

Telecommunications (Class Licences) Regulations

Table of Contents

Part I PRELIMINARY

1 Citation

2 Definitions

Part II GRANT OF CLASS LICENCE

3 Class licence

4 Registration

5 Fees payable upon registration

6 Duration

7 Conditions in addition to codes of practice

8 Waiver

Part III GENERAL CONDITIONS

9 Telecommunication links outside licensee's premises

10 Publication of information

11 Financial requirements

12 Compliance with guidelines

13 Auditor

14 Change of particulars

Part IV SAVINGS PROVISIONS

15 Savings provisions

FIRST SCHEDULE Class Licence for Store-and-retrieve Value-added Network Services

SECOND SCHEDULE Class Licence for Audiotex Services

THIRD SCHEDULE Class Licence for Resale of Public Switched Telecommunication Services

FOURTH SCHEDULE Class Licence for Public Chain Payphone Services

FIFTH SCHEDULE CLASS LICENCE FOR CALL-BACK and CALL RE-ORIGINATION SERVICES

SIXTH SCHEDULE Class Licence for Internet Based Voice and Data Services

SEVENTH SCHEDULE Class Licence for International Calling Card (Icc) Services

EIGHTH SCHEDULE registration fees for class licence

Legislative History

TELECOMMUNICATIONS ACT (CHAPTER 323, SECTION 74)

TELECOMMUNICATIONS (CLASS LICENCES) REGULATIONS

Rg 3

G.N. No. S 187/2000

REVISED EDITION 2002

(30th September 2002)

[1st April 2000]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Telecommunications (Class Licences) Regulations.

Definitions

2. In these Regulations —

“class licence” means a licence granted by the Authority under section 5 of the Act as set out in the First, Second, Third, Fourth, Fifth, Sixth and Seventh Schedules;

“Facilities-Based Operator” or “FBO” means a person who is granted a specific licence under section 5 of the Act to run any telecommunication system for the purpose of offering to other persons all or any of the following:

- (a) telecommunication switching capacity;
- (b) telecommunication switching services;
- (c) telecommunication transmission capacity; or
- (d) telecommunication transmission services;

“licensee” means a person who is deemed to have been granted a class licence;

“operator” means a person who runs any of the specified telecommunication systems and services;

“Services-Based Operator” or “SBO” means a person who leases from an FBO any telecommunication system (including telecommunication network elements such as transmission capacity, switching services, ducts and fibre) to provide telecommunication services to third parties or to resell the telecommunication services of FBOs;

“specified telecommunication systems and services” means telecommunication systems and services specified in the class licences.

PART II

GRANT OF CLASS LICENCE

Class licence

3. An operator shall, upon compliance with regulations 4 and 5, be deemed to have been granted such class licence as may be appropriate to the type of specified telecommunication systems and services run by him.

Registration

4. An operator shall —

- (a) register with the Authority in such form; and
- (b) submit to the Authority upon registration such information in writing relating to his particulars and the description and scope of telecommunication systems and services run by him,

as the Authority may require.

Fees payable upon registration

5. An operator shall upon registration or renewal of registration, as the case may be, pay the fee specified in the Eighth Schedule, if any, appropriate to the type of specified telecommunication systems and services run by him.

Duration

6.—(1) Subject to paragraph (2), the registration of a class licence and any renewal thereof shall continue in force for a period of 3 years from the date of registration or renewal, as the case may be.

(2) Paragraph (1) does not apply to the registration of the following class licences for which there is no renewal of registration:

- (a) class licence for store-and-retrieve value-added network services (as set out in the First Schedule) where no leased circuits are used;
- (b) class licence for the resale of public switched telecommunication services (as set out in the Third Schedule);
- (c) class licence for public chain payphone services (as set out in the Fourth Schedule).

Conditions in addition to codes of practice

7. The conditions set out in these Regulations are in addition to any code of practice or standard of performance issued or approved under section 26 of the Act which applies to the licensee.

Waiver

8. The Minister, or the Authority subject to any direction by the Minister, may —
- (a) waive the application of all or any of the provisions of these Regulations or all or any of the conditions of any class licence in respect of any person; and
 - (b) waive any fee or part thereof payable under these Regulations.

PART III

GENERAL CONDITIONS

Telecommunication links outside licensee's premises

9.—(1) Subject to paragraph (2), it is a condition of every class licence that the licensee must not establish or provide any telecommunication link outside the licensee's premises, whether by wire, cable, radio, fibre optics or otherwise, for the purpose of connecting its systems to any other telecommunication system or equipment without the prior approval of the Authority.

(2) Paragraph (1) does not apply to any internal telecommunication link within the licensee's premises.

Publication of information

10.—(1) It is a condition of every class licence that a licensee who provides services to the public must publish information about the services it provides, including details such as, but not limited to, the description of each service available, the charges, quality of service standards, customer support services and other service terms and conditions.

(2) The information referred to in paragraph (1) must be published in such manner as the Authority may direct, or in the absence of the Authority's direction, in the manner that the licensee sees fit.

Financial requirements

11. It is a condition of every class licence that any licensee who intends to collect money deposits or to use prepaid cards (other than credit cards) as a means of collecting payment from its customers must take such measures as the Authority considers necessary to ensure that it is able to refund any balance due to such customers in the event of default in the provision of its services.

Compliance with guidelines