



ITU WORLD TELECOMMUNICATION REGULATORY SURVEY 2012

INSTRUCTIONS

The online version of this survey is available on the ITU ICT Eye at www.itu.int/icteye.

This file is to be used only as a reference.

Please follow the instructions below in order to facilitate your completion of the electronic version of the questionnaire.

You will find two types of data entry in this survey: text and clickable box.

Data entry

- Entering text

When you see this:

It means that text for that question should be entered here. To enter text select by clicking and type your answer.

- Check box


When you see this box , click the response you wish. Once selected you will see . If you select the wrong box, you may deselect it by just clicking again on the box.

Other

- Year

If you have to specify a year, please enter it in this format: 2012.

- Navigation

To move down, from one question to the next one, use either the tab button or the down arrow  on your keyboard (please do not use the enter button).

When entering data in tables and addresses, beware that clicking on the down arrow and/or the tab button will take you to the next cell (from left to right).

e.g:

1	2	3
4	5	6

INTERNATIONAL TELECOMMUNICATION UNION



WORLD TELECOMMUNICATION REGULATORY SURVEY 2012

Country:

Date of completion:

Person (s) who completed the survey :

Name:

Name:

Position.

Position.

Organization:

Organization:

Address:

Address:

City:

City:

Tel:

Tel:

Fax:

Fax:

Email:

Email:

Note: all information provided throughout this survey should describe the situation as of the date of completion. Future policy initiatives should be listed in Section VII.

Please provide name and contact details:

1) Policy Maker:

Address:

City

Tel:

Fax:

Email:

Website :

Facebook:

Twitter:

Other social network profiles:

1) Regulator :

Address:

City:

Tel:

Fax:

Email:

Website:

Facebook:

Twitter:

Other social network profiles:

If there is more than one policy-maker and/or regulator, please indicate name and address below:

2) Policy Maker:

Address:

City:

Tel:

Fax:

Email:

Website:

Facebook:

Twitter:

Other social network profiles:

2) Regulator:

Address:

City:

Tel:

Fax:

Email:

Website:

Facebook:

Twitter:

Other social network profiles:

Is the Policy Maker the Sector Ministry? Yes No

If No, please indicate name and address of the Sector Ministry below:

Sector Ministry:

Address:

City:

Tel:

Fax:

Email:

Website:

SECTION I - LEGISLATIVE FRAMEWORK

1) What laws, decrees, legal instruments, or regulations govern the telecommunication, information, communication and broadcasting sectors in your country?

Indicate below any changes or new legislation. (Please note that all legislation provided with a URL will be added to the BDT regulatory library, on the TREG website.)

Law/Regulation	Year Adopted	Description/Remarks (e.g. review procedure)	Website http://

SECTION II - THE REGULATORY INSTITUTION

THE REGULATOR

2) Does a separate* Regulatory Authority exist for Telecommunication **or** Information and Communication Technology (ICT) in your country?

Yes No

*** Note: Separate:** “independent” in terms of finance, structure, and decision making from the operator(s) and the sector Ministry.

If Yes, go to question 3.

If No,

a) Please name entity responsible for regulation

b) Are there plans to create a separate Telecommunication or ICT Regulatory Authority?

Yes, year? No

and proceed to question 21.

Separate telecommunication/ ICT Regulatory Authority

If more than one telecommunication or ICT Regulatory Authority exists in your country, please complete the following section providing information on the first regulatory authority (1) listed in the contact details on page 3:

3) Indicate year created

4) Name the legal document which created the Regulatory Authority (i.e., the name of the Act, Decree, or Law)

- 5) Does the Regulatory Authority also regulate other public utilities (e.g. electricity, gas, posts, etc.)? Yes No
- 6) If yes, please specify utilities regulated:
- Electricity
 - Gaz
 - Rail
 - Posts
 - Other:
- 7) What are the reporting requirements of the **Regulatory Authority** (please check all that apply)?
- Report to Legislature
 - Annual report to the sector Ministry
 - Report to other Ministry
 - No reporting requirements
 - Other:

Budget of the Regulator

- 8) Please indicate the annual budget for the Regulatory Authority for the last financial year? (in local currency)
- 9) With regard to the last financial year, please indicate the sources of the Regulator's annual budget and the percentage of annual budget financed from each source:
- Award/auction of mobile license %
 - Award/auction of other license %
 - License fees %
 - Government appropriation %
 - Numbering fees %
 - Spectrum fees %
 - Regulatory fees %
 - Fines/penalties %
 - Contributions from regulated telecom operators based on turnover %, (indicate what percentage of the operators' turnover this represents %)
 - Financial income (e.g. Investment/Deposit) %
 - Other (please identify source) (and percentage) %
- 10) Who is responsible for approving the budget of the Regulator?
- Head of Government
 - Government
 - Sector minister
 - Parliament
 - Head of the Regulator
 - Other, please specify:

Remarks:

Leadership

11) Indicate name of the Head of the Regulatory Authority:

Exact title:

12) Is the Telecommunication Regulatory Authority a collegial body (i.e. are there Members/Commissioners)? Yes No

If **Yes**, please indicate

a) Total number of members/commissioners (including the Head)

b) Number of female members

c) Is the Head of the commission also responsible for day to day administrative matters?

Yes No

13) Who appoints the Members and the Head?

Head of State

Head of Government

Government

Sector minister

Parliament

Other, please specify:

14) What is the normal period of appointment for the Members and the Head of the Regulatory Authority?

The term is not specified.

1 year

2 or 3 years

4 or 5 years

6 year or more

Other, please specify:

15) Is the term renewable?

Yes No

Staffing

16) Total number of staff in the Regulatory Authority (Percentage of staff which are women)

a) Total number of professional staff

b) Percentage of professional staff which are women %

17) What is the estimated staff turnover each year? %

18) Has the Regulatory Authority set up a staff retention program?

Yes No

19) What percentage of the annual budget is expended on human resource development? %

Autonomy and structural independence

20) Is the regulatory Authority autonomous in its decision-making? Yes No

If No,

a) To whom does it submit its decisions for approval?

- Sector Minister
- Prime Minister/ Government
- Parliament
- Head of State
- Other, please specify

Jurisdiction and relationship with other entities

21) Does a Competition Authority exist in your country? Yes No

If Yes, 20a) Please indicate its name: _____, URL: _____ Email: _____

20b) Who has jurisdiction over competition issues related to the telecommunication/ICTs sector?

- Regulatory Authority
- Competition Authority
- Both Authorities, the Regulatory Authority advises the Competition Authority

- None of the above, please explain

22) In what legal instruments is the provision of competition defined?

- General competition law
- Telecom/ICT law
- Both
- None of the above, , please specify

Is the concept of merger also included in this law? Yes No

If no, please specify where it is defined_ _____ ,

Is the Telecom/ICT regulator involved? Yes No

If yes, please explain

Please indicate the number of mergers that occurred since 2010:

Transparency and Public Participation

23) Are public consultations mandatory before regulatory decisions are made?

- Yes
- No
- In certain cases, please explain

Regulatory functions

24) Please indicate (X) below which entities have responsibility for the functions listed.

(NOTE: In some cases the regulator may share responsibilities with another government entity for certain functions or the regulator may be required to seek final approval from another government entity. In these cases, please indicate (X) all the entities concerned, followed by an explanation in the last column)

Functions	Sector Ministry	Other Ministry or Government body	Regulatory Authority	Operator *	Not regulated	If more than one entity or another body is involved in this function, please explain
Licensing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Interconnection rates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Price Regulation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Technical Standards setting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Spectrum Management: Radio frequency allocation and assignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Spectrum Management: Monitoring and Enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Numbering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Type approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Service quality monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Universal Service/Access	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Quality of service standards setting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Enforcement of Quality of service obligations measures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Broadcasting (radio and TV transmission)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Broadcasting content	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Information technology	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Internet content	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

***Note:** In the case of interconnection rates, indicating (X) in the “Operator” column refers to a situation where interconnection agreements are determined entirely by commercial negotiations between operators without regulatory intervention. In the case of quality of service standards setting, indicating (X) in the “Operator” column refers to a situation where quality of service standards are determined entirely by the terms and conditions offered by operators without regulatory intervention. Information technology : for example IT promotion, IT industry development, e-Government services, etc.

