

Telecommunications Class Exception issued to Suppliers of Wi-Fi Internet

TRR has developed and released a Telecommunications Class Exception for “On Premises Supply of Wi-Fi Internet Connectivity by Hotels, Cafés, Bars, Clubs, Restaurants and Like Businesses”. All entities listed are exempted under this Exception on the date signed by the Regulator, as long as long as they comply with the stated terms and conditions. There is no fee charged on the Exception.

Provided that the provision of wifi internet falls under the definition of telecommunications service as defined under the TRR Act, this Exception exempts them from being subjected to the obligations imposed by the TRR Act, such as the UAP obligation and the requirement to pay a telecom licence fee. The entities covered by the Exception are not retail Service Providers therefore telecom licensees must not treat them as such. Where any entity concerned feels that it was treated in a discriminatory way by a telecom licensee, it may file a formal complaint to the Regulator.

The Exception does not give any right to the beneficiaries to charge excessive pricing for access to wifi internet or to make false and misleading statements with regard to pricing. The Regulator has the power to require them to produce documents, to enter into their premises and to question them, for monitoring purposes. Any person breaching the terms and conditions of the Exception is liable to a fine not exceeding five million vatu.

Customers of hotels, cafés, bars, clubs, restaurants and like businesses should have knowledge, and be made aware of, those terms and conditions.