



BELIZE

**BELIZE TELECOMMUNICATIONS ACT
CHAPTER 229**

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST MAY, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



BELIZE

BELIZE TELECOMMUNICATIONS ACT CHAPTER 229

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This edition contains a consolidation of the following laws-

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CHAPTER 229**BELIZE TELECOMMUNICATIONS ACT
(COMMENCEMENT) ORDER****ARRANGEMENT OR ORDER**

1. Short title.
2. Commencement of Act No. 16 of 2002.

CHAPTER 229

BELIZE TELECOMMUNICATIONS ACT

91 of 2002.

(COMMENCEMENT) ORDER

[17th August, 2002]

1. This Order may be cited as the

Short title.

**BELIZE TELECOMMUNICATIONS ACT
(COMMENCEMENT) ORDER.**

2. In exercise of the powers conferred upon me by section 1(2) of the Belize Telecommunications Act, **I, MAXWELL SAMUELS**, Minister responsible for telecommunications, do hereby appoint the 19th day of August, 2002, as the day when the said Act shall come into force.

Commencement
of Act No. 16
of 2002.
No. 16 of 2002.

MADE this 15th day of August, 2002.

(MAXWELL SAMUELS)

*Minister of Communications, Transport
and Public Utilities*

CHAPTER 229

**TELECOMMUNICATIONS (LICENSING CLASSIFICATION,
AUTHORISATION AND FEE STRUCTURE), REGULATIONS**

ARRANGEMENT OF REGULATIONS

1. Short title.

**PART I
PRELIMINARY**

2. Commencement.
3. Interpretation.

**PART II
LICENCE CLASSIFICATION**

4. Class of Licences.

**PART III
INDIVIDUAL LICENCE**

5. Application for a licence.

**PART IV
CLASS LICENCE**

6. Application for class licence.

**PART V
FREQUENCY AUTHORISATION**

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8. Payment of fees.
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10. Licences to be non-discriminatory.
11. Revocation of licences.
12. Register.

SCHEDULE

CHAPTER 229

110 of 2002.

**TELECOMMUNICATIONS (LICENSING CLASSIFICATION,
AUTHORISATION AND FEE STRUCTURE), REGULATIONS***[28th September, 2002]***PART I
PRELIMINARY**

Short title.

1. These Regulations may be cited as the

**TELECOMMUNICATIONS (LICENSING
CLASSIFICATION, AUTHORISATION, AND FEE
STRUCTURE) REGULATIONS.**

Commencement.

2. These Regulations shall come into force on the 30th day of September 2002.

Interpretation.

3. (1) In these Regulations, unless the context otherwise requires,

No. 16 of 2002.

“Act” means the Belize Telecommunications Act;

“carrier” means in the telecommunications context, a company that offers its network infrastructure for hire to provide communication services to the public;

“Private networks” means a network based on leased lines or other facilities which are used to provide telecommunication services within an organization or within a closed user group as a complement or a substitute to the public network;

“Public Switched Telephone Network or PSTN” means the infrastructure of physical switching and transmission facilities that is used to provide the majority of telephone and other telecommunication services to the public;

“Schedule” means the Schedule to these Regulations;

“PUC” means the Public Utilities Commission established under the Public Utilities Commission Act.

CAP. 223.

(2) A word or phrase not defined in these Regulations but defined in the Act shall have the meaning assigned to it in the Act.

**PART II
LICENCE CLASSIFICATION**

4. (1) There shall be the following types of licences issued by the PUC: Class of licences.

(a) an Individual Licence;

(b) a Class Licence.

(2) An Individual Licence shall be specific to an individual operator and shall cover the basic Public Switched Telephone Network (PSTN) services, mobile and wireless services, and any service that requires frequency spectrum.

(3) A Class Licence shall be issued where Individual Licences are not justified but there may still be a need to place certain conditions on the provision of the service. Class Licences shall be issued by the PUC within the framework of general authorisations made by the PUC. Class Licences shall apply to services such as data transmission, resale, internet, value-added services and private networks.

(4) General Authorisations in respect of Class Licences made by Order of the PUC shall contain conditions to be applied to Class Licences including eligibility requirements to qualify for and to hold a Class Licence.

(5) Individual Licences shall be structured so that they can include the provision of telecommunication services that can also be provided by Class

Licences under a General Authorisation. Class Licences shall not be applicable to services provided only through Individual Licences.

