

Telecommunication (Dealers) (Amendment No. 2) Regulations 1998

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No. S 540

TELECOMMUNICATION AUTHORITY OF SINGAPORE ACT (CHAPTER 323)

TELECOMMUNICATION (DEALERS) (AMENDMENT NO. 2) REGULATIONS 1998

In exercise of the powers conferred by section 131 of the Telecommunication Authority of Singapore Act, the Telecommunication Authority of Singapore, with the approval of the Minister for Communications, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Telecommunication (Dealers) (Amendment No. 2) Regulations 1998 and shall come into operation on 6th November 1998.

Amendment of regulation 2

2. Regulation 2 of the Telecommunication (Dealers) Regulations (Rg 7) (referred to in these Regulations as the principal Regulations) is amended —

(a) by inserting, immediately after the definition of “dealer”, the following definitions:

““Dealer’s Class Licence” means a licence granted under regulation 4A;

“Dealer’s Individual Licence” means a licence granted under regulation 4;”;

(b) by inserting, immediately after the definition of “sale”, the following definition:

““Telecommunication Dealer’s Licence” means a Dealer’s Class Licence granted under regulation 4A or a Dealer’s Individual Licence granted under regulation 4;”;

(c) by deleting the definitions of “type-approved equipment” and “type-approval labels” and substituting the following definitions:

““type-approval labels” means labels stating or indicating that the telecommunication equipment is type-approved equipment;

“type-approved equipment” means any telecommunication equipment approved for sale under regulation 24 (1);”.

Deletion and substitution of regulation 4

3. Regulation 4 of the principal Regulations is deleted and the following regulations substituted therefor:

“Dealer’s Individual Licence

4.—(1) No person, other than a holder of a Dealer’s Individual Licence granted by the Authority, shall manufacture, import, hire, sell, or offer or possess for sale, any telecommunication equipment other than type-approved equipment or telecommunication equipment set out in the Fifth Schedule.

(2) The Authority shall, when granting a Dealer’s Individual Licence, specify the types of telecommunication equipment which the dealer may manufacture, import, hire, sell, or offer or possess for sale.

(3) A holder of a Dealer’s Individual Licence may sell telecommunication equipment that is not type-approved equipment or not set out in the Fifth Schedule only —

(a) to another holder of a Dealer’s Individual Licence; or

(b) to a person, other than a holder of a Dealer’s Class Licence, for re-export purposes and not for use in Singapore.

(4) A dealer shall obtain a Dealer’s Individual Licence for each of the premises under his control or occupation at which he manufactures, imports, hires, sells, offers or possesses for sale any telecommunication equipment.

Dealer’s Class Licence

4A.—(1) A dealer who manufactures, imports, hires, sells, or offers or possesses for sale any type-approved equipment or telecommunication equipment set out in the Fifth Schedule shall be deemed to have been granted a Dealer’s Class Licence for that purpose.

(2) A dealer who is deemed to have been granted a Dealer’s Class Licence shall, in addition to any requirement imposed under these Regulations, comply with the conditions of licence set out in the Fourth Schedule.

(3) The Authority may suspend or cancel a Dealer’s Class Licence by notice in writing addressed to the licensee on the ground that the licensee had, in registering with the Authority, furnished false, misleading or inaccurate information or had misused any telecommunication equipment or had failed to comply with any of the provisions of the Act or these Regulations or any condition of licence set out in the Fourth Schedule.

(4) Where a Dealer’s Class Licence is suspended or cancelled by the Authority, no compensation shall be paid by the Authority to the licensee and no fee or part

thereof shall be refunded by the Authority to the licensee in respect of the unexpired period of such licence.”.

Amendment of regulation 9

4. Regulation 9 of the principal Regulations is amended by deleting the words “A licence shall only be granted by the Authority, in its discretion, to” in the first and second lines and substituting the words “No person shall be granted a Dealer’s Individual Licence and no person shall be deemed to have been granted a Dealer’s Class Licence except”.

Amendment of regulation 13

5. Regulation 13 of the principal Regulations is amended by deleting paragraph (1) and substituting the following paragraphs:

“(1) The fee payable for —

- (a) a Dealer’s Individual Licence granted under regulation 4 shall be \$400 per annum; and
- (b) a Dealer’s Class Licence granted under regulation 4A shall be \$50 for every 5 years.

(1A) Paragraph (1) (b) shall not apply to a holder of both a Dealer’s Individual Licence and a Dealer’s Class Licence.”.

Deletion and substitution of regulation 24

6. Regulation 24 of the principal Regulations is deleted and the following regulations substituted therefor:

“Application for approval for sale

24.—(1) Subject to paragraph (2), no dealer shall sell —

- (a) any type of telecommunication equipment to be used for connection to any telecommunication system or equipment belonging to a telecommunication system licensee; or
 - (b) any type of radio-communication equipment to be used in Singapore,
- unless the type of equipment has been approved by the Authority to be sold.

(2) No approval for sale under paragraph (1) is required in respect of the telecommunication equipment set out in the Fifth Schedule.

(3) An application for approval to sell any equipment referred to in paragraph (1) is to be made to the Authority in such manner as the Authority may determine.

(4) No person shall furnish false or misleading information to the Authority for the purpose of obtaining any approval under paragraph (1).

(5) The fees for an application for approval to sell any equipment referred to in paragraph (1) are set out in the Second Schedule.

Sale of equipment in Fifth Schedule

24A. A dealer who wishes to sell any telecommunication equipment set out in the Fifth Schedule shall —

- (a) before selling the telecommunication equipment, ensure that the telecommunication equipment meets the standards and specifications as the Authority may publish from time to time for the sale of such telecommunication equipment;
- (b) ensure that the telecommunication equipment interworks correctly with the relevant telecommunication system or equipment belonging to the telecommunication system licensee to which it is connected; and
- (c) cease to sell the telecommunication equipment if so directed by the Authority and dispose of the telecommunication equipment at his expense in the manner directed by the Authority.”.

Amendment of regulation 31

7. The principal Regulations are amended by renumbering regulation 31 as paragraph (1) of that regulation, and by inserting immediately thereafter the following paragraph:

“(2) Paragraph (1) shall not apply to any radio-communication equipment that is not type-approved equipment.”.

Miscellaneous amendments

8. The principal Regulations are amended by deleting the word “licence” in the following provisions and substituting in each case the words “Dealer’s Individual Licence”:

Regulations 6 (1), (2), (3) and (4) (and marginal note), 7 (3rd line) (and marginal note), 10 (1st line), 11 (and marginal note), 12(1) (1st line, 4th line and 7th line), (2) (1st line and 2nd