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NOTIFICATION OF PUBLICATION

ORDER

RESERVE BANK ACT [CAP 125]

- INSTRUMENT OF REMOVAL – MEMBERS OF THE BOARD OF DIRECTORS OF THE RESERVE BANK ORDER NO. 49 OF 2012
- INSTRUMENT OF APPOINTMENT – MEMBERS OF THE BOARD OF DIRECTORS OF THE RESERVE BANK ORDER NO. 50 OF 2012

LEGAL NOTICE

TELECOMMUNICATIONS AND
RADIOCOMMUNICATIONS REGULATION ACT NO. 30
OF 2009

- ORDER NO. 2 OF 2012 – REQUIRED INFORMATION FROM LICENSEES NOTICE NO. 16 OF 2012.



REPUBLIC OF VANUATU

RESERVE BANK ACT [CAP 125]

Instrument of Removal – Members of the Board of Directors of the Reserve Bank Order No. 49 of 2012

In exercise of the powers conferred on me by paragraph 8(3) (c) and subsection 8(4) of the Reserve Bank Act [CAP 125] and section 21 of the Interpretation Act [CAP 132], I, the Honourable MOANA KALOSIL CARCASSES Minister of Finance and Economic Management, make the following Order.

1 Removal

Mr JACK KILU is removed as a member of the Board of Directors of the Reserve Bank.

2 Commencement

This Order is taken to have commenced on 12 March 2012.

Made at Port Vila this 12th day of March, 2012.

Honourable MOANA KALOSIL CARCASSES MP
Minister of Finance and Economic Management





REPUBLIC OF VANUATU

RESERVE BANK OF VANUATU ACT [CAP 125]

Instrument of Appointment – Members of the Board of Directors of the Reserve Bank Order No. 50 of 2012

In exercise of the powers conferred on me by paragraph 8(3) (c) and subsection 18 (4) of the Reserve Bank of Vanuatu Act [CAP 125], I, the Honourable MOANA KALOSIL CARCASSES, Minister of Finance and Economic Management, make the following Order.

1 Appointment

Mr THOMAS M. BAYER is appointed as a member of the Board of Directors of the Reserve Bank.

2 Commencement

This Order is taken to have commenced on 12 March 2012.

Made at Port Vila this 12th day of March

Honourable MOANA KALOSIL CARCASSES
Minister of Finance and Economic Management





Government of
The Republic
of Vanuatu



Telecommunication &
Radiocommunication
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ORDER 02 OF 2012

REQUIRED INFORMATION FROM LICENSEES

NOTICE NO. 16 OF 2012

BACKGROUND

This Order requires Licensees to supply information to the Telecommunications and Radiocommunications Regulator (TRR) that is relevant to the exercise of TRR's functions, duties, powers and responsibilities under the Telecommunications and Radiocommunications Regulation Act, 2009 ("the Act") and the Licences for telecommunications service providers.

DEFINITIONS

For the purpose of this Order, the following definitions apply:

1. "Licence" means a License to provide telecommunications services that is in effect as at the date of this Order and that was granted prior to or pursuant to the Act.
2. "Licensee" means any entity or person who holds a Licence.
3. "Licensee providing Telecommunications Services" means any Licensee who at the date of this Order is providing one or more Telecommunications Services to one or more wholesale and/or retail customers in Vanuatu.
4. "Telecommunications Service" has the same meaning as in the Act, and includes services offered or provided using fixed customer terminal equipment.
5. "Draft Terms of Service" has the same meaning, in respect of a Licensee, as in Clause 16.6 of its License.
6. "Terms of Service" has the same meaning as in the Act.
7. "Tariff Information" means, for each Telecommunications Service offered or supplied to one or more retail customers by the Licensee during the period from 1 July 2010 to the date of this Order ("The Period"), the terms and conditions of supply

that were in effect or offered by the Licensee to one or more retail customers for a total of more than 60 days during The Period. "Terms and conditions of supply" include discounted pricing and special offers, packages, or promotions.

ORDERS

Pursuant to Sections 7 and 8 of the Act and TRR's powers under the Licences, Digicel, TVL and all other Licensees providing Telecommunications Services are hereby ordered to provide the following information to TRR by the dates specified below:

1. Within 21 days of this Order, for each Telecommunications Service supplied by the Licensee that uses any radio spectrum:
 - (a) a summary description of the Telecommunications Service, including the spectrum frequency used.
2. Within 21 days of this Order, for each Telecommunications Service proposed to be supplied during the next 12 months by the Licensee using any radio spectrum:
 - (a) a summary description of the Telecommunications Service, including the spectrum frequencies proposed to be used; and
 - (b) the date the Telecommunications Service is proposed to be introduced or launched by the Licensee.
3. Within 30 days of the date of this Order, the Licensee's Tariff Information.
4. For each Radio Station owned by or under the control of the Licensee:
 - (a) Within 21 days of the date of this Order, the geographic location, coordinates, radiated power, frequency assignments and availability of GPRS and/or data services (as set out in the attached Table in Annex 1).
 - (b) Within 90 days of 1 January of each calendar year including and after 2013, the information referred to in subparagraph (a) above.
5. Within 45 days of the date of this Order, for each Licensee that has been designated as a dominant service provider under its License in one or more markets:
 - (a) the Quality of Service Standards implemented by the Licensee for the Telecommunications Services it provides in the markets in which it has been so designated as dominant, or
 - (b) Quality of Service standards the Licensee considers the Regulator should use (under Clause 16.7 of the applicable License) to develop Quality of Service

Standards for the Telecommunications Services the Licensee provides in the markets in which it has been so designated as dominant.

6. The data set out in Annex 2:
 - (a) Within 45 days of the date of this Order, for the January - March 2012 quarter; and
 - (b) Within 20 working days after the end of each subsequent calendar quarter, for that calendar quarter.
7. Within 45 days of the date of this Order, the Licensee's Draft Terms of Service, which are to be thereafter prepared, approved and implemented (as referred to in Clause 16.6 of the applicable License), according to the following Schedule:
 - (a) TRR provides Proposed Changes to Draft Terms of Service within 30 days, otherwise Draft Terms are deemed approved;
 - (b) Comments by Licensee on Proposed Changes within 14 days
 - (c) Final determination by TRR of Terms of Service within 14 days;
 - (d) Implementation by Licensee of Terms of Service within 45 days of TRR approval of draft Terms of Service or determination of final Terms of Service.

This Order came into force on the day it is made.

DATED this 27 day of March 2012.


Alan Horne
Telecommunications and Radiocommunications Regulator





TRR

TELECOMMUNICATION AND RADIOCOMMUNICATIONS REGULATOR



Ministry of Information and Public Relations
185, Victoria Street, Singapore 188063

GSM Data							
Tower Location Name	Island	GPS Coordinates	Latitude	Longitude	Coverage Size by KM	Type of Antenna, Omni, Sectorised, etc	Utilization
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

Broadband Internet Data							
ADSL Coverage	Wimax Transmitter Sites	Wimax Coverage	Wifi Internet Villages	Location Name	Wifi Hotspots Coverage areas	GPS Coordinates	VAAT Customer Names
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

Underground Fixed Network	
Underground Copper Network Coverage	Underground Fibre Network Coverage
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
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ANNEX 2

The following definitions apply:

“Active SIM Cards” refers to the number of SIM cards with one or more billing events in the past three months.

“Fixed Customers Active” refers to the number of customers of Retail Fixed Telecommunications Services with one or more billing events in the past three months.

“On-net calls” in relation to your network refers to calls that are originated and terminated using your own network.

“Retail Mobile Telecommunications Services” refers to any retail services (whether provided to business, Government or residential customers):

- (a) that provide voice and/or SMS services and provide the customers with the ability to place and receive calls in varying locations in, or whilst travelling over, the coverage area of the supplier’s wireless radio network; and
- (b) does not include TVL landline retail services, Digi-Fixed retail services, GSM Desktop retail services, retail services provided using “SIM Box” or LCR equipment, or e-Government retail services that do not provide the customer with the ability referred to in Subparagraph (a).

“Retail Fixed Telecommunications Services” refers to any retail voice and/or SMS services (whether provided to business, Government or residential customers):

- (a) not within the above definition of Retail Mobile Telecommunications services and
- (b) that generally or invariably operate from a fixed location, and
- (c) includes TVL landline retail services, Digi-Fixed retail services, GSM desktop retail services, retail services provided using “SIM Box” or LCR equipment, VOIP services and e-Government retail services.

“Retail Mobile Data and Internet Access Services” refers to any retail services (whether provided to business, Government or residential customers):

(a) that provide the customers with the ability to receive and send emails and access the Internet in varying locations in, or whilst travelling over, the coverage area of the supplier’s wireless radio network; and

(b) does not include data and internet access services over wireless radio networks using WiFi, WiMaX, or GSM technology that are intended to be used at fixed locations and that do not provide the customer with the ability referred to in Subparagraph (a).

“Retail Fixed Data and Internet Access Services” refers to any retail service (whether provided to business, Government or residential customers) that provide the customers with the ability to receive and send emails and access the Internet:

(a) not within the above definition of Retail Mobile Data and Internet services and

(b) that generally or invariably operate from a fixed location, and

(c) includes landline (fiber or copper) Data and Internet access service (ADSL or XDSL), and services provided over wireless radio networks (WiFi, WiMax, or GSM) that are intended for fixed locations.

“Revenue” refers to total or gross revenue actually received in the period specified from the type of service specified, exclusive only of any VAT applied. As applied to a type of calls, or to SMS, “Revenue” includes revenue howsoever received for the making of the calls or the right to make calls, or the sending of SMS or right to send SMS (whether by way of a per minute, per call or per SMS charge, or by way of any other charge, such as a fixed rental or other fixed charge. All Revenue should be expressed in Vatu.

	Monthly Data For Each Calendar Quarter From July – September 2012		
Retail Prepaid Mobile Telecommunications Services			
SMS - Number of SMS sent			
SMS – Revenue			
International Outgoing calls - Call minutes			
International Outgoing calls - Revenue			
On net calls including voicemail - Call minutes			
On net calls (including voicemail) – Revenue			
Voicemail message retrieval – Revenue			
Calls to other mobile network in Vanuatu - Call minutes			
Calls to other mobile network in Vanuatu – Revenue			
Calls to other fixed landline network in Vanuatu - Call minutes			
Calls to other fixed landline network in Vanuatu - Revenue			
Active SIM cards			
Retail Postpaid Mobile Telecommunications Services			
SMS - Number of SMS sent			
SMS - Revenue			
International Outgoing calls - Call minutes			
International Outgoing calls - Revenue			
On net calls including voicemail - Call minutes			
On net calls including voicemail – Revenue			
voicemail message retrieval - Revenue			
Calls to other mobile network in Vanuatu - Call minutes			
Calls to other mobile network in Vanuatu - Revenue			

	Monthly Data For Each Calendar Quarter From July – September 2012		
Calls to other fixed landline network in Vanuatu - Call minutes			
Calls to other fixed landline network in Vanuatu - Revenue			
Fixed Monthly charges - Revenue			
Bundled minutes included in postpaid plans if any - Minutes			
Active SIM cards			
Retail Postpaid Fixed Telecommunications Services			
Fixed Customers (Active)			
Number of SIM Boxes or LCR units connected to retail customer premises			
Revenue (monthly and line rental)			
International Outgoing calls - Call minutes			
International Outgoing calls - Revenue			
On net calls including voicemail - Call minutes			
On net calls including voicemail - Revenue			
voicemail message retrieval (if charged) - Revenue			
Calls to other mobile network in Vanuatu - call minutes			
Calls to other mobile network in Vanuatu – revenue			
Calls to other fixed landline networks in Vanuatu - Call minutes			
Calls to other fixed landline networks in Vanuatu - Revenue			
Bundled minutes included in postpaid plans if any - Minutes			
Retail Prepaid Fixed Telecommunications Services			
Fixed Customers (Active)			
Number of SIM Boxes or LCR Units connected to retail customer premises			
Revenue (monthly line rental)			

	Monthly Data For Each Calendar Quarter From July – September 2012		
International Outgoing calls - Call minutes			
International Outgoing calls - Revenue			
On net calls including voicemail - Call minutes			
On net calls including voicemail - Revenue			
Voicemail message retrieval - revenues			
Calls to other mobile network in Vanuatu - call minutes			
Calls to other mobile network in Vanuatu – revenue			
Calls to other Fixed landline network in Vanuatu - Call minutes -			
Calls to other Fixed landline network in Vanuatu - Revenue			
Retail Postpaid Fixed Data and Internet Access Services			
Revenue ADSL/XDSL landline subscribers – Vatu			
Number of active ADSL/XDSL landline subscribers			
Revenue dial-up fixed data and internet subscribers – Vatu			
Number of active dial-up fixed data and internet subscribers			
Revenue fixed wireless (WiFi, WiMax, GSM) data and internet subscribers - Vatu			
Number of active fixed wireless (WiFi, WiMax, GSM) data and internet subscribers - subscribers			
Revenue leased lines - Vatu			
Number of leased lines (landline) - leased lines			
Number of leased lines (wireless) - leased lines			

	Monthly Data For Each Calendar Quarter From July – September 2012		
Retail Prepaid Fixed Data and Internet Access Services			
Revenue from active ADSL/XDSL fixed line customers – Vatu			
Number of active ADSL/XDSL fixed line customers			
Revenue active dial-up fixed line data and internet customers – Vatu			
Number of active dial-up fixed line data and internet customers			
Revenue fixed wireless data and internet prepaid cards sold – Vatu			
Number of prepaid cards sold fixed wireless data and internet customers – prepaid cards			
Number of hours of prepaid cards sold fixed wireless data and internet customers – hours of prepaid cards sold			
Revenue leased lines - Vatu			
Number of leased lines (landline) - leased lines			
Number of leased lines (wireless) - leased lines			
Retail Postpaid Mobile Data and Internet Access Services			
Revenue mobile data and internet subscribers – Vatu			
Number of mobile data and internet subscribers – Subscribers			
Retail Prepaid Mobile Data and Internet Access Services			
Revenue mobile data and internet subscribers – Vatu			
Number of active mobile data and internet subscribers – Subscribers			