SECTION III - REGULATORY ISSUES AND PROCESS

AUTHORIZATION/LICENSING

25) What types of licences are provided in your country (please select all that apply):

Traditional

Service-specific individual licences; number of licences issued

Converged multiservice

Multi-service individual licences; number of licences issued

Unified/global licences; number of licences issued

General authorization

General authorizations (Class licences); number of licences issued

Simple notification; number of licences issued

Licence exempt; please specify for which services/in which spectrum bands

26) Is there a legal limit of the number of licences?

Yes

No

For certain licences, please explain

a) If Yes, what is the limit?

Type of licence: ; Maximum number of licences

27) Please describe your country's authorization/licensing regime. Please indicate all licence/authorization categories (e.g. carrier licence) and sub-categories (if applicable) in the first and second column respectively (for example, carrier license (column one), domestic fixed line (column two); carrier license (column one), international gateway (column two), etc.). If multiple subcategories apply, please use one line for each category/subcategory combination.

Name of License/Authorization	Sub-category (if applies)	Authorization type	One time licensing fee (Entry Fee)	Annual fee	License duration (no. of years)	Number of Licenses granted
			If applicable, please state amount (in USD)	If applicable, please state amount (in USD)		
	Unified/Global licence					
	Multi service Individual Licence					
	Service specific individual licence(Class Licence)					
	General Authorization/class licence					
	Licence Exempt					
	Simple notification					

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

a) For general authorization/class licence services: what administrative formality is an operator required to perform before he is allowed to provide services? (reply only if general authorization/class licence applies in your country)

- Registration
- Notification
- Other, please specify

28) Are licensing agreements publicly available? Yes No
 If available online, please provide a website: http://

INTERCONNECTION

Regulatory Framework

29) Where are the regulations for interconnection set forth? (please check all that apply)

- Legislation
- Regulations (e.g. directives, codes, etc.)
- Licenses
- There are no interconnection related regulations (please go to question 37)
- Other, please specify

Please provide the website where they can be found: http://

30) Do you require any operators to publish Reference Interconnection Offer (RIO)? Yes No

If Yes,

- a) please specify which operators
- Incumbent
 - Dominant or Significant Market Power (SMP) operator(s)
 - All operators
 - Other, please specify:

and provide complete website address:

31) Is unbundled access to the local loop required? Yes No

If **Yes**,

a) what type of local loop unbundling is required? (check as many as apply)

- Raw copper (full unbundling)
- Line sharing (or partial unbundling i.e. access to the high-frequency portion of the local loop)
- Bit stream (or wholesale) access
- Other, please explain:

Transparency

32) Are interconnection agreements made public? Yes No

a) If **Yes**, please indicate where or provide the website:

33) Are interconnection prices made public? Yes No

a) If **Yes**, please indicate where or provide the website:

SPECTRUM MANAGEMENT

34) Are spectrum licences technology neutral?
 Yes No Some, please specify:

35) Have operators been assigned spectrum for the provision of 3rd Generation Mobile (IMT-2000) services in your country? Yes No

If **Yes**,

a) Please identify all 3rd Generation mobile operators that have been licensed:

b) Are geographic and/or population coverage requirements included in their license? Yes No

If **Yes**, specify which:

c) What are the mechanisms for assigning spectrum for 3G (IMT-2000) services?

- First come, first served/ spectrum allocated as part of the licence
- Auction
- Beauty contest
- Other, please explain:

Remarks:

36) Have operators been assigned spectrum for the provision of WiMAX services in your country? Yes No

If **Yes**,

a) Please identify all WiMAX operators that have been licensed:

b) Is this service commercially available? Yes No

c) What are the mechanisms for assigning spectrum for Wimax services?

- First come, first served/ spectrum allocated as part of the licence
- Auction
- Beauty contest/ Tender
- Other, please explain:

Remarks:

37) Have operators been assigned spectrum for the provision of LTE services in your country? Yes No

If Yes,

a) Please identify all LTE operators that have been licensed:

b) Is this service commercially available? Yes No

c) What are the mechanisms for assigning spectrum for LTE services?

