



Rules and Regulations on the ICT Type Approval

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Bhutan InfoComm and Media Authority

Royal Government of Bhutan

First edition 2016
Second edition 2019

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Chapter 1 : Preliminary

1.1 Legal Basis

These Rules and Regulations are issued as per Section 51(2) of the Information Communications and Media Act of Bhutan 2018 (“the Act”) by the Bhutan InfoComm and Media Authority (“the Authority”) to ensure compliance with international and regional’s technical, environment and safety standards, including electromagnetic radiation and emissions.

1.2 Title and Commencement

These Rules and Regulations shall be called as the Rules and Regulations on the ICT Type Approval and shall come into force from the 1st day of July, 2019 corresponding to the 29th day of fourth month of the Bhutanese Earth Female Pig Year.

1.3 Scope of Application

These Rules and Regulations shall apply to:

- a) Parties that import for use or sale, sell or hire out any ICT apparatus including Radio communications apparatus within the Kingdom of Bhutan; or
- b) Any foreign parties that intend to Type Approve or sale ICT apparatus in Bhutan.

1.4 Amendments

Amendment to these Rules and Regulations shall be made in accordance with the needs and changes in national priorities, Government policies and industry trends. The amendment of these Rules and Regulation, by way of addition, variation or repeal may be effected by the Authority as and when required.

1.5 Repeal

With the commencement of these Rules and Regulations, the Type Approval Rules 2016 are repealed.

1.6 Interpretation

The power to interpret these Rules and Regulations shall vest with the Authority who may issue such instructions as may be necessary to give effect to and implement the provisions of these Rules and Regulations.

1.7 Rules of Construction

In these Rules and Regulations, unless the context indicates otherwise, the masculine gender shall include the feminine gender and the singular shall include the plural and vice versa.

1.8 Definition

In addition to the following terms, or unless the context requires otherwise, the words and terms used in these Rules and Regulations shall have the same meaning as assigned in the Act.

Certificate Holder means a licensed entity who has obtained type approval certificate for particular ICT equipment.

Declaration of Conformity means a declaration, meeting the requirements identified in these Rules that an Equipment Type complies with applicable Type Approval Standards.

Equipment Type means a type of communications equipment specified in terms of its manufacturing brand name, trade name, model number, version number and function mentioned in the application for Type Approval.

Type Approval means a certificate of conformity issued by the Authority for ICT equipment that meets a minimum set of regulatory, technical and safety requirements;

Radio and Telecommunications Terminal Equipment (RTTE) means all telecommunications terminal equipment which connects directly to a public telecommunications network and all intentional emitters of electromagnetic radiation (Radio waves).

Type Approval Standards means the standards adopted by the Authority pursuant to Section 51(2) of the Act.

Chapter 2: General provisions

2.1 Objective

The objectives of these Rules and Regulations are to:

- a) Ensure that the ICT apparatus are interoperable and can be interconnected with any communications networks.
- b) Ensure that the ICT apparatus do not cause any damage to the public telecommunications network and public health.
- c) Ensure that the ICT apparatus do not generate electromagnetic disturbance exceeding the prescribed internationally accepted level.
- d) Promote and assure the quality of ICT equipments.
- e) Define processes for the Type Approval of communications equipment, and
- f) Identify applicable technical standards, including those promulgated by International standard organization and Regional standards organization.

2.2 Standards

The Authority shall maintain the Standards which are recognized for Type Approval process. Such standards shall be reviewed and updated periodically as per the provision of the Act.

2.3 Type Approval Bodies recognized by the Authority

- 2.3.1 The test reports and data obtained from laboratories that have been accredited by a body who is a member in the Mutual Recognition Agreement (MRA) of the International Laboratory Accreditation Cooperation (ILAC) shall be recognized by the Authority for the issuance of Type Approval Certificate.
- 2.3.2 The Authority may also accept test reports, compliance certificates and relevant declaration of conformity issued under the bilateral or multilateral mutual recognition agreements concluded by the Authority or by the Royal Government with other countries, regional organizations or international organizations.

Chapter 3: Type Approval Process

3.1 Type Approval of ICT Equipments

3.1.1 All ICT equipments for use in Bhutan shall either be:

- (i) Type Approved by the Authority, or
- (ii) Exempted from Type Approval as specified in Annexure 3 of these Rules and Regulations.