(6) With respect to the provision of internet service, a distinction shall be made between creating a network to provide internet services, which will require an Individual Licence, and using an existing network to provide internet services, which will require a Class Licence.

(7) Frequency Authorisation from the PUC shall be required for any service that requires the use of specified frequencies. An application for such frequency authorisation shall be made to the PUC in addition to the application for the provision of the service in an Individual Licence.

(8) The issue of licences shall be determined in accordance with the classification of service to be provided.

PART III INDIVIDUAL LICENCE

Application for a licence.

5. (1) An application for a licence under this Part shall be made in writing in such form and in such manner, and shall contain such information and particulars and shall be accompanied by such details as may from time to time be specified by the PUC.

Schedule.

(2) An application for a licence under this section shall be accompanied by a non-refundable fee as contained in the Schedule to these Regulations.

(3) Within fourteen days after making an application, the applicant shall publish a notice of the application in two local newspapers with national circulation.

(4) Upon receipt of the application for an Individual Licence, the PUC shall review the application and notify the applicant within fourteen days of any further information required to process that application.

(5) Before granting an Individual Licence, the PUC shall give notice:-

- (a) stating that it proposes to grant an Individual Licence;
- (b) stating the reasons why it proposes to grant the Individual Licence; and
- (c) specifying the time (not being less than fourteen days from the date of publication of the notice) within which representations or objections with respect to the proposed licence may be made;

and shall consider any representations or objections which are duly made and not withdrawn.

(6) A notice under paragraph (4) above shall be given by publishing same in such manner as the PUC considers appropriate for bringing it to the attention of persons likely to be affected by the grant of the licence.

(7) In deciding whether to approve an Individual Licence, the PUC shall take the following into account:-

- (a) the matters set out in the application;
- (b) any submission received during the process of consultation *as* set out in paragraph (5) above;
- (c) criteria for granting a licence as set out in section 16 of the Act;
- (d) other relevant matters.

(8) The PUC shall notify the applicant in writing of its decision within

ninety days of receipt of the application.

(9) Where the PUC decides to grant an Individual Licence it shall issue the licence in conformity with the provisions of the Act and upon payment of the prescribed fees.

(10) Where an application is refused, the PUC shall notify the applicant in writing giving reasons for its refusal.

(11) Where it is proposed that the number of licences to be granted for the operation of a particular type of telecommunications network or the provision of a particular type of telecommunications service should be limited, the PUC shall,

- (a) publish a consultative document containing detailed reasons for the proposed limitation;
- (b) consider any representations made to it in respect of the proposed limitation;
- (c) publish a notice in the *Gazette* and two local newspapers having national circulation stating the
 - (i) grounds and period during which licences will be granted; and
 - (ii) reasons for proposing to limit the number of licences; and
- (d) undertake a periodic review of any limitation imposed on the number of licences granted.

PART IV
CLASS LICENCE

6. (1) An application for a licence under this Part shall be made in writing in such form and in such manner, and shall contain such information and particulars and shall be accompanied by such details as may from time to time be specified by the PUC. Application for class licence.

(2) An application for a licence under this section shall be accompanied by a non-refundable fee as contained in the Schedule to these Regulations. Schedule.

(3) Within fourteen days after making an application, the applicant shall publish a notice of the application in two local newspapers having national circulation.

(4) Upon receipt of an application for a Class Licence, the PUC shall review the application within fourteen days and notify the applicant of any further information required to process such application.

(5) In deciding whether to approve a Class Licence, the PUC shall take the following into account:-

- (a) the matters set out in the application;
- (b) any submissions received from the public;
- (c) criteria for granting a licence as set out in section 16 of the Act;
- (d) other relevant matters.

(6) The PUC shall decide whether or not to grant a Class Licence to the applicant within sixty days of the receipt of the application.

(7) The grant of a Class Licence does not authorise the ownership or operation of any telecommunications network, or the provision of any telecommunication service, other than that prescribed in the Class Licence.

PART V FREQUENCY AUTHORISATION

Application for
frequency
authorisation.

7. (1) An application for a licence under this Part shall be made in writing in such form and in such manner, and shall contain such information and particulars and shall be accompanied by such details as may from time to time be specified by the PUC.

Schedule.

