

TELECOMMUNICATIONS ACT
(CHAPTER 323, SECTION 74)

TELECOMMUNICATIONS (CLASS LICENCES) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Citation
2. Definitions

PART II

GRANT OF CLASS LICENCE

3. Class licence
4. Registration
5. Fees payable upon registration
6. Duration and cancellation of licence
7. Conditions in addition to codes of practice
- 7A. False or misleading information
8. Waiver

PART III

GENERAL CONDITIONS

9. Telecommunication links outside licensee's premises
10. Publication of information
11. Provision of prepaid services
12. Compliance with guidelines
- 12A. Usage, etc., of telephone numbers
13. Auditor
14. Change of particulars

PART IV

SAVINGS PROVISIONS

15. Savings provisions

Regulation

The Schedules

[1st April 2000]

PART I
PRELIMINARY

Citation

1. These Regulations may be cited as the Telecommunications (Class Licences) Regulations.

Definitions

2. In these Regulations —

“Authority” means the Info-communications Development Authority of Singapore established under the Info-communications Development Authority of Singapore Act (Cap. 137A);

[S 685/2011 wef 28/12/2011]

“class licence” means a licence deemed to be granted under regulation 3;

[S 685/2011 wef 28/12/2011]

“Facilities-Based Operator” or “FBO” means a person who is granted a specific licence under section 5 of the Act to run any telecommunication system for the purpose of offering to other persons all or any of the following:

- (a) telecommunication switching capacity;
- (b) telecommunication switching services;
- (c) telecommunication transmission capacity; or
- (d) telecommunication transmission services;

“Facilities-Based Operator licence” or “FBO licence” means a licence specifically granted by the Authority to a Facilities-Based Operator under section 5 of the Act;

[S 685/2011 wef 28/12/2011]

“licensee” means a person who is deemed to have been granted a class licence;

“operator” means a person who runs any of the specified telecommunication systems and services;

“Services-Based Operator” or “SBO” means a person who leases from an FBO any telecommunication system (including telecommunication network elements such as transmission capacity, switching services, ducts and fibre) to provide telecommunication services to third parties or to resell the telecommunication services of FBOs;

“Services-Based Operator (Individual) licence” or “SBO (Individual) licence” means a licence specifically granted by the Authority to a Services-Based Operator under section 5 of the Act;

[S 685/2011 wef 28/12/2011]

“specified telecommunication systems and services” means the telecommunication systems and services described in the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Schedules.

[S 685/2011 wef 28/12/2011]

PART II

GRANT OF CLASS LICENCE

Class licence

3.—(1) An operator shall, upon compliance with regulations 4 and 5, be deemed to have been granted a class licence under section 5 of the Act for the running of the types of specified telecommunication systems and services appropriate to the telecommunication systems and services run by him.

(2) The class licence is granted subject to the conditions set out in the First, Second, Third, Fourth, Fifth, Sixth, Seventh or Eighth Schedule, as the case may be.

(3) The holder of a FBO licence or SBO (Individual) licence shall not need a class licence for the running of any specified telecommunication systems or services which are specified in his FBO or SBO (Individual) licence.

[S 685/2011 wef 28/12/2011]

Registration

4. An operator shall —

- (a) register with the Authority in such form; and
- (b) submit to the Authority upon registration such information in writing relating to his particulars and the description and scope of telecommunication systems and services run by him,

as the Authority may require.

Fees payable upon registration

5. An operator shall upon registration pay the fee specified in the Ninth Schedule, if any, appropriate to the type of specified telecommunication systems and services run by him.

[S 476/2005 wef 21/07/2005]

[S 685/2011 wef 28/12/2011]

Duration and cancellation of licence

6.—(1) A class licence shall remain valid unless it is cancelled in accordance with the provisions of the Act or these Regulations.

(2) The Authority may cancel a 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 be an operator; or

- (b) has ceased to carry on any business or trade as an operator 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.

(3) A cancellation of a 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.

[S 476/2005 wef 21/07/2005]

Conditions in addition to codes of practice

7. The conditions set out in these Regulations are in addition to any code of practice or standard of performance issued or approved under section 26 of the Act which applies to the licensee.

False or misleading information

7A.—(1) No person shall furnish any false, misleading or inaccurate information to the Authority in relation to his registration under regulation 4.

(2) Any person who contravenes paragraph (1) shall be guilty of an offence.

