

Telecommunications (Dealers) Regulations 2003

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No. S 185

**TELECOMMUNICATIONS ACT
(CHAPTER 323)**

TELECOMMUNICATIONS (DEALERS) REGULATIONS 2003

In exercise of the powers conferred by section 74 of the Telecommunications Act, the Info-communications Development Authority of Singapore, with the approval of Mr David Lim Tik En, Senior Minister of State, charged with the responsibility of the Minister for Information, Communications and the Arts, hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Telecommunications (Dealers) Regulations 2003 and shall come into operation on 2nd April 2003.

Definitions

2. In these Regulations, unless the context otherwise requires —

“authorised officer” means any person authorised by the Authority to act on its behalf;

“dealer” means a person who manufactures, imports for sale, lets for hire, sells, or

- offers or possesses for sale any equipment which is capable of being used for the purpose of telecommunication, and includes an employee of the dealer;
- “Dealer’s Class Licence” means a licence referred to in regulation 3;
- “Dealer’s Individual Licence” means a licence referred to in regulation 4;
- “identity card” means an identity card issued under the National Registration Act (Cap. 201);
- “licence” means a Dealer’s Class Licence or a Dealer’s Individual Licence;
- “licensee” means a person to whom a licence is granted, and includes an employee of the licensee;
- “registered equipment” means any telecommunication equipment registered for sale under regulation 21(1);
- “sale” includes every transaction of or in the nature of barter or exchange, every transaction of hire or hire-purchase and every transaction by which any goods are pawned or hypothecated or as the result of which the ownership of or an interest in goods is or may be transferred or created;
- “telecommunication equipment” means any appliance, apparatus or accessory used or intended to be used for telecommunications;
- “type-approved equipment” means any telecommunication equipment approved for sale under regulation 20(1).

PART II

LICENSING OF DEALERS

Dealer’s Class Licence

3.—(1) Subject to regulation 7, a dealer who manufactures, imports, lets for hire, sells, or offers or possesses for sale any type-approved equipment, registered equipment or telecommunication equipment set out in the First Schedule shall be deemed to have been granted a Dealer’s Class Licence under section 5 of the Act for that purpose.

(2) The holder of a Dealer’s Class Licence shall, in addition to any requirement imposed under these Regulations, comply with the conditions of that licence set out in the Second Schedule.

(3) The Authority may impose any condition in addition to those referred to in

paragraph (2) and may vary or waive all or any of such conditions.

(4) The holder of a Dealer's Class Licence shall, at his own expense, comply with the varied or additional conditions referred to in paragraph (3).

(5) The holder of a Dealer's Class Licence shall register with the Authority in such form as the Authority may determine each of the premises under his control or occupation where he manufactures, imports, lets for hire, sells, or offers or possesses for sale any type-approved equipment, registered equipment or telecommunication equipment set out in the First Schedule.

(6) The Authority shall acknowledge the registration under paragraph (5) to the licensee and the acknowledgment shall be in such form as the Authority may determine.

(7) For the purposes of paragraph (5), the holder of a Dealer's Class Licence shall submit in writing to the Authority such information as the Authority may require relating to his particulars and the description and scope of his dealings in telecommunication equipment.

(8) The holder of a Dealer's Class Licence shall furnish the Authority with such specifications and information as the Authority may require on the types of telecommunication equipment manufactured, sold or to be manufactured or sold by him.

(9) The holder of a Dealer's Class Licence shall notify the Authority of any change in any particular furnished to the Authority under this regulation within 14 days of such change.

(10) No person shall furnish any false, misleading or inaccurate information to the Authority under this regulation.

(11) Where the holder of a Dealer's Class Licence ceases to manufacture, import, let for hire, sell, or offer or possess for sale type-approved equipment, registered equipment or telecommunication equipment set out in the First Schedule, the holder shall inform the Authority of such cessation as soon as practicable.

Dealer's Individual Licence

4.—(1) A dealer who wishes to manufacture, import, let for hire, sell, or offer or possess for sale any telecommunication equipment that is not —

- (a) type-approved equipment;
- (b) registered equipment; or
- (c) telecommunication equipment set out in the First Schedule,