

---

# ANC Guidelines on Registration

---

**Publication Date: 27 July 2021**



**AUTORIDADE NACIONAL DE COMUNICAÇÕES  
DE TIMOR-LESTE**

---

## ANC Guidelines on Registration

### 1. Introduction

- 1.1. Chapter V of Decree-Law No. 15/2012 of 28 March 2012 on the Regulation of the Telecommunications Sector (hereinafter referred to as the "Telecommunications Decree-Law") requires persons supplying telecommunications services or operating telecommunications networks to register with the Autoridade Nacional de Comunicações (hereinafter referred to as the "Authority") unless exempted.
- 1.2. These Guidelines on Registration (hereinafter referred to as these "Guidelines"), a regulatory measure under Article 19 of the Telecommunications Decree-Law, are intended to serve as a set of procedural rules and as a guide to the statutory and regulatory requirements related to registration for the purposes of supplying telecommunications services or operating telecommunications networks in Timor-Leste.

### 2. Definitions

- 2.1. Terms used in these Guidelines have the same meaning as those used in the Telecommunications Decree-Law.

### 3. Requirement for registration

- 3.1. Article 30.1 of the Telecommunications Decree-Law prohibits persons from supplying a telecommunications service or operating a telecommunications network unless that person is registered with the Authority to supply telecommunications services and operate telecommunications networks; or is exempt from registration. Persons intending to supply telecommunications services or operate telecommunications are therefore required to register with the Authority before commencing these activities.
- 3.2. The description of the activities that constitute the supply of telecommunications services and the operation of telecommunications networks can be found in Annex A: Description of Services-based Operations and Annex B: Description of Facilities-based Operations to these Guidelines.
- 3.3. For purposes of clarity, the requirement for registration does not extend to activities of Information Technology (IT) Services including IT consulting, software development, cloud and web hosting services, domain name and certificate services, computer security services, document management services, help desk services, managed print services, backup and disaster recovery.

#### **4. Exemptions from registration**

- 4.1. Article 31 of the Telecommunications Decree-Law allows the Authority to exempt the supply of particular telecommunications services or the operation of particular telecommunications networks from the requirement of registration if such services or networks are, and are likely to remain, so insignificant that there is no reasonably anticipated benefit from requiring compliance with the provisions in the Telecommunications Decree-Law relating to registered service providers.
- 4.2. In accordance with the preceding paragraph, the Authority has decided to exempt from the requirement of registration the supply of telecommunications services and the operation of telecommunications networks described in Annex C of these Guidelines.

#### **5. Use of radio frequencies**

- 5.1. The use of radio frequencies to operate a wireless telecommunications network is not authorized under a registration pursuant to these Guidelines but under a separate authorization process under Chapter VIII of the Telecommunications Decree-Law.
- 5.2. A registered service provider should ensure that it has obtained all necessary authorizations to use the radio frequencies it requires to operate its proposed telecommunications network before it commences operations.
- 5.3. Persons interested in operating a telecommunications network involving the use of radio frequencies are encouraged to apply for the necessary authorizations to use such radio frequencies at the same time they submit their registration under these Guidelines. Where possible, the Authority will take a coordinated approach to such requests by processing the authorization to use radio frequencies at the same time as the registration when they are submitted together.

#### **6. Access to State-owned land and property**

- 6.1. Access to State-owned land and property for the purpose of installing, operating and maintaining telecommunications facilities, network resources and telecommunications equipment, and for providing telecommunications services is not authorized under a registration pursuant to these Guidelines but under a separate process under Chapter XV of the Telecommunications Decree-Law.
- 6.2. A registered service provider should ensure that it has obtained all necessary authorizations to access the State-owned land and property it requires to operate its proposed telecommunications network before it commences operations.

- 6.3. Persons interested in operating a telecommunications network involving the use of State-owned land and property should direct their requests for authorizations to the Government official responsible for State-owned land and properties.

## **7. Special authorization for Cross-border cables and facilities**

- 7.1. For purposes of clarity, the operation of cross-border telecommunications cables requires specific authorization.
- 7.2. Registered service providers intending to construct cross-border cable facilities, and/or connect cables at new or existing cross-border cable facilities and otherwise construct, deploy or repair cross-border cables in the territory and waters of Timor-Leste must obtain a special authorization from the Authority before it commences operations or services.
- 7.3. For the purposes of these Guidelines, cross-border cables and facilities include, among other things, terrestrial and submarine fiber-optic cables that originate from points outside of Timor-Leste and submarine cable landing facilities.

## **8. Eligibility for registration**

- 8.1. A person shall not be eligible for registration where that person:
- a} is not a corporate body incorporated in Timor-Leste or is not an entity that has been awarded a radio-frequency spectrum licence where it is still in the process of incorporation as a legal entity in Timor-Leste for which it has undertaken to transfer such licence;
  - b} has entered into liquidation, taken any action for its voluntary winding-up or dissolution, or is the subject of any order by a competent court for its compulsory winding-up or dissolution;
  - c} has previously been registered and its existing registration has been and remains suspended;
  - d} has previously been registered and the Authority has revoked its registration or declared its registration non-effective pursuant to the Telecommunications Decree-Law, and the Authority has not confirmed that it may register again; or
  - e} any of its Administrators have been convicted of any offence involving the exercise of public duties or the unlawful taking of property in Timor-Leste or in any other country.
- 8.2. For the avoidance of doubt, a person may only have a single registration in effect.

## 9. Procedure for registration

- 9.1. A person may register to supply telecommunications services and operate telecommunications networks by completing the registration statement at Annex G and the requirements for specific authorization in Annex B of these Guidelines and filing two hardcopies and one electronic copy (in PDF or Microsoft Word format) of the completed registration statement with the Authority at the following address:

**Autoridade Nacional de Comunicações (ANC)**

Ground floor, Telecom Building

Avenida Xavier do Amaral

Dili, Timor-Leste

register-service@anc.tl

- 9.2. Persons filing a registration must pay to the Authority a deposit of US\$5,000.00 (five thousand United States dollars) by bank deposit to the official Bank Account of the Authority. The deposit paid will be applied towards the payment of that person's annual regulatory fee installments. The deposit may be forfeited by the Authority at the end of three years from the filing of a registration if the registered service provider has not made any regulatory fee payments. In addition, the deposit shall be forfeited by the Authority upon surrender or revocation of the registration.
- 9.3. The Authority will provide a written deposit payment form to be used for making payment at the Bank.
- 9.4. Persons filing a registration must ensure that the information and representations submitted in their registration statement are accurate in all aspects.

## 10. Additional information

- 10.1. The Authority may seek clarification from a person submitting a registration by sending that person a written notice requiring additional information in order to verify its eligibility and compliance with the Telecommunications Decree-Law. In such cases, registration will not take effect as stipulated under section 12 below but only when the Authority declares, by written notice, the registration to be effective.

## 11. Non-effective registration

- 11.1. For all activities under Annex A, the Authority will provide written notice of non-effective registration to the person submitting a registration if:

a) that person is ineligible for registration;

- b} the registration statement submitted is materially incomplete or incorrect; or
- c} registration of such person poses a risk to national security, public order, public health or public safety.

## **12. Effective registration**

- 12.1. As deemed by the Telecommunications Decree-Law, registration will take automatic effect with no further administrative requirement on the forty-fifth day after the Authority receives the registration statement, unless the Authority requests additional information pursuant or provides notice of non-effective registration under the preceding sections of these Guidelines.
- 12.2. Within 14 days after registration takes effect the Authority will deliver to that person:
  - a} a written certificate of registration;
  - b} a summary of the obligations relevant to registered service providers under the Telecommunications Decree-Law (set out in Annex E of these Guidelines);
  - c} a summary of the Terms and Conditions applicable to the activities; and
  - d} an indication of any obligation regarding the terms and conditions including the preparation and delivery of reports.

## **13. Commencement of supply and operation**

- 13.1. Registration authorizes a registered service provider to supply telecommunications services or operate telecommunications networks from the date its registration takes effect, subject to the Telecommunications Decree-Law or relevant regulatory measures relating to the use of radio-frequency spectrum, numbers, equipment, use of land and any other matter.

## **14. Publication of information**

- 14.1. For the purposes of transparency and easy reference, the Authority will publish and keep updated on its website the registration statement requirements set out at Annex G of these Guidelines (which reflects Annex 1 of the Telecommunications Decree-Law) and an up-to-date database of all names and contact information of registered service providers.

## **15. Limitations on the number of persons that register**

- 15.1. The Authority does not restrict the number of persons that may register to supply telecommunications services and operate telecommunications networks.

## **16. Information and reporting requirements**

- 16.1. To ensure that the Authority has up-to-date information, a registered service provider must file with the Authority an update of any changes made to the information and particulars submitted in its registration statement on or before every anniversary of the date on which its registration took effect.
- 16.2. Article 22 of the Telecommunications Decree-Law allows the Authority to require service providers to file, at annual or quarterly intervals and in connection with any review, investigation or other regulatory proceeding, reports and documents containing financial and operating data, statistics and other information about their activities necessary and proportionate for the Authority to perform its functions and responsibilities and exercise its powers. Pursuant to that power, the Authority requires registered service providers to file the periodic reporting requirements set out in Annex F of these Guidelines. The Authority may prescribe, from time to time, further reporting requirements to ensure it receives the necessary information to enable it to carry out its responsibilities under the Telecommunications Decree-Law.
- 16.3. The Authority will publish and keep updated on its website the reporting requirements for registered service providers.

## **17. Duration of registrations**

- 17.1. A registration that does not require specific authorization (Annex A) is valid for three (3) years and renewable every three (3) years.
- 17.2. A registration that requires specific authorization (Annex B) can be issued for up to fifteen (15) years of validity and renewable for the same duration of validity.
- 17.3. During its validity period, a registration can be suspended or revoked by the Authority or surrendered by the registered service provider.

## **18. Surrender of registrations**

- 18.1. A registered service provider must request the approval of the Authority before it surrenders its registration. A request for approval must provide reasons for the surrender.
- 18.2. The Authority will require a registered service provider to fulfill its obligations under the Telecommunications Decree-Law and the regulatory measures made under it before approving a request for surrender.

## 19. Transfer of registrations

19.1. A person may transfer its registration to another person provided that:

- a) the transferee is eligible for registration;
- b) the transferee files with the Authority a complete registration statement;
- c) the transferee pays to the Authority the registration deposit required; and
- d) the registration of such transferee is effective;

in accordance with the Telecommunications Decree-Law and these Guidelines.

## 20. Mergers and acquisitions

20.1. Mergers and acquisitions are subject to the requirements set out in Article 35 of the Telecommunications Decree-Law. Under that Article, a person must request the approval of the Authority before it acquires, through merger or acquisition, an ownership interest in the capital of a company or any assets of a company or of any other person which would result in, or be likely to result in, the control or an increase in control over one or more service providers with:

- a) a combined share of over 25% of the revenues or subscribers in any given telecommunications market; or
- b) combined annual revenue exceeding \$10 million (ten million United States dollars).