[S 685/2011 wef 28/12/2011]

Waiver

8. The Minister, or the Authority subject to any direction by the Minister, may —

- (a) waive the application of all or any of the provisions of these Regulations or all or any of the conditions of any class licence in respect of any person; and
- (b) waive any fee or part thereof payable under these Regulations.

PART III

GENERAL CONDITIONS

Telecommunication links outside licensee's premises

9.—(1) Subject to paragraph (2), it is a condition of every class licence that the licensee must not establish or provide any telecommunication link outside the licensee's premises, whether by wire, cable, radio, fibre optics or otherwise, for the purpose of connecting its systems to any other telecommunication system or equipment without the prior approval of the Authority.

(2) Paragraph (1) does not apply to any internal telecommunication link within the licensee's premises.

Publication of information

10.—(1) It is a condition of every class licence that a licensee who provides services to the public must publish information about the services it provides, including details such as, but not limited to, the description of each service available, the charges, quality of service standards, customer support services and other service terms and conditions.

(2) The information referred to in paragraph (1) must be published in such manner as the Authority may direct, or in the absence of the Authority's direction, in the manner that the licensee sees fit.

Provision of prepaid services

11. No licensee shall collect money deposits or use prepaid cards (other than credit cards) as a means of collecting payment from its customers.

[S 166/2003 wef 01/04/2003]

Compliance with guidelines

12. It is a condition of every class licence that the licensee must comply with such advisory guidelines relating to fair practices and conduct as may be issued under section 28 of the Act for telecommunication service providers.

Usage, etc., of telephone numbers

12A. It is a condition of every class licence that the licensee must comply with the Authority's —

- (a) National Numbering Plan; and
- (b) framework and guidelines on the usage, allocation and assignment of numbers.

[S 476/2005 wef 21/07/2005]

Auditor

13. It is a condition of every class licence that the licensee must, if directed by the Authority —

- (a) appoint at its own expense a separate and independent auditor to audit its activities to determine whether the licensee has complied with the conditions of class licence; and
- (b) submit the audited accounts and other reports prepared by the auditor to the Authority for its inspection.

Change of particulars

14. It is a condition of every class licence that the licensee notifies the Authority of any change or inaccuracy in its particulars, the description and scope of telecommunication systems and services run by it and any other information submitted to the Authority under these Regulations or the conditions of licence.

PART IV

SAVINGS PROVISIONS

Savings provisions

15.—(1) Any class licence for store-and-retrieve value-added network services, audiotex services, resale of public switched telecommunication services and public chain payphone services granted under the revoked Telecommunication (Class Licences) Regulations (Rg 10, 1999 Ed.) shall be deemed to have been granted under, and subject to, the corresponding provisions of these Regulations and any registration in respect thereof shall expire or be renewable under these Regulations on the date on which it would have expired or been renewable had these Regulations not been enacted.

(2) Any person who was granted a class licence for Bulletin Board Services under the revoked Telecommunication (Class Licences) Regulations shall be deemed to have been granted a class licence for store-and-retrieve value-added network services where no leased circuits are used.

FIRST SCHEDULE

Regulations 2 and 3

CLASS LICENCE FOR STORE-AND-RETRIEVE VALUE-ADDED
NETWORK SERVICES**Definition**

1. Store-and-retrieve value-added network services are any of the following services provided by telecommunication systems, built over and above the telecommunication systems operated by an FBO and accessed through public telecommunication systems or leased circuits, which allow telecommunication traffic between a user and the value-added network or between users:

- (a) on-line information and database retrieval services;
- (b) on-line information and data processing services;
- (c) voice information services;
- (d) electronic broking services;
- (e) transaction services such as on-line shopping, on-line reservation service, etc.;

FIRST SCHEDULE — *continued*

- (f) remote computing services;
- (g) on-line games;
- (h) mailbox services including e-mailbox, voice-mailbox, facsimile-mailbox and multimedia mailbox;
- (i) electronic data interchange services;
- (j) store-and-retrieve file transfer services;
- (k) electronic chatting services;
- (l) bulletin board services;
- (m) other multimedia services where the content or format of the telecommunication traffic is changed or processed.

Conditions to be complied with by licensee

2. A licensee must ensure that no store-and-forward telecommunication traffic is carried through the value-added network.

3. A licensee must not, except with the prior approval of the Authority, provide value-added network services of another value-added network through a leased circuit connecting its value-added network to the other value-added network.

