

PUBLIC NOTICE

NOTIFICATION OF THE MODIFICATION OF ALL INDIVIDUAL LICENCES AND FREQUENCY AUTHORISATIONS

Reference is made to the published notification dated 3rd June, 2019, on the above subject captioned. All comments received were submitted to the Eastern Caribbean Telecommunications Authority (ECTEL) for consideration.

The ECTEL Directorate having considered the submission of all stakeholders and in consideration of ECTEL's current statutory procedures, the ECTEL Directorate has advised the following:

1. 1.General Renewal

- The process remains unchanged, as indicated in the Electronic Communications (EC) Bill; and
- The renewal process will be reviewed, as ECTEL wishes to consider all concerns to make the process more seamless in the future;

1. 2.Transitional Provision

- The ECTEL Directorate has considered all comments and submissions received, and therefore the transitional provision has been amended and will now read:

"157. TRANSITIONAL

1. Notwithstanding any other provision in any other law, a person authorised to operate a telecommunications network, or provide a telecommunications service or use radio frequencies immediately before the date of entry into force of this Act, may continue to operate an electronic communications network, or provide an electronic communications service or use such radio frequencies for a period of two years after the commencement of this Act, as if they have been granted a licence or frequency authorisation under this Act.
2. Within two years of commencement of this Act, the Minister shall, acting on the recommendation of ECTEL, issue a licence subject to subsection (3) to a person under subsection (1) who makes a request within 12 months of commencement of this Act to be licensed.
3. A licence issued for the purposes of subsection (2) shall be subject to new terms and conditions in accordance with this Act and Regulations made under this Act."

ECTEL is pleased to inform that the final EC Bill has been approved and been submitted to the ECTEL Contracting States for promulgation. ECTEL understands that some Contracting States are planning to promulgate the EC Bill in the coming months, as it has been placed on their respective Parliamentary Schedules as priority.

ECTEL informs that, consequently, once the EC Bill has been promulgated and in force in those Contracting States, new licences will be issued under the Electronic Communications Act. However, should there be a delay for promulgation of the EC Bill in the other Contracting States beyond **March 2020**, ECTEL will recommend that Individual Licences and Frequency Authorisations be issued under the Telecommunications Act.

During this transitional period, ECTEL will provide further updates to all service providers and other stakeholders on the development of the legislative reform under EC framework.

Yours sincerely

Craig Nesty

Executive Director