3.1.2 For obtaining the Type Approval Certificate, the applicant shall submit an application (**Annexure A**) along with:

- (i) Valid Business License.
- (ii) The Declaration of Conformity issued by the manufacturer of the RTTE.
- (iii) Test report/ certificate issued by any internationally accredited test laboratories recognized by the Authority. The test report shall specify:
 - a) Effective use of radio frequency
 - b) Health and the safety, and
 - c) Electromagnetic Compatibility.
- (iv) Interconnection with the National Telecommunications Network (in case the equipment is to be interconnected to National Telecommunications Network);

3.1.3 For International Applicants, a copy of the proof payment as prescribed in Schedule I of these Rules and Regulations shall also be submitted along with the application.

3.2 Validity of the Type Approval

3.2.1 The Type Approval for any particular RTTE shall be granted with one time certificate provided no modifications have been made to the approved RTTE.

3.2.2 A new Type Approval shall be obtained from the Authority if the existing Type Approved RTTE has been modified with respect to manufacturing brand name, product name, model number, functions or any changes that affect the earlier information submitted to the Authority.

3.3 Revocation of Type Approval

3.3.1 The Authority shall revoke the Type Approval, if significant evidence is found that the RTTE:

- (i) Interferes with the operation of any licensed communications network.
- (ii) Constitutes a public hazard, or
- (iii) If the information submitted to the Authority is found to be counterfeit or false.

3.4 Exemption from Type Approval

The lists of RTTE that are exempted from Type Approval are given in **Annexure C** of these Rules and Regulations. The Authority may review and modify the list, whenever such revision is felt necessary and required.

Chapter 4: Obligation of the Certificate Holders

4.1 Obligation of the National Certificate Holders

4.1.1 The Certificate Holder shall ensure:

- (i) To maintain the list of equipment sold or installed (location) or configured including the list of frequency as assigned by the Authority. The Authority may seek such information as and when required;
- (ii) That any RTTE in his/her possession is not used for any unlawful purpose;
- (iii) Not to conduct any test of radio transmission without the prior approval of the Authority;
- (iv) To permit authorized official, upon production of proof of identity, to enter any land, building or premises owned or occupied by the Certificate Holders, to inspect and examine any ICT equipment.
- (v) To re-export damaged and defunct equipment to the manufacturers or its authorized agent for recycling as per the Waste Prevention and Management Regulation 2012.

4.1.2 The Certificate Holder shall not have in his/her possession any RTTE which:

- i. Is capable of monitoring, scanning or intercepting the transmission of information or communication signal; or
- ii. Can be used to alter, delete or remove the ESN (Electronic Serial Number), MIN (Mobile Identification Number), IMSI (International Mobile Subscriber Identity) or PIN (Personal Identification Number) of any registered ICT equipment or to insert or duplicate the ESN, MIN, IMSI or PIN of any registered ICT equipment in any unregistered ICT equipment.

4.2 Labeling

All RTTE approved by the Authority shall carry a label “Type Approved by BICMA” as prescribed below:



Chapter 5: Breach of Rules and Regulations

5.1 Contravention and Enforcement

5.1.1 Any Certificate Holder that fails to abide with the obligations prescribed in these Rules and Regulations or the Type Approval Standards shall be liable for an offence of petty misdemeanor.

5.1.2 For repeated violation by the Certificate Holder, the Authority shall:

- a) Seize the equipment, and
- b) Revoke the Certificate.

5.1.3 Any person found operating RTTE without certification by the Authority shall be liable:

- a) For a penalty of petty misdemeanor
- b) Seizure of the RTTE
- c) Blacklist for obtaining certification.

Annexure A: Fee

Application processing fee	Amount	
	National Applicant	International Applicant
1.	Nu.1000.00	USD 20.00

Note:

a) For international applications, the application process fee should be made by bank transfer to the following account:

- **Beneficiary Bank:**

Bank of Bhutan Ltd. Phuentsholing, Bhutan

- **Receiver's Correspondent Bank:**

Standard Chartered Bank

One Madison Avenue

New York, N.Y.10010-3603

- Account No: 3582036853001

Swift Code: SCBLUS33

- CHIPS ABA0256

- FEDABA026002561

- **Ultimate Beneficiary:**

1. Account No: CD/100902335

2. Beneficiary Name: **Bhutan InfoComm and Media Authority.**

3. BOBL Branch Name: **Thimphu**

b) The Proof of payment of the prescribed fee must be included with the application for Type Approval submitted to the Authority. This proof of payment can be, either a scanned image or screenshot of a bank or credit card statement.