4. In the event that a licensee decides to terminate its value-added network services, it must notify the Authority in writing of its intent.

5. A licensee must publish its name as registered with the Accounting and Corporate Regulatory Authority in any advertisement of its services.

[S 565/2004 wef 08/09/2004]

[S 685/2011 wef 28/12/2011]

SECOND SCHEDULE

Regulations 2 and 3

CLASS LICENCE FOR AUDIOTEX SERVICES

Definition

1. Audiotex services are telecommunication systems and services which enable a caller, by dialling a designated telephone number beginning with “1900”, to receive a recorded announcement or to interact with a programme whereby he may communicate, by means of a dual-tone multi-frequency telephone key pad, a touch-tone telephone or other similar device, with a value-added network connected to the public switched telephone system for the purposes of sending or receiving information.

SECOND SCHEDULE — *continued***Conditions to be complied with by licensee**

2. Access to the audiotex services by users must be through the public switched network.

3. A licensee must ensure that all announcements and programmes on the audiotex services are pre-recorded and stored in the audiotex system and must not enable callers to communicate directly in real-time with other callers.

4. A licensee must comply with the following transmission standards:

- (a) there must be no delay in starting the announcement or programme when a call is connected;
- (b) each audiotex service must be assigned a different telephone number;
- (c) there must be no interruption during the announcement or programme;
- (d) each call must be for a maximum period of 10 minutes with an option for the caller to extend his call;
- (e) where callers are required to enter a unique code to access the audiotex services, such codes must be made available to the public either in lists published by the licensee or through a telephone answering line available for enquiries 24 hours a day, the number for which must be published in all advertisements for the audiotex services.

5. A licensee must ensure that the number of attempted calls at any time does not significantly exceed the number of call-in lines for the audiotex services and, if the Authority determines that additional lines are required to adequately handle calls for the audiotex services and to prevent congestion to other users of the public switched telephone system, the licensee must subscribe for such number of additional lines as the Authority may direct.

6. A licensee must not, except with the prior approval of the Authority, organise any mass calling event which will generate a high influx of calls to its audiotex system.

7. A licensee must ensure that its current call charging rate is published in all advertisements for the audiotex services and is announced at the beginning of a pre-recorded charge announcement played immediately after every call is connected.

8. A licensee must provide a grace period during which callers are not charged, of —

- (a) the first 6 seconds of a call where the charge announcement lasts less than 4 seconds; or

SECOND SCHEDULE — *continued*

(b) the first 12 seconds of a call where the charge announcement lasts between 4 seconds and 10 seconds.

9. A licensee must not claim any propriety right to any telephone number assigned to it.

10. If a licensee decides to terminate its audiotex services, it must notify the Authority in writing of its intent.

11. A licensee must publish its name as registered with the Accounting and Corporate Regulatory Authority in any advertisement of its services.

[S 565/2004 wef 08/09/2004]

[S 685/2011 wef 28/12/2011]

THIRD SCHEDULE

Regulations 2 and 3

CLASS LICENCE FOR RESALE OF PUBLIC SWITCHED
TELECOMMUNICATION SERVICES

Definition

1. The telecommunication services specified in paragraph 1A may be resold under this class licence where they are provided through —

(a) an FBO who is licensed to provide public basic telecommunication services, public cellular mobile telephone services or public radio paging services; or

[S 61/2003 wef 10/02/2003]

(b) an SBO who is licensed to provide international simple resale, mobile virtual network operation, international calling card services, internet based voice and data services, or call-back and call re-origination services.

[S 61/2003 wef 10/02/2003]

1A. The telecommunication services referred to in paragraph 1 are the following public switched telecommunication services (whether domestic or international):

(a) public switched telephone services, other than public chain payphone services and services exempted from licensing under the Telecommunications (Exemption of Resellers of Local Calls Operating Coinafons or Payphones) Notification 2007 (G.N. No. S 77/2007);

[S 76/2007 wef 01/03/2007]

THIRD SCHEDULE — *continued*

- (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.

[S 61/2003 wef 10/02/2003]

Conditions to be complied with by licensee

2. A licensee must not, except with the approval of the Authority, engage in the construction or building of any telecommunication system.

3. Where a licensee subscribes to any domestic or international leased circuit, it must not, except with the approval of the Authority, provide its users with any direct or indirect connection to that leased circuit.

