
First published in the *Government Gazette*, Electronic Edition, on 12th June 2009 at 5.00 pm.

No. 1757 — TELECOMMUNICATIONS ACT (CHAPTER 323) AND CODE OF PRACTICE FOR COMPETITION IN THE PROVISION OF TELECOMMUNICATION SERVICES 2005

TELECOMMUNICATIONS (EXEMPTION FOR TERRESTRIAL INTERNATIONAL PRIVATE LEASED CIRCUIT AND BACKHAUL SERVICES) NOTIFICATION 2009

In exercise of the powers conferred by section 26(5) of the Telecommunications Act, the Info-communications Development Authority of Singapore hereby makes the following Notification:

Citation and Commencement

1. This Notification may be cited as the Telecommunications (Exemption for Terrestrial International Private Leased Circuit and Backhaul Services) Notification 2009 and shall come into force on 12th June 2009.

Exemption

2.—(1) For the purposes of section 2.5 of the Code of Practice for Competition in the Provision of Telecommunication Services 2005 (G.N. No. S 87/2005) (hereinafter referred to as the Code), it is hereby notified for general information that the Authority has, subject to paragraph (2), exempted Singapore Telecommunications Limited (hereinafter referred to as the licensee) from the provisions of the Code specified in the second column of the First Schedule in relation to the services within the markets respectively specified in the first column thereof.

(2) The exemption specified in paragraph (1) shall only apply in relation to services of the licensee which the Authority specifies from time to time, by notification in the *Gazette*, as being exempted under paragraph (1).

(3) For the purposes of paragraph (2), it is hereby notified for general information that the licensee's services specified in Parts I and II of the Second Schedule fall within the terrestrial international private leased circuit market and the backhaul market respectively and are therefore exempted under paragraph (1) with effect from the date hereof.

Specified markets

3. In this Notification, unless the context otherwise requires, a reference to a particular market shall be construed as a reference to the market as described in, as the case may be, the Authority's Explanatory Memorandum dated 2nd June 2009.

Procedure for confirmation of exempted services

4.—(1) The licensee may submit a written request to the Authority for a confirmation that a particular telecommunication service or product offering that it offers after the date hereof falls within the exemption specified in paragraph 2(1) and shall include in such a request —

- (a) a clear and complete description of the telecommunication service or product offering; and
- (b) an explanation as to why the telecommunication service or product offering falls within one or more of the markets specified in the first column of the First Schedule.

(2) Upon considering a request under paragraph (1), the Authority shall confirm in writing whether the telecommunication service or product offering specified in the request falls within one or more of the markets specified in the first column of the First Schedule and, if so, shall issue a notification in the *Gazette* as specified in paragraph 2(2).

FIRST SCHEDULE

Paragraph 2(1)

EXEMPTED SERVICES AND MARKETS

<i>First column</i>	<i>Second column</i>
<i>Services and markets in respect of which the licensee is exempted</i>	<i>Provisions of the Code from which the licensee is exempted</i>
1. Services within the terrestrial international private leased circuit market.	Sections 4.2.1.1 to 4.2.1.3, 4.2.2.1 to 4.2.2.3, 4.3, 4.4.1, 4.4.2.1, 4.5 and 4.6.
2. Services within the backhaul market.	Sections 4.2.1.1 to 4.2.1.3, 4.3, 4.4.1, 4.4.2.1, 4.5 and 4.6.

SECOND SCHEDULE

Paragraph 2(3)

PART I

SERVICES WITHIN THE TERRESTRIAL INTERNATIONAL PRIVATE LEASED CIRCUIT MARKