

Law no. (3) of 1996 for Telecommunications
Chairman of the Executive Committee of Palestine Liberation Organization
(PLO)
President of the Palestinian National Authority

Chapter One
Definitions & Provisions
Article (1)

Applying provisions of this law, the following words and utterances shall have specific meaning except when the presumption indicates otherwise : -

The authority	: Palestinian National Authority
The cabinet	: Cabinet of the National Authority
The ministry	: Ministry of post and telecommunications
telecommunications	: Transmission and reception of signals , sounds , images and statements either verbal or written by wire , radio , visual or electromagnetic and other means
Radio waves	: Electromagnetic waves less than (3.000) megahertz transmitted into space without a guided conductor
Public telecommunications network	: Telecommunications system(s) to provide services to beneficiaries according to provisions of law
Private telecommunications network	: Telecommunications system operated by a person or group to provide services of individual needs
Wire	: Wire , cable , optical tissues , duct , conductor , guided conductor or any other means used to transmit telecommunications via light or electromagnetic power
Terminal telecommunications devices	: Telecommunications devices connected , directly or indirectly, with a wire of a public telecommunications network
Licensee	: A person who obtains a license or permit to set up , operate or run a public telecommunications network or use radio waves , according to provisions of this law
Beneficiary	: A person sharing with a licensees or whom he uses public telecommunications network
License	: Franchise , contract , permit or agreement conducted between the ministry and an individual allowing him to set up , operate or run a public telecommunications network or use radio waves , according to provisions of this law and systems issued virtue of
Permit	: Franchise , contract , permit or agreement conducted between the ministry and an individual allowing him to set up , operate or run a public telecommunications network or use radio waves , according to provisions of this law and systems issued virtue of

Permit	: A permission issued to an individual to set up or operate a private telecommunications network or use radio waves , according to provisions of this law
Approval	: Approval to use or enter a type of telecommunications equipment to the National Authority , according to provisions of this law
Designation	: Allocation of band(s) use by a certain individual of radio and electromagnetic frequency or use in a certain geographical zone , according to provisions of this law
Wireless telecommunications	: Transmission and reception of electromagnetic power with no wire , signal , mark, inscription , image nor sound
Wireless device	: Wireless device(s) used for transmission and reception
Wireless broadcasting	: A wireless station used for broadcasting purposes , including sound transmission
Other stations	: Stations stated by telecommunications systems
Stationary station	: Immovable station ; connected with other station(s)
Ground station	: An immovable station ; connected with another station
Coastal station	: Ground station used to contact vessels to ensure their traffic safety
Moving station	: A station that provides telecommunications to another moving or ground stationary station
Flying station	: A moving station on a plane or other flying object in space
Portable station	: A moving station but not used for telecommunications in movement
Direction indicator station	: A station to designate stations location
Amateurs station	: A station used by one wireless amateur
Experimentation station	: A station used for scientific research & experiments
Signal	: A dot per signal of a message , sound or image sent to individuals or machines , exchanged by telecommunications system
Electromagnetic	: The term includes any system conducts signals by electricity wire , wireless waves and other resources of electromagnetic power
Theoretical system	: Any theoretical system used to carry signals
Termination station	: A technically equipped station to connect to a network and contact effectively through
Termination equipment	: Equipment connect , directly or indirectly , with termination stations to transmit and conduct signals
Telephonic	: A word real time conduction from a station to another via electromagnetic system ; except telephone calls
Cable	: Conduction of signals from a station to another via electromagnetic system ; except telephone calls
Telex	: Direct conduction from transmitter to receiver device
Frequency	: Electromagnetic frequency resulted by contact of a conductor with quartz crystal

Internal network	: An independent net that does not violate public or third parties property
Directory	: Statements of subscribers in public telecommunications networks services

Article (2)

According to this law, telecommunications sector shall be owned by the Palestinian National Authority and subject to its stipulated provisions .

