



বাংলাদেশ টেলিযোগাযোগ নিয়ন্ত্রণ কমিশন  
আইইবি ভবন, রমনা, ঢাকা - ১০০০।  
লাইসেন্সিং শাখা



নম্বর ১৪.৩২.০০০০.৭০২.৪২.০০১.১৯.২০৪৫

তারিখ: ২৭ অগ্রহাষণ ১৪২৮  
১২ ডিসেম্বর ২০২১

বিজ্ঞপ্তি/নোটিশ

বিষয়: টেলিকম সেক্টরে বৈদেশিক বিনিয়োগ উন্মুক্ত করার নিমিত্ত বিভিন্ন লাইসেন্সিং গাইডলাইনে বিনিয়োগ সংক্রান্ত বিষয়ে আনয়নকৃত সংশোধনী বিষয়ক নোটিশ।

এতদ্বারা সংশ্লিষ্ট সকল লাইসেন্সধারীগণের অবগতির জন্য জানানো যাচ্ছে যে, টেলিকম সেক্টরে বৈদেশিক বিনিয়োগ উন্মুক্ত করার নিমিত্ত বিভিন্ন লাইসেন্সিং গাইডলাইনে বিনিয়োগ সংক্রান্ত প্রয়োজনীয় সংশোধনী আনয়নকরতঃ গাইডলাইনসমূহের সংশ্লিষ্ট ক্রমগুলোর একটি খসড়া সংশোধনী ছক প্রণয়ন করা হয়েছে।

এমতাবস্থায়, বর্ণিত খসড়া সংশোধনীর উপর সংশ্লিষ্ট সকল লাইসেন্সধারীগণের কোন সুনির্দিষ্ট মতামত থাকলে তা আগামী ১০ (দশ) দিনের মধ্যে ই-মেইলের মাধ্যমে [zahid@btrc.gov.bd](mailto:zahid@btrc.gov.bd) -কে এবং অনুলিপিঃ [nurannabi@btrc.gov.bd](mailto:nurannabi@btrc.gov.bd) এর বরাবরে প্রেরণ করার জন্য নির্দেশক্রমে অনুরোধ করা হলো। এতদ্বারা বিগত ০৫/১২/২০২১ তারিখে কমিশনের ওয়েবসাইটে প্রদত্ত নোটিশটি বাতিল করা হলো।

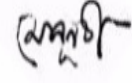
সংযুক্তিঃ ২৩ (তেইশ) পাতা

প্রতিঃ

- ১। সকল আইজিডব্লিউ অপারেটর।
- ২। সকল আইসিএক্স অপারেটর।
- ৩। সকল আইআইজি অপারেটর।
- ৪। সকল এনআইএক্স অপারেটর।
- ৫। সকল আইপিটিএসপি অপারেটর।
- ৬। সকল ভিএসপি অপারেটর।
- ৭। সকল আইটিসি অপারেটর।
- ৮। সকল সেলুলার মোবাইল ফোন অপারেটর।
- ৯। সকল বিডব্লিউএ অপারেটর।
- ১০। সকল পিএসটিএন অপারেটর।
- ১১। সকল এনটিটিএন অপারেটর।
- ১২। সকল ভিটিএস অপারেটর।
- ১৩। সকল টাওয়ার শেয়ারিং অপারেটর।
- ১৪। সকল সাবমেরিন কেবল অপারেটর।
- ১৫। সকল এমএনপি অপারেটর।

১৬। সকল টিভিএস অপারেটর।

১৭। সকল আইএসপি অপারেটর।



১২-১২-২০২১

মোঃ নূরনবী

পরিচালক

সদয় অবগতি ও কার্যার্থে প্রেরণ করা হল:

