

ELECTRONIC COMMUNICATIONS
(AMENDMENT) BILL, 2016

ARRANGEMENT OF SECTIONS

Section

1. Section 20 of Act 775 amended
2. Section 73A inserted
3. Section 101 of Act 775 amended

*ELECTRONIC COMMUNICATIONS
(AMENDMENT) BILL, 2016*

A
BILL

ENTITLED

ELECTRONIC COMMUNICATIONS (AMENDMENT)
ACT, 2016

AN ACT to amend the Electronic Communications Act, 2008 (Act 775)
to provide for clearing house services through the Interconnect
Clearinghouse and to provide for related matters.

PASSED by Parliament and assented to by the President:

Section 20 of Act 775 amended

1. The Electronic Communications Act, 2008 (Act 775) referred to in
this Act as the principal enactment is amended in section 20

(a) by the substitution for subsection (1) of

“(1) A network operator or service provider shall
provide interconnection of its electronic communications
network, service or application through the Interconnect
Clearinghouse and shall comply with guidelines and
standards established by the Authority to facilitate intercon-
nection.”; and

(b) by the repeal of subsections (3) to (7).

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Section 73A inserted

2. The principal enactment is amended by the insertion after section 73 of a new section 73A

“ Termination of an international call

73A. A network operator or service provider who willfully or negligently fails to prevent the use of its subscriber identity module or user identity module for terminating an international call on any network in Ghana as a local call commits an offence and is liable on summary conviction to a fine of two thousand penalty units per day for each subscriber identity module or user identity module used in terminating the international call as a local call.”.

Section 101 of Act 775 amended

3. The principal enactment is amended in section 101 by the insertion after “harmful interference” of

“ “Interconnect Clearinghouse” means the interconnection system established pursuant to section 20 of this Act ;”.

Date of *Gazette* notification: 3rd February, 2016.

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MEMORANDUM

The purpose of this Bill is to amend the Electronic Communications Act, 2008 (Act 775) to provide, among others, for clearing house services through the establishment of an Interconnect Clearinghouse. Mandatory interconnection through an Interconnect Clearinghouse is a regulatory mechanism being deployed by the National Communications Authority to address some of the current regulatory, technical and financial challenges related to interconnection in the electronic communications industry. The primary objectives of the introduction of a clearinghouse are to assure cost effectiveness in interconnection, reduce the cost of interconnection and facilitate interconnection for emerging service and application providers and thereby make service delivery affordable to subscribers.

The existing interconnection scheme used by operators is the peer-to-peer interconnection system. Under this regime each service provider directly connects some of its switching centres to the switching centres of another service provider within the same geographic location. This links one electronic communications service to another to allow communication between them.

Under the peer-to-peer interconnect scheme, the number of independent links required to connect each operator with six operators interconnecting in Accra is fifteen. There are however thirty-two links between operators in Accra due to the multiple switch locations of some operators and therefore less efficient use of point of interconnects resulting in complexity in the network architecture. When the direct links between operators are broken or disrupted, the process of rerouting calls through alternative paths becomes complicated since alternative routes may not be able to carry all the traffic of the affected route.

Under the existing system, there is insufficient interconnection capacity. Some operators have had difficulties expanding their interconnect routes to other networks. This has led to severe congestion on those routes and networks and has also affected the quality of service of the calls made on them.