



ANNUAL REPORT 2018

A communications environment that enriches the social,
cultural, customs and commercial fabric of Vanuatu



Telecommunications,
Radiocommunications &
Broadcasting Regulator



In accordance with section 11 of the amended Telecommunications, Radiocommunications and Broadcasting Regulation Act No. 30 of 2009, amendment No# 22 of 2018, (hereinafter referred to as “the Act”) the Regulator must provide the Minister with an Annual Report as follows:

11 Annual report

- (1) The Regulator must provide to the Minister an Annual Report including, but not limited to:
 - (a) a summary of the activities of the Regulator, and
 - (b) such financial statements and auditor’s reports as are required by this Act or other law; and
 - (c) a list of all entries and deletions to the Register in the preceding year; and
 - (d) a summary of material litigation involving the Regulator; and
 - (e) a list of consultants and advisors retained by the Regulator and a description of the matters in relation to which they have consulted or advised.
- (2) A contravention of subsection (1) is deemed to be a serious breach of duty by the Regulator.
- (3) The Annual Report provided to the Minister pursuant to subsection (1) must be made available to the public on the website.

This Annual Report for 2018 is provided for general public and TRBR’s stakeholder transparency and to fulfil this obligation.

30 August, 2019

Honourable Prime Minister
Honourable Charlot Salwai Tabimasmās
Minister Responsible for Telecommunications & Broadcasting
PMB 9057, Port Vila

Dear Honourable Prime Minister,

It is a great pleasure and honour for me to provide you, as the Prime Minister and Minister responsible for Telecommunications and Broadcasting Services, with TRBR’s 2018 Annual Report; my first report as the newly appointed Regulator for the two sectors, Telecommunications and Broadcasting.

TRBR, under its amended legal mandate in Section 11 of the Telecommunications and Radiocommunications Act of 2009 (the Act), is obliged to provide an Annual Report for each calendar year to the Honourable Minister, Minister responsible for Telecommunications and Broadcasting. Since the establishment of the TRBR in 2008 (formerly known as TRR), it has been faithfully enforcing and delivering on this important obligation.

Section 11 of the amended Act, clearly stated that

11 Annual Report

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 - (d) a summary of material litigation involving the Regulator; and
 - (e) a list of consultants and advisors retained by the Regulator and a description of the matters in relation to which they have consulted or advised.

This Report fulfils that objective and legal requirement on TRBR for its work carried out in 2018 and also transparently informs our many stakeholders of TRBR’s recent activities.

Despite the demanding, difficult challenges that the institution and the TRBR is going through, the TRBR is at all times being professional, maintaining positive working relationship with respective Government institutions and continues to have great respect for you Hon. Prime Minister, being the Minister responsible for Telecommunications and Broadcasting. Similarly, this approach is applied to all other Government institutions.

As such, the TRBR continues to fulfil its role observing and implementing its mandatory functions and obligations as stipulated in Section 7 (12) of the Act, particularly where the Acts stipulates “The Regulator must act independently and impartially in performing its responsibilities, functions, duties and powers set out in the said section of the Act and other related laws of Vanuatu.”

I also wish to report to you Hon. Prime Minister that the TRBR has, at all times, adhered to this critical responsibility and acted fairly, independently and impartially in performing all of the functions under the Act.

It important to inform you that it has never been easy for the appointed former Regulator, Ms. Dalsie Baniala to remain balanced, fair and just in all her decisions given that Vanuatu’s cultural and political environment does not support the approach. However, I am pleased to inform you that the former Regulator has been able to do just that. She took a strong stand and enforced all aspects and, particularly, the mandatory obligations of the Act, and making independent and impartial decisions, determinations and orders as the outcomes of TRBR’s work. As an outcome of one such strong stand, Vanuatu has continued to enjoy the benefit of international awareness of the country and in TRBR being a recognised benchmark regulatory institution both at the national, regional and international level.

This positive recognition has hugely contributed to bring the ITU-D Global Symposium for Regulators, as you are aware of, that will be happening in July, 2019, here in Port Vila. In that regard, we thank the Government of today for the support in making a commitment to host the second biggest ITU event for the first time in the Pacific Region.

2018 saw a continuous increase on broadband coverage and at the same time over 30% of mobile subscriptions since the last quarter of 2017. The services are increasingly affordable as reflected in TRBR’s 2018 sector report.

The above achievements listed did come with major and difficult challenges attributed to the nature of the country.

The outcome of the ITU 2017 ICT Regulatory tracker in 2018 has placed Vanuatu in Generation 3 of the regulatory regime, a regime which signals that Vanuatu is the only Small Island State with the generation of such regulatory regimes that enables investment, innovation and access, dual focus on stimulating competition in service and content delivery and consumer protection. TRBR wishes to recognise the Government’s contribution in bringing Vanuatu to that level of regulatory regime.

Being the Legislated Deemed Regulator and having interactions and providing oversight on the TRBR’s operation over the last six months, I am strongly of the view that the institution always has been and remains an effective and competent body with empirical evidence to back up their views and decisions, the ongoing maintenance of regulatory operations and decision making, free of any external interferences that contribute to making effective decisions which have been realised.

This year, as reported on above, TRBR continues to hold its status as the exemplar Regulator in the region and further raised the bar on Vanuatu’s standing in the region by supporting the Government in the overall coordination of the upcoming Global Symposium for Regulators GSR19.

This 2018 Annual Report provides detailed information of the activities the TRBR has engaged in during the year and also includes its financial statement (find attached). A soft copy of the reports are also available from the TRBR’s website at www.trbr.vu for our stakeholders and interested parties/persons; particularly those who may not have received or be able to access a hard copy of the Report.

I am proud to inform you that despite the challenges and heavy pressures faced, the former regulator and her team have done this country proud and the TRBR, under her leadership, has met all of the institution’s key deliverables and outcomes expected as outlined in this Report.

There are several highlights outlined in this Report. However, the main highlight that I wish to report to you is another reduction of the International capacity internet bandwidth at a wholesale level which has indirectly benefited consumers in terms of lower prices and promotional offers currently offered by existing operators, TVL, Digicel, Wantok and others.

Other highlights include the operators continuing to upgrade all of their tower sites across Vanuatu to 3G+ and the roll out of 4G network in the main communities and centres of the main islands of Vanuatu.

During my term as the newly appointed Regulator, I assure you that the TRBR will always continue to fulfil its role in ensuring appropriate legislative instruments are developed only where required; licence conditions are fairly enforced; broadcasting regulatory activities will be worked on particularly focusing on improvement of licensing framework and the citizens of Vanuatu be protected from ill treatment by the Service providers.

TRBR will continue to keep you regularly abreast of telecommunications and broadcasting market developments and will provide you with its support in achieving the Government’s ICT objectives.

Yours faithfully,



Brian Winji
Telecommunications, Radiocommunications & Broadcasting Regulator

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A message from the Regulator



It is with pleasure that I, as the Regulator provide this TRBR's 2018 Annual Report; my first Report as the newly appointed Regulator.

TRBR, under its legal mandate in Section 11 of the Telecommunications and Radiocommunications Act of 2009 (the Act), is obliged to provide an Annual Report for each calendar year to the Honourable Minister, Minister responsible for Telecommunications/ICT and Broadcasting. Since the establishment of the TRBR in 2008, formerly known as TRR, it has been faithfully delivering this important obligation.

Section 11 of the amended Act, clearly stated that

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 - (d) a summary of material litigation involving the Regulator; and
 - (e) a list of consultants and advisors retained by the Regulator and a description of the matters in relation to which they have consulted or advised.

This report fulfils that objective and legal requirement on TRBR for its works carried out in 2018 and also transparently informs all our stakeholders of TRBR's recent activities. TRBR has in the last 12 months fulfilled its roles and strictly observed its mandatory functions and obligations particularly Section 7(12) of the amended Act, enforcing the said section of the amended Act has signalled its fairness, balance views and decisions in carrying out required regulatory functions.

Brian Winji

Regulator



This report fulfils that objective and legal requirement on TRBR for its work carried out in 2018 and also transparently informs all our stakeholders of TRBR's recent activities.

Additionally, enforcing such mandatory obligations is also signalling to its stakeholders both internationally and regionally that the regime is effective and enables and facilitates a successful sustainable and fully competitive telecommunications sector in Vanuatu.

2018 is again another demanding, challenging and difficult year, but at the same time fulfilling year for the outgoing Regulator. The Broadcasting Regulatory Functions is transferred to the TRR sphere. TRBR's key staff members have left because they have completed their contracts and the Regulator's contract term has also come to an end in December 1, 2018. The recruitment for the new Regulator has been very slow to cater for transition from the former Regulator to the new one. There was also a litigation between the former TRBR Ms. Dalsie Green Baniala and the Hon. Prime Minister, Minister Responsible for Telecommunications, Radiocommunications and Broadcasting, Hon. Charlot S. Tabimasmas and the Chief Information Officer Mr. Gerard Metsan. The litigation ended at a Supreme Court hearing. The Supreme Court ruled in favour of the TRBR. With so many happenings throughout

the year, the Former Regulator continued to maintain her professionalism and kept the institution's credibility and integrity intact.

I am strongly of the view that such Regulatory Institutions must at all times be respected given that the nature of obligated responsibilities are unique and challenging at most times. Importantly, TRBR must be free from any external interference in decision making for it to continue to drive and maintain sustainable market competition in Vanuatu and to keep the state of the market competition environment sustainable, attractive, healthy and orderly at all times and especially where the market is also experiencing global technological evolution pressures.

Together with the national pressures experienced, TRBR is also experiencing global pressure on technological evolution. This means the TRBR will need to invest more of its efforts in getting the key stakeholders to understand the impact of these changes and obtain their cooperation and support on the development of the appropriate regulatory framework to regulate the impact the citizens will experience.

In 2018, we continued to uphold, build and further raised the bar on Vanuatu's standing in the region. The 2017 ITU ICT Regulatory Tracker released in 2018 saw Vanuatu's regulatory regime being listed in the top ten regulatory regimes in the Asia Pacific region. Vanuatu's Regulatory Regime is listed under Generation 3 regime which promotes an "enabling Environment, investment, innovation and access dual focus on stimulating competition in service and content delivery and consumer protection."

Building from previous years, TRBR continues to extensively assist, promote and support Vanuatu's strategic and economic gains. The gains have contributed to increasing Vanuatu's visibility, the Government's integrity and credibility at an international level, directly led to attract more international Government to Government relationships and Donor Partners into Vanuatu and the region.

On the other hand, TRBR continued to experience considerable harsh, unfair and unjust criticism and substantial external pressures. Very disappointingly, this has included the approval of an amendment to the TRBR legislation which has

not been consulted with the TRBR and her team. The amendment was approved in the Parliament without TRBR's input on the content of the amendment of the legislation. This is concerning given the outcome of the approval will also heavily impact on TRBR's operations and importantly on ensuring the mandatory sections in the Act take into considerations broadcasting activities.

Despite all these challenges and developments, I am very happy to report that the TRBR team met all deliverables and outcomes expected in the TRBR 2018 and onwards Work Plan. There are a number of activities highlighted in this Report including:

- the completion of the implementation of the Government's UAP Policy;
- the release of 2018 Sector Report;
- TRBR's collaboration with the Rural Community Representative on measuring of network signal strength;
- Telecommunications/ICT Access enhancement in rural communities;
- Approved Type Approval and Conformity Standard Regulations;

- Improvement on effectiveness of Quality of Service Monitoring and Performance Indicators;
- the release of Telecommunications Consumer Experience Report;
- TRBR's new look of Website upgrade;
- continuous roll out of consumer Education and awareness across Vanuatu;
- successful coordination of the Asia Pacific regional Internet Governance Forum;

More highlights are listed in the report.

The recent commercial arrangements at the wholesale level on cost of international internet capacity have also positively contributed on the roll out of mobile data services across Vanuatu. At the retail level, the mobile subscription again has grown by 10% and data service price continues to drop. The mobile prepaid average price continues to remain below 1vt/MB where Post Paid average price fluctuate in quarter 4 of 2018 due to a slight fall in mobile data traffic, 5% fall in mobile data traffic. A cause of the fall in post-paid mobile data traffic will be further investigated in 2019 and onwards.

Another important contribution to the increase in the use of mobile data in 2018 is the continuous reduction of price for handsets including those that support 4G services. The cheapest available 4G smart phone has moved as low as 4000VT in 2018 with free data for limited periods.

The overall trend indicates the start of a decline in average prices for both prepaid and post-paid; with prepaid prices falling in a faster rate.

This Report shows that there is continuous development of, and increased strength growth in the telecommunications and radiocommunications sector in Vanuatu leading to increased growth in the economy together with the flow of benefits to Consumers.

Therefore, TRBR will continue to fulfil its mandatory obligations and will continue to make independent, fair and balanced decisions to ensure there is always sustainable market competition and consumers are more informed to make informed choices.

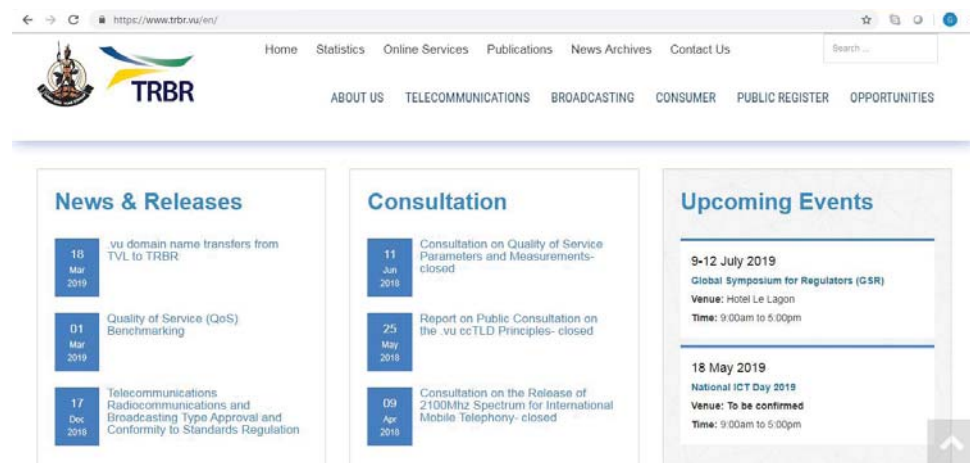
Summary of Activities for the TRBR throughout

2018

1 2018 Highlights

1.1 TRBR's New Look – www.trbr.vu

During June's Parliament session, one of the Bills tabled at the Government's Parliament Chamber was the amendment of Telecommunications and Radiocommunications Regulations Act, 2009 to include Broadcasting regulatory functions; with the Act now entitled the Telecommunications, Radiocommunications and Broadcasting Regulation Act, Amendment No# 22 of 2018. This amendment was made to cater for transfer of broadcasting regulatory functions from VBTC to TRR leading to a change of name to the organisation, now called the Telecommunications, Radiocommunications and Broadcasting Regulator (TRBR). Although the move was perceived to be an achievement, it was also a huge move and test for the TRBR as to whether it is financially ready to receive the transfer of work load. The transfer was also timely as the TRBR was working on upgrading the look of its website. TRBR is proud to show the world its new look which now include Broadcasting activities.



1.2 TRBR's preparation towards the ITU-D Global Symposium for Regulators 2019, Vanuatu

The Global Symposium for Regulators (GSR) 2018 on a theme "New Regulatory Frontiers" has gathered together 666 regulators and non-regulators across the globe, in Geneva, Switzerland. The Vanuatu delegation was part of the event. The delegation included the Police Commissioner, the Manager ICT Policies OGCI, Office of the Prime Minister, the Regulator and one of her team, as well as a consultant from Pacific Group Limited. Although the Regulator was invited to be one of the speakers of the event, the Delegation was there specifically to observe arrangements and other coordination of the GSR given Vanuatu will be hosting the 2019 meeting. Highlighted during the 2018's event was the Regulator's participation as one of the speakers. *The Regulator also moderated a session on Digital Transformation: mastering the new regulatory frontiers.*

All the delegations participated in the event. As an outcome of Vanuatu's participation, the Vanuatu team has put together information to support its preparations for 2019. At the same time the delegation participated in discussions on regulatory best practices where all Regulators' across the globe together recognized that flexible and innovative policy and regulatory approaches can support and incentivize digital transformation. The best practices in this regard would allow the regulators to respond to the changing landscape and address the continuing need for secure and reliable ICT infrastructure, affordable access to and delivery of digital services, as well as protect consumers and maintain trust in Telecommunications/ICTs. The Regulators therefore identified and endorsed the regulatory best practice guidelines on new regulatory frontiers to achieve digital transformation.

The delegation also had the opportunity to meet with the Secretary General for the ITU Mr. Houlin Zao and the Director for ITU-D, Mr. Brahima Sanou. (More information can be read in page 37 – 38 of this report).



Photo right featuring the delegation - from left to right, Mr. Ioane Korovuki, Regional Director, Asia Pacific; Mr. Noah Kouback, Minister Counsellor; Ms Florence Bellon, Event Coordination Consultant; Mr. Albert Nalpini, Police Commissioner; Mr. Houlin Zao – ITU Secretary General; Dalsie G. Baniala, Regulator Vanuatu; Mr. Jackson Miake, ICT Policy Manager; Mr. Jean Paul Malessy, TRBR's ICT/IT administrator.

1.3 Former Regulator's Successful Completion of Contract Term

Ms Dalsie Baniala, as the first Ni-Vanuatu and first female Regulator at all times fulfilled her role and, thus, TRR's/TRBR's role, observing and implementing mandatory functions and obligations as stipulated in section 7 (12) of the amended Act. However, this has not been an easy executive for her, especially given the political pressure she has encountered throughout 2017 and 2018, to undertake the key requirement of the said section of the Act which clearly outlines that *"The Regulator must act independently and impartially in performing its responsibilities, functions, duties and powers set out in the said section of the Act and other related laws of Vanuatu."*

Vanuatu's standing and integrity through its regulatory regime and framework is one of those that are unique and for TRR/TRBR to continue to be an exemplary Regulator and recognised at a regional and international level has been remarkable. Thus, the need for the Regulator to at all times ensure the integrity of the institution is maintained and abides by its established mandatory obligations has placed great external pressure on the Regulator and TRR/TRBR.

The Regulator must, at all times, adhere to this critical responsibility and act fairly, independently and impartially in performing all of their functions under the Act and especially in decision making, is critical for the industry and especially for the consumers to positively reap benefits.

It is an achievement for the Ni-Vanuatu Regulator to have professionally completed her 3 year contract term in an environment where business operation is at times politically driven or politically influenced. It is an achievement too for the TRBR, as an institution, the consumers, the Industry and importantly the potential Regulators to look up to and learn from her experiences for more and continued improvement of the regulatory regime required for the Vanuatu Market in Telecommunication and Broadcasting industries.



1.4 Completion of TRBR's Implementation of the Governments 2013 UAP

Building on from the 2017 activities and annual update reporting, the implementation of the Government Universal Access Policy (UAP) has come to its end. The Government has fulfilled its policy objectives and TRBR has delivered on the required outcomes.

Based on the 2009 national census, 98% population coverage was estimated and agreed on by the Government in 2013. The players (TVL and Digicel) with the TRBR supervision, have achieved the requirement of 98.8% population coverage. The confirmation of the coverage was undertaken through a predictive coverage analysis conducted by an external consultant. This analysis took data from previous spectrum and radio infrastructure audits, UAP site information, existing commercial site information, Vanuatu terrain maps, in field coverage measurements and 2009 census, to model the anticipated coverage against population. The analysis of the predicted coverage audit has confirmed that 98.8% population of Vanuatu has the ability to access mobile voice and narrowband data service.

Both Digicel and TVL have invested over 1.6 billion Vatu on the implementation of the UAP requirements, in which 21 new towers were erected and in operations in uneconomical areas and 97% of all tower sites were upgraded from 2G to 3G. Improvement in the operators network has also seen the roll out of 4G(LTE) services to the main Islands (Santo, Malekula, Pentecost, Efate and Tanna) concentrated on the populated centers. With the Satellite Broadband, Vanuatu is 100% geographically covered. While the UAP requirements were met, some inhabited areas of the country may still experience lack of network coverage. The TRBR in its approach to address these issues, will conduct a quality of service and coverage audit on the operators' network. The analysis obtained from this activity will determine a way forward on the solutions to address the remaining underserved and unserved areas. It is inevitable that collaboration at all levels of service delivery is now critical than ever to ensure accessibility to the last mile.

Photo featuring TVL's launching of a new UAP site at West Coast Santo, by Hon. Minister Alfred Maoh, Minister for Lands.

1.5 TRBR's Collaboration With Community Consumer Champions Measuring Network Signal Strength

TRBR, through its responsible officers and the assistance and support of the TRBR Community Consumer Champions (CCC) based in respective rural communities across Vanuatu has positively collaborated to understand the cause of limited coverage in respective identified communities across Vanuatu. This exercise is done through Network Cell Infor Lite, a mobile app that can detect coverage signals. The information collected is then passed on to the TRBR officers for their assessment and reporting to the Regulator for decision making on next action plans. (Refer to page 45 for more information)



SIGNAL STRENGTH		
RED	No Signal	Geographically blocked/Dense Vegetation
ORANGE	Low/Weak Signal	Limited Voice and SMS only
YELLOW	Medium Signal	Voice, SMS and Slow Data
GREEN	Good/Strong Signal	All Services Accessible

Photo: featuring TRBR's Engineer assisting one of the Community representatives on how to measure network coverage using his cell phone and the example of the outcome

1.6 Telecommunications/ICT Access & Service Enhancement in Rural Communities

The TRBR has, over the past years, injected funds into the Universal Access Fund (UAF) Trust Account. A portion of the funds injected into the Account are ring fenced to support any approved UAP projects or initiatives that will positively impact the Ni-Vanuatu's lives in respective rural areas of Vanuatu. TRBR through its universal access policy unit initiated an exciting project called Community Telecommunications Grant (CTG). The initiative is aimed to assist in providing access, connectivity and services to communities and citizens of Vanuatu, and to support the enhancement of telecommunications and ICT development within communities that will enjoy the benefit of the project.

This year saw three organisations that were beneficiaries of this initiative. Brenwei Primary School in North West Malekula, Pepeyo Community Cultural and Educational Village and Further Arts were awarded with this Grant to implement and support their project initiatives. Pepeyo was awarded the Grant to support mobile computer training within communities from east to north of Efate training children and adult on basic hands on computing and online safety. The Brenwei students and teachers including the surrounding communities have also benefited from the internet access provided to support and strengthen its library (e-library) with the focus on enabling its teachers and students to obtain resourceful information online. Further Arts <http://www.furtherarts.org/> on the other hand was awarded the Grant to improve and strengthen its storage capacity that will assist with providing enough virtual space for video content. Short films produced show traditions of Vanuatu and the impact of technology on Vanuatu's urban and rural communities. (For more information go to page 48 to 49, under the heading Community Telecommunications Grant).



Photos from top: featuring the children enjoying Pepeyo's mobile training and photo featuring two students enjoying e-library in Brenwei, Malekula



1.7 Telecommunications 2018 Sectoral Report

Vanuatu's telecommunications sector has witnessed significant change over 2017 and further during 2018. The roll out of extra tower sites through the implementation of the Government's UAP has contributed to this growth. Additionally, the increase in availability of 3G+ and 4G also contributed to the growth of the market and importantly the review of wholesale price led to more data promotions thus stimulates more uptakes of internet services. Some key highlights from the Sector report include:

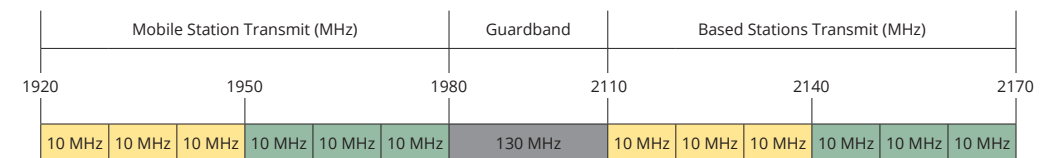
- Total market revenue increased by 20% to exceed VUV5.3billion;
- Mobile subscription grew by 4% in 2017;
- Mobile penetration increase to 82%;
- Mobile data subscription grew by 24%;
- Mobile data downloads increased by 143% to 663 terabytes in 2017 and
- Mobile voice revenue and SMS volumes continued to decline in line with substitution by Over The Top Services (OTT)

The 2018 data reporting will be reported on in the 2019 Sector Report.

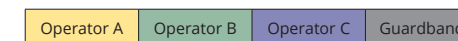
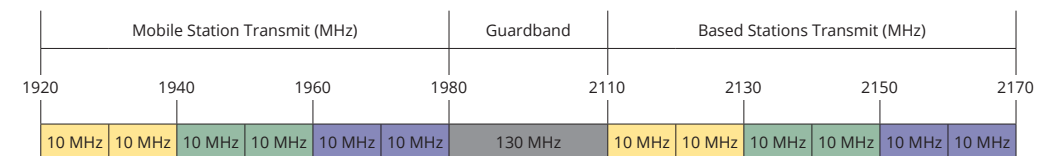
Note – Hard Copies of sector reports are available at TRBR Office or visit TRBR website for more information

1.8 Release of 2100MHz Spectrum for International Mobile Telephony

1. Two Operators: FDD 3 x 10 MHz Pairs



2. Three Operators: FDD 2 x 10 MHz Pairs



Vanuatu will no doubt continue to encounter global pressure on technological evolution. Considering the need for the mobile operators to meet consumer demand and, particularly to support the increase of mobile telephony and data services, TRBR has consulted on, assessed responses received from operators and determined the release of 2100MHz spectrum band ranges from 1920MHz to 2170MHz for International Mobile Telephony applications in Vanuatu.

The impact of such releases of the spectrum band will contribute to quality of consumer experience, particularly accessing reliable high capacity using data services.

Picture above showing the allocation of the spectrum ranges

1.9

Asia Pacific Regional Internet Governance Forum (APRIGF – 2018)

Asia Pacific Regional Internet Governance Forum (APRIGF) is a platform that was established to serve as the internet community members, on discussions, exchange and collaborations at the regional level on internet matters. It also contributes with aggregating national IGF discussions where required within the Asia Pacific region. Vanuatu is a member of APRIGF. The APRIGF event was approved by respective stakeholders including the Government of Vanuatu and management of APRIGF two years ago for Vanuatu to host the event.

APRIGF forum was held at the Iririki island resort in Port Vila, Vanuatu and promoted a theme **'Build an Affordable, Inclusive, Open and Secure Internet Environment.'** This is the first time the APRIGF was ever held in the Pacific. Over 300 officials across Asia Pacific and other interested countries attended the 3 day forum. The event was officially opened by the Honourable Prime Minister of Vanuatu at the same time Minister responsible for Telecommunications/ICT and Broadcasting, Hon. Charlot Salwai Tabimasmas. Many people in Vanuatu had the opportunity to meet one of the fore fathers of Internet Dr. Vin Cerf who used his valuable time to join the internet community during the event.

Global participants gathered to discuss issues related to internet access and empowerment, Cybersecurity, Digital Economies and Emerging Technologies, Diversity and Multi-stakeholder participation in Internet governance forum and online privacy and protection. TRBR and the Government of Vanuatu through OGCI wish to thank all its sponsors for their valued support towards this important event. (For more information, go to page 70 to 71 of this report)



Photo featuring one of the "Fore Fathers of Internet" Dr. Vinton Cerf and the Honourable Prime Minister for Vanuatu, including other Ministers for Solomon islands, Samoa and other near by countries, at the front row. TRBR co-hosted the Asia Pacific Regional Internet Governance Forum (APRIGF) in August, 2018.



1.10

<https://www.shopvanuatu.vu/>

During the celebration of Women and Girls in ICT, on last Thursday of April in 2018, TRBR and its key stakeholders launched Shop.vu (<https://www.shopvanuatu.vu/>), a website created for the mothers to assist them in selling their tourist artifacts. The Vanuatu Women and Girls in ICT have a vision on promoting ICT for all women in all aspects of lives including women in businesses. For this year's celebration of Women and Girls in ICT, TRBR supported the women at the market, the market vendors who are operating businesses on sale of artifacts, handicrafts, and green vegetables to local and international market.

TRBR's contribution is mainly to utilise telecommunications to enhance and boost the sale of their agricultural products, handicrafts and other business operations through shop vanuatu.vu, a website that is expected to boost their sales and revenue. Further, ICT and internet can provide appropriate solutions to issues which the mothers are facing such family issues when the mothers are physically in town selling their products. (Additional information can be read on page 82 of this report).

Photo featuring a happy mother with her products that were uploaded on website for sale.



1.11 Celebrations of World Consumer Rights Day – 15 March

This year's World Consumer Rights Day celebration has signalled that there is a greater need for Vanuatu citizens to have access to a Consumer Rights & Protection body that will effectively and efficiently cater for consumer issues that they are facing in their daily lives. The bottom line for all discussions and presentation was based on the idea of establishing a recognised body that will stand up for the rights of consumers for all services and products offered in the market in all sectors. Highlighted during the day, all organisations including Price Control Unit, Women against Crime and Corruption, Customs and Inland Revenue, Police Crime Prevention Unit, Telecom operators, Hotels and Resorts representation, school children and many more, all saw the need for such a body. The 2018 Consumer Rights Day celebration was a successful one. (More detailed information can be found in page 42 of this Report).

Photos featuring some activities happening during the celebrations



1.12 World Telecommunications and Information Society / National ICT day

Building on from previous annual celebrations of the World Telecommunication and Information Society (WTISD)/ICT day in Vanuatu, and as part of TRBR's core functions on consumer protections, TRBR coordinated and facilitated promotions and celebrations of the WTISD/ICT day for the first time at Norsup, Malekula, Malampa Province on the 17th of May 2018. Around 500 people attended the celebrations.

This year's celebration theme is on "Enabling the positive use of Artificial Intelligence" and this exciting event brought together students and community leaders to Norsup to celebrate the day. (For more information go to page 42)

Photo featuring ICT day celebrations in Malekula, in 2018 coordinated and facilitated by TRBR

1.13 TRBR's E-payment Services - <https://www.trbr.vu/en/online-services>

Any Radio Apparatus Licence holder, particularly those outside of Port Vila or Vanuatu, can now transact licence fees through TRBR's e-payment channel. Considering the issues that licensees face when trying to obtain a renewal of licence or obtaining a licence, particularly the logistics, TRBR initiated an online payment gateway. Importantly, the payment gateway provides for payments to be made from anywhere, as long as they have access to the internet and hold a Credit /Debit VISA Cards.

Photo featuring an online application for Radio Apparatus Licence

1.14

Approved Type Approval and Conformity Standards Regulation

Section 7 of the Act as amended by Amendment 22 of 2018, prescribes the general functions and powers of the Telecommunications, Radiocommunications and Broadcasting Regulator (TRBR). Sub-section 7(3) of the Act states:

TELECOMMUNICATIONS,
RADIOCOMMUNICATIONS AND
BROADCASTING REGULATION ACT NO. 30 OF
2009

- TELECOMMUNICATIONS,
RADIOCOMMUNICATIONS AND
BROADCASTING TYPE APPROVAL AND
CONFORMITY TO TECHNICAL
STANDARDS REGULATION
ORDER NO. 191 OF 2018

"The Regulator may, with the approval of the Minister, make such regulations as may be necessary or convenient to give effect to the provisions of this Act", and Paragraph 7(4) (f) of the Act states that "imposing restrictions or limitations upon the importation, sale or use of any equipment used or likely to be used in connection with radiocommunications or telecommunications."

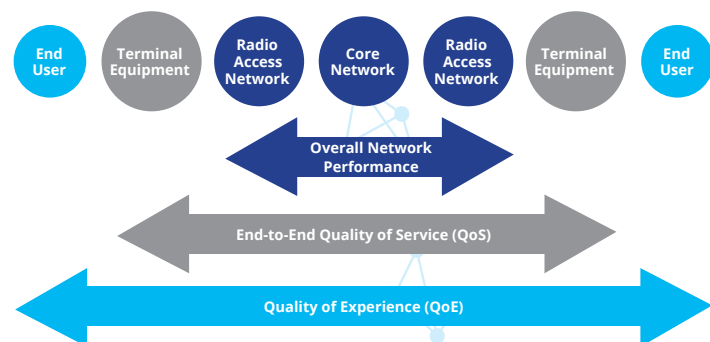
As required by the Act Section 7 2 (a) (ii), this Regulation will assist in the rapid increase in the uptake of mobile data, internet, Pay-tv and radio services in Vanuatu and other value added services. Vanuatu is experiencing increased development on roll out of ICT activities outside urban areas and this regulation is importantly needed to make sure our country is not receiving harmful devices or equipment (for detailed information, please go to page 62).

1.15

Quality of Service Monitoring and Key Performance Indicators

Upon the completion of the Government's UAP implementation, TRBR saw the need to prescribe the quality of telecommunications services with the minimum standards. The objective of this exercise is for TRBR to measure and report to the Service Providers on the performance of their respective networks. A consultation was undertaken to obtain the Operators' views on the approach the TRBR is taking, including the parameters it will use in performing the exercise.

The responses to the parameters used were supported by all stakeholders who participated on the exercise (for more information, please go to page 62).



About TRBR

2 About TRBR

2.1 Our role and function

2018 was a special year for the Telecommunications, Radiocommunications and Broadcasting Regulatory Institution. The institution has had a name and responsibility change, and is now ten years old. It has also experienced significant increased loads to its former normal operations in comparison to its previous year's workload. At the same time the market industry has performed well in terms of the telecommunications network coverage across Vanuatu. The uptake of both voice and data services continues to grow.

TRBR's mandatory functions and responsibilities are outlined in the amended legislation and TRBR has, at all times, ensured the legislation and rules established are effectively and efficiently enforced.

Linking to the main objects of TRBR's mandate to:

(a) facilitate the development of the telecommunications sector; and

(b) manage radio-frequency spectrum,

In order to promote national social and economic development, TRBR developed its 2018 and onwards Annual Work Plan.

The Annual Work Plan provides an outline and guide to implementation of its vision and performance of respective functions throughout the year.

While TRR is delivering on its core functions, responsibilities, duties and powers as set out in the Act and other laws of Vanuatu, it is critically essential for TRBR to act independently and impartially in accordance with Section 7(12)(a) to (d). Its decisions and actions must be free of political influence to ensure that TRR's creditability, reliability, sustainability, integrity and effective ongoing positive working relationship with all its stakeholders is established and at all times maintained. This also is highly important to TRBR, in maintaining the recognition it has among its peers as the leading Regulator in the Pacific Region. TRBR's

wish is to continue to hold its status of performance at that level and work harder to improve on other areas such as broadcasting.

The key functions that TRBR has focused its attention on this year were the monitoring and evaluation of the UAP access policy projects, the transition processes of .vu registry, planning and administration of specific radio spectrum ranges, monitoring of wholesale pricing for international internet bandwidth, consumer awareness and protection activities including education across Vanuatu, monitoring of promotional offers offered in the market by the operators and many more other responsibilities outlined in TRBR's Work Plan.

At the same time, TRBR has positively progressed its project activities as outlined by the National ICT Policy. Such priority projects as the awareness and outreach on potential of ICT for socio-economic development, effective management of .vu to serve Vanuatu's internet community, completion of

CLICC sites, strategy and framework for allocation and assignment of radio spectrum, especially for wireless broadband services and other initiatives that are reported on in this Report.

In June 2018, regulatory broadcasting functions were transferred to the TRR to also regulate broadcasting and media matters. The TRBR is now a converged Regulator with more work to be done. As per the amended legislation, a new key function that the TRBR will carry out is to regulate the broadcasting licensing regime and ensure the broadcasters are legally operating in Vanuatu. Another obligation is to ensure the content used in broadcasting is appropriate and acceptable for the target audience of the service and importantly, to look at ways on how the service delivery can be widened to other parts of Vanuatu.

TRBR operates in accordance with its Corporate Plan and its Annual Work Plan; both of which can be accessed from its website on www.trbr.vu. Information on completed projects, ongoing and current projects, achievements and other associated activities are also available in our website.

2.2 Our Vision, Mission and Values

TRR's vision, mission and values are as follows:

Vision

A communications environment that enriches the social, cultural, customs and commercial fabric of Vanuatu.

Mission

To develop a competition led market for the provision of innovative information and communications services, available to all, which: **encourages** sustainable and economically efficient investment; **respects** the interests of consumers; **fosters** ecologically friendly initiatives; and **supports** the social, cultural, customs and commercial welfare of the Vanuatu.

To continue to build as an exemplar regulator within the region through thought leadership and to be the employer of choice by: **investing** in our people to develop a professional, passionate team; **transparency** and **fairness** in operations; and **adherence to quality assurance**.

Values

Inspiring Our imagination, clarity of thought and clear leadership stimulates innovative thinking that meets the needs of tomorrow.

Commitment Our drive and determination to achieve excellence, our discipline in the execution of our duties, our focus on the development of our team, and our sense of responsibility instil passion for the development of Vanuatu.

Respect Our respect for each other is ensured by listening, collaborating and having consideration for each other, the public and licensees we work for, the rule of law, confidentiality, intellectual property, customs, environment, and future generations.

Balanced Our evidence based approach to decision making and our adaptability ensure that we remain proportionate, consistent, fair and just.

Transparency Our open and inclusive approach to regulation ensures that we are held responsible and our actions and decisions are understood.

2.3 Our Team

This year, the team has undergone team building and other skills upgrade training such as effective communications and planning. A number of senior officers also had the opportunity to attend executive and project management training. During the TRBR team building exercise, the team, including the Regulator continued to recognise and promote the effectiveness of the TRBR team norms and pledges, as they are the main guide to all TRBR's staff performance and models of undertaking TRBR activities throughout the year.

Building on from 2017 TRBR team norms and pledges, there are no changes made for this year.

