To ensure the right and interest of telecommunication consumers in Bangladesh, Bangladesh Telecommunication Regulatory Commission (BTRC) has decided to issue the Instructions on Amateur Radio Licensing procedure and usage of amateur radio in Bangladesh. The prime objective of formulation such instructions are to revitalize the telecom industry and introduce a good practice in industry as well.

BTRC would like to seek views from the industry and consumers on any issues in relation to the clauses of the instructions. In other words, it is preferred that the clause in relation to which a specific point/opinion is being expressed is clearly mentioned in the e-mail. You are requested to send your Feedback to all the below mentioned 2 (two) e-mail addresses altogether.

While expressing your views/opinion in the feedback e-mail please mention in the subject field of the e-mail at the following way:

Subject: Response to the Public Consultation on Draft Instructions on Amateur Radio Licensing procedure and usage of amateur radio in Bangladesh.

E-mail Addresses for Feedback
samira@btrc.gov.bd; hamid@btrc.gov.bd

Last Date for Submission of Opinion/Feedback
June 30, 2014.

Subject: Instructions for Amateur Radio Licensing procedure and usage of amateur radio in Bangladesh

1. INTRODUCTION

1.1. Bangladesh Telecommunication Regulatory Commission (hereinafter the Commission) has been empowered by and under the Chapter 8 of the Bangladesh Telecommunication Regulation Act, 2001 (as amended) (hereinafter the “Act”) to issue Licenses for the operation and provision of Amateur Radio Service and to determine the eligibility criteria and other general terms and conditions for License/Licensee.

1.2. Former Telegraph & Telephone Board, Dhaka drafted “Amateur Radio Service related Guideline of Bangladesh” and sent the proposal ( ref no:B-W:16-4/83: date : 30/12/1991) to Ministry of Post and Telecommunication (MOPT),which was approved by MOPT (Ref no: ২৪০/২৫২১-০৪/২০০২-২০০৩, date : 24/05/92). Till now it is
the only guideline for Amateur Radio. With the rapid development of telecommunication technology the use of Amateur Radio has become versatile. The necessity of Amateur Radio has increased in many folds due to the various national requirements like natural calamity, search and rescue operation. Having given due consideration to the principles of transparency, fairness, non-discrimination and all other relevant principles, the Commission has decided to issue Instructions on Amateur Radio Licensing Procedure.

1.3. Though Amateur Radio service considered as a voluntary non-commercial communication service, particularly with respect to providing emergency communication each Amateur Radio License holder should be ready to help with severe weather reporting and spotting, supporting evacuations to safe areas, shelter operations, locate people, assisting government agencies, medical help requests , critical supply requests, property damage surveys and cleanup and any other services in favor of humanity.

2. OBJECTIVES
2.1. These Instructions are intended to provide an overview of the regulatory framework to develop the Amateur Radio service in Bangladesh.

3. LEGAL ISSUES
3.1. These Instructions, along with the terms and conditions of the License, shall be read in conjunction with the Act, any subsequent legislation, other prevalent laws or sector policies framed by the Government, rules, regulations, decrees, orders, decisions, Instructions, directives and other documents of general application issued by the Commission from time to time. The Act specifically provides, under the Sections 55 that the establishment, operation or use of telecommunication system and provision of telecommunication services in Bangladesh without a License is an offence punishable with imprisonment or a fine or both.

3.2. To take into consideration various factors including but not limited to, any threat to public interest, public health and national security and statutory or Court orders, these Instructions may be withdrawn, revised, updated or amended from time to time, without any prior notice.

3.3. The Commission reserves the right to vary, change or amend the Regulatory and other Instructions from time to time without prior notice.

3.4. The Instructions will be revised as and when decided by the Commission to accommodate the technological development and spectrum harmonization globally as per recommendation by ITU.

3.5. The information contained in this document is intended to assist interested parties in applying for the relevant Licenses. It does not bind the Commission to any particular course of action in relation to the handling of any application, or to the terms of any License to be granted, or to grant any License to any party.