First come, first served/ spectrum allocated as part of the licence

Auction

Beauty contest

Other, please explain:

Remarks:

38) Is secondary trading* allowed? Yes No

a) If Yes, is a change of spectrum use permitted on transfer? Yes No

39) Is in band migration/refarming allowed**? Yes No

Note:

- ***secondary trading:** the trading of spectrum rights or licenses between buyers and sellers directly without having it pass through the Regulatory Authority's hands
- ****in band migration:** the right to use existing licensed spectrum for the provision of new services (e.g. 2G spectrum used for 3G)

40) Does your country make publicly available information on spectrum (e.g. regulations and spectrum management table, spectrum fees, etc.)? Yes No

a) If Yes, please provide the website:

Remarks:

41) Is there any regulation/legislation in place regarding the use of white spaces? Yes No

a) If Yes, please specify which and provide the website:

NUMBERING

42) Is number portability required from:

a) Fixed-line operators Yes No

If yes, is this service currently available to fixed subscribers? Yes No

b) Mobile operators Yes No

If yes, is this service currently available to mobile subscribers? Yes No

Remarks:

ENFORCEMENT

43) Who has enforcement powers?

- Regulatory authority
- Sector ministry
- Judiciary
- Other, please specify:

44) What sanctions or penalties can the Regulatory Authority impose? (Please check all that apply)

- Monetary fines
- Additional license obligations
- Modification of license
- License suspension
- License revocation
- Other, please specify

DISPUTE RESOLUTION

45) Does the regulatory framework set up a clear dispute resolution mechanism(s) to resolve disputes (e.g. on interconnection issues, customer complaints, etc.)?

Yes No

If Yes,

a) Please identify the mechanisms used to solve disputes once negotiations among parties have failed (please check all that apply)

- Courts/litigation
- Formal administrative adjudication (binding decisions, e.g. by regulator or Competition Authority)
- Alternative dispute resolution (ADR) mechanisms:
 - Arbitration
 - Mediation/conciliation
 - Expert determination

46) Are decisions reported online?

Yes No

If Yes, please provide a website:

APPEALS

- 47) Are appeals to the decision of the Regulatory Authority (entity in charge of regulation) allowed? Yes No

If **Yes**,

a) Who has the ultimate authority to overturn a decision of the Regulatory Authority (entity in charge of regulation)?

- The Sector Ministry
- The Judiciary
- The Competition Authority
- A sector complaint body/board/Administrative Tribunal, please name
- Other, please specify

CONSUMER ISSUES

- 48) Is there a specific telecommunication consumer protection legislation/regulation in your country? Yes No

49) Is the Regulatory Authority responsible for:

- Handling consumer complaints? Yes No
- Informing consumers of their rights (consumer education)? Yes No
- Representing consumers/defending their rights? Yes No
- Promoting consumer participation in its activities? Yes No
- Providing comparative tariff information? Yes No

If **Yes**,

a) Please indicate for which services comparative tariff information is provided (e.g. mobile services, Internet access, etc.)?

b) If available online, please provide a website:

QUALITY OF SERVICE

- 50) Is quality of service monitoring required? Yes No

If **Yes**, please answer the questions below.

a) For which operator/service providers is quality of service monitoring required:

- Incumbent
- Mobile cellular operators
- Dominant or Significant Market Power (SMP) operator(s)
- Universal Service/Access operator(s)
- Any operator with a network but not a service provider without a network (for example, a mobile virtual network operator or a calling card service provider)
- Any operator or service provider
- Other, please specify:

b) Which of the following services are subject to QoS monitoring:

- fixed wireline
- fixed wireless
- mobile
- dial-up internet access
- Broadband internet access
- telephony interconnection
- internet interconnection
- leased lines
- pay phones
- All regulated services
- other, please describe:

51) Is there any regulation in place on traffic management (net neutrality)?

52) If Yes, in what legal instruments (legislation in force) is the concept defined?

- Broad overarching policy, please specify:
- Law/legislation, please specify:
- Regulation, please specify:
- Other, please specify:

SECTION IV – UNIVERSAL ACCESS/SERVICE

53) Has your country adopted a Universal access/service policy or rural telecoms development policy (as a policy of its own or as part of a wider policy)?

Yes No

a) If Yes, please indicate the website where universal access/service policy and regulation are made available:

54) Has your country defined universal access and/or services?

Yes No

If Yes,

a) Please indicate which services are included in the definition: (check as many as apply)

Basic services

- Voice telephony services
- Fixed line private residential service
- Fixed line public payphone service
- Individual mobile cellular service
- Public mobile payphone service

Internet services

- Dial-up Internet access
- Broadband

Other services

- Telecentres
- Schools (primary, secondary post secondary)
- Health centres
- Emergency services
- Special services for persons with disabilities and elder persons
- Directory services
- Other, please specify

55) Please indicate which operators are under the obligation to provide universal access/service:

(please check all that apply)

- All operators
- All network/facilities-based operators
- All service-based providers
- Incumbent fixed line operator(s)
- Fixed line operators
- Fixed-line operators with significant market power/dominance
- Mobile operators
- Mobile operators with significant market power/dominance
- Satellite operators
- ISPs
- None; obligations are allocated on a competitive basis
- Other; please identify

a) Please indicate how the operator(s) finance their universal access/service or universal obligations:

- Cross subsidy between own services (internal financing)
- Direct subsidy from government
- Universal service funds
- Access interconnection charges
- Other, please specify:

(ANSWER THE SECTION BELOW ONLY IF YOUR COUNTRY HAS ESTABLISHED AN UNIVERSAL SERVICE FUND)

Universal Service Fund

56) Does your country have an **operational** Universal Service Fund? (i.e. one that has begun collecting or disbursing funds)?

- Yes No

a) If **Yes**, since when is the fund operational?

Date

b) If **No**, are there plans to establish one?

Yes, date

No

Remarks:

If **Yes**, please answer the following questions:

57) Indicate total amount collected so far (in USD):

58) Indicate total amount allocated/dispursed so far (in USD):

59) Please indicate the activities/projects that the Fund financed so far (how the funds have been used):

Connecting schools (primary, secondary, post-secondary, universities, specialized training institutions, etc.)

Multi-purpose telecenters

Connecting local government offices

Connecting small businesses in rural areas

Connecting urban peripheries

Connecting persons with disabilities

Other, please specify:

60) Please indicate below which telecommunication operators and/or service providers are required to contribute to the fund?

All operators

All network/facilities-based operators

All service-based providers

Incumbent fixed line operator(s)

Fixed line operators

Fixed-line operators with significant market power/dominance

Mobile operators

Mobile operators with significant market power/dominance

- Satellite operators
- ISPs
- None
- Others; please identify

61) How are contribution amounts calculated?

- Percentage of total gross revenues (turnover), please indicate percentage %
- Percentage of net revenues (turnover), please indicate percentage %
- Set amount (flat rate), please indicate amount (local currency)
- Other: please specify

62) Is the Universal Service Fund financed by other sources? Yes No

a) If **Yes**, please specify percentage of Fund financed by:

- Government budget, %
- Levies on subscribers, %
- Proceeds from telecommunication privatizations, %
- Proceeds from spectrum auctions, %
- Proceeds from telecommunication licence/concession payments, %
- Funding from international agencies, %
- Other: please specify , %

63) Is the Regulatory Authority responsible for administrating and managing the Fund?

Yes No

a) If **No**, name the responsible entity

Other financial mechanisms

64) Has your country established any other financing mechanisms (e.g., special rural access concessions, tax incentives, etc.) for the provision of universal service/access? Yes

No

a) If **Yes**, please explain:

65) Do you require any operators or service providers to offer special "social tariffs" to eligible subscribers?

Yes No

a) If **Yes**, please explain:

Broadband plan

66) Has your country adopted a national plan (initiative, policy, strategy, etc) to promote broadband?

Yes No

a) If **Yes**, when was it adopted?

Date

b) If **No**, are there plans to adopt one?

Yes, date

No

Remarks:

If **Yes**, please answer the following questions:

67) What is the name of the plan (initative strategy)?

68) Please indicate the website where the plan is made available:

69) What is the timeframe for the implementation of the plan?

70) What are the goals of the plan?

Build nationwide broadband infrastructure

Connect _____ per cent of households with broadband

Promote the adoption of broadband services and applications

Promote the provision of public services, such as:

e-education

e-health/telemedecine

e-government

e-business

other, please explain:

Others, please specify:

71) Please indicate the name of the government agency or agencies (e.g., regulator, competition authority) that administer the plan:

72) Please indicate below by what means is the plan financed:

Dedicated broadband development fund

Universal service fund

Government grants of other direct financial subsidies

Public-private partnerships (PPPs)

Other, please specify:

73) Please indicate the total amount (in USD) that has been:

a. allocated to the implementation of the plan so far:

b. disbursed in the implementation of the plan so far:

SECTION V - SECTOR STRUCTURE

CONCEPT OF DOMINANCE

74) Does your national anti-trust/competition law recognize the concept of “dominance” or Significant Market Power (SMP)?

