

# **ECTEL**

**EASTERN CARIBBEAN TELECOMMUNICATIONS AUTHORITY**

## **GUIDANCE NOTES**

Revised September 11<sup>th</sup>, 2002

### **APPLICATION FOR A TELECOMMUNICATIONS LICENCE**

**DISCLAIMER:**

The sole purpose of this document is to provide guidance in the application process. It is not a legal document. These Guidance Notes may be amended from time to time and is without prejudice to the legal position or the rights and duties of the Eastern Caribbean Telecommunications Authority (ECTEL) and the National Telecommunications Regulatory Commissions in the regulation of the telecommunications sector.

It is advised, for the avoidance of doubt, that applicants seek clarification from the National Telecommunications Regulatory Commission should any of the application process remain unclear.

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# 1

## OVERVIEW

These Guidance Notes have been prepared to assist prospective applicants for telecommunications services in OECS. The Notes have the following objectives:

- To review the types of licences that are presently open to application;
- To suggest when an Application for Frequency Authorization would be necessary, in addition to other licence applications;
- To present the fees structure for the application process;
- To provide guidelines for completing the Application Form;
- To provide guidelines for the payment of all fees.

## LICENCE CLASSIFICATION

The licence classes that have been developed by the Eastern Caribbean Telecommunications Authority (ECTEL) are technology neutral. Thus, the determining factor for licence classification will be the service that will be provided. For example, a VSAT<sup>1</sup> licence does not exist. In that case, the licence that would be issued would be dependent on whether a private network or a public network is being proposed. VSAT could be the technology employed to provide the service.

Under the Telecommunications Act 2000, four (4), licence categories have been developed:<sup>2</sup>

**(a) Individual Licence**            The services that fall under this licence are generally infrastructure-oriented. Those services often provide the network/foundation upon which other services (such as Value-Added Services) can be supported.

**(b) Class Licence**

**Type A**                                The services that fall under Type A Class Licence are those for which applicants seek to be providers of telecommunications services, such Internet Service Provision and International Simple Voice Resale.

**Type B**                                The services that fall under Type B Class Licence are those for which applicants would be users of telecommunications services. They include Amateur Radio, Land Mobile Radio, Maritime Mobile Radio and Aeronautical Mobile Radio Services.

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<sup>1</sup> VSAT – Very Small Aperture Terminal

<sup>2</sup> The summaries given are not definitions for the licences identified. For the definitions of the licences, prospective applicants must be guided by the information provided in the Telecommunications Act 2000.

## **Type C**

The services that fall under Type C Class Licence are those that can be construed as other support services and controls for the sector. They include Type Approval, Terminal Equipment Dealer's Certification and Customer Premises Wiring.

### **(c) Frequency Authorization Licence**

This is an ancillary licence, which would be required in addition to the Individual or Class Licence for wireless applications or services that require use of the spectrum. In some cases, specifically for services under Class Licence Type C, the requirements for an Application for Frequency Authorization are satisfied within the respective licence application forms.

### **(d) Special Licence**

This is a special licence to be issued under the discretion of the Minister and in only emergency or exigent circumstances. These licences are not to exceed ten (10) days.

The Application Forms for these licences are available from the local National Telecommunications Regulatory Commission.

ECTEL is in the process of drafting forms for the following services:

- **Domain Name  
Registration**

This is required for the management of the top-level domain. The top-level country domain is a national resource and each country must develop a process for assigning the management of this resource. Regulatory guidelines, as required under the Telecommunications Act, are being developed.

The listing below indicates the services that fall under each type of licence. In some cases a brief description or explanation has been provided.<sup>3</sup>:

### **Individual Licence**

- (1) Mobile/Cellular
- (2) Fixed Public
- (3) Submarine Cable
- (4) Public Radio Paging
- (5) Internet Networks & Services

### **Class Licence – Type A**

- (1) Restricted Internet Service Provision *Provision of service for up to 15 units. Particularly applicable for Cyber Cafés*
- (2) Full Internet Service Provision *Provision of service to the public at large*
- (3) Value Added Services<sup>4</sup>
- (4) Audiotext / Videotext
- (5) International Simple Voice Resale
- (6) Private Network/Services
- (7) Short Term *Licence duration limited to less than 15 days.*

### **Class Licence – Type B**

- (1) Amateur Radio
- (2) Citizen Band Radio

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<sup>3</sup> These are services for which, so far, regulations and licences have been created. Other services may be added and made available for application as soon as the relevant regulations and licences are developed.

<sup>4</sup> Value Added Services – A communications facility using common carrier networks for transmission and providing extra features with separate equipment; services that add value to the basic telecommunications service.

