Statutory Notification (S. R. O.)

GOVERNMENT OF PAKISTAN

PAKISTAN ELECTRONIC MEDIA REGULATORY AUTHORITY (PEMRA)

Islamabad, 2021

S.R.O. _____/.- In exercise of the powers conferred under sub Section (3) of Section 4 read with all other enabling provisions of Pakistan Electronic Media Regulatory Authority Ordinance, 2002 (XIII of 2002) the Pakistan Electronic Media Regulatory Authority is pleased to make the following Regulations namely:-

1. **Short title and commencement**. – (1) These regulations shall be called Pakistan Electronic Media Regulatory Authority (Import of Electronic Media Equipment and Transmitting Apparatus for Broadcasting, Distribution and Teleporting Operations) Regulations, 2018 as amended in 2021:

(2) They shall come into force at once.

PART – I

2. **Definitions. –** (1) Terms and expressions used in these regulations shall have, unless it appears repugnant to the context or provided otherwise, following meaning:

(a) "applicant" means a person who requests for No Objection Certificate (NOC) for import of transmitting apparatus for broadcasting, distribution and teleporting operations from the Authority;

(b) "application form" means the form specified by the Authority to apply for grant of NOC;

(c) "Authority" means the Pakistan Electronic Media Regulatory Authority (PEMRA) established under Section 3 of the Pakistan Electronic Media Regulatory Authority Ordinance 2002 as amended by the PEMRA (Amendment) Act, 2007;

(d) "broadcast equipment" means equipment used for broadcast services and includes satellite receivers, antenna, up-linking equipment, studio broadcasting equipment, FM sound broadcasting equipment, encoders/modulators for DSNG or other apparatus relating to broadcasting etc.;

(e) "Chairman" means the Chairman of the Authority;

(f) "distribution equipment" means equipment used for the distribution services and includes set top box (STB), modulators, scrambler, descrambler, multiplexer, encoder, decoder, integrated receiver decoder (IRD), encrypter, combiner, transmitter, passive combiner, Low Noise Block (LNB) of C & Ku band, MMDS down-converters etc.;

(g) "distribution service" means a service which receives broadcast and pre-recorded signals from different TV and radio channels and distributes them to subscribers through cable,

wireless, satellite options and Mobile networks and includes Cable TV, LMDS, MMDS, DTH, IPTV, Mobile TV and such other similar technologies;

(h) "DTH" means Direct to Home distribution of audio-visual signals received via satellite to small dish antennas across the footprint of the satellite to subscribers;

(i) "FAB" means the Frequency Allocation Board established under section 42 of the Pakistan Telecommunication (Reorganization) Act, 1996 (XVII of 1996);

(j) "FM radio" means audio broadcast that uses frequency modulation;

(k) "free to air broadcasting service" means a broadcasting service available to the public free of charge;

(l) "importer" means a person who imports electronic media equipment/transmitting apparatus under import license/permission issued by the Government of Pakistan;

(m) "licence" means a licence issued by the Authority to establish and operate a broadcast media or distribution service;

(n) "licensee" means a person to whom the Authority has issued a licence;

(o) "LNB" means (Low-noise Block) a device that receives microwave signal from broadcast satellite, amplifies it, changes the signals to a lower frequency band for further processing;

(p) "Ordinance" means the Pakistan Electronic Media Regulatory Authority Ordinance 2002 as amended by the PEMRA (Amendment) Act 2007;

(q) "person" includes an individual, partnership, association, company, importer, corporation or licensee;

(r) "processing fee" means the fee prescribed by the Authority from time to time to be paid by an applicant for processing the NOC application for the import of transmitting, broadcasting, distribution or teleporting apparatus;

(s) "rules" means the Rules made under the Ordinance;

(t) "satellite receiver" means a device that receives digital TV broadcast signal from broadcast satellite, for either display on TV sets or further processing;

(u) "Set-Top-Box" means (STB) a device used for receiving and decoding television signals, if encrypted, from any Distribution Service licensee;

(2) Words and phrases used but not defined in these regulations, unless the context otherwise requires, shall have the meanings assigned to them in the Ordinance and the rules made there under.

