

**MEMORANDUM CIRCULAR
NO. 2-05-88**

Subject: RULES AND REGULATIONS GOVERNING THE MANUFACTURE, ACQUISITION, SALE AND SERVICE OF RADIOCOMMUNICATION EQUIPMENT.

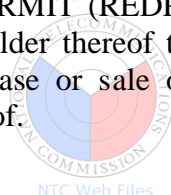
Pursuant to the provisions of the Radio Control Law, Act. No. 3846, as amended, and Executive Order No. 546, dated 23 July 1979, the following rules and regulations governing the manufacture, acquisition, servicing and sale of radio transmitters and transceivers in the Philippines are hereby promulgated:

1.0 PURPOSE

- 1.1 To update existing rules and regulations governing the manufacture, Acquisition, sales and service or radio transmitters and transceivers and the establishment of Radiocommunication Equipment Service Centers.
- 1.2 To enable the National Telecommunications Commission to monitor and control effectively the servicing, manufacture, acquisition, sale and other transactions involving transmitters and transceivers in the public interest.

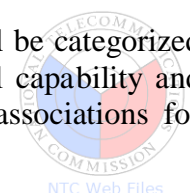
2.0 DEFINITIONS OF TERMS

- 2.1 **RADIO TRANSMITTER OR TRANSMITTER** – A device capable of emitting radio frequency waves or energy intended for transmission of signals, messages or intelligence.
- 2.2 **TRANSCIVER** – An inherent combination of a radio transmitter and receiver.
- 2.3 **DEALER** – A person or entity engaged in the buying and selling of transmitters and/or transceivers, including parts and accessories thereof.
- 2.4 **MANUFACTURER** – A person or entity engaged in the manufacture of transmitters and/or transceivers, including parts and accessories thereof.
- 2.5 **SERVICE CENTER OPERATOR** - A person or entity engaged in the repair, service or maintenance of transmitters, transceivers and other radiocommunication equipment.
- 2.6 **RADIOCOMMUNICATION EQUIPMENT DEALER PERMIT (REDP)** – A permit issued by the Commission authorizing the holder thereof to engage in the acquisition, servicing, maintenance, purchase or sale of transmitters and/or transceivers, parts and accessories thereof.



- 2.7 **RADIOCOMMUNICATION EQUIPMENT MANUFACTURER PERMIT (REMP) –** A permit issued by the commission authorizing the holder thereof to manufacture and/or assemble transmitters and transceivers including, but not valid for solely the manufacture of parts and accessories thereof.
- 2.8 **RADIOCOMMUNICATION EQUIPMENT SERVICE CENTER PERMIT (RESCP) –** A permit issued by the Commission authorizing the holder thereof to repair or service transmitters and/or transceivers and maintain radiocommunication equipment and accessories.
- 2.9 **PERMIT TO SELL –** A permit issued by the Commission authorizing the holder thereof to sell specific transmitter(s) or transceiver(s) to a holder of a Permit to Purchase or to a holder of an REDP.
- 2.10 **PERMIT TO PURCHASE –** A permit issued by the Commission authorizing the holder thereof to purchase specific transmitter(s) or transceiver(s) from a holder of a Permit to Sell or an REDP.
- 2.11 **PERMIT TO POSSESS –** A permit issued by the Commission authorizing the holder thereof to possess transmitter(s) or transceiver(s) as described therein.
- 3.0. **OPERATING GUIDELINES FOR AUTHORIZED RADIOCOMMUNICATION EQUIPMENT DEALERS, MANUFACTURERS AND SERVICE CENTER OPERATORS**
- 3.1 Permitters shall, in the conduct of their respective activities in the acquisition, repair, sales, service, promotion or marketing of transmitters or transceivers, strictly comply with the provisions of this Circular and other existing radio laws, rules and regulations.
- 3.2 Manufacturers shall take an active role in the research and development of modern and reliable radiocommunication equipment.
- 3.3 The service, repair and maintenance of radiocommunication equipment shall be done in such a manner that there shall be neither degradation of nor deviation from their normal operation.
- 4.0 **CATEGORIES OF RADIOCOMMUNICATION EQUIPMENT DEALERS AND MANUFACTURERS –**

Radiocommunication Equipment Dealers and Manufacturers shall be categorized in accordance with the criteria based on capitalization, technical capability and area of specialization to be recommended by their accredited associations for approval of the Commission.



5.0 APPLICATIONS AND PERMITS

5.1 Permit Required – Radiocommunication Equipment Dealers, Manufacturers and Service Centers Operators shall secure appropriate permits from the Commission before carrying out their respective activities.

5.2 Filing of Application – The application for the permit shall be filed together with required supporting documents specified in the application form, with the Commission.

5.3 General Qualifications of Applicants –

The applicant must be;

5.3.1 Filipino citizen(s), if a single proprietor or partnership or incorporated under existing laws of the Philippines, in the case of corporations and associations.

