



TRR PUBLIC NOTICE: 13 February 2014

TRR Clarifies its Position on Wholesale and Retail Provision of Telecommunications Services

As the regulatory agency for the telecommunications and radiocommunications sector of Vanuatu, the Office of the Telecommunications and Radiocommunications Regulator (TRR) wishes to officially respond to queries/debate raised in the Media and on Facebook-YTS, and clarify its position and view in relation to wholesale telecommunications services provision in Vanuatu.

In accordance with the Telecommunications and Radiocommunications Regulation Act No. 30 of 2009 (the Act), a telecommunications service is defined as “a service to provide any form of telecommunication to or from any place in Vanuatu, by means of a telecommunication network, where that service is provided, directly or indirectly, to the public or to any person outside Vanuatu...” A key role for TRR under the general functions of the Act is to facilitate the provisions of the Act.

TRR takes a “light touch” approach to its telecommunication regulation in Vanuatu, and wishes to maintain that style of regulation. We see it as the most appropriate method for the sector as it encourages and facilitates healthy and sustainable competition, and is inductive to industry working cooperatively towards the supply and delivery of telecommunications services for the people of Vanuatu. Apart from interconnection services, our focus is to regulate at the retail level market where telecommunications services are provided to end-users (customers) of such services.

TRR’s view is that the selling of wholesale services between or amongst service providers and/or any person to any service provider at a wholesale level is a commercial matter. TRR does not wish to regulate any pricing at such a level unless, by mutual agreement, concerned parties refer it to the Regulator for determination.

TRR recognizes its obligations in terms of facilitating the provisions of the Act, and is of the view that issuing a telecommunications licence to wholesale providers is not necessary, nor required. It is TRR’s view that issuing an exception license is an appropriate mechanism to ensure that any person wishing to become a wholesale service provider, but not at a retail level, complies with the requirements of the Act.

The Licence regime in Vanuatu operates under a unified licensing arrangement and, as such, allows a service provider to provide services within the retail and also in the wholesale market as well.

TRR is also considering its position on the resale of telecommunications services within the retail level market in Vanuatu, particularly the provision of Wi-Fi hot spots for internet access at Hotels, internet cafes, etc., and will shortly release its views.