COVID-19 continues to create uncertainty on a global scale across all business sectors. The impact of the virus on the global economy is unprecedented. For the communications sector, governments and public authorities around the world have implemented various regulatory measures affecting the industry, ranging from legislation to recommendations with respect to traffic management, location data, alerts, spectrum and other measures. These regulatory measures are summarised for the jurisdictions listed below.

### Europe
- Austria
- Belgium
- Czech Republic
- France
- Germany
- Italy
- Poland
- Slovakia
- Spain
- UK

### Asia Pacific
- Australia
- China
- Japan
- Singapore

### Middle East
- Kingdom of Saudi Arabia
- United Arab Emirates

### United States

### Contacts

#### Mark Dever
Partner, Washington, DC  
T +1 202 457 6410  
E mark.dever@squirepb.com

#### Francesco Liberatore
Partner, London  
T +44 207 655 1505  
E francesco.liberatore@squirepb.com
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<tr>
<td>EU</td>
<td>Yes</td>
<td>Yes</td>
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<td>No</td>
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<td>The European Commission published a framework which sets out that tracing apps must be voluntary, transparent, temporary, and cybersecure, and must use temporary and pseudonymised data. The Commission also adopted a Recommendation on a common Union toolbox for the use of technology and data to combat and exit from the COVID-19 crisis, in particular concerning mobile applications and the use of anonymised mobility data. The European Telecommunications Standards Institute (ETSI) set up a working group to draft a standardisation framework for “interoperable mobile apps for contact recognition and anonymous identification”. The working group, called Europe for Privacy-Preserving Pandemic Protection (ISG E4P), is already expected to include ten organisations, including major telecommunications operators, manufacturers and research centres. A date for the publication of the standard has not yet been announced. However, the European Commission announced on 16 June 2020 that Member States had agreed on a set of technical specifications to ensure the interoperability of national contact tracing apps on a decentralised architecture. In the context of the COVID-19 outbreak, the European Data Protection Board (EDPB) has issued two sets of guidelines: one on the use of location data and contact tracing tools, and another on the processing of data concerning health for the purpose of scientific research. The European Commission and the Body of European Regulators for Electronic Communications (BEREC) issued a Joint Statement on coping with the increased demand for network connectivity due to the COVID-19 pandemic.</td>
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**Contacts (EU)**

**Francesco Liberatore**
Partner, London  
T +44 207 655 1505  
E francesco.liberatore@squirepb.com

**Rosa Barcelo**
Partner, Brussels  
T +322 627 1107  
E rosa.barcelo@squirepb.com
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<td>Has the government (or other public authority) enacted any emergency legislation or recommendation that would affect telecommunications providers?</td>
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<td>Do operators share location data of COVID-19 patients with public health authorities (or other state authorities)?</td>
<td>Do public authorities send any informative text messages/alerts?</td>
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<td>Austria</td>
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<td>YES</td>
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<td>The Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR) sent a letter to the three major Austrian mobile operators permitting them to throttle certain online services (e.g. video streams) in the case of an emergency, while other services (e.g. government information portals) are to be transmitted at a constant speed.</td>
<td>RTR's letter to the three major Austrian mobile operators.</td>
<td>Aggregated data from mobile operator A1 are processed by Invenium Data Insights and visualisations are created that provide the health authorities with an important basis for their decisions.</td>
<td>The 5G spectrum auction has been postponed until the second half of August 2020.</td>
<td>(i) NO (ii) NO (iii) NO (iv) NO</td>
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<td>Belgium</td>
<td>YES</td>
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<td>The Belgian Institute for Postal Services and Telecommunications (BIPT) has published two notices for telecommunications operators and has extended the deadline for submitting applications to obtain additional 4G spectrum. The BIPT has also issued a notice to the general public on contact tracing centres and potential fraudulent use of the numbers allocated to contact tracing centres. A draft law has been introduced to Parliament with regard to contact tracing apps. Guidance on tracing apps has been published by the Belgian data protection authority in the context of the advice from the authority on the draft law.</td>
<td>The BIPT has requested telecommunications operators to review their business continuity plans in light of the increased traffic and dependency on network availability as a result of increased teleworking. The recommendation is aimed at avoiding network or service interruptions to the extent possible.</td>
<td>Information on all COVID-19 related measures is shared through the Be-Alert platform. While the platform allows text messages, the government has mainly communicated by means of email about COVID-19 related measures. Registration for the platform is voluntary and organised through local communes.</td>
<td>The deadline for submitting applications to obtain additional 4G spectrum was extended until 15 May 2020.</td>
<td>(i) NO (ii) NO (iii) NO (iv) NO</td>
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**Contents**