5.3.2 Registered with the Bureau of Domestic Trade or with the Securities and Exchange Commission in the case of firms, companies or associations;

5.3.3 A holder of other valid permits or licenses required by other concerned government agencies allowing such applicant to engage either in radiocommunication equipment dealership, manufacturing and/or assembling or servicing; and

The application for renewal of an REMP, REDP or RESP shall be submitted to the Commission at least sixty (60) days before its date of expiration, provided however, that in the case of Dealers, the applicant must have been submitting regular quarterly reports of sales and stock to the Commission.

5.8. Issuance of a Duplicate for Lost Permit

An application for a duplicate of a permit which has been lost, mutilated or destroyed should be submitted as soon as possible to the office of issue together with a statement attesting to the facts related thereto. The original of the lost permit, if found, shall be surrendered to the Commission immediately.

5.9 Fees



The fees to be charged for the issuance of an REDP, REMP, RESP shall be prescribed by the Commission under a separate Memorandum Circular covering all other fees and charges which may be updated from time to time.

6.0 BASIC DIAGNOSTIC/TEST EQUIPMENTS AND MEASURING INSTRUMENTS REQUIRED

6.1 For Radiocommunication Equipment Dealers or Service Centers

- Reflectometer, with ranges covering HF to UHF Bands
- Frequency Counter, HF to UHF Bands
- RF Power Meter
- VTVM or Digital Multimeter
- RF and AF Signal Generator capable of emitting 0.1uV to 5 volts across all frequency ranges
- Oscilloscope with RF probes
- Dummy load with ranges across encountered transmitter power outputs
- RF carrier deviation meter/RF modulation meter

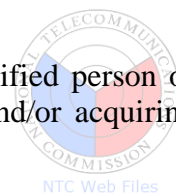
6.2 For manufacturers

- Reflectometer with ranges covering HF to UHF bands
- Volt-Ohm-Milliameter or multimeter capable of measuring voltage, resistance and current ranges encountered in the testing of radiocommunication equipment.
- Frequency counter, HF to UHF bands
- RF power meter
- RF and AF signal generators capable of emitting 0.1uV to 5 volts across all frequency bands
- DC micro/multimeter
- Distortion analyser
- Oscilloscope with RF probes
- Dummy antenna leads with appropriate power ranges
- Spectrum Analyzer, at least 10 KHz to 1.8 GHz frequency range
- SINAD meter

7.0 GENERAL PROVISIONS

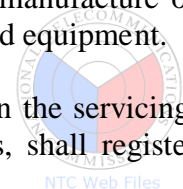
7.1 No person or entity without a valid permit to sell, purchase, possess or sell issued by the commission shall purchase, acquire or sell radio transmitter(s) and/or transceiver(s).

7.2 An REDP shall be issued by the Commission only to a qualified person or entity who is engaged primarily in the business of selling and/or acquiring



radiocommunication equipment, but not limited to purchase, indenting, trading, bartering or bidding.

- 7.3 An authorized dealer shall sell or lease only transmitters and/or transceivers which are type approved by and duly registered with the Commission.
- 7.4 No dealer shall keep on stock for any person or entity any transceiver and/or transmitter or radiocommunication equipment where were illegally acquired or not registered with the Commission.
- 7.5 No person or entity who are not holders of valid Permit to Possess or REDP issued by the Commission, shall advertise or cause to advertise in any form of media, such as newspapers, magazines, manuals, radio television or signboards any information leading to the supply or sale of any transmitter or transceiver.
- 7.6 No dealer shall sell transmitters and/or transceivers to any person or entity who is not a holder of a valid Permit to Purchase or REDP issued by the Commission. Radiocommunication equipment purchased by the Military, are however, exempted from this provision provided that such purchases from the authorized dealers concerned are reflected in their respective periodic sales report to the Commission.
- 7.7 An authorized dealer shall keep on stock at all times for two years at least one set of critical replacement and spare parts for each type, model and make of transmitter or transceiver sold.
- 7.8 Prior clearance or permit from the Commission is required before transmitters and/or transceivers may be acquired from sources other than authorized Radiocommunication Equipment Dealers.
- 7.9 A letter of authorization from the Commission is required before parts and components for repair, construction or manufacture of type approved radio equipment may be imported.
- 7.10 No person or entity shall engage commercially in the construction, manufacture, sale or purchase of radio transmitters or transceivers or repair of the same without a corresponding valid Permit issued by the Commission.
- 7.11 An authorized Radiocommunication Equipment Manufacturer shall provide adequate production and quality control facilities and shall adhere strictly to the standards of good engineering practice in the manufacture or assembly of radio transmitters and transceivers and other related equipment.
- 7.12 All existing repair and service centers or shops engaged in the servicing, modification and maintenance of transmitters or transceivers, shall register



with the commission and obtain the necessary permit to operate said shops or service centers within 180 days after promulgation of the rules and regulations under this Circular.