20.2. A request for approval must include all material information that would allow the Authority to evaluate the proposed transaction, including:

- a) a description of the terms of the transaction;
- b) the identities and addresses of the persons who will have control over the registered service provider and other registered service providers as a result of the transaction; and
- c) information about the registered service providers over which such persons will have control, including:
  - (i) their identities and addresses;
  - (ii) a description of the networks and services they provide;
  - (iii) their annual revenues from services;

(iv} the declared approximate value of their assets devoted to telecommunications business;

(v} copies of their most recent annual and quarterly reports and audited financial statements; and

(vi} such other information as the Authority may require.

20.3. Where such merger or acquisition would result in, or be likely to result in, a substantial lessening of competition in any given telecommunications market, the Authority may:

a} refuse to grant approval; or

b} grant approval if the commitments undertaken by the person requesting approval are adequate to address the concerns over competition raised by the merger or acquisition.

20.4. The Authority may order the cancellation or reversal of a merger or acquisition which is subject to approval by the Authority but where such approval has not been requested and the relevant merger or acquisition would result in a substantial lessening of competition in any telecommunications market.

20.5. The requirement for the Authority's approval under this section does not apply to internal restructurings or name changes that do not result in a change in ownership interest over the registered service provider or its assets.

## **21. Suspension, revocation and application of specific conditions**

21.1. Pursuant to Article 32 of the Telecommunications Decree-Law, the Authority may, without right to compensation, suspend or revoke a service provider's registration or apply specific conditions to its supply of telecommunications services or operation of telecommunications networks where:

a} the service provider has entered into liquidation, taken any action for its voluntary liquidation or dissolution, or is the subject of any order by a competent court for its compulsory liquidation or dissolution;

b} in its registration statement, the service provider misled the Authority by making a false statement in relation to a relevant fact or by omitting to state such fact to the Authority's consideration of the person's eligibility to be a service provider;

c} the service provider has breached an essential requirement for payment of fees, levies or penalties required to be paid pursuant to the Telecommunications Decree-Law;

- d} the service provider has failed without reasonable justification to produce relevant information or documents to the Authority required pursuant to the Telecommunications Decree-Law or any regulatory measure made under it; or
- e} the service provider has failed to comply with a requirement in Chapters VI, VII, VIII, IX, X, XI or XIII of the Telecommunications Decree-Law or any regulatory measures made under those provisions.

21.2. The Authority may only suspend or revoke a service provider's registration in the preceding three cases only if:

- a} the service provider has failed to rectify the situation of non-compliance within a reasonable period of time after being requested to do so by the Authority;
- b} the relevant non-compliance has occurred repeatedly and, along with other repeated incidences of material non-compliance, shows an accumulated pattern of serious disrespect for the Telecommunications Decree-Law and regulatory measures made under it;
- c} the relevant non-compliance has or is likely to have a material adverse effect on other service providers, consumers or competition, or significantly hinders the Authority from performing its functions or responsibilities or exercising its powers pursuant to the Telecommunications Decree-Law; and
- d} the suspension or revocation of a service provider's registration is proportionate to the seriousness of the non-compliance; and all other effective remedies have been exhausted including any imposition of administrative penalties.

## **22. Levies and fees**

22.1. A registered service provider must pay all levies and fees as prescribed by the Authority under the Telecommunications Decree-Law and the regulatory measures made under it.

## **23. Monetary deposits and prepaid services**

23.1. In order to protect consumer interests and ensure that registered service providers deal with their subscribers in good faith in accordance with Article 48 of the Telecommunications Decree-Law, any registered service provider who intends to collect monetary deposits or issue prepaid cards for the collection of payments from their customers must request the approval of the Authority before doing so.

23.2. A request for approval must include all material information that would allow the Authority to make an evaluation of the risk posed to consumers, including:

- a} a description of the proposed services for which prepayment or a monetary deposit is required;
- b} a document showing the paid-up capital of the requesting registered service provider;
- c} its latest audited financial statement; and
- d} projections of its yearly cash flow for the next three years of operations.

23.3. Where the Authority is of the opinion that allowing the requesting registered service provider to collect monetary deposits or issue prepaid cards is not in the best interest of consumers, the Authority may:

- a} refuse to grant approval; or
- b} grant the approval if the commitments undertaken by the registered service provider requesting approval are adequate to address the Authority's consumer protection concerns. Commitments undertaken may include furnishing a performance bond of an adequate amount to the Authority or increasing the paid-up capital of the registered service provider to a level acceptable to the Authority.

## ANC Guidelines on Registration

### Annex A. Description of Services-Based Operations

Operators intending to lease telecommunication network elements {such as transmission capacity and switching services) from any Authorized Operator authorized by the ANC so as to provide their own telecommunication services, or to resell telecommunication services to third parties; may apply to ANC for a registration for telecommunications services for Services-based operations identified under Annex A of these Guidelines. Operators who have deployed telecommunications networks, systems and facilities within their own property boundaries, but wish to offer telecommunication services to third parties resident within their property boundaries, should also apply for a registration for telecommunications services under Annex A.

#### A. Supply of telecommunications services

- 1) Under the Telecommunications Decree-Law, telecommunications services mean any service normally provided for consideration which consists wholly or mainly in telecommunications.
- 2) Telecommunications services include telecommunications that are cross-border {either originating from or terminating in Timor-Leste) or local in nature.
- 3) Telecommunications services include the following services:
  - a) International Simple Resale {ISR)
  - b) Resale of Leased Circuit Services
  - c) Public Internet Access Services
  - d) Internet Exchange Services
  - e) Virtual Private Network Services
  - f) Managed Data Network Services
  - g) Mobile Virtual Network Operation
  - h) Call-back/Call re-origination Services
  - i) Internet-based Voice and Data Services
  - j) International Calling Card {ICC) Services
  - k) Resale of Public Switched Telecommunication Services
  - l) Value-Added Network Application Services
  - m) IP Telephony Services
  - n) Satellite Mobile Telephone or Data Services
  - o) Mobile Communications on Aircraft
  - p) Machine-To-Machine {M2M) Services

#### B. Information to be provided in applications for registration under Annex A: Services-Based Operations

Applicant is to submit a Registration Statement as specified in Annex G.



### **C. Specific terms and condition**

With reference to the Telecommunications Services described in Section A above, the Registrant shall comply with the specific terms and conditions set out in the applicable schedule of Annex I: Specific Terms and Conditions for Telecommunications Services.

## ANC Guidelines on Registration

### Annex B. Description of Facilities-based Operations

The operation of telecommunications networks refers to the deployment and/or operation of any form of telecommunication network, systems and/or facilities by any person for the purpose of providing telecommunication and/or broadcasting services outside of his own property boundaries to third parties, who may include other authorized operators, business customers or the general public. Operators intending to deploy such operations will require a registration under Annex B of these Guidelines from the Authority.

#### A. Operation of telecommunications networks

- 1) Under the Telecommunications Decree-Law, a telecommunications network means a system or series of systems capable of permitting the provision of telecommunications services. More specifically, telecommunication networks, systems and facilities include any telecommunication infrastructure for the carriage of telecommunication or broadcast traffic. The traffic may be cross-border or local in nature, and the network coverage may be nationwide or only confined to selected geographical areas in Timor-Leste. These may include mobile communications systems (e.g. base stations, mobile switching centres) required to offer public cellular mobile telephone, trunked radio or mobile data services; and fixed telecommunication systems (e.g. switches, optical fibre, ducts and manholes, submarine cable systems, international cable and satellite gateways) required to offer local and international voice and data services.
- 2) The telecommunications services to be provided over the registrant's telecommunications networks and facilities may include the following:
  - a) Public Switched Telephone Services
  - b) Public Switched Integrated Services Digital Network (ISDN) Services
  - c) Leased Circuit Services
  - d) Public Radio-communication Services
  - e) Public Cellular Mobile Telephone Service
  - f) Public Trunked Radio Services
  - g) Public Mobile Data Services
  - h) Terrestrial Telecommunication Network for Broadcasting Purposes
  - i) Satellite Uplink/Downlink for Broadcasting Purposes
- 3) For the avoidance of doubt, an entity who intends to activate its own IRU capacities on submarine cable systems or light international dark fibre to offer telecommunication services in Timor-Leste is required to apply for a Registration under Annex B from the Authority to do so. Interested parties should note that separate authorization may be required from other relevant government agencies for the deployment and/or provision of certain types of networks and/or services.

#### B. Information to be provided in applications for registration under Annex B: Facilities-Based Operations

In addition to submitting a Registration statement (Annex G), the applicant requesting a registration for Facilities-based Operations under Annex B shall provide information on:



## 1) Financial Capability

The applicant shall provide its business, financial and funding plans of its proposed investment for the first 5 years of operation, including:

- a) detailed business plans, including the profit and loss accounts, balance sheets and cash flow statements. The profit and loss accounts, balance sheets and cash flow statements shall be prepared in accordance with the International Financial Reporting Standards. All assumptions used (e.g. asset depreciation policies, subscriber projections, annual increase/decrease in operating expenditure) shall be clearly explained;
- b) financial ratios including return on assets, return on equity, operating profit margin, net profit margin, current ratio, quick ratio and debt-equity ratio. The formula used in computing each ratio shall also be provided;
- c) forecasts of the internal rate of return, net present value and payback period of the investment. In addition, the net present value at 10% and corresponding payback period shall be computed. The rate of return normally required by the applicant for capital invested shall also be provided (i.e. the hurdle rate);
- d) a detailed plan of all capital expenditure and working capital requirements for the first 5 years of operations;
- e) details of the proposed financing plan, including:
  - i. the proposed sources of funds and the amounts from each source;
  - ii. timing of funding initiatives and injection of funds;
  - iii. planned repayment terms and schedule for loans, loan stock and debentures;
  - iv. credit facilities available; and
  - v. provisions made for contingent sources of funds. Where relevant, letters of intent, guarantor letters and other documents should be provided to substantiate the financing plan and loan/credit facilities.

## 2) Competition strategies

The applicant shall describe in detail all the services it intends to provide, including the timing, and the competition strategies it will use to compete in Timor-Leste's telecommunication market and how its operations will contribute to the achievement of Timor-Leste's Strategic Development Plan 2011-2030.

The applicant shall also provide details of the track record of the consortium partners and/or other relevant parties; and on how it will apply and leverage on any relevant experience and expertise from consortium partners or other relevant parties to give it a strategic or competitive advantage.

## 3) Technical capability

The applicant shall provide information on the following:



a) Network Configuration

The overall infrastructure and the components of the international and national networks to enable the provision of the telecommunication services. The description will include the network management capabilities, routing plan, transmission plan, signaling plan and diversity plans.

b) Network Facilities

The planned locations and technical details of its network such as international frontier stations and gateways, local/tandem/trunk exchanges, land lines, cable ducts, radio base station sites and other equipment to be installed and frequency spectrum to be used.

c) Network Coverage and Rollout Plan

The planned geographical coverage of the network upon launch of services and a network rollout plan detailing the network capacity expansion plans for the first 5 years of operations; and commitments for improvements to infrastructure facilities for the next 5 years.

d) Network Interconnection

Where applicable, technical proposals for interconnection with other Authorized Operators' networks (including signaling, transmission and synchronization requirements, and peering at the facilities of Timor-Leste Internet Exchange), covering the interconnection configuration, point of interconnection interface requirements and diversity arrangements.

e) Network Code of Practice, Security and Protection

- i. Network performance with an indication of the minimum standards;
- ii. Details of network security, IT/system security and physical network protection; and
- iii. Participation in and/or coordination with the Timor-Leste Computer Security Incidents Response Team (TLCSIRT).

f) Network Technologies

Technologies to be employed for the switching, transmission and local access systems to deliver basic, broadband and value-added services, with the rationale for the choice of technologies selected.