Article (3)

The cabinet may issue right of franchise or service or more investment at telecommunications sector, decide to confine or suspend telecommunications , if necessary for national security or other substantial interests ; as a result , no indemnity , compensation or replacement shall be paid .

Article (4)

Secrecy of telecommunications on the Palestinian territories shall be secured but encroached by the public authority only within the limits of law.

Chapter Two

Duties & Objectives of the Ministry

Article (5)

The ministry of telecommunications and post shall have the duty of setting up , running and operating telecommunications networks in the Palestinian territories and connecting them with international atmosphere within a general political and economical framework of the National Authority .

Article (6)

The ministry shall undertake the following duties : -

- a. Prepare general policy for the National Authority telecommunications sector and introduce to the cabinet for approval and improvement so as to extend the area covered by telecommunications networks to meet economical and social development needs .
- b. State plans that help promote investment at the National Authority telecommunications sector and create a competitive environment among suppliers of this service to guarantee supply of developed telecommunications against reasonable cost and proper price .
- c. Follow up the competent authorities to implement the National Authority commitments and pledges in telecommunications sector .
- d. Take care of interests of countries , regional and international organizations , federations and telecommunications affairs committees and represent the National Authority before such regulatory agencies, in collaboration with ministries and concerned departments .

- e. Plan the National Authority telecommunications sector to cope with telecommunications technology development .
- f. Spread public awareness of telecommunications importance and work to provide all types of telecommunications .
- g. Guard telecommunications beneficiaries interests , watch performance of licensed regulatory agencies to provide with telecommunications services and take necessary procedures to compel them to commit with authorization terms , including services quality and level and their improvement .

Article (7)

To achieve objectives and duties , the ministry : -

1. Implements official policy pertaining to telecommunications .
2. Maintains administrative , technical and financial supervision over any would-be-telephone public company ; identifies its duties and work conditions , watches commitment with systems , submit suggestions to the cabinet for authorization issuance and terms , and binds private sector investors to items and terms of authorization and the facility international tariff policy .
3. Recommends the cabinet to issue necessary licenses necessary to set up , operate and run public telecommunications networks and provide beneficiaries with telecommunications services .
4. Issues licenses to set up , operate and run private telecommunications networks and states necessary conditions of authorizations and make them public .
5. Issues necessary licenses to use radio waves in telecommunications fields .
6. States standards , foundations and rates to designate prices provided by the licensee to the beneficiary and recommends to the cabinet to accredit those standards , foundations and rates and limitation of prices in case of no competition .
7. Issues recommendations related with land ownership for the benefit of the licensee , according to law .
8. States a balance sheet for the ministry and submits to the cabinet for approval .
9. Appoints necessary consulting committees to help the ministry implement duties .
10. Reviews contests addressed to the ministry to find solutions for .
11. Accredits technical specifications and measurements to connect telecommunications devices and equipment with public telecommunications networks .
12. Approves a numerating national plan to serve public telecommunications , according to provisions of this law .
13. Designates price of services provided by the ministry .
14. Plans entry and use of multi-terminal devices for individual and personal use or in certain areas and watches use of such devices and issues necessary licenses .
15. Watches and controls use of various radio waves and equipment related to radio telecommunications , according to accredited standards by international authorities and agencies concerned with telecommunications specifications and standards ; international commitments are to be taken into consideration .

16. Accredits technical specifications and measures of terminal telecommunications devices that connect public telecommunications networks with telecommunications equipment via electromagnetic frequency .
17. Issues an annual report showing the ministry's activities , achievements and development of telecommunications services and the ministry's future plans .
18. Recommends to the minister to announce terminology used in telecommunications sectors and their accredited indications by the National Authority and publishes them in the official gazette .

Article (8)

To do the assigned missions and duty of the ministry , according to provisions of this law , it may contract any specialized service , scientific or technical corporations to cooperate with to do some of its technical functions and duties .

Chapter Three Telecommunications Networks

Article (9)

Telecommunications networks shall include a group of premises erected on or under earth to provide with and conduct telecommunications signals among various stations .