(2) An application for a licence under this section shall be accompanied by a non-refundable fee as contained in the Schedule to these Regulations.

(3) Within fourteen days after making an application, the applicant shall publish a notice of the application in two local newspapers having national circulation.

(4) Upon receipt of an application for a frequency authorisation, the PUC shall review the application, notifying the applicant of any further information required to process such application.

(5) In deciding whether to approve a frequency authorisation, the PUC shall take the following into account:-

- (a) the matters set out in the application;
- (b) any submissions received from the public;
- (c) any regional, national or international Spectrum Management Plan; and
- (d) any other relevant matters.

(6) After review, the PUC shall decide whether the frequency authorisation should be granted and issue its decision in writing no later than sixty days from receipt of the application.

(7) Where an application is approved the PUC shall issue the frequency authorisation on payment of the prescribed fee. Where a licence is refused, the PUC shall state in writing its reasons for such refusal.

PART VI FEE STRUCTURE

8. (1) Any person applying under these Regulations for an Individual Licence, a Class Licence, or a Frequency Authorisation shall be required to pay the fees as set out in the Schedule as follows:-

Payment of fees.
Schedule.

- (a) on filing of the application, the Application Fee;
- (b) on grant of the licence, the Initial Fee;
- (c) at the end of the first calendar year, the Annual Fee; and
- (d) annually, after the first calendar year, the Annual Fee.

(2) Any fees not covered above which may be applicable to a licensee shall be paid annually by the licensee in accordance with the fees listed in the Schedule.

Schedule.

9. Where a person applying under the Act for a licence is required to make a contribution to the Universal Access Fund such person shall pay such contributions as prescribed in Regulations made by the PUC governing Universal Service Obligations.

Universal
Access Fund.

**PART VII
GENERAL PROVISIONS**

Licences to be
non-discriminatory

10. (1) The PUC shall issue an Individual Licence, Class Licence and Frequency Authorisation on terms that are non-discriminatory.

(2) For the purpose of this regulation, an Individual Licence, Class Licence or Frequency Authorisation is issued on non-discriminatory terms if:-

- (a) telecommunication providers of similar types of telecommunications networks are treated similarly;
- (b) the licence or authorisation does not favor any one telecommunications provider; and
- (c) the issuance of the licence or authorisation does not, and is not likely to, adversely affect competition in any market.

Revocation of
licences.

11. (1) The PUC may revoke a licence if it determines that any declaration made during the application process or on the application form is false or misleading.

(2) The holder of a licence or authorisation shall notify the PUC in writing if either of the following occurs:-

- (a) any of the matters forming part of the licence application changes in a material respect;
- (b) the licensee enters into any agreement to merge part or all of its telecommunications activities in Belize with any person.

(3) Where the PUC proposes to vary or revoke or suspend a licence or authorisation, the PUC shall notify the licensee or authorisation holder:-

- (a) of the reasons for the proposed variation, revocation or suspension; and
- (b) specifying a period of not less than thirty days from the date of the notice within which representation with respect to the proposal may be made.

(4) Where the proposal in paragraph (3) above is the result of a breach of a term, provision or limitation of the licence or authorization:-

- (a) the notice given to the licensee or authorisation holder shall state that the proposal will be withdrawn or modified if the breach is remedied within the period of thirty days commencing with the date of the notice; and
- (b) the PUC shall within the period of thirty days following the period referred to in paragraph (a), confirm, modify or withdraw the proposal.

12. (1) The PUC shall maintain a Register at its principal office containing:- Register.

- (a) each Individual Licence, Class Licence, and Frequency Authorisation;
- (b) the names and registered office of each person licensed or authorised to operate; and
- (c) any other information pertinent to licensees.

(2) The Register shall be open to public inspection during normal working hours.

(3) The PUC may make copies of entries in the Register available to the members of the public on payment of an administrative fee.

MADE by the Public Utilities Commission this 26th day of September 2002.