- Yes *If Yes, please complete the Section below.*
 No

If No, will it be defined and when?

If No, please go to the next Section

75) In what legal instruments (legislation in force) is the concept defined? Please indicate the relevant website, where it is made available

Website: www.

76) What criteria are used in determining “dominance” or SMP?

- Geographical
 Market share in terms of number of subscribers (or revenues) for the given market
Please specify %
 Control of essential facilities
 Easy access to financial resources
 Strength of the countervailing power of consumers
 Economies of scale and scope
 Barriers to entry
 Potential competition
 Other, please specify

77) What are the most common *ex ante* obligations imposed on operators or providers?

- Transparency (e.g., publishing RIO and RUO)
 Non discrimination
 Interconnection and access obligations
 Regulatory accounting
 Accounting separation
 Price control
 Other, please specify

78) If the status of “dominance” or SMP is periodically reviewed, how often does such review take place?

- Every year
 Every 2 years
 Every 3 years
 More than 3 years
 Other, please specify

OPERATIONAL/FUNCTIONAL SEPARATION

79) Does functional separation of SMP/dominant network operator(s) required by law in your country? Yes No

If Yes,

a) Please indicate the name of the SMP/Dominant operator(s) that are subject to this regulatory measure:

b) Please indicate the website where the law/regulation on functional separation can be found:

c) Is accounting separation required? Yes No

d) If yes, whom does it apply to (which kind of operators)?

STATUS OF THE MAIN FIXED-LINE OPERATOR(S)

80) Is the **main fixed-line** operator (the incumbent) 100% state-owned? Yes No

If the main fixed-line operator (the incumbent) is 100% state-owned, please complete table 55 below. If the main fixed-line operator(s) is(are) partially or totally private, please go to table 56.

81) **100% state-owned main fixed-line operator**

Note: At first place, please indicate the incumbent if more than one 100% state-owned fixed-line operator exists in the country.

Please indicate name, mark (X) the relevant response and indicate date and percentage.

Name	Is the operator corporatized?		Does the government intend to privatize the operator?		
	Yes	No	Yes, the operator is currently in the process of being privatized (Please indicate the percentage that will be made available for private ownership)	Yes, in the future. (Please forecast the year)	No intention to privatize
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

82) **Fixed-line operator(s) partially or totally privately-owned**

Please indicate name, mark (X) the relevant response and indicate percentage and dates.

Name	Indicate degree of private ownership				Privatization phase	
	Is the operator the incumbent?	Minority ownership (less than 50%), indicate %	Majority ownership (more than 50%) indicate %	100% private	Indicate date of completion of the first privatisation phase and % sold	
					Date	%
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

PRIVATE SECTOR PARTICIPATION

83) Is **foreign participation** or ownership **limited** in the following markets: (if there is a limitation, click the box and indicate maximum percentage allowed)

- facilities-based operators, by %,
- spectrum-based operators %,
- %, local service operators
- %, long-distance service operators
- %, international service operators
- % value-added service providers
- % Internet Service Providers (ISPs)
- %, other categories, please explain
- There is no restriction to foreign participation or ownership.

LEVEL OF COMPETITION

84) Please complete the following table by indicating (X) the relevant level of competition and if the market was open to some form of competition, the date at which competition was introduced (partial or full).

Service	Monopoly	Partial Competition	Full competition	Date (year when competition was introduced)
Local fixed line services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Domestic fixed long distance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
International fixed long distance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Wireless local loop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
DSL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Cable modem	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
VSAT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Leased Lines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fixed Wireless Broadband	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mobile	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Cable Television	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fixed satellite services (FSS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mobile satellite services (MSS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
IMT (3G, 4G, etc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Internet services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
International gateways	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><i>Note: Monopoly = service provided exclusively by one operator. Partial = regulatory framework limits the number of licensees (e.g., duopoly) Full competition = any company can be licensed to provide the service, no limits on number of licensees.</i></p>				

Please indicate remarks (if any)

SECTION VI CURRENT REGULATORY ISSUES

E-APPLICATIONS

85) NEW Does the Telecom/ICT regulator have responsibilities related to e-applications and/or m-applications? Yes No

If yes, please specify:

86) NEW Has your country adopted any policy/legislation/regulation related to e-applications and/or m-applications? Yes No

a) If **Yes**, please indicate which area(s) they address:

- government services
- business/entreprise services
- employment
- education and learning
- health
- environment
- agriculture
- science
- near field communications (NFC)
- financial services/banking
- advertising
- Other:

CYBERSECURITY

Please provide below a list of entities involved in cybersecurity initiatives in your country. Please add additional organization references below as required.