TRBR Team Norms:

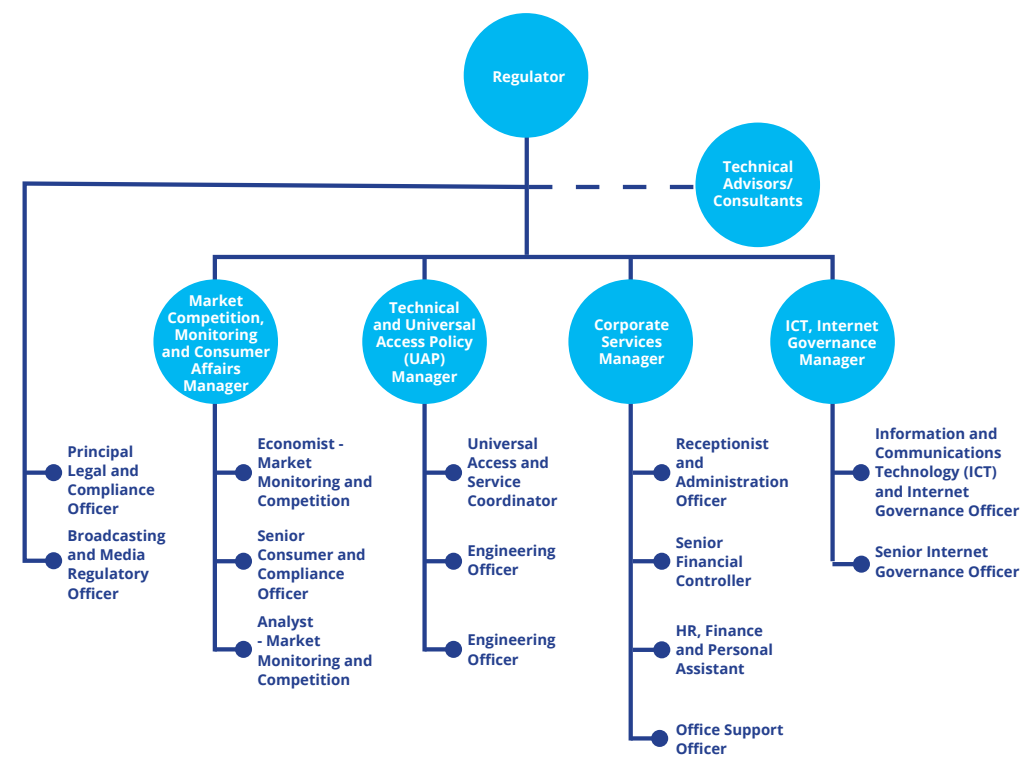
1. Be proactive;
2. Respect each other;
3. Co-operate and help each other;
4. Be resilient and adapt to new challenges;
5. Believe in yourself;
6. Be an engaged team member;
7. Be responsive (to all stakeholders and staff) and
8. Don't be afraid to be wrong – give it a go!

TRBR Team Pledges:

We pledge to:

1. Be considerate and trust each other;
2. Be a committed and active team player;
3. Support our Leaders and each other in achieving outcomes;
4. Be loyal and respectful; and
5. Have open, honest dialogue.

As reported in previous reports, TRBR team has always done its best in adhering to the team norms and pledges to deliver projects and responsibilities detailed in this Report.



Please note the above structure does not promote any order of seniorities

2.4 TRBR's 2018 and Onwards Work Plan and Priority Deliverables

Since the establishment of the institution, TRBR continues to develop an Annual Work Plan. The 2018 and Onwards Work Plan (see www.trbr.vu) guides and sets out TRBR's priority deliverables and work focus for the year. TRBR had 19 priority projects and 12 other less priority but important projects.

Some projects are built up from 2017 projects and some are ongoing projects which will be continued in 2019.

For record purposes this year is special because TRBR has delivered on all projects within the timeframe assigned and agreed on when formalising its work plan.

2.5 TRBR's Priority Activities

Each year beginning Quarter 4, TRBR reviews its current situation and identifies required deliverables for the next following year. For 2018, TRBR identified 31 projects.

1.1 The following are the top priority issues/tasks for TRBR for 2018:

Universal Access Policy

1. Consult and develop policy input for the Government's Next Generation Universal Access Policy;
2. Monitoring and Evaluation of Government's ICT initiatives for schools under the CLICC and TFS Programs;
3. Assist the Government Sector with projects under the UAP Policy and in line with the priorities of the National ICT Policy;
4. Continuation of implementation of the Government's ICT initiatives for schools under the CLICC and TFS programs pilot extension;

5. Implementation and supervision of Community Telecommunications Grants.

Market Monitoring & Competition

1. Review and consult on the current Telecommunications Statistics Framework;
2. Draft and publish the second Telecommunications Sectoral Report.

Engineering and Technical Compliance

1. Review of the Vanuatu National Frequency Allocation Table;
2. Release of 2100Mhz Spectrum for International Mobile Telephony for market use;
3. Improve on the effectiveness of Quality of Service Monitoring Key Performance Indicators.

Internet Governance

1. Implementation of the .vu country code Top Level Domain (ccTLD) Regulation (schedule 03).

Legal

2. Finalise legal instruments to ensure that the import/sale/use of telecommunications equipment complies with approved international standards (trademarks);
3. Review and propose amendments to the TRBR Act, 2009.

Consumer Affairs

1. Improve on the effectiveness of TRBR's Community Consumer Champions (CCC) Program;
2. Investigate, assess and evaluate user experience of existing telecommunications services (voice & data) across Vanuatu;
3. Establish National recognition and celebration of World Consumer Day – March 15 ;
4. Support and promote Vanuatu's National ICT day Celebration, May 17, of the ITU's World Telecommunications and Information Society Day.

Corporate

1. Oversee the facilitation and coordination of the ITU - Global Symposium for the Regulators 2019 (GSR19);
2. Finalise and implement E-Payment services;
3. Provide administrative assistance on recruitment of Telecommunications, Radiocommunications and Broadcasting Regulator (TRBR) for 2019 – 2021.

2.6 Training & Capacity Building

Linking to the TRBR's mission, investment in the team continues in order to develop a more professional and passionate regulatory team within Vanuatu. Additionally, TRBR cannot sit on its laurels and expect opportunity to slip by. In order to effectively manage the impact of the global pressures and rapid evolving technology that Vanuatu, its Government, the service providers and the citizens are experiencing each day, TRBR and its team needs to retain appropriate experience, capacity and knowledge to handle all the issues respective stakeholders will or are facing. Having the appropriate capacity is always a challenge for TRBR since day one. Hence, TRBR fully understands the need for it to take action and undertake annual training and capacity building at all levels. Therefore, each year, TRBR staff undertake specific and related training, and capacity building workshops that are reported below.

This training and capacity building is essential to develop a strong, experienced and committed team, able to face the ever-increasing pressures and challenges placed on the organisation through telecommunications/ICT evolution, provision and take-up, and now the broadcasting matters which are more complicated and difficult to handle in a normal TRBR approach.

TRBR has financially committed to support each staff member based on the unit's training plan discussed and approved by the Regulator particularly on soft skill upgrades. Many workshops and conferences were financially supported either through ITU, APT, apTLD, APNIC, ICANN, PITA fellowships and the Government of Australia through DFAT organised programs and workshops. TRBR team was so fortunate to be supported by the listed organisations when it comes to international training and workshops.

Below are some of the training/workshops/conferences and forums attended by specific TRBR staff in 2018:

Soft Skill Upgrade for all TRBR staff

Although there is a need for TRBR team to focus on building and improve their knowledge on specific areas that they are hired to deliver on, there are some specific administrative skills areas that respective officers need to also upgrade. Such skills as team building, communications, executive writing skills, presentation skills, negotiations skills, project management and more others. These are also very important in the daily operations of the institution and importantly in the regulatory environment given the number of interactions we will continue to have at both the regional and international level. This year saw a number of administrative skills training sessions on:

- Team Building for all TRBR staff including the Regulator;
- Project Management for some specific project coordinators;
- Presentation and writing skills,
- Strategic Management Planning;

- Financial Modelling for budgeting and forecasting,
- Advanced writing skills,
- Effective feedback,
- Conversational leadership,
- Work place leadership, and
- Other executive corporate training.

Specific and Professional Regulatory Capacity Building for TRBR staff

i. Training on Competition Analysis on Digital Environment

TRBR through its responsible staff participated on the training workshop coordinated by the ITU. The training was coordinated for senior officials such as ICT policy makers, Senior Officials of the Regulator's Office, Operators and other interested stakeholders or individuals. Training provided was on Internet of Things (IoT) and Artificial Intelligence (AI), how these services and applications are impacting peoples' lives and what sort of regulatory framework or regime will be more appropriate to apply in regulating such products. The training is required by TRBR because it will assist with its understanding to plan ahead on Vanuatu's regulatory tools and look at the regime whether the current regime is workable and fit for its purpose considering the evolution. At the same time it also set the scene for specific officers who will be leading discussions on such telecommunications/ICT products existence and what steps should be taken when implementing its regulatory functions.

ii. ITU Asia-Pacific ICT Indicators Workshop in Manila

TRBR's continuous commitment is to provide its international partners including ITU with key indicators. It is very important that the information disseminated meets a certain standard level and their reporting requirements. On that note, the ITU hosted a workshop on ICT indicators for the Asia Pacific region in Manila in March 2018 for relevant stakeholders such as economists, statisticians, senior officials for the Regulators' offices and other government agencies within the region who deal mainly with ICT statistics. The workshop involved a lot of sharing of experience and knowledge from different country representatives involved.

Below are some of the key learning outcomes from the training:

- Ways to improve availability and quality of ICT statistics in the countries in the region;
- Understand the definitions and methodologies for administrative and household ICT indicator with particular emphasis on those that will be used in IDI 2018;
- Strengthen countries capacity to collect, produce, analyse, and disseminate indicators and statistics on telecommunication/ICT;
- Understanding and appreciation of the Global activities on ICT statistics and corresponding targets and
- Identify and share experiences and challenges in the coordination of data collection of ICT indicators and attempt to address the challenges.

TRBR is always proactive in participating in the ITU surveys and its line reporting on information required in relation to ICT statistics.

We believe that building our staff capacity helps them to grow in their specialties that have a positive impact in the institution and industry at large.



Photo featuring participants who have attended the ITU Workshop in Manila - 2018

iii. Spectrum Management and Administration

TRBR through its officers responsible has attended special training and workshops on the Pacific Radiocommunications and the Monitoring of the PF Spectrum in modern wireless era and Frequency Information System coordinated by the APT and the ITU respectively. This training and workshops are very important for TRBR and especially the responsible officers given TRBR's mandatory function to ensure spectrum management and administration is at all times appropriately managed and that will positively benefit both the industry and the citizens. Such training contribute to expand the engineer's knowledge on making sure the appropriate ranges of spectrums are allocated and or assigned to respective operator for the roll out of specific service required. Additionally, considering the technological evolution, spectrum management becomes the core subject matter for regional and international discussions to ensure the voice of respective regions or nationals are heard at the ITU-R level when making regulations to regulate specific spectrum ranges, for example, the range of spectrums which will support development of 5G roll out.

iv. Internet Governance and Other ICT Related Workshops and Training

TRBR has a mandatory function to appropriately manage and administer Vanuatu's country code Top Level Domain name .vu. In doing so and considering the technological evolution, it is important for the Regulator to make sure the internet governance matters related to administration of .vu are well managed. TRBR has approved responsible officers to attend and be part of a number of online courses for "Future Broadband Internet", training and workshops on DNS operations and country code top level domain names, other training that was offered by ICANN and importantly workshops on combating cybercrime. These workshops and training have assisted responsible officers to upgrade their knowledge on the matters that are important to be well versed on their impact, and especially for the appropriate advice on the respective issues, to the Regulator for regulatory decisions if required.

Regulatory Forums and Conferences

I. Pacific Islands Telecommunications Associations (PITA) Annual General Meeting – 2018

TRBR was part of the PITA 22 Annual General Meeting held in Guam. Given TRBR has contributed a lot of its resources and support towards developing and building women and girls in ICT, the PITA has invited the Regulator to present to audience of the session developments in Vanuatu on promoting women and girls in ICT. The Regulator presented two streams of development – particular on SMART SISTA's program and the Shop Vanuatu.vu project. It was an interesting session where the audience was very keen to learn more about these developments.

II. Asia Pacific Regional Internet Governance Forum

The Asia Pacific Internet Governance Forum takes place in Port Vila, Vanuatu. Because it is an important conference, the TRBR has approved a number of the staff to attend and be exposed to discussions on Internet matters and activities happening around the world. Such a big conference is an eye opener for a number of staff and particularly for the TRBR Community Consumer Champions who have the opportunity to also attend such regional forum. TRBR was the main organiser for the event and staff involved learnt a lot from such coordination activities. Discussions were mostly around the theme "Empowering communities in Asia Pacific to build an Affordable, Inclusive, Open and Secure Internet." Particularly, the TRBR team attended discussions on Cybersecurity, online privacy and protection, access and empowerment, digital economy and emerging internet technologies, diversity and multi-stakeholder participation in internet Governance.

III. The ITU/APT's Regulator's Round Table Forum

The 8th Asia-Pacific Regulators Round table on the theme of "New Regulatory Frontiers to support Digital Economy" was successfully organised from 6- 7 August 2018 at Dhaka, Bangladesh. The TRBR and her team were invited to be part of the ITU-D/APT's Regulator's Round Table discussion sessions. The Regulator moderated a session on Universal Broadband for all and participated in many discussions of the event has catered for. Two TRBR Senior Staff (Manager Corporate and Legal Officer) also attended this forum with the Regulator and were part of the forum discussions as part of their capacity building.

The participants from Asia-Pacific Region shared their view regarding digital economy, digital transformation and new technologies and their regulatory barriers being faced and the way forward to overcome those barriers to make the society digital. As an outcome of the meeting, an outcome document was produced for the ITU-D. See link below to the document produced and reviewed by all regulators presented at that time. https://www.itu.int/en/ITU-D/Regional-Presence/AsiaPacific/Documents/Events/2018/rr2018/180820_Outcome%20Report%20RR%202018%20Final.pdf



Photo: Featuring Ms. Baniala presenting during 2018 Asia Pacific Regulator's Round table in Dhaka, Bangladesh

IV. Global Symposium for Regulators (GSR18)

As one of the highlights of this year's activities, the Regulator participated in the GSR18 as one of the speaker moderating a session on Digital Transformation: mastering the new regulatory frontiers. The meeting was held in Geneva. Around six hundred and sixty six participants (Regulators, Policy Makers, Academia, UN representatives, Hon. Ministers) were all part of this meeting.

At the same time the Regulator participated on the Regulator's Best Practices where all Regulators' across the globe together recognise that "flexible and innovative policy and regulatory approaches can support and incentivize digital transformation." The best practices in this regard would allow the regulators to respond to the changing landscape and address the continuing need for secure and reliable ICT infrastructure, affordable access to and delivery of digital services, as well as protect consumers and maintain trust in ICTs. The Regulators therefore identified and endorsed these regulatory best practice guidelines on new regulatory frontiers to achieve digital transformation.

However, the key behind TRBR's and its delegations participation was purposely to observe the overall coordination of the event and learn from their experiences. This was mainly to support its planning for the GSR19 which the Government of Vanuatu has committed to host this important meeting in 2019. The delegations that have been part of this site visit are mainly from the National security and safety, the ICT and audio vision, the overall event coordination activities, the Government's representation and support and the Regulator.

At the closing of the event, the floor was passed on to Vanuatu to showcase Vanuatu as a whole. The presentation was done by Office of the Prime Minister's representative, Mr. Jackson Mlake. Below is an article about this presentation.



The Government of Vanuatu thanks the International Telecommunication Union for selecting Vanuatu to host the next Global Symposium for Regulators 2019

Port-Vila, Vanuatu – 23rd July 2018: On 12th July 2018, during the Closing Ceremony of the 18th Global Symposium for Regulators (GSR-18) in Geneva, the Government of Vanuatu, represented by Mr. Jackson Mlake, OGCI ICT Program Manager, thanked the International Telecommunication Union (ITU) for the trust and confidence in selecting Vanuatu to be the next host for the second biggest ITU event – the 19th Global Symposium Regulators forum in 2019. Mr. Mlake continued with the word of thanks for their tremendous and recognizing support so far to Vanuatu on development of Telecommunications, Radiocommunications and Technology and beyond, and at the same time confirming to around 700 delegates at that time Vanuatu to be the host of the GSR-19. In line with the ITU's vision and objectives through Development Bureau, Global Symposium Regulator's Forum offers unique network opportunities including series of thematic events such as the Thematic Global Dialogue, Industry Leaders Roundtable, the Chief of Regulatory Officers (CRO)/ Industry Advisory Group for Development (IAGD) meetings and other Regulatory Associations meeting. Since 2011, Vanuatu has actively been involved and participating in the Global Symposium Regulator's discussion sessions and importantly the ITU-D organized International Regulatory Best Practices

Guidelines. Included in those guidelines are the best practices on core functions and roles on promoting sustainable market competition, management of Spectrum usage and Consumer Protection. The Vanuatu Telecommunications and Radiocommunications Regulator (TRR) implemented an ambitious Universal Access Policy (UAP) which promotes a Play or Pay approach. Vanuatu Regulator, Ms. Dalsie Green Baniala, also serves as one of the Steering Committee members for the Pacific ICT Regulatory Resource Centre based at the University of the South Pacific in which the Institution serves 9-member countries and other non-member Pacific Island States.

Mr Jackson Mlake, OGCI ICT Program Manager, spoke on the behalf of the Government of Vanuatu during the closing ceremony of GSR-18 inviting all the participants to the next GSR, "we are happy to bring GSR to Vanuatu in 2019. This is the first time this event will be coming to the Pacific Islands and we count on your support and attendance to GSR-19."

Mr Brahima Sanou, Director of the ITU Telecommunication Development Bureau since 2011, and his Excellency Houlin Zhao, Secretary-General of ITU, already extended their warm encouragement and support to Vanuatu for holding the Global Symposium for Regulators next year in the beautiful capital of Vanuatu, Port-Vila.



(Photo: Mr Jackson Mlake, ICT Program Manager, Prime Minister's Office presenting Vanuatu as next host of GSR-19 in Geneva during the closing ceremony of GSR-18)



3 Donor Financial Support towards Specific Project TRBR implemented

3.1 Australian Aid Funds Through Governance for Growth Program

The Government of Australia through a DFAT program, Governance for Growth (GfG), continues to financially support some of TRBR's specific projects particularly in the roll out of internet community centres in various rural sites across Vanuatu. The financial support was provided primarily to undertake the Monitoring and Evaluation exercise for the CLICC sites. Through this report, TRBR continues to acknowledge the Government of Australia which has enabled TRBR to provide the outcome of the monitoring and evaluation report. (For more information on the monitoring and evaluation exercise can be viewed and read on part 5 of this report).

TRBR wish to reiterate that the strong partnership that TRBR has with the Government of Australia through the GfG team, signals the positive working relationship and valued support that has been developed towards the achievement of key TRBR regulatory areas and required outcomes. TRBR acknowledges this valuable partnership with the GfG team and recognises and appreciates their support and confidence in TRBR in administering the additional Grant that was provided for the monitoring and evaluation exercise that was necessary for TRBR to evaluate the Government's UAP required deliverables.

TRBR continues to maintain regular face-to-face meetings with the Director (GfG).