3.6. These Instructions shall form an integral part of the License and vice-versa.

4. LEGAL REQUIREMENTS
4.1. The following are the principal legal statutes governing the telecommunication industry in Bangladesh:

4.1.1. The Bangladesh Telecommunication Regulation Act, 2001 (as amended).
4.1.2. The Wireless Telegraphy Act, 1933 and The Telegraph Act, 1885, for matters which are not covered by the Bangladesh Telecommunication Regulation Act, 2001 (as amended).
4.1.3. Any Act of Parliament or ordinance and the Regulation(s) made or to be made by the Commission.
4.2. In addition to the mandatory grounds for disqualification for applying for a License referred to subsection 36(3) of Bangladesh Telecommunication Regulation Act, 2001 (as amended), the Commission shall also consider whether the applicant satisfies other criteria including but not limited to:

4.2.1. Whether the applicant has sufficient management and financial capacity to operate the activities; and

4.2.2. How far the issuance of the License will serve the public interest and not hamper the national security.

4.3. The licensee shall comply with:

4.3.1. The relevant provisions of the International Telecommunication Union (ITU) Convention, Radio Regulations and National Frequency Allocation Plan (NFAP) unless such compliance would result in a breach of the license; and

4.3.2. The Act

4.4. The license is not transferrable.

4.5. BTRC reserves the right to cancel any License without giving any notice.

4.6. The Commission reserves the right to review the matters relating to fees and charges from time to time.

4.6.1. A person shall not be eligible to apply for License, if there are any outstanding dues owed by him to the Commission.

4.6.2. One person will be allowed to get only one License.

4.6.3. The Commission reserves the right and authority either to accept or reject any application at any time without assigning any reason whatsoever.

5. ELIGIBILITY FOR LICENSE

For Bangladeshi Entities:

5.1. Any adult (age limit is minimum 16) person who knows about / interested in amateur Radio operation known can apply for amateur Radio license.

5.2. License will be issued to Bangladeshi entities (resident citizens, Non-Resident Bangladesh (NRB)) through examination.

5.3. Social welfare / disaster management related government organizations or a school, college or a university in Bangladesh and Amateur Radio Society/club can also obtain Amateur Radio License through application. For social welfare / disaster management related government organizations there should be one employee who has Amateur Radio License.

5.4. For issuance of above mentioned License, the following documents are required with the application for participate in examination, addressing Chairman, BTRC:

5.4.1. Fully/Duly filled up Amateur Radio License Examination application form (Annex-1). It will be available at www.btrc.gov.bd after Examination circulation.

5.4.2. Pay order of examination fee as decided by BTRC.

5.4.3. Attested copy of National Identity Card/ Birth Certificate.

5.4.4. Attested copy of S.S.C/equivalent examination and all other higher educational qualification’s certificate.

5.4.5. Attested copies of 2 (two) passport size photo.

For Foreign Entities:

5.5. Foreign clubs /foreign entities must be an Amateur Radio Licensee in his own country.
5.6. Foreign Amateur Radio applicants must apply at least 02 (two) month earlier.
5.7. A foreign Amateur Radio applicant can apply through E-mail but he has to submit hardcopies.
5.8. For foreign Amateur Radio Licensee, license is issued to the applicant by the commission for 7 (seven) days only.
5.9. If more than 7 (seven) days needed license will be given with the clearance of security agencies of Bangladesh.

