

Muhammad Aslam Hayat

Senior Policy Fellow

Email: aslamhayat@gmail.com

Muhammad Aslam Hayat is a ICT regulatory expert from Pakistan with a focus on emerging markets and currently represents LIRNEasia on a World Bank funded project; “Pacific ICT Regulatory Resource Centre” as Centre Director. This Centre is to provide regulatory resource to all the Pacific Island countries.

He is associated with **LIRNEasia**¹ (a regional ICT policy and regulation think tank active across the Asia Pacific) since 2007 and has shared his regulatory experience and knowledge with regulators and operators of emerging markets at “12th Executive Course on Telecom Reform: Strategies to achieve connectivity and convergence” conducted by LIRNEasia and held in Singapore on 10 - 14, June 2008². He is also Board Member of **CPRsouth**³, a capacity building initiative to develop Asia-Pacific based policy intellectuals on ICT policy regulation among junior to mid level scholars.

He was part of the team, which worked on ICT policies in Pakistan including **Telecom De-regulation Policy 2003**, **Mobile Cellular Policy 2004** and **USF Policy 2006**. He has worked with international consultants like; McCarthy Tetrault, Inter-Connect Communications and Lirneasia. He also drafted various laws for Pakistan including Electronic Transactions Ordinance 2002, Prevention of Electronic Crimes Ordinance 2007, Data Protection Bill, amendments in Pakistan Telecommunication (Re-organisation) Act 1996. He is a frequent speaker at international conferences and his latest paper is on “M-Commerce: Micro Payments, Regulatory Challenges and Emerging Markets” at University of Hertforshire, UK⁴.

In his last assignment, he was advising Grameenphone⁵, (a mobile cellular company of Bangladesh and Telenor’s subsidiary), on regulatory and legal matters. Amongst others, he also helped Grameenphone in preparing its regulatory strategy including strategy for license renewal.

PERSONAL

Date of Birth of Mr. Hayat is 13 October 1963 and he holds Pakistani nationality. He is married with two children; one daughter and one son.

ACADEMIC

Mr. Hayat graduated from Forman Christian College, Lahore, Pakistan in 1984 and got his law degree from Punjab University Law College, Lahore, Pakistan in 1987. He did his **LLM** in 2000 from **King’s College, University of London**, London, United Kingdom in **Information**

¹ <http://lirneasia.net/>

² <http://www.lirneasia.net/training-courses/12th-lirnet-course-singapore-2008-announcement/>

³ <http://www.cprsouth.org/>

⁴ http://www.bileta2007.co.uk/papers/images/stream_9/HayatM.pdf

⁵ <http://www.grameenphone.com/>

Technology Law, International Commercial Arbitration and International Business Transaction. He has also done **PGD in EC Competition Law** (by distant learning) from **King's College, University of London**, London, in 2008.

PRESENT & RECENT ASSIGNMENTS

Regulator of Samoa (September 2010)

He has assisted **Regulator of Samoa** by providing “Technical Assistance for Study of Access to Rural Communications and Design of OBA scheme” funded by World Bank. Task included preparing pilot scheme, bidding and related documents for Universal Access scheme.

GrameenPhone: (From August 2006 to May 2011)

Since August 2006 Mr. Hayat is advising Corporate Affairs Division of **Grameenphone** on regulatory matters. He has helped in capacity building of the members of Corporate Affairs Division. He conducted an in-house year-long training on Regulatory Topic ranging from:

- Basic Topics: regulatory frameworks with focus on Asian regulatory practices, regulatory strategies, International Organizations (ITU/APT/WTO/GSMA), licensing regimes and spectrum management
- Competition and interconnection issues: Price/tariff regulations, quality of service / SLA, local loop unbundling, commercial and costing aspects of interconnection
- Opportunities: M-Commerce, universal access, broadband services and convergence
- Challenges: Telecom fraud, IP-based crimes, limiting mobility of WLL operators, new products and services, future regulatory challenges, cyber laws and impact on Telecom sector

He also conducted Government Relations Toolkit training and kept the team updated on regulatory developments happening worldwide.

He provided useful inputs to Bangladesh Telecom Regulatory Commission (BTRC) and Ministry of ICT on liberalization of international telephony, ILDTS Policy, framework for call center licensing and Broadband Policy. One of his achievements in Bangladesh includes convincing Ministry of ICT in **changing ICT Act 2006** to reduce the liability of network service providers / intermediary.

Telenor Pakistan: (From April 2004 to August 2006)

Before joining GrameenPhone, in Pakistan he has been advising **Telenor Pakistan** in similar manner since inception of the company. He also handled all legal matters ranging from regulatory laws to corporate laws to real-estate laws for Telenor Pakistan till an in-house legal department was established. He was also given **Special Power of Attorney** by Telenor Pakistan to sign lease agreements and give payment instructions.