**Contacts (Austria)**

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<tr>
<th>Georg Serentschy</th>
<th>Wolfgang Maschek</th>
<th>Bart Vanderstraete</th>
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<td>Senior Advisor, Brussels</td>
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<td>T +322 627 1120</td>
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<td>E wolfgang@maschek</td>
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<tr>
<td>Czech Republic</td>
<td>YES</td>
<td>The Ministry of Health has issued an extraordinary measure regarding the movement tracking of coronavirus infected persons. The Czech Telecommunications Office (CTO) and the Ministry of Industry and Trade issued a recommendation to providers of streaming services asking them to temporarily reduce the quality of videos from UHD/HD to SD in the Czech Republic. Data protection office issued a statement regarding processing of personal data within the so-called smart quarantine system tracing the location personal data.</td>
</tr>
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**Contacts (Czech Republic)**

**Hana Gawlasova**  
Partner, Prague  
T +420 221 662 240  
E hana.gawlasova@squirepb.com

**Petra Věžníková**  
Associate, Prague  
T +420 221 662 242  
E petra.veznikova@squirepb.com
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(ii) Flexibility for non-payment of bills  
(iii) Wholesale price reduction  
(iv) Any other issues? |
| France       | YES | YES | NO | YES | YES | YES |
| France       | The French Government has issued an order to ease the procedures and timeframes for the installation of electronic communications equipment in order to ensure the availability of such services and networks during the state of public health emergency.  
A legislative proposition to allow electronic communication operators to collect and process health and location data for a period of 6 months has been rejected by the French National Assembly. | The French communications regulatory authority (ARCEP) has translated and posted on its website the Joint Statement from the EU Commission and BEREC, without any further recommendation.  
The French Government has asked Disney to postpone the launch of its video on demand service, Disney+. | THE FRENCH GOVERNMENT IS PLANNING TO ROLL OUT A CONTACT-TRACING APP IN EARLY JUNE, CALLED STOPCOVID. STOPCOVID WILL USE BLUETOOTH TECHNOLOGY AND WILL NOT USE LOCATION DATA. | Alerts will be sent via SMS by all telecommunications operators (pursuant to Article L-33.1 f bis of the Post and Electronic Communications Code.) | The 5G spectrum auction has been postponed, however Bouygues Telecom, Free Mobile, Orange and SFR are all qualified to each receive one block of 50 MHz (for EUR 350 million each) and to participate in the auction for the attribution of 11 blocks of 10 MHz each. | (i) NO  
(ii) NO  
(iii) NO  
(iv) NO |

**Contacts (France)**

**Stephanie Faber**  
Of Counsel, Paris  
T +33 1 5383 7400  
E stephanie.faber@squirepb.com

**Erling Estellon**  
Senior Associate, Paris  
T +33 1 5383 7060  
E erling.estellon@squirepb.com
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<td>The Federal Network Agency (BNetzA) issued guidelines on traffic management measures on 25 March 2020. BNetzA also issued a report on the capacity use of the telecommunications networks on 25 March 2020.</td>
<td>BNetzA’s guidelines on traffic management measures include recommendations on prioritising telephony services, and, for example, content providers to reduce the quality of streaming services (e.g. SD/HD instead of UHD).</td>
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**Contacts (Germany)**