Article (10)

The ministry of telecommunications and post may set up stationary public telecommunications networks on all the Palestinian territories .

Article (11)

The ministry shall ensure access right to stationary networks , within obvious and objective terms , without prejudice to beneficiaries and subscribers .

Article (12)

Moving networks set up to support public telecommunications services needs shall require to get a precedent authorization by the cabinet .

Article (13)

Other than internal networks on the Palestinian territories , no independent network shall be permitted to be established without a precedent authorization by the ministry ; such authorization shall not grant wireless waves or facilities on public property for the benefit of the operator .

Chapter Four Frequency Managing

Article (14)

Frequency spectrum is a national wealth planned by the ministry according to this law ; it shall prepare a register for frequency spectrum called "National Frequency Register" for all information related to radio waves , usage and allocation .

Article (15)

The ministry shall run ground frequencies by Palestine allocated satellites according to agreements and international reference .

Article (16)

The ministry of telecommunications shall designate a comprehensive plan for wireless waves , re-organize and withdraw a group of audio and visual waves or issue them to the ministry of information which , in turn , shall distribute them among broadcasting and TV operators , according to law .

Article (17)

Issued or allocated wireless waves by the Authority to wireless networks investors shall remain property of the ministry ; it shall be prohibited to sell or assign them .Investors shall be issued wireless waves against amounts designated , according to terms stipulated by a decision by the cabinet .

Article (18)

The ministry shall undertake watch of waves frequencies use to avoid wireless jamming or interference , and may stop any illegal use of wireless waves and frequencies or any authorized frequencies that cause wireless jamming and interference .

Chapter Five

Telecommunications Networks License

Article (19)

Taking into consideration what is stipulated by this law , public or private telecommunications networks shall not permissible without obtaining a license or authorization , according to provisions of this law .

Exempted Authorities to Obtain License

Article (20)

1. Ministries and governmental departments may establish and operate their own networks without obtaining a license by the ministry of telecommunications , except for provisions related to frequencies , provided that the ministry shall be informed , in writing .
2. The cabinet may exempt body corporate , according to a recommendation by the ministry of telecommunications , of obtaining a license to set up private networks .

Article (21)

A private telecommunications network may be set up and operated without a license or authorization, if the network is dedicated to connect parts of the same real estate or nearby ones , if they are owned or operated by one person , provided obtaining an approval by the ministry when connecting this net with the public or other private networks .

Article (22)

Services or individuals , excluded according to provisions of the preceding article of this law , may connect private telecommunications networks together or with public telecommunications networks according to agreement in writing concluded among them , upon approval of the ministry .

Article (23)

Regulatory agencies or individuals , excluded according to provisions of the Article (21) of this law , shall not be allowed to provide commercial services for beneficiaries or subscribers through private telecommunications networks except when this net shall be authorized as public telecommunications networks by the ministry , according to provisions of this law .

License Issuing Authority

Article (24)

1. The cabinet may decided , upon a suggestion by the minister of telecommunications , to authorize a certain type of telecommunications services , either on all or part of the Palestinian territories ; the ministry shall have to announce that by one of the means stipulated in clause (B) of this article , according to service scope.
2. To implement provisions of clause (A) of this article , the ministry shall announce its decision by one of the following means : -
 - a. Announces its inclination to authorize service according to tenders , in compliance with foundations and terms stated by the ministry .
 - b. Allows applying to authorize this service for those who fulfill terms required by the ministry .
 - c. Invites authorized individuals to supply with new services for the Authority .

License Terms

Article (25)

Besides technical and other terms , procedures of license issue shall take the following matters into consideration : -

- A. Give a chance to all wishing applicants to get a license to lodge their offers or applications .
- B. An offer or application shall have to rely upon providing all beneficiaries to get a service within a reasonable period , and against reasonable and fair price .

- C. An offer elements shall rely upon fair and legal competition with former license bearers .
- D. Plans of license applicants shall have to depend on modern technology and utilize standing telecommunications networks , if possible .

