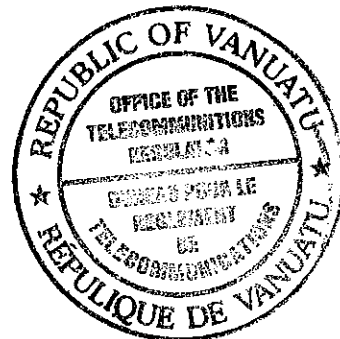


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@ 10:10am
13/2/2012



REPUBLIC OF VANUATU

**TELECOMMUNICATIONS AND
RADIOCOMMUNICATIONS REGULATION ACT NO.
30 OF 2009**

Notice for Suspension

In exercise of the powers conferred on me by paragraph 6(1)(d) and according to the process outlined in subsection 6(2) of the Telecommunications and Radiocommunications Regulation Act No. 30 of 2009, I, the Honourable HARRY IAUKO IARIS Minister responsible for Telecommunications, make the following Notice.

1 Notice for suspension

The Regulator Mr. Allan Horne is given 28 days notice commencing from the date on which this Notice takes effect for his suspension.

2 Reasons for suspension

The reasons for the suspension are as set out below:

- (a) the Regulator has failed to fulfil his statutory duties, functions, powers and responsibilities under the Telecommunications and Radiocommunications Regulation Act No. 30 2009 by contracting with incite on behalf of the Regulator and the Minister of Infrastructure and Public Utilities without the statutory right to do so, without the approval of the Council of Ministers. This has created a serious financial risk for the Government;
- (b) The Regulator has failed to fulfil his statutory duties, functions and responsibilities of advising the Minister of Infrastructure and Public

Utilities on policy and has demonstrated a complete disregard for the policy-making intentions and activities of his Minister;

- (c) The Regulator has failed to respect his statutory duties, functions and responsibilities under the Telecommunications and Radiocommunications Regulation Act No. 30 of 2009 by failing to act impartially, independently and transparently in the performance of his responsibilities, functions, duties and powers under the Telecommunications and Radiocommunications Regulation Act No. 30 of 2009 and other laws, particularly with respect to the assessment by the Regulator of cases concerning potential breaches of the Telecommunications and Radiocommunications Regulation Act No. 30 of 2009 and of reviews of previous decisions of the Telecommunications and Radiocommunications Regulator;
- (d) The Regulator has failed to respect his statutory duties, functions, powers and responsibilities under the Telecommunications and Radiocommunications Regulation Act No. 30 of 2009, by imposing cost modelling on service providers in unlawful circumstances and by abusing his information gathering powers.

3 Opportunity to respond to the reasons for suspension

The Regulator may within the 28 days notice period provide to the Minister a response to the reasons for suspension.

4 Commencement

This Notice commences on the day on which it is made.

Made at Port Vila this 10th day of February 2012.



Honourable HARRY IAUKO IARIS
Minister responsible for Telecommunications