4. A licensee must market itself as a reseller of telecommunication services.

5. [Deleted by S 110/2008, wef 01/03/2008].

6. [Deleted by S 110/2008, wef 01/03/2008].

7. A licensee must list the rental of equipment charge and the usage charge separately in its bills to its users.

8. Where a licensee provides the services through resale or shared use of PABX, the licensee must not restrict the occupants of the premises served by the PABX from subscribing to services or facilities directly from any FBO or SBO.

[S 61/2003 wef 10/02/2003]

9. A licensee must enter into a written service agreement with each of its users except users of an international payphone service provided by the licensee in any single customer premises.

[S 76/2007 wef 01/03/2007]

[S 685/2011 wef 28/12/2011]

FOURTH SCHEDULE

Regulations 2 and 3

CLASS LICENCE FOR PUBLIC CHAIN PAYPHONE SERVICES

Definition

1. Public chain payphone services are the provision of payphone services in multiple customer premises through the resale of public switched telephone

FOURTH SCHEDULE — *continued*

services but does not include services exempted from licensing under the Telecommunications (Exemption of Resellers of Local Calls Operating Coinafons or Payphones) Notification 2007 (G.N. No. S 77/2007).

[S 76/2007 wef 01/03/2007]

Conditions to be complied with by licensee

2. A licensee must not, except with the approval of the Authority, engage in the construction or building of any telecommunication system.

3. Where a licensee subscribes to any domestic or international leased circuit, it must not, except with the approval of the Authority, provide its users with any direct or indirect connection to that leased circuit.

4. A licensee must market itself as a reseller of telecommunication services.

5. A licensee must not charge its users a usage rate higher than the published rate for an equivalent or a similar service provided by the FBO or SBO through which it provides its services.

[S 76/2007 wef 01/03/2007]

6. Notwithstanding paragraph 5, the licensee may charge a maximum set-up charge of 30 cents for every successful international direct dialling (IDD) call and 10 cents for every successful subscriber trunk dialling (STD) call.

7. A licensee must comply with the coverage obligations as may, from time to time, be set by the Authority for public chain payphone operations.

8. A licensee must comply with such quality of service requirements as may, from time to time, be determined by the Authority.

9. A licensee must comply with such equal access requirements as may, from time to time, be determined by the Authority.

10. A licensee may only resell the services of —

(a) an FBO who is licensed to provide public basic telecommunication services, public cellular mobile telephone services or public radio paging services; or

(b) an SBO who is licensed to provide international simple resale, mobile virtual network operation, international calling card services, internet based voice and data services, or call-back and call re-origination services,

and not those of any other licensee.

[S 61/2003 wef 10/02/2003]

[S 685/2011 wef 28/12/2011]

FIFTH SCHEDULE

Regulations 2 and 3

CLASS LICENCE FOR CALL-BACK AND CALL RE-ORIGINATION SERVICES

Definition

1. Call-back and call re-origination services are International Direct Dial (IDD) call reversal services passing over any FBO's international telephone gateway and public switched telecommunication network or local call reversal services passing over any FBO's public switched telecommunication network.

[S 565/2004 wef 08/09/2004]

Conditions to be complied with by licensee

2. A licensee must not route the voice or data traffic or both over frame-relay or through leased circuits.

3. A licensee must distinguish its services from IDD services by including the term "call-back", "call re-origination" or its equivalent in its marketing and promotion materials.

4. A licensee must comply with such minimum Quality of Service (QOS) standards as the Authority may, by notice in writing, determine.

[S 685/2011 wef 28/12/2011]

SIXTH SCHEDULE

Regulations 2 and 3

CLASS LICENCE FOR INTERNET BASED VOICE AND DATA SERVICES

Definition

1. Internet based voice and data services are the carriage of voice and data services through the internet access facilities provided by an SBO.

Conditions to be complied with by licensee

2. A licensee must comply with such minimum Quality of Service (QOS) standards as the Authority may, by notice in writing, determine.

[S 685/2011 wef 28/12/2011]

SEVENTH SCHEDULE

Regulations 2 and 3

CLASS LICENCE FOR INTERNATIONAL CALLING CARD (ICC) SERVICES

Definition

1. The International Calling Card (ICC) services are services that use Personal Identification Number (PIN) validation and call routing through an FBO's international telephone gateway to provide IDD services.