7.13 It is strictly prohibited for any person to perform circuit modification of any registered or type approved transceiver without a valid modification permit issued therefor by the Commission.

7.14 The business and location of authorized Radiocommunication Dealers, Manufacturer or Service Centers shall be properly identified as such by posting conspicuously at the entrance of their respective premises sign boards of at least 50 x 100 c.,. dimension indicating clearly the registered business name of the establishment, the kind of services offered, the name of the permittee, and business address.

7.15 All authorized Radiocommunication Equipment Dealers, Manufacturers or Service Centers, shall strictly honor any guarantee or warranty declared or issued to the customer in relation to the nature of service rendered or quality of equipment sold.

7.16 The Commission shall allow only the importation of transmitter(s)/transceivers of models and kinds not manufactured or assembled in the Philippines or, of any type of radio equipment already available locally, but does not reasonably satisfy specifications required by and-users.

8.0 LICENSE REQUIRED FOR PERSONNEL

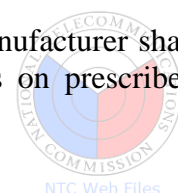
8.1 Personnel who are directly in charge of actual test, modification, repair, calibration and/or tuning of radio transmitters and/or transceivers must be holders of valid First Class Radiotelephone or Radiotelegraph Commercial Radio Operator's Certificate.

8.2 Personnel employed by Radiocommunication Equipment Dealers, Manufacturers or Service Centers, whose duties and responsibilities are governed by Section 3 and 4 of Department Order No. 88, dated December 28, 1972, must be duly registered Electronics and Communication Engineers.

9.0 REQUIRED REPORTS

9.1 Stock and Sales Reports

An authorized Radiocommunication Equipment Dealer or Manufacturer shall submit to the Commission quarterly stock and sales reports on prescribed forms not later than seven days after the end of each quarter.



9.2 Condemned Equipment

Transmitters and transceivers which are not in working conditions, has become obsolete or unserviceable while in stock and no longer intended to be sold, rebuilt, repaired or reconditioned shall be declared condemned and manifested as such by the permittee in the quarterly report to the Commission.

10.0 SERIAL NUMBERS REQUIRED

10.1 Authorized Radiocommunication Equipment Dealers and Manufacturers shall at all times up-date their records of available stocks according to their models, make and serial numbers.

10.2 Blocks of serial number for current and future stocks shall be allocated to Radiocommunication Equipment Manufacturers upon request. The serial numbers assigned to each unit must be etched or engraved in the name plate of each equipment bearing its type, make, and model and also in the main chassis or frame.

10.3 No serial number shall be removed, changed or altered without prior authority from the commission.

10.4 Transceivers or transmitters without serial numbers or with tampered serial numbers are subject to confiscation by the Commission and the person or entity possessing such transceiver(s) or transmitter(s) shall be prosecuted accordingly.

11.0 REQUIREMENTS FOR THE PREVENTION OF INTERFERENCE

All tests, calibration and tuning of transmitters or transceivers with rated power output of 150 watts or more shall be conducted with the use of dummy load antenna inside an RF radiation proof cubicle. Tests, calibration and tuning transmitters or transceivers with rated power output of less than 150 watts may be done using only a dummy load antenna.

12.0 GROUNDS FOR SUSPENSION OR REVOCATION OF PERMITS

Any permit issued under these Regulations may be revoked, cancelled or suspended for any of the following:

12.1 Violation of any provision of this Circular or any provision of the Radio Control Law, Act 3846, as amended or other relevant international or national laws, rules and regulations affecting the operation of permittee;

12.2 False statement in the application for Permit or in any Report required under this Commission.



12.3 Purchase, sale servicing and transactions involving illegally acquired radio transmitters and/or transceivers; and

12.4 Failure to comply with any of the conditions or particulars specified in the Permit.

13.0 PROCEDURE FOR THE SUSPENSION OR REVOCATION OF PERMITS

The Commission may suspend, cancel or revoke the permit of any authorized dealer, manufacturer or radiocommunication servicing center found to have violated any provision of this Circular; provided, however, that no order of suspension, revocation or cancellation of the permit shall take place without written notice from the Commission stating the cause for such action, served to the respondent. The order of suspension, revocation or cancellation of the permit shall take effect fifteen (15) days from receipt of the notice by the respondent. Within the fifteen (15) days period from receipt of the notice, respondent may file a written petition for the hearing of said Order to the commission. In the event that the respondent fails to file the written petition for hearing within this prescribed period, the order shall become final and executory.

14.0 REPEALING CLAUSE

The provisions of this Circular supersede all provisions of any memorandum Circular and other rules and regulations inconsistent herewith.

15.0 EFFECTIVITY CLAUSE

This Circular shall take effect thirty (300 days after its publication in accordance with law.

Quezon City, Philippines

JOSE LUIS A. ALCUAZ
Commissioner

Approved:

RAINERIO O. REYES
Secretary
Department of Transportation and Communication