4 TRBR's Positive Working Relationship with the Government

4.1 General Support and Update Reporting to the Minister Responsible

Despite the Government pressures covered earlier in this report, demands and the challenges the TRBR has been through this year, TRBR continues to professionally maintain its collaborative and positive working relationship with the Government through the office of the OGCIO and the Office of the Hon. Prime Minister, Minister responsible for the Telecommunications and Broadcasting.

i. *TRBR Completion Report to the Hon. Minister on Implementation of Universal Access Policy (UAP)*

From the previous year's works on the implementation of UAP, the TRBR through its officers responsible worked closely with the Office of the Chief Information Officer (OGCIO) on the final stage of the UAP implementation, particularly on discussions and dialogues regarding specific sites. As reported in 2017 Annual Report, the project has come to its end. The Government has achieved extra .8% of the population coverage out of the 98%. This year's activities are mainly on monitoring of the operations of the sites that are up and operational and ensure the people are positively experiencing the network coverage. (For more information on this specific project, refer to part 5 of this report).

ii. *Network Coverage Issues across Vanuatu*

In a number of our face-to-face meetings with both the OGCIO representatives and the Hon. Minister responsible, TRBR has reported that there are factors contributing to the mobile network coverage issues that the citizens across the country are facing today. Such factors are listed below:

	Factors	Mobile User Experience & Issues
1	Mobile Handsets	Some mobile handsets or brands have weak signal to attract voice network signal from a nearby tower base station.
2	Terrain Geography	This is the main factor for Vanuatu consumers. They experience this in villages that are in a valley or under big trees. Mountains and big trees are the blockers of the network signal.
3	Coverage Simulation/Signal Reduction	This factor is technical and related to spectrum the operators are currently using. The higher the frequency, the shorter the distance mobile coverage caters for. This is also regarded as the second main issue across Vanuatu.
4	No-terrain Obstructions	This factor refers to things like big trees, caves, buildings etc... that are blocking the network channelling.
5	Rake	This is when the consumer receives series of sub-radio signals and reads these incoming signals at different delay periods.
6	In building presentations	Consumers within the building experience such issues because of the type of building he or she is living in.
7	Antenna Angle and Tilt	This is when the signal is weak because the antenna is tilted to a different angle.
8	Overlap-Co Channel Interference	When two cell towers are receiving from one location thus contributing to consumer receiving reduced overall signal due to effect called co-channel interference.
9	Cell Overlap – Pilot Pollution	Presentation of multiple cell towers will cause more than simple co-channel interference.

Working closely with TVL and Digicel, but independently, TRBR team worked hard, focussing its effort on making sure the 22 UAP sites are up and operational. In doing so, a team has been to all UAP sites and did the test drive to confirm coverage and at the same time test consumer experiences on the above issues. As an outcome of the exercise, it was recorded that the main contributing factor contributing to poor network coverage are terrain geography, coverage simulation or signal reduction and non-terrain obstructions. TRBR has started the dialogue and works with the two main operators on how best the rate of these issues be minimised.

iii. World Consumer Rights Day

As reported on above in the highlight section, 2018's consumer rights day celebration theme is "Making Digital Market Place Fairer" TRBR with the support of its partners including; the Vanuatu Police Force through its **Crime and Prevention Unit**, **Vanuatu National Youth Council (VNYC)**, **Woman against Crime and Corruption (WACC)** have successfully coordinated, promoted and celebrated the World Consumer Rights Day (WCRD) on the 15th March 2018, at Tasanak Park, Seafront stage, Port Vila, Vanuatu. A number of stakeholders who have seen the importance of consumer protection attended this event. The stakeholders that participated in the event are the Department of Customs and Inland Revenue, Price Control Unit, Telecommunications Operators (TVL, Digicel and others), Representatives from Hotels Association and others including the public who were part of this celebration. The main highlight of the event was the live talkback show, general public asking questions to specific stakeholders on matters related to consumer protection status in Vanuatu.



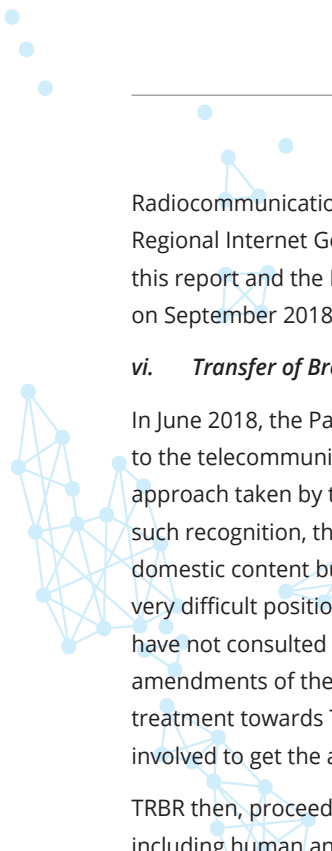
Photo above showing the Central school children reaching out for the hand bands

iv. TRBR's Collaboration with the OGCI on Celebrations of the ICT day

Each year, TRBR collaborate with the Government through the Office of the OGCI to coordinate and promote celebration of the ICT day. For this year's celebrations, the TRBR team and the OGCI's representative coordinated the event outside Port Vila, at Lakatoro Malekula. The celebration as reported above was very successful given it is the first time this is celebrated in one of the main Islands of Vanuatu, Malekula. The objective of bringing this celebration to a number of the islands is to promote inclusiveness in the development of Telecommunications/ ICT industry. (More information can be read and or viewed in part 10 of this report).

v. Other Activities that TRBR has collaborated with the Government

There are other activities that TRBR has collaborated with the Government on especially through the office of the OGCI and the Minister responsible for Telecommunications,



Radiocommunications and Broadcasting. The activities are the coordination of the Asia Pacific Regional Internet Governance Forum which you can read more about this event under part 9 of this report and the ITU-Election candidate recommendations. TRBR also provide policy advice on September 2018 submarine cable arrangement to the Hon. Minister for his perusal.

vi. *Transfer of Broadcasting Regulatory Functions to TRBR Sphere*

In June 2018, the Parliament approved the broadcasting Regulatory functions be transferred to the telecommunications and radiocommunications regulatory sphere. Although the approach taken by the Hon. Minister responsible may be perceived as an achievement for such recognition, the additional load brings in prospective additional issues not only in the domestic content but also in possible regulation of converge services. TRBR was placed in a very difficult position whether to accept such changes or not, given the responsible institutions have not consulted the TRBR for its views on the content amendment before those proposed amendments of the Legislation was approved. The approach taken has signalled harsh treatment towards TRBR. However, it did not have enough time to challenge the processes involved to get the amendment approved without any of TRBR's contributions.


TRBR then, proceeded with the physical re-arrangements, internally mobilised resources including human and financials to cater for the additional load.

Despite the demanding, difficult challenges and the harsh treatment, the TRBR continues to use its best efforts to maintain its professionalism and positive working approach with the Minister responsible and his responsible officers including the Chief Information Officer and his team.

4.2 Collaboration with other Government Institutions and Departments



Through a range of TRBR Staff, as well as the Regulator, TRBR has worked with not only the Office of the OGCI and the Ministry responsible for Telecommunications, Radiocommunications and Broadcasting but also the Ministry of Education, Ministry of Climate Change through Natural Disaster Management Office, Ministry of Health, Ministry of Trades, Ministry of Infrastructure and Public Utilities through Ports and Marine, Ministry of Lands and Lands Department, Ministry of Finance through the Customs and Inland Revenue, Ministry of Foreign Affairs, Ministry of Internal Affairs and respective Area Secretaries, providing technical advice and guidance on regulatory and policy matters and issues related to telecommunications, radiocommunications and broadcasting.



4.3 Working with the Ministry for Trade

Building from previous year's participation and engagement, TRBR is one of the advisory committee member's for the National Trade Development Committee. As such, TRBR provided input to and participated in a number of the Trade's development activities this year and at the same time provide reports based on request from the Ministry concerned.

TRBR is also fortunate to have a face to face meeting with the Hon. Minister responsible for Trades discussing issues related to how ICT/Telecommunications could effectively enable other trading activities particularly in the areas of Market Competition and Consumer protection across all sectors in Vanuatu.

5 Universal Access to Serve the Unserved and Underserved Communities of Vanuatu

5.1 General

The implementation of the Government Universal Access Policy (UAP) came to a closure in 2018, particularly on the Play or Pay approach. The other supplementing UAP projects such as the CLICC sites have also been delivered on in 2017. The TRBR has actively managed and delivered on the implementation of the project and continues to monitor and evaluate the effectiveness of the projects and provides regular update reporting to the Minister responsible and other key stakeholders such as the Government of Australia through the Governance for Growth.

With the closure of the implementation of the Government's UAP, the TRBR has provided its Tenth and Final Report on the completion of the UAP. The Report provides an update on the completion of the milestones in the UAP Policy in achieving the objective of the UAP.

Although the reports to the Hon. Minister responsible are in confidence for his office only, TRBR develops a six-monthly public UAP Update Report that is distributed to key stakeholders and is made available on the TRBR's website: https://www.trbr.vu/attachments/article/756/uap_stakeholder_10th_and_final_report.pdf.

[trbr.vu/attachments/article/756/uap_stakeholder_10th_and_final_report.pdf](https://www.trbr.vu/attachments/article/756/uap_stakeholder_10th_and_final_report.pdf).

The reports outline the significant milestones that have occurred and enabled TRBR and the Government to make progressive steps towards meeting the achievement of the UAP objectives. Key outcomes include:

- Discussions on enhancements to areas that have fringe coverage;
- Discussions on further development sites for broadband internet in unserved areas;
- Discussion on improvement of Quality of Service;
- Completion of the monitoring and evaluation activity for the CLICC and TFS Programs;
- The need for continued assistance, where warranted and/or requested to various Ministries such as the Ministry of Education, Health, Agriculture and NDMO providing expert advice and support to enable more effective use of the CLICC sites;
- Continuous TRBR awareness programs on the benefit of using internet services through those constructed CLICC sites need to be undertaken.

5.2

UAP Telecommunication Service Undertakings (Play or Pay Approach)

The 1st January 2018, marked the end of the implementation of the Government's UAP. The Policy was developed and approved by the Council of Ministers (COM) in December 2013 with the objective of expanding the telecommunications services to the underserved and unserved areas of the country covering 98% of the Vanuatu population. In June 2015, the TRBR entered into an agreement with Telecom Vanuatu Limited (TVL) and Digicel (Vanuatu) Limited (Digicel) on the "Play Approach," which has seen each operator forgo payment of the Universal Access Levy to implement the milestones of the UAP to achieve the objective of the Policy.

The achievement of the objective of the policy includes the following:

Twenty one (21) new erected towers delivering 3G services in the remote and across Vanuatu:

- 98.8% of the population covered by mobile voice and data services;
- 97% of sites upgraded for 2G to 3G+ services;
- Five (5) large population centres (Santo, Malekula, Pentecost, Efate and Tanna) covered with 4G services;
- High capacity broadband internet services, provided by High Throughput Satellite (HTS) available across the archipelago at prices that are affordable;

- Mobile 3G data services are averaging speeds greater than the UAP policy specified (2/1 Mbps) at 5/1 Mbps;
- Surrounding schools, health centres and government offices have access to data services if required and
- Population with access to such services has the same access to promotions and plans as that available in populated centres.

Over VUV1.6 billion has been expended by the operators on this project particularly for only 21 sites. Without the Operator's commitment on such roll out, many islands of Vanuatu will still live without access to real time communications. Therefore, we as Vanuatu citizens must thank the main operators (TVL and Digicel) for such commitment made to make the Government's dream come true at their own cost.

The implementation of the UAP presented the Operators and the Government with significant challenges, such as high cost of rollouts and in most cases low economic return, this in effect highlighted the need to consider alternative approaches to any further universal access project(s). This may include shared infrastructure, newer internet Protocol (IP) and OTT applications and for the government to take on more risk due to the smaller and more remote populations centres that are still unserved.

5.3 Collaboration with Community Representative for Improved Access on Telecommunications Coverage

To facilitate improved access on telecommunications services across Vanuatu, the TRBR continued to collaborate with the general communities to undertake the coverage checking at various locations. The locations are identified and put forward by the respective communities. The TRBR through its responsible officers went to the sites to conduct a coverage audit using an application called the "Network Cell Info," to determine the status of coverage at that location. The status of the coverage is analysed before communicating the outcome with the respective Operator. If for example, the coverage is poor, the issue is then discussed with the responsible operator and related stakeholders for appropriate measures to be taken or solutions to address the issue.



Coverage status at Mapua Village on Emao Island

5.4 UAP Schools and Community Programs

TRBR has continued to implement, monitor and provide overall oversight on other community projects to leverage on the Government's UAP and Information, Communications and Technology (ICT) Policy. The programs include the famous piloted projects to the nineteen schools across the country, including the CLICC and the Tablet for Students (TFS) Program. These programs have initially closed and an evaluation of the program was undertaken in 2018. The CLICC & TFS evaluation is further discussed below.

Though the piloted program on the CLICC and TFS have now closed, sustainability of the sites remains a challenge for some of the schools. These challenges has led TRBR to continue its financial assistance and support to six of the CLICC/TFS sites, with the objective of identifying a sustainable approach to ensure the sites are operational when its financial commitment came to a closure in 2019. Other programs include the provision of internet to 4 schools and 1 health centre. Additionally a small scale grant was established in 2018 to support Telecommunications and other ICT initiatives in rural communities outside Port Vila and Luganville the main urban centres.

These programs were further discussed below.

i. Monitoring & Evaluation of the Computer Laboratory and Internet Community Centre (CLICC) and Tablet For Students (TFS) Program

The primary purpose of the monitoring and evaluation exercise was to identify the impact of the projects to a targeted audience and

whether there are positive benefits arising from the increased use of ICT by students, teachers and school administrators. Additionally, it assessed whether the programs have positively supported the beneficiaries in the course of the educational processes. The benefits arising from the use of ICT by the surrounding local communities and businesses, including enhancing their day to day social and business activities were identified. Furthermore, future strategies that can be implemented from an educational and community perspective to increase the use of ICT and improve the sustainability of the identified benefits and the CLICC business centre were defined.

The TRBR has engaged a consultant and independent evaluator to undertake the evaluation of the program. Therefore the evaluation is an independent assessment of the CLICC and TFS projects that was reported to the TRBR.

The outcome of the evaluation has showed benefits of the facility at both the School and the surrounding communities. A key benefit is access to up-to-date disaster information, as well as up-to-date information and news in general and local as in news of events in Port Vila. Schools and IT teachers have learned where to locate cyclone warnings and visualisation on the internet and say these are very helpful as the Meteo reports on the radio lag behind somewhat. Typing a letter, charging phones, printing and copying documents and communication with overseas friends/families were some of the common benefits.

Though the CLICC/TFS facilities are showing benefits, the evaluation outcome also identifies that facilities are not being used to their full potential. Services need to be online to engage meaningful access, and that requires collaboration at all levels including private and public sectors. Internet connectivity and technical support remains a challenge and may affect the operations

and sustainability of the facilities. The TRBR is addressing the issues of sustainability in its other community programs that will be further discussed in this report.

The Evaluation Report can be obtained at the following link: https://www.trbr.vu/attachments/article/755/clicc_and_tfs_evaluation_report.pdf



Evaluation team at Tafea College / Interview at Laukakai School

ii. Five (5) Schools and (one) 1 Aid Post Benefited from Internet Facilities

TRBR, through its financial contributions towards the UAP trust account has financially supported 5 Schools and 1 Health Centre with the provision of internet service in 2018. The schools include South West Bay Primary School in Malekula, Sanlang Centre School in Vanualava Island, Tasvare Centre School in Merelava Island, Lini Memorial College in Pentecost and Tarmayau Aid Post in the Hiu Island. The provision of this support was a result of its coverage test experiences in those respective rural communities, where we learnt that there needs to be more improvement on network coverage where

the population is more than 200; and at the same time areas which the service providers will still need financial support to extend their network.

The Internet access was provided using the Kacific High Throughput Satellite (HTS), installed and service by Telsat Broadband Limited, using VSAT facility. Since the installation of the facility, complaints on the internet service provided are reducing. This reflects the reliability of VSAT internet service. The VSAT provider includes Telsat Broad Band Limited (Telsat), Wantok Limited (Wantok) and Pacific Group Limited (PGL).



VSAT Internet facility at South West Bay School

5.5 Community Telecommunications Grant (CTG)

As indicated in the main highlights, the Community Telecommunications Grant (CTG) is a TRBR initiative established with the purpose of supporting the enhancement of telecommunications and ICT development within the selected communities who have applied and were selected based on the criteria agreed on by the Regulator and her

team. The Grant provided has an annual ceiling of three million vatu (3million vt). The Grant was commenced in 2018, and two Non-Profit Organisations and 1 School benefited from the first round of the Grant. More information about the initiative can be viewed and read from this link <https://www.trbr.vu/en/opportunities/ctg/2019>.



Mahlon Tari representing Pepeyo Cultural Educational Village – Awardee of the CTG Grant

Pepeyo Community Cultural and Educational Village was awarded the Grant to support its initiative to undertake the mobile computer training within the communities of East and North Efate. The computer training targeted children, youth and adult with the focus on the improvement of ICT literacy and providing awareness on the online safety. "Further Arts," another grantee was awarded the Grant to improve and strengthen its storage capacity. Additionally the Grant also supported Further Arts to develop a video content focusing on three areas including tradition and technology, impact of technology on Vanuatu's urban and rural communities and online safety for children and teens. Brenwei School was supported with the project to strengthen its library with the focus on enabling its teachers and students to obtain resource information online.

The CTG is an annual Grant and will become available from 1st of February to 31 of each March each year. Further information can be obtained from this link: <https://www.trbr.vu/en/opportunities/ctg>



Basic Computer training at Ekibe Village

6 Telecommunications Market Development and Monitoring

6.1 General Regulatory Market Monitoring & Other Developments Update

As stipulated in many of TRBR's reports and importantly in the amended legislation amendment N# 22 of 2018, of the Act, one core function of the TRBR is to ensure there is always sustainable market competition in Vanuatu. In doing so, there are a number of mandatory exercises and activities that must be carried out and the outcome reported to respective stakeholders including the Minister responsible for the sector. Such activities include:

i. Monitoring of the Use of Telecommunications, Radiocommunications & Broadcasting Licences Issued to Existing Licence Holders

TRBR through its officers responsible must ensure the Service Providers providing telecommunications services within Vanuatu have a specific valid unified Telecommunications and and/or Exception Licence. Additionally, the holder must meet their mandatory requirements and conditions agreed on in the Licence. Throughout 2018 (and independently), TRBR has closely monitored and worked with licencees to ensure they fulfil their obligations referred to in the respective Licences and the amended Act. Such conditions are developed into statistics required by the TRBR. Payment of UAP levies each year; ensuring that the promotional offers and advertisements going out to public are not misleading and that terms and conditions are made available for their customers to make reference to when required. The TRBR is happy to report that the majority of the service providers have abided with these obligations and ensure they have mechanisms in place to address any complaints received from their customers. We are also happy to report that before any promotions are published the terms and conditions for these offers are first of all reviewed and regulatory feedback is provided before any operator releases its specific offer to the general consumer.

There were two Telecommunications Licences revoked this year and a transfer of ownership for Wantok Limited.

The two licences revoked were licences issued to "Global Pacific Limited" and licence issued to "Incite."

