



ITU WORLD TELECOMMUNICATION REGULATORY SURVEY 2015

INSTRUCTIONS

It is strongly recommended to use the online version of this survey available on the ITU ICT Eye at www.itu.int/icteye. A User Guide for completing the survey online is available online at: www.itu.int/treg.

We urge you to fill in the survey online in order to prevent any possible errors that may arise by filling in this file manually.

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: 2013.

- Contact

If you at any time need help or clarifications, do not hesitate to contact:

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*Please have this survey completed by **1 September 2015**.*

INTERNATIONAL TELECOMMUNICATION UNION



WORLD TELECOMMUNICATION REGULATORY SURVEY 2015

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

What laws, decrees, legal instruments, or regulations govern the telecommunication, information, communication and media 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

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

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:

Indicate year created

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

Does the Regulatory Authority also regulate other public utilities (e.g. electricity, gas, posts, etc.)?

Yes No

If yes, please specify utilities regulated:

- Electricity
- Gas
- Rail
- Posts
- Other:

What are the reporting requirements of the **Regulatory Authority** (please check all that apply)?

- Annual report to the public
- Report to the Board of the Regulatory Authority
- Report to President/Head of State
- Report to Legislature/Parliament
- Report to Government (or Prime Minister)
- Annual report to the sector Ministry
- Report to other Ministry
- No reporting requirements
- Other:

Budget of the Regulator

Please indicate the annual budget for the Regulatory Authority for the last financial year? **(in local currency)**

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 of the operators' turnover this represents %, (indicate what percentage of the operators' turnover this represents %)
- Financial income (e.g. Investment/Deposit) %
- Other (please identify source) (and percentage) %

Who is responsible for approving the budget of the Regulator?

- President/Head of State
- Head of Government
- Government
- Sector minister
- Parliament
- Head/Board of the Regulator
- Other, please specify:

Remarks:

Leadership

Indicate name of the Head of the Regulatory Authority:

Exact title:

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)

3, 5 or 7

2, 4 or 6

More than 7

b) Number of female members

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

Yes No

Who appoints the Members and the Head?

Head of State

Head of Government

Government

Sector minister

Parliament

Board of the Regulatory Authority

None of the above, please specify:

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

Remark:

Is the term renewable?

Yes

No

Staffing

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 %

What is the estimated staff turnover each year? %

Has the Regulatory Authority set up a staff retention program?

Yes

No

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

Autonomy and structural independence

Is the Regulatory Authority autonomous in its decision-making?

Yes

No

If **No**,

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

Board of the Regulatory Authority

- Sector Minister
- Prime Minister/ Government
- Parliament
- President/Head of State
- None of the above, please specify

Jurisdiction and relationship with other entities

Does a Competition Authority exist in your country? Yes No

If **Yes**, Please indicate its name: _____, Year created

URL: _____ Email: _____

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

- Regulatory Authority
- Competition Authority
- Both Authorities, please explain
- None of the above, please explain

In what legal instruments is the provision of competition defined?

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

Where is the concept of merger defined?

- General competition law
- Telecom/ICT law
- General competition regulations, please specify**
- ICT regulations, please specify
- Operator's licence
- None of the above, please specify _____,
- Not defined.

Is the Telecom/ICT regulator involved? Yes No

If yes, please explain

Please indicate the number of mergers that occurred since 2010:

Remarks:

Are there laws, regulations or rules that require the regulator to periodically assess the state of competition in the different telecommunication/ICT markets?

Yes No

For public services not fully open to competition*, which of the following options best describes the liberalization process in your country?

- All public services not fully open to competition are in the process of liberalization.
- Some, but not all, public services not fully open to competition are in the process of liberalization.
- There are currently no initiatives/plans to liberalize public services not fully open to competition.

Note: *Fully open to competition refers to markets for which there are no regulatory restrictions on entry, such as limits on the number of licences to be assigned, high fees that in practice restrict entry, among other. For purposes of this question, such restrictions do not include foreign ownership restrictions.

