

---

First published in the *Government Gazette*, Electronic Edition, on 7th March 2016 at 5.00 pm.

---

**No. S 100**

**TELECOMMUNICATIONS ACT  
(CHAPTER 323)**

**TELECOMMUNICATIONS (RADIO-COMMUNICATION)  
(AMENDMENT) REGULATIONS 2016**

In exercise of the powers conferred by section 74 of the Telecommunications Act, the Info-communications Development Authority of Singapore, with the approval of the Minister for Communications and Information, makes the following Regulations:

**Citation and commencement**

1. These Regulations are the Telecommunications (Radio-communication) (Amendment) Regulations 2016 and come into operation on 1 April 2016.

**Amendment of regulation 6**

2. Regulation 6 of the Telecommunications (Radio-communication) Regulations (Rg 5) (called in these Regulations the principal Regulations) is amended by inserting, immediately after paragraph (2), the following paragraph:

“(3) A person specified in section 4(b) of the Act who is granted a spectrum right under section 5A of the Act must, instead of the charges under paragraph (2), pay the following fees for the grant of a right to use any specified part of the radio frequency spectrum referred to in paragraph (1):

- (a) application and processing fees as specified in Part III of the First Schedule;
- (b) annual fees as specified in Part IV of the First Schedule.”.

**Amendment of regulation 10**

3. Regulation 10 of the principal Regulations is amended —

- (a) by deleting the words “paragraph (f)” in paragraph (g) and substituting the words “sub-paragraph (f)”;

- 
- (b) by inserting, immediately after the words “determined by the Authority” in paragraph (h), the words “under regulation 6(2)”;
  - (c) by deleting the word “or” at the end of paragraph (i), and by inserting immediately thereafter the following paragraph:
    - “(ia) conditions requiring the person granted the spectrum right (called the first person) to share, in accordance with a written notice from the Authority, all or part of the radio frequency spectrum allocated to the first person with the person specified in the notice (called the second person) for the second person’s use during a national event or where such use is in the public interest; or”; and
  - (d) by renumbering the regulation as paragraph (1) of that regulation, and by inserting immediately thereafter the following paragraph:
    - “(2) The written notice referred to in paragraph (1)(ia) —
      - (a) must specify the period (not exceeding 90 days at a time) during which the Authority requires the first person to share the radio frequency spectrum with the second person; and
      - (b) may include any direction of the Authority under section 5A(8) of the Act to the first person to take such measures specified in the written notice to facilitate the sharing of the radio frequency spectrum.”.

#### **Amendment of regulation 12**

4. Regulation 12(1) of the principal Regulations is amended by deleting the words “Subject to such conditions as the Authority may generally or specifically impose, a person granted a spectrum right may” and substituting the words “A person granted a spectrum right may, with the Authority’s prior written approval and subject to such conditions as the Authority may generally or specifically impose,”.

**Amendment of regulation 16**

5. Regulation 16(2) of the principal Regulations is amended by deleting sub-paragraph (ii) and substituting the following sub-paragraph:

“(ii) require the person to pay, within such time as may be specified in the notice, a financial penalty of an amount not exceeding the higher of the following amounts:

(A) 10% of the annual turnover of that part of the person’s business in respect of which the person is granted the spectrum right, as ascertained from the person’s latest audited accounts;

(B) \$1 million.”.

**Amendment of regulation 20**

6. Regulation 20 of the principal Regulations is amended by deleting the words “Business Registration Act (Cap. 32)” in paragraph (b) and substituting the words “Business Names Registration Act 2014 (Act 29 of 2014)”.

**Amendment of regulation 24**

7. Regulation 24 of the principal Regulations is amended —

(a) by deleting paragraphs (2), (3) and (4); and

(b) by deleting the words “and records” in the regulation heading.

**Amendment of regulation 25**

8. Regulation 25 of the principal Regulations is amended by inserting, immediately after paragraph (2), the following paragraphs:

“(2A) It is a condition of every station licence and network licence that the licensee must comply with any direction by the Authority specified in a written notice to share all or part of the radio frequency band (allocated to the licensee) with another person specified in the notice for that other person’s use during a national event or where such use is in the public interest.

(2B) The written notice referred to in paragraph (2A) —

(a) must specify the period (not exceeding 90 days at a time) during which the Authority requires the licensee to share the radio frequency band with the other person; and

- 
- (b) may include any direction of the Authority to the licensee to take such measures specified in the written notice to facilitate the sharing of the radio frequency band.”.

**Amendment of regulation 29**

9. Regulation 29 of the principal Regulations is amended —

- (a) by deleting sub-paragraphs (a), (b) and (c) of paragraph (1) and substituting the following sub-paragraphs:

“(a) the ship on which the station is to be carried has a valid Ship Registry Certificate issued by the Maritime and Port Authority of Singapore (established under section 4 of the Maritime and Port Authority of Singapore Act (Cap. 170A));

(b) the person applying for the Ship Station Licence furnishes the documents and information required by the Authority for the purpose of the application; and”;

- (b) by deleting the words “required by the Authority in the application form” in paragraph (2) and substituting the words “and documents required by the Authority in respect of the application form”.

**Deletion of regulation 57**

10. Regulation 57 of the principal Regulations is deleted.

**Deletion of regulation 64**

11. Regulation 64 of the principal Regulations is deleted.

**Amendment of regulation 75**

12. Regulation 75 of the principal Regulations is amended by inserting, immediately after paragraph (2), the following paragraphs:

“(3) Despite paragraph (2), a permit may be granted under paragraph (1) for the use of a radio frequency band referred to in paragraph (2) during a national event or where such use is in the public interest.

(4) Where —

- (a) the Authority has granted a permit under paragraph (1) to a person (called the first person) to use a radio frequency band; and

(b) the Authority subsequently grants another permit under paragraph (1) to a person (called the second person) to use all or part of that radio frequency band during a national event or where such use is in the public interest, the Authority may, by a written notice, require the first person to share all or part of that radio frequency band for such period specified in the written notice and take such measures specified in the written notice to facilitate the second person's use of all or part of that radio frequency band.”.

### **Amendment of regulation 78**

**13.** Regulation 78 of the principal Regulations is amended by deleting paragraph (a) and substituting the following paragraph:

“(a) contravenes regulation 24(1), 31, 32, 33, 35(2), 36, 54, 56(2), 63(1), (2) or (3), 67, 68, 69 or 70; or”.

### **Amendment of First Schedule**

**14.** The First Schedule to the principal Regulations is amended —

- (a) by inserting, immediately after the word “Regulations” in the Schedule reference, “6(3),”;
- (b) by inserting, immediately after the words “*Fee payable per annum*” in the heading of the second column of Part II, the words “(unless otherwise stated)”;
- (c) by deleting “\$50” in the second column of item 3(a) of Part II and substituting the words “\$100 for 5 years”;
- (d) by deleting “\$25” in the second column of item 3(b) of Part II and substituting the words “\$50 for 5 years”; and
- (e) by deleting Parts III and IV and substituting the following Parts:

#### **“PART III**

#### **APPLICATION AND PROCESSING FEES FOR USE OF RADIO FREQUENCY**

| <i>First column<br/>Category</i>                                    | <i>Second column<br/>Fee payable per<br/>frequency</i> |
|---|--|
| 1. Commonly Assigned Frequencies (for temporary or occasional use)  | \$100  |
| 2. All Other Frequencies (including satellite downlink frequencies) | \$300  |