The facilitation of the transfer of ownership for Wantok from Teralight Gateway Holdings to Paradise Developments (Vanuatu) Limited was smoothly carried out. We thank the operators involved for respecting the mandatory requirements and follow as required. TRBR also thank the operators for their contributions towards the industry in the past years bringing Vanuatu to the next level.

ii. Information Gathering (TRBR's Statistics Framework)

As one of its core functions, TRBR collects statistics on a biannual basis from service providers who hold a valid telecom licence to operate within Vanuatu. This year TRBR has engaged in a process to update and improve its data collection framework in order to capture a number of indicators that were previously not reported to TRBR. These indicators are expected to contribute to the better understanding of the market at both the national and international level given the fast deployment and development of technology within the industry.

As a dynamic and growing industry it is important for TRBR to understand all recent developments happening such as the level of competition and the industry performance and evolution.

TRBR revised and updated its regulatory framework for the required biannual collection of telecommunications market statistics.

The main objectives for updating the statistical Framework are:

- to ensure that TRBR continues to have access to timely, relevant and accurate information to enable it to appropriately perform its role to effectively and efficiently monitor the activities of the telecommunications sector in Vanuatu and ensure and protect sustainable and effective competition;
- to assist and enable TRBR and Government of Vanuatu policies to be evidenced-based and informed by current and appropriate measurable facts and trends within the telecommunications market of Vanuatu; and
- to continue to maintain Vanuatu's active participation and contribution in international telecommunications and regulatory matters by providing accurate and timely information to our international ICT partners and affiliated member associations.

iii. Anti-Competitive Practices

TRBR continues to remind the Service Providers of their service obligations as per their respective licence conditions and the amended TRBR Act. A reference is made especially

to the amended legislation on Section 22 (1) which stated “A service provider must not engage in conduct which has the purpose or effect, of substantially lessening competition in a telecommunications market.” Through such reminders, TRBR is signalling its oversight on some of the promotional offers that are currently in the market. TRBR is intending to proactively carry out its investigations on some promotional activities that we see would potentially lead to anti-competitive practices.

6.2 Interconnection at the Retail Level

Wantok Limited’s vision is to roll out Voice over Internet Protocol (VOIP) to outer Islands of Vanuatu. In doing so, Wantok needs to interconnect with either TVL or Digicel or both. Wantok’s intention is to interconnect with both operators given the size of their respective network across Vanuatu. Building on from 2017 activities, TRBR continued to facilitate the regulatory interconnection requirement between Wantok and Digicel, Wantok and TVL. Although the progress was slow, a lot more work was done than in 2017. In Quarter 4 of 2018, regulatory coordination was held back due to changes of Wantok’s ownership. It is anticipated that by 2019, all operators involved should complete the mandatory processes and requirements involved in interconnecting with each other, and that will allow Wantok to roll out its planned voice services.

6.3 Tariff Approval

At the retail level, there was no new tariff introduced by the service providers.

However, at the wholesale level there were some changes to price offers made by the Interchange Holdings Limited. Given such changes, TRBR has closely monitored the market and, additionally, has made sure that ICL meets its mandatory obligation; which is to obtain the Regulator’s prior approval for any increases in any tariffs, rates or changes it intends to charge for the telecommunications services within Vanuatu market.

6.4 Market Statistics, Trend Monitoring & Developments

For 2018, the Vanuatu Telecommunication markets continue to experience positive growth and uptake especially in the market of internet services, particularly the strong demand over the mobile networks.

Additionally, the utilisation of the Interchange Cable Network (ICN1) submarine cable continues to stimulate internet access and capacity usage for both fixed and mobile networks, broadband services thus led to large data download plans. The positive stimulation at the retail market is possible through the regulatory intervention in the market

of wholesale international internet bandwidth where the Regulator through its powers intervened by monitoring the two Licensees to ensure their price offers are approved before any commercial arrangements with the retailers. The regulatory approach has contributed as retail services providers have purchased more bandwidth.

The mobile data market continued its strong growth with a significant increase in download traffic volumes as well as increased revenue growth. As observed by TRBR, there was an incredible increase in the volume of download traffic incurred by mobile users in 2018 with total downloads of 2 billion megabytes over 2017 figure. The growth is stimulated by continuous deployment of 4G/LTE services by TVL and Digicel to many rural parts of Vanuatu.

Another important contribution to the increased use of mobile data in 2018 is the continuous reduction of data handsets costs including those that support 4G services. The cheapest available 4G smart phone went as low as 4000VT in 2018 with free data for limited period to increase uptake of data services by the users.

I. Gross Revenues

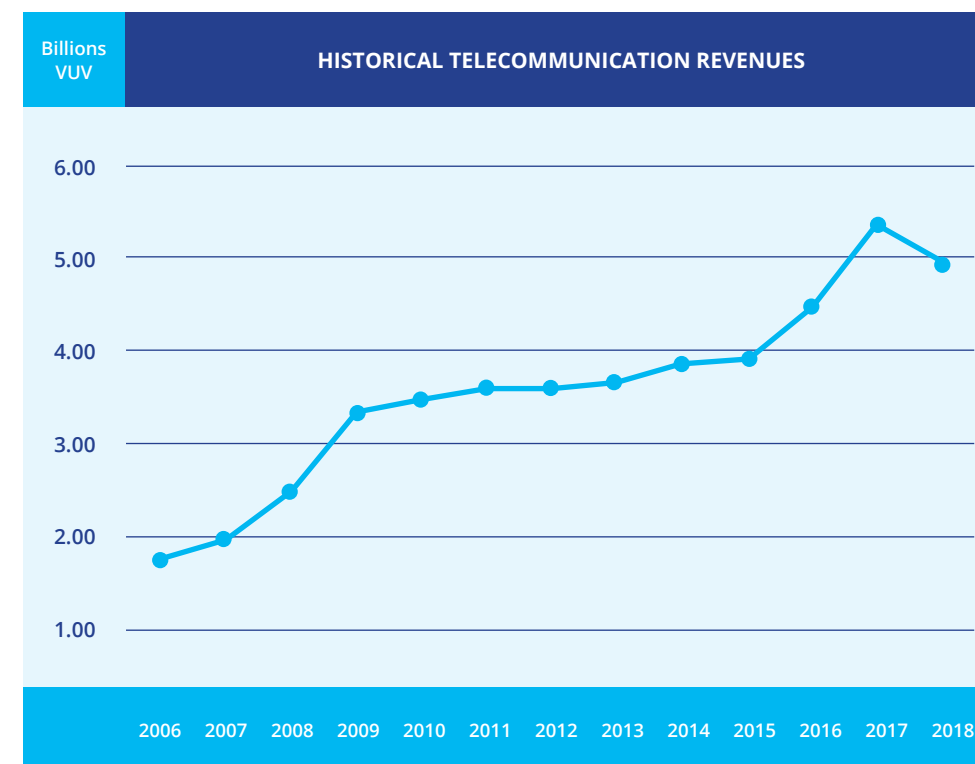


Figure 1: Showing trend on gross revenue collected

As illustrated in figure 1, the total market gross revenue has slightly dropped from VUV5,380,136,834 in 2017 to VUV4,955,574,014 in 2018. This 8% drop has been understood as a consequence of a specific service provider writing off a few revenue activities that it believed it is incurring higher cost when providing those specific services. However, overall the trend for gross revenue has a positive outlook as it continues to grow. The mobile data revenue continues to signal its growth including other services such as domestic calls, SMS texts and international call revenues.

Fixed internet services, including wired and wireless service, experienced relatively moderate increase in revenue whereas fixed telephony services generally experienced moderate decline in 2018.

ii. Mobile Subscriptions

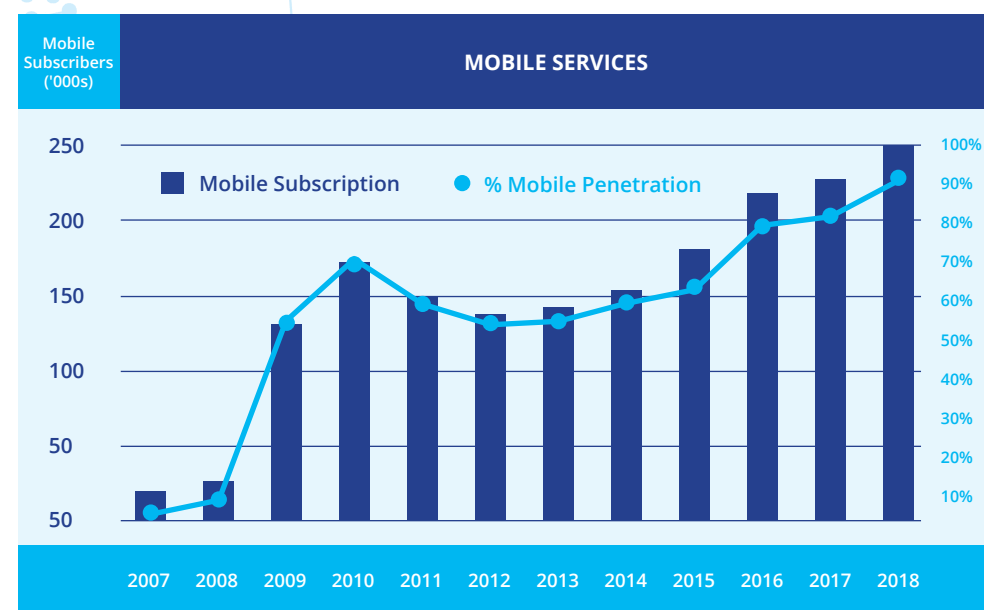


Figure 2: Vanuatu Mobile Subscribers

Mobile subscription continues to show significant growth in 2018 with an annual increase of 10% from December 2017. This growth is stimulated from the continuous increase in mobile penetration which has increased by 89% in 2018. The result was also the outcome of the implementation of the UAP roll out in the last 3 years where more people now have access to communications network. For Vanuatu, this penetration rate is far exceeding the International Telecommunications Unions' (ITU) estimated rate of 70.4% penetration for countries classified as Less-Developed Countries (LDC's). This level of mobile penetration also appears to indicate that Vanuatu is moving towards closing its digital gap between developing and developed markets.

In contrast, the uptake in the fixed telephony sector continued its downward trend, where the fixed telephony subscription has dropped by 8% year-on-year. The drop has led to voice minute traffic volumes and revenue to dip by 13% and 9% respectively. While the subscription base is seen to be dropping slowly, the number of subscribers still remains above 4,000 since 2015 which implies that people are still valuing fixed line connection at home or at their business premises. Fixed telephony providers have sought to introduce more fixed service bundles by either providing bundles monthly minutes and free-call periods or by packaging fixed telephony with other services such as fixed internet or mobile plans.

5.2.2 Fixed Phone-Line Subscription

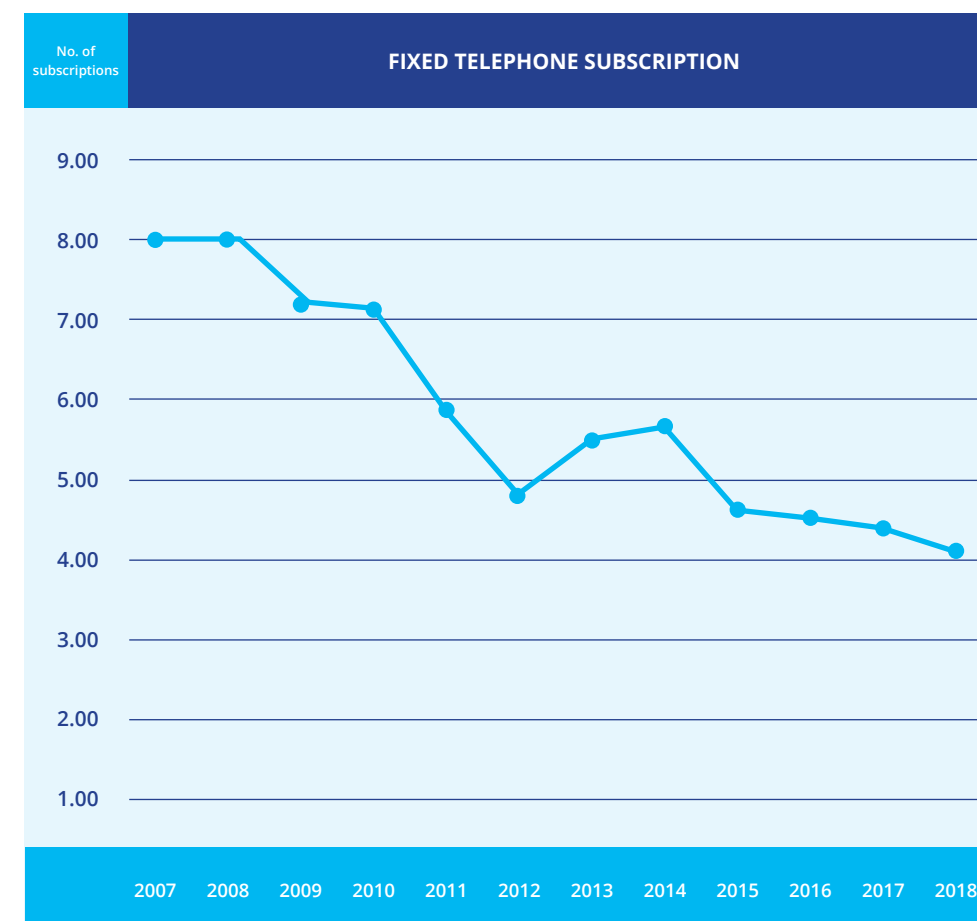


Figure 3: Fixed Line Subscribers

5.2.3 Mobile Data Traffic In The Last Twelve Months

Mobile data downloads trend continued to experience significant increase on a monthly basis as illustrated in Figure 3 below. This has stimulated growth in the total annual downloads by 223% , reaching a download volume of 2,132,864,160 Megabytes in 2018, compared to the figure of 2017 which was 663,137,542. The increase in data usage also triggered an 83% increase in mobile data revenue generated by the mobile operators.



Figure 3: Showing Mobile data traffic downloads in 2017 to 2018

The range and value of mobile data packages has continued to show improvement in 2018. The regulatory intervention to reduce the wholesale price of the international internet cost continued to benefit mobile end users, stimulating huge increase of data usage seen through 2018. This is also accompanied by on-going deployment of 4G by both TVL and Digicel throughout the country.

Furthermore, Digicel and TVL continue to release new promotional offers at affordable prices which also contributed to the significant increase in data usage. The data bundle prices for both prepaid and post-paid packages have continued to fall with annual average prepaid bundle price as low as 0.49VT/MB and 0.76VT/MB for the post-paid price in 2018.

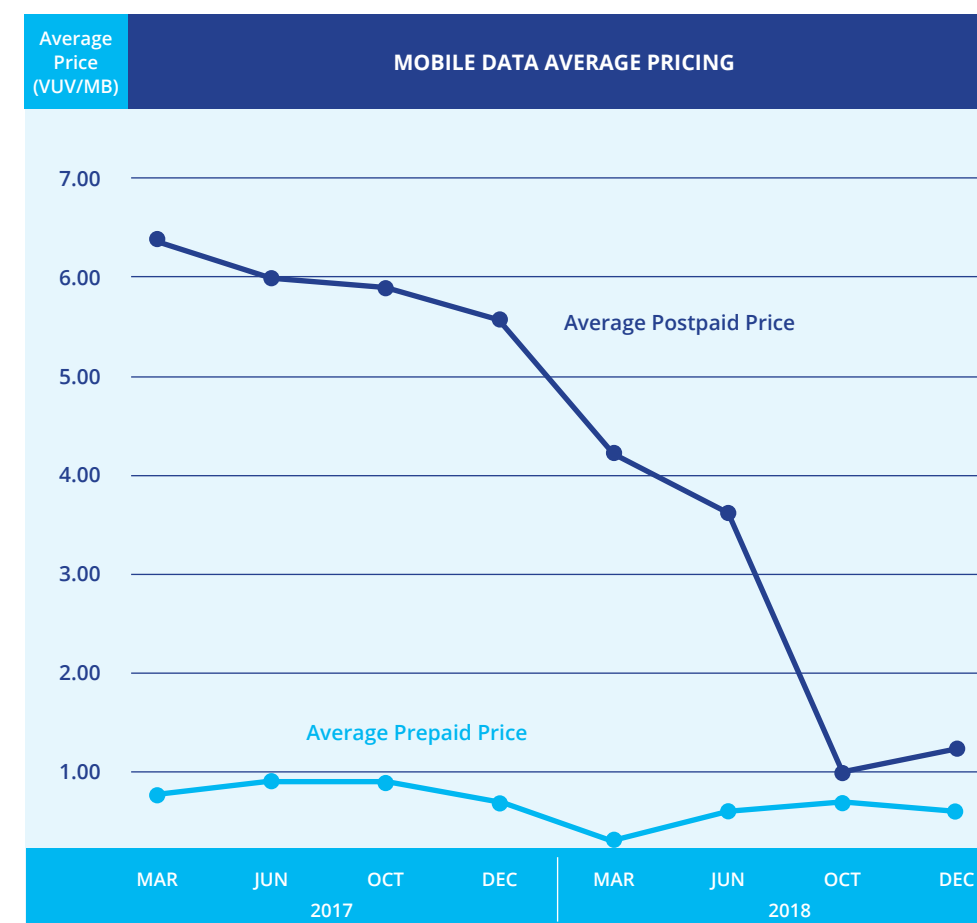


Figure 4: Showing mobile data price trend

The graph above, Figure 4, illustrates downward trend of mobile data average pricing. Prepaid average price remained below 1VT/MB where post-paid average price fluctuated in Quarter 4 due to a slight fall in mobile data traffic by 5% in 2018. However, the long term trend continues to descend.

6.5 Submarine Cable Matters - International Internet Bandwidth

Vanuatu's connection with the Southern Cross cable in Fiji, the submarine Cable (ICN1) landed in Port Vila since 2014. Since its arrival, both data and voice service usage continue to rise. The use of the cable network continues to stimulate internet access and capacity usage for both fixed and mobile network, broadband services and large data download plans especially at the retail level.

In 2018, there were sales of bandwidth made by both ICL and FCC to respective retailers. These sales have contributed to assist with more 3G+ and LTE roll out in many main villages of the main Islands of Vanuatu, and more promotional offers offered in the market by TVL, Digicel and other retailers. TRBR intervened into the wholesale market of international bandwidth requiring the wholesale supplier (FCC) to lower its wholesale price by 29%, and approved re-entry of leased wholesale market by ICL. This intervention has stimulated reactions by both operators. However, these regulatory interventions and changes made boosted demand of bandwidth by service providers and the Government. It has also contributed to stimulate growth in mobile data traffic and internet usage across Vanuatu.

7 Regulatory Legal Activities

7.1 Summary of Regulatory Instruments Released in 2018

i. TRBR 2018 Determinations and Decisions

TRBR publicly consulted on the 2100 MHz Band Planning and, deliberated on feedback and comments received during the consultation, issuing its Decision 01 of 2018, on 5th of May 2018, outlining the process that it will follow in its allocation and assignment of the 2100 MHz spectrum band.