Chairman

Public Utilities Commission

SCHEDULE
FEE STRUCTURE
INDIVIDUAL LICENCE

	Application Fees	Licence Fees		
		First Year		Annually
	(A)	(B) On grant of licence	(C) At end of first year	(D)
Fixed Public (wire line or wireless)	\$10 000	\$50 000 less fee in column (A)	1.5% of Gross Revenues less fee in column (B)	1.5% of Gross Revenues
Mobile Cellular	\$5 000	\$25 000 less fee in column (A)	1.5% of Gross Revenues less fee in column (B)	1.5% of Gross Revenues
Public Radio Paging	\$2 500	\$5 000 less fee in column (A)	1.5% of Gross Revenues less fee in column (B)	1.5% of Gross Revenues
Internet Networks	\$5 000	\$10 000 less fee in column (A)	1.5% of Gross Revenues less fee in column (B)	1.5% of Gross Revenues

**FEE STRUCTURE
CLASS LICENCE**

	Application Fees	Licence Fees		
		First Year		Annually
	(A)	(B) On grant of licence	(C) At end of first year	(D)
Internet Service	\$2 500	\$5000 less fee in column (A)	1.5% of Gross Revenues less fee in column (B)	1.5% of Gross Revenues
Value Added Services	\$2 500	\$5 000 less fee in column (A)	1.5% of Gross Revenues less fee in column (B)	1.5% of Gross Revenues
Domestic Private Networks excluding 2 meter radio	\$2 500	\$5 000 less fee in column (A)	20 000 less fee in column (B)	30 000
Data Networks	\$2 500	\$5 000 less fee in column (A)	1.5% of Gross Revenues less fee in column (B)	1.5% of Gross Revenues
Resellers	\$2 500	\$5 000 less fee in column (A)	1.5% of Gross Revenues less fee in column (B)	1.5% of Gross Revenues
Carrier Services: Cables Links (submarine, cross border etc.)	\$5 000	\$50 000 less fee in column (A)		\$100 000

	Application Fees	Licence Fees		
		First Year		Annually
	(A)	(B) On grant of licence	(C) At end of first year	(D)
Earth Station	\$ 5 000	\$50 000 less fee in column (A)		\$100 000
Terrestrial Radio Links (microwave, HF, etc.)	\$2 500	\$25 000 less fee in column (A)		\$50 000
M a r i t i m e M o b i l e (i) Fixed Station (ii) Mobile Station (iii) Ship call sign registration. (iv) IM M A R S A T/ship commissioning/ <i>m a r i t i m e i d e n t i f i c a t i o n</i>				\$100 \$50 (handheld) \$100.00 (for each year of registration (period)) \$500 per application
L a n d M o b i l e (2 M e t e r) Private & Commercial Networks (a) Simplex (i) 2 frequency (ii) fixed (iii) Mobile hand held (a) R e p e a t e r (i) Private Operation (ii) Commercial Operation (b) R a d i o T e l e c o m m u n i c a t i o n S e r v i c e				\$150 \$100 \$50 \$200 \$2 000 1.5% of Gross Revenues

	Application Fees	Licence Fees		
		First Year		Annually
	(A)	(B) On grant of licence	(C) At end of first year	(D)
Aeronautical Service				
(i) Fixed Station (ii) Mobile Station (iii) Aircraft Station				\$100 \$50 (handheld) \$200
Amateur Service				
Local/CTU Members				
(i) New Licence (ii) Licence Renewal				\$20 \$15
Reciprocity				
(i) New Licence (ii) Licence Renewal (iii) Temporary Licence				\$40 \$30 \$20 (less than 6 months)
Citizen Band Radio				
Fixed Station Mobile Station				\$20 \$20
Satellite T.V. for non-commercial use				
(i) Complete System receive only (ii) Additional Dish (iii) Transmit/Receive Terminal				\$150 \$50 \$300

**FEE STRUCTURE
FREQUENCY AUTHORISATION**

	Application Fees	Licence Fees		
		First Year		Annually
	(A)	(B) On grant of licence	(C) At end of first year	(D)
Mobile Cellular	\$1 000	\$5 000 less fee in column (A)	\$1 000 per channel less fee in column (B)	\$ 1000 per channel
Paging	\$1 000	\$2 500 less fee in column (A)	\$1 000 per channel less fee in column (B)	\$ 1000 per channel
Point to Point Links HF VHF UHF SHF				\$100 per channel

CHAPTER 229**TELECOMMUNICATIONS
(TRANSITIONAL TARIFFS) REGULATIONS****ARRANGEMENT OF REGULATIONS****PART I
PRELIMINARY**

1. Short title.
2. Application of Regulations.
3. Interpretation.

**PART II
TARIFFS FOR TELECOMMUNICATION SERVICES**

4. Tariffs.
5. Forbearance.
6. Deposits.
7. Flexibility and packages.
8. Reporting requirement.
9. Transitional provisions.