Remarks:

Does a separate Regulatory Authority exist for Broadcasting and Media in your country? Yes No

Regulatory functions

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 Authority¹	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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Spectrum Management: Radio frequency assignment (licensing)	<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"/>	
Quality of service standards setting	<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"/>	
Enforcement of Quality of service obligations measures	<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"/>	
Broadcasting (TV transmission)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Broadcasting (sound 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"/>	
Media 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"/>	
Consumer protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Cybersecurity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Privacy & Data protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>*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.</p> <p>¹Note: In the case of multiple regulatory authorities, please provide the number of agencies in the text field.</p>						

SECTION III - REGULATORY ISSUES AND PROCESS

Transparency and Public Participation

Are the regulators’ decisions subject to a general administrative procedures law*?

Yes No

Note: * General administrative procedures law refers to a law that governs the process by which the regulator proposes, establishes and implements regulations, as well as provides for the review of the regulator’s decisions. The administrative procedures law may apply to all or only to specific government bodies/agencies, such as for example the NRA.

Are public consultations mandatory before regulatory decisions are made?

Yes
 No
 In certain cases, please explain

What are the timelines for consultation?

Are exceptions foreseen for urgent cases?

Is the regulator required to consider all comments filed during a public consultation and provide a reasoned decision based on the commenter’s responses?

Yes
 No
 In certain cases, please explain

Is there are formal requirement for conducting a Regulatory Impact Assessment before regulatory decisions are made?

Yes No

If Yes, which regulatory decisions are subject to a Regulatory impact Assessment?

All regulatory decisions
 Only major regulatory decisions
 Other, please specify

ENFORCEMENT*

NOTE: *ENFORCEMENT POWERS REFERS TO THE AUTHORITY AND ABILITY TO ENSURE THAT OPERATORS AND SERVICE PROVIDERS COMPLY WITH LAWS, REGULATIONS, LICENCE CONDITIONS AND OTHER LEGALLY BINDING OBLIGATIONS, AS WELL AS THE AUTHORITY TO APPLY SANCTIONS IF THESE OBLIGATIONS ARE NOT MET.

Who has enforcement powers* to adequately discharge its duties under the law?

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

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

Are there procedures in place to ensure that sanctions are: (Please check all that apply)

- Proportionate to the offense
- Reasonable
- Non-discriminatory
- Effective in remedying the violation

DISPUTE RESOLUTION*

Note: *Disputes refers to disputes other than disputes relating to small claims. Disputes would include, for example, interconnection disputes, interference disputes between radiocommunication providers, etc.

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

Is the regulator required to resolve disputes within a timeframe specified in a law, regulation or policy?

Yes No

Are decisions reported online?

Yes No

If **Yes**, please provide a website:

APPEALS

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

CONSUMER ISSUES

Is there a specific telecommunication consumer protection legislation/regulation in your country?

Yes No

Is the Regulatory Authority responsible for:

- Handling consumer complaints? Yes No
- Informing consumers of their rights (consumer education, collaboration and education of consumer associations)? 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

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:

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

- Yes No

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:

AUTHORIZATION/LICENSING*

*** Note: A licence or authorization is issued to authorize a person to provide telecommunications services or to operate telecommunications facilities. Please describe the different licensing approaches has been adopted in your country.**

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

Traditional

Service-specific individual licences/ concessions; (i.e., each type of network or service requires a separate licence; not including licences for radio frequency spectrum and numbers) number of licences issued

Converged multiservice

Multi-service individual licenses (i.e., several types of services are authorized under an individual or class licence and there may be a distinction between infrastructure/facilities-based and non-facilities based services); number of licences issued

Unified/global licences (i.e., all electronic communications networks and services are permitted under a single authorization or licence, regardless of whether they are facilities-based or non-facilities based services – there may be the need to grant rights of use for scarce resources); number of licences issued

General authorization

General authorizations (Class licences) (i.e., all electronic communications networks and services are permitted under a single authorization or licence, regardless of whether they are facilities-based or non-facilities based services); number of licences issued

Simple notification; number

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

Other, please specify

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

Is minimum capital a requirement to obtain a licence?

Yes

No

If Yes, what is the amount?
licensing criteria publicly available?