Mr. Hayat prepared Article and Memorandum of Associations and got registration of Telenor Pakistan and Digitania Pakistan (a Telenor subsidiary). He also prepared share subscription Agreement and was the contact person for Securities and Exchange Commission of Pakistan. He developed master lease agreements and assisted in negotiations for Telenor Pakistan's Head Office. He also developed master agreements for Franchisees and Content providers.

He led the team of mobile operators of Pakistan in limiting mobility of WLL operators and successfully obtained a determination from the regulator. He also assisted in obtaining LDI License for Telenor Pakistan. His contributions also include MNP and IMEI frameworks and proposing amendments in Pakistan Telecom Rules.

Ministry of Information Technology, Government of Pakistan: (February 2002 to March 2004 – Full time)

In 2006, he has been advising Ministry of IT, Government of Pakistan on preparing bidding documents for Universal Service Fund as part of McCarthy Tetrault team funded by World Bank (<http://www.mccarthy.ca>). He also advised same Ministry on creation of Universal Service Fund which included rules, contracts, procedure manual and policy as part of Inter-Connect Communications team (www.icc-uk.com).

In recognition of his knowledge and experience in regulatory and techno-legal matters, he was appointed in 2004 by Government of Pakistan as Member of the Electronic Certification Accreditation Council established under the Electronic Transaction Ordinance 2002 to regulate CAs and PKI in Pakistan (www.ecac.org.pk).

From 2002 to 2004 he worked as Director Legal in IT & Telecom Division of Government of Pakistan and advised government on IT & Telecom related laws and policies. He also drafted, negotiated and concluded complex agreements relating to Pakistan's first satellite (Paksat-1) at 38° East. After leaving government job, he has been advising Pakistan Software Export Board (www.pseb.org.pk), Electronic Government Directorate (www.e-government.gov.pk) and cyber-crime Wing (NR3C) of Federal Investigation Agency of Pakistan (http://www.fia.gov.pk/prj_nr3c.htm). He helped NR3C in solving some cybercrimes and assisted in collecting and preserving electronic evidence.

He has also taught Telecom & Banking Laws at International Islamic University, Islamabad.

LEGISLATIVE & REGULATORY EXPERIENCE

Mr. Hayat has a vast legislative experience. He has drafted **Electronic Transactions Ordinance 2002, Prevention of Electronic Crimes Ordinance 2007**, Higher Education Commission Ordinance 2002, Virtual University Ordinance 2002 and Federal Urdu University of Arts, Sciences and Technology, Islamabad Ordinance, 2002. He also prepared amendments in **Pakistan Telecommunication (Re-organization) Act 1996** especially relating to competition in telecom sector.

He prepared **Class licensing regime on Value Added Service** for Pakistan Telecommunication Authority. He also drafted **Mobile Number Portability Regulations 2005** and **Universal Service Fund Rules 2006**. He has worked on regulatory changes in Pakistan Telecommunication Authority, Frequency Allocation Board and National Telecommunication Corporation of Pakistan.

INTERNATIONAL & NATIONAL CONFERENCES

He has presented papers internationally on various ICT topics including at following international event:

- IQPC conference on “Telecom Cloud Services: Business Models & Deployment Strategies” (25 - 26 January, 2011), Singapore: Topic of presentation “Realising Benefits Of Providing Cloud Services To Anticipate Returns”
URL: <http://www.telecomsclooudasia.com/Event.aspx?id=415124>
- APT Policy and Regulatory Forum & Business Dialogue (14-16 July 2010) Yogyakarta, Indonesia: Spoke on “Appropriate Licensing”
URL: <http://www.aptsec.org/2010-PRF>
- 5th Mobile Network Evolution, (22-25 March 2010) IQPC, Singapore: Spoke on “Regulations for Technology Migration & Network Evolution”
URL: <http://www.mobilenetworksasia.com/Event.aspx?id=255412>
- Eleventh South Asian Telecommunications Regulators’ Council (SATRC) Meeting, (24 to 26 November 2009) Colombo, Sri Lanka: Shared his views on “License Renewal-An urgent Issue”
URL: <http://www.aptsec.org/2009-SATRC11>
- Digital Bangladesh Summit 2009, (17-22 November 2009), Dhaka Bangladesh: Spoke on “Legal Reforms for building confidence in ICT”
URL: <http://bcs.org.bd/>
- South Asia Mobile Summit 2009, (21-22 October 2009), Dhaka Bangladesh: Spoke on “License Renewal-An urgent Issue in Bangladesh”
URL: <http://www.southasiamf.org/recent/activities/south-asia-mobile-summit.html>
- SATRC Workshop on IP Based Network Services and Network Security (02-04 June 2009) Kathmandu, Nepal: Spoke on “Regulating QoS of VoIP”
URL: <http://www.aptsec.org/2009-SATRC-WS-IP>
- APT Operators Forum, (3-4 September 2008), Bangkok, Thailand: Presented paper on “Mobile Banking in Bangladesh”
URL: <http://www.apt.int/2008-AOF>

- Telecoms World South Asia 2008, Dhaka, Bangladesh (08-09 October, 2008): Moderated the session on “Mobile Payments”.
URL: <http://www.the-infoshop.com/conference/telecoms-wsa08/>
- GSMAP 29th Conference, Colombo, Sri Lanka (07-10 September, 2008): Spoke on “Licensing and License Renewal: Lessons from Pakistan”.
URL: <http://www.gsmmap.org/>
- APT Operators Forum, 2008 Bangkok, Thailand (03-04 September, 2008): Spoke on “Mobile Banking in Bangladesh”.
URL: <http://www.appt.int/meetings/2008/AOF/Documents/index.htm>
- BILETA 22nd Annual Conference, Hertfordshire, UK (16-17 April, 2007): Spoke on M-Commerce: Micro Payments, Regulatory Challenges and Emerging Markets.
URL: <http://www.bileta2007.co.uk>
- IIR Conference on Telecoms Fraud – Africa, Johannesburg, South Africa (29 May – 1 June 2006); Spoke on Legal, Regulatory and Forensic Issues in Telecom Fraud.
URL: <http://www.iir-conferences.com>
- BILETA 21st Annual Conference, Malta (5-7 April, 2006): Spoke on Privacy and Islam: From the Quran to Data Protection in Pakistan.
URL: <http://events.um.edu.mt/bileta2006>
- IIR Conference on MVNO at Cannes, France (28 Nov–01 Dec 2005) Presentation made on MVNO in emerging markets and regulatory challenges.
URL: <http://www.iir-conferences.com/mvno>
- Regional Expert Conference on “Harmonised Development of Legal and Regulatory System for E-commerce in Asia and the Pacific: Current Challenges and Capacity Building Needs” at Bangkok, (07-09 July 2004) Chaired one of the Sessions
URL: <http://www.unescap.org/tid/projects/ecom.asp>
- Joint UNCTAD - UNESCAP Asia-Pacific Regional Conference on “E-commerce Strategies for Development” at Bangkok, (20-22 November 2002); Spoke on “E-Commerce Legal Framework-Pakistan’s Experience”
URL: http://r0.unctad.org/ecommerce/event_docs/bangkok_agenda.htm
- First E-Banking Conference at Karachi (28th October 2002); Read paper on “Legal issues and regulatory framework for E-Banking”
- Punjab E-Government Conference 2003 (24-25 October 2003); Gave presentation on “E-Governance”
URL: <http://www.punjab.gov.pk/Itdept/conf/index.htm>

- Conference on E-commerce and Development “e-merge Pakistan” arranged by UNCTAD at Islamabad (18-19 September 2003);
URL: <http://www.emerge.com.pk>
- "Open Source Strategy and Awareness Seminar" at Karachi arranged by Federal Government (05th April 2003) Read paper on “Linux & IPR Laws”.

PUBLICATIONS

One of his articles on Data Protection and Islam has been published in Information & Communications Technology Law⁶. His article “Economics of international telephony and Bangladesh⁷” appeared on www.bdnews24.com. On mobile payments, he wrote an article on Sri Lanka situation “Mobile payments: Will Colombo keep its leadership in South Asia⁸?” in 2009. His recent article on spectrum Management titled “How Pakistan Handled Spectrum: Lessons for Others?” is published in May 2010 at Voice and Data⁹.

His other publications include:

- Manual of Banking Laws in Pakistan
- Company Law Digest
- Manual of Family Laws
- Commentaries on the Limitation Act
- Manual of Pre-emption Laws
- Commentaries on Specific Relief Act
- Manual of Partnership Laws

PROFESSIONAL

Mr. Hayat is a qualified lawyer in Pakistan and was enrolled as Advocate on 11.07.1987 to practice law in subordinate judiciary and enrolled as Advocate High Court on 02.08.1989 to practice in superior judiciary.

He is member of Lahore Bar Association (since 1987); Lahore High Court Bar Association (since 1989) and International Bar Association (since 2004).

LANGUAGES

English, Urdu, Hindi, Punjabi, Bangla

⁶ <http://www.informaworld.com/smpp/content~content=a783306854~db=all~order=page>

⁷ Link to article is <http://www.lirneasia.net/2007/05/economics-of-international-telephony-and-bangladesh/>

⁸ <http://sundaytimes.lk/090712/FinancialTimes/ft323.html>

⁹ <http://voicendata.ciol.com/content/ContributoryArticles/110053102.asp>