

**TELECOMMUNICATIONS ACT  
(CHAPTER 323)**

**TELECOMMUNICATIONS (DEALERS)  
(AMENDMENT) REGULATIONS 2005**

In exercise of the powers conferred by section 74 of the Telecommunications Act, the Info-communications Development Authority of Singapore, with the approval of the Minister for Information, Communications and the Arts, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Telecommunications (Dealers) (Amendment) Regulations 2005 and shall come into operation on 21st July 2005.

**Amendment of regulation 2**

2. Regulation 2 of the Telecommunications (Dealers) Regulations (Rg 6) (referred to in these Regulations as the principal Regulations) is amended —

- (a) by deleting the words “regulation 21 (1)” in the definition of “registered equipment” and substituting the words “regulation 20 (6)”;
- (b) by deleting the semi-colon at the end of the definition of “telecommunication equipment” and substituting a full-stop; and
- (c) by deleting the definition of “type-approved equipment”.

**Amendment of regulation 3**

3. Regulation 3 of the principal Regulations is amended —

(a) by deleting paragraph (5) and substituting the following paragraph:

“(5) Any holder of a Dealer’s Class Licence who is carrying on any business or trade as a dealer shall register with the Authority in such form and manner as the Authority may determine each of the premises under his control or occupation where he manufactures, imports, lets for hire, sells, or offers or possesses for sale any registered equipment or telecommunication equipment set out in the First Schedule.”; and

(b) by deleting paragraph (11) and substituting the following paragraphs:

“(11) A Dealer’s Class Licence shall remain valid unless it is cancelled in accordance with the provisions of the Act or these Regulations.

(12) The Authority may cancel a Dealer's Class Licence where the holder of such licence —

- (a) gives notice to the Authority in such form and manner as the Authority may determine that he has ceased to carry on any business or trade as a dealer;

(b) has ceased to carry on any business or trade as a dealer and the registration of the business under the Business Registration Act (Cap. 32) is cancelled; or

(c) being a company incorporated under the Companies Act (Cap. 50) or a limited liability partnership registered under the Limited Liability Partnerships Act 2005 (Act 5 of 2005), has gone into liquidation other than for the purpose of amalgamation or reconstruction.

(13) A Dealer's Class Licence held by a person who is not carrying on any business or trade as a dealer shall be deemed to be cancelled upon the expiry of 30 days after the day on which he ceases to sell or offer or possess for sale any registered equipment or telecommunication equipment set out in the First Schedule.

(14) A cancellation of a Dealer's Class Licence of a person shall not operate so as to —

(a) prejudice any liability incurred by such person under these Regulations and any such liability may be enforced against him as if the cancellation had not taken place; or

(b) prevent such person from subsequently being deemed a holder of such licence under these Regulations.”.

#### **Amendment of regulation 4**

4. Regulation 4 (1) of the principal Regulations is amended by deleting sub-paragraph (a).

#### **Amendment of regulation 7**

5. Regulation 7 of the principal Regulations is amended by inserting, immediately after paragraph (b), the following paragraph:

“(ba) a limited liability partnership registered under the Limited Liability Partnerships Act 2005 (Act 5 of 2005);”.

#### **Amendment of regulation 10**

6. Regulation 10 of the principal Regulations is amended —

(a) by deleting paragraph (2) and substituting the following paragraph:

“(2) The fee payable for a Dealer's Class Licence held by any person who is carrying on any business or trade as a dealer shall be \$50.”;

(b) by deleting paragraph (4) and substituting the following paragraph:

“(4) Payment of fees in respect of a Dealer's Class Licence shall be made within 90 days of the date of the registration under regulation 3 (5).”; and

(c) by deleting the words “or (4) (b)” in paragraph (5).

## **Deletion and substitution of regulations 20 and 21**

7. Regulations 20 and 21 of the principal Regulations are deleted and the following regulations substituted therefor:

### **“Approval for sale**

**20.** —(1) Subject to paragraph (2) and regulation 4 (7), it shall be a condition of a licence that the licensee shall not sell —

(a) any type of telecommunication equipment to be used for connection to any telecommunication system or equipment belonging to a telecommunication system licensee; or

(b) any type of radio-communication equipment to be used in Singapore, unless the type of equipment has been approved for sale by way of registration with the Authority.

(2) No approval for sale under paragraph (1) is required for any telecommunication equipment which is —

(a) set out in the First Schedule; and

(b) designed and constructed in accordance with such standards and specifications as may be published by the Authority.

(3) An application for registration of any equipment referred to in paragraph (1) shall be made to the Authority in such form and manner as the Authority may determine and shall be accompanied by —

(a) the appropriate fee as specified in the Fourth Schedule; and

(b) a declaration of conformity stating that the equipment is designed and constructed in accordance with such standards and specifications as may be published by the Authority.

(4) The declaration of conformity under paragraph (3) shall be based on a certification or tests of the equipment by any local or foreign body specified by the Authority.

(5) The Authority may require the applicant to submit any result of the certification or tests referred to in paragraph (4) for evaluation, where necessary, by the Authority or any local or foreign certification body recognised by the Authority.

(6) The Authority may register any telecommunication equipment where the applicant satisfies the requirements set out in this regulation and such registration shall be valid for a period of 5 years.

(7) The Authority may renew a registration for a period not exceeding 5 years upon an application being made to the Authority in such form and manner as the Authority may determine and upon payment of a renewal fee of \$50.