Yes

No

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) If applicable, please state amount (in USD)	Annual fee If applicable, please state amount (in USD)	License duration (no. of years)	Number of Licenses granted
		Unified/Global licence	Multi service Individual Licence	Service specific individual licence(Class)	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"/>				
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		<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"/>				
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		<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 license services: what administrative formality is an operator required to perform before he is allowed to provide services? (reply only if general authorization/class license applies in your country)

- Registration
- Notification
- Other, please specify

Are licensing agreements publicly available?
If available online, please provide a website: http://

Yes No

INTERCONNECTION

Regulatory Framework

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
- None of the above, please specify

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

Do you require any operators to publish Reference Interconnection Offers (RIO)?

- Yes
- No

If **Yes**,

a) please specify which operators

- Incumbent
- Dominant or Significant Market Power (SMP) operator(s)
- All operators
- None of the above, please specify:

and provide complete website address:

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

Are interconnection agreements made public? Yes No

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

Are interconnection prices made public?

Yes No In some cases, please explain:

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

SPECTRUM MANAGEMENT

Are spectrum licences technology neutral?

- Yes
- No
- Some, please specify:

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

If **Yes**, please provide the website:

Does your country have a National Table of Frequency Allocations? Yes No

If yes, Please indicate:

a. Is this table part of a regionally harmonised frequency allocation? Yes No

If **Yes**, please specify:

b. Is this frequency table freely available to the public? Yes No

If **Yes**, indicate web link:

Secondary Trading¹

Is secondary trading allowed? Yes No

If **Yes**

- a) Please indicate conditions and restrictions for secondary trading:
- b) Is a change of spectrum use permitted on transfer? Yes No

If **Yes** please explain procedures and Conditions

Spectrum Sharing²

Is spectrum sharing allowed? Yes No

If **Yes**

- b) Please indicate conditions and restrictions for spectrum sharing:
- c) Is a change of spectrum use permitted when sharing? Yes No

If **Yes** please explain procedures and Conditions

Refarming³

Is refarming/ in-band migration allowed in your country? Yes No

How is spectrum refarming financed in your country?

- New-comer shall deal directly with migrating users (new license “*as is*”)
- Cost of each refarming is explicitly included on fees of the corresponding new licenses
- Refarming is paid from the Licensing Authority’s Resources
- None of the above please explain:

License-exempt⁴ Regime for Wireless Broadband

Is there any licence-exempt regime for Wireless Broadband devices? Yes No

If **Yes**, please specify the specific frequency range benefited with, for the following bands, and provide website with relevant info:

- a) Below 1 GHz
- b) 2.4 GHz to 2.5 GHz
- c) 5.2 GHz to 5.8 GHz

Digital Dividend

Has the Spectrum for Digital Dividend been reallocated in your country?

Yes No

If Yes,

- a) In which year?
- b) Which frequency range(s)?
- c) To which service? Mobile Broadcasting Other (please specify)

If No, Please identify estimated date for this Spectrum re allocation and possible Frequency ranges

If the Digital Dividend was reallocated for the mobile service, please indicate the frequency arrangement (named also “Band Plan”) would be used :

Has digital dividend spectrum been assigned or set aside for PPDR mobile services?

Yes No

If Yes, please indicate:

The frequency ranges assigned in MHz:

from MHz - to MHz, and from MHz - to MHz

¹“**Spectrum sharing**”: refers to two or more radiocommunication services effectively using the same frequency band. (ITU-R SM 1132-2)

²“**Secondary trading**”: the trading of spectrum rights or licenses directly between original licensed holders and buyers or leasers

³“**Refarming**” refers to the process of reallocating a Frequency Band from a Service to another one, and the subsidiary task of releasing such a Band from the current licensed networks of the older Service, by migrating them to other Frequency Band(s) and/or other technologic Option(s).

⁴“**Licence-exempt**” Radiocommunication devices exempt from individual licensing, as they have been already authorised in a general manner to operate under a specific regulatory framework (also named *Generic Use Licensing*, or similar; i.e. Wi-Fi devices).

⁵“**Digital dividend**” refers to the spectrum to be released in the process of Analogue to Digital Television transition, and intended to be reallocated to mobile services, and then licensed to mobile operators.

MOBILE BROADBAND

Have operators been assigned spectrum for the provision of Mobile Broadband in your country (IMT services also known as 3G and 4G)?

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

Auction

Beauty contest

Other (explain)

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

Auction

Beauty contest

Other (explain)

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

Auction

Beauty contest

Other (explain)

Have operators been assigned spectrum for the provision of 4G services in your country?

Yes No

If Yes,

a) Please identify all 4G operators that have been licensed:

b) Is this service commercially available?

Yes No

c) What are the mechanisms for assigning spectrum for 4G services?

First-come, first-served

Auction

Beauty contest

Other (explain)

NUMBERING

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:

SECTION IV – UNIVERSAL ACCESS/SERVICE

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:

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

- Internet access (dial-up or not specified)
- Broadband

Other services

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

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
- Designated Universal Service Provider
- None; obligations are allocated on a competitive basis
- None of the above; please explain

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

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:

Indicate total amount collected so far (in USD):

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

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
- Promoting digital inclusion
- Other, please specify:

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
- None of the above; please identify

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

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 , %

Who is the Managing Authority of the Fund?

- Regulatory Authority
- Government Agency, please specify:
- Separate Board/Committee under the auspices of Regulatory Authority or Government Representatives, please specify:
- Separate and Independent Agency, please specify:
- None of the above, please specify:

Are operators represented on the Board/Committee? Yes No

Other financial mechanisms

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:

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

Has your country adopted an overall national development strategy, digital agenda or economic stimulus strategy including broadband?

Yes No

Has your country adopted a national overarching ICT policy or Master Plan?

Yes No

Has your country adopted any ICT policy that includes broadband?

Yes No

If **Yes**, what is the name of the policy?

Please indicate the website where the policy is made available:

In addition, has your country adopted a national broadband plan/initiative/strategy?

Yes No

If **No**, are there plans to adopt a national plan?

Yes, date No

Remarks:

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

When was the plan adopted?

What is the name of the plan (initiative strategy)?

Please indicate the website where the plan is made available:

What is the timeframe for the implementation of the plan?

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 using broadband, such as:
 - Education (incl. m/e-education)
 - Health (incl. m/e-health/telemedicine)
 - m/e-government
 - m/e-business
 - other, please specify:
- Promote the provision of broadband services to specific populations:
 - Youth
 - Persons with disabilities
 - Women and girls
 - Other, please specify:

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

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:

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

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?

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

Website: www.

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

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

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

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, please specify whom does it apply to (which kind of operators) and indicate the name of the operator(s)?

SMP/Dominant operator(s), please specify:

Incumbent, please specify:

Facility-based operator(s), please specify:

All operators, remark (if any):

None of the above, please specify:

STATUS OF THE MAIN FIXED-LINE OPERATOR(S)

Is the **main fixed-line** operator, the incumbent (or one of the incumbents) 100% state-owned?

Yes No

Main fixed-line operators

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

Please indicate name, mark (X) the relevant response and indicate date and/or percentage **for as many operators as applicable.**

Name	Operator is the incumbent	Ownership status	Market share	If state-owned		If partially or fully private/privatized		
				Operator corporatized	Operator currently in process of being privatized and percentage made available for private ownership	Degree of private ownership	Date of completion of the first privatization phase	% sold
	<input type="checkbox"/>	<input type="checkbox"/> State-owned <input type="checkbox"/> Partially-private <input type="checkbox"/> Fully private/privatized	<input type="checkbox"/> Less than 50% <input type="checkbox"/> More than 50%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> % <input type="checkbox"/> %	<input type="checkbox"/> Less than 50% <input type="checkbox"/> More than 50%		%
	<input type="checkbox"/>	<input type="checkbox"/> State-owned <input type="checkbox"/> Partially-private <input type="checkbox"/> Fully private/privatized	<input type="checkbox"/> Less than 50% <input type="checkbox"/> More than 50%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> % <input type="checkbox"/> %	<input type="checkbox"/> Less than 50% <input type="checkbox"/> More than 50%		%

*** Note: Please complete the table above following the definitions provided below:**

- ✓ **State-owned incumbent:** incumbent that has remained 100% government-owned since its creation or has been re/nationalized.
- ✓ **Partially private/privatized incumbent:** incumbent that has a portion of its shares sold to either a private operator or to the public (e.g., through Initial Public Offerings or Employee Stock Ownership Plan), with the government remaining one of its shareholders.
- ✓ **Fully private/privatized incumbent:** incumbent that is 100% private, either as a result of a privatization or created as such.

