

# **Telecommunications (Dealers) (Amendment) Regulations 2010**

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**No. S 210**

## **TELECOMMUNICATIONS ACT (CHAPTER 323)**

## TELECOMMUNICATIONS (DEALERS) (AMENDMENT) REGULATIONS 2010

In exercise of the powers conferred by section 74 of the Telecommunications Act, the Info-communications Development Authority of Singapore, with the approval of RAdm (NS) Lui Tuck Yew, Senior Minister of State, charged with the responsibility of the Minister for Information, Communications and the Arts, hereby makes the following Regulations:

### **Citation and commencement**

1. These Regulations may be cited as the Telecommunications (Dealers) (Amendment) Regulations 2010 and shall come into operation on 15th April 2010.

### **Amendment of regulation 3**

2. Regulation 3 of the Telecommunications (Dealers) Regulations (Rg 6) (referred to in these Regulations as the principal Regulations) is amended by deleting paragraph (9).

### **Amendment of regulation 4**

3. Regulation 4(9) of the principal Regulations is amended by deleting the words “The holder of a Dealer’s Individual Licence” and substituting the words “It shall be a condition of a Dealer’s Individual Licence that the holder of the licence”.

### **Amendment of regulation 10**

4. Regulation 10 of the principal Regulations is amended —

- (a) by deleting the words “first year” in paragraph (1)(a) and substituting the words “first 5 years or part thereof”;
- (b) by deleting the word “year” in paragraph (1)(b) and substituting the words “period of 5 years or part thereof”; and
- (c) by deleting the words “each anniversary of the date of issue of the Dealer’s Individual Licence” in paragraph (3)(b) and substituting the words “the commencement of the subsequent period of 5 years”.

### **Deletion and substitution of regulation 18**

5. Regulation 18 of the principal Regulations is deleted and the following regulation substituted therefor:

#### **“Importation of telecommunication equipment**

**18.—**(1) Any person who imports any telecommunication equipment shall, before such equipment is imported, notify the Authority of the intended import and furnish such particulars in such form as may be determined by the Authority.

(2) No person shall import any telecommunication equipment set out in the Third Schedule without the prior approval of the Authority.

(3) A person applying for approval under paragraph (2) shall obtain a permit under the Regulation of Imports and Exports Regulations (Cap. 272A, Rg 1) for the import of the telecommunication equipment before such equipment is imported.

(4) No person shall —

(a) furnish any false or misleading information to the Authority —

(i) under paragraph (1); or

(ii) for the purpose of obtaining the approval of the Authority under paragraph (2); or

(b) falsify or fabricate any decision that the Authority may make upon the application for approval under paragraph (2).

(5) Where any person contravenes paragraph (4)(a)(ii) or (b), any approval issued to that person under this regulation shall be null and void.”.

### **Amendment of regulation 20**

**6.** Regulation 20 of the principal Regulations is amended —

(a) by inserting, immediately after the words “applicant to submit” in paragraph (5), the words “or the applicant may voluntarily submit”;

(b) by deleting the words “, where necessary,” in paragraph (5); and

(c) by deleting paragraph (7A) and substituting the following paragraph:

“(7A) No renewal fee is payable in respect of an application for the renewal of the registration of any telecommunication equipment which is set out in the Fifth Schedule, and which registration did not require or involve an evaluation of the declaration of conformity.”.

### **New regulation 20A**

**7.** The principal Regulations are amended by inserting, immediately after regulation 20, the following regulation:

## **“Confirmation of conformity of telecommunication equipment**

**20A.**—(1) A licensee intending to sell telecommunication equipment for which no approval for sale is required under regulation 20(1), may make an application for confirmation by the Authority that the equipment is designed and constructed in accordance with standards and specifications published by the Authority under regulation 20(2)(b).

(2) The application for a confirmation of conformity referred to in paragraph (1) shall be made to the Authority in such form and manner as the Authority may determine, and shall be accompanied by —

- (a) the appropriate fee as specified in the Fourth Schedule; and
- (b) a declaration of conformity stating that the equipment is designed and constructed in accordance with such standards and specifications as may be published by the Authority.

(3) The declaration of conformity under paragraph (2)(b) shall be based on a certification or tests of the equipment by any local or foreign body specified by the Authority.

(4) The Authority may require the applicant to submit or the applicant may voluntarily submit any result of the certification or tests referred to in paragraph (3) for evaluation by the Authority or any local or foreign certification body recognised by the Authority.

(5) The Authority may provide a confirmation of conformity of any telecommunication equipment where the applicant satisfies the requirements set out in this regulation.

(6) Where any telecommunication equipment to which a confirmation of conformity under paragraph (5) refers has been modified, the Authority may —

- (a) require the applicant of that equipment to re-submit an application for confirmation of conformity under paragraph (2) where the modification is likely to affect the equipment’s compliance with such standards and specifications as may be published by the Authority; or
- (b) amend the existing confirmation of conformity to include the modified equipment upon an application being made to the Authority in such form and manner as the Authority may determine and upon payment of an amendment fee of \$100.”.

## **Amendment of regulation 21**