



Provisions for Using and Circulating GPS Tracking Devices and Systems

Article (1) Definitions:

CMC: Communications & Media Commission

Applicant: An entity that submits to CMC an application of approval for using and circulating GPS Tracking Devices and Systems.

Approval: The consent issued by CMC for using and circulating GPS Tracking System through radio networks licensed by CMC.

Public Telecommunications Service: Telecommunications systems provided to beneficiaries in general and to particular groups in particular in return for a fee in accordance with the law and CMC instructions.

Licensed Networks: Networks which obtained a license from CMC to establish, operate, and manage public telecommunication networks; to provide public telecommunications services; or to use radio frequencies.

Private Telecommunications Network: a telecommunication system operated for the benefit of an individual or a group of individuals with common property to serve their own needs.

GPS Tracking Service: Global Positioning System for fixed and mobile objects, including service control, legitimate monitoring, and data transfer.

GPS Tracking Devices: radio devices and equipment installed and used with other objects whose locations are intended to be identified and tracked.

GPS Tracking Systems: the set of devices, equipment, software, and data storage means which work within GPS Tracking Services.

Central Network Server Trace: the device which provides solutions for collecting,



sending, and storing geographic coordinates data in the beneficiary's network, and which acts to define the geographical location through digital maps stored within.

Coordinates Provider: Public telecommunications operator whose network is used to transfer geographic coordinates data from tracking devices to Central Network Server Trace or any other server trace of the same purpose.

Beneficiary: An entity that uses or utilizes GPS Tracking Services and Systems.

Licensee: An entity which holds a license issued by CMC in accordance to its procedures.

Article (2) Type Approval for Devices Importation:

Type approval for GPS Tracking Devices and Systems should be obtained from CMC prior to apply for using and circulating these Devices and Systems.

Article (3) Scope of Application:

These provisions shall apply to entities which obtained approval from CMC for using and circulating GPS Tracking Devices and Systems.

Articles (4) Operating GPS Tracking Devices and Systems:

It is impermissible to operate devices and systems within GPS services provided by licensed terrestrial companies without prior consent by CMC to activate the service.

Articles (5) Permission to Use GPS Tracking Devices and Systems:

It is permissible to use GPS Tracking Devices and Systems via a private communication network following obtaining a written consent from CMC.

Article (6) Form of Approval Request to Use GPS Tracking Devices and Systems:

1. Request Form shall be submitted to CMC.
2. Request Form shall include the following information:
 - a) Applicant's name, nationality, address and information on its authorized representative (who will sign on behalf of the Applicant).



- b) Scope of using GPS Tracking Devices and Systems and the status of the holder of the device.
- c) Full information on GPS Tracking Devices and Systems in regard to manufacturer name, address and other relevant details.
- d) Credentials papers shall be enclosed with the Request Form, including:
 - credential papers and documents of the Applicant and its representative.
 - Type approval documents issued by CMC for devices importation.
 - Technical specifications, connectivity and operations of devices in Arabic and English, in addition to full description on the function of these Devices and Systems.
 - Any other relevant papers deemed necessary by CMC.

Article (7) Obligation & Undertakings:

- 1- Applicant shall use GPS Devices and Services within the provisions and undertakings approved upon, and shall not use them for spying purposes.
- 2- Applicant shall not change information and technical specifications on which approval was based.
- 3- It is impermissible to use the device for purposes such as interfering, overlapping, encryption, spying, or cutting off communications.
- 4- Applicant shall not change the status of GPS Devices holder included in the request submitted.
- 5- Applicant shall provide CMC with a certified copy of the contracts made with the beneficiary on annual basis, including:
 - Name and address of beneficiary (owner).
 - Serial number of the unit.
 - Codes of International Equipment Identity (IEI) and International Subscriber Identity (ISI) for beneficiary's GPS Tracking Devices.
 - Licensee is not allowed to transfer the right of using to others or to change the status of the device holder.
 - Copies of beneficiary credentials.
- 6- Applicant shall keep beneficiary data related to GPS Tracking Devices confidential, and shall not disclose them without prior consent by the



beneficiary, or by a virtue of security or judiciary order, or an official request from CMC. Applicant shall reserve such information or data for at least one year effective from the date of signing the contract with the beneficiary.

- 7- Applicant pledges and agrees to provide CMC with the necessary assistance and to facilitate procedures of testing GPS Tracking Devices and Systems upon CMC request.
- 8- Applicant shall observe Iraq's applicable rules and regulations and shall provide the Iraqi Government, or other competent authorities it specifies, with all information related to GPS Tracking Devices.
- 9- Licensee shall bear compensations for damages, loses or injuries caused by the devices.
- 10- Applicant shall observe all regulations, decisions, and instructions issued by CMC.
- 11- CMC shall retain the right to discuss details included in the request with the device manufacturer and with the certification sources of the devices.
- 12- Applicant shall observe all financial fees set out by CMC.
- 13- Applicant shall observe all amendments to be issued later on by CMC without claiming compensations.

Article (8) Charges:

CMC shall charge the following from the Applicant:

- ID 100,000 for applying to approve ((the use and circulate of GPS Tracking Devices and Systems)).
- Upon granting of approval, CMC shall charge fees in accordance with a mechanism to be set out later.

Article (9) Granting of Approval:

Upon final approval, the License shall be granted under a letter in which validity period shall be identified by CMC. The letter shall be delivered to the Applicant following the payment of charges specified for granting of approval.

Article (10) Validity Period of Approval:

Approval holder shall recourse to CMC every six months within the validity period



effective from the date of granting of approval in order to assure persistence to observe the GPS instructions and provisions issued by CMC. In case changes occurred to information and data, on which granting of approval was based, before the passage of one year, Applicant shall then apply for a new approval in which such changes should be included.

Article (11) Approval Cancellation or Suspension:

In case the approval holder violates the provisions, decisions, or instructions issued by CMC, or when logical necessities surface, CMC has the right to cancel or suspend the approval. In such case, Applicant must freeze the usage and circulation of GPS Tracking Devices and Systems.

Article (12) Renewal of Approval:

In order to renew the License, Licensee shall submit an application of renewal to use and circulate GPS Tracking Devices and Systems 15 days before the validity period expires.