Foreign Sector Participation Is there a law/act/regulation that affects the degree of foreign participation or ownership in the ICT sector?

Yes No

If **Yes**, Is there any restriction to foreign participation or ownership in the telecommunications/ICT sector in your country?

No restrictions to foreign private ownership Some restrictions to foreign private ownership exist

Is **foreign participation** or ownership **limited** in the following market segments: (please click the box of the respective type of ownership for each category)

Market segment	Type of ownership				
	No restriction (100%)	Controlling interest (51-99%)	50%	Minority interest (1-49%)	No foreign ownership allowed
Facilities-based operators	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Spectrum-based operators	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Local service operators	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Long-distance service operators	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
International service operators	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Value-added service providers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Internet Service Providers (ISPs)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other categories, please explain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Do national, state or provincial government have special voting rights (e.g. golden shares) in foreign firms in the sector?

Yes No

With regard to areas such as interconnection, spectrum allocation, numbering, universal access or else, are there different provisions/requirements for foreign applicants/suppliers/licensees?

Yes No

If yes, please list the differences

Is greenfield investment by foreign operators allowed?

Yes No

If yes, what is maximum percentage allowed

LEVEL OF COMPETITION

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)	Duration (in years) of monopoly or exclusive rights
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"/>		
BSS (Satellite TV)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Mobile Broadband	<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

ACCESSIBLE ICTS

Have you established a regulatory framework to ensure ICT accessibility for persons with disabilities? If so, please indicate which areas are addressed by your ICT accessibility regulatory framework (Check as many as are established):

- Mobile communications accessibility
- Television/video programming accessibility
- Web accessibility
- Public ICT accessibility (e.g. payphones and telecentres)
- Public procurement of accessible ICTs
- Other, please specify

E-APPLICATIONS

Does the Telecom/ICT regulator have responsibilities related to e-applications and/or m-applications?

- Yes No

a) If yes, please specify:

Has your country adopted any policy/legislation/regulation related to e-applications and/or m-applications?

- No Yes

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

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

OVER-THE-TOP PLAYERS (OTTs)

Does the Telecom/ICT regulator have the jurisdiction to regulate Over-the-Top players (OTTs, e.g., companies producing Internet content, value-added services providers) ?

- Yes No

a) If yes, please specify:

b) If no, are there plans to adopt a regulatory framework for OTTs?

- Yes No

Has your country adopted any policy/legislation/regulation related to OTTs?

- Yes No

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

- Social media & pure OTTs
- Content Delivery Networks (CDNs)

Other, please specify

INTERNET OF THINGS

Does the Telecom/ICT regulator have responsibilities related to Internet of Things (IoT) or Machine-to-Machine communications (M2M)?

Yes No

a) If yes, please specify:

b) If no, are there plans to adopt a regulatory framework for IoT and/or M2M?

Yes No

Has your country adopted any policy/legislation/regulation related to IoT or M2M?

Yes No

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

- Internet of Things
- Machine-to-Machine communications
- Smart Cities
- Smart Health
- Other, please specify

CYBERSECURITY

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

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

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

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

Has your country developed specific legislation to counter spam?

- Yes
- No

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

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

COUNTERFEITING

113) Does the Telecom/ICT regulator have responsibilities related to ICT counterfeiting (e.g., fake mobile phones, smartphones, computers, any network or other computing equipment components)?

- Yes
- No

a) If yes, please specify:

b) If no, are there plans to adopt a regulatory framework for ICT counterfeiting?

- Yes
- No

Has your country adopted any policy/legislation/regulation related to ICT counterfeiting?

- Yes
- No

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

CLIMATE CHANGE

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)

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:

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?

Are VoIP providers (subject to obligations to provide access to emergency services)? Yes No

Are VoIP providers subject to obligations to contribute to universal service/access? Yes No

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

Are individual users allowed to make voice over IP (VoIP) or Internet telephony phone calls? Yes No

SECTION VII - FUTURE PLANS

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

We appreciate your participation in this survey. Please complete and return the survey before 1 September 2015.

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

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