4) Performance Bond

The Authority will require the Registrants with a specific authorization under Annex B to rollout their networks and provide services in accordance with their offers and proposals as stated in their applications. Each Registrant with specific authorization shall provide the Authority with a performance bond for a sum amounting to 5% of its total budgeted capital investment as committed in its application, in accordance with the specimen Banker's Guarantee specified in Annex H, and made in favour of the Authority. The performance bond shall cover the material obligations of rollout, service provision and commitments as well as compliance with any directions issued by the Authority.



5) Any other relevant information

The applicant may submit any information not specified above which it considers relevant for the Authority's consideration of its application.

**C. Specific Terms and Conditions**

With reference to the Facilities-based operations described in Section A above, the Registrant shall comply with the specific terms and conditions set out in the applicable schedule(s) of telecommunications services of Annex I. In the case of the intended service(s) do not constitute a perfect match to the schedules of Annex I, the Authority will work with the Registrant to specify the set of terms and conditions specific to the registration.

## ANC Guidelines on Registration

### Annex C. Registration Exemptions

Pursuant to Article 31 of the Telecommunications Decree-Law, the supply of the following telecommunications services and the operation of the following telecommunications networks are exempted from the requirement of registration:

**A. The operation of a telecommunications network used by a specific user group within premises under the network operator's control**

- 1) For example, Local Area Networks (LAN) or Wireless LAN (WLAN).
- 2) The wireless operation of such telecommunications networks must use radio frequencies which are licence exempt in accordance with Chapter VIII of the Telecommunications Law.
- 3) A network operator who offers telecommunication services for consideration within its premises is subject to registration.

**B. The operation of a telecommunications network used for providing telecommunications for the network operator's own use**

- 1) For example, the internal signaling networks operated by power network companies and virtual private networks (VPN) operated by multi-national companies.
- 2) A network operator who resells the capacity of such telecommunications networks is subject to registration.

**C. The operation of telecommunications networks for technical trials**

- 1) For purposes of clarity, the operation of technical networks for technical trials of telecommunications services, systems and/or networks is exempted from the requirement of registration under these Guidelines.
- 2) Any person who wishes to conduct a technical trial of telecommunication service, system and/or network must comply with the ANC Terms and Conditions on Technical Trials and must obtain a prior written approval from the Authority.

## ANC Guidelines on Registration

### Annex D. Template of the Certificate of Registration



## AUTORIDADE NACIONAL DE COMUNICACOES

### Certificate of registration

No. - - /REG/ANC/111/2021

In accordance with Article 30 of the Decree-law 15/2012 on the Regulation of the Telecommunications Sector (hereinafter referred to as the "Telecommunications Decree-law"), the Autoridade Nacional de Comunicações (hereinafter referred to as the "Authority") certifies that [name of registrant] [company registration no.] (hereinafter referred to as the "Registrant") is a registered service provider in Timor-Leste with effect from [start date] to [end date].

#### **AUTHORIZED TELECOMMUNICATIONS SYSTEM AND SERVICES**

The Registrant is authorized to establish, install, maintain and operate the system (hereinafter referred to as the "System"), for the provision of the following services (hereinafter referred to as the "Services"):

- 1.
- 2.
- 3.

as described in Annex A and/or Annex B, subject to the specific terms and conditions set out in this Registration and in the applicable schedule(s) of Annex 1 of the ANC Guidelines on Registration.

The Registrant shall not make changes to the System and/or the Services and/or establish, install, maintain and operate any telecommunications system and/or provide any telecommunications service not authorized by this Registration except with the prior written approval of the Authority.

#### **RADIO-FREQUENCY SPECTRUM**

Registration **does not authorize** the Registrant to use any radio-frequencies or to operate any radio equipment in Timor-Leste.

#### **STATE-OWNED LAND AND PROPERTY**

Registration **does not authorize** the Registrant to access to State-owned land and property in Timor-Leste.

## **OBLIGATIONS**

The Registrant shall comply with all technical and regulatory obligations set out in Annex E and Annex F of the ANC Guidelines on Registration.

Collection of monetary deposits or issuance of prepaid cards for the collection of payment from customer for the provision of the Services requires specific authorization from the Authority subject to the terms and conditions set out in Article 23 of the ANC Guidelines on Registration.

The Registrant shall notify the Authority of any change or inaccuracy in the information and particulars submitted to the Authority, including changes to its name, address and contact particulars, within five (5) days of such change. For the avoidance of doubt, this condition does not relieve the Registrant of its obligation to obtain the Authority's prior approval specified under any other conditions in the Registration.

## **NOTICES**

Any notice to be issued to the Registrant in regard to its activity as a registered service provider in Timor-Leste shall be made in writing and shall be deemed to have been given:

- (a) immediately upon delivery by protocol in the address indicated here below (or any other address notified by the registrant to the Authority); or
- (b) if transmission is effected by e-mail, such transmission shall employ a delivery receipt and shall be issued to the e-mail address indicated here below and shall only be deemed as having been given following reception of the electronic delivery receipt;

provided that, if delivery or transmission by email is effected after 4.00 pm on Monday to Friday, or any time on Saturday and Sunday, then such notice shall be deemed to be given at 9.00am the next working day following the delivery or email.

[Name of Registrant]

[Address]

*Attention:* [Name of contact person]

*Telephone:* [Telephone no.]

*Email:* [Email address]

Certified in Dili this [day] of [month] [year].

[Name and position]

Autoridade Nacional de Comunicacoes



## ANC Guidelines on Registration

### Annex E. Summary of Obligations under the Telecommunications Decree-Law

*The following is a non-exhaustive summary of the obligations relevant to registered service providers under the Telecommunications Decree-Law. Registered service providers are required to be cognizant of and to comply with the full extent of their obligations as set out in the Telecommunications Decree-Law itself.*

#### NATIONAL COMMUNICATIONS AUTHORITY {ANC}

##### 1. Regulatory fee and supplementary regulatory fee

Registered service providers shall pay any regulatory fee and supplementary regulatory fee as required by the Authority in accordance with Article 13 of the Telecommunications Decree-Law, in conformity with any applicable procedures, rules and guidelines the Authority prescribes for their collection.

#### REGULATORY MEASURES

##### 2. Regulatory measures

Pursuant to Article 19 of the Telecommunications Decree-Law, service providers and any other persons shall comply with regulatory measures the Authority may impose to secure the implementation of, and give effect to, any provision of the Telecommunications Decree-Law.

##### 3. Provision of information

Where required by the Authority under Article 22 of the Telecommunications Decree-Law, service providers shall file with the Authority reports and documents containing financial and operating data, statistics and other information about their activities necessary and proportionate for the Authority to perform its functions and responsibilities and exercise its powers pursuant to the Telecommunications Decree-Law.

#### REGISTRATION

##### 4. Update of changes

Pursuant to Article 30 of the Telecommunications Decree-Law a registered service provider must

- a) file with the Authority an update of any change made in its registration statement on or before every anniversary of the date on which its registration took effect; and
- b) notify the Authority upon ceasing supply of telecommunications services or operation of telecommunications networks.

#### COMPETITION

##### 5. Anti-competitive practices

- 5.1. Pursuant to Article 34 of the telecommunications Decree-Law, service providers shall not enter into any formal contract or informal agreement, or engage in conduct that has the purpose or effect of preventing, restricting or distorting competition in any appreciable manner in any telecommunications market.
- 5.2. A contract or an agreement may be deemed to infringe the preceding paragraph if it:
- a) consists in arrangements between or among service providers to fix their prices or other conditions of trading;
  - b) provides for service providers to share or allocate between or among them telecommunications markets or sources of supply or otherwise not to compete in certain areas or over certain customers or customer groups; or
  - c) unduly prevents a supplier of products, services or resources inside or outside of Timor-Leste from providing products, services or resources that are essential for the provision of telecommunications services by other service providers.
- 5.3. A service provider may be deemed to have engaged in conduct that infringes the first paragraph where it:
- a) supplies, without a verifiable justification, a telecommunications service at prices below cost for a sustained period of time such that competitors are reasonably likely to leave or be deterred from entering the market;
  - b) holds an essential 'upstream' input on which competitors depend to provide a related product in a 'downstream' telecommunications market, and charges such competitors a price for the use of such infrastructure resulting in a margin between the upstream cost and the price for downstream customers that prevents a service provider from competing effectively;
  - c) makes the execution of contracts for products and/or services, in a telecommunications market in which it has a dominant position, conditional upon the acceptance of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts, without any objective justification for imposing such conditions;
  - d) bundles a product or service with a product or service in a telecommunications market in which it is dominant in a manner that provides an implicit discount or any other benefit in respect of the former product or service that cannot practicably be replicated by other service providers;
  - e) refuses without objective justification to supply to other service providers, on reasonable terms and conditions, a product, service or resource that is essential for such service providers to provide telecommunications services and that, for technical, legal, economic or other reasons, such service providers cannot practicably produce or supply;
  - f) prevents, without objective justification, customers from moving to other service providers, in a telecommunications market in which it is dominant, by requiring excessive exit payments for the termination of contracts or excessively long contracts or other similar means; or
  - g) improperly uses, as a dominant service provider, information supplied by a competitor, for purposes related to the supply of products or services, in order to compete with such competitors.



## 6. Mergers and acquisitions

Pursuant to Article 35 of the Telecommunications Decree-Law, any interested person shall request the approval of the Authority before it acquires, through merger or acquisition, an ownership interest in the capital of a company or any assets of a company or of any other person which would result in, or be likely to result in, the control or an increase in control over one or more service providers with:

- a) a combined share of over 25% of the revenues or subscribers in any given telecommunications market; or
- b) combined annual revenue exceeding \$10 million (ten million United States dollars).

### *SIGNIFICANT MARKET POWER*

## 7. Significant market power and market review

7.1. The Authority may designate any service provider as having significant market power in accordance with Article 36 of the Telecommunications Decree-Law.

7.2. Unless otherwise decided by the Authority in the framework of a review of the relevant markets, every service provider shall be deemed as having significant market power in the telecommunications market for:

- a) the wholesale call termination and short message service (SMS) markets in individual networks; and
- b) wholesale international data and voice transmission services markets if the service provider controls substantially all of the capacity on international fibre-optic cables connecting Timor-Leste.

## 8. Accounting Separation

Where required by the Authority in accordance with Article 36 of the Telecommunications Law, a service provider shall account separately for its revenues from and costs of the supply of telecommunications services in telecommunications markets in which it has significant market power from its revenues from and costs of the supply of telecommunications services in telecommunications markets in which it does not have significant market power, and shall comply with procedures, rules and directives of the Authority regulating the allocation of joint costs and transactions and other related matters.