TRBR released its consultation document on 6th April 2018 inviting public comment and input on the planning of the 2100MHz Band in Vanuatu. During the consultation period, TRBR received comments and feedback from service providers, stakeholders and interested persons, which assisted the Regulator in the making of her decision.

ii. TRBR 2018 Orders

As the regulatory agency responsible for the telecommunications sector, it is critical for TRBR to regularly collect accurate market data from service providers to enable TRBR to monitor the market effectively and efficiently.

TRBR's Order No. 1 of 2015 (Order 1) provides details of the specific information required to be provided to TRBR by telecommunications

service providers and the process and deadlines for providing this information on a bi-annual basis and relies on the powers provided to TRBR under Section 8 of the Act.

In 2018 TRBR, after a wide consultation with all service providers, TRBR updated its framework and issued an order (No 1 of 2018) to all service providers to supply market data as requested. This was official Gazette Notice No 160 of 2018.

7.2 Need of Harmonization of the Amended TRBR Act

In implementing and undertaking its regulatory functions, TRBR has observed that there may potentially be inconsistencies between the TRR Act and other related legislation. This observation has emerged when the TRBR was mediating on telecommunications related land disputes brought to its attention, particularly a dispute on the Pigminnie tower site, at North East Ambrym.

TRBR has provided legal advice to the Minister of Land and the Prime Minister in regards to a short term plan for land disputes on towers and long term plans that the Government may consider in acquiring land under the land Acquisition Act. TRBR

has undertaken review of its Act and has consulted with other bodies in respect of their related legislations as part of TRBR's harmonisation project. As an outcome of this exercise, the Hon. Prime Minister, Minister Responsible for Telecommunications/ICT and Broadcasting, issued an order in relation to land dispute at the North East of Ambrym.

7.3 Review & Amendment of the TRR Act, No. 30 of 2009

Following the review and consultation of the Act that was done in 2016, one of the recommendations was to carefully consider specific parts of the legislation in particular sections related to market competition and Licensing regime. However, the exercise has not been positively carried out for various reasons that have not been clearly communicated to the TRBR by the Office of the Prime Minister through OGCI. In 2018, the progress of the review exercise has not positively progressed as expected.

Instead, the Office of Prime Minister through the Office of the Chief Information Office pushed forward an amendment of the said Act to consider Broadcasting Regulatory functions be transferred to the TRR sphere. Sadly, the amendments made had not been consulted on with the TRBR thus making it difficult and placing TRR of that time being in limbo especially with its regulatory outlook and resource planning.

With the respect that the TRR/TRBR has for the Hon. Minister responsible and the Government of the day, TRR/TRBR professionally welcomed the approved

amendment made by the June parliament. The amendment came into effect on the 27th July after the Amendment No 22 was legislated by Parliament to include the Regulatory role of broadcasting. Although the amendment has been done, there are more emerging regulatory concerns that are necessary for another amendment exercise to take place and be widely consulted on. This is because TRBR is now a Converged Regulator and the whole legislation needs to be reviewed to cater for the Digital economy.

7.4 Type Approval and Conformity Standards Regulation

As reported in the highlighted section above, Section 7 of the Act as amended by Amendment 22 of 2018, prescribes the general functions and powers of the Telecommunications, Radiocommunications and Broadcasting Regulator (TRBR). Sub-section 7(3) of the Act states:

"The Regulator may, with the approval of the Minister, make such regulations as may be necessary or convenient to give effect to the provisions of this Act," and Paragraph 7(4) (f) of the Act states that "imposing restrictions or limitations upon the importation, sale or use of any equipment used or likely to be used in connection with radiocommunications or telecommunications."

As required by the Act section 7 2 (a) (ii), this Regulation will assist in the rapid increase in the uptake of mobile data, internet, Pay-tv and radio services in Vanuatu and other value added services. Vanuatu is experiencing

increased development in roll out of ICT activities outside urban areas and this regulation is urgently needed to make sure our country is not receiving harmful devices or equipment.

It is evident that the market is seeing an increase in the number of radiocommunications, telecommunications and broadcasting devices and equipment from different vendors and suppliers coming into the country. Some of these devices may be of low quality and may not be compliant with applicable international standards and requirements.

To manage such issues TRBR has widely consulted on the Type Approval and Conformity Regulation which the State Law Office have then gazetted in November of 2018. The Regulation is known as "Type Approval and Conformity to Technical Standards Regulation Notice No 191." (For more information on this activity can be found on page 63 to 64 of this report).

7.5 Court Cases Against TRR/TRBR

Through out the year, there are a number of court cases that the TRR/TRBR has been involved on. The court cases include:

I. *Interchange vs. Telecommunications & Radiocommunications Regulator Judicial Review No. 2941 of 2016*

A case between Interchange Limited and the TRR has been sorted outside the court. This case is based on a complaint filed to TRR, by SpeedCast, claiming it has been misled

by ICL during the two parties' commercial negotiations and arrangements for purchase of the International Internet Capacity. The complaint was then filed for TRR's mediation. The outcome of TRR's mediation has caused ICL's negative reaction thus the case was then filed to court. During the process and preparations for court hearing, both SpeedCast and ICL approached the TRR if this court case could be sorted outside of court. After TRR's deliberations, it accepted that both companies can proceed with their request and report on the outcome to the TRR. The case is now sorted and over. (For more information, please go to page 88).

I. *Louise Nasak vs TRR, a new civil case 1914 of 2018*

The case came about when a former staff, Mrs. Louise Nasak was terminated by the TRR back in 2015. The termination was based on section 7.1 of the contract agreement made between Mrs. Nasak and the TRR, where it reads "this agreement may be terminated by either party upon three months written notice after completion of probationary period. The Regulator, at its discretion, may make a payment in lieu of notice and not require the employee to work out the notice period." Although the TRR applied this section and made payment in lieu of the notice, it has caused a negative reaction by the said former staff member where she refused to receive the payment until 2018, when she decided to file the court case against the TRR/TRBR.

The case was however, settled out of court when she finally accepted receipt of the payment. More information on this case can be found in page 87 of this report.

II. *Former TRR staff vs. TRR, Civil Case No. 3053 of 2016*

Building on from 2017 report on this case, the case was heard in May 2018 as expected. The case was dismissed by the Judge based on the legal presentations and arguments presented by respective parties' lawyers. This case was submitted as a group. However, each individual staff member, being part of the group has not experienced the same treatment as claimed in their filing. This case is now sorted and over.

III. *Former TRR staff vs. TRBR – a new civil case claim 2134/18, 2136/18, 2137/18, 2138/18, 2139/18, 2140/18, 2141/18, and 2142/18*

The outcome of the Civil Case No. 3053 of 2016 heard in 2018 has triggered this new Civil Case. TRBR understood that the case is now being lodged individually against the TRBR. Further development of this case will be reported on in the next Annual Report.

IV. *Dalsie Baniala (TRR) vs. Hon. Prime Minister Charlot S. Tabimasmass & OGCI Gerard Metsan*

The TRBR case came about when Dalsie Baniala (the Regulator) was immediately suspended in November 2017. After the first hearing, the court ordered Ms. Baniala to resume duties in early January, 2018. The Hon. PM appealed the case and the court decision remained with a slight change. (More information on this can be read on page 89 of this report).

Although TRR/TRBR has been challenged by all the above court proceedings, TRBR remains confident that all its cases will be positively resolved in favour of the TRBR.

8 Telecommunications and Radiocommunications Technical and Engineering

8.1 National Numbering Management Plan and Procedures

Building on from the work done in previous years on National Numbering activities, TRBR continues to closely monitor compliance with the National Numbering Management Plan that it has produced to guide both the TRBR and the service providers. As part of its monitoring exercise, TRBR requested the operators to report on respective administrations of numbers allocated to respective operators and in particular TVL, Digicel and Wantok.


The outcome of the exercise has signalled to the Regulator that mobile services continue to grow and there is a strong need for close monitoring of the numbers allocated for security reasons. That is to ensure the numbers are not hijacked or abused by any operators or consumers. Therefore, this exercise is an ongoing activity.

8.2 Radio Spectrum Management

I. General

The TRBR's mandatory obligation is to ensure the radio spectrum is at all times appropriately managed and administered at a national level, and in accordance with the ITU-Radio Regulations. In doing so, TRBR through its officers responsible continues to update its frequency allocation table and monitor usage when spectrum ranges are assigned.

Radio spectrum is a natural and highly valuable national resource. Without appropriate spectrum management and administration, there will be issues in the roll out of telecommunications, radiocommunications and broadcasting services across Vanuatu. For example, in order to resolve some issues that the consumers are facing today outside Port Vila, issues related to coverage, one factor



that must be considered and worked on is for the operators to upgrade the spectrum range that they are currently using to the next level of spectrum range that from short range spectrum to wider and longer range spectrum such as 700MHz. The TRBR officers responsible invested a lot of their time making sure the spectrums allocated are used as per the regulatory conditions outlined and respected by the operators.

II. Allocation and Assignment of the 700MHz Spectrum

TRBR has created an incentive for the 700MHz series and assigned it to some of the dominant operators in the market. The assignment of the mentioned spectrum is to support the ongoing development of Operator's respective networks throughout Vanuatu particularly in rolling out of 3G+ and 4G services in targeted areas of Vanuatu.

The 700 MHz will hopefully address some coverage issue due to its very unique propagation properties.

This being the case, TRBR in ensuring adequate bandwidth is available for network development, has now started the investigation of other frequencies that can be made available to the operators for IMT services. TRBR sees that the implementation and utilisation of this spectrum range that will be considered in consultation with the main operators who will promote more uptake of mobile services outside Port Vila and will provide benefit and enhanced services to the people of Vanuatu.

8.3 Spectrum Management System for Developing Countries (SMS4DC)

As proposed by the ITU technical officials for SMS4DC, TRBR continues to maintain its status to be the excellence centre for operations and management of SMS4DC database used across the Pacific. Building on from the work previously done, TRBR through its responsible officers continued to update the database system. As reported on in 2017 Annual Report, the technical team has completed transfer of the frequency records from Excel spreadsheet to SMS4DC and continues to monitor and maintain the database system up to date.

The system has provided a much more structured management and reporting for the spectrum and included invoicing for spectrum allocation and other apparatus Licence holders.

Importantly, the database is useful because it provides TRBR the ability to ensure that spectrum allocated by TRBR is free from interference.

8.4 Asia Pacific Telecommunity (APT) Frequency Information System (AFIS)

During the month of October, the TRBR technical team were involved in a training Programme on the APT Frequency Information System (AFIS). AFIS is a web-based information portal to share the usage of frequency spectrum within the APT

Member countries. It is a very useful tool for APT Members who are considering the introduction of new applications and services and who would like to benefit from the experience of other members who are at a more advanced stage of development of their Radiocommunications systems. AFIS is also a useful tool for the industry and operators in order to prepare business plans and make investments. The major advantage of AFIS is it would help to the goal of developing a common or harmonised approach to future spectrum usage in the region. Further, AFIS will also contribute to the underdeveloped/ developing nations for the development of electronic version of their National Frequency Allocation Table (NFAT) and a comprehensive information system for the work of spectrum management. TRBR is now in the final stages of completion of the transfer of data to the database information system and it will be an on-going update of the system going forward.

8.5 National Frequency Allocation Table (NFAT)

The NFAT was again reviewed during the year and it is a standard on-going practice for TRBR to cater for improvements. Given TRBR is already using SMS4DC, the AFIS and in preparation for the outcome of the forthcoming World Radio Congress in 2019 (WRC19), TRBR continued to reevaluate and update the NFAT to ensure that the use of spectrum in Vanuatu is optimal and that any changes that come out of WRC19 can be easily adapted into the databases TRBR is being using.

In October 2018, TRBR released a consultation on the NFAT which has a positive turn out according to the response received from the specific operators. TRBR will publish the NFAT in quarter 1 of 2019 (www.trbr.vu).

8.6 Spectrum Monitoring and Interference Resolution

There are identified occurrences of interference, some of which has been amicably resolved by the parties involved. However, TRBR through its officers responsible has investigated the cause of other interference, especially with FM radios and LED billboards. It is anticipated that in 2019, a framework will be catered for such advertising bill boards and particularly to ensure the bill boards imported into the country are type approved and meets the conformity standard required. TRBR will closely work with the operators and other supplies for the radio operators to ensure there is minimal rate of radio interference.

8.7 Radio Spectrum and Radio Apparatus Licensing

i. Spectrum Fees for 700MHz and 2100MHz

Decision 1 of 2016, continues to positively impact on the implementation and roll out of 3G+ and 4G services across the country. The operators who have been issued with 700MHz and 2100MHz continue to positively commit themselves since the beginning of 2017 and are a positive reflection of collaboration but working independently.

During 2018 TRBR continued to receive a number of enquiries and applications for additional spectrum from licensed operators. In total, three (3) spectrum licences were issued. Both licences were issued for additional 3G+ and 4G frequencies to support the increased penetration of 3G+and 4G data across Vanuatu.

ii. TRBR Ensures Valid Radio Apparatus Licences

At the beginning of Quarter 1 and end of Quarter 4 each year, TRBR published public notices notifying all Apparatus Licence

Holders to renew their Licence and/or make sure they are legally operating their Radio Apparatus within the calendar year.

Such notices are also sent via email contacts for those holders who have provided to the TRBR their email contacts.

TRBR saw most apparatus holders respect their mandatory obligations by ensuring their Licences are renewed and valid for operations. This year, TRBR has recorded an increase in the number of radio apparatus holders from 66 to 515.

Table 1: Table below shows the total Apparatus licenses issued in 2018

Land Mobile	102
Amateur	9
Marine	76
Fixed Links	274
Aeronautical & Aircraft	31
VSAT	12
Broadcasting	11
Total Radio Apparatus Licences	515

8.8 Compliance and Enforcement

Following on the past years compliance activities, TRBR continues to actively monitor and enforces, in accordance with its Regulatory framework and the Act that the objectives of the specific frameworks are enabled and able to be achieved. For this year's activities, once more TRBR collaborated













with the responsible Officers for Maritime Regulator to ensure the Maritime Licence Holders operates valid licences. Additionally, TRBR through its staff members work closely with the broadcasters to ensure they all have valid licences to operate any radio stations and or other apparatus that requires a licence.

8.9 Type Approval and Conformity Standard Regulation

TRBR has once more released the National Type Approval and Conformity Standard Regulation. The document has been gazetted and will be enforced in the beginning of 2019 and onwards. The object of this Regulation is to ensure Telecommunications, Radiocommunications and Broadcasting Devices and equipment coming into the country is type approved and meets the conformity standard. TRBR promotes quality ICT products coming into Vanuatu therefore; the regulation is being successfully developed and approved.

TRBR believes that the citizens and the Government would agree with the TRBR's approach for various reasons, on making sure Vanuatu is at all times safe and secure with all sorts of ICT products coming into the country. In 2019 and onwards, TRBR will work very closely with key stakeholders such as the Customs and Inland Revenue, at both international gateways (airport and sea), the service providers (broadcasting and Telecommunications) and other suppliers and vendors of radio devices coming into the country.

EMC Compliance Marks

Short hand	Compliance Mark	Mark affixed to demonstrate compliance with requirements of:	Short hand	Compliance Mark	Mark affixed to demonstrate compliance with requirements of:
CE		Directives issued by the European Commission	MIC		South Korean Ministry of Information and Communications. Safety and EMC compliance.
GS		GS Mark. Germany. Europe.	BSMI		Taiwanese Bureau of Standards, Metrology and Inspection. BSMI or T Mark.
FCC		Federal Communications Commission (FCC) (USA)	HKSI		Hong Kong Safety Institute Mark also Hong Kong Safety Mark.
C-Tick		Australian and New Zealand C-Tick	eK		South Korea. eK Mark.
VCCI		Japan's VCCI Mark (Voluntary Control Council for Interference by Information Technology Equipment).	KCC/MIC		Ministry of Communications (RoK)
PSB		Singapore Safety Authority, Productivity and Standards Board.	LR		Marine Approval (Lloyd Register)

Detailed information on compliance marks and standards can be found more in the Regulation under this link <https://www.trbr.vu/en/public-register/regulations/final-regulations>.

8.10 Update Report on Quality of Service (QoS) Status for Vanuatu Telecommunications Services

Upon the completion of the Government's UAP implementation, TRBR saw the need to prescribe the quality of telecommunications services with the minimum standards.

A consultation was done to obtain the Operators' views on the approach the TRBR is taking including the parameters it will use in performing the exercise. The responses to the parameters used were supported by all stakeholders who participated on the exercise.

The Quality of Service Monitoring and Key Performance Indicator exercise is carried out to ensure the service providers meet the standards of internal recognized institutions and that the benchmark is set to locate areas for improvement for service providers at the

national level. Additionally, the exercise will contribute to inform the public in the simplest way possible on some key indicators of QoS for mobile services and in doing so, affected consumers can make informed choices and understand the telecommunications market better.

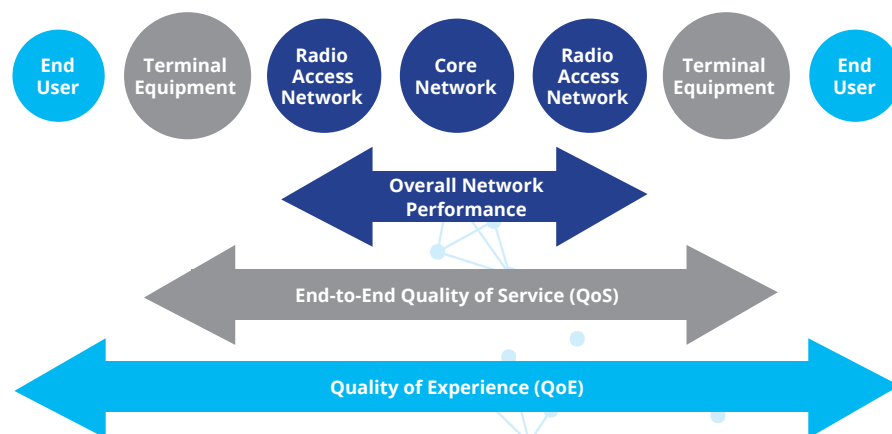
The exercise will also assist TRBR to continue to have access to a timely, relevant and accurate information regarding QoS to enable it to effectively perform its role and functions contributing to sustainable market competition.

(Below - diagram illustrating what the TRBR is looking for when performing QoS exercise)

(As an outcome of the consultation, the below is the approved parameters for QoS).

Quality of Service Parameters and Measurement

This diagram illustrates the three main components that established the quality of Mobile Services.



