



Republic of the Philippines
OFFICE OF THE PRESIDENT
NATIONAL TELECOMMUNICATIONS COMMISSION



MEMORANDUM CIRCULAR

No. 01-02-2013

**SUBJECT: AMENDING SEC. 5.2 OF MEMORANDUM
CIRCULAR No. 03-05-2007**

WHEREAS, there is confusion in the interpretation of Sec. 5.2 of Memorandum Circular (MC) No. 03-05-2007 re: "Type Approval/Acceptance, Registration and Licensing", more particularly on Short Range Devices, which reads "*Hyperlans and RLANs shall be covered by MC No. 09-09-2003 (Wireless Data Networks)*". One interpretation is that Sec. 5.2 of MC No. 03-05-2007 only refers to Sec. 5 ("Type Approval/Acceptance, Registration and Licensing") of MC No. 09-09-2003, but does not refer to the fees and charges provided by Sec. 6 of MC No. 09-09-2003. Another interpretation is that Sec. 5.2 of MC No. 03-05-2007, excludes Hyperlans and RLANs from its coverage such that the same is governed by MC No. 09-09-2003, including the fees and charges.

WHEREAS, the prices of Hyperlans and RLANs, including Wifi and Bluetooth devices, continue to decrease, therefore, the corresponding government fees and charges should also be lowered, as the same forms a component of said prices.

NOW, THEREFORE, pursuant to Act No. 3846 (Radio Control Act), Executive Order No. 546 series of 1979, and Republic Act No. 7925, the Commission hereby amends Sec. 5.2 of MC No. 03-05-2007 to read as follows:

Sec. 5.2 Hyperlans and RLANs shall be covered by MC No. 09-09-2003 only to as far as Type/Approval, Registration and Licensing. Sec. 6.1 of MC No. 03-05-2007 shall apply on fees and charges. Hyperlans and RLANs shall include Wifi and Bluetooth enabled devices and/or equipment.

This circular shall take effect fifteen (15) days after publication in a newspaper of general circulation and three (3) certified true copies furnished the UP Law Center.

Any circular, memorandum, order or parts thereof inconsistent with the provision of this circular shall be deemed amended or superseded accordingly.

Quezon City, Philippines, 12 February, 2013


GAMADEL A. CORDOBA
Commissioner


CARLO JOSE A. MARTINEZ
Deputy Commissioner


DELILAH F. DELES
Deputy Commissioner