



Republic of the Philippines
Office of the President
NATIONAL TELECOMMUNICATIONS COMMISSION



MEMORANDUM CIRCULAR
No. 01-01-2012

SUBJECT : Guidelines in the Importation of non-type approved/accepted Customer Premises Equipment (CPE) for purposes of demonstration and/or testing.

Pursuant to the provisions of Republic Act No. 7925 and Act 3846, as amended, and in line with Memorandum Circular No. 02-01-2001, otherwise known as the Revised Customer Premises Equipment Interface Standards and Procedures for Type Approval and Type Acceptance, the following guidelines governing the importation of CPE for purposes of demonstration and/or testing are hereby promulgated:

Section 1. DEFINITION OF TERMS

- 1.1 Commission - National Telecommunications Commission
- 1.2 Customer Premises Equipment (CPE) - is an equipment located at the customer's premise enabling communication or a relevant component thereof which is intended to be connected directly or indirectly by any means whatsoever to interfaces of public telecommunications networks. An interface means a network termination point at which a user is provided with access to a public telecommunications network through wire or wireless interface. Examples of CPE are corded/cordless telephone sets, facsimile machines, PABX/KTS, DSL Modem, 2G/3G/4G/WiMax Modem, 2G/3G/4G mobile phones, POS Terminal via PSTN or public wireless network, etc.

Section 2. GENERAL PROVISIONS

- 2.1 The importation of CPE under this circular maybe requested by any entity intending to test use a CPE product or by an applicant of CPE type approval/acceptance certificate to demonstrate and test a CPE product.
- 2.2 Permit to Import must be secured from this Commission prior to importation. If the shipment arrives without the necessary import permit, a Release Clearance maybe secured by the importer in lieu of the Permit to Import. A Release Clearance maybe issued for unregulated equipment.
- 2.3 A Permit to Import issued by this Commission shall have a validity of ninety (90) days from the date of issuance under the following circumstances:
 - a. The request for permit to import must not exceed forty (40) units per model for mobile phones. However, on exceptional cases or case to case basis, such as a large-scale pilot project using mobile phones wherein the required number of demonstration and/or testing units is more than the specified quantity, the importation of justified number of units may be allowed subject to meritorious reasons or purposes. The demonstration units for pilot project shall be applied for type-approval/acceptance certification and the WiFi and/or Bluetooth thereof, if any, shall be registered with this Commission should they will be used from demonstration to commercial purposes.

- b. The request for permit to import must not exceed five (5) units per model of CPEs (except mobile phones).
- c. CPE that are imported other than for type approval/acceptance purposes are subject to re-export to the country of origin after the duration of the permit.

CPE that are imported by an applicant for type approval/acceptance certificate shall upon issuance of corresponding certificate, register the same within five days, otherwise the same must be re-exported back to its origin within five days. Further, in case of denial or non-approval of type approval/acceptance certificate, the CPE must be re-exported back to its origin within five days from issuance of denial.

- 2.4 Grantees of Permit to Import shall import only CPEs described on the permit issued by this Commission and on quantities not exceeding the specified number of units.

SECTION 3. FINAL PROVISIONS

- 3.1 Any circular or memorandum, rules and regulations which are in conflict with this Circular shall be deemed superseded, amended or repealed.
- 3.2 Any violation hereof shall be dealt with in accordance with existing circular on fines and penalties.
- 3.3 This Circular shall take effect fifteen (15) days after its publication in a newspaper of general circulation and submission of three (3) copies to the UP Law Center.

16 January 2012, Quezon City, Philippines


DELILAH F. DELES
Deputy Commissioner


CARLO JOSE A. MARTINEZ
Deputy Commissioner


GAMALIEL A. CORDOBA
Commissioner