১) সিনিয়র সহকারী পরিচালক, আইটি শাখা, বাংলাদেশ টেলিযোগাযোগ নিয়ন্ত্রণ কমিশন

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
1.	Regulatory Licensing Guidelines for International Gateway (IGW) Services	Clause No-10.01 of the Guidelines	IGW Operator license will be issued only to Bangladeshi entities (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994). Foreign entities (citizens, companies or subsidiaries or holding companies) shall not be eligible to be Owners/Directors/Shareholders/Investors/Partners of these licensee entities.	Clause No-10.01 of the Guidelines	<p>IGW Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
2.	Regulatory Licensing Guidelines for Interconnection Exchange (ICX) Services	Clause No-10.01 of the Guidelines	ICX Operator license will be issued only to Bangladeshi entities (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994). Foreign entities (citizens, companies or subsidiaries or holding companies) shall not be eligible to be Owners/Directors/Shareholders/Investors/Partners of these licensee entities.	Clause No-10.01 of the Guidelines	<p>ICX Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
3.	Regulatory Licensing Guidelines for International Internet Gateway (IIG) Services	Clause No-10.01 of the Guidelines	IIG operator license will be issued only to Bangladeshi entities (resident citizens, Non-resident Bangladeshi (NRB), Proprietorships, Proprietorships-under the partnership Act, 1932 and companies registered under 'Joint Stock Companies and Firms' under the Companies Act, 1994). Foreign entities (citizens, companies or subsidiaries or holding companies) shall not be eligible to be Owners/Directors/Shareholders/Investors/Partners of these licensee entities.	Clause No-10.01 of the Guidelines	<p>IIG Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
4.	Regulatory Licensing Guidelines for National Internet Exchange (NIX) Services	Clause No-6.03 of the Guidelines	NIX license shall be issued only to Bangladeshi entities (resident citizens, NRB, proprietorship, partnership and companies registered under 'Joint Stock Companies and Firms' under the Companies Act, 1994.	Clause No-6.03 of the Guidelines	<p>NIX Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	
		Clause No-18.5 of the Guidelines & Clause No-11.5 of the License.	The licensee shall not share any revenue for NIX services with the Commission.	Clause No-18.5 of the Guidelines & Clause No-11.5 of the License.	<p>Revenue sharing with the Commission:</p> <p>No Revenue (0%) shall be shared for local investment. In case of foreign investment and/or having foreign investment along with local investment, the licensee shall pay a sum equivalent to 5.5% of the annual Audited Gross Revenue (AGR) of the foreign investment part which shall be paid on a quarterly basis within the first 10 (ten) days at the end of each quarter. The total revenue share of foreign part shall be reconciled on an annual</p>	

					basis based on the Licensee's audited accounts for that year and if there has been any underpayment, the balance must be paid within 90 days of the financial year-end of the Licensee. In the event of any overpayment by the Licensee, the Licensee may set off any excess amount against quarterly payments in the next year. The percentage of revenue to be shared may be changed from time to time by the Commission and the licensee shall abide by it.	
		-----	-----	Clause No-18.6 of the Guidelines & Clause No-11.6 of the License. (Will be added as new clause)	1% (one percent) of the annual audited gross revenue of foreign part shall be paid on a quarterly basis as Social Obligation Fee within the first 10 (ten) days at the end of each quarter. The total variable component shall be reconciled on an annual basis based on the Licensee's audited accounts for that year and if there has been any under payment, the balance must be paid within 90 (ninety) days of the financial year-end of the Licensee. In the event of any over payment by the Licensee, the Licensee may set off the excess amount against quarterly payments in the next year with prior permission from the Commission. The percentage of subscription to Social Obligation Fund (SOF) may be changed from time to time by the Government. There shall be no Social Obligation Fee (0%) for local investment part.	New clause is required to be added

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
5.	Regulatory Licensing Guidelines for Internet Protocol Telephony Service Provider (IPTSP Services)	Clause No-5 of the Guidelines	According to ILDTS Policy 2007 IPTSP License will be issued by the Commission only to the ISP License holders except PSTN / PLMN operators having ISP License. This License will be termed as Internet Protocol Telephony Service Provider (IPTSP) License.	Clause No-5 of the Guidelines	<p>(1) IPTSP License will be issued by the Commission only to the ISP License holders except PLMN operators having ISP License. This License will be termed as Internet Protocol Telephony Service Provider (IPTSP) License.</p> <p>(2) IPTSP Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	



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6.	Regulatory Licensing Guidelines for Voice Over Internet Protocol (VSP) Services	Clause No-9.1 of the Guidelines	VSP operator license will be issued only to Bangladeshi entities (resident citizens, Non-Resident Bangladeshi (NRB), proprietorships, registered partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and Firms' under the Companies Act, 1994. Foreign entities (citizens, companies or subsidiaries or holding companies) shall not be eligible to be Owners/Directors/Shareholders/Investors/Partners of these licensee entities.	Clause No-9.1 of the Guidelines	<p>VSP Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	