Article (26)

To get a license, an applicant shall enclose the following documents: -

- a. Recognizable statements showing license applicant's technical and administrative ability to provide service .
- b. Recognizable statements showing license applicant's financial ability and project financing resources.
- c. Pricing and calculation rules of proposed services .
- d. Types of proposed services and covered geographical area and technology to use .
- e. Any other statements or documents required by the ministry .

Article (27)

The ministry may discard authorized individuals if the ministry finds that their participation in competition shall lead to monopoly .

Commitments of a Licensee

Article (28)

A license shall be issued by a decision of the minister , provided that it include a contract with the following conditions ; in addition to any other terms stipulated by law : -

- a. Due proceeds to the ministry for licenses , duration , renewal and other lump sum or periodic sums paid by a licensee .
- b. Commitment of a licensee to provide data and information related with the license that are required by the ministry , from time to time or periodically ; the ministry employees shall verify information .
- c. Commitment of a licensee with any instructions issued by the ministry to implement general policies of telecommunications including sharing contracts of beneficiaries and licensees .
- d. Commitment of a licensee to provide necessary financial insurance to refund subscribers' fees and insurance, in case a license shall be annulled .
- e. Commitment of a licensee to agree to connect any authorized telecommunications network or with the ministry's equipment . He shall have to get a precedent announcement of connection terms and lodges a copy at the ministry .
- f. Pledge of a licensee to provide beneficiaries with emergency telecommunications service , free of charge , according to arrangements and limits set by the ministry , in collaboration with competent authorities .
- g. Commitment of a licensee of premature announcement of services price and collection methods .

- h. Pledge of a licensee to cooperate with directory service , according to instructions issued by the ministry .
- i. A licensee right to rent or re-sell surplus services to third parties .
- j. Cooperation with all other licensees to facilitate supply of services to beneficiaries .
- k. Commitment of a licensee to provide authorized service within a reasonable period and to cover the whole allocated geographical area.

Chapter Six

License Renewal, Amendment & Annulment

Article (29)

- a. Duration of telecommunications network license shall be designated by a decision of the cabinet .
- b. Frequency use license shall be confined with a period not more than a year ; it shall be renewed annually , according to instructions issued by the ministry .

Article (30)

- a. Taking provisions of clause (B) of this article into account , the ministry may decide to amend a term or more of authorization ; the following procedures shall be followed in amendment : -
 - 1. The ministry shall notify the licensee , in writing , of amendment , reasons and the period for implementation . He may contest amendment during the period limited by the ministry .
 - 2. The ministry shall call upon the plaintiff for discussion and hearing his reasons; finally , he may accept amendment , postpone implementation or that the ministry shall approve the appeal .
- b. Authorization terms shall not be amended to a licensee while neglecting others ; if they fulfill terms of amendment .

Article (31)

The ministry may decide to annul the authorization completely , a certain service or a certain area , in any of the following cases : -

- A. If the licensee commits a violation of authorization terms , provisions of this law, instructions of the ministry , indemnifies third parties or refuses to repair his status or practice in spite of a notice , in writing , by the ministry or defers implementing the ministry's instructions for a period of (30) days without a convincing reason to the ministry .
- B. If services supplied by the licensee shall be below the required level and complaints have been constituted against him which the ministry has verified and warned him twice within a period not exceeding six months .
- C. The licensee defers paying prescribed revenues of license renewal on time .

Article (32)

Inevitably , a license shall be annulled by a licensee's liquidation , declaration of insolvency or incapacity .

Article (33)

The licensee , whose license shall be cancelled by law , may not demand any compensation or refund any payments for getting or renewing the license , or any other reason .

Article (34)

A licensee shall have to stop accepting new subscriptions as soon as he is informed that his license is annulled ; he may not continue work after the date of license annulment except for what is necessary for the subscribers transfer to another licensee , according to an approval , in writing , by the ministry

Article (35)

An individual , whose license shall be cancelled , is not allowed to apply for a new license except after five years of license annulment date .

