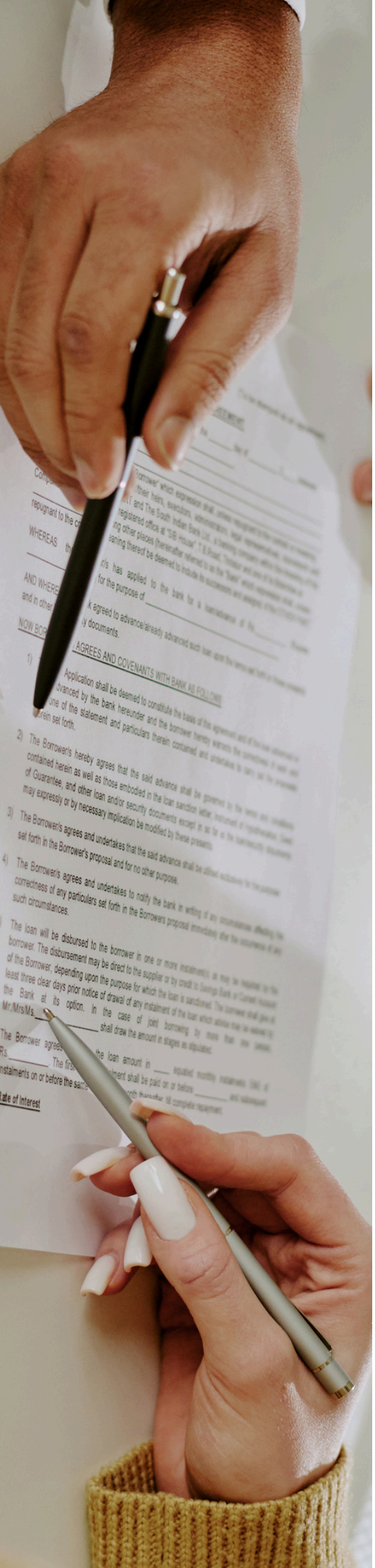


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Legal Framework for the Importation of Telecommunications Equipment CONATEL and SENIAT

November, 2025



On September 8, 2025, Official Gazette of the Bolivarian Republic of Venezuela No. 43,208 published Ruling No. 217, dated September 8, 2025, through which the National Telecommunications Commission (CONATEL) formalized the Categorization of Telecommunications Equipment and Devices Subject to Homologation and Certification for their importation, distribution, and commercialization within the national territory.

This provision forms part of the regulatory legal framework for telecommunications, particularly under the Organic Law of Telecommunications (LOT) and its complementary regulations, which establish CONATEL’s authority as well as the obligation to homologate or certify telecommunications equipment operating in Venezuela.

Additionally, on September 10, 2025, the National Integrated Service of Customs and Tax Administration (SENIAT)—through the National Customs Directorate—issued a circular addressed to main and subordinate customs managers, reiterating that the official certification issued by CONATEL shall be a mandatory requirement for the import declaration of equipment and devices subject to this regulation.

PURPOSE OF THE RULING

Ruling No. 217 primarily aims to establish the categorization of telecommunications equipment and devices subject to homologation and certification by CONATEL.

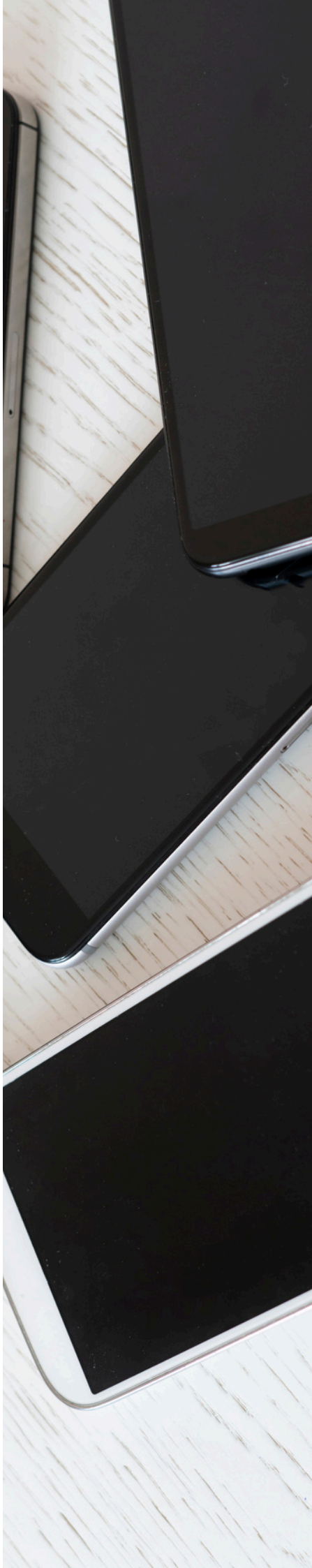
This means it defines a list or classification scheme of devices that cannot be imported or distributed in Venezuela unless they have first obtained the official certification and/or homologation document issued by CONATEL, confirming that such equipment complies with the technical, safety, electromagnetic compatibility, and quality standards required by Venezuelan telecommunications regulations.