**Dr. Andreas Fillmann**  
Partner, Frankfurt  
T +49 69 17392 423  
E andreas.fillmann@squirepb.com

**Oliver Geiss**  
Partner, Frankfurt  
T +49 69 17392 400  
E oliver.geiss@squirepb.com
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<td>Italy</td>
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<td>Yes</td>
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<td>Yes</td>
<td>No</td>
<td>(i) NO (ii) NO (iii) NO (iv) NO</td>
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<td>Law Decree No. 18/2020 (&quot;Cure Italy Decree&quot;, converted into Law no. 27/2020). Recommendation of the Italian Authority for Communications (AGCOM) dated March 20, 2020. To counteract the emergency, AGCOM has also decided to institute four technical roundtables in the following areas: • telecommunications and consumers; • postal services; • media services; • digital platforms and big data.</td>
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Article 82 of the Cure Italy Decree provides that until 30 June 2020, companies engaged in the provision of electronic communications networks and services have to take appropriate measures to upgrade their infrastructures, to ensure their proper functioning, and to ensure their offer on an ongoing basis. Furthermore, companies providing publicly available electronic communication services shall take all necessary steps to enhance and ensure uninterrupted access to emergency services. AGCOM’s recommendation dated 20 March 2020 and addressed to all telecommunications operators contains some measures they are required to adopt. These measures include, among others:

• identifying technical solutions to immediately increase average bandwidth per customer, over a fixed network, by at least 30%; where this is not technically possible, operators shall provide AGCOM with all elements useful for the relevant assessment; and

• proposing to AGCOM any reasonable and temporary traffic management measures to be then verified by the Authority, aimed at avoiding congestion and saturation of fixed and mobile networks, in line with current regulations and BEREC’s directives.

See Article 6, paragraph 2 of the Law Decree No. 28/2020.

See Article 6 of the Law Decree No. 28/2020.

Contacts (Italy)

Francesco Liberatore
Partner, London
T +44 207 655 1505
E francesco.liberatore@squirepb.com

Fabrizio Vismara
Partner, Milan
T +39 02 12 41 27 700
E fabrizio.vismara@squirepb.com
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<td>Do operators share location data of COVID-19 patients with public health authorities (or other state authorities)?</td>
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On 25 March 2020, the President of the Office for Electronic Communications (UKE) sent a letter to all telecommunications network providers in Poland requesting them to take all the necessary steps to ensure continuity of data transfer and voice services and prevent network congestion as provided for under Article 3(3)(b) and (c) of Regulation 2015/2120 and also informed them of BEREC’s and the European Commission’s Joint Statement of 19 March 2020.

Moreover, there has been a number of amendments to the Polish telecommunications law act, the most notable ones being the following:

- imposing an obligation on telecommunications operators (during the state of epidemic hazard, the state of epidemic or the state of natural disaster, in order to counteract COVID-19) to provide the Minister of Digital Affairs with anonymised location data (of the last 14 days) from the telecommunications device of an end user who is a COVID-19 sufferer or who is subject to quarantine (upon request and in the manner and form specified by the minister);
- requiring providers of publicly available telecommunications services that provide Internet access services over public mobile telecommunications networks to provide zero-rated access to specified websites;
- annulling the pending 5G auction;
- shortening the term of office of the President of the UKE (Marcin Cichy).

### Contacts (Poland)

**Eligiusz Krzesniak**
Partner, Warsaw
T +48 22 395 55 24
E eligiusz.krzesniak@squirepb.com

**Magdalena Gad-Nowak**
Senior Associate, Warsaw
T +48 22 395 5565
E magdalena.gad-nowak@squirepb.com
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<tr>
<td>Slovakia</td>
<td>Has the government (or other public authority) enacted any emergency legislation or recommendation that would affect telecommunications providers?</td>
<td>Yes</td>
<td>Act no. 62/2020 Coll.</td>
<td>NO</td>
<td>Some providers and operators have proactively taken measures in favour of service users, e.g. temporarily increasing the volume of mobile data at no additional charge, providing premium TV content at no extra charge, distributing useful information through various information channels and enabling online payment for the services provided.</td>
<td>YES</td>
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Contact (Slovakia)
Tatiana Prokopova
Partner, Bratislava
T +421 2 5930 3433
E Tatiana.prokopova@squirepb.com
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<td>Spain</td>
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<tr>
<td><strong>Spain</strong></td>
<td>Order SND / 297/2020 of 27 March 2020 provides for the development of technological solutions and mobile applications for data collection in order to improve the operational efficiency of health services, as well as better care and accessibility by citizens. The application includes a medical self-assessment application in relation to COVID-19 that will allow verifying that a citizen is in the autonomous community in which he declares to be. The application also includes a conversational assistant / chatbot to be used via WhatsApp and other instant messaging applications, as well as mobility analysis of people in the previous days and during confinement, through the study of aggregated and anonymised data provided by mobile operators.</td>
<td>Royal Decree 8/2020, provision 19.</td>
<td>The Ministry of Development publishes daily population mobility studies based on the continuous tracking of the location of the 13 million SIM cards of one of the three major operators in the country.</td>
<td>However, the Spanish Government launched the conversational assistant Hispabot-Covid19, which runs through WhatsApp. It is a chatbot service that uses artificial intelligence and natural language to address the concerns of citizens about COVID-19 using official, accurate and current information.</td>
<td>The 5G spectrum auction has been postponed.</td>
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<td>(i) Number portability</td>
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<td>(iii) Wholesale price reduction</td>
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<td>(iv) Any other issues?</td>
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**Contact (Spain)**

