ETIHAD

PRACTICE OVERVIEW

Technology, Media & Telecommunications

TELECOMS · MEDIA · TECHNOLOGY

CMC licensing, transactions, compliance and disputes



TMT at a Glance

Iraq's technology, media and telecommunications sector is regulated by the Communications and Media Commission (CMC) through a licensing regime that is detailed, document-intensive and subject to security clearance. Etihad combines hands-on experience before the CMC with transactional and disputes capability, giving operators, infrastructure investors, vendors, broadcasters and technology companies one local counsel from market entry through day-to-day compliance.

What We Cover

1. **Telecommunications**
   Licensing and spectrum · Operators, MVNOs and ISPs · Telecom M&A · Government contracts · Fraud enforcement

2. **Digital infrastructure**
   Towers and tower transactions · Fibre and FTTH · International capacity · Data centres

3. **Media**
   Broadcasting licences · Sports rights · Film, TV and music · Advertising and influencers · Reputation

4. **Technology**
   Technology contracts · Data and cyber · Fintech · Start-ups · Digital government · Cybercrime

WHO WE ACT FOR

Mobile network operators · MVNOs · Internet service providers · Tower companies · Fibre and data centre operators · Satellite and VSAT providers · Equipment manufacturers and vendors · Broadcasters and media companies · Fintech and payment providers · Technology companies and start-ups · Investors

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CMC Licensing Track Record

We handle applications, renewals and follow-up before the CMC for all 20 services in the service guide of its Telecommunications Regulation Directorate.

Spectrum & Networks

- Microwave link licences
- VSAT terminal licences
- Maritime radio system licences
- Land mobile radio (LMR) spectrum and terrestrial services
- GMPCS satellite services: use, provision and operation
- Aircraft Earth Station (AES) licences

Operators & Services

- Internet of Things (IoT) licences
- Mobile virtual network operator (MVNO) licences
- National numbering plan
- Internet service provider (ISP) licences
- Vendor and subcontractor licensing
- Caller ID blocking

Equipment & Market Entry

- Type approval certificates
- Sale and trading licences: telecom equipment, CCTV and GPS tracking
- GPS-tracking service licences
- Import licences: wired and wireless telecom equipment, CCTV and GPS tracking
- VSAT sale, trading and installation licences

Media & Consumer

- Digital terrestrial TV broadcasting licences
- Radio, TV and telecom competition licences
- Telecom promotional offer licences

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From Application to Licence

We manage the full licensing file so that clients deal with one adviser, not a dozen government counters.

How A Licence Runs

Scoping And Licence Mapping

1

Identify every licence the business model requires, the applicable CMC category and any Kurdistan Region considerations, and set a realistic timetable.

Technical File

3

Work with the client's engineers on CMC technical information forms and equipment catalogues, including type approval against ITU and international standards.

Security & Customs Clearance

5

Coordinate security approvals with the competent authorities and, for equipment, entry through customs and border ports.

Corporate Readiness

2

Certified company documents, Companies Registrar endorsement, tax clearance, social security clearance and authorised manager's documents.

Filing & Follow-up

4

File through the CMC single window and follow the application through legal compliance review, technical review and spectrum fee assessment.

Issuance & Lifecycle

6

Secure issuance, then manage renewals, amendments, periodic reporting and CMC audits for the life of the licence.

PRACTICAL INSIGHT

- **Security clearance:** Usually the longest step for equipment and vendor licences. We prepare the corporate and technical files in parallel so the application reaches that stage complete, without avoidable rounds of queries.
- **MVNOs:** The host-network agreement is part of the licence file, and any later change to it must be notified to the CMC. We draft with that in mind.

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Regulatory Framework

Instruments And Why They Matter

1. **Constitution of Iraq (2005)**
   Establishes the CMC as an independent body, financially and administratively. Protects freedom of communication and correspondence.
2. **CPA Order No. 65 of 2004**
   CMC mandate: licensing, spectrum management and broadcasting regulation.
3. **CMC Regulations and Service Guide**
   Licence-specific conditions, documents, fees and technical standards.
4. **Law No. 78 of 2012 on Electronic Signature and Electronic Transactions**
   Legal effect of electronic contracts, records and signatures.
5. **Copyright Law No. 3 of 1971**
   Protection of software, broadcasts and creative content.
6. **Trademarks Law No. 21 of 1957**
   Registration and enforcement of brands.
7. **Central Bank of Iraq Regulations**
   Electronic payment services, mobile wallets and fintech licensing.
8. **Data Protection and Cybercrime**
   An evolving framework; we track sectoral rules and draft legislation for clients.