**PART III
TRANSPARENCY AND CONSUMER PROTECTION**

10. Publication of tariffs.
11. Non-discrimination.
12. Terms and conditions of service.

SCHEDULE

CHAPTER 229

**TELECOMMUNICATIONS
(TRANSITIONAL TARIFFS) REGULATIONS**

151 of 2002.
92 of 2003.

[21st December, 2002.]

**PART I
PRELIMINARY**

1. These Regulations may be cited as the Short title.
- TELECOMMUNICATIONS
(TRANSITIONAL TARIFFS) REGULATIONS.**
2. These Regulations shall cover tariffs for all telecommunication services throughout Belize and also those originating in Belize and terminating outside Belize. Application of Regulations.
3. (1) In these Regulations, unless the context otherwise requires: Interpretation.
- “Act” means the Belize Telecommunications Act, 2002; No. 16 of 2002.
- “basic telecommunication services” means services derived from Public Switched Telephone Network (PSTN);
- “ceiling” means the upper limit for tariffs for telecommunication services as specified by the PUC from time to time;
- “domestic Long Distance Telecommunication Service” means the telecommunication services required to connect one local area of a public telecommunication network to another within the territorial limits of Belize so as to allow for transmission of voice and non-voice signals across different geographical areas;

“floor” means the lower limit of a tariff or a telecommunication service as specified by the PUC from time to time below which such tariffs may not be offered;

“forbearance” denotes that the PUC has not, for the time being, notified any tariff or a particular telecommunication service and the service provider is free to fix any tariff for such service;

“International Long Distance Telecommunication Service” means telecommunications required to connect a local area of a public telecommunication network within Belize to a local area of a public telecommunication network in another country so as to allow for the transmission of voice and non-voice signals;

“International Direct Dialing” means direct interconnection between an end user in Belize with another end user in another country by means of direct dialing through public networks;

“leased circuits” means telecommunication facilities leased to subscribers or service providers to provide for technology transparent transmission capacity between network termination points which the user can control as part of the leased circuit provision and which may include systems allowing flexible use of lease circuit bandwidth;

“non-discrimination” means that service providers shall not, in the matter of application of tariffs, discriminate between subscribers of the same class and such classification of subscribers shall not be arbitrary;

“reporting requirement” means the obligation of a service provider to report to the PUC at least five working days before implementing any new tariff for telecommunication services under these Regulations and any changes thereafter;

“special services” includes those support and ancillary services like directory enquiry, operator assistance, fault repair, billing and general queries, emergency

services calls, pay phones and the printed version of an annual directory;

“standard package” means a package of tariffs which, *inter alia*, comprises rental, call charges, free calls, deposits and other charges as may be determined by the PUC for specific telecommunication from time to time;

“subscriber” means an end user of telecommunication services;

“supplementary services” means services which are provided specific to a subscriber’s directory number and controlled either by the subscriber or by the service provider such as automatic alarm call service, call waiting, call diversion on busy or no reply, and any other such service;

“tariffs” means rates and related conditions at which telecommunication services within Belize and outside Belize may be provided including rates and related conditions at which messages shall be transmitted to any country outside Belize, deposits, installation fees, rental, free calls, usage charges and any other related fees or service charges;

“Transitional Period” means the period from the 21st December 2002 to the 31st December 2003 inclusive. 92 of 2003.

(2) The words and expressions used in these Regulations and not defined herein but defined in the Act shall have the same meaning respectively assigned to them in the Act.

PART II TARIFFS FOR TELECOMMUNICATION SERVICES

4. The tariffs for various telecommunication services to be charged during the transitional period shall be as set out in the Schedule. Tariffs. Schedule.
5. Where the PUC has, for the time being, forbore from fixing tariffs for any telecommunication service or part thereof, a service provider shall be at Forbearance.

liberty to fix any tariff for such telecommunication service:

Provided that the service provider shall comply with the reporting requirement in respect of such tariff.