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7.	Regulatory Licensing Guidelines for International Terrestrial Cable (ITC) Services	Clause No-4.11 of the Guidelines	ITC licenses will be issued to Bangladeshi entities (resident citizens, Non-Resident Bangladeshi (NRB), proprietorships, partnerships and companies registered with the 'Joint Stock Companies and Firms'). Foreign entities (citizens, companies (subsidiary or holding whatsoever) or firms) are not eligible to be Owners /Directors /Shareholders /Investors /Partners of these licensee entities.	Clause No-4.11 of the Guidelines	<p>ITC Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	

8.	Regulatory Licensing Guidelines for 2G Cellular Mobile Phone Services	-----	-----	Clause No-44.3 of the Guidelines (Will be added as new clause)	<p>2G Cellular Mobile Phone Services Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	New clause is required to be added
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Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
9.	Regulatory Licensing Guidelines for 3G Cellular Mobile Phone Services	Clause No-6.01 (vi) of the Guidelines	For the development, operation and roll out of 3G Services, 100% of FDI (Foreign Direct Investment) or Foreign Partnership or Joint Venture or investment from NRB (Non-Resident Bangladeshi) is permitted. The foreign partner shall invest foreign currency directly equal to its percentage of ownership and no loan from any Bangladeshi Schedule Bank/Financial Institution/Leasing Company can be raised for the foreign part of the investment to pay license fee, spectrum acquisition fee and to purchase equipment (hardware and software) and services from abroad during the roll-out period. The rules, regulations and instructions of Bangladesh Bank, Board of Investment and any other competent authority of the Government shall be binding to the licensee regarding the operational financing.	Clause No-6.01 (vi) of the Guidelines	3G Cellular Mobile Phone Services Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.  In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.	
		Clause No-66.02 of the Guidelines and 67.02 of the License.	By any means this license shall not be assigned or pledged as security when taking loans. The licensee/operator with a view to collecting fund may with prior permission of the Commission take loan from any third party against its property and assets upon furnishing security provided that does not affect the customer services. For any other type of loan, the Licensee shall furnish loan related information to the Commission within 15 (fifteen) days of the approval of such loan by the concerned financial institution.	----- (Clause No-66.02 of the Guidelines and 67.02 of the License will be deleted.)	-----	Clause No-66.02 of the Guidelines and 67.02 of the License will be deleted.

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
10	Regulatory Licensing Guidelines for 4G/LTE Cellular Mobile Phone Services	-----	-----	Clause No-5.04 of the Guidelines (Will be added as new clause)	<p>4G/LTE Cellular Mobile Phone Services Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	New clause is required to be added.

		<p>Clause No-30.02 of the License.</p>	<p>By any means this License shall not be assigned or pledged as security when taking loans. The Licensee/operator with a view to collecting fund may with prior permission of the Commission take loan from any third party against its property and assets upon finishing security provided that does not effect the customer services. For any other type of running expenditure loan, the Licensee shall furnish loan related information to the Commission within 15 (fifteen) days of the approval of such loan by the concerned financial institution.</p>	<p>----- (Clause no. 30.02 of the License will be deleted.)</p>	<p>-----</p>	<p>Clause no. 30.02 of the License will be deleted.</p>
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Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
11.	Regulatory Guidelines for Broadband Access Services Licensing for Wireless (BWA)	Clause No-4.06 (i) of the Guidelines	Foreign Equity is limited to maximum 60% (sixty percent). The foreign partner shall invest in foreign currency directly equal to his percentage of ownership and no bank loan from any Bangladeshi Scheduled Bank/ Financial institution/ Leasing Company can be raised for the foreign part of the investment.	Clause No-4.06 (i) of the Guidelines	<p>BWA Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
12.	Regulatory And Licencing Guideline For PSTN Operator Licence 2004	Clause No-5.9 of the Guidelines	In line with the Telecommunication Policy, local companies as well as foreign investors, forming joint ventures with local companies, may participate in the development of telecommunication sector in Bangladesh. The Commission shall consider applications from intending operators registered in Bangladesh in accordance with the provisions of the Companies Act 1994 or Partnership Act 1932. The equity of each partner of the application must be maintained for at least a period of 4 (four) years from the date of grant of the Licence. The applicants for Zonal PSTN Licence for the central zone must have personnel in top-management that fulfil the qualifications and experience as shown in Schedule-5.1 of Appendix-5 as long as the licence remains valid.	Clause No-5.9 of the Guidelines	<p>PSTN Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	