### *INTERCONNECTION, CELL SITE SHARING AND ACCESS*

## 9. Negotiation of interconnection, cell site sharing and access agreements

9.1. Pursuant to Article 38 of the Telecommunications Decree-Law, when requested by another registered service provider in writing for the purpose of providing telecommunications services to the public, a service provider shall negotiate and endeavour to reach an agreement on:

- a) interconnection, pursuant to article 39 of the Telecommunications Decree-Law;



- b) cell site sharing, pursuant to article 40 of the Telecommunications Decree-Law; and
- c) forms of access, pursuant to article 41 of the Telecommunications Decree-Law.

9.2. In negotiating such agreements, service providers shall:

- a) respond to any request for negotiation;
- b) meet all reasonable requests for interconnection, cell site sharing or the requested form of access;
- c) propose reasonable conditions, including those related to pricing, timing, quality, technical specifications and fault handling;
- d) supply interconnection, cell site sharing or the required form of access in a manner that is sufficiently unbundled to enable the requesting service provider to have the interconnection, cell site sharing or access it reasonably requested;
- e) make available information, including technical specifications and commercially relevant information, which is reasonably required by the requesting service provider for the purposes of negotiation and implementation of the agreement;
- f) comply with technical or operational conditions required by the Authority to ensure normal operation of the network; and
- g) ensure that such interconnection, cell site sharing or requested form of access is achieved within a reasonable period of time.

9.3. Service providers shall negotiate such agreements on a non-discriminatory basis, applying equivalent conditions in equivalent circumstances to other service providers providing equivalent services, and providing services and information to others under the same conditions and of the same quality as they provide for their own services or those of their affiliates.

## 10. Interconnection

10.1. Pursuant to Article 39 of the Telecommunications Decree-Law, within 30 days from receiving a written request to interconnect from a requesting service provider, a service provider shall:

- a) propose an interconnection agreement that meets all reasonable requests for interconnection at any economically and technically feasible point of its telecommunications network; and
- b) enter into negotiations with the requesting service provider on the basis of such a proposed interconnection agreement.

10.2. An interconnection agreement proposed by a service provider under subparagraph a) of the preceding paragraph shall permit access to its facilities, network elements, operational support systems, software and services as are reasonably required by the requesting service provider to ensure effective end-to-end interconnection.

## 11. Cell site sharing

Unless otherwise agreed to by the parties, cell site sharing shall be carried out pursuant to the steps set out under Article 40 of the Telecommunications Decree-Law.

## 12. Access

12.1. Pursuant to Article 41 of the Telecommunications Decree-Law, the Authority may impose on service providers with significant market power in a particular telecommunications market obligations to respond to reasonable access requests made in writing in situations where the denial of access, or the setting of unreasonable conditions that have an effect equivalent to a denial of access, would hinder the emergence of a sustainable competitive retail market or harm the interests of end users.

12.2. Any service provider or providers controlling the capacity of international fiber-optic cables to access Timor-Leste shall provide access to licensed service providers in Timor-Leste, on conditions of equality, non-discriminations and cost-oriented prices.

## 13. Confidentiality

13.1. Pursuant to Article 42 of the Telecommunications Decree-Law, a service provider shall adopt the necessary measures to ensure the confidentiality of any confidential information supplied by another service provider in the course of negotiating or implementing an agreement pursuant to Chapter IIX of the Telecommunications Decree-Law and shall use such information only for the purpose for which it was supplied.

13.2. Protection from disclosure pursuant to the preceding paragraph shall include not passing information on to any subsidiaries, parent companies, partners or any other party for whom such information could represent a competitive advantage.

## 14. Reference offers

14.1. Pursuant to Article 43 of the Telecommunications Decree-Law, the Authority may require a service provider, in relation to wholesale telecommunications markets in which it has significant market power, to:

- a) prepare, periodically update and revise a reference offer for interconnection or access, or any combination thereof, to be approved by the Authority;
- b) include in its reference offer such matters as the Authority considers necessary for the effective implementation of the reference offer; and
- c) publish its approved reference offer on its website and send a copy thereof to any service provider on request.

14.2. If a service provider fails to comply with the preceding paragraph within a reasonable period of time set by the Authority, the Authority may, after consultation with the service provider, determine reference terms of interconnection or access, as applicable, in accordance with the Telecommunications Decree-Law.



## 15. Amendment of agreements

Parties to an agreement entered into pursuant to Chapter VIII of the Telecommunications Decree-Law shall from time to time renegotiate in order to, if necessary, make amendments to their agreements for the purpose of incorporating such amendments as introduced into the Telecommunications Decree-Law and the regulatory measures issued thereunder.

## 16. Filing of agreements

A service provider shall, within 14 days from the date of entering into an agreement pursuant to Chapter VIII of the Telecommunications Decree-Law or any amendment thereto, file a copy thereof with the Authority.

## *PRICE REGULATION*

### 17. Tariff filing

Pursuant to Article 46 of the Telecommunications Decree-Law, a service provider shall file with the Authority, in the manner required by the Authority, the standard wholesale and retail prices of telecommunications services it supplies within fourteen days of setting or changing such prices.

### 18. Tariff regulation

Pursuant to Article 47 of the Telecommunications Decree-Law, the Authority may regulate the prices charged by a service provider in a telecommunications market in which it has significant market power by referring to relevant benchmarks or on the basis of an economically efficient cost model.

## *CONSUMER PROTECTION*

### 19. Dealing in good faith

- 19.1. Pursuant to Article 49 of the Telecommunications Decree-Law, a service provider shall not engage in any conduct that is misleading or deceptive, or is likely to mislead or deceive.
- 19.2. A service provider shall not make a false or misleading representation related to the type, quality, price or grade of their telecommunications services.
- 19.3. A service provider shall only charge a subscriber for the specific telecommunications services that the subscriber has ordered.
- 19.4. A service provider's invoice for post-paid or prepaid services must be readily understandable.



19.5. A service provider shall, in a manner that is readily understandable, publish on its website and make available at its points of sale the retail prices in effect and the general terms and conditions applicable to the provision of services.

## 20. Information and communications of subscribers

20.1. Pursuant to Article 49 of the Telecommunications Decree-Law, service providers:

- a) shall not, without a subscriber's consent, collect, use, retain or disclose information about a subscriber, including call and billing information, except as necessary to provide the services to a subscriber; and
- b) shall employ appropriate security safeguards and administrative procedures to prevent the unauthorized collection, use, retention or disclosure of such information.

20.2. A service provider may disclose a subscriber's name, address and listed telephone number in a printed or electronic telephone list, provided that any subscriber may request a service provider in writing not to disclose their name, address and listed telephone number and the service provider shall comply with such request.

20.3. A service provider shall ensure that any subscriber information it collects, uses, retains or discloses is accurate and proportionate to the purposes for which it is to be used.

20.4. A service provider shall not intercept, monitor, alter or modify the contents of a communication, except as provided in the present Decree-Law or in any other law.

## 21. Standard terms and conditions

Pursuant to Article 50 of the Telecommunications Decree-Law, a service provider supplying public telecommunications services shall:

- a) establish standard terms and conditions that are reasonable and readily understandable for the provision of public telecommunications services;
- b) establish complaint and dispute procedures that are simple, fair and reasonable and allow for an impartial and quick treatment and resolution of complaints, and that also define the applicable conditions for refunds and compensation;
- c) publish such terms and conditions, procedures and remedies on its website and make them available at points of sale;
- d) submit such terms and conditions, procedures and remedies to the Authority upon request;
- e) make such changes to the terms and conditions, procedures and remedies as the Authority requires; and
- f) comply with such terms and conditions, implement such procedures and establish the conditions for reimbursement and compensation as required by the Authority.

## 22. Emergency numbers and operator assistance

Pursuant to Article 51 of the Telecommunications Decree-law, all service providers operating and providing retail public mobile communications services; and all service providers operating and providing retail access to public telephone networks at a fixed location shall make available:

- a) free-of-charge emergency call services enabling the direct dialing of emergency telephone numbers to contact the medical, police, fire brigade and such other emergency services as the Authority may require;
- b) operator assistance services, including assistance with call setup, information services on conditions of access to operator services, and fault remedy services; and
- c) a customer service call center to receive complaints and provide prompt assistance with subscription, billing and collection.

22.1. The Authority may require service providers mentioned in the preceding paragraph to introduce a shared directory, setting the obligations of each service provider in this area, the methods of inclusion and update of the numbers of the service providers' subscribers in such shared directory, and responsibility of the service providers for the costs of maintaining, updating and providing the shared directory.

## 23. Subscriber complaints and disputes

Pursuant to Article 52 of the Telecommunications Decree-Law, the Authority may require service providers to:

- a) report to the Authority regarding the types and volumes of complaints and requests for dispute resolution as well as information related to the procedures adopted in this matter; and
- b) take such other measures as the Authority considers appropriate to ensure that complaints of and disputes with subscribers are satisfactorily addressed and that subscribers obtain prompt assistance with subscription, billing, collection, and such other matters as the Authority may require.

## 24. Quality of service

Pursuant to Article 53 of the Telecommunications Decree-Law, the Authority may:

- a) require service providers to publish on their websites and points of sale comparable, adequate and up-to-date information on the quality of their services;
- b) specify the quality of service parameters to be assessed and the content, form and manner of the information to be published in order to ensure that consumers have access to comprehensive, comparable, reliable and readily understandable information; and
- c) set minimum quality of service requirements on service providers operating public telecommunications networks in order to ensure effective communications and prevent the blocking or slowing down of traffic.



## *UNIVERSAL SERVICE*

### 25. Universal Access Compensation Fund

Registered service providers shall pay any annual universal access levies as required by the Authority in accordance with Article 58 of the Telecommunications Decree-Law, in conformity with any applicable procedures, rules and guidelines the Authority prescribes for their collection.

## *RADIO-FREQUENCY SPECTRUM*

### 26. Management of the radio-frequency spectrum

Pursuant to Article 60 of the Telecommunications Decree-law, no person may use the radio-frequency spectrum, including the transmission of radio communications, or operate radio equipment in a manner that is inconsistent with or in violation of the Telecommunications Decree-Law or any regulatory measure issued thereunder.

### 27. Radio spectrum licensing

Pursuant to Article 61 of the Telecommunications Decree-Law, no person may use radio-frequency spectrum or operate radio equipment in Timor-Leste, unless that person:

- a) is licensed to do so under a radio-frequency spectrum licence; or
- b) is exempt pursuant to Chapter XIII of the Telecommunications Decree-Law.

### 28. Transfer of radio-frequency spectrum

Pursuant to Article 62 of the Telecommunications Decree-Law, a radio-frequency spectrum licence cannot be transferred to another person.

### 29. Radio-frequency spectrum fees

Registered service providers shall pay any radio-frequency spectrum fees as required by the Authority in accordance with Article 63 of the Telecommunications Decree-Law, in conformity with any applicable procedures, rules and guidelines the Authority prescribes for their collection.

### 30. Numbering management

Pursuant to Article 67 of the Telecommunications Decree-Law, service providers shall only use the numbers assigned to them by the Authority.

### 31. Mobile number portability

Pursuant to Article 68 of the Telecommunications Law, service providers shall comply with any procedures, rules and guidelines for the implementation of mobile number portability established by the Authority.