(8) Where any equipment registered under paragraph (6) has been modified, the Authority may —

(a) require the applicant of that equipment to re-submit an application for registration under paragraph (3) where the modification is likely to affect the equipment's compliance with such standards and specifications as may be published by the Authority; or

(b) amend the existing registration to include the modified equipment upon an application being made to the Authority in such form and manner as the Authority may determine and upon payment of an amendment fee of \$100.

**False or misleading information**

**21.** —(1) No applicant shall furnish any false or misleading information to the Authority for the purpose of obtaining any registration, renewal of registration or amendment of registration under regulation 20.

(2) Where any applicant contravenes paragraph (1), any registration, renewal of registration or amendment of registration by the Authority under regulation 20 as a result of the submission of false or misleading information shall be null and void.”.

**Deletion and substitution of Part VI**

**8.** Part VI of the principal Regulations is deleted and the following Part substituted therefor:

“PART VI

TELECOMMUNICATION EQUIPMENT  
FOR PERSONAL USE

**Telecommunication equipment for personal use**

**22.** —(1) Any person intending to use any telecommunication equipment for personal purposes shall not be required to obtain the approval of the Authority provided that such equipment is designed, constructed, installed, established, maintained and operated in accordance with such standards and specifications as may be published by the Authority.

(2) Notwithstanding paragraph (1), the Authority may, in its discretion, require any such person —

(a) to cease operating any such telecommunication equipment; or

(b) to send, at his own expense, any such telecommunication equipment for certification or testing by any local or foreign body specified by the Authority.”.

**New regulation 23A**

**9.** The principal Regulations are amended by inserting, immediately after regulation 23, the following regulation:

**“Re-labeling of telecommunication equipment**

**23A.** —(1) For a period of one year from 21st July 2005, no dealer shall be required to remove from or replace on any telecommunication equipment any label which has been affixed in accordance with paragraph 8 (a) or (b) of the Second Schedule to the principal Regulations in force immediately before that date.

(2) A dealer may, until the expiry of the one year period referred to in paragraph (1), continue to sell any telecommunication equipment referred to in that paragraph

in compliance with the principal Regulations in force before 21st July 2005, as if these Regulations have not been enacted.

(3) Upon the expiry of the one year period referred to in paragraph (1), no dealer shall display or offer for sale any telecommunication equipment referred to in that paragraph unless paragraph 8 (a), (b) and (d) of the Second Schedule to the principal Regulations in force on 21st July 2005 have been complied with.”.

#### **Amendment of regulation 24**

**10.** Regulation 24 of the principal Regulations is amended by deleting “20 (4)” and substituting “21 (1)”.

#### **Amendment of Second Schedule**

**11.** The Second Schedule to the principal Regulations is amended —

(a) by deleting sub-paragraphs (a), (b) and (c) of paragraph 1 and substituting the following sub-paragraphs:

“(a) telecommunication equipment registered under regulation 20 (6); or

(b) telecommunication equipment set out in the First Schedule provided that such equipment is designed and constructed in accordance with such standards and specifications as may be published by the Authority.”;

(b) by deleting sub-paragraph (a) of paragraph 8 and substituting the following sub-paragraph:

“(a) affix, or ensure that there is affixed, on all registered equipment intended for use in Singapore or on the equipment's instruction manual or packaging, such labels as the Authority may specify stating or indicating that the equipment complies with the standards and specifications published by the Authority before such equipment is displayed or offered for sale;”;  
and

(c) by deleting sub-paragraph (d) of paragraph 8 and substituting the following sub-paragraph:

“(d) refrain from affixing, on any telecommunication equipment which is not a registered equipment, any label stating or indicating that the telecommunication equipment complies with the standards and specifications published by the Authority; and”.

#### **Deletion of Fourth and Fifth Schedules and substitution of Fourth Schedule**

**12.** The Fourth and Fifth Schedules to the principal Regulations are deleted and the following Schedule substituted therefor:

“FOURTH SCHEDULE

Regulation 20 (3)

FEES FOR APPLICATION BY DEALERS FOR REGISTRATION  
OF TELECOMMUNICATION EQUIPMENT

<i>First column</i>	<i>Second column</i>
<i>Type of application</i>	<i>Fee</i>
1. Application for registration of the following equipment which requires evaluation of declaration of conformity by the Authority:	
(a) a radio-communication or single-line equipment	\$350
(b) a complex or multi-line equipment	\$500
2. Application for registration of an equipment which requires evaluation of declaration of conformity by a local or foreign certification body recognised by the Authority	\$100
3. Application for registration of an equipment which does not require evaluation of declaration of conformity	\$100.”.

### **Miscellaneous amendments**

**13.** The principal Regulations are amended by deleting the words “type-approved equipment,” wherever they appear in the following provisions:

Regulations 3 (1), 4 (7), 5 (1) and (2) and 14 (4) (c).

### **Transitional provisions**

**14.** —(1) Any type-approval or registration of any telecommunication equipment under regulation 20 or 21, as the case may be, of the principal Regulations in force immediately before 21st July 2005 shall remain in force and have effect until the date of its expiry or until it is cancelled by the Authority, whichever is earlier, as if these Regulations have not been enacted.

(2) Notwithstanding paragraph (1), a dealer may apply to the Authority —

(a) for the cancellation of such approval or registration; and

(b) for the registration of such equipment in accordance with the principal Regulations in force as from 21st July 2005.

(3) Any application for registration referred to in paragraph (2) (b) shall be accompanied by a fee of \$100.

**Made this 19th day of July 2005.**

LAM CHUAN LEONG  
*Chairman,*  
*Info-communications Development*  
*Authority of Singapore.*