13.	Regulatory Licencing Guideline For Issuing Zonal Licence to Private Sector For Establishing, Operating and Maintaining PSTN Services in Central Zone, Bangladesh 2006	Clause No-5.7 of the Guidelines	In line with the Telecommunication Policy, local companies as well as foreign investors, forming joint ventures with local companies, may participate in the development of telecommunication sector in Bangladesh. The Commission shall consider applications from intending operators registered in Bangladesh in accordance with the provisions of the Companies Act 1994 or Partnership Act 1932. The equity of each partner of the application must be maintained for at least a period of 4 (four) years from the date of grant of the Licence. The applicants for Zonal PSTN Licence for the central zone must have personnel in top-management that fulfil the qualifications and experience as shown in Schedule-5.1 of Appendix-5 as long as the licence remains valid.	Clause No-5.7 of the Guidelines	<p>PSTN Services in Central Zone Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	
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14.	Regulatory Licensing Guidelines for Nationwide Telecommunication Transmission Network (NTTN) Services	Clause No-5.01 of the Guidelines	Foreign shareholding is limited to maximum 60% (Sixty Percent). The foreign partner shall invest in foreign currency directly equal to his percentage of ownership and no bank loan from any Bangladeshi Scheduled Bank/ Financial institution/ Leasing Company can be raised for the foreign part of the investment.	Clause No-5.01 of the Guidelines	NTTN Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.
		Clause No-5.02 of the Guidelines	For NRB (Non-Resident Bangladeshi), maximum 70% (Seventy Percent) of FDI (Foreign Direct Investment) is allowed. The Foreign investment shall be invested directly in foreign currency and no bank loan from any Bangladeshi Scheduled Bank/Financial Institution/ Leasing Company can be raised for the foreign part of the investment.	Clause No-5.02 of the Guidelines	In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans.
		Clause No-5.03 of the Guidelines	NRB or foreign entity must have a Bangladeshi partner(s). A partnership/consortium of NRB and foreign entity without Bangladeshi partner(s) is not eligible. In case of NRB and foreign entity applying together with Bangladeshi partner, foreign equity from foreign entity shall not exceed 60% and the total foreign equity (both NRB and foreign entity) shall not exceed 70%. In any case Bangladeshi partner(s) shall hold minimum 30% equity.	Clause No-5.03 of the Guidelines	The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
15.	Regulatory Licensing Guidelines for Vehicle Tracing Service (VTS) Services	-----	-----	Clause No-7.3 of the Guidelines (Will be added as new clause)	<p>VTS Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	New clause is required to be added.

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
16.	Regulatory Licensing Guidelines for Tower Sharing Services	Clause No-5.1 of the Guidelines	Bangladeshi entities (consortium, partnerships and companies registered under 'Joint Stock of Companies and Firms' under the law(s) of Bangladesh are eligible to apply for Tower Sharing License. However, Bangladeshi entity may have NRB and/or foreign entity as partner. A partnership/consortium of NRB and/or foreign entity without Bangladeshi partner(s) is not eligible.	Clause No-5.1 of the Guidelines	Tower Sharing Services Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.	
		Clause No-5.2 of the Guidelines	In case of foreign entity applying together with Bangladeshi partner, foreign equity is limited to maximum 70% (seventy percent). The foreign partner shall invest in foreign currency directly equal to his percentage of ownership and no bank loan from any Bangladeshi Scheduled Bank/ Financial institution/ Leasing Company shall be raised for the foreign part of the investment for the period of rollout target.	Clause No-5.2 of the Guidelines	In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans.	
		Clause No-5.3 of the Guidelines	In case of NRB applying together with Bangladeshi partner, there is no limitation on the quantity of foreign equity. NRB shall invest directly in foreign currency and no bank loan from any Bangladeshi Scheduled Bank/ Financial Institution/ Leasing Company shall be raised for his part of the investment.	Clause No-5.3 of the Guidelines	The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.	