In this regard, the Ruling reinforces the existing homologation and certification regime that has been in place in Venezuela for many years, adapting it to the current market reality (mass importation of cell phones, routers, wireless access devices, IoT devices, among others).

SCOPE AND TYPES OF EQUIPMENT SUBJECT TO HOMOLOGATION/ CERTIFICATION

The scope of application of the Ruling is broad and includes, but is not limited to, the following types of telecommunications equipment and devices:

· Mobile (cell) phones, smartphones.
· Wireless access equipment (WiFi routers, 4G/5G modems, etc.).
· Data transmission and reception devices (modems, gateways, IoT devices).
· Devices connected to telecommunications networks, whether for public or private service, including infrastructure components.
· Any device capable of emitting or receiving signals via the radio spectrum, or interconnecting with telecommunications networks, and whose operation may affect service quality or cause interference.





The circular issued on September 10, 2025, complements this obligation by stating that the certification issued by CONATEL shall serve as the official document authorizing importation, distribution, and commercialization from the date of publication of the Ruling, and until the regulation is incorporated into the Customs Tariff Schedule.
This means that at the time of declaring the importation of goods containing the mentioned equipment and devices, the certification must be presented at customs as a prerequisite for the clearance of such goods.

HOMOLOGATION/CERTIFICATION PROCEDURE

Although the Ruling defines the categorization and enforcement mechanism, the legal-practical process may be summarized as follows:
1. Application submitted to CONATEL.
2. Technical evaluation conducted by CONATEL.
3. Issuance of the official document: The Certificate of Conformity.
4. Importation and customs clearance.
5. Distribution, commercialization, and use.

LEGAL BASIS AND OBLIGATIONS FOR OPERATORS/USERS

The homologation and certification regime for telecommunications equipment is legally based on the Organic Law of Telecommunications (LOT). Articles 140 and 141 establish that imported equipment already homologated or certified by a recognized international body, as determined by CONATEL, does not require re-homologation in Venezuela.
Likewise, CONATEL's authority to regulate, homologate, certify, and monitor telecommunications equipment derives from the LOT and its complementary regulations.

Accordingly, operators, importers, distributors, and end users have the following primary obligations:
· Verify that the equipment intended for importation, distribution, or use holds a valid official CONATEL certification.

· Refrain from marketing or using equipment without such certification, under risk of administrative sanctions, customs seizure, or nullity of the import act.

· Importers must present the certification to customs at the time of declaration, pursuant to the circular issued by the Customs Directorate.

· Telecommunications service operators must ensure that terminal equipment admitted into their networks complies with the applicable regulations, to prevent interference, guarantee service quality, and avoid liability

FORWARD-LOOKING PERSPECTIVE AND PRACTICAL RECOMMENDATIONS

From a prospective standpoint, Ruling No. 217 represents a tightening and modernization of the homologation and certification regime, understandable within the context of technological development (5G, IoT, smart devices) and the need to protect national networks.

Recommendations for stakeholders include:

· Anticipation: Importers and distributors should review their equipment catalogs and verify whether the models they handle are included in the Ruling's categorization and whether they already possess certification. If not, they should initiate the procedure before CONATEL.

· Update contracts and internal policies: Operators and distributors should include contractual clauses requiring suppliers to provide CONATEL certification and condition the sale of equipment on its existence.



· **Compliance audits**: Conduct internal audits to ensure that all equipment operating within the network or being commercialized complies with the required certification, to avoid sanctions or operational disruptions.

· **Monitor the customs tariff**: Stay alert to the incorporation of the rule into the Customs Tariff Schedule, since once it occurs, certification will cease to be a temporary requirement and will become a permanent customs control measure.

· **Quality and safety focus**: Beyond regulatory compliance, certification ensures that equipment meets quality and safety standards, positively impacting corporate reputation and end-user confidence.

We are committed to supporting you at every stage of your technological project. We understand how important it is for you to import your equipment into the country with peace of mind and full legal certainty. Let our team handle the CONATEL homologation and certification process, so you can focus on growing and moving forward.



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