KURDISTAN REGION

Certain activities in the Kurdistan Region follow a separate regional practice. With offices in Baghdad, Erbil and Basra, we advise clients on federal and regional requirements as one plan.

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Digital Infrastructure

We cover the physical layer of Iraq's digital economy end to end, from tower sites to data centres.

How We Help

1. **Towers and passive infrastructure**
   Site acquisition, land and rooftop leases, rights of way and permits; EPC and FIDIC-based construction; operation and maintenance agreements with service levels.

2. **Tower portfolio transactions**
   Sale-and-leaseback of operator towers, carve-outs to tower companies, master lease agreements and investor due diligence.

3. **Fibre and FTTH**
   Fibre-to-the-home and backbone projects, partnerships with the Ministry of Communications, rights of way and PPP structures.

4. **International capacity**
   IRU and capacity agreements, terrestrial transit routes and international gateway arrangements.

5. **Data centres**
   Development and licensing, colocation and hosting agreements, power supply and data-location requirements.

Layers We Cover

1. Tower Sites
2. Fibre and FTTH
3. International Capacity
4. Data Centres

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Media & Content

We help broadcasters, rights holders, brands and digital platforms get licensed, stay compliant and protect what they create.

How We Help

1. **Broadcasting Licences**
   Digital terrestrial, satellite TV and FM radio licensing, renewals and compliance.
2. **Sports Broadcasting Rights**
   Acquiring, licensing and protecting rights to matches and tournaments.
3. **Film, TV and Music**
   Filming permits, production and distribution agreements, and music rights.
4. **Content and IP**
   Copyright, content licensing, and trademark registration and enforcement.
5. **Advertising and Marketing**
   Campaign review, promotional terms and consumer protection compliance.
6. **Influencers and Online Content**
   Digital content rules and influencer advertising agreements.
7. **Promotions and Competitions**
   CMC approval of telecom promotional offers and radio, TV and telecom competitions.
8. **Defamation and Reputation**
   Defamation claims, right of reply and removal of harmful content.
9. **E-commerce**
   Platform terms, payment flows and agreements with retailers and suppliers.
10. **Games and Interactive Media**
    In-game purchases, consumer protection and publishing agreements.

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Technology & Data

Practical advice for companies that buy, build or sell technology in Iraq.

Contracts, Data And Fintech

1. **Technology Contracts**
   Software, SaaS, development, integration and IT sourcing agreements.
2. **Cloud and Outsourcing**
   Cloud and managed services, vendor resilience and exit terms.
3. **Data and Cybersecurity**
   Privacy programmes, data-sharing terms and breach response plans.
4. **Fintech and Payments**
   Central Bank of Iraq licensing for payment providers and mobile wallets.
5. **AI and Emerging Technology**
   AI governance policies, vendor contracts and ownership of AI output.
6. **IP and Commercialisation**
   Protecting and licensing software, data and inventions; IP due diligence.

Growth, Government And Disputes

- **Start-ups and venture capital**
  Company set-up, investment rounds and employee share plans.
- **Cybercrime and extortion**
  Representing companies and individuals in electronic extortion and online fraud cases.
- **.iq domains and online brands**
  Domain registration, domain disputes and online brand protection.
- **Digital government**
  E-government platforms, digital ID and government e-payment projects.
- **E-signatures and e-evidence**
  Validity of electronic contracts and use of digital evidence in court.
- **Tax on technology payments**
  Withholding tax on software, services and royalties paid to foreign suppliers.

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Compliance & Market Access

How We Help

1. **Sanctions, Export Controls and Anti-corruption**
   Screening of local partners, agents and counterparties; export-control and encryption rules for imported equipment; anti-bribery programmes for work with government entities.

2. **Competition Law**
   Merger review, market dominance and competition compliance in telecom and digital markets.

3. **Commercial Agency and Distribution**
   Agency and distribution structures for devices and technology products, including commercial agency registration.

4. **Regulatory Advocacy**
   Responses to draft regulations and engagement with the CMC and the Ministry of Communications on behalf of clients.

How We Support Market Entry

1. Entity and Licences
2. Partner Screening
3. Agency Registration
4. CMC filings
5. Ongoing Compliance

> *One local counsel from market entry through day-to-day compliance.*

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Key Contacts

Our TMT team advises operators, investors, broadcasters and technology companies, from CMC licensing to transactions and disputes. Please contact any of us to discuss your matter.



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ETIHAD

Experienced Lawyers.
Unique Approach.

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MANCHESTER · DUBAI

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