- (3) Aeronautical Mobile Radio
- (4) Maritime Mobile Radio
- (5) Land Mobile Radio
- (6) Ship Station Radio
- (7) Aircraft Station Radio
- (8) Family Radio Service Band *Restricted to non-commercial use only*

**Class Licence – Type C**

- (1) Type Approval *Certificate of type approval must be issued in order to install, sell for use or use any item of equipment in the ECTEL countries*
- (2) Terminal Equipment Dealer's Registration *Registration required for the provision of installation, maintenance repair services, etc, as the supply of terminal equipment*
- (3) Customer Premises Wiring Registration *Registration required for the supply of cables, the installation, maintenance and repair of cable-associated services.*

**Special Licence**

*Granted by the Minister only in emergency or other exigent circumstances. Valid for no longer than 10 days and is non-renewable.*

## FREQUENCY AUTHORIZATION

In general, an Application for Frequency Authorization must be submitted when the proposed service requires exclusive use of specific frequencies. This application would need to be made in addition to the Individual, Class Licence or Special Licence applications to provide service. An exception now exists for services under Class Licence (Type B), as those application forms have been designed to incorporate the requirements to support the authorization and assignment of specific frequencies for the exclusive use of the applicant in this category.

An Application for Frequency Authorization would also be required when the applicant has government approval to provide a TV/Radio Broadcast or Community Radio Service. In those circumstances, it is expected that government will be assessing applicants on, among other things, programme content, proposed listening audience, economic viability and sustainability. Having obtained approval from government, by way of a licence to operate, frequency authorization must be sought from ECTEL. ECTEL would be evaluating applications based on, among other things, the technical integrity of the proposed services, availability of spectrum and interference issues. The table below provides some guidelines for when Frequency Authorization would be required

<b>TYPE OF SERVICE</b>	<b>LICENCE CATEGORY</b>	<b>FREQUENCY AUTHORISATION REQUIRED</b>
<b>Mobile/Cellular Networks/Services</b>	Individual	Yes
<b>Fixed Public Networks/Services</b>	Individual	Yes
<b>Submarine Cable Crossing/Landing</b>	Individual	No
<b>Public Radio Paging Networks/ Services</b>	Individual	Yes
<b>Internet Network &amp; Services</b>	Individual	For Wireless Applications
<b>Public Radio Paging Networks/ Services</b>	Individual	Yes

<b>TYPE OF SERVICE</b>	<b>LICENCE CATEGORY</b>	<b>FREQUENCY AUTHORISATION REQUIRED</b>
<b>TV/Radio Broadcast</b>	Licence/Approval from Gov't Required	Yes
<b>Community Radio</b>	Licence/Approval from Gov't Required	Yes
<b>Subscriber Television (wireless)</b>	Licence/Approval from Gov't Required	Yes
<b>Restricted Internet Services</b>	Class – Type A	For Wireless Applications
<b>Full Internet Services</b>	Class – Type A	For Wireless Applications
<b>Audiotext / Videotext</b>	Class – Type A	For Wireless Applications
<b>Value Added Services</b> <i>Includes Data Services</i>	Class – Type A	For Wireless Applications
<b>Private Telecommunications Networks/Services</b>	Class – Type A	For Wireless Applications
<b>International Simple Voice Resale</b>	Class – Type A	No
<b>Short Term Licence</b>	Class – Type A	For Wireless Applications
<b>Aeronautical Mobile</b>	Class – Type B <sup>5</sup>	Yes
<b>Maritime Mobile</b>	Class – Type B	No
<b>Land Mobile</b>	Class – Type B	Yes
<b>Family Radio Service Band</b>	Class – Type B	No
<b>Ship Station Radio Licence</b>	Class – Type B	Yes
<b>Aircraft Station Radio Licence</b>	Class – Type B	Yes
<b>Amateur Radio</b>	Class – Type B	No
<b>Citizen Band Radio</b>	Class – Type B	No

<sup>5</sup> For services under Class Licence – Type B, the application forms are so designed to incorporate the application for frequency authorization as may be required. Consequently, a separate Application for Frequency Authorization is no longer necessary.

<b>TYPE OF SERVICE</b>	<b>LICENCE CATEGORY</b>	<b>FREQUENCY AUTHORISATION REQUIRED</b>
<b>Type Approval</b>	Class – Type C	No
<b>Customer Premises Wiring</b>	Class – Type C	No
<b>Terminal Equipment Dealer’s Certification</b>	Class – Type C	No
<b>Special Licence</b>	Special Licence	For Wireless Applications
<b>Domain Name Registration</b>	Agency Licence	No

Generally, where the frequency bands to be used are shared by various users, no separate frequency application would be required. The licence, however, would impose the obligations with respect to the use of the band, especially in respect of harmful interference. Maritime Mobile, Amateur Radio and Citizen Band Radio are cases of this principle of shared frequency bands that do not require separate applications for use of the spectrum.