Fernando González  
Partner, Madrid  
T +34 91 426 4843  
E fernando.gonzalez@squirepb.com
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<td>UK</td>
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<td>YES</td>
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<td>(i) NO</td>
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<td>The UK Government has issued guidance for providers of telecommunications infrastructure in England as a result of new government regulations and legislation in response to dealing with the COVID-19 outbreak. The UK Government, Ofcom and the major internet service and mobile providers issued a joint statement on measures for supporting vulnerable consumers through COVID-19. In particular, all providers: • have committed to working with customers who find it difficult to pay their bills due to COVID-19; • will remove all data allowance caps on all current fixed broadband services; • have agreed to offer some new, generous mobile and landline packages to ensure people are connected and the most vulnerable continue to be supported (e.g. data boosts at low prices and free calls from landlines or mobile services); • will ensure that vulnerable customers or those self-isolating receive alternative methods of communication wherever possible if priority repairs to fixed broadband and landlines cannot be carried out. In a separate joint statement, the telecommunications companies also agreed to a set of new commitments to support the NHS, including prioritised broadband upgrades for NHS clinicians working from home and improving connectivity in care homes.</td>
<td>However, a number of mobile operators have agreed to providing zero-rated access to NHS health information about COVID-19 on mobile connections. Further, the Department for Digital, Culture, Media &amp; Sport (DCMS) Committee has widened the scope of its inquiry into “Broadband and the road to 5G”, inviting evidence submissions on the impact of coronavirus on the roll-out of full-fibre and 5G infrastructure. Submissions are due by 19 June 2020.</td>
<td>The Information Commissioner’s Office (ICO) has issued a statement in response to the use of mobile phone tracking data, noting that generalised data that is properly anonymised and aggregated does not fall under data protection law because no individual is being identified.</td>
<td>The UK has been sending SMS text messages to alert people across the UK about the latest COVID-19 measures.</td>
<td>Ofcom’s proposed Plan of Work issued in January 2020 indicated a spectrum auction in Q1 2020/21 for the award of the 700 MHz and 3.6-3.8 GHz bands, and to make the 700 MHz available for mobile services by May 2020. On 30 April 2020, Ofcom published a revised version of its Plan of Work, taking into account the COVID-19 crisis. Ofcom is ready to award licences in the 700 MHz and 3.6-3.8 GHz spectrum bands by auction.</td>
<td>(i) NO (ii) NO (iii) NO However, Ofcom has consented to Openreach waiving the notification periods that would otherwise apply under Significant Market Power (SMP) conditions to the changes it has proposed to make to its terms, conditions and charges for its Ethernet Access Direct (EAD) 100, EAD 1000 and Single Order Generic Ethernet Access (SOGEA) products, in response to COVID-19. (iv) YES Ofcom has also prioritised its radio interference work as a result of COVID-19.</td>
</tr>
</tbody>
</table>

### Contacts (UK)

**Francesco Liberatore**  
Partner, London  
T +44 207 655 1505  
E francesco.liberatore@squirepb.com

**Matthew Kirk**  
International Affairs Advisor, London  
T +44 207 655 1389  
E matthew.kirk@squirepb.com
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On 24 March 2020, Ofcom announced that it will suspend all existing consultation deadlines and information requests, and put on hold new consultations, decisions and information requests. Ofcom also stated that the implementation of new obligations may need to be delayed. Specifically, Ofcom has been in discussions with Government regarding the implementation deadlines of the European Electronic Communications Code (EECC). Ofcom plans to publish a statement on implementation of the end-user rights aspects of the EECC in September 2020, subject to the Government confirming its approach to EECC transposition before then. Ofcom intends to allow providers at least 12 months from the date of the publication of its statement to implement these new rules.