[S 61/2003 wef 10/02/2003]

Conditions to be complied with by licensee

2. A licensee must not route voice or data traffic or both over frame-relay or through leased circuits.

[S 685/2011 wef 28/12/2011]

EIGHTH SCHEDULE

Regulations 2 and 3

CLASS LICENCE FOR STORE-AND-FORWARD VALUE-ADDED NETWORK SERVICES

Definition

1. The store-and-forward value-added network services are the services specified in paragraph 2 which have a value-added function at one end (such as the originating end) and are provided only on a call-by-call basis.

2. The store-and-forward value-added network services referred to in paragraph 1 are any or both of the following:

- (a) value-added data services being packet switched data services which convey end-to-end non-voice traffic by providing the value-added function of code and protocol conversion;
- (b) value-added messaging services being value-added store-and-forward electronic messaging service, value-added store-and-forward facsimile, value-added store-and-forward telex (excluding telegram) services and value-added store-and-forward voice mail services, that provide one or more of the following value-added store-and-forward functions on a non real-time basis:
 - (i) deferred delivery;
 - (ii) multi-addressing;

EIGHTH SCHEDULE — *continued*

- (iii) content conversion;
- (iv) format conversion, such as conversion from text-to-fax, text-to-telex, text-to-voice, fax-to-telex, fax-to-voice, telex-to-voice or vice versa;
- (v) processing of control information (such as destination address) with or without modification to the content;
- (vi) any other conversion that provides the users with additional, different or restructured information.

Conditions to be complied with by licensee

3. A licensee shall ensure that the value-added function is to be provided on a call-by-call basis.

4. In the event that a licensee decides to terminate its value-added network services, it must notify the Authority in writing of its intent.

5. A licensee must provide the store-and-forward value-added network services through —

- (a) a service node in Singapore 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 switched telecommunication network provided by a FBO.

[S 685/2011 wef 28/12/2011]

NINTH SCHEDULE

Regulation 5

REGISTRATION FEES FOR CLASS LICENCE

PART I — FEES FOR TYPES OF CLASS LICENCES

<i>Licences</i>	<i>Registration fees</i>
1. Store-and-retrieve value-added network services —	
(a) where no leased circuits are used	No fee
(b) where leased circuits are used	\$200
2. Audiotex services	\$200
3. Resale of public switched telecommunication services	No fee

NINTH SCHEDULE — *continued*

4. Public chain payphone services	No fee
5. Call-back and call re-origination services	\$200
6. Internet based voice and data services	\$200
7. International calling card services	\$200
8. Store-and-forward value-added network services	\$200

PART II — FEES WHERE CLASS LICENCES OVERLAP

The maximum fee payable by an operator who runs specified telecommunication systems and services falling within more than one class licence is \$200.

[S 685/2011 wef 28/12/2011]

[G.N. No. S 187/2000]

LEGISLATIVE HISTORY
TELECOMMUNICATIONS (CLASS LICENCES) REGULATIONS
(CHAPTER 323, RG 3)

This Legislative History is provided for the convenience of users of the Telecommunications (Class Licences) Regulations. It is not part of these Regulations.

1. G. N. No. S 187/2000 — Telecommunications (Class Licences) Regulations 2000

Date of commencement : 1 April 2000

2. 2002 Revised Edition — Telecommunications (Class Licences) Regulations

Date of operation : 30 September 2002

3. G. N. No. S 61/2003 — Telecommunications (Class Licences) (Amendment) Regulations 2003

Date of commencement : 10 February 2003

4. G. N. No. S 166/2003 — Telecommunications (Class Licences) (Amendment No. 2) Regulations 2003

Date of commencement : 1 April 2003

5. G. N. No. S 565/2004 — Telecommunications (Class Licences) (Amendment) Regulations 2004

Date of commencement : 8 September 2004

6. G. N. No. S 476/2005 — Telecommunications (Class Licences) (Amendment) Regulations 2005

Date of commencement : 21 July 2005

7. G. N. No. S 76/2007 — Telecommunications (Class Licences) (Amendment) Regulations 2007

Date of commencement : 1 March 2007

8. G. N. No. S 110/2008 — Telecommunications (Class Licences) (Amendment) Regulations 2008

Date of commencement : 1 March 2008

9. G.N. No. S 685/2011 — Telecommunications (Class Licences) (Amendment) Regulations 2011

Date of commencement : 28 December 2011