Article (36)

License annulment shall not prevent the prejudiced and subscribers to demand the licensee compensations and fees refund .

Article (37)

A license shall be deemed personal and non-transferable ; the ministry may transfer a license to another , according to terms and revenues .

Chapter Seven

Technical Approval & Telecommunications Devices License

Article (38)

1. The ministry may decide to commit any importer to ask exporter to label imported devices with certain specifications , subject to punishment .
2. If clearance authorities shall not able to verify devices and equipment specifications, they are referred to the ministry to examine , according to accredited specifications , against certain charges .
3. The ministry shall have to indicate examination charges for those devices that their entry needs special approval .

Article (39)

An importer or interested in importing telecommunications devices that their specifications are not issued , may apply for the ministry to get a premature approval to import such devices ; his application shall be supported by the manufacturer's catalogue showing specifications , in coordination with competent authorities.

Article (40)

Manufacturing of any telecommunications devices to market in the Palestinian Authority shall be subject to accredited specifications by competent authorities .

Article (41)

The ministry shall designate instructions showing how to get approval for importing telecommunications devices in the Palestinian Authority or using and promoting them , and necessary terms to confer approvals .

Chapter Eight

Phone Lines Set up & Maintenance

Telecommunications Equipment & Investment

Article (42)

Phone telecommunications net shall include all installations , equipment and tools erected on or under earth to provide with telecommunications in the Authority region .

Article (43)

The ministry may : -

1. Erect all telecommunications necessary works and maintenance on surface or under earth and main roads and sub-roads .
2. Install pillars , ground cables tunnels on unfenced land .
3. Install lines and cut and joint devices in common land of community buildings provided they are reached externally so as to connect dwellers , individually or collectively , with the main distribution net.

Article (44)

Such works shall be free of charge ; no conditions or agreements with proprietors , who shall have to be informed fifteen days before starting works , by a registered letter .

Article (45)

Erection of ground installations and pillars shall not affect ownership ; a proprietor may not be prevented , in any case , to damage and reconstruct provided he shall have to inform the ministry one month , at least , of the intended works date , if the proprietor does not commence damage and construction after one year of his notice and upon removal of all installations , the ministry may reinstall them and demand the proprietor for indemnity and expenses .

Article (46)

When the ministry's employees need to enter private property of local councils to study set up of a line , they shall have to get a special permit from competent local administrative authorities .

Article (47)

The ministry shall have to reconstruct damages of buildings , railways due to set up and maintenance of telecommunications network lines and pay indemnities .

Article (48)

Indemnity suitcases above shall drop after two years of works completion .

Article (49)

In case that works require final expropriation, ownership laws in force are to be applied , if no conciliatory settlement has been reached between the ministry and the proprietor .

Article (50)

The ministry may ask trees owners to cut branches extending over phone wires , if they or may cause damage . If they do not , the ministry shall cut branches on their expense .

Article (51)

If the ministry's projects require set up of a phone line on a main road , which its two sides are occupied by electricity line(s) , owners shall have to remove them or technically reinstall them to allow the ministry execute projects .

Article (52)

Any competent authority intends to install an electricity line beside or across phone networks line , preventive measures to secure phone lines of electrical frequency impact have to be taken , in coordination with the ministry .

Article (53)

Any competent authority or local council intends to do constructions , digging , filling up or reconstruction activities in the main or sub-roads beside or across phone networks , they shall have to obtain a premature permit from the ministry of telecommunications .

Article (54)

A competent authority or local council causes damage to phone network or part of it shall incur liability and retain the net as before on its own expense .

Article (55)

A contractor or an individual doing constructions near phone networks shall have to get approval of the ministry for those works and incur full liability of all damages and losses and pledge to retain them as before on his own expense .

Article (56)

Indemnity for net damage shall include : -

- A. Value of damaged equipment .
- B. Technical labor wages to fix net damage .
- C. Transport means cost of the ministry technicians who repair damage .
- D. Charges of local and international calls ; they shall be calculated according to normal ratio of calls through the lines before damage .

Article (57)

If it is verified by inspection that damage has occurred unintentionally , the ministry may ask for a settlement , provided that the agreed upon amount shall cover depreciation and retaining devices to former status cost .

Chapter Nine

Licensees Watch & Beneficiaries Security

Article (58)

A licensee for public telecommunications provision shall have to set up a special section for beneficiaries and subscribers complaints and to solve them in accordance with service level , type and method .

Article (59)

Taking into account provisions of article (7) clause (6) of this law , a licensee shall not be permitted to change price-list except after informing the ministry and announcing the new prices prior being in force , on month at least ; prices are not to exceed license agreement terms .

Article (60)

If the ministry receives group complaints of a licensee's failure or a dispute between the licensee and beneficiaries in regard of service level or violation of license terms , the ministry may investigate complaint reasons and decide what it finds proper ; its decision shall be final and binding to the licensee .

Article (61)

A licensee shall have to provide the ministry with an annual report indicating available technical , administrative and financial aspects to guarantee provision of beneficiaries with a proper level of authorized service .

Article (62)

- a. A subscriber or his mature family members , living with him , may ask , in writing , the licensee to have phone under supervision due to molestation or disturbance calls . The licensee shall have such calls under control and informs the ministry of the molester , through confidential correspondence .

- b. If a molester is a subscriber for the said licensee , he shall take the following actions and inform the ministry : -
1. Address a warning notice , if molestation occurs once or more during the first surveillance period .
 2. Disconnect phone for ten days , if molestation occurs during the second surveillance period .
 3. Disconnect phone for thirty days , if molestation occurs during the third surveillance period .
 4. Disconnect phone for thirty days , if molestation occurs during the fourth surveillance period;

If the phone is subscribed with another licensee , the ministry may ask him to implement actions above . the ministry may agree with the competent authorities upon other actions for molestation and disturbance complaints and duties of licensees to seize violators and bring to trial .

Article (63)

Phone service may not be veiled or cancelled of a subscriber unless he causes physical damage to the net , uses phone illegally , or deters payment of matured fees and charges in spite of being warned , in writing .

Article (64)

The ministry shall ensure licenses commitment with authorization terms and provisions of law ; it may take any proper procedures such as : -

- a. Physical inspection on networks sites and telecommunications devices .
- b. Examination of licensee's technical registers to ensure appropriateness of invoices issuance and accuracy .
- c. Service level check supplied to beneficiaries and their complaints .
- d. Viewing licensee's maintenance and defects registers to ensure service management efficiency .

Article (65)

The ministry shall undertake viewing technical , operational and administrative complaints among licensees to find dispute reasons . The ministry shall take settlement and conciliation actions or appoints individuals for the task whose decision is binding as issued . Any of the two parties may contest against this decision at the ministry within a month of the decision issue ; otherwise it shall be considered absolute .

Article (66)

A licensee who operates a public telecommunications network shall pledge to prepare a directory including all information of the net and subscribers and provide the directory for those wishing to use, according to instructions issued by the ministry .

Chapter Ten
Basic Telecommunications Services
Article (67)

Basic services shall only be provided by the ministry or any other enfranchised and authorized company . The ministry shall issue a complete directory to subscribers by telex and phone between stationary stations and cellular .

Article (67)

Basic services shall only be provided by the ministry or any other enfranchised and authorized company . Phone rooms shall be authorized by the ministry . The ministry shall have to take into consideration requirements to furnish them ; the ministry may grant franchise to set them up and provide services to any contractor according to established conditions and systems of in force instructions .

Article (67)

A contractor shall have to : -

1. Commit with all instructions issued from phone administration .
2. Operate phone rooms in his custody during identified working hours .
3. Distribute calls to owners .
4. Post calls price and working hours on the phone door .
5. Maintain equipment and tools in his custody .
6. Pay revenues to the ministry fund on time .

Free Net Telecommunications Services
Article (70)

Services pertaining to cellular provision shall be subject to a premature license by the cabinet according to franchise terms set by the ministry ; license may be withdrawn according to authorization terms .

Article (71)

Set up of internal wireless nets used for conduction and reception on the Palestinian territories shall require a license by the ministry according to an authorization by the cabinet either for stations using wireless or wire waves or those equipment used for conduction and reception in technical experiments or scientific tests or those used for special purposes not intervening the ministry's services .

Article (72)

The above license shall be subject to general terms set by the minister and fees stated by the ministry are paid .

Wireless Stations Use Terms
Article (73)

Wireless stations shall not be permitted to use for purposes other than those authorized for . A change may occur at the station or authorized devices according to a permit , in writing by the minister .

Article (74)

Sets shall have to be used in a manner that shall not affect other wireless services . The ministry may compel the authorized to do any necessary procedure , replacement or change , during the period the ministry specifies .

Article (75)

The authorized and all personnel working for him in operating the wireless station and attached equipment shall have to commit with all legal provisions and international agreements in force .

Article (76)

The ministry may , when provisions of this license shall be encroached , annul or withdraw license for the period discredited by the minister , with no premature warning or judiciary action .

Wireless Stations Watch & Inspection

Article (77)

Authorized ministry employees by the minister , may watch licensed stations , shall inspect and examine all installations and technical equipment at any site and inspect stored sets or displayed for sale and seize wireless devices if displayed or found in a manner violating this law or issued license .

Chapter Twelve

Ownership

Article (78)

If it shall be necessary for setting up public telecommunications networks to fix pillars , erect towers or install ground cables or aerial wires across private land or real estate , the ministry may conclude agreements with proprietors . When no agreement can be concluded , the ministry may own the said land or real estate according to ownership expropriation for public interest law in force .

Article (79)

The ministry employers or authorized corporation or company may enter any property of third parties to set up a total or partial public telecommunications net provided that status of property to retained as before upon completion of the required works . Any payment of fair compensation if indemnity or loss occur .

Article (80)

To start setting up total or partial telecommunications network in a street , square or public yard , necessary work arrangements shall be coordinated with competent authorities .

Article (81)

If a tree or a group of trees impede installation of aerial telecommunications network wires and no agreement can be concluded with owner , the minister may issue an order of removal against a fair compensation paid by the ministry or the enfranchised corporation .

Chapter Thirteen

Seize Authority

Article (82)

The ministry's authorized employees , in writing, may watch and inspect regarding telecommunications and enter any place proved to have unauthorized jamming sets or nets or other activities violating this law . They may seize and report them .

Article (83)

The ministry's authorized employees shall be considered as judiciary discipline and their report shall be acted upon accordingly . Civil authorities or public security shall have to assist to do their tasks .

Article (84)

If seized items can not be authorized , the minister shall order their confiscation ; but if they are , they shall be preserved for a while . If not asked for or authorized within a month by owner , they shall be confiscated .

Article (85)

Actions done according to this law by the ministry's authorized employees shall not deemed violation of messages secrecy ; especially , to track source of radio waves unless messages shall be published in bad faith .

Chapter Fourteen

Crimes & Penalties

Article (86)

- A. Content transmission or publication of a message of a public network or phone call , viewed illegally ex officio , shall be punished by jail for a period not more than one year or a fine not exceeding (300) dinars or both penalties .
- B. Deceptive inciting to unveil secrecy of calls shall be punished by a fine not less than (100) dinars but not exceeding (300) dinars or by jail for a period not less than a month but not more than a year or one of them .

Article (87)

Intentional vandalism or damage of telecommunications enterprises shall be punished by jail for a period not less than three months but not more than two years or a fine not less than (500) dinars or both penalties . Penalty shall be doubled if action causes telecommunications jam .

Article (88)

Vandalism or damage of telecommunications enterprises pursuant to negligence shall be punished by jail for a period not more than three months or a fine not more than (100) dinars or both penalties .