The ICO also published a recommendation on data protection expectations on contact tracing app development, stating that such apps must not involve or require the processing of location data, or the tracking of users’ location either directly or by inference.

However, Ofcom has postponed carrying out the final two 700 MHz clearance events scheduled for April 2020 until restrictions due to the coronavirus are relaxed.
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<td>The Australian Government and telecommunications companies have agreed on <strong>financial hardship measures</strong> to help keep people connected during the COVID-19 crisis. The Australian Competition and Consumer Commission (ACCC) granted an interim authorisation allowing NBN Co and a number of retail service providers (namely, Telstra, Optus, Vodafone Hutchison, TPG, Vocus and Aussie Broadband) to form a Special Working Group (SWG) to share information, coordinate strategies to manage congestion and take other steps to address significant demand changes caused by the COVID-19 pandemic and the large numbers of people at home during the day, as well as to provide support for consumers and small business customers experiencing financial difficulties. The ACCC is an observer on the SWG. The ACCC is also conducting a public consultation on the coordinated conduct permitted by the interim authorisation. The Australian Communications and Media Authority (ACMA) has agreed to exercise regulatory forbearance on certain obligations under the Telecommunications Consumer Protection Code (TCP Code) during the COVID-19 pandemic. These obligations relate to: financial hardship; billing and payment processing; usage notifications; information for customers; monitoring and reporting requirements; credit management processes; and general training obligations. However, strategies to manage congestion are being considered by the SWG. For example, in particular geographic areas where services are running slowly due to data congestion, SWG members are permitted to share network resources to improve connectivity in those locations. However, it has been reported that some mobile operators have been providing location data in an anonymised and aggregated form to the Australian and New South Wales governments to monitor whether people are following social distancing restrictions. The Australian Government has been sending SMS messages regarding COVID-19 prevention steps. However, the ACMA is currently consulting on its draft Five Year Spectrum Outlook 2020-2024, and is specifically requesting feedback on the expected impact of the COVID-19 pandemic on the short- and medium-term capacity of the stakeholders' industries. The consultation closes on 24 June 2020.</td>
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**Contact (Australia)**

**James D. Konidaris**  
Senior Associate, Sydney  
T +61 2 8248 7864  
E james.konidaris@squirepb.com
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<td>Australia (con’t)</td>
<td>The ACMA also announced that mobile providers have been given regulatory relief until 31 December 2020 from the new notification and expenditure cap obligations introduced under the International Mobile Roaming Determination and revised Mobile Premium Services Code.</td>
<td>Further, Australia has also launched the COVIDSafe contact tracing app, which is based on Singapore’s TraceTogether app. As is the case in Singapore, this app is not mandatory and data may only be accessed by state and territory health officials when someone is diagnosed with COVID-19.</td>
<td></td>
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<td>However, the ACCC has paused inquiries into the NBN wholesale access pricing and wholesale service standards to allow the communications sector to focus on its response to the COVID-19 pandemic. (iv) YES The ACCC accepted Telstra’s notification that the COVID-19 pandemic constitutes a Force Majeure Event under its Migration Plan, thus keeping more services active on its PSTN, ADSL and cable broadband networks where needed to promote service continuity. The Migration Plan sets out the steps that Telstra will take to progressively migrate voice and broadband services from its copper and Hybrid Fibre Coaxial networks to the NBN.</td>
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<td>China</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
<td>(i) NO</td>
<td>(ii) NO</td>
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On 9 February 2020, the Cyberspace Administration of China promulgated the Circular on Ensuring Effective Personal Information Protection and Utilisation of Big Data to Support Joint Efforts for Epidemic Prevention and Control. Telecommunications companies are encouraged to utilise big data to analyse and predict the motion trail of key groups, including confirmed and suspected cases and individuals who have been in close contact with suspected or confirmed cases. Telecommunications companies are also encouraged under this Circular to provide support for the government’s joint epidemic prevention and control, subject to the Personal Information Security Specifications and in conformity with the minimum necessity principle.