## ACCESS TO PROPERTY

### 32. Access to State-owned land and property

- 32.1. Pursuant to Article 70 of the Telecommunications Decree-Law, service providers may, for the purpose of installing, operating and maintaining telecommunications facilities, network resources and telecommunications equipment and for providing telecommunications services, upon the authorization or decision by the Government official responsible for State-owned land and properties:
- a) use State-owned land;
  - b) install, operate and maintain such telecommunications facilities on such land as needed;
  - c) carry out all necessary works in connection with such installation, operation and maintenance, notably for trimming and removing trees, shrubs and other vegetation or natural occurrences that interfere with such use; and
  - d) request the establishment of administrative easements pursuant to the laws of Timor-Leste.
- 32.2. A service provider shall take reasonable measures at the end of the term of use to restore the State-owned land to its original condition at its own cost.

### 33. Permitted Uses

- 33.1. The requesting service provider and the relevant Government official shall provide to the Authority copies of the approval of the request as well as any applicable conditions to ensure it is duly informed of the service providers' use of State-owned land.
- 33.2. Approvals of use of State-owned land for installation of cell sites shall be conditional upon a service provider having made available to other registered mobile service providers the opportunity to share them in accordance with paragraph 9 of article 40 of the Telecommunications Decree-Law.
- 33.3. Service providers shall pay any reasonable fees that have been prescribed by the Government official responsible for State-owned land and properties in accordance with Article 71 of the Telecommunications Decree-Law.

### 34. Use of space on cell sites for public purposes

Pursuant to Article 71 of the Telecommunications Decree-Law, the Government and other public entities have the right to use space on, in or under cell sites on State-owned property and any towers or conduit systems there installed for the purpose of installing, maintaining and operating network equipment for public purposes, including emergency, coastguard, aviation, security and military activities, environmental monitoring, management of natural resources and public infrastructure, utilities, and private telecommunications among government entities.

### 35. Access to property other than State-owned property

Pursuant to Article 73, a service provider shall negotiate with the relevant persons in order to decide the terms and conditions for the use of private property to install, operate and maintain a telecommunications facility.



## TELECOMMUNICATIONS EQUIPMENT

### 36. Rules and standards

36.1. Pursuant to Article 74 of the Telecommunications Decree-Law, the Authority may impose:

- a) technical rules and standards applicable to telecommunications equipment to prevent damage or quality degradation to telecommunications networks or services, prevent radio interference, and protect public health, public safety or the environment; and
- b) conditions and approval procedures necessary for the manufacture within, or importation into, Timor-Leste of telecommunications equipment.

36.2. Any person using or supplying any telecommunications equipment shall comply with all technical rules, standards, conditions and approval procedures applicable pursuant to the preceding paragraph.

## STATE OF EXCEPTION

### 37. State of exception, national security and public safety

Pursuant to Article 75 of the Telecommunications Decree-Law, on any situation of State of Exception pursuant to article 25 of the Constitution, or in the interest of national security or public safety, service providers shall take all necessary actions as required by the relevant authorities in accordance with the applicable laws of Timor-Leste.

## INFRINGEMENT AND ENFORCEMENT

### 38. Infringement notices

Pursuant to Article 76 of the Telecommunications Decree-Law, a person commits an infringement if such person:

- a) contravenes or fails to comply with the Telecommunications Decree-Law or any regulatory measure issued thereunder;
- b) fraudulently or with dishonest intent, obtains a telecommunications service without payment of the price due for that service or without the authorization of the service provider supplying that telecommunications service, or manufactures, imports, distributes, sells, rents, installs, maintains, possesses or uses equipment or software designed or adapted for such purpose;
- c) intentionally and unlawfully intercepts by technical means a transmission not intended for such person;
- d) willfully damages any telecommunications network; or
- e) intentionally and unlawfully seriously hinders the functioning of any telecommunications network by inputting, damaging, deleting, deteriorating, altering or suppressing telecommunications data.



### 39. Administrative penalties

Pursuant to Article 78 of the Telecommunications Decree-Law, a person who commits an infringement shall be liable:

- a) In the case of a natural person, to an administrative penalty not exceeding \$50,000 (fifty thousand United States dollars) and, in the case of a continuing infringement, to a mandatory pecuniary penalty not exceeding \$150 (one hundred fifty United States dollars) for every day during which the infringement continues after the Authority determines that the person has committed an infringement.
- b) In the case of a corporate body or legal entity, to an administrative penalty not exceeding:
  - (i) \$2,000,000 (two million United States dollars) in the case of a contravention of or failure to comply with any of the provisions under Chapters VI, VII, VIII and IX of the Telecommunications Decree-Law and any regulatory measures issued under those provisions and, in the case of a continuing infringement, to a mandatory pecuniary penalty not exceeding \$5,000 (five thousand United States dollars) for every day during which the infringement continues after the Authority determines that the person has committed an infringement pursuant; or
  - (ii) \$250,000 (two hundred thousand US dollars) in the case of all other infringements of the Telecommunications Decree-Law and regulatory measures issued thereunder and, in the case of a continuing infringement, to a mandatory pecuniary penalty not exceeding \$500 (five hundred US dollars) for every day during which the infringement continues after the Authority determines that the person has committed an infringement.

## ANC Guidelines on Registration

### Annex F. Periodic reporting requirements

A registered service provider must provide to the Autoridade Nacional de Comunicações (ANC) the information requested below for each calendar quarter. The information must be submitted to the ANC within 30 days after the end of each such quarter. The first quarter to be reported will be the first full quarter of operations.

No.	Statistic	Description of statistic provided
<b>Fixed telephone connections</b>		
1	Telephone access lines - owned	The number of active telephone access lines retailed by the registered service provider as at end of year identified by having a geographic national telephone number where the registered service provider owns the access line. A line includes a fixed wireless connection.
<b>Mobile connections</b>		
2	Mobile telephone subscribers	Active mobile phone retail connections as at end of year. Includes both prepaid and post-paid subscribers. For the purposes of data collection, a prepaid subscriber is considered an active subscriber until recharge validity deadline plus 120 days (when SIM card is acquired, subscriber is considered active within 120 days of first recharge). A post-paid subscriber is considered active if the contract remains active.
3	Mobile telephone subscribers using prepaid services	Subscribers included in previous response that have to purchase blocks of usage in advance.
<b>Internet connections</b>		
4	Dial-up Internet subscribers (analogue connections)	Number of dial-up Internet retail connections as at end of year.
5	Fibre-to-the-premise broadband subscribers	Number of broadband Internet retail connections (subscribers) as at end of year served by fibre-to-the-premise connections including fibre-to-the-building connections where end-users in the building are served by Ethernet and fibre-to-the-curb connections where end-users are served by a short copper loop.

6	DSL broadband internet subscribers	Number of broadband internet retail connections (subscribers) as at end of year served by DSL technology.
7	Cable TV broadband internet subscribers	Number of broadband internet retail connections (subscribers) as at end of year served by co-axial cable TV cable.
8	3G mobile broadband internet subscribers (data use only)	Number of Internet retail connections (subscribers) using high-speed mobile technology, excluding access using a mobile phone handset. This includes customers with mobile data cards and mobile modems. Minimum theoretical download speed should be equal to or greater than 256 kbit/s.
9	Fixed wireless broadband internet subscribers	Number of Internet retail connections (subscribers) using high-speed fixed wireless technology (e.g., CDMA, Wimax and other fixed wireless technologies), excluding satellite. Minimum theoretical download speed should be equal to or greater than 256 kbit/s.
10	Satellite broadband internet subscribers	Number of Internet retail connections using high-speed satellite technology. Minimum theoretical download speed should be equal to or greater than 256 kbit/s.
11	Total retail broadband subscribers	Total broadband retail connections (subscribers), which should be the sum of the responses for questions 5 to 10.
<b>Traffic - fixed line</b>		
12	Fixed to mobile minutes	Total actual minutes (both billed and free minutes) of calls to mobile operators originating from fixed network during the year.
13	National telephone minutes	Total actual minutes (both chargeable and free minutes) of national calls originating on fixed network during the year.
14	Fixed Termination minutes	Total chargeable minutes of calls originating on another operator's network and terminating on the fixed network
15	International outgoing telephone minutes	Total actual minutes (both billed and free minutes) of outwards international calls originating on fixed network during the year.
16	International incoming telephone minutes	Total actual minutes of inwards international minutes during the year.

Traffic - mobile		
17	Mobile to mobile minutes - on-net	Total actual minutes (both billed and free minutes) of mobile calls originating and terminating on the same mobile operator.
18	Mobile to mobile minutes - off-net	Total actual minutes (both billed and free minutes) of mobile calls originating on the mobile operator and terminating on a different Timor-Leste mobile operator.
19	Roaming out minutes	Total actual minutes of mobile calls made by a subscriber of the Registrant and originating on a mobile operator outside of Timor-Leste
20	Mobile termination minutes	Total chargeable minutes of calls originating on another operator's network and terminating on the mobile network
21	Mobile to fixed minutes	Total actual minutes (both billed and free minutes) of mobile calls originating on a mobile operator and terminating on a Timor-Leste fixed network during the year.
22	Mobile to international minutes	Total actual minutes (both billed and free minutes) of mobile calls originating on a Timor-Leste mobile operator and terminating on an international mobile or international fixed operator during the year.
23	Roaming in minutes	Total actual minutes of mobile calls originating from a subscriber of a mobile operator outside Timor-Leste that is in roaming in Timor-Leste on the mobile network of the operator
24	Incoming minutes	Total actual minutes of calls originating in an international network and terminating in the mobile operator
25	Number of text messages - on-net	Total number of outgoing retail SMS messages originating and terminating on the same mobile network during the year.
26	Number of text messages - off-net	Total number of outgoing retail SMS messages originating on a mobile operator and terminating on a different mobile operator during the year.

Revenue		
27	Total fixed revenues	Total revenues originating and terminating on fixed network
28	Total wholesale fixed revenues	Total revenues from wholesale termination on fixed network
29	Total mobile revenues	Total revenues originating and terminating on mobile network.
30	Total wholesale mobile revenues	Total revenues from wholesale termination on mobile network



## ANC Guidelines on Registration

### Annex G. Registration statement

(in accordance with Annex 1 of the Telecommunications Decree-Law)

#### A. Registrant's Details

Provide the following information:

- 1) Registrant's name:
- 2) Registrant's company registration number:
- 3) Registered head office address:
- 4) Contact telephone number:
- 5) Contact fax number:
- 6) Contact email address:
- 7) Date and jurisdiction of formation of the registrant:
- 8) List of full names and nationalities of all directors, managers and holders of corporate positions:

Name of directors, manager and holders of corporate positions	Position	Nationality

- 9) Disclosure of any criminal record or personal bankruptcy, in any country, of any persons listed in the preceding item:
- 10) Name and position of registrant's contact person for the service of notices:

Provide the following documents:

- 11) Certified copies of the company's latest audited annual financial statements, including balance sheet, income statement and cash flow statement, prepared in accordance with generally accepted accounting principles consistently applied and audited by a reputable firm of auditors {or if audited statements are not available for such period such statements as are available}.
- 12) Certified copy of the company's bylaws and respective amendments.