- Deposits. 6. Unless otherwise provided for, no service provider shall seek or obtain from any subscriber in any form, any deposit for any telecommunication service in excess of one year's rental chargeable from the subscriber for the particular telecommunication service as specified in the relevant standard package.
- Flexibility and packages. 7. (1) Service providers shall offer a standard package to all subscribers.
- (2) Where a tariff has been specified as a ceiling, no tariff shall be fixed in excess of such ceiling.
- (3) Where a tariff has been specified as a floor, no tariff shall be fixed below such floor.
- (4) In all other cases, a service provider may, in addition to the standard package, offer alternative combinations of tariffs to different classes of subscribers in a non-discriminatory manner.
- Reporting requirement. 8. (1) All service providers shall comply with the reporting requirement in respect of tariffs specified for the first time under these Regulations and also all subsequent changes.
- (2) No service provider shall alter any tariff of any telecommunication service or any part thereof without complying with the reporting requirement.
- (3) Unless the PUC intervenes within the mandatory notice period of five working days, a service provider may implement a proposed tariff.
- Transitional provisions. 9. (1) The transitional provisions contained in this Part shall apply to the

determination of tariffs for the transitional period.

(2) Where the PUC in the exercise of its discretion considers it appropriate, the PUC may order that the said transitional provisions be made applicable to any subsequent licensee subject to such changes or additional conditions or provisions as the PUC may determine.

(3) The PUC may, from time to time during the transitional period, review and modify a tariff for any telecommunication service or a part thereof.

(4) The PUC may also at any time during the transitional period, on reference from any affected party, and for good and sufficient cause, review and modify any tariff.

PART III TRANSPARENCY AND CONSUMER PROTECTION

10. (1) Tariffs to be charged by service providers for telecommunication services along with the conditions thereof shall be published in such manner as the PUC may from time to time direct. Publication of tariffs.

(2) Information of tariff packages that a service provider may choose to offer to subscribers shall be accompanied by a comparison of financial implications to subscribers under each package *vis-a-vis* the specified standard packages.

11. No service provider shall, in any manner, discriminate between subscribers of the same class and such classification of subscribers shall not be arbitrary. Non-discrimination.

12. Service providers shall clearly indicate the terms and conditions of the provision of telecommunication services to subscribers which shall not in any manner be inconsistent with the provisions of these Regulations. Such terms and conditions shall, *inter alia* include the following: Terms and conditions of service.

- (a) terms and conditions under which such services may be obtained, utilised and terminated;
- (b) terms and conditions relating to the use of service, billing, repair, fault rectification and the like;
- (c) choice of tariff packages available to a subscriber and procedure available for revising the choice along with the conditions thereof.

MADE by the Public Utilities Commission this 19th day of December 2002.

(DR. GILBERT CANTON)

Chairman

Public Utilities Commission

SCHEDULE

ITEM	TARIFF
<p>1. <u>Basic Services</u></p> <p>1.1. Installation charges</p> <p>a. Fixed line telephony service using other than wireless in local loop technology.</p> <p>b. Fixed line telephony service using wireless local loop technology.</p>	<p>Prevailing charges as on the date of these Regulations as ceiling.</p> <p>Prevailing charges will apply to customers currently receiving services for this technology and forbearance for any customer after the date of these Regulations.</p>
<p>1.2 Deposits</p> <p>a. Fixed line telephony service using other than wireless in local loop technology.</p> <p>b. Fixed line telephone service using wireless local loop technology.</p>	<p>Prevailing charges as on the date of these Regulations as ceiling.</p> <p>Forbearance provided that the maximum period for deposit higher than at (a) above in one year. At the end of one year of obtaining wireless in local loop connection, unless the subscriber specifically demands the continuation of that connection on wireless local loop, the additional deposit involved shall be refunded to the subscriber.</p>

SCHEDULE

ITEM	TARIFF
1.3 <u>Monthly rental for subscribers</u> a. Residential b. Business	Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling.
1.4 <u>Local Calls</u> a. Within Belize City b. Within other municipalities	Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling.
1.5 <u>Domestic Long Distance Service</u> a. Zone 1 & 2 peak b. Zone 1 & 2 off peak	Prevailing charges as on the date of these Regulations as ceiling. Forbearance providing that the ceiling price is set at .15 cents.
1.6 <u>International Calls</u> a. To the USA b. To Mexico and Central America	Prevailing charges as on the date of these Regulations. Prevailing charges as on the date of these Regulations as ceiling.