6. LICENSING PROCEDURE

   For Bangladeshi Entities:

   6.1. 1st Step: An advertisement about Amateur Radio Service examination will be circulated to the daily newspapers and BTRC website.
   6.2. 2nd Step: Individual will apply for participating in examination, addressing Chairman, BTRC with proper documents.
   6.3. 3rd Step: After verification of the submitted documents and, BTRC will publish the list of selected applicants in BTRC website and issue admit card for selected applicants.
   6.4. 4th Step: Examination Procedure:
       6.4.1. Amateur Radio Service examination will be held in every six month. BTRC will arrange the exam or give the whole responsibility to any Educational institution (Dhaka University, BUET etc.)
       6.4.2. Examination can be written/ viva voice/ combination of written and viva voice as decided by BTRC.
       6.4.3. A committee should be created for arranging Amateur Radio Service Examination. Duties of the Amateur Radio Service Examination Committee are:
           a) Circulate the advertisement of Amateur Radio Service Examination in daily News papers and BTRC website.
           b) Upload examination application form to the website.
           c) Sort applications.
           d) Create the syllabus of the exam.
           e) Evaluate the whole procedure of examination.
           f) Rent a place / computer lab / school for examination.
           g) Prepare admit card and distribute those to selected applicants.
           h) Conduct the Examination.
           i) Asses the examination papers and publishes the result to newspaper and BTRC website.
           j) Prepare and distribute the Amateur Radio Service examination passing Certificate to successful applicants.
       6.4.4. Minimum pass number of the Examination will be 50% of total number. If the examination is combination of written and viva voice then minimum pass number will be 50% separately for each examination.
       6.4.5. After the examination being held and assessed, qualified applicants will be considered as the Applicant for Amateur Radio License and will receive an Examination Passing Certificate (Annex-2) from BTRC.
       6.4.6. 5th Step: For issuance of Amateur Radio License, the applicant will apply for License with the application addressing Chairman, BTRC with Amateur Radio Examination Passing Certificate and copy of passport / police verification report. Passport Holder need not submit Police verification report.
6.4.7. If any applicant wants to import equipment as soon as he passed the examination then he has to apply for equipment (as mentioned in 7) with the application for issuance of Amateur Radio License.

6.5. 6th Step: After verifying the information and being approved by the Commission, BTRC will issue a demand note (including call sign fee (one time) and license fee) to qualified applicants.

6.6. 7th Step: After receiving required government revenue; an Amateur Radio License is issued to the applicant by BTRC.

6.7. If Amateur Radio License is lost/ damaged /stole, Amateur Radio Service Licensee need to apply for duplicate license with the copy of G.D from police station and processing fee decided by BTRC.

For Foreign Entities:

6.8. 1st Step: For issuance of Amateur Radio License for foreign Amateur Radio licensee, the following documents are required with the application addressing Chairman, BTRC:
   6.8.1. Renewed Copy of his own countries Amateur Radio License.
   6.8.2. Copy of passport and visa.

6.9. 2nd Step: After verification of the submitted documents of foreign applicants, a demand note (including call sign fee and license fee) is issued.

6.10. 3rd Step: After receive required government revenue; an Amateur Radio License is issued to the foreign applicants by the BTRC.

7. EQUIPMENT ACQUISITION AND USES:
   For Bangladeshi Entities:

7.1. After having Amateur Radio License, a licensee can import equipment by taking permission from BTRC. The importation procedure is:

7.1.1. Amateur Radio Licensee will apply for equipment importation addressing Chairman, BTRC with fully filled up Applicant form for an individual (mentioned in Annex-3) and brochure/ catalogue of Amateur Radio equipment.

7.1.2. Amateur Radio Social welfare / disaster management related government organizations or a school, college or a university in Bangladesh and Amateur Radio Society/club will apply for equipment importation addressing Chairman, BTRC with fully filled up Application form for organizations/Institutes/Amateur Radio Society / club (mentioned in Annex-4) and brochure/ catalogue of Amateur Radio equipment.

7.1.3. After verification of the submitted documents, BTRC will issue equipment import permission for importation. Simultaneously, a customs clearance is issued to the applicant by the Commission. Later on, He will receive License where the equipment specifications will be mentioned.

7.2. Except importation, an Amateur Radio Licensee can buy/ get donation, gift or use radio equipment from any other Amateur Radio Licensee within the country with the prior permission from BTRC. He needs to apply for prior permission addressing Chairman, BTRC with consent letter and authenticated importation documents from seller/ donor /person whose equipment he is going to use who must be an Amateur Radio Licensee of Bangladesh.

7.3. Amateur Radio Licensee can also use the equipment of Amateur Radio society/ clubs with the prior permission from BTRC. For prior permission to use equipment
of any organizations. He needs to apply addressing Chairman, BTRC with his membership card of that society or club.

**For Foreign Entities:**

7.4. For foreign entities, to import Amateur Radio equipments, he needs to submit a fully filled up application form of radio communication apparatus and brochure/catalogue of Amateur Radio equipment. He needs to apply for equipment along with the application of license. After verification of the submitted documents and receiving required government revenue a customs clearance is issued to the applicant by the Commission.

7.5. Foreign Amateur Radio Licensee must re-export their equipment with them.

**Terms and Conditions for using Amateur Radio Equipments:**

7.6. One amateur Radio Licensee can use/import 01 HF+ 01 VHF+ 01 UHF+01 VHF walkie-talkie +01 UHF walkie-talkie.

7.7. All Amateur Radio Licensee must operate their equipment only in frequencies for Amateur Radio as allocated in National Frequency Allocation Plan (NFAP). If Amateur Radio Licensee uses frequency of any other service except frequency of amateur band, license shall be cancelled.

7.8. Amateur Radio equipment importation/transfer/donation is strictly prohibited without taking prior permission from BTRC.

7.9. If anyone wants to manufacture/assemble any equipment locally, prior permission must be taken from BTRC by providing technical information of those equipments.

7.10. All Amateur Radio equipments must be used for only Amateur Radio related operations.

7.11. Each Amateur Radio Licensee should maintain a log book. All transmission record with date, time, frequency, mode and call sign of other amateur stations with which it communicates must be noted. For foreigner main copy of log book is to be handed over to BTRC. All Amateur Radio Licensee are to show their logbook and obtain signature from concerned officer as and when asked by BTRC.

7.12. Each Amateur Radio Licensee should maintain clear transmission. They will not use/buy/import any amateur Radio with encryption Mode.

7.13. An Amateur Radio Licensee should submit proper document about his amateur Radio operating proficiency to BTRC when asked. Selected officials of BTRC will test applicant’s proficiency.

7.14. If an Amateur Radio Licensee willingly does not want to continue amateur Radio activities, he should surrender equipments or transfer his equipments to another Amateur Radio Licensee with the permission of BTRC.

7.15. Except for emergency operation in disastrous situation, a License holder must operate his Amateur Radio equipment at the exact location mentioned in the license issued by BTRC. Because Radio equipment operation is a sensitive issue and it is interrelated to country’s national security, so if there is a need to use equipment at any other place except the location mentioned in License, a License must take permission from BTRC. Any exception can lead to License cancellation.

7.16. Equipments of Foreign Amateur Licensee are not sellable and transferrable.

**8. LICENSE DURATION, RENEWAL, CANCELLATION, SUSPENSION AND FINES**

8.1. The duration of the License shall be of 3 years initially which will be counted after receiving the approval of License from the Commission.

8.2. Upon expiry of the initial term, the License may be renewed for subsequent terms, each of 3 (three) years in duration, subject to the approval of the Commission and to such conditions, including the payment of any fees, as may be specified herein and/or by the Commission under the Act.
8.3. Before expiry of the License duration, within last 06 (six) months License shall be renewed otherwise it will be cancelled. Following documents shall be submitted during renewal:
   8.3.1. Copy of the License (also need to submit the main copy when asked)
   8.3.2. Equipment information.
   8.3.3. Copy of logbook.
   8.3.4. Updated/Change of information of any documents which was previously submitted.

8.4. The Commission may cancel, suspend the License and impose fine and the Licensee shall be liable for action as per section 46 of Bangladesh Telecommunication Regulation Act, 2001 (as amended).

9. FEES AND CHARGES
9.1. Charges are:

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Types of Charges</th>
<th>Types of Frequency</th>
<th>For Foreign Amateur License Holder (BDT)</th>
<th>For Bangladeshi Amateur Radio License Holder (BDT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Examination Fee</td>
<td></td>
<td>As in Clause 5.4.2</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Station/Terminal Charge</td>
<td>VHF/UHF Repeater</td>
<td>As per Rate List</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Yearly License Charge</td>
<td></td>
<td>25,00.00</td>
<td>1000</td>
</tr>
<tr>
<td>3.</td>
<td>Call –sign Charge (FOR ONCE)</td>
<td></td>
<td>5000.00</td>
<td>2500.00</td>
</tr>
</tbody>
</table>

9.2. Rate above shall be reviewed periodically and be circulated through BTRC website/Office order/newspaper/advertisement etc.

10. SECURITY
10.1. The licensee must not transmit a message that is to be transmitted on behalf of a third party unless the message relates to a natural disaster.

10.2. The licensee must not transmit a message on behalf of a third party:
   10.2.1. Enabling any person to obtain a financial gain or other reward, directly or indirectly; or
   10.2.2. Relating to the commercial or financial affairs of any person.

10.3. The licensee must not transmit messages to an amateur station in a foreign country if the BTRC has published a notice to the effect that the government of that country has given notice that it objects to the transmission and reception of messages between amateur stations in that country and amateur stations outside that country.

10.4. A licensee must not transmit messages to an amateur station in a foreign country, on behalf of a third party, unless the government of that country has made a special arrangement with Bangladesh for the transmission and reception of messages, on behalf of third parties, between amateur stations in Bangladesh and amateur stations in that country.

10.5. A licensee must not knowingly transmit messages:
10.5.1. of a false or misleading nature likely to endanger the safety of life or property; or
10.5.2. That are grossly offensive or of an indecent, obscene or menacing character.

10.6. The licensee must ensure that the apparatus comprised in the amateur station shall be designed and constructed, maintained and used so as not to cause unintentional harmful interference to the transmissions of another Radio communications stations.

10.7. The Commission or its authorized representative(s) shall have the right to enter and inspect all places, premises of the /Station. Selected person of BTRC can inspect any amateur Radio License holder’s Radio equipments any time. Any intentional occurrence can led to equipment seize, license cancellation.

10.8. The Commission or any person authorized by the Commission shall take copies of records, documents and other information relating to the Licensee’s activities for the purpose of enabling the Commission to perform its functions under the Act and provisions in the License, whenever deem necessary.

10.9. The station may be closed down at any time without notice or explanation by duly authorized officials of the BTRC.

10.10. Amateur Radio Licensee shall facilitate and cooperate with all relevant government bodies, departments and official agencies in the event of national emergencies or where issues of national security arise.

10.11. In the event of any war or war situation, internal national disorder, urgent state of affairs or situations demanding national security, the Government may require or use centers/ stations and the system used by the Amateur Radio Licensee.

11. MISCELLANEOUS

11.1. These Instructions and any License issued in pursuant to the process announced herein shall be exclusively subjected to, and interpreted in accordance with the provisions of the Act, the Rules and the Regulations issued there under.

11.2. Any dispute, controversy or claim arising out of or in connection with these Instructions, or the breach, termination or invalidity thereof, shall be settled by the Commission and its decision shall be final and binding on the Licensee.

11.3. All sections of the Bangladesh Telecommunication Regulation Act, 2001 (as amended) shall be applicable in every case.

11.4. Based on technical development, market demand and necessity or any other national demand, these Instructions may be reviewed by the Commission under the Act and provisions in the License.

11.5. These Instructions will be applicable for new applicant as well as existing licensee.

Appendix:

1. Application Form for Amateur Radio Service Examination.
2. Examination Passing Certificate.
3. Application Form for Individual for a License to Establish, Maintain and Work an Amateur station in Bangladesh (with personal detail form).
4. Application form for Government Organization /Institute/ Amateur Radio Society or club for a License to Establish, Maintain and Work an Amateur station in Bangladesh.

- SIGNED -
(Lieutenant Colonel Mohammad Sajjad Hossain)
Director
Spectrum Division