## B. Registrant's ownership, control and affiliations

Provide the following information and documents:

- 1) Details of the registrant's shares as at the date of submission of the registration statement, including:
  - a) the number and associated classes of authorized securities;
  - b) the voting and dividend rights attached to each class; and
  - c) details of any rights to securities convertible into shares; and the identities of the holders thereof and amounts of securities held.
- 2) Information listed in Items A. 1) to 3) above of the person that is the ultimate parent.
- 3) Details of any shareholder or holder of other agreement relating to the control over the registrant.
- 4) A chart showing the identity of the registrant's ultimate parent and all intermediate persons and the amounts of shares held and information about any other form of control enjoyed by any such person over the other.
- 5) If any of the registrant's affiliates are registered to supply telecommunications services or operate telecommunications networks, list the names of such affiliates and their company registration numbers:

Name of Company	Company Registration No.

In this registration statement the terms:

"affiliate" and "control" have the same meaning as in the Telecommunications Decree-Law;

"intermediate person" out of two persons means a person that holds a majority interest in the capital of one of the other two persons and is controlled by the other person; and

"ultimate parent" means any person who is an affiliate of another person whether by ownership of shares, contract or otherwise but is not itself controlled by any other person.

## C. Service Details

Provide the following information:

- 1) Details of the telecommunications services the registrant intends to supply, including the geographic scope, technologies used, projected subscriber numbers and the expected launch date:



- 2) Details of any wholesale telecommunications services to be used as input to provide the intended telecommunications services:
- 3) Details of any monetary deposits to be collected or prepaid cards to be issued for the collection of payments from customers:

#### **D. Other information for specific authorization**

Provide any other information the disclosure or non-disclosure of which is materially relevant in the context of the submission of this registration statement including materials required as specified under Annex B Activities of the operation of telecommunications networks.

#### **E. Declaration**

I hereby attest that the registrant is not disqualified from registration under Article 30.4 of the Telecommunications Decree-Law.

I hereby declare that the information, particulars and documents given by me in this registration statement are correct and complete. I understand that any incorrect and incomplete information in this registration statement and the documents submitted may lead to refusal of the registration.

Signature:

Company seal:

Signatory's name and position:

Date:

*(Softcopies of the registration statement and all attachments must be in MS Word or PDF format)*



## ANC Guidelines on Registration

### Annex H. Specimen Copy of Bank Guarantee

Dated [date]  
[Name of Bank]  
[Address of Bank]

To:  
Autoridade Nacional de Comunicações (ANC)  
Ground floor, Ministry of Transport and Communications Building  
Avenida Xavier do Amaral  
Dili, Timor-Leste

Guarantee number [to be filled in by the Bank]

On behalf of and at the request of.....[full identification] (hereinafter referred to as "Registrant"), the [bank identification] (hereinafter referred to as "Bank"), pursuant to and for the purposes of Article 30 of Decree-Law No. 15/2012 of 28 of March on the Regulation of the Telecommunications Sector, for the purpose of REGISTRATION, hereby provides, in favor of the Autoridade Nacional de Comunicações (hereinafter referred to as the "Authority"), an irrevocable bank guarantee and at the first request, in the amount of \$..... ( - - US dollars) [hereinafter referred to as the "Guaranteed Amount"], intended to guarantee the exact and timely fulfillment of all the legal obligations assumed.

The bank will be responsible, up to the maximum limit of the aforementioned amount, for delivering, unconditionally, irrevocably, at the first request, and without any reservations, even if there is any objection by the Registrant, of the amounts that become necessary if o fail to comply with its obligations, object of this guarantee, or fail to comply with them in due time.

This guarantee is a direct obligation of the Bank to the Authority, it is autonomous, irrevocable, unconditional and upon first request.

The Bank undertakes, within 5 (five) days of receipt, at the [Bank address], of a written statement from the President of the Authority to pay into the latter's account, by crediting the bank account indicated in that statement , the Guaranteed Amount or, if lower, the amount requested in such declaration.

This Guarantee shall be governed by and construed in accordance with the laws of Timor-Leste and all parties hereto shall submit to the exclusive jurisdiction of the courts of Timor-Leste.

[Authorized signature(s)]



## **ANC Guidelines on Registration**

### **Annex I. Specific Terms and Conditions for Telecommunications Services**

#### **A. Specific Terms and Conditions**

With reference to the Systems and Services described in Annex A and/or Annex B, the Registrant shall comply with the specific terms and conditions set out in the applicable schedule(s) of Annex I below:



## Specific Terms and Conditions for International Simple Resale Services

### 1. Scope of services

- 1.1. The Registration enables the Registrant to establish, install and maintain a telecommunication facility or system for the resale of Internet access services to customers in Timor-Leste using the International transmission facilities and networks owned by Facilities-Based Operators or other approved International Operators.

### 2. Content

- 2.1. The Registrant shall comply with any term and condition as may be imposed by the Authority for the content that is transmitted through the System.

### 3. Publication of information in relation to Internet access services

- 3.1. The Registrant shall comply with such frameworks as may be established by the Authority for the publication of information pertaining to Internet access services offered by the Registrant, including but not limited to the access speeds, throughput, round-trip latency and any other information that the Authority may require the Registrant to publish.

### 4. Registration of Subscribers

- 4.1. The Registrant shall maintain a register containing records of its subscribers and their particulars which shall be made available for inspection by authorised government agencies of Timor-Leste. The records shall contain the following particulars of the subscribers:

- (a) Name;
- (b) Identity Number (as applicable: *Cartao de Eleitor*, *Bilhete de Identidade*, or passport number for individual subscriber, Tax Identification Number (TIN) or business registration number of the company for business customer);
- (c) Billing Address (where applicable);
- (d) Service Address (where applicable);
- (e) Contact Information (telephone number or email address);
- (f) Service Period (start and end date for each type of service);
- (g) Service Types:
  - a. Service ID;



b. Assigned Client IP address and User ID/User Name (where applicable); and

(h) Equipment ID (where applicable).

4.2. The Authority reserves the right to require the Registrant to record any other details as necessary in its register of subscribers.

4.3. The records in the register shall be kept by the Registrant for a period of not less than twelve (12) calendar months from the date of termination of the Services to the subscriber.

## **5. Interconnection and Peering Requirements**

5.1. The Registrant shall comply, at its own cost, with any requirement established by the Authority on the participation in and the use of the Timor-Leste Internet Exchange (TLIX) facility.

5.2. The Authority reserves the right to require the Registrant to peer with certain networks.

## **6. Network Security Requirements**

6.1. The Registrant shall comply, at its own cost, with any requirement established by the Authority on the participation in and/or coordination with the Timor-Leste Computer Security Incidents Response Team (TLCSIRT).

6.2. The Authority reserves the right to require the Registrant to record in the register details of network security and security incidents;

## **7. Data Retention Requirements**

7.1. The Authority reserves the right to require the Registrant to retain any details as part of data records as necessary.



## Specific Terms and Conditions for Resale of Leased Circuit Services

### 1. Scope of services

- 1.1. The Registration enables the Registrant to subscribe to the services from Facilities-Based Operators authorized by the Authority and to either resell the services; or to share the leased circuits with other companies for the conveyance of its own telecommunication traffic.
- 1.2. The Registrant may resell leased circuit services to the following 2 categories of customers:
  - (a) customers who are not holders of any ANC registrations – The Registrant shall ensure that such customers do not use the leased circuit services for the carriage of any third party traffic or to offer any form of public switched telecommunication services over the leased circuits. The leased circuits shall not be connected to any public switched networks at either or both ends of the circuit(s), whether in Timor-Leste or in other countries. Only direct, point-to-point leased circuit connections between Timor-Leste and the final destination for corporate communication of the customers is allowed.
  - (b) customers who are holders of ANC Registrations – Such customers may connect the leased circuits provided by the Registrant to any public switched networks at either or both ends of the circuit(s) for the provisioning of the Services.

### 2. Declaration of Usage

- 2.1. The Registrant shall ensure that the subscribers declare, in writing, the usage of the leased circuit and their compliance with all registration and regulatory conditions and requirements of the Authority. The Registrant shall terminate its agreement with the subscribers if such subscribers are found to infringe any term and condition of the Registration or any provision of the Telecommunication Decree-Law.

### 3. Registration of Subscribers

- 3.1. The Registrant shall maintain a register containing records of its subscribers and their particulars which shall be made available for inspection by authorised government agencies of Timor-Leste. The records shall contain the following particulars of the subscribers:
  - (a) Name;
  - (b) Identity Number (as applicable: *Cartao de Eleitor*, *Bilhete de Identidade*, or passport number for individual subscriber, Tax Identification Number (TIN) or business registration number of the company for business customer);
  - (c) Billing Address (where applicable);



- (d) Service Address (where applicable);
- (e) Contact Information (telephone number or email address);
- (f) Service Period (start and end date for each type of service);
- (g) Service Types:
  - a. Service ID;
  - b. Assigned Client IP address and User ID/User Name (where applicable); and
- (h) Equipment ID (where applicable).

3.2. The Authority reserves the right to require the Registrant to record any other details as necessary in its register of subscribers.

3.3. The records in the register shall be kept by the Registrant for a period of not less than twelve (12) calendar months from the date of termination of the Services to the subscriber.

#### **4. Data Retention Requirements**

4.1. The Authority reserves the right to require the Registrant to retain any details as part of data records as necessary.



Specific Terms and Conditions for  
Public Internet Access Services

**1. Scope of services**

- 1.1. The Registration enables the Registrant to establish, install and maintain a public Internet access facility or system for the provision of public Internet access services.

**2. Content**

- 2.1. The Registrant shall comply with any term and condition as may be imposed by the Authority for the content that is transmitted through the System.

**3. Publication of information in relation to Internet access services**

- 3.1. The Registrant shall comply with such frameworks as may be established by the Authority for the publication of information pertaining to Internet access services offered by the Registrant, including but not limited to the access speeds, throughput, round-trip latency and any other information that the Authority may require the Registrant to publish.

**4. Registration of Subscribers**

- 4.1. The Registrant shall maintain a register containing records of its subscribers and their particulars which shall be made available for inspection by authorised government agencies of Timor-Leste. The records shall contain the following particulars of the subscribers:

- (a) Name;
- (b) Identity Number (as applicable: *Cartao de Eleitor*, *Bilhete de Identidade*, or passport number for individual subscriber, Tax Identification Number (TIN) or business registration number of the company for business customer);
- (c) Billing Address (where applicable);
- (d) Service Address (where applicable);
- (e) Contact Information (telephone number or email address);
- (f) Service Period (start and end date for each type of service);
- (g) Service Types:
  - a. Service ID;
  - b. Assigned Client IP address and User ID/User Name (where applicable); and

(h) Equipment ID (where applicable).

4.2. The Authority reserves the right to require the Registrant to record any other details as necessary in its register of subscribers.

4.3. The records in the register shall be kept by the Registrant for a period of not less than twelve (12) calendar months from the date of termination of the Services to the subscriber.

## **5. Interconnection and Peering Requirements**

5.1. The Registrant shall comply, at its own cost, with any requirement established by the Authority on the participation in and the use of the Timor-Leste Internet Exchange (TLIX) facility.