SCHEDULE

ITEM	TARIFF
c. To the Caribbean, South America and Canada. d. To the rest of the world	Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling.
1.7 <u>Operator Assistance (person to person and station to station)</u> a. National calls b. International calls	Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling.
1.8 <u>Peak Hours</u> a. For national calls b. For international calls	Peak hours shall not exceed 14 hours during during a calendar day. Peak hours shall not exceed 16 hours during during a calendar day.
1.9 <u>Off-Peak Hours</u> a. For national calls b. For international calls	Forbearance with respect to the choice of timings for off-peak hours during a calendar day. Forbearance with respect to the choice of timings for off-peak hours during a calendar day.

SCHEDULE

ITEM	TARIFF
2. <u>Customer Premises Equipment</u> 2.1 PABX/Key Systems a. Installation b. Monthly rental c. Set rental	Forbearance Forbearance Forbearance Forbearance
2.2 <u>Set Rental (non CPE)</u> a. Residential customers b. Business customers	Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling.
3. <u>Mobile Services (Prepaid & Post Paid)</u> a. Activation fee b. Monthly access fee c. Cellular to cellular calls d. Cellular to PSTN calls	Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling.

SCHEDULE

ITEM	TARIFF
e. PSTN to cellular calls	Prevailing charges as on the date of these Regulations as ceiling.
4. <u>Internet</u> a. Local access b. Long distance access c. Activation fee d. Usage fee	Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling.
5. <u>Dedicated Services</u> a. Internet b. Leased circuits c. Data services	Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling. Prevailing charges as on the date of these Regulations as ceiling.
6. Special and supplementary services	Prevailing charges as on the date of these Regulations as ceiling.
7. All other matters relevant to tariffs	Prevailing charges as on the date of these Regulations as ceiling.

In this Schedule, “prevailing charges” means the charges in effect and applicable to telecommunication services in Belize on the date of these Regulations.

CHAPTER 229

**TELECOMMUNICATIONS
(IMPORTATION AND DISTRIBUTION OF TYPE
APPROVED TELECOMMUNICATION, BROADCASTING
AND RADIO COMMUNICATION EQUIPMENT) REGULATIONS**

ARRANGEMENT OF REGULATIONS

**PART I
PRELIMINARY**

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2. Interpretation.
3. Prohibition on use/importation of equipment.
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SCHEDULE

CHAPTER 229

152 of 2002.

**TELECOMMUNICATIONS
(IMPORTATION AND DISTRIBUTION OF TYPE
APPROVED TELECOMMUNICATION, BROADCASTING
AND RADIO COMMUNICATION EQUIPMENT)
REGULATIONS**

[21st December, 2002.]

**PART I
PRELIMINARY**

Short title.

1. These Regulations may be cited as the

**TELECOMMUNICATIONS (IMPORTATION AND
DISTRIBUTION OF TYPE APPROVED
TELECOMMUNICATION, BROADCASTING AND
RADIO COMMUNICATION EQUIPMENT) REGULATIONS.**

Interpretation.

2. (1) In these Regulations, unless the context otherwise requires:

No. 16 of 2002.

“Act” means the Belize Telecommunications Act, 2002;

“equipment” means any equipment that is either radio equipment, broadcast equipment or telecommunication equipment or a combination of any of these;

“importer” and “distributor” means any person or entity which imports and distributes telecommunication or radiocommunication equipment;

“interface” means

- (a) an air interface specifying the radio path between radio equipment and their technical

specifications,

- (b) a network termination point that is a physical connection point at which a user is provided with access to public telecommunications networks;

“PUC” means the Public Utilities Commission as established under the Public Utilities Commission Act; CAP. 223.

“type approval” means a method of checking the compatibility of all telecommunication, broadcasting and radiocommunication equipment with the public switched telecommunications Network.

(2) The words and phrases used in these Regulations shall have the meanings respectively assigned to them in the Act.

3. No person or entity shall import, install, sell for use or use any item of equipment in Belize listed in the Schedule to these Regulations, unless the PUC grants a permit in respect of that type of equipment. Prohibition on use/importation of equipment.

4. (1) Any person desirous of importing any equipment shall apply in writing to the PUC for a permit to import such equipment. Permit to import equipment.

(2) An applicant for a permit to import any equipment shall include in his application:

- (a) a sample of the equipment where requested;
- (b) the prescribed fee;
- (c) the relevant literature; and
- (d) the relevant technical specifications.

- (3) The PUC may require a maximum period of six weeks for:
- (a) testing the samples of equipment;
 - (b) the purpose of reviewing the applications; and
 - (c) the granting of type approval for customer premises equipment.

(4) The PUC may require a maximum period of three months for the purpose of reviewing an application, for testing any samples of equipment and for granting type approval for switches and other high capacity equipment.

Type approvals.

5. (1) The PUC may recognise type approvals granted by other countries.

(2) Any party seeking recognition of type approval granted by another country shall produce to the PUC satisfactory documentary evidence that the relevant equipment qualifies for the recognition or exemption sought.

(3) Where a licensed telecommunications operator or provider wishes to supply customer premises equipment and related services, it shall be sufficient if that operator or provider attaches a report to the application showing that the equipment has conformed to the acceptance testing requirements or international type approval.

Testing of equipment.

6. A licensee may carry out in a non-discriminatory manner acceptance testing of all customer premises equipment installations to be interfaced with its network, to ascertain whether the required installations meet the prevailing standards before connection.

Maintenance of equipment.

7. (1) A customer shall be responsible for the maintenance of customer premises equipment without prejudice to any agreement drawn up between himself and a provider of that equipment for the maintenance and repair of

such equipment.

(2) A provider of customer premises equipment shall have in place systems for the speedy and efficient repairs of its equipment, and as far as practicable, for the temporary allocation to customers of items of equipment whilst theirs are under repair.

(3) A provider of customer premises equipment shall take all reasonable measures to ensure that its items of equipment or its services are maintained, provided or replaced within a reasonable time.

8. The PUC may issue directives to a supplier of customer premises equipment upon receipt of complaints from consumers, providers or operators of telecommunication services. Complaints from customers.

9. (1) Where the PUC intends to take any action that may affect the rights, interests or privileges of the person complained against, it shall notify the provider of the customer premises equipment, in writing, of the proposed action. Notice of action to providers.

(2) The PUC shall specify a period of not less than twenty-eight days in which the provider of the customer premises equipment may make representation on its behalf in respect of the proposed action.

10. Any person who contravenes any of the provisions of these regulations commits an offence and shall be liable on summary conviction to a fine not exceeding ten thousand dollars. Offence.

MADE by the Public Utilities Commission this 19th day of December, 2002.

DR. GILBERT CANTON
Chairman
Public Utilities Commission

SCHEDULE**[Regulation 3]**

1. Radio Receivers/Transmitters/Transceivers and Accessories
 - a. HF/VHF/UHF -Amateur Transmitters/Receivers/Transceivers
 - b. HF/VHF/UHF - Commercial Transmitters/Receivers/Transceivers
 - c. Citizen Band (CB) Transceivers
 - d. Radio Frequency (RF) Amplifiers
 - e. Phone Patch Systems
 - f. Radio Broadcast Transmitters
 - g. Television Broadcast Transmitters
 - h. Radio Frequency (RF) Transmitting Antennae
 - i. Radio Broadcasting Transmitting Antennae
 - j. Television Broadcast Transmitting Antennae
 - k. “Walkie - Talkie”
 - l. Duplexers
 - m. Combiners
 - n. Isolators/Circulators

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2. Satellite Communications Equipment
 - a.* Low Noise Amplifiers
 - b.* Receivers
 - c.* Modulators
 - d.* Very Small Aperture Terminals - VSATS
 - e.* Receiving/Transmitting Antennae - (Satellite Dish)
 - f.* Encoders/Decoders
 - g.* Feed Horns
 - h.* RF/IF Amplifiers

 3. Telecommunication Equipment
 - a.* Customer Premises Equipment - CPE Excluding:
 - (i)* Regular Telephone
 - (ii)* Facsimile Machine
 - (iii)* Cordless Telephones - limited range types only
 - (iv)* Cellular Telephones

 - b.* All other Telecommunication and Customer Premises Equipment for connection to any licensed telecommunication provider's network Public Switch Telecommunications Network.

4. Electromagnetic Radiating Devices
 - a. Industrial and Laboratory Electric Equipment
 - b. Induction and Dielectric Heating Equipment
 - c. Remote Radio Control Equipment
 - d. Radar Equipment
 - e. Electro Mechanical Apparatus