Article (89)

Vandalism of a public phone shall be punished by jail for a period not less than one month but not more than a year or a fine not less than (50) dinars but not more than (200) dinars or both penalties .

Article (90)

- a. Use or help others use illegal devices to conduct telecommunications without paying fees shall be punished by jail for one to three months or a fine from (100) up to (1000) dinars or both penalties .
- b. Provision or contribution in international telecommunications through devices lead to competition among authorized telecommunications nets and foreign telecommunications nets ; contrary to the ministry's instructions shall be punished by penalties stated in clause (A) of this article . In addition , stipulated provisions of article (31) of this law shall be implemented .

Article (91)

- a. Threat , scorn or faked news to arouse horror by any telecommunications means shall be punished by jail for a period not less than a month but not more than a year or a fine not less than (500) dinars but not more than (200) dinars or both penalties .
- b. Provision or contribution in telecommunications violating discipline and manners shall be punished by penalties stated in clause (A) of this article . In addition , stipulated provisions of article (31) of this law shall be implemented .

Article (92)

Impedance , deterrence , alteration or deletion of any message content or encouraging others to do the same shall be punished by jail for not less than a month but not more than six months or a fine not less than (50) but not more than (1000) dinars or both penalties .

Article (93)

Concealment or refusal to relay a message either from the licensed or the ministry , copy , revelation of statements of a subscriber including secret phone numbers and

received and sent messages shall be punished by jail for no more than six months or a fine not less than (1000) dinars or both penalties.

Article (93)

Establishment or occupation of a public telecommunications network , contrary to provisions of this law , shall be punished by jail for not less than a year or a fine not less than (5000) dinars or both penalties .

Article (95)

Connection of a private telecommunications network to a public one , without the ministry's approval and contrary to provisions of this law , shall be punished by jail for not less than a year or a fine not less than (5000) dinars or both penalties .

Article (96)

Deliberate impedance of third parties' waves either by jamming or unauthorized electromagnetic waves , shall be punished by jail for not less than a month but not for more than six months or a fine not less than (50) dinars but not exceeding (200) dinars or both penalties .

Article (97)

Admission of sets using radio waves , without getting a license or authorization according to this law, shall be punished by jail for not less than six months or a fine not less than (1000) dinars but not more than (5000) dinars .

Article (98)

Importing or trading telecommunications devices contrary to standard specifications or have identifications cards unlike specifications set by the ministry , shall be punished by jail from three months up to one year or a fine not less than (1000) dinars but not more than (2000) dinars or both penalties .

Article (99)

Preservation or operation of a radio transmitter or operation , installation , property or importing a wireless device , contrary to provisions of this law and without a license , shall be punished by jail for not less than six months or a fine not exceeding (5000) dinars or both penalties .

Article (100)

- A. Further to penalties stipulated by this law , the competent court may decide , upon a request by the ministry , to compel a violator to pay double due fees to license the service , even if it is licensed .
- B. Preceding article do not prevent the prejudiced to demand compensation and right in personam .

Chapter Fifteen
Closing provisions
Article (101)

It shall be banned to set up telecommunications networks without taking provisions of this law into consideration , in exception of the following : -

1. Set up nets for civil defense or public security needs .
2. Authorized nets according to a former system prior validity of this law .

Article (102)

Issued licenses and permits prior validity of this law shall be considered valid till they expire ; then , provisions of this law shall be taken into account when they are renewed .

Article (103)

The minister shall issue necessary systems to implement provisions of this law .

Article (104)

This law shall rule out wireless telegraph law no. 20 of 1924 and wireless telegraph law of 1934 in force in Palestine .

Article (105)

All competent authorities shall have to execute provisions of this law , each in its own field ; it becomes in force after thirty days of publication in the official gazette .

Issued in the city of Gaza on 18 Jan. 1996 AD.

Corresponding to 28 Sha'ban 1416 AH.

Yaser Arafat

Chairman of the Executive Committee of Palestine Liberation Organization

President of the Palestinian National Authority