PART-II

PROCEDURE FOR PROVISIONAL AUTHORISATION

3. **Procedure for issuance of Provisional Authorisation. –** (1) The applicant shall upload application on the NOC Portal (www.pemra.gov.pk) or provide hard copies to the Authority, along with the following documents for issuance of "Provisional Authorisation" **before placing purchase order** for import of the equipment/transmitting apparatus:

a) Detailed technical and feature specifications of the equipment, issued by the manufacturer.
b) Copy of Licence issued by the Authority and approval of frequency allocation by the Frequency Allocation Board (FAB) (in case of FM Transmitter only).
c) Copy of CNIC of the CEO or the authorised person.
d) Copy of PEMRA Licence (for licensee only).
e) Copy of registration or any other document confirming status as importer (for importers only).
f) Copy of Sales Tax Registration (for importers only).
g) Copy of NTN Certificate.
h) Details of manufacturing facilities including phone number, email, website and address etc

(2) The applicant shall also provide upto two (02) samples, upon request, of the equipment/apparatus to be imported which may inter alia include **Satellite Receivers/ STBs/ CPE/ LNBs**,to the Authority, for physical and technical inspection within 7 working days of the request. The samples provided shall be retained by the Authority.

(3) The applicant may be informed on the same online portal or in writing, as the case may be, about the status of the application and if the application fulfills the requirements and standards then the applicant will be granted Provisional Authorisation for the import of the equipment/apparatus which may be valid upto 90 days.

PART-III

PROCEDURE FOR ISSUANCE OF NOC

4. **Procedure for Issuance of NOC. –** (1) The applicant shall submit the following documents on arrival of the equipment/apparatus at any Pakistani port for issuance of NOC:

a) Detailed technical, feature specifications and description of the equipment/apparatus.
b) . Copy of the commercial invoice for the import.
c) Airway bill or Bill of lading.
d) Container number(s) and/or package list (if any).
e) Undertaking on a Stamp paper worth Rs.100 duly registered and attested by Notary Public, as per given specimen in **Annex-I**.
f) Pay Order or Demand draft (in original), drawn in favour of PEMRA as per NOC processing fee provided in **Annex-II**.

g) *"Letter of Authorisation"* for import by third party, in case the equipment being imported is on behalf of a licensee or a government body.

h) Copy of Provisional Authorisation.

PART-IV
SATELLITE RECEIVER

5. **Satellite Receiver.–** (1) NOCs for free to air (FTA) satellite receivers may be issued for DVB-S/S2 standard or any other standard used for reception of satellite signal.

(2) The applicant shall ensure that the receivers are not used for any illegal activity or reception of any unlicensed TV channels. In case it is found, otherwise, no subsequent NOC shall be granted to the applicant and the applicant shall be blacklisted by the Authority. .

(3) NOCs for satellite receivers and Integrated Receiver Decoders (IRDs) with decryption system i.e. Common Interface (CI) slot, Conditional Access System (CAS), Conditional Access Module (CAM) shall not be issued except to DTH licensee, broadcast licensee and Landing Right Permission (LRP) holder having encrypted TV channels.

(4) Sample(s) of FTA and other satellite receivers may be technically and physically examined by the Authority or it can get the equipment tested by any third party. .

PART-V
SET TOP BOX (STB)

6. **STB. –** (1) NOCs for STB may be issued for DVB-C standard or any other standard used for reception of distribution service signal.

(2) Sample of the STB may be technically and physically examined by the Authority or it can get the equipment tested by any third party.

PART-VI
OTHER ELECTRONIC MEDIA EQUIPMENT AND TRANSMITTING APPARATUS FOR BROADCASTING, DISTRIBUTION AND TELEPORTING SERVICES

7. **Other Electronic Media Apparatus. –** (1) NOC for electronic media apparatus, other then satellite receivers, STB's and CPEs, may be issued after providing the detailed technical literature, feature specification, description of the equipment/apparatus and copy of licence in relevant cases to the Authority. The Authority may at its discretion physically test and verify the equipment/apparatus on its own or through a third party having relevant experience in the field.

Provided that NOC for broadcast equipment/apparatus, both satellite and terrestrial, may be issued to licensee or his authorised importer only.

(2) NOC for LNB may be issued after technical and physical testing and verification by the Authority or it can get the LNB tested by any third party.

(3) NOC for the following items shall only be issued to DTH licensee or his authorized importer:

a) Ku band LNBs.
b) Satellite dishes of 120 cm or less in diameter.

(4) NOC for the import of FM Transmitter shall only be issued to FM licensees (commercial/non-commercial) or their authorized importer provided that the maximum power of imported FM transmitter shall not exceed the maximum output power as approved by the Authority.

PART-VII
GENERAL TERMS AND CONDITIONS

8. **General Provisions. –** (1) All relevant record regarding import and sale of the transmitting, broadcasting, distribution or teleporting apparatus/ equipment shall be maintained by the applicant and provide these documents with the sale invoice(s), examine report issued by the Custom authorities and any other documents deemed necessary by Authority, when applying for subsequent NOC.

(2) Application for NOC shall only be processed after receiving the processing fee as per **Annex-II**[1].

(3) NOCs for single item for Research and Development or non-commercial purpose may be granted without the applicable fee and the required documents except which are deemed necessary.

(3)(a) Type approval certificate may be issued for electronic media equipment from time to time, if required, of such specifications, terms and conditions, documentation and on such fee as determined by the Authority from time to time for local assembling and manufacturing.[2]

(4) Issuance of Provisional Authorisation, NOC and Type Approval Certificate under these Regulations, S.R.O and Trade policies issued by the Federal Government from time to time may be approved by the Chairman or in his absence the Executive Member, as the case may be.[3]

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[1] **Annex-II** has been amended by PEMRA (Import of Electronic Media Equipment and Transmitting Apparatus for Broadcasting, Distribution and Teleporting Operations) Regulations– 2018 (amended in 2021).

[2] Regulation 8(3)(a) inserted by PEMRA (Import of Electronic Media Equipment and Transmitting Apparatus for Broadcasting, Distribution and Teleporting Operations) Regulations –2018 (amended in 2021).

[3] Words "and Type Approval Certificate" inserted by PEMRA (Import of Electronic Media Equipment and Transmitting Apparatus for Broadcasting, Distribution and Teleporting Operations) Regulations–2018 (amended in 2021).

ANNEXURE-I

UNDERTAKING
(To be submitted on stamp paper)

I Mr. _____, bearing CNIC #_____, representing the applicant company M/S _____, as owner of the company, do hereby undertake that the imported equipment bearing model #_____, exclusively imported by the company shall:

i. not to be used for any illegal activity or purpose.
ii. not sale illegal DTH/OTT/C-line services/equipment etc.
iii. not to be disposed off in any illegal manner whatsoever.
iv. not sale the imported equipment other than the said licensee (in case import is on behalf of the licensee).
v. be locked, whether by hardware or software so that these shall not be compatible with C-line technology or any other hacking techniques, by means of any software up-gradation (in case of satellite receiver).

In case of any violation of the above condition is found or in case it is found that our imported satellite receivers, mentioned above are used for C-line or for any other hacking technique for the provision of illegal/banned/unlicensed satellite TV channel, PEMRA shall take legal action against me/company which may include but not limited to blacklisting of my company and registration of criminal case under the relevant laws against me/my company.

(Authorized Signatory)
On behalf of Applicant Company
Name _____
Date _____

Witnesses

1) Signature _____
Name_____
CNIC _____

2) Signature_____
Name _____
CNIC _____

To be notarized

ANNEXURE-II [4]

FEE FOR PROCESSING OF NOC APPLICATIONS

S.No	Items	Up to 1000	1001-5000	5,001-10,000	10,001-15,000	15,001-20,000	20,001-25,000	25,001-30,000	Above 30,000
1	Set-Top-Box	10,000	30,000	75,000	125,000	175,000	225,000	275,000	325,000
2	LNB	5,000	15,000	37,500	62,500	87,500	112,500	137,500	162,500
3	FTA Satellite Receiver	25,000	75,000	187,500	312,500	437,500	562,500	687,500	812,500
4	Satellite Receiver Main Board	10,000	30,000	75,000	125,000	175,000	225,000	275,000	325,000
5	Satellite Receiver Front Panel	3,000	9,000	22,500	37,500	52,500	67,500	82,500	100,000
6	Satellite Receiver Casing with Power Supply	3,000	9,000	22,500	37,500	52,500	67,500	82,500	100,000
7	Distribution Equipment	10,000	30,000	75,000	125,000	175,000	225,000	275,000	325,000
8	Satellite Receivers with CAS only for licensed broadcasters and DTH operators	10,000	30,000	75,000	125,000	175,000	225,000	275,000	325,000
9	Personal use	Exempted for single item							
10	Research and Development(R&D)*	Exempted							

S.No.	Items	Up to 10	11-100	101-1000
1	Studio Equipment except Camera	10,000	25,000	50,000
2	TV Cameras	25,000	-	-
3	Satellite Dish Antenna	10,000	25,000	50,000

S.No.	Items	Up to 100
1	TV Broadcasting Equipment	25,000
2	DSNG Equipment	50,000

S.No.	Items	For Single item
1	FM Antenna	10,000
2	FM Transmitter	25,000

S.No.	Items	Up to 1,000	Above 1,000
1	Remote Control and Spare Parts, to be used in repairing of electronic media related equipment	5,000	10,000

** R&D proof shall be required.*

[4] **Annexure-II** amended and new serial numbers inserted by PEMRA (Import of Electronic Media Equipment and Transmitting Apparatus for Broadcasting, Distribution and Teleporting Operations) Regulations–2018 (amended in 2021).