On 14 February 2020, the Ministry of Industry and Information Technology promulgated the Circular of the General Office of the Ministry of Industry and Information Technology on Effectively Safeguarding Cyber Security in the Information Communications Industry during the Period of Epidemic Prevention and Control. Telecommunications companies are requested to strengthen technical support for key users including government, medical institutions, public emergency organisations, educational institutions, and the joint epidemic prevention and control entities. Telecommunications companies are also requested to enhance their network infrastructure for epidemic prevention and control, medical assistance, telecommuting, and people’s work and living.

However, the major basic telecommunications providers in China have voluntarily promised that during the outbreak, services will not stop due to the non-payment of bills.

(iii) NO
(iv) NO

Contacts (China)

Louise Ng
Senior Associate, Hong Kong
T +852 2103 0318
E louise.ng@squirepb.com

Nick Chan
Partner, Hong Kong
T +852 2103 0388
E nick.chan@squirepb.com
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<td>Japan</td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
<td>(i) NO</td>
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<td>On 19 March 2020, the Ministry of Internal Affairs and Communications (MIC) requested four associations related to telecommunications carriers to extend the payment deadline for fixed-line and mobile phones due to the increased influence of COVID-19. On 3 April 2020, the MIC requested four associations related to the telecommunications industry to secure a communications environment for student learning in connection with the spread of COVID-19.</td>
<td>However, the MIC and telecommunications companies have established a committee to discuss potential measures in response to the increased volume of data transactions amid COVID-19. One of the potential measures discussed is a regulation on zero rating services.</td>
<td>On 31 March 2020, the MIC, the Ministry of Health, Labor and Welfare (MHLW), and the Ministry of Economy, Trade and Industry (METI) requested platform operators and telecommunications carriers to provide statistical location data that will contribute to preventing the spread of new coronavirus infections.</td>
<td>YES</td>
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<tr>
<td>Kingdom of Saudi Arabia</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
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<td>(i) NO</td>
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<td>To combat the potential impact of the COVID-19 outbreak, the Communications and Information Technology Commission (CITC) has awarded additional spectrum for mobile service providers in the Kingdom, with a view to enhancing the performance of 4G and 5G networks and ensuring the uninterrupted delivery of services to all users and enterprises. More particularly, the CITC has temporarily licensed mobile service providers to use an additional 40 MHz in the 700 MHz and 800 MHz bands.</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
<td>NO</td>
<td>Although, see response to the first question.</td>
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**Contacts (Japan)**

- **Rika Beppu**  
  Partner, Tokyo  
  T +81 3 5774 1800  
  E rika.beppu@squirepb.com

- **Takujiro Urabe**  
  Senior Associate, Tokyo  
  T +81 3 5774 1800  
  E takujiro.urabe@squirepb.com

**Contacts (Kingdom of Saudi Arabia)**

- **Alex Gross**  
  Partner, Riyadh  
  T +966 11 250 1255  
  E alexander.gross@squirepb.com

- **Khalid A. Al-Thebity**  
  Of Counsel, Riyadh  
  T +966 11 250 1251  
  E khalid.al-thebity@squirepb.com
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Singapore  
YES  
The Singapore Government has designated the provision of information and communication services as an essential service and therefore permitted to operate during Singapore’s circuit-breaker period (at present until 1 June 2020). Providers are also encouraged by the Infocomm Media Development Authority (IMDA) to bolster network capacity.

NO  
However, we note that the IMDA has stated that it will support telecommunications providers in making immediate investments to upgrade their networks and further bolster Singapore’s nationwide network capacity.

NO  
However, an app called TraceTogether can be downloaded which will permit sharing of location data with the Ministry of Health, so long as Bluetooth is turned on. It is not mandatory to download this app.

YES  
Informative text messages / alerts are sent via Telegram and Facebook apps.

NO  
We note that 5G network licences were recently awarded to Singtel and a joint venture by Starhub and M1.

