



Telecommunications Regulatory Commission

Notice to Adopt a Directive on the Amendment of Unitary Licences

(1st April 2022)

TAKE NOTICE THAT:

This notice is in furtherance to the Telecommunications Regulatory Commission's (**Commission**) notice issued on 28 February 2022 in relation to the postponement of the public hearing that was scheduled to be held on 1 March 2022, for the proposed adoption of amendments to the Unitary Licences as contained in the Notice to Adopt a Directive on the Amendment of Unitary Licences issued by the Commission on 30 December 2021.

The Commission hereby informs the Unitary Licensees and those third parties with a legitimate interest that have duly filed comments or objections which the Commission deems to be substantial and relevant, and have a right to be heard, that the public hearing will now take place on 11 April 2022.

The Commission is presently in the process of considering applications for renewal of several Licences for the Operation of a Telecommunications Network Providing Telecommunications Services in the British Virgin Islands (**Licence or Unitary Licence**). In accordance with Article 3.3(d) of the Licence, the Commission may approve Licence renewal with conditions based upon the same terms and conditions of the Licence or based upon new terms and conditions which reasonably reflect changed circumstances in the telecommunications sector in the British Virgin Islands at the time of the renewal application.

The Commission considers it appropriate to amend the terms and conditions of the Licence and will do so pursuant to the procedures outlined in Article 18.5 of the Licence. As a part of the procedural rules to modify or amend a Licence as set out in Article 18.5(c), the Commission shall call a public hearing during which Unitary Licensees and those third parties with a legitimate interest that have duly filed comments or objections which the Commission deems to be substantial and relevant, shall have a right to be heard.

In accordance with section 13(3) of the Telecommunications Code (Part 1) (Public Consultations and Public Hearings) Guidelines, 2010, a notice of public hearing shall be published by the Commission at least seven days before such hearing.

The public hearing will be held at the Maria's By The Sea Hotel, Waterfront Drive, Wickham's Cay, Road Town, Tortola, commencing at 9:00 a.m. Participation at the public hearing will be limited to Unitary Licensees and any interested third party that submitted a relevant comment or objection by 14 February 2022, in response to the Notice dated 30 December 2021.

Covid-19 protocols will be in full effect and, as a result, spaces at the public hearing will be limited. Participants are required to pre-register their attendance by submitting the below information to the Commission at the telephone number: +1 (284) 229-4165 or email correspondence to: contact@trc.vg.

Please ensure to specify the following details during the pre-registration:

- A corporate body (legal person) should include:
 - the name of the company/institution/association/other organisation;
 - the name of a principal contact person; and
 - full contact details (physical address, postal address, telephone number, fax number and email address).

- An individual (natural) person should include name and contact details (including email).



TAKE FURTHER NOTICE THAT:

In accordance with Article 18.5(b)(v), the Commission shall submit to the Licensees a report and opinion on the proposed directive (**Report**), not less than sixty (60) days from the date of the Notice dated 30 December 2021. Accordingly, the Commission will send the Report to the Licensees on 29 April 2022. The Report will be made available at the Reception desk of the office of the Commission located at 3rd Floor, LM Business Centre, Fish Lock Road, Road Town, Tortola, British Virgin Islands. Alternatively, a copy of the Report will be available on our website (www.trc.vg).

Pursuant to Article 18.5(b)(vii), the Commission must specify the date on which the Directive shall take effect, which, absent exigent circumstances, shall not be less than ninety (90) days from the date of publication of the notice. The Directive will take effect from the date of issuance of a renewal licence to each licensee who the Commission considers it appropriate to renew.

The person responsible for this matter is Mr. Guy L. Malone, the Chief Executive Officer, and he can be contacted at the email address: gmalone@trc.vg. Additionally, any query submitted in reference to this matter should be copied to Mrs. Chantal L. Flax-Ward, Chief Legal Advisor, at the email address: cflax-ward@trc.vg.

Issued by the Telecommunications Regulatory Commission on the 1st day of April 2022.

(Sgd.) Guy L. Malone.
Chief Executive Officer