Mobile Voice Parameters		
PARAMETERS	THRESHOLD/ STANDARD	COMMENTS
AVAILABILITY		
Network Availability		Network Availability throughout duration at the area of the assessment
Rx Signal Level	≥-95dBm	To check for received signal strength at the area of assessment Reference: Framework for the Assessment of Service Quality of Telecommunications Systems and Service,CA,2017
ACCESSIBILITY		
Call Set up time	< 10s	Time it takes to initiate a call Reference: ITU-T Recommendation E.807
Call successfully connected	>98%	Rate of successfully connected calls over the total calls initiated Reference: Framework for the Assessment of Service Quality of Telecommunications Systems and Service, CA, 2017
SMS Establishment Rate	>95%	Rate of successfully sending an SMS References: ETSI EG 202 009-2 V1.3.1 ETSI EG 202 057-2 V1.3.2 (5.6.2) ETSI TS 102 250-2 V2.3.1 (7.4.4 – completion failure ratio) ETSI TS 102 250-5 V2.4.1
RETAINABILITY		
Call Drop Rate	≤2%	Rate of calls forcibly dropped over total number of calls made Reference: ESTI ES 202 765-2(7.4)
Handover Success Rate	≥96%	Rate of calls successfully transferred either soft or hard handover Reference: Framework for the Assessment of Service Quality of Telecommunications Systems and Service,CA,2017
INTERGRITY		
Call Set up time	<10 s	Time it takes to initiate a call Reference: ITU-T Recommendation E.807
SMS End-to-End Delivery time	>95% in less than 30s	Rate of successfully sending an SMS within 20s over total number of SMS sent References: ETSI EG 202 009-2 V1.3.1 ETSI EG 202 057-2 V1.3.2 (5.6.3) ETSI TS 102 250-2 V2.3.1 ETSI TS 102 250-5 V2.4.1
Mobile Data Parameters		
PARAMETERS	THRESHOLD/ STANDARD	COMMENTS
AVAILABILITY		
Network Availability		Network Availability throughout duration at the area of the assessment
Rx Signal Level	>-95dBm	To check for received signal strength at the area of assessment Reference: Framework for the Assessment of Service Quality of Telecommunications Systems and Service,CA,2017

WEB-PAGE DOWNLOAD		
Data Establishment Rate	95% within 20 seconds	Set up success rate for the page to completely load Reference: Framework for the Assessment of Service Quality of Telecommunications Systems and Service, CA, 2017
Packet loss Ratio	<2%	
DL/UL Speed	>25Mbps/15Mbps	Average LTE speed given that the test device will be set to Auto connect mode with LTE being the priority
File Download/Upload		*No specific file size but the same should be used throughout test
Data Establishment Rate	>95%	Set up success rate for the page to completely load Reference: Framework for the Assessment of Service Quality of Telecommunications Systems and Service, CA, 2017
DL/UL Speed	>25Mbps/15Mbps	Average LTE speed given that the test device will be set to Auto connect mode with LTE being the priority
YOUTUBE VIDEO		
Data Establishment Rate	>98%	Set up success rate for the page to completely load Reference: Framework for the Assessment of Service Quality of Telecommunications Systems and Service, CA, 2017
Start time	<5s	Duration for when video actually starts to play

This information can be downloaded from TRBR's website or visit TRBR office to obtain a copy if you wish to learn more about the QoS information.

The Quality of Service (QoS) benchmarking exercise was considered to be carried out and this involves assessing the performance of the service provider's telecommunications network. As reported above, the outcome of the exercise will benefit both the operators and consumers and the TRBR to ensure its related decisions are balanced and fair. From the exercise, operators may also identify areas of improvement and consumers may then make informed choices on the mobile services provided either to use TVL or Digicel's network.

The exercise will be carried out in 2019 and onwards based on the parameters approved and listed above and, the Regulator has decided to engage an independent auditor to carry out the task.

9 Regulatory Internet Governance Activities

9.1 .vu Country Code Top Level Domain

Under Section 7(4) (e) of the Act, TRBR oversees and facilitates appropriate management and administration arrangements of Vanuatu's Top Level Domain names and domain name registration for Vanuatu. Building on its 2017 work on internet governance, a major TRBR deliverable is that Vanuatu, for the first time, now has an established legal and regulatory instrument to appropriately manage the state's resource .vu ccTLD. This is a resource that is scarce and must be appropriately and carefully administered. Although TVL is currently the "Registry" for this resource, the process of appointing a Registry Operator has progressed to the final stages and an appointment will be made in quarter one of 2019 followed by the approval of multiple Registrars in accordance with the Act and market competition principles. After the Regulation was officially gazetted in 2016, a number of policy guidelines were developed to provide operational procedures for the .vu ccTLD. These policy guidelines have now been finalised. Other guidelines for the Management and Administration of the .vu ccTLD will be developed in 2019 once a Registry Operator is appointed.

9.2 TRBR's 3rd Regulatory Internet Symposium

After three consecutive years of organising the TRBR Regulatory Internet Forum, this years event was a bit different. The event was used as a stepping stone for Vanuatu Internet Governance Forum (VanIGF). The VanIGF commitment was formed during the Asia Pacific Regional Internet Governance Forum held in Port Vila in 2018 after there was great interest shown by the local Internet community in Internet Governance initiatives. The VanIGF mini forum was led by the interim committee with the support of TRBR. The event was held at the Blue Bay Resort in Port Vila on 30th October 2018. The meeting promoted the theme "Cybercrime and Online Privacy Challenges and Security Measures for Vanuatu" which is in line with the current Vanuatu National Cyber Security Policy and the National ICT Policy; where priority action plans and responsibilities were placed on the OGCIO and TRBR. Local presenters included Vanuatu's only Doctor on Cybersecurity/crime issues, who is current VanIGF Interim Chair and Cybersecurity Advisor to the OGCIO and CERT VU along with other local ICT experts and an officer representing the APNIC presented remotely.

As an outcome of this event, two full time positions for VanIGF were advertised, the VanIGF Director position and the Admin Secretary Officer position. The Office of the VanIGF should be up and running by early 2019 with the support of OGCI and TRBR along with other key stakeholders in Vanuatu.



Photo showing the participants for the Regulatory Internet Forum

9.3 Online Child Protection Activities

Ongoing Child Online Protection (COP) awareness was conducted by TRBR in Vanuatu this year by the TRBR Consumer team.

TRBR is a member and has been providing support to the Vanuatu Child Protection Working Group for the last three years and this year again TRBR was represented in the first consultation of the Child Care and Protection Bill. This Bill is in its early stages and it will address Child Online Protection. This would be a huge step forward for Vanuatu if that is taken on board by the members of the parliament for their approval. TRBR will continue to provide its support on this bill consultation until it is finalised.

9.4 TRBR's Participation at the ICANN 61 & 62

TRBR through its Consumer and Internet Governance Manager attended the 61st meeting of the Internet Corporation for Assigned Names and Numbering (ICANN) – ICANN61. It was a high-level policy forum held in Puerto Rico, Caribbean.

The meeting has also contributed to understanding DNS on the network security perspective and Internet

Importantly, it is an opportunity for the Manager to meet and discuss with big international domain name registries and registrars the possibility of their support

and engagement of the .vu ccTLD and also networking with Internet experts and Agencies globally. It was a great exposure for the Manager responsible for Regulatory internet issues.

On the ICANN 62 event held in Panama City, TRBR also had the same opportunity to attend the high level policy form meeting. The meeting focussed on the network and domain names security and abuses. Building on from the ICANN 61 activities, the officer responsible also took the opportunity to

meet and discuss with big international domain name registries and registrars the possibility of their support and engagement of the .vu ccTLD.

TRBR through its responsible staff have been benefiting from this kind of forum through fellowships provided by the ICANN. TRBR would like to take this opportunity to also thank the ICANN for their continuous support towards TRBR development particularly on internet issues.

9.5 Asia Pacific Regional Internet Governance Forum (APRIGF 2018)

TRBR as co-host of APRIGF 2018, with OGCI was involved in the original bidding process to host the event. During the months leading to the event, TRBR played an important role in coordinating and facilitating the overall event.

The APRIGF 2018 meeting was held at Iririki Island Resort in Port Vila Vanuatu and promoted the theme "Build an Affordable, Inclusive, Open and Secure Internet Environment." This was the first time that the APRIGF was ever held in the Pacific Island nations.



Photo showing a cultural group leading the Hon. Prime Minister, the Father of Internet and other Hon. Ministers in the Pacific Region attending the Opening ceremony for the event



Photo - An official Photo taken after the opening ceremony for the event

Many stakeholders of the Internet Community in Vanuatu, the Pacific Island region and Asia Pacific were invited to be part of the Forum meeting this year. There was a great response from the invitations and over 300 people registered and attended the 3 day forum. The event was officially opened by the Honourable Prime Minister of Vanuatu, Charlot Salwai Tabimasmass. The forum also

saw one of the Fore Fathers of Internet Dr. Vinton Cerf and currently the Evangelist for Google Inc. who also took his time and participated in the forum.

APrIGF 2018 was also attended by key Internet leaders in the Asia Pacific region and around the world and some are listed in the table (right).

Name	Title	Organisation
Dr. Vinton Cerf	Evangelist	Google Inc.
Paul Wilson	CEO	APNIC
Brent Carey	Commissioner	InternetNZ
Leonid Todorov	General Manager	APTLD
Tom Chattayil Varghese	Manager, Policy Access and Connectivity, APAC	Facebook
Save Vocea	Vice President, Global Stakeholder Engagement	ICANN
Maureen Hilyard	Chair ALAC	ICANN
Rajnish Singh	Chairman	APrIGF Multi-Stakeholder Group
Edmond Chung	CEO	.asia
Chester Soong	Director	ISOC Hongkong
Hon. Ped Peter Agovaka	Minister	Solomon Islands Minister of Communication and Aviation
Annaliese Williams	Director, Internet Governance	Australian Government
Raul Echeberria	Vice President of Global Engagement	ISOC

Main discussions were centred on Internet Security Matters and other related topics that were linked to cybersecurity. The TRBR sincerely offers its words of appreciation to the sponsors listed below and thank them for the continuous support towards internet governance matters and development across Asia Pacific.



9.6 Pacific Internet Governance Forum (PIGF)

The third Pacific IGF was organised by the Pacific Islands Chapter of ISOC in partnership with the APriGF Secretariat and in accordance with the core IGF principles where the Government of Vanuatu hosted the meeting in partnership with TRBR parallel with APriGF 2018 at the Iririki Island Resort. The forum was more open and transparent and it used different approaches such as remote participation to allow stakeholder participation. It was an all-inclusive forum with public involvement, input and participation. Discussions during the forum were centred on the same theme proposed for the APriGF. The TRBR assisted with coordination of a number of sessions including internet inclusivity, access and data privacy matters. TRBR and its team will continue to support such events given internet has a borderless boundary.

10 Enhancing Education and Awareness of Consumer Rights, Responsibilities and Protection

10.1 General

As a key focus of our 2018 Work Plan, and TRBR places a high priority on its Consumer Awareness and Protection programs focusing on communities and schools outside Port Vila and across Vanuatu. We see this as an integral part of the Government's mission of educating for a just, wealthy and healthy nation.

TRBR had significant progression with its planned program across Vanuatu. We utilised as many avenues as possible that are available for us to disseminate information to the public, including:

- I. Conducting consumer awareness programs in all the six provinces of the country. The awareness include both primary and secondary schools, churches and communities to educate, empower, aware and protect them;
- II. Capacity building for all the Community Consumer Champions (CCCs) in six provinces of Vanuatu, to assist effectively in raising awareness, educate

and empower the rural communities in ICT services, under guidance from TRBR;

- III. TRBR's involvement in the national and provincial events, including Churches, Youth, Cultural, Schools, Media and other significant occasions or days organized around Vanuatu; such as ICT Day, Consumer Rights Day, World Media Freedom Day, and others;
- IV. Network tracking using a special mobile app called "Network cell infor Lite" in some of the selected sites which the six provinces of the country. TRBR also advise the public to install the app and help tracking the network and sending the data to TRBR office for analysing purposes;
- V. TRBR Mobile App deployment. This mobile app will then provide each consumer access to information relating to telecommunications and the intended best practices that would allow the consumers to use the services in a more effective and efficient way to improve their quality of life.

This year, TRBR developed topics suitable for different targets and different categories of users. For example, when speaking with young children we placed an emphasis more on online child protection and provided advice to teachers and parents for guidance to their children. We targeted teenage groups who were impacted with use of social media in the community and societies; noting it has been identified that teenagers are the most vulnerable and show a high commitment to using social media. In all, we placed an emphasis on the importance of using ICT tools in a more efficient, productive and useful way.

In 2018, TRBR also extended its general consumer awareness initiatives and programs to all the six provinces other than the two main municipalities of Port Vila and Luganville. We covered all 6 provinces in Vanuatu including, and particularly, UAP sites.

TRBR provided awareness and capacity building to the Community Consumer Champions (CCCs) to help spread the message to the local communities. Furthermore, TRBR also educated consumers on the new Consumer Protection Regulation ensuring that consumers are able to understand their obligations in respect of whatever decisions they make. As part of the visit, TRBR staff and consumers openly discussed existing issues that people in rural communities face, in order to identify them and bring forward such issues to the Regulator's attention for redress as required and to work closely with key government agencies and other bodies to address the identified issues.

We are tracking network coverage of both telecom operators to have a better understanding on the strength and weakness of the network coverage and issues associated to it. Not only that, but TRBR through its Community Consumer Champions were guided by the TRBR officers to track network coverage whenever they have the opportunity, not only during awareness programs. This is because they will help to provide the TRBR assigned team with data that will then give us a clear indication of the coverage network behaviour in the entire country.

During TRBR's educational awareness activities, we learnt some major issues faced and some improvement by the consumers when using ICT devices especially mobile phones and we classified them in three groupings.

1. Socially

Positive

- Consumers were informed and aware of what is happening around them and even globally through access of social media;
- Keep in touch with friends and families in other islands or provinces and even abroad;
- Sharing their concerns about the national issues via tokback shows or social media forums and
- Gain new skills and ideas in life when connecting to the internet.

Negative

- Lack of positive use or research using data through mobile phones;
- Limited network coverage is common in many remote areas of our provinces. Consumers need to move to a spot or location to make a call or access the internet;
- Pornography is a challenge in rural communities and, to some of them, access to the internet means access to pornography. Currently the UAP sites visited, like other access sites in Vanuatu, have open internet into a network without any specific filters on their routers;
- New issues and problems arising in the local communities such as broken marriages and others due to abuse of access of internet through mobile phones or abuse of handsets;
- Wasting a lot of time on ICT devices such as tablets, mobile phones and others instead of doing some productive work for the families and community;
- Parents have low level of digital illiteracy and limited knowledge to educate their children in wise use of telecommunication and ICT devices and
- Only a few people out of the hundreds in the community fully understand how to operate their cell phones (i.e the content of the mobile phone).

2. Educationally

Positive

- Enhancing their learning capacity;
- Can access some educational materials from the internet and improve their learning journey and
- The ICT devices help the school children and even citizens to have access to information and connect them with internet and be able to further explore it.

Negative

- Digital illiteracy rate is still high in almost all provinces in the country;
- Primary and secondary school students spent much time on their cell phone and invest less time on their academic work as required and
- Many students were suspended from school due to watching pornographic or offensive materials using their mobile devices.

3. Economically

Positive

- It also helps rural business to advertise domestically and internationally through social media platform especially Facebook;
- Less cost to travel physically to a certain location to get something done and
- Just a single call at a lower rate to get things done.

Negative

- People spent a lot of money on credit that they did not plan for either for voice or internet data.

Going forward, the TRBR will continue to work with the communities for more awareness and training programs at their levels. The TRBR will also work with local bodies such as the Vanuatu Internet Governance Forum Secretariat, the Telecom operators, the internet Centre operators, the Government through OGCIO, the Charitable Organisations and other international bodies based in Port Vila who are doing the same, and other suppliers of internet services to develop a mechanism that will assist with managing internet surfing, particularly focusing on children.

TRBR continues to promote this through its participation with the Child Protection Unit in the Department of Justice.

TRBR through its community consumer champions is also conducting basic training with parents in respective to communities to understand more on how to manage young children who are online, surfing the internet.

Working with the Community Consumer Champions, TRBR will organise similar basic training for the village leaders.

Below are the details of the 2018 awareness program rolled out by TRBR through its consumer team and its CCCs.



10.2 TRBR Mobile App (TRBR Facts Info)

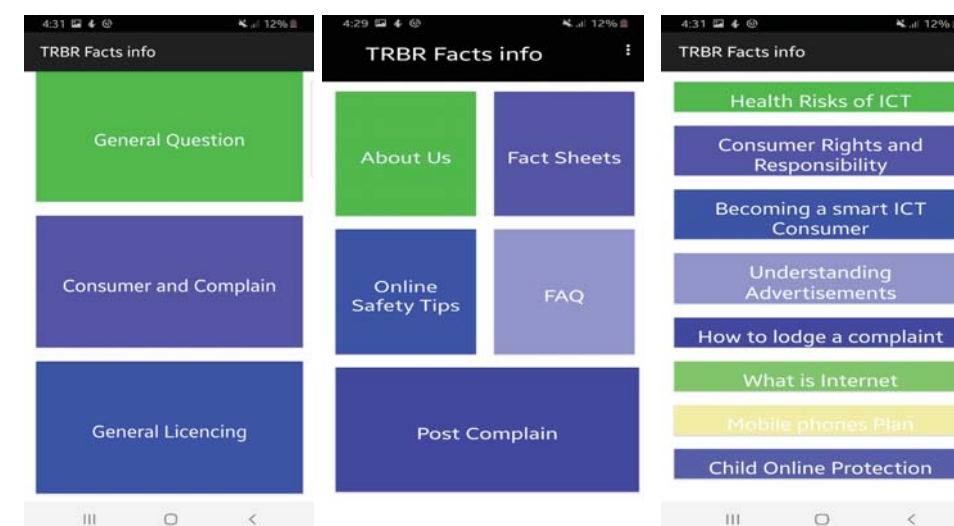
Since there is continuous increase in the use of mobile and widespread adoption of other ICT devices in the country, mobile applications will help to improve the life of the consumers in terms of access and use of information. The TRBR through its ongoing consumer awareness programs and its Consumer Protection Regulation, developed a mobile application (App) in 2017 to assist all telecommunications consumers across the country. The name of the App is TRBR Facts Info.

This year we have upgraded the App and made it IOS compatible. Android version to IOS system. The IOS simply means (iPhone Operating System device) Products that use Apple's iPhone operating system,

including the iPhone, iPod touch and iPad. It specifically excludes the Mac (also called "iDevice" or "iThing"). Not only that, we upgraded the languages used in the mobile app to the three languages of the country which are English, Bislama and French. This is a milestone achievement that is expected to positively impact on the consumer's learning capacity across the country.

TRBR also developed a YouTube Video that can also be downloaded to any handsets. The video basically outlined how the Mobile App can be used. This link <https://www.trbr.vu/en/> will take you to the video produced. This again is another milestone for consumer protection activities that TRBR has developed for the citizens of Vanuatu.

App is TRBR Facts Info - Vanuatu



TRBR mobile app from Android version to IOS system

10.3 Support and Promote Vanuatu's National ICT Day Celebration

Building on from the annual celebrations of the World Telecommunication and Information Society Day (WTISD)/ ICT day in Vanuatu, and as part of the Telecommunication and Radiocommunications Regulator's core functions on Consumer Protections and other Relations, TRBR coordinated and facilitated promotions and celebrations of the World Telecommunication and Information Society Day (WTISD)/ICT day for the first time at Norsup, Malekula, Malampa Province on 17th May 2018. About 500 people attended the celebrations.

This year's theme is "Enabling the positive use of Artificial Intelligence" and this exciting event brought together students and community leaders to Norsup to celebrate the day.