(i) NO (ii) NO (iii) NO (iv) NO

Contacts (Singapore)

Ignatius K. Hwang  
Partner, Singapore  
T +65 6922 8660  
E ignatius.hwang@squirepb.com

Dawn Tan  
Senior Associate, Singapore  
T +65 6922 8665  
E dawn.tan@squirepb.com
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<td>UAE</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
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<td>NO (i)</td>
<td>NO (ii)</td>
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<td>The Telecommunications Regulatory Authority (TRA) launched a number of initiatives in response to COVID-19. For example, in its efforts to support distance learning and working from home, the TRA in coordination with the network operators (Etisalat and Du) has allowed certain applications (Google Hangouts Meet, Cisco Webex, Avaya Spaces, BlueJeans, Slack, Microsoft Teams, Skype for Business, Zoom and Blackboard) to be available in the UAE on an exceptional basis and until further notice. Further, the TRA has coordinated with the Ministry of Education in the UAE and instructed telecommunications providers to provide families with no internet access the data packages required to access distance learning free of charge. As for the health sector, the TRA extended the validity for all wireless networks for hospitals and medical centres to support the sector’s wireless communication systems. The TRA has also developed UAEPASS, the first National Digital Identity to enable individuals and entities to offer services digitally. The platform allows verification of individuals without the need to make physical visits and includes a service to sign documents digitally including the verification of digitally signed documents.</td>
<td>The TRA has urged service providers to enhance their network capacity, perform network re-engineering when required and to implement any necessary changes as soon as practicable in order to meet the increased demand for telecommunications services and to facilitate distance learning and remote working.</td>
<td>However, the Abu Dhabi Department of Health has launched an app called TraceCovid to help identify individuals who may have come in contact with an infected person. TraceCovid is a contact tracing app that can be downloaded by anyone living in the UAE. It is not mandatory to install this app.</td>
<td>The TRA, in coordination with the Dubai Health Authority, instructed telecommunications providers to launch an awareness message regarding COVID-19 when making phone calls. Further, the TRA with the National Emergency and Crisis Management and Disaster Authority enabled emergency broadcast services to deliver government announcements to the public.</td>
<td>(i) NO (ii) NO However, the TRA instructed telecommunications providers to suspend deactivation of mobile services due to the expiry of supporting documents and the Emirates ID until further notice. (iii) NO (iv) YES In coordination with the Ministry of Health, the TRA has instructed telecommunications providers to allow individuals to access the government health applications and websites freely without counting against their data packages.</td>
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| UAE (con't)  | As for UAE nationals abroad, special measures were taken in coordination with the Ministry of Foreign Affairs to inform them about the precautions to be taken as well as evacuation measures. |                                                                                     | As further, where the UAE Government has established drive-through examination centres for COVID-19 testing, the TRA has assigned FM broadcasting frequency to allow the examinees to receive instructions through their car radios. The results are then sent to their mobile phones and can also be accessed through mobile applications.
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<td>On 13 March 2020, the Federal Communications Commission (FCC) urged broadband providers to voluntarily pledge to: 1. not terminate service to any residential or small business customers for 60 days if they are unable to pay their bills due to the disruptions caused by the COVID-19 pandemic; 2. waive any late fees that residential or small business customers may incur if they are unable to pay their bills on time due to the disruptions caused by the COVID-19 pandemic; and 3. open their WiFi hotspots to any user who needs them. This pledge was later extended through to 30 June 2020.</td>
<td>(Not at the federal level.)</td>
<td>(Not at the federal level.)</td>
<td>The auction of priority licenses in the 3,550-3,650 MHz band was delayed; the auction is now scheduled to commence on 23 July 2020.</td>
<td>As described earlier, the FCC urged broadband providers to waive late fees and refrain from terminating service to customers who are unable to pay. (iii) NO (iv) YES The FCC established a US$200 million telehealth program that makes funding available to healthcare providers to purchase telecommunications services, broadband services, and devices necessary to provide telehealth. The FCC has also granted numerous applications for temporary, emergency use of unallocated spectrum.</td>
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Contacts (US)

- **Mark Dever**
  - Partner, Washington DC
  - T: +1 202 457 6410
  - E: mark.dever@squirepb.com

- **Paul Besozzi**
  - Senior Partner, Washington DC
  - T: +1 202 457 5292
  - E: paul.besozzi@squirepb.com

- **Eduardo Guzman**
  - Partner, Washington DC
  - T: +1 202 457 6412
  - E: eduardo.guzman@squirepb.com

- **Ann LaFrance**
  - Partner, New York
  - T: +1 212 872 9830
  - E: ann.lafrance@squirepb.com