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### APPLICATION PROCEDURE

- 1 The process of application requires that the forms be completed in **TRIPLICATE** and be submitted in an envelope addressed to the Secretary, National Telecommunications Regulatory Commission. Note that additional instructions, specific to the licence that is being applied for, are provided with the application forms.
2. The last part of the application form is the **Declaration**, where the applicant affirms the accuracy of the information submitted on the form. This section of the form must have **original signatures** – facsimile or photocopies will not be accepted.
3. The completed application form must be accompanied by the appropriate fee, payable to the National Telecommunications Regulatory Commission. The approved application fee structure is attached to the end of this document.
4. Any additional information that the applicant may wish to provide, which cannot fit into the space provided on the forms, can be attached to the form.
5. **Each** copy of the application form submitted must have attached the required documentation and any additional information that is being provided
6. The applicant should indicate which, if any, information provided in the application is confidential.
7. It is advisable to include a summary sheet that itemizes all of the documents that are being submitted, including attachments.
8. Upon submission of the completed application forms, a response will be sent, acknowledging receipt of the documents and providing a timeline for response.

# **Payment Procedure**

## **Licence Fees**

1. Application fees are to be submitted with the application.
2. Initial fees are payable upon the award of the licences.
3. Annual fees are payable on the anniversary date of the licence.
4. Licence fees should be made payable to the National Telecommunications Regulatory Commission (NTRC) [OECS State].

## **Frequency Authorisation Fees (Spectrum)**

1. Application fees are to be submitted with the application.
2. Annual fees are payable upon the grant of the Frequency Authorisation and subsequent thereto on the anniversary date of the said grant.
3. Frequency Authorisation fees are to be paid at the NTRC by means of a bankers' draft made payable to ECTEL.

# **APPENDICES**

## APPENDIX 1

### ABBREVIATIONS USED IN THE APPLICATION FORMS

To facilitate the formatting of the application forms, some abbreviations have been used for technical terms. These abbreviations are in keeping with those that are internationally recognized and have been provided below for ease of reference.

<b>DSC</b>	Digital Selective Calling
<b>EGC</b>	
<b>ELF</b>	Extra Low Frequency
<b>E.P.I.R.B.</b>	Emergency Position Indicating Radio Beacon
<b>GMDSS</b>	Global Maritime Distress Safety System
<b>GPS</b>	Global Positioning System
<b>GRT</b>	
<b>HF</b>	High Frequency
<b>INMARSAT</b>	International Maritime Satellite
<b>LF</b>	Low Frequency
<b>MF</b>	Medium Frequency
<b>MMSI</b>	Maritime Mobile Service Identity
<b>NAVTEX</b>	<i>Navigational and meteorological warning broadcast service</i>
<b>RADAR</b>	Radio Detection And Ranging
<b>SART</b>	Search and Rescue Transponder
<b>SATNAV</b>	Satellite Navigation
<b>SHF</b>	Super High Frequency
<b>UHF</b>	Ultra High Frequency

<b>VFT</b>	Voice Frequency Telegraphy
<b>VHF</b>	Very High Frequency
<b>VLf</b>	Very Low Frequency

## **APPENDIX II**

### **APPROVED LIST OF VALUE ADDED SERVICES**

1. Sending and receiving emails on mobile phone
2. Receiving emails on pagers
3. Broadband entertainment available with internet access
4. Wholesale calling card
5. Enhanced call routing
6. International toll free services
7. Universal international freephone number
8. Electronic mail
9. Voice mail
10. Direct Access Code Dialling
11. Bulletin Board Service
12. Video conferencing
13. Morning Alarm Service
14. Virtual office services
15. Fax store and forward
16. Internet access through mobile phone
17. Fax transmission through mobile phone
18. Mobile Originated Short Messaging Service (SMS) - messages sent from mobile phone
19. Transmission of SMS between mobile phones
20. Accessing general public information through mobile phone, e.g. exchange rates, flight schedule, news and sports
21. Mobile conference calls
22. Call forward
23. Mobile Call forward
24. Call barring
25. Mobile Call barring
26. Calling Line Identification Presentation (CLIP)
27. Calling Line Identification Restriction (CLIR)
28. Call wait
29. Call hold
30. Mobile voice mail
31. Alert of SMS received mail