

هيئة الاتصالات وتقنية المعلومات Communications & Information Technology Commission

Regulations for Implementation and Protection of Infrastructure

RSXX

First Version June 2022

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Version Control Table		
Version	Issuing Date	
Regulations for Implementation and Protection of Infrastructure RSxx First Version	July 2022 AD	



TABLE OF CONTENTS

1. INTRODUCTION	4
2. DEFINITIONS	4
3. SCOPE OF APPLICATION	5
4. OBLIGATIONS OF FBTSP	5
5. OBLIGATIONS OF IMPLEMENTER OF INFRASTRUCTURE PROJECTS:	6
6. GENERAL PROVISIONS:	7



1. Introduction

Pursuant to the Telecommunications Act (Law), its Bylaws (Regulations), the Ordinance of the Communications and Information Technology Commission (Ordinance) and the powers granted thereby, including those related to the regulation of telecommunication infrastructure, and given the development witnessed by KSA telecom markets as well as global benchmarks, the Communications and Information Technology Commission (CITC) has issued these Regulations with the aim of regulating implementation and protection of the infrastructure of telecommunications and information technology, synchronizing applications for excavation and applications for transfer of infrastructure to facilitate the implementation of various service projects, in addition to protecting infrastructure, avoiding damage to or interruption of public telecommunication networks in order to ensure continuity and quality of telecommunication and information technology services.

2. Definitions

The terms and expressions defined in the Telecommunications Act, its Bylaws and other CITC bylaws shall have the same meanings when used in this document. In addition, the following terms and expressions shall have the following meanings assigned thereto unless the context requires otherwise:

- 2.1 Urban Range Boundaries: The boundaries that the competent authorities determine and indicated in urban growth plans and documents that indicate different stages of urban growth and limit of development protection and represent the appropriate boundaries for localization of urban activities and capacity of urban growth for cities and villages within a specific period.
- **2.2 Construction License:** The legal license issued by the competent entity that permits the holder thereof to carry out the construction works including excavation works.
- **2.3 Implementer of Infrastructure Projects:** Any juristic entity for whom a construction license is issued, including facilities-based telecom service providers (FBTSP).
- 2.4 Application for Coordination of Excavation: The applications received from implementers of infrastructure projects through the means that CITC deems appropriate such as the electronic means with the aim of making coordination with telecom service providers to know the boundaries and routes of infrastructure related to telecom services to avoid their interruption or impact.
- 2.5 Manholes: The manholes that are constructed underground to assemble terrestrial telecommunication networks and that are also used in examination and repair of failures.
- 2.6 Infrastructure: The elements for the telecommunication systems used to provide services related to ICT sector, including facilities, networks and equipment.
- 2.7 Infrastructure Facilities: Components of telecommunication network, ducts, towers, masts, cables, manholes, etc.
- 2.8 Cabling Routes or Ducts: One of infrastructure elements (such as conduits or tubes) that cover the cables to protect them and enable placing additional cables in empty cabling routes or ducts.
- 2.9 Cross Passing Priority: It means meeting of services in a cross manner whether at road intersections or when entering into the buildings.
- **2.10 Infrastructure Reports:** The reports received via the means that CITC deems appropriate such as the electronic means related to infrastructure impacted with the external circumstances or due to poor quality of its implementation.

3. Scope of Application

These Regulations applies to facilities-based telecom service providers (FBTSP), implementers of infrastructure projects and all companies and individuals carrying out infrastructure-related works.

4. Obligations of FBTSP

4.1 Implementation of infrastructure works:

- 4.1.1 Obtaining necessary legal licenses from the competent authorities before construction of infrastructure facilities or implementing excavation works.
- 4.1.2 Validating legality or real estate ownership and obtaining consent of real estate owner or his/her representative before constructing infrastructure facilities at such real estates.
- 4.1.3 Implementing telecommunications and information technology wireless networks and their facilities in the specified routes in line with the engineering dimensions set out in Appendix 1.
- 4.1.4 Compliance with the routes of cross passing priority when implementing telecommunications and information technology wireless networks that intersect with the routes specified for other services according to Appendix 2.
- 4.1.5 Laying wired telecommunications and information technology networks in cabling routes and ducts within the urban range of cities.
- 4.1.6 Implementing infrastructure works according to the specifications defined by CITC and concerned government authorities.
- 4.1.7 Permanent Storing of as-built documents for all of infrastructure works in digital form..
- 4.1.8 Permanent storing of copies for all licenses issued from the concerned authorities for implementation of infrastructure works in an digital form.
- 4.1.9 Documenting consent of the real estate owner or his/her representative when establishing infrastructure facilities at such real estates and maintaining a soft copy thereof permanently.
- 4.1.10 Not to impact facilities of other services and existing equipment when implementing infrastructure works and making coordination with owners of such facilities and equipment using the means that CITC or concerned authorities determine.
- 4.1.11 Alignment with development projects plans for other government sectors, entities providing public services and other service providers before implementing infrastructure works in order to limit repetition of excavation works and reduce financial costs for implementation of construction works.
- 4.1.12 FBTSP shall apply to connect the new infrastructure facilities that are established inside the urban range of cities and governorates with electrical service within no more than (20) business days as of the date of obtaining license for establishment of facilities.
- 4.1.13 FBTSP shall permanently maintain copies of all applications for connection of electrical service to infrastructure facilities.
- 4.2 Protection of Infrastructure
 - 4.2.1 Providing all safety requirements, taking measures that ensure safety of infrastructure and preventing transgression or causing damage thereto as defined by the concerned authorities.
 - 4.2.2 Informing the applicant for coordination of excavation whether or not there is infrastructure owned by the FBTSP that conflicts with the route planned for excavation works in no more than (3) days of raising the request, while it is necessary to provide the applicant for coordination of excavation in case there is infrastructure owned by FBTSP that conflicts with the route planned for excavation works, with the following data:

