

The Law "On Telecommunications" has been adopted in a new edition

On December 27, 2024, the President of the Republic of Uzbekistan, Shavkat Mirziyoyev, signed the Law "On Telecommunications" No. LRU-1015 (the "**Telecommunication Law**"), which came into force on December 28, 2024. With the adoption of the new edition of the Telecommunication Law, the previous version, dated August 20, 1999, was repealed.

General Provisions

The new edition of the Telecommunication Law *introduces new legal terms*, such as communication line, tariff plan, telecommunication infrastructure (passive telecommunication infrastructure), telecommunication equipment, user devices, and others.

The responsible government bodies for regulating the telecommunication sector have been identified

The new edition of the Telecommunication Law, among others, lists the following authorities of the Cabinet of Ministers of the Republic of Uzbekistan ("**Uzbekistan**"):

- Implementing measures to expand the types of telecommunication services provided and modernize telecommunication infrastructure,
- Taking measures to introduce modern technologies for the protection of telecommunications infrastructure,
- Determining the procedures and conditions for issuing licenses and permits, as well as the procedures for conducting competitive bidding (tenders) for the issuance of licenses for specific types of activities,
- Designating the regulatory authority in the telecommunication sector (the "**Regulatory Authority**"),
- Approving national programs in the telecommunications sector and ensuring their implementation.

The new edition of the Telecommunication Law also designates the *Ministry of Digital Technologies* as the responsible government body in the telecommunication sector. In addition to other responsibilities, it performs the following functions:

- Implementing a unified state policy in the telecommunication sector,
- Developing state and other programs in the telecommunication sector,
- Drafting legal acts within its authority in the telecommunication sector, as well as regulatory documents related to the technical regulation of telecommunication activities,
- Organizing certification of telecommunication equipment,
- Coordinating the activities of operators and providers to ensure the information security of telecommunication networks,

- Collaborating with relevant authorities to monitor unauthorized access to networks and the circumvention of protection measures during traffic transmission,
- Promoting international cooperation in the telecommunication sector.

Additionally, the Telecommunications Law establishes *the authority responsible for state control in the telecommunication sector, specifically the Inspection for Telecommunications Informatization Control* (the "**State Control Authority**"). Its responsibilities include ensuring:

- Compliance with laws, regulatory documents, and national standards in the telecommunications sector,
- Protection of user rights and the maintenance of service quality within its scope,
- Implementation of measures to develop telecommunication networks and services.

The State Control Authority has the right to conduct investigations and audits of operators and providers (without interfering in their financial and economic activities) on matters within its scope, based on an order from the head of the State Control Authority to carry out the investigation and audit.

The new edition of the Telecommunication Law also outlines the responsibilities of the new the Regulatory Authority — an independent legal entity in terms of finance, structure, and management, responsible for regulating the telecommunications sector. Among its duties are:

- *Licensing and approval procedures for legal entities* in the telecommunication sector,
- Accrediting legal entities that conduct expert evaluations of project documentation for the construction of telecommunication networks and facilities,
- Regulating tariffs for specific types of telecommunication services, as well as for interconnection services,
- Defining the list of universal services and their quality requirements,
- Developing and approving the procedure for using address space and determining the domain name system for the national segment of Internet,
- Implementing mandatory digital labelling of telecommunication equipment,
- Collaborating with relevant authorities to monitor unauthorized access to networks and circumvention of protection measures during traffic transmission,
- Monitoring the compliance of telecommunications services with the established quality requirements and standards.

As of today, the Cabinet of Ministers of Uzbekistan has not yet designated the legal entity responsible for the functions of the Regulatory Authority.

The new edition of the Telecommunication Law clarifies the procedures for providing telecommunications services

The new edition of the Telecommunication Law establishes that *no license is required* to provide data transmission services in public access points, including those owned by small businesses in rural areas, as well as for local, long-distance, and international communication services.

