



NOTICE TO SATELLITE PROVIDERS AND USER, AND HOLDERS AND USERS OF APPARATUS

The Office of the Telecommunications, Radiocommunications, and Broadcasting Regulator is mandated to regulate the telecommunications and broadcasting industry by the Telecommunications Radiocommunications, and Broadcasting Regulation Act No.30 of 2009 as amended by the Amendment 22 of 2018 (the Act).

Part 3, section 12 of the Act provides the requirements to hold a license, section 12(2)(i)(ii) and (iii) of the Act respectively states that:

Section 12

(1). A person must not provide a telecommunications service except under and in accordance with a licence or exception.

(2). A person must not install or operate a radiocommunications device in Vanuatu or its territorial waters or airspace, or in any ship or aircraft registered in or under the law of Vanuatu, except:

(i). under and in accordance with a licence or exception; or

(ii). when such radiocommunications device is registered for use by a foreign registered ship or aircraft for the appropriate class of operation in the country of registration of the ship or aircraft.

(3). A person must not import, offer for sale, sell or use any equipment which may be prescribed by Regulations without a licence.

The Office of the TRBR's wishes to inform and remind all persons, that the TRBR Regulates and monitors the telecommunications and broadcasting Industry and as such must ensure that all persons comply with the Act. Therefore, the TRBR gives notice to the following:

- A) Satellite operators who provide telecom or broadcasting satellite services are required to have a valid license or exception to operate in Vanuatu.**

- B) Satellite operators MUST ensure that details of their license are updated and renewed annually and must be displayed in their premises or their agent’s premises in Vanuatu.**
- C) Satellite operators MUST have a local presence or agent in Vanuatu and be legally registered with all appropriate authorities such as Vanuatu Foreign Investment Promotion Agency, Vanuatu Customs and Inland Revenue, Vanuatu Financial Service Commission and ensure that you comply with all legislative requirements of the Republic of Vanuatu, to be able to provide telecommunications and broadcasting (satellite) services.**
- D) All satellite users in the Republic of Vanuatu must ensure that their installed satellite equipment has a valid apparatus license issued by TRBR.**
- E) If a satellite user is aware of a satellite provider that is providing satellite services in Vanuatu without a valid license, they must inform TRBR immediately.**
- F) Radio Apparatus license holders who are using the following services listed below, whose license have not been renewed for 2021 and operators who have not been issued with a Radio Apparatus license for 2021, to come forward and sort out their apparatus license.**
- **Aeronautical Services**
 - **Aircraft Services**
 - **Amateur Services**
 - **Broadcasting Services**
 - **Maritime Services**
 - **Land Mobile Services and**
 - **Satellite (VSAT) Services**

The Office further advises that persons who continue to, provide radiocommunication, telecommunications or broadcastings services, and/or using an apparatus without a valid license will be in breach of section 12 of the TRBR Act, and the Office of the TRBR is mandated by section 9 of the Act to conduct inspection in your premises.

Failure to provide accurate information may result with TRBR inspecting your premises and operations and serious consequences will be subject to the penalties under section 46 (3) of the TRBR Act

46

- (3). Subject to subsection (5), the maximum penalty to which a person is liable for a contravention of any sections to which neither subsections (1) nor (2) apply is:
- (a). for an individual - VT2,000,000; and
 - (b) for a corporation - VT20,000,000.

For more information on this matter, please contact the Office of TRBR on +678 27621 or email to enquiries@trbr.vu or visit TRBR Website www.trbr.vu.