

### **Guidelines for Lease / Rental / Sale of Infrastructure**

The Infrastructure Provider shall provide the right to use the infrastructure equipment installed and/or owned by it on lease / rental / sale basis according to the following guidelines:

- The applicant must be licensed Telecom Operators in Pakistan who has obtained license from Pakistan Telecommunication Authority (PTA) / Government of Pakistan for providing Cellular Mobile, Long Distance & International (LDI), or Wireless Local Loop (WLL) services in Pakistan (hereinafter referred to as “Operators”).
- The Infrastructure Provider shall enter into a formal Lease / Rent agreement covering all aspects of the transaction.
- The Operators shall not sub-lease, further rent to another party, or sell the infrastructure equipment to any other party without the prior written consent of PTA.
- If the equipment is sold, the sale invoice shall clearly restrict the Operator from further sale of equipment to any other party without the prior written consent of Pakistan Telecommunication Authority.
- The Infrastructure Provider shall be responsible for the use of equipment by any unauthorized party i.e. an unlicensed operator, or for any other violation of Infrastructure License awarded to it by PTA or for violation of any other relevant clause / requirement of the Pakistan Telecommunication (Re-organization) Act, 1996, policies, rules and regulations of the Telecom sector.
- If the Infrastructure Provider is in a monopolistic position or is declared Significant Market Power (SMP) the Internal Rate of Return (IRR) charged for leasing its equipment shall be competitive with the market, i.e. it shall not be higher than the IRR being charged by the leasing companies in Pakistan at the time the equipment is leased and during the tenure of lease.
- In the event of default by the lessee or the Operator to whom the equipment has been rented by the Infrastructure Provider, the Operator cannot sell or allow use of the equipment to any other party and the Infrastructure Provider must repossess the equipment or restrict access to his equipment to the Operator.
- In case of any dispute between the Infrastructure Provider and the Operator, the two parties shall resolve the dispute amongst themselves. If they fail to resolve the dispute amicably, they may refer the case to PTA.

- The Infrastructure Provider shall be responsible for the safety of public, public and government property near or around which its equipment may be installed.
- The Infrastructure Provider shall be responsible for the insurance, safety and maintenance of the equipment.
- The Infrastructure Provider shall provide to PTA a copy of the lease / rental agreement or sale invoice with the following information about the Operator to whom the equipment has been given on lease / rent or to whom the equipment has been sold:
  - Name
  - Address
  - Contact Numbers
  - Name of Chief Executive Officer / Principal Partner / Proprietor
  - Type of License Held
  - License Number
  - Clearance Certificate from PTA with respect to their dues to PTA.
- An Infrastructure Provider may lease / rent / sell the equipment to another Infrastructure Provider, who may further lease / rent / sell the equipment to Telecom operators.
- If an Operator after having purchased the equipment from an Infrastructure Provider finds that it cannot utilize the equipment for whatever reason, it may sell the equipment back to the original or another Infrastructure Provider.
- An Infrastructure Provider may share the use of equipment with another Infrastructure Provider for leasing or renting to their respective customer Operators.