tag issued by the Authority for any reason whatsoever.
7. The service provider owning the radio sites is responsible for the accuracy and consistency of the information provided to the Authority upon submitting an Authorization request. In case of inaccurate information or misrepresentation by this service provider, the Authority reserves the right to impose the appropriate remedies /penalties in order to compensate for the damage.

Article 11 Cancellation of the authorization

1. A radio site cannot be modified or removed to another location without the Authority's prior written authorization. However, a service provider can abandon a radio site at any time provided that he informs the Authority 30 days ahead of time.
2. The authorization of a radio site shall be deemed automatically expired if:
 - a. The frequency license relating to the authorization is expired or revoked.
 - b. Any applicable laws, regulations and decisions are violated.
 - c. The service provider license is expired or revoked.
 - d. The service provider abandoned the radio site.

- e. The service provider does not remedy on illegal situation despite having been asked by the Authority to do so.
3. The Authority shall revoke the authorization to establish or modify a radio site if:
 - a. The authorized service provider breaches any provision of the Telecommunications Law or any related regulations and decisions, or the terms and conditions of its license.
 - b. The authorized service provider causes any kind of damage to others and does not remedy the situation within 30 days despite having received a written warning from the Authority.
 - c. If deemed necessary for the National security or public interest.
 - d. Failure to establish or modify the radio site after six months of the authorization grant by the Authority.
 4. The service provider shall return to the Authority all the identification tags of the radio site within a period of one week from the date of the Authority's notification of its decision to revoke the authorization relating to such radio site.

Article 12 The Authority's rights

The Authority has the following rights:

1. Inspect radio sites at any time in order to conduct necessary measurements and to ensure compliance with the applicable laws and regulations.
2. Inspect radio sites at any time in order to ensure they have the appropriate identification tags and to verify the consistency of the information provided by the service provider upon submitting an authorization request of the radio site before the Authority.
3. Impose penalties, to the extent allowed for in the Telecommunications Law, where the radio equipment and stations installed in the radio sites do not comply with the technical specifications set by the Authority, where the frequency license linked with the radio site authorization has expired, or where the service provider license has expired or has been revoked.
4. Require from all service providers a notification about any change related to the submitted information of the radio sites.

Article 13

This Regulation shall be published and enter into effect upon their publication in the Official Gazette.

Dr. Imad Hoballah

Acting Chairman of the Telecommunications Regulatory Authority

Beirut on the --- of --- 2011