5.2. The Authority reserves the right to require the Registrant to peer with certain networks.

## **6. Network Security Requirements**

6.1. The Registrant shall comply, at its own cost, with any requirement established by the Authority on the participation in and/or coordination with the Timor-Leste Computer Security Incidents Response Team (TLCISIRT).

6.2. The Authority reserves the right to require the Registrant to record in the register details of network security and security incidents;

## **7. Data Retention Requirements**

7.1. The Authority reserves the right to require the Registrant to retain any details as part of data records as necessary.



## Specific Terms and Conditions for Internet Exchange Services

### **1. Scope of services**

- 1.1. An Internet Exchange is a physical interconnection site for Authorized Operators' networks and other approved networks operators for the exchange of local traffic between network operators within Timor-Leste. Internet Exchange may also serve as a form of global Internet backbone through aggregation of operators' traffic before sending the traffic to the Internet backbone in other countries.
- 1.2. Any interested party may apply for a Services-Based Operations Registration to establish, install and maintain an Internet Exchange facility or system for providing high-speed bandwidth connections to the Internet backbone to any operator authorized by the Authority or to operators and corporations operating overseas.

### **2. Interconnection and Peering Requirements**

- 2.1. The Registrant shall comply, at its own cost, with any requirement established by the Authority on the participation in and the use of the Timor-Leste Internet Exchange (TLIX) facility.
- 2.2. The Authority reserves the right to require the Registrant to peer with certain networks.

### **3. Network Security Requirements**

- 3.1. The Registrant shall comply, at its own cost, with any requirement established by the Authority on the participation in and/or coordination with the Timor-Leste Computer Security Incidents Response Team (TLCSIRT).
- 3.2. The Authority reserves the right to require the Registrant to record in the register details of network security and security incidents;

### **4. Data Retention Requirements**

- 4.1. The Authority reserves the right to require the Registrant to retain any details as part of data records as necessary.



Schedule -

## Specific Terms and Conditions for Virtual Private Network Services

### 1. Scope of services

- 1.1. The Registration enables the Registrant to establish a private network for the customers for the purposes of providing telecommunication (including voice and data) services.

### 2. Technical Compatibility

- 2.1. The Registrant shall comply with any technical specifications prescribed by the Authority for the purposes of ensuring technical compatibility, avoiding technical harm to the telecommunication network of any Authorized Operators or preventing safety hazards to the personnel in the connection of telecommunication equipment and/or systems to the network.

### 3. Registration of Subscribers

- 3.1. The Registrant shall maintain a register containing records of its subscribers and their particulars which shall be made available for inspection by authorised government agencies of Timor-Leste. The records shall contain the following particulars of the subscribers:

- (a) Name;
- (b) Identity Number (as applicable: *Cartao de Eleitor*, *Bilhete de Identidade*, or passport number for individual subscriber, Tax Identification Number (TIN) or business registration number of the company for business customer);
- (c) Billing Address (where applicable);
- (d) Service Address (where applicable);
- (e) Contact Information (telephone number or email address);
- (f) Service Period (start and end date for each type of service);
- (g) Service Types:
  - a. Service ID;
  - b. Assigned Client IP address and User ID/User Name (where applicable); and
- (h) Equipment ID (where applicable).

- 3.2. The Authority reserves the right to require the Registrant to record any other details as necessary in its register of subscribers.



3.3. The records in the register shall be kept by the Registrant for a period of not less than twelve (12) calendar months from the date of termination of the Services to the subscriber.

**4. Data Retention Requirements**

4.1. The Authority reserves the right to require the Registrant to retain any details as part of data records as necessary.



## Specific Terms and Conditions for Managed Data Network Services

### 1. Scope of services

- 1.1. The Registration enables the Registrant to establish, install and maintain a telecommunication facility or system with capabilities for the provision of Managed Data Network Services ("MDNS") defined in Condition 1.2 below.
- 1.2. The MDNS is a service operated by a Services-Based Operator which, through the use of leased circuits establishes and manages the services, circuits and networks for the conveyance of data and voice messages, on behalf of customers. The conveyance of messages may not necessarily involve format, code and protocol conversion. The MDNS includes at least one (1) or more of the following types of features:
  - (a) co-ordination with telecommunication operators in the establishment and management of private circuits and networks;
  - (b) provision of circuit capacity or bandwidth upon customer demand;
  - (c) fault or traffic congestion monitoring;
  - (d) alternative routing provision for fault restoration or relief of traffic congestion; and/or
  - (e) a single point of contact for customers and a single bill.

### 2. Technical Compatibility

- 2.1. The Registrant shall comply with any technical specifications prescribed by the Authority for the purposes of ensuring technical compatibility, avoiding technical harm to the telecommunication network of any Authorized Operators or preventing safety hazards to the personnel in the connection of telecommunication equipment and/or systems to the network.

### 3. Registration of Subscribers

- 3.1. The Registrant shall maintain a register containing records of its subscribers and their particulars which shall be made available for inspection by authorised government agencies of Timor-Leste. The records shall contain the following particulars of the subscribers:
  - (a) Name;
  - (b) Identity Number (as applicable: *Cartao de Eleitor*, *Bilhete de Identidade*, or passport number for individual subscriber, Tax Identification Number (TIN) or business registration number of the company for business customer);



- (c) Billing Address (where applicable);
- (d) Service Address (where applicable);
- (e) Contact Information (telephone number or email address);
- (f) Service Period (start and end date for each type of service);
- (g) Service Types:
  - a. Service ID;
  - b. Assigned Client IP address and User ID/User Name (where applicable); and
- (h) Equipment ID (where applicable).

3.2. The Authority reserves the right to require the Registrant to record any other details as necessary in its register of subscribers.

3.3. The records in the register shall be kept by the Registrant for a period of not less than twelve (12) calendar months from the date of termination of the Services to the subscriber.

#### **4. Data Retention Requirements**

4.1. The Authority reserves the right to require the Registrant to retain any details as part of data records as necessary.



## Specific Terms and Conditions for Mobile Virtual Network Operation

### 1. Scope of services

- 1.1. The Registration enables the Registrant to operate as a Mobile Virtual Network Operator ("MVNO"). A MVNO is an operator who provides mobile subscription and call services to its customers with no allocation of spectrum. The MVNO must use part of the networks of a mobile operator registered by the Authority as a Facilities-Based Operator to originate and deliver its customers' calls. The MVNO must pay such Facilities-Based Operator for the use of the network resources including radio-frequency spectrum and numbers.

### 2. Public Emergency Call Services

- 2.1. The Registrant shall ensure that any person through functioning mobile terminal equipment may at any time and without charge, contact the relevant emergency call services i.e. police service, civil protection fire service, ambulance service and the COVID-19 hotline service, and any other national emergency services which the Government may from time to time designate, for the purpose of notifying the relevant services of any emergency.

### 3. Number Portability

- 3.1. The Registrant shall implement number portability from commencement of provision of the Service.
- 3.2. The Registrant shall comply, at its own cost, with any requirement and guidelines established by the Authority on number portability.

### 4. Registration of Subscribers

- 4.1. The Registrant shall maintain a register containing records of its subscribers and their particulars which shall be made available for inspection by authorised government agencies of Timor-Leste. The records shall contain the following particulars of the subscribers:
  - (a) Name;
  - (b) Identity Number (as applicable: *Cartao de Eleitor*, *Bilhete de Identidade*, or passport number for individual subscriber, Tax Identification Number (TIN) or business registration number of the company for business customer);
  - (c) Billing Address (where applicable);
  - (d) Service Address (where applicable);
  - (e) Contact Information (telephone number or email address);



(f) Service Period (start and end date for each type of service);

(g) Service Types:

- a. Service ID (e.g., International Mobile Subscriber Identity ("IMSI") numbers and Mobile Subscriber Integrated Services Digital Network Numbers ("MSISDN") assigned to the subscriber);
- b. Assigned Client IP address and User ID/User Name (where applicable); and

(h) Equipment ID (where applicable).

4.2. The Authority reserves the right to require the Registrant to record any other details as necessary in its register of subscribers.

4.3. The records in the register shall be kept by the Registrant for a period of not less than twelve (12) calendar months from the date of termination of the Services to the subscriber.

## **5. Registration of Prepaid Mobile Service**

5.1. Where the subscriber purchases the prepaid mobile service(s), the Registrant shall also comply, at its own cost, with the requirements of the ANC Guidelines on Registration of Prepaid Mobile Services which specifies among other things, the prescribed limit of the prepaid service to a subscriber and the minimum age of subscribers for Prepaid Mobile Service.

## **6. Data Retention Requirements**

6.1. The Authority reserves the right to require the Registrant to retain any details as part of data records as necessary.



Specific Terms and Conditions for  
Call-back / Call-re-origination Services

**1. Scope of services**

- 1.1. The Registration enables the Registrant to establish, install and maintain a telecommunication facility or system for the provision of (prepaid) call-back and call re-origination services. Call-back and call re-origination services are International Direct Dial ("IDD") call reversal services passing over any Facilities-Based Operator's international telephone gateway and public switched telecommunication network or local call reversal services passing over any public switched telecommunication network. It does not include the carriage of voice and/or data traffic over frame-relay or through leased circuits.

**2. Specific Conditions**

- 2.1. The Registrant shall not route the voice or data traffic or both over frame-relay or through leased circuits.
- 2.2. The Registrant shall distinguish its services from IDD services by including the term "call-back", "call re-origination" or its equivalent in their marketing and promotion materials.



Specific Terms and Conditions for  
Internet-based Voice and Data Services

**1. Scope of services**

- 1.1. The Registration enables the Registrant to establish, install and maintain a telecommunication facility or system for the provision of (prepaid) Internet-based voice and data services. The Internet-based voice and data services are the carriage of voice and/or data services through the Internet access facilities provided by a Services-Based Operator.



Schedule -

## Specific Terms and Conditions for International Calling Card (ICC) Services

### **1. Scope of services**

- 1.1. The Registration enables the Registrant to establish, install and maintain a telecommunication facility or system for the provision of (prepaid) International Calling Card (ICC) Services. The International Calling Card ("ICC") services are services that use Personal Identification Number ("PIN") validation and call routing through a Facilities-Based Operator's international telephone gateway to provide IDD service.

### **2. Specific Condition**

- 2.1. The Registrant shall not route voice or data traffic or both over frame-relay or through leased circuits.



Specific Terms and Conditions for  
Resale of Public Switched Telecommunication Services

**1. Scope of services**

- 1.1. The Registration enables the Registrant to establish, install and maintain a telecommunication facility or system for the resale of public switched telecommunication services specified in 1.2 of this Section where they are provided through:
  - (a) an Facilities-Based Operator authorized to provide public basic telecommunication services, public cellular mobile telephone services or public radio paging services;
  - (b) an Services-Based Operator authorized to provide mobile virtual network operation, international calling card services, Internet-based voice and/or data services, or call-back and call re-origination services.
- 1.2. The telecommunication services referred to in Paragraph 1.1 of this Section are the following public switched telecommunication services (whether domestic or international):
  - (a) public switched telephone services;
  - (b) public cellular mobile telephone services;
  - (c) public radio paging services;
  - (d) public switched message services;
  - (e) public switched data services; and
  - (f) public integrated services digital network services.