87) The Telecom/ICT regulator is responsible for cybersecurity matters (if so, no need to re-enter contact details) Yes No

a) If **No**, please provide contact details for the agency(ies) in charge:

Name of the agency: _____, **and** website

Area of responsibility/activity:

Contact details of Focal Point: Name _____ and email address

Name of the agency: _____, **and** website

Area of responsibility/activity:

Contact details of Focal Point: Name _____ and email address

Name of the agency: _____, **and** website

Area of responsibility/activity:

Contact details of Focal Point: Name _____ and email address

88) Has your country adopted cybersecurity related legislation/regulation? Yes No

a) If **Yes**, please indicate which area(s) they address:

- Cybercrime
- Data protection
- Online privacy
- Online fraud
- Online gambling & gaming
- Child online protection
- Critical information infrastructure protection
- Network security
- Other:

Child online protection

89) Do you have a national focal point or agency with a specific responsibility for promoting safety on the Internet for children and young people? Yes No

a) If **Yes**, please identify this agency along with an appropriate contact.

Name of the agency: _____, **and** website

Contact details of Focal Point: Name _____ and email address

Spam

90) Has your country developed specific legislation to counter spam? Yes No

a) If **Yes**, please provide the website where related information can be found:

91) What entities are responsible for countering spam in your country?

Name of the agency: _____, **and** website

Contact details of Focal Point: Name _____ and email address

CLIMATE CHANGE

92) The Telecom/ICT regulator is involved in climate change matters (if so, no need to re-enter contact details) Yes No

a) If **Yes**, are there any specific measures in place with this regard? Please explain:

b) If **No**, please provide contact details for the agency(ies) in charge:

Name of the agency: _____, **and** website

Area of responsibility/activity:

Contact details of Focal Point: Name _____ and email address

Name of the agency: _____, **and** website

Area of responsibility/activity:

Contact details of Focal Point: Name _____ and email address

IP TELEPHONY (VOIP)

93) Does your country have policies or regulations in place that deal specifically with Voice over IP (VoIP)?

Yes No

If **Yes**,

a) What is the title of this policy/regulation?

b) Please provide the website where these can be found:

If **No**,

c) Is VoIP subject to general Telecommunication/ICT laws and regulations (e.g. there are no laws or regulations specific to VoIP)?

Yes No

Remarks:

94) Is the provision of VoIP services legal in your country?

Yes No

a) If **No**, is your country planning to legalize VoIP?

Yes No

b) If **Yes**, when?

95) Please complete the table below to describe the provision of VoIP services in your country:

96) Are VoIP providers (subject to obligations to provide access to emergency services)?

Yes No

97) Are VoIP providers subject to obligations to contribute to universal service/access?

Yes No

98) Are VoIP providers allocated PSTN numbers to assign to users?

Yes No

a) If **No**, is there a specific number range for VoIP services?

Yes No

99) Are individual users allowed to make voice over IP (VoIP) or Internet telephony phone calls?

Yes No

SECTION VII - FUTURE PLANS

100) What significant reforms are planned or anticipated over the next two years (e.g. changes to the licensing regime, introduction of spectrum trading, etc.)?

DOCUMENTATION

The ITU/BDT is compiling national policy and regulatory documents (including national policy document, national legislation, decrees, laws, latest tariff decisions, interconnection agreements, licensing agreements, digital divide initiatives, etc.) in an effort to establish a comprehensive regulatory library. We would greatly appreciate any relevant online/electronic documentation from your country.

Please add any relevant documentation that has not already been listed in your survey response.

Name	Year	Website

(Please add our email bdt-rme@itu.int to your mailing list!)

We appreciate your participation in this survey before 15 July 2012. Please note that this electronic version is only available for reference. For completing the survey through the ITU dedicated online platform, please contact youlia.lozanova@itu.int.

For more information on this and other ITU regulatory initiatives, you may consult www.itu.int/treg.

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