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.		Remarks
17.	Regulatory Licensing Guidelines for Submarine Cable Systems And Services	Clause No-4.8.3 of the Guidelines	Foreign shareholding is limited to maximum 70% (Seventy Percent). The foreign partner shall invest in foreign currency directly equal to his percentage of ownership and no bank loan from any Bangladeshi Scheduled Bank/ Financial institution/ Leasing Company can be raised for the foreign part of the investment.	Clause No-4.8.3 of the Guidelines	<p>Submarine Cable Systems And Services Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
18.	Regulatory Licensing Guidelines for Mobile Number Portability Service (MNPS)	Clause No-7.2 of the Guidelines	In case of foreign entity applying together with Bangladeshi partner, foreign equity is limited to maximum 51% (fifty one percent). The foreign partner shall invest in foreign currency directly equal to his percentage of ownership and no bank loan from any Bangladeshi Scheduled Bank/ Financial institution/ Leasing Company shall be raised for the foreign part of the investment.	Clause No-7.2 of the Guidelines	<p>MNPS Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
19.	Telecom Value Added Service (TVAS)	Clause No-9.02 of the Guidelines	In case of foreign entity applying together with Bangladeshi partner, foreign equity is limited to maximum 70% (Seventy Percent). In case of any reputed foreign partner the Commission may increase the foreign equity if required. The foreign partner shall invest in foreign currency directly equal to his percentage of ownership and no bank loan from any Bangladeshi Scheduled Bank/Financial institution/Leasing Company shall be raised for the foreign part of the investment.	Clause No-9.02 of the Guidelines	<p>TVAS Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	

Sl.	Name of the Guidelines	Existing Clause No.	Existing Clause	Proposed Clause No.	Proposed Clause	Remarks
20.	Regulatory Licensing Guidelines for Internet Service Provider (ISP) Services	Clause No-7.2 of the Guidelines	Foreign Direct Investment shall be applicable only for Nationwide ISP licensee(s). In case of foreign investment, the entity shall follow the Foreign Direct Investment (FDI) policy of the Government and all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of the Government shall be binding to the licensee.	Clause No-7.2 of the Guidelines	<p>ISP Operator's license will be issued to all, irrespective of Bangladeshi (resident citizens, non-resident Bangladeshi (NRB), proprietorships, partnerships-under the Partnership Act, 1932 and companies registered under 'Joint Stock Companies and firms under the Companies Act 1994) or Foreign entities (citizens, companies or subsidiaries or holding companies). Foreign Partnership or Joint Venture is also permitted.</p> <p>In case of foreign investment, the entity shall invest foreign currency directly according to its percentage of ownership and shall not be allowed to take any loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. After fulfilment of rollout obligation, if loan is required for operational purpose/business expansion, the entity can take maximum 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company. In that case, the entity shall take prior permission from the Commission. The existing licensee having loan more than 20% of its total loan from any Bangladeshi Schedule Bank/ Financial Institution / Leasing Company shall reduce their loan to 20% within 05 years from the date of amendment of this Guideline. By any means this License shall not be assigned or pledged as security when taking loans. The foreign entity shall comply with all the rules, regulations and instructions of Bangladesh Bank, Bangladesh Investment Development Authority (BIDA) and any other competent authority of Bangladesh.</p>	
		-----	-----	Clause No-16.6 of the Guidelines & Clause No-4.3 of the License.	<p>Revenue sharing with the Commission:</p> <p>No Revenue (0%) shall be shared for local investment. In case of foreign investment and/or having foreign investment along with local investment, the licensee shall pay a sum equivalent to 5.5% of the annual audited gross revenue (AGR) of the foreign investment part which shall be paid on a quarterly basis within the first 10 (ten) days at the end of each. The total</p>	New clause is required to be added



				(Will be added as new clause)	revenue share of foreign part shall be reconciled on an annual basis based on the Licensee's audited accounts for that year and if there has been any underpayment, the balance must be paid within 90 days of the financial year-end of the Licensee. In the event of any overpayment by the Licensee, the Licensee may set off any excess amount against quarterly payments in the next year. The percentage of revenue to be shared may be changed from time to time by the Commission and the licensee shall abide by it.	
		Clause No.-39.4 of the Guidelines and Clause No.-22.4 of the License.	The licensee shall have to pay Social Obligation Fee as per the regulation or Act imposed by the Government/Commission from time to time.	Clause No.-39.4 of the Guidelines and Clause No.-22.4 of the License.	1% (one percent) of the annual audited gross revenue of foreign part shall be paid on a quarterly basis as Social Obligation Fee within the first 10 (ten) days at the end of each quarter. The total variable component shall be reconciled on an annual basis based on the Licensee's audited accounts for that year and if there has been any under payment, the balance must be paid within 90 (ninety) days of the financial year-end of the Licensee. In the event of any over payment by the Licensee, the Licensee may set off the excess amount against quarterly payments in the next year with prior permission from the Commission. The percentage of subscription to Social Obligation Fund (SOF) may be changed from time to time by the Government. There shall be no Social Obligation Fee (0%) for local investment part.	