- Detailed plan for route of infrastructure in the electronic forms, such as, Shapefile or KMZ,etc...
- Dimensions of existing infrastructure including depth under ground level.
- Contact Details with FBTSP.
- 4.2.3 Monitoring and documenting any transgression cases of FBTSP's infrastructure and informing concerned authorities according to the mechanism determined by the concerned authorities.
- 4.2.4 Responding to reports on interruptions or intersections, through the statement of implementer of infrastructure projects regarding ownership of interrupted or obstructed infrastructure, in no more than (12) hours as of the time of reporting by the implementer of infrastructure projects.
- 4.2.5 Informing CITC of occurrence of any damage caused to any infrastructure element according to Regulations for Notification of Network Failures.
- 4.2.6 Handling Infrastructure reports in no more than (3) days as of the time of receipt of the report.

4.3 Transfer of Infrastructure

In case the FBTSP's infrastructure obstructs any governmental project to be implemented, the FBTSP shall comply with the following:

- 4.3.1 Responding to applications for migration and transfer of the infrastructure set out in the received applications by providing technical designs of infrastructure desired to be migrated and transferred in addition to the financial requirements necessary for implementation of migration and transfer in no more that (10) business days as of the date of receipt of the application.
- 4.3.2 Migrating the conflicted infrastructure in no more than (90) days as of the date of receipt of the application for migration from the project owner according to Council of Minsters decision No. (260) dated 01/08/1438 AH.
- 4.3.3 Implementing telecommunication networks, according to specifications of quality adopted by FBTSP, within the period of migration process and not to charge the project owner with additional costs resulting from implementation of such networks according to specifications of higher quality.
- 5. Obligations of Implementer of Infrastructure Projects:
 - 5.1 Not to cause damage to, transgress or interrupt the public telecommunication networks.
 - 5.2 Make coordination with all FBSTPs before excavation works and use the means that CITC or concerned authorities determine.
 - 5.3 Document all applications for excavation and coordination processes made with the FBTSPs permanently.
 - 5.4 Provide all FBTSP, before starting any excavation works, with the following data:
 - 5.4.1 Coordinates of excavation location.
 - 5.4.2 Detailed plan for route of excavation works in the electronic forms, such as Shapefile or KMZ, etc...
- 5.5 Inform FBTSPs instantly when obstructing or causing damage to the public telecommunication networks upon implementation of excavation works.
- 5.6 Any report on obstruction or interruption of the public telecommunication networks shall include the following information:
 - 5.6.1 Excavation license issued from the concerned authority.
 - 5.6.2 Coordinates of reporting location.
 - 5.6.3 Pictures indicating damaged infrastructure, those pictures should be taken from different angles, indicating dimensions, depth and direction of the infrastructure.
 - 5.6.4 Plan for excavation route.

- 5.7 The implementer of infrastructure projects shall, in case of FBTSP's desire to migrate telecommunication and information technology networks that conflicts with its projects, apply for transfer of the network.
- 5.8 The implementers of infrastructure projects shall bear costs of works of transfer of telecommunication and information technology networks that conflict with the project to be implemented according to the Royal Order No. (13369/1/3) dated 05/06/1402 AH.
- 6. General Provisions:
 - 6.1 CITC determines the means through which the reports and applications are submitted and handled as provided for herein.
 - 6.2 FBTSP shall submit annual plans to CITC including data of construction works and execution works and submit data of telecommunication and information technology networks desired to be implemented.
 - 6.3 FBTSP shall, in the event of unavailability of data of its infrastructure, carry out filed survey works at its own expense.
 - 6.4 FBTSP shall bear the responsibility for interruption of service in case it is proven that FBTSP does not comply with the routes and engineering dimensions provided for herein in the cases of transgression of telecommunication networks or facilities established after issuance of this document. In addition, FBTSP shall repair all interruptions, which ensures soundness of service continuity, at its own expenses.
 - 6.5 In the event FBTSP makes false statement or provides misleading information on its network, FBTSP shall be liable to accountability and shall bear the responsibility for consequences in the event an interruption of service occurs and shall repair the same at its own expenses.
 - 6.6 CITC may take the appropriate action in accordance with its regulations in the event FBTSP breaches or violates any obligation set out herein.



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