The main objectives of having the celebration in Lakatoro Malekula is to:

- Provide awareness on how ICT and the Internet can be used to enhance education and businesses activities;
- Provide an avenue for the students and community leaders, youths, to be innovative when using Technology;
- Promote consumer protection awareness and education programs for the users of Telecommunications and ICT services; and many others;
- There were six (6) main activities happening during the full day celebration: the Official Parade, Speeches, Booth visits, Leaders Closed

Session, General Awareness for students and parents and finally the Closing Remarks;

The official parade commenced at Norsup French School down to Malampa Education Complex. The parade was led by the President of Malampa Provincial Government Council and his Councillors, TRR staff, Representative from OGCI, Principals, Teachers and students who were present on that day. It was a successful parade because the Police controlled the traffic and it was the first time to celebrate ICT day in Malekula, Malampa Province. There was a good crowd of about 200 plus people who paraded and it will be a memorable occasion for the years to come.

We had seven inspiring speeches presented during the ICT day celebration. Those speeches were framed along the theme and strongly emphasised on the positive use of the ICT for an educated and developing community. The speeches focussed on the collaborative approach by key stakeholders to work together for positive ICT impact in Malampa province and Vanuatu at large. The presentations were from the:

- The President of Malampa Provincial Government Council (MPGC), Honourable Norbert Nugbem,
- Regulator of Telecom and Radio industry, Miss Dalsie Baniala which deliver by one of her officer (Hapsai George).
- The Chief Information Officer (CIO) of

OGCIO (Office of Government Chief Information officer) Mr. Gerard Metsan's speech was delivered by Jackson Maike, an officer of OGCI,

- The ITU Secretary General, Mr. Houlin Zhao (Audio),
- Principal Education Officer of Malampa (PEO) Mr. Renjo Samuel,
- The President of Vanuatu Youth Council, Mr. Morry Ruben,
- The Malampa USP coordinator, Mr. Damien Hophand.

During that time, there were also booth displays and interactive exercises in which the leaders, students and general members of public were able to visit the respective booths and gain knowledge of how those government departments or institutions operate using ICT services and products. Also it was very interesting to see them asking a lot of questions about the coverage map display by TRBR. Five institutions turned up and displayed their services or products for the public to visit and ask questions namely Tourism,

Forestry, Agriculture, USP and National Bank of Vanuatu (NBV). It was through the booths presentations that most students and general members of the public had the opportunity to know the roles and functions of TRBR and also the Mobile App of TRBR (TRR Facts Infor). We believe that the 2018 ICT Day at Norsup, Malekula had a positively impact on the audiences who attended the celebration.

For the Panel Discussion session, we separated the leaders and students to address specific issues and responded to them accordingly.

The quiz exercise was also held and the purpose of this exercise was to provide additional awareness on certain specific topics. A total of 21 questions were asked and a total of 21 give away gifts were provided that include two smart phones worth VUV 16,000 each, 10 16GB flash drives and 9 8GB SD Cards. "Computer World" in Port Vila sponsored the gifts through the request from the OGCI. TRBR continues to thank the OGCI for its collaboration in such developments.





10.4 Consumer Complaints

Although there are so many awareness programmes carried out across Vanuatu, TRBR still received complaints. It has addressed the majority of them. The complaints received are acknowledged positively because it assists TRBR in its assessment of common issues the citizens are facing, and to tailor its program according to issues considered to be common.

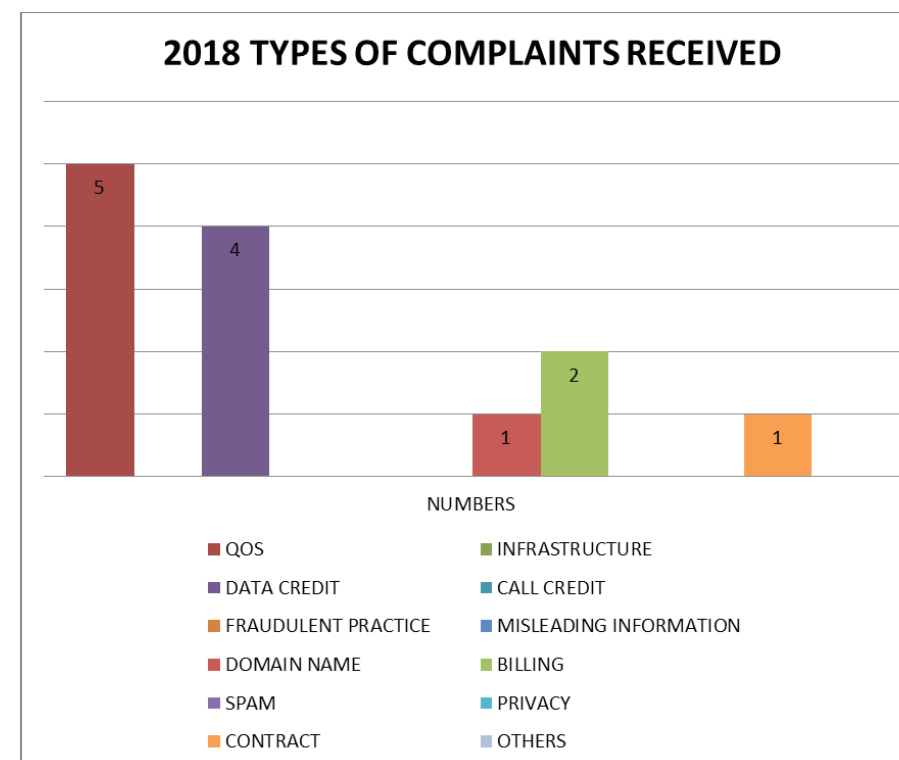
TRBR awareness has contributed significantly to the reduction rate of complaints received and registered. Additionally, through the introduction of mobile app and more promotion of the

application, it also signalled a positive impact to the users.

We believe that many consumers are now aware of the formal complaint handling procedures, and is the objective of promoting more awareness cross Vanuatu.

(The Chart below shows the trend of complaints received in 2018. There is an improvement displayed below by the graph in comparison to the 2017 report).

These results indicate that TRBR's education and safeguard campaign is positively impacting the users, and that the licensees are more consumer-oriented.



10.5 Improve on the Effectiveness of TRBR's Community Consumer Champions (CCC) Program

To enhance the knowledge and skills for the CCCs and making sure they deliver good and appropriate consumer protection awareness and educational information, TRBR invited them to attend the APRIGF at Iririki Island Resort, Port Vila, Vanuatu. It has been an awesome event and a golden training avenue for these Champions, the Government sector and members of the general public to learn about Internet activities and how to use it positively to make a living. The capacity training for the CCCs was purposely to help the CCCs to empower their respective communities to use internet and stay safe online.

Their experience in the forum has greatly assisted them in raising future awareness on the benefits of ICT services and the negative impacts of it. They had the opportunity to meet new people and make a lot of friends not only domestically but internationally as well. This opportunity has contributed to improve their learning capabilities and aid them to be good advocates for the telecom regulatory and ICT services and products in their respective communities.

This is a great investment for the TRBR CCCs and a bonus for the local communities. With the skills and knowledge learnt from the Internet forum and other previous years of training in the field of Regulatory and ICT industry, the TRBR CCCs managed to conduct a total of nineteen awareness programs (i.e. nine schools and ten communities) in six provinces and they will

continue on with the program in year 2019.

The TRBR consumer office helped to conduct awareness in all the Tafea Outer Islands namely Aniwa, Futuna, Erromango and Anietyum. It was a very fruitful trip for the southern islands and also a big achievement for TRBR to reach the rural communities with valuable Regulatory and ICT information out in the islands. The awareness session reached a total of six schools and ten communities which adds up to a total of sixteen awareness programs in Tafea Outer Islands.

As usual, the TRBR Consumer Officers through the awareness and education program supervised the CCC's to ensure the messages delivered are appropriate, valuable and are not misleading, and that will benefit the users of the services throughout the country.

TRBR will continue to promote and utilise the Champion's skills as and when required. The CCCs also introduce to the local communities the TRBR Mobile App "TRBR Facts Infor" to help the consumers across the country to learn new skills on how to use the internet and also submitted their complaints to the TRBR office when there is a need. Moreover, the CCCs use the mobile app called "Network cell Infor Lite" to track network coverage (user experience) in areas they visited and report the outcome to the TRBR.

(The photographs below show activities happened during and after the 2018 APRIGF forum and awareness program rolled out by TRBR through its Consumer Officer and its CCC's)

TRBR CCCs gathering for briefing at the TRBR before attending the 2018 APRIGF forum



TRBR CCCs conducting awareness across the country



TORBA PROVINCE
TRBR Torba CCC
Conducting awareness
at Mota Island.



PENAMA PROVINCE
TRBR Penama CCCs
Conducting awareness at
Sulua school, Maewo and
Lini Memorial College at
North Pentecost.



MALAMPA PROVINCE
TRBR Malampa CCCs
Conducted Awareness at
Rensarie Primary school
South east Malekula and
Newha, woo and Nebul
community North Ambrym



TAFEA PROVINCE
TRBR Tafea CCC
Conducting awareness
at Launapkama
community and
Loukakai School, Tanna.

SANMA PROVINCE
The respective CCCs will
double their awareness
program next year 2019

SHEFA PROVINCE
The respective CCCs will double
their awareness program next
year 2019

10.6 Celebrating and Promoting Women and Girls in ICT

Women and Girls in ICT Day is an annual event celebrated in accordance with the ITU Girls in ICT initiative and celebrated annually around the world to promote positive use of ICT among women and Girls to take up ICT as a career and to consider it a positive enabler to their daily operations. This year's celebration in Vanuatu is an exciting one to see the achievement of the first authentic online shop for local vendors in Vanuatu women selling handicrafts online. This project was supported solely by TRBR under its consumer awareness program. More information about this project can be found on the website <https://www.shopvanuatu.vu>.

The two main achievements this year are the launch of the e-commerce website for the local market vendors and the SMART Sistas participation announcement for the Girls ICT camp for 2018. Vanuatu has been part of this celebration since 2012.

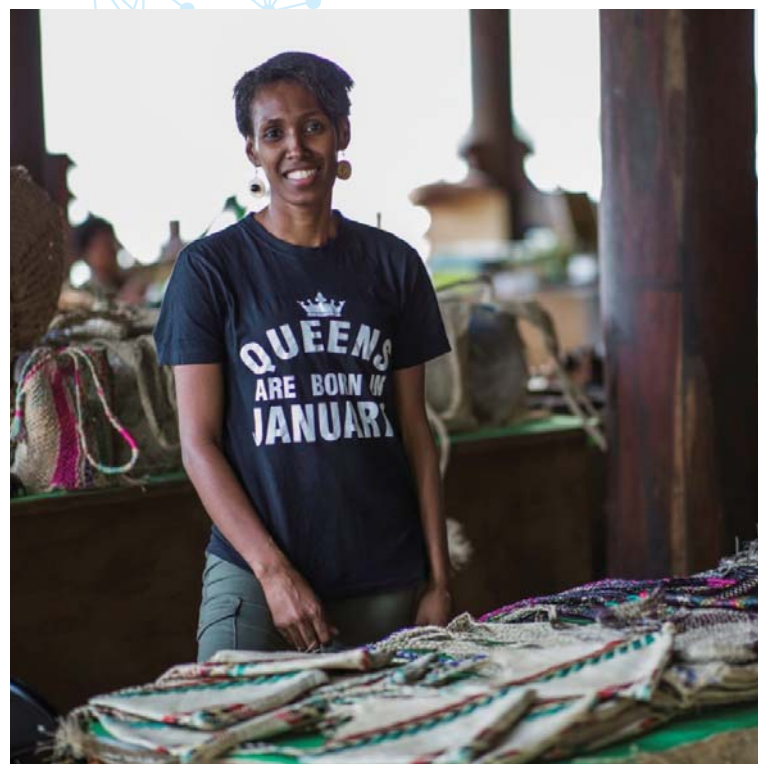


Photo: Eslyn a local vendor posing with her locally made products that are also available online.

10.7 Smarts Sistas Program

For the third year TRBR has supported the initiative of the Smart Sistas program, an event for girls aged between 11 and 15 that came under the ITU Girls in ICT initiative. In 2014, Peace Corps Vanuatu partnered with the OGCIO, TRBR and other non-governmental organizations and the private sector to create the first annual five day SMART Sistas Information Communication Technology (ICT) Camp to educate and empower girls to be confident and capable using the real technology that is shaping our world. Volunteers from the Vanuatu IT Users Society (VITUS) provided basic computer programming training to the 10 girls each year. The first camp in 2016 was a success and in 2017 three of those ten participants travelled to the United States to participate in the inaugural FIRST Global Robotic Challenge in Washington DC with the support of FIRST Global, TRBR, OGCIO and other local and international individuals and organisations. In July 2018 three girls were selected to travel to Mexico City for the second FIRST Global Robotic Challenge. These initiatives have broadened the interest of the girls in taking up further steps of their lives.



Photo: SMART Sistas participating in the Drone launch for trial Vaccine delivery at Takara, North Efate, Vanuatu in on 5th December 2018

10.8

Investigate, Assess and Evaluate User Experience

This year 2018, TRBR conducted a survey and released another Regulatory Consumer Experiences Report on the usage of telecommunications/ICT Services and products. The consumer survey was conducted to fulfil the TRBR's 2018 work plan and, mostly important to monitor and assess the outcome of the current services offered by the Services providers. The outcome of the survey report will help direct and guide TRBR's approach on regulating consumer protection and to make improvements where required on the Consumer Awareness Protection Plan and Complaints Handling Processes established.



For more information about the release of the Telecommunications Consumer Experience Report – 2018, please visit TRBR official website OR follow the link below

https://www.trbr.vu/attachments/article/739/consumer_regulatory_survey_report_final.pdf

Financial Statement
& Auditor's Report

2018

11 2018 Financial Statement & Auditor's Report

Income Statement

For the year ended 31 December 2018

Expressed in Vatu

	2018	2017
Operating Revenue	161,444,598	175,364,979
Operating Expenses	(147,438,576)	(144,621,612)
Operating Surplus before payment to Universal Access Fund	14,006,022	30,743,367
Universal Access Fund	-	-
Operating Surplus / (deficit) after payment to Universal Access Fund	14,006,022	30,743,367

Statement of Financial Position

As at 31 December 2018

Expressed in Vatu

	2018	2017
Current Assets		
Cash and Cash Equivalents	147,759,494	74,558,517
Receivables	23,943,544	26,081,958
Other Assets	1,767,055	1,928,103
Non current assets		
Plant and Equipment	14,719,244	17,718,895
Total Assets	188,189,337	120,287,475
Current Liabilities		
Creditors and Accruals	61,652,749	31,545,157
Provisions	1,179,550	1,210,837
	62,832,299	32,755,994
Non Current Liabilities		
Provisions	4,967,273	5,031,845
Revolving Funds	23,884,106	-
Total Liabilities	91,683,678	37,787,839
Net Assets	96,505,659	82,499,637
Accumulated Surplus / (deficit)	96,505,659	82,499,637

Detailed 2018 Financial Audited report can also be accessed from TRBR's website <https://www.trbr.vu/en/about-us/trr-audited-financial-reports/2018>

12 A Summary of Material Litigation Involving the Regulator

12.1 Interchange vs. Telecommunications & Radiocommunications Regulator Judicial Review No. 2941 of 2016

Interchange Limited challenged TRR's findings in its June 2016 Determination and Findings Relating to the Wholesale International Internet Services Market and Speedcast's Complaint Against Interchange Limited and Order No.3 of 2016. The case was listed for conference on the 22nd of May 2018, however prior to the hearing date the parties had agreed to resolve the matter out of Court. As part of the resolution the parties signed a Deed of Agreement with the recitals and obligations in which each institution was to implement. The case has therefore been resolved out of court.

12.2 Former TRR Staff vs. TRR Civil Case No. 3053 of 2016

A civil claim was filed by a local Lawyer on 7 September 2016 on behalf of the TRR former (2015) staff who self terminated their employment with the TRR pursuant to section 53 of the Employment Act. That action followed a petition which was lodged to the Office of the Prime Minister against their employer (TRR). The decision of the Office of the Prime Minister through a report by the Commission of Enquiry was finalised and ruled in favour of the Employer. The Claimants claimed for severance payments and annual leave entitlements. This case was dismissed on 8th day of May 2018.

12.3 New Civil Cases 1914 Of 2018 – Louise Nasak .vs the TRBR

Following the dismissal of the case 3053 of 2016, each staff filed individual cases. This case was different as the Office had made several attempts to have the matter settled but the claimant refused to have it settled and this resulted in the Office holding back in its negotiations and settlement. TRBR filed responses to the claim and a conference date was set by the Court. At the first conference the lawyer for the Claimant was out of the country and submitted that the matter be given a further date for him to have time to read and consider the responses. At the second conference date he accepted the responses and cheque for the claimant and the matter was further settled out of Court.

12.4 Former TRR Staff New Civil Claim 2134/18, 2136/18, 2137/18,2138/18,2139/18, 2140/18,2141/18, 2142/18,

The former staff since the dismissal of their (group)civil claims, have now individually refiled their civil claims. The former staff filed individual cases all of which were filed on the 10th of August 2018, The claims alleged unlawful termination. The TRBR has filed responses to all the claims and has sought the assistance of the Court by the Court Rules to have the cases compiled into one claim. The matters have been listed for conference on the 19th of March 2019.

12.5 DALSIE BANIALA (TRR)- vs- Prime Minister, Charlot S. Tabimasmass & OGCIO, Gerard Metsan

This case is a case of judicial review for the Court to review the suspension of TRBR (Dalsie Baniala). The case was filed in December of 2017 and upon its first hearing she was reinstated to the position of TRR. The case was set for trial on 27th May 2018. At the trial the Court found that the decision to suspend was illegal and as such made findings against the Prime Minister and Gerard Metsan.

The Prime Minister then appealed the judgement and his appeal was allowed, resulting in just a minor change in the judgement. However the full judgement for the Supreme Court still stands.

The Office has filed for cost claims against the Prime Minister and Gerard Metsan on the 20th of November 2018. The matter is still with the Supreme Court and a date is yet to be set.

13 Annex 1 - Register of Consultants 2018

In accordance with Section 11 of the Act, the list below provides the name, position held, and area of expertise of each of the consultants and advisors engaged with TRR, and the works they have performed for, and on behalf of, TRBR as at 31 December 2018.

Name	Position Held	Area of expertise or project responsibilities
Ronald Box	Advisor to the Regulator	Former Regulator from 2013 – 2015. His role is to provide high level advice and guidance to the Ni-Vanuatu Regulator.
Eric Braun	Legal Specialist	Legal and specialist assistance and guidance to TRBR on legal, regulatory and economic policy matters. Eric works closely with the Regulator and TRBR's Managers and staff; in particular TRBR's legal and Market Competition Officers on submarine cable issues.
Sat Pty Ltd	Coverage Audit Expert	The Consultant is conducting mobile coverage and internet coverage, as well as testing for fixed and mobile services across Vanuatu; as a means of verification of current and existing telecommunications coverage. In addition, it assists TRBR in conducting quality of service measurements.
Keith Davidson	.VU ccTLD Domain Name Development, Management and Administration Specialist	To assist, guide and work with TRR's key officers to smoothly facilitate .VU ccTLD (registry) transition processes involved in this critical area.