**2. Specific Conditions**

- 2.1. Where the Registrant subscribes to any domestic or international leased circuit, it shall not, except with the approval of the Authority, provide its users with any direct or indirect connection to that leased circuit.
- 2.2. The Registrant shall market itself as a reseller of telecommunication services.
- 2.3. The Registrant shall enter into a written service agreement with each of its users except users of an international payphone services provided by the Registrant in any single customer premises.



## Specific Terms and Conditions for Value-added Network Application Services

### 1. Scope of services

- 1.1. The Registration enables the Registrant to establish, install and maintain a telecommunication facility or system for the provision of Value-added Network Application Services access through public telecommunication systems or leased circuits, which allow telecommunication traffic between a user and the value-added network or between users:
- (a) online information and database services;
  - (b) online information and data processing services;
  - (c) voice information services;
  - (d) electronic broking services;
  - (e) electronic auction services;
  - (f) electronic transaction services such as online commerce, online reservation service, etc.;
  - (g) remote computing services;
  - (h) online games;
  - (i) mailbox services including voice-mailbox, facsimile-mailbox, e-mailbox and multimedia mailbox;
  - (j) electronic data interchange services;
  - (k) store-and-retrieve file transfer services;
  - (l) value-added data and messaging services which convey end-to-end data traffic by providing the value added function of one or more of the following value-added functions: deferred delivery, multi-addressing, content conversion, format conversion, code and protocol conversion, processing of control information (such as destination address), or any other conversion that provides the users with additional, different or restructured information.

### 2. Specific Conditions

- 2.1. A Registrant must provide the value-added network application services through -



- (a) a service node in Timor-Leste and, whenever requested by the Authority, make available the information on the routing table, subscriber database, call traffic statistics and other records maintained by the service node for inspection by the Authority; or
- (b) a local access node which is connected to the public telecommunication network.



## Specific Terms and Conditions for IP Telephony Services

### 1. Scope of services

- 1.1. The Registration enables the Registrant to establish, install and maintain a telecommunication facility or system for the provision of IP Telephony services using E.164 telephone numbers (ITU-T Standard) for such services and assigning such numbers to the Registrant's subscriber (hereafter referred to as an "IP telephony number"). Such services allow subscribers to make and receive voice, data and/or video calls using the same telephone number from any domestic or overseas location where broadband Internet access is available.

### 2. Public Emergency Call Services

- 2.1. The Registrant shall disclose in advance to its subscribers whether the Services it provides may be used to contact the emergency call services i.e. police service, civil protection fire service, ambulance service and the COVID-19 hotline service, and any other national emergency services which the Government may from time to time designate, for the purpose of notifying the relevant services of any emergency
- 2.2. The Registrant shall not charge its subscribers for any use of the Services to contact the emergency services referred to in Paragraph 2.1.
- 2.3. The Authority reserves the right to require the Registrant to comply with additional safety and security safeguards to enhance security measures for public and national safety.

### 3. Number Portability

- 3.1. The Registrant shall implement number portability from commencement of provision of the Service.
- 3.2. The Registrant shall comply, at its own cost, with any requirement and guidelines established by the Authority on number portability.

### 4. Registration of Subscribers

- 4.1. The Registrant shall maintain a register containing records of its subscribers and their particulars which shall be made available for inspection by authorised government agencies of Timor-Leste. The records shall contain the following particulars of the subscribers:
  - (a) Name;
  - (b) Identity Number (as applicable: *Cartao de Eleitor*, *Bilhete de Identidade*, or passport number for individual subscriber, Tax Identification Number (TIN) or business registration number of the company for business customer);

- (c) Billing Address (where applicable);
- (d) Service Address (where applicable);
- (e) Contact Information (telephone number or email address);
- (f) Service Period (start and end date for each type of service);
- (g) Service Types:
  - a. Service ID;
  - b. Assigned Client IP address and User ID/User Name (where applicable); and
- (h) Equipment ID (where applicable).

4.2. The Authority reserves the right to require the Registrant to record any other details as necessary in its register of subscribers.

4.3. The records in the register shall be kept by the Registrant for a period of not less than twelve (12) calendar months from the date of termination of the Services to the subscriber.

## **5. Provision of Directory Enquiry Services**

5.1. The Authority reserves the right to require the Registrant to do the following:

- (a) to provide directory enquiry services based on an integrated customer database upon request to any person to whom the Registrant provides the Services; and
- (b) to provide directory enquiry services for subscribers of other Registrants, and the Registrant shall comply with such requirements imposed.

## **6. Data Retention Requirements**

6.1. The Registrant shall maintain the following data records, which shall be made available for inspection by authorised government agencies of Timor-Leste:

- (a) Assigned Source IP address and Date & Time stamps; and
- (b) Assigned User ID/User Name (e.g., subscriber records associated with (a)).

6.2. The Registrant shall maintain Call Detail Records ("CDRs") of all calls made and received through the Service, which are operated and/or provided in Timor-Leste.

6.3. All data records including CDRs shall be kept by the Registrant for a period of not less than twelve (12) calendar months.

6.4. The Authority reserves the right to require the Registrant to retain any other details as part of data records as necessary.



Specific Terms and Conditions for  
Satellite Mobile Telephone or Data Services

**1. Scope of services**

- 1.1. The Registration enables the Registrant to establish, install and maintain a telecommunication facility or system for the provision of mobile satellite services such as voice telephony, paging, data, messaging or broadband multimedia services on a regional basis, using Low Earth Orbit (LEO), Medium Earth Orbit (MEO) or Geostationary Orbit (GEO) satellite technologies.
- 1.2. For avoidance of doubt, the Registrant is only for providing mobile satellite services and not for setting up the operation of a mobile satellite system.

**2. Registration of Subscribers**

- 2.1. The Registrant shall maintain a register containing records of its subscribers and their particulars which shall be made available for inspection by authorised government agencies of Timor-Leste. The records shall contain the following particulars of the subscribers:
  - (a) Name;
  - (b) Identity Number (as applicable: *Cartao de Eleitor*, *Bilhete de Identidade*, or passport number for individual subscriber, Tax Identification Number (TIN) or business registration number of the company for business customer);
  - (c) Billing Address (where applicable);
  - (d) Service Address (where applicable);
  - (e) Contact Information (telephone number or email address);
  - (f) Service Period (start and end date for each type of service);
  - (g) Mobile/fixed satellite communicator serial number of the subscriber; and
  - (h) Equipment ID (where applicable).
- 2.2. The Authority reserves the right to require the Registrant to record any other details as necessary in its register of subscribers.
- 2.3. The records in the register shall be kept by the Registrant for a period of not less than twelve (12) calendar months from the date of termination of the Services to the subscriber.

### **3. Data Retention Requirements**

- 3.1. The Registrant shall maintain the following data records, which shall be made available for inspection by authorised government agencies of Timor-Leste:
  - (a) Assigned Source IP address and Date & Time stamps; and
  - (b) Assigned User ID/User Name (e.g., subscriber records associated with (a)).
- 3.2. The Registrant shall maintain Call Detail Records (CDRs) of all calls made and received through the Service, which are operated and/or provided in Timor-Leste.
- 3.3. All data records including CDRs shall be kept by the Registrant for a period of not less than twelve (12) calendar months.
- 3.4. The Authority reserves the right to require the Registrant to retain any other details as part of data records as necessary.

### **4. Additional Condition on the Use of Radio Frequencies**

- 4.1. Where applicable, the Registrant shall apply for and obtain the rights to use the radio frequencies and shall comply with the terms and conditions imposed by the Authority in connection with such use of radio frequencies, including the payment of all applicable fees, such as the annual frequency fees, for the allocation and management of frequencies by the Authority.



## Specific Terms and Conditions for Mobile Communications on Aircraft

### **1. Scope of services**

- 1.1. The Registration enables the Registrant to operate Mobile Communications on Aircraft (MCA) on aircraft registered in Timor-Leste. The MCA is provided by one or more pico-cell Base Transceiver Station. The MCA is a part of the GSM system of a home terrestrial GSM network operator (hereinafter referred to as "a GSM network operator" or "the GSM network operator" as the case may be). All GSM-related functions such as authentication, call-routing, data retention, subscription information, etc. are controlled by the GSM network operator. The operation of MCA effectively extends the service coverage of the GSM network into the sky.

### **2. Registration of Subscribers**

- 2.1. The Registrant shall not operate the MCA as a separate network from all other GSM networks. The Registrant shall not register users of the MCA as subscribers to a separate network.
- 2.2. The Registrant shall make arrangements with a GSM network operator under a roaming agreement to collect the service fees for the use of MCA. The service fees shall be charged through the user's mobile phone account with the GSM network operator.

### **3. Conditions of Operation**

- 3.1. Unless specifically allowed otherwise by the Authority, the Registrant shall only operate the MCA at a minimum height of 3000 metres above ground in Timor-Leste airspace.
- 3.2. The Registrant shall obtain all necessary approvals from the relevant authorities in Timor-Leste for the operation of MCA within Timor-Leste airspace.

### **4. Radio Frequency Spectrum Right**

- 4.1. The Registrant shall not be accorded any Spectrum Right for the operation of MCA in GSM 1800MHz frequency band viz. from frequency bands 1710 to 1785MHz and from 1805 to 1880MHz.
- 4.2. The operation of MCA in the GSM 1800 MHz frequency band shall be on a non-protection, non-interference and non-exclusive basis.

## Specific Terms and Conditions for Machine-to-Machine Services

### 1. Scope of services

- 1.1. The Registration enables the Registrant to provide Machine-to-Machine (M2M) Services. M2M Services refer to services that are provided to enable the automated communication between computing devices and machines.

### 2. Conditions of Operation

- 2.1. The Registrant shall ensure that all SIM cards which are used in the provision of M2M Services by the Registrant are configured to be used only for the automated communication between machines and devices (including voice communication within the scope of a pre-defined service feature and within a closed user group), and not for other purposes (such as voice communication with an external person) unless the prior written approval of the Authority has been obtained.
- 2.2. Prior to the commencement of the provision of M2M Services, the Registrant shall notify the Authority in writing, the particulars of all local mobile telecommunication operator(s) that the Registrant will be working with in relation to the provision of M2M Services (for example, in connection with roaming) and the Registrant shall also promptly notify the Authority of any subsequent change thereof.

### 3. Register of SIM Cards

- 3.1. The Registrant shall maintain a register containing full and accurate records of all SIM cards which are used in connection with the provision of M2M Services by the Registrant, which shall be made available for inspection by authorised government agencies of Timor-Leste. The records shall contain the International Mobile Subscriber Identity (IMSI) number and the Mobile Subscriber Integrated Services Digital Network Number (MSISDN) of the SIM cards. The Registrant shall also provide the above particulars of the SIM cards to the Authority as and when requested by the Authority.
- 3.2. The Authority reserves the right to require the Registrant to record any other details as necessary in its register of SIM cards.
- 3.3. The records in the register shall be kept by the Registrant for a period of not less than twelve (12) calendar months from the date of termination of the M2M Services to the subscriber.