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BHUTAN INFOCOMM AND MEDIA AUTHORITY
 ROYAL GOVERNMENT OF BHUTAN



Annexure B: Application form for Type Approval

Instructions for completion

1. Fill up all relevant parts in BLOCK letters. If a part is not applicable, write “N/A”.
2. Tick where appropriate.
3. The completed form, together with the required supporting documents and application fee should be sent to Bhutan InfoComm and Media Authority.
4. Application form without complete information and documents shall be rejected.

PART A: Particulars of the Applicant		
Name of the Company:		
Name of the Applicant:		
Company Address:		
	Fixed Line #:	P.O Box:
	Fax #	Website:
	Authorized Person Name :	
	Designation:	
	Mobile #:	E-mail ID:
	PART B: Details of the Equipment	
Intended Use	<input type="checkbox"/> Individual <input type="checkbox"/> Business	
Name of the Equipment		
Brand /Trade Name		
Model Name/Number		
Serial Number/Code		

Manufacturer's Name		
Manufacturer's Address	Postal Address:	
	Phone No:	
	Contact Person :	
	Email Id:	
Country of Import:		
Acceptance Test Information	Factory Acceptance Test (FAT) performed <input type="radio"/> Yes <input type="radio"/> No	
	Date of FAT:	Place:
	Site Acceptance Test (SAT) Performed <input type="radio"/> Yes <input type="radio"/> No	
	Date of SAT:	Place:
PART C: Documentation		
1. <input type="checkbox"/> Copy of operation and Technical document 2. <input type="checkbox"/> Test Report (EMR report) 3. <input type="checkbox"/> Signed deceleration of Conformity 4. <input type="checkbox"/> Proof of application fee 5. <input type="checkbox"/> Copy of Business Licence 6. <input type="checkbox"/> Copy of Citizen ID Card		
PART D: Payment		
Application fee: USD 20 <input type="checkbox"/> Nu. 1000.00 <input type="checkbox"/>		
PART E: Declaration		
All the information and documents submitted along with this application form are to the best of my /our knowledge true and correct.		
Signature of the applicant:		
Name:		
Date:		(Company Seal)

Annexure C: List of ICT equipments exempted from Type Approval

Sl	Equipment Type	Description	Specification of the technology
1	Mobile Handsets	Equipment that receives and transmit voice and data signal under the control of public network for personal communications.	GSM and UMTS
2	Telephone handsets including cordless , desktop, PABX and fax	Equipment that can receive and transmit voice and data signal under the control of public network.	All types of telephone handsets
3	Data Modem	Equipment that can receive and transmit voice and data signal under the control of public network.	ASDL/DSL and any type of wireless modem
4	RTTE embedded in personal computer (PC)	Equipment which is embedded in either PC or laptop that could either receive or transmit with output power below 100mW.	Laptop or personal computers equipped with short-range radio technology such as WiFi, Bluetooth
5	Fixed short-range wireless terminal equipments	Equipment that offers low risk of interference with other radio services, and has lower range and power.	Bluetooth, Wi-Fi, CCTV, Cordless audio devices(including wireless microphones), Radio Frequency Identification (RFID)
6	Amateur Radio	Equipment that is used by the licensed radio amateur user.	Amateur radio in line with ITU region 3 requirements
7	Broadcast Receivers	Equipment that can only receive sound, data and television broadcasting services	Global Positioning System (GPS), Radio sets (FM/AM/SW), Satellite dish, Set-top-box
8	Vehicle component	Equipment that is installed as part of vehicle for navigation, remote sensor and remote car key	GPS, Remote Sensor device(RSD), Remote car key, vehicle tracking System , vehicle security device
9	Infrared remote control equipment	Equipment with short range infrared remote control device	Remote control, Access control (door and gate opener), Alarms and movement detector,
10	Military equipment	Equipment used by armed forces for communications and security purposes	All types

Annexure D: List of recognized International Standardization Bodies

The following International Standardization Bodies are recognized by the Authority:

Sl	International Standardization Bodies
1	International Telecommunications Union (ITU)
2	Inter Organization for Standardization (ISO)
3	American National Standards Institute (ANSI)
4	European Telecommunications Standards Institute (ETSI)
5	Telecommunications Industry Associations (TIA)
6	International Electrotechnical Commission (IEC)
7	Institute of Electrical and Electronics Engineering (IEEE)
8	Internet Engineering Task Force (IETF)
9	Organization for the Advancement of Structured Information Standards (OASIS)
10	The 3 rd Generation Partnership Project (3GPP)
11	The 3 rd Generation Partnership Project 2 (3GPP2)
12	Regional Asia Information Security Standards Exchange (RAISS) Forum
13	Japanese Accreditation Board for Conformity Assessment (JAB)