Notably, no license is required when data transmission networks are used exclusively *for the internal needs of the companies*. This applies, in particular, to manufacturing and technological processes, as well as signal transmission in course of providing the financial services, including banking, payment systems, payment organizations, and e-commerce platforms.

At the same time, for certain types of telecommunication activities, licenses may be issued on a *competitive (tender) basis*. The rules for conducting such competitions will be established by the Cabinet of Ministers of Uzbekistan.

Telecommunication network operators and providers are required to offer *universal communication services* to all users without exceptions or restrictions, ensuring that the quality of these services meets the established standards. The list of universal services and quality requirements will be determined by the Regulatory Authority.

The responsibilities for ensuring telecommunication infrastructure during the design of buildings and structures have been defined

Furthermore, it is important to note that the new edition of the Telecommunication Law stipulates that the Ministry of Construction and Housing and Communal Services of Uzbekistan, in collaboration with relevant national executive and local authorities, must ensure the following requirements during the development and approval of design tasks and project documentation for public, administrative, residential, and industrial buildings:

- Allocation of appropriate spaces and engineering infrastructure for the installation of telecommunication equipment in buildings, with provision of power supply,
- Availability of low-voltage cable shafts inside buildings for laying cables for telephony networks, data transmission, the Internet network, systems for collective reception of cable and terrestrial television, as well as "smart home" and security alarm systems,
- Allocation of appropriate land plots for the installation of communication lines and telecommunication equipment in public, administrative, residential, and industrial areas,
- Inclusion of mobile network base stations in regional and district centers, as well as central nodes of operators and providers of telecommunications, and broadcasting facilities in the list of objects exempt from power supply cuts.

Mandatory requirements for ensuring telecommunication infrastructure in buildings and the rights of operators to access the telecommunication services have been established

New requirements have been established, stipulating that the construction and commissioning of public, administrative, residential, and industrial buildings are not allowed without prior installation of the necessary telecommunication equipment. This includes:

- Laying *cable ducts*,
- Installing *low-voltage cable shafts*,
- Designating *spaces for placing telecommunication equipment* and other infrastructure elements that ensure access to telecommunication services.

Operators and providers are authorized to construct communication cable lines throughout the territory of Uzbekistan. They may lay cables underground or suspend them on power line supports and high-voltage lines, in compliance with the requirements set forth by regulatory acts and technical standards.

Measures for managing telecommunication during emergency situations have been established

In the event of natural or man-made emergencies, or during the declaration of a state of emergency, when human casualties, health damage, environmental harm, significant material

losses, or disruption of normal living conditions occur or may occur, the Regulatory Authority has the right to:

- Use with priority the telecommunication infrastructure,
- Coordinate centrally the efforts to restore and maintain the functioning of telecommunication networks,
- *Restrict or suspend the operation of telecommunication systems* if necessary to prevent further consequences or to mitigate already occurring consequences.

The rights and responsibilities of operators, providers, and users in the telecommunications sector were expanded

The new edition of the Telecommunication Law significantly *expands the rights and responsibilities of operators, providers, and users*. Specifically, the following new provisions have been added to the existing rights of operators and providers:

- The right of operators and providers to jointly use telecommunication infrastructure, communication channels, and radio frequency spectrum on a *contractual basis*,
- The provision of specific tariff plans and benefits to a designated group of users or in a specific limited region,
- The right to challenge, in accordance with the law, unlawful decisions, actions, or inactions of state authorities, unjustified interference in the telecommunication services market, hindrance to free market relations and competition, and to protect their interests.

The new obligations for operators and providers include:

- The requirement to publish in the public domain methods for assessing the quality of services provided,
- The continuous development and expansion of their networks in accordance with legislation, licensing requirements and conditions, in coordination with the authorized state authority.
- The free provision of information about the services they offer, as well as the free acceptance of subscribers' inquiries through a subscriber support center and ensuring their examination.

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