

ISSUED ON 27 FEBRUARY 2012

NOTICE –

CONSEQUENTIAL AMENDMENTS TO CODES OF PRACTICE

ARISING FROM AMENDMENTS TO THE TELECOMMUNICATIONS ACT
(CHAPTER 323)

1. The Telecommunications Act (Cap. 323) Revised Edition 2000, as amended by the Telecommunications (Amendment) Act 2005 (No. 10 of 2005) on 16 February 2005 (“**Telecommunications Act**”), has been amended by the Telecommunications (Amendment) Act 2011, which came into operation on 1 February 2012, pursuant to a commencement notification made on 10 January 2012 by the Minister of Information, Communication and the Arts and published in the Government *Gazette*, Electronic Edition on 31 January 2012.

2. Arising therefrom, consequential amendments need to be made to various codes of practice issued by the Info-communications Development Authority of Singapore (“**IDA**”), to reflect the recent amendments made to the Telecommunications Act, as specified below.

Amendments to Codes of Practice

3. In exercise of its powers under section 26(1) of the Telecommunications Act, IDA hereby amends the following codes of practice with effect from 1 February 2012 in the following manner:

(a) Code of Practice for Next Generation National Broadband Network OpCo Interconnection (“**OpCo Interconnection Code 2009**”) –

(i) The preamble of the OpCo Interconnection Code 2009 is amended by replacing the words “section 26(1) (a) to (c), (f) and (g)” with the words “section 26(1)”;

(ii) Section 1.5 of the OpCo Interconnection Code 2009 is deleted and the following section substituted therefor:

“1.5 Exemption of Licensee or Qualifying Person or waiver of application of this Code

IDA may exempt any Licensee or any Qualifying Person from, or waive the application of, all or any provisions of this Code in accordance with section 26(6) of the Act. Any Licensee or Qualifying Person who wishes to be exempted or obtain a waiver from any provision of this Code shall submit a written request to IDA containing the reasons supporting his request. An exemption or waiver shall be subject to such terms and conditions as IDA may specify and may, without limitation, be on a one-time basis, temporary, permanent, for a fixed period or effective until the occurrence of a specified event.;

(iii) Section 1.6 of the OpCo Interconnection Code 2009 is amended by replacing the words “section 26(4)” with the words “section 26(1)(c)”;

- (iv) Section 1.7.1 of the OpCo Interconnection Code 2009 is amended by replacing the words “section 26(7)” with the words “section 26(5)”;
- (v) Section 4.2(b) of the OpCo Interconnection Code 2009 is amended by replacing the word “exemption” with the words “exemption or waiver”;
- (vi) Paragraph 19.1(a)(ii) of Appendix 1 to the OpCo Interconnection Code 2009 is amended by deleting the words “if the Licensee is exempted by the IDA from its obligation under the OpCo Interconnection Code 2009” and substituting the following words:

“if the Licensee is exempted or the Licensee’s obligation under the OpCo Interconnection Code 2009 is waived by the IDA”;

(b) Code of Practice for Next Generation National Broadband Network NetCo Interconnection (“**NetCo Interconnection Code 2009**”) –

- (i) The preamble of the NetCo Interconnection Code 2009 is amended by replacing the words “section 26(1) (a) to (c), (f) and (g)” with the words “section 26(1)”;
- (ii) Section 1.5 of the NetCo Interconnection Code 2009 is deleted and the following section substituted therefor:

“1.5 Exemption of Licensee or Qualifying Person or waiver of application of this Code

IDA may exempt any Licensee or any Qualifying Person from, or waive the application of, all or any provisions of this Code in accordance with section 26(6) of the Act. A Licensee or Qualifying Person who wishes to be exempted or obtain a waiver from any provision of this Code shall submit a written request to IDA containing the reasons supporting his request. An exemption or waiver shall be subject to such terms and conditions as IDA may specify and may, without limitation, be on a one-time basis, temporary, permanent, for a fixed period or effective until the occurrence of a specified event.”;

- (iii) Section 1.6 of the NetCo Interconnection Code 2009 is amended by replacing the words “section 26(4)” with the words “section 26(1)(c)”;
- (iv) Section 1.7.1 of the NetCo Interconnection Code 2009 is amended by replacing the words “section 26(7)” with the words “section 26(5)”.
- (v) Section 4.2(b) of the NetCo Interconnection Code 2009 is amended by replacing the word “exemption” with the words “exemption or waiver”;
- (vi) Paragraph 19.1(a)(ii) of Appendix 1 to the NetCo Interconnection Code 2009 is amended by deleting the words “if the Licensee is exempted by IDA from its obligation under the NetCo Interconnection Code 2009” and substituting the following words:

“if the Licensee is exempted or the Licensee’s obligation under the NetCo Interconnection Code 2009 is waived by IDA”;

(c) Code of Practice for Provision of Premium Rate Services (“**Premium Rate Services Code**”) –

- (i) The title of the Premium Rate Services Code is amended by replacing the words “section 26(1)(b) and (c)” wherever they appear in the title with the words “section 26(1)”;
- (ii) The preamble of the Premium Rate Services Code is amended by replacing the words “section 26(1)(b) and (c)” with the words “section 26(1)”;
- (iii) Section 1.4 of the Premium Rate Services Code is deleted and the following section substituted therefor:

“1.4 Exemption of premium rate service provider or billing network operator or waiver of application of this Code

IDA may exempt any premium rate service provider or billing network operator from, or waive the application of, all or any provisions of this Code in accordance with section 26(6) of the Act. A premium rate service provider or billing network operator who wishes to be exempted or obtain a waiver from any provision of this Code shall submit a written request to IDA containing the reasons supporting his request. An exemption or waiver shall be subject to such terms and conditions as IDA may specify and may, without limitation, be on a one-time basis, temporary, permanent, for a fixed period or effective until the occurrence of a specified event.”;

- (iv) Section 1.5 of the Premium Rate Services Code is amended by replacing the words “section 26(4)” with the words “section 26(1)(c)”;
- (v) Section 1.6.1 of the Premium Rate Services Code is amended by replacing the words “section 26(7)” with the words “section 26(5)”;
- (vi) Section 4.6.1 of the Premium Rate Services Code is amended by deleting the words “of up to \$1 million per contravention”; and

(d) Code of Practice for Info-communication Facilities in Buildings (“**COPIF**”) –

- (i) Section 1.5 of the COPIF is deleted and the following section substituted therefor:

“1.5 Exemption of developer or owner of a development or waiver of application of this Code

- 1.5.1 IDA may on receipt of an application in relation to the space and facilities to be provided in accordance with this Code, exempt any developer or owner of a development from, or waive the application of, all or any of the requirements specified in this Code.
- 1.5.2 Any such application shall be made in writing to IDA by or on behalf of the developer or owner of the development to which such application relates and shall state the reasons for the proposed exemption or waiver of such requirements and shall be accompanied by such plans and particulars as may be required to support his application.
- 1.5.3 An exemption or waiver shall be subject to such terms and conditions as IDA may specify and may, without limitation, be on a one-time basis, temporary, permanent, for a fixed period or effective until the occurrence of a specified event.”.

4. For the avoidance of doubt, save for the above amendments, no other changes have been made to these codes of practice, which shall continue to be in force.

Deputy Chief Executive and Director-General (Telecoms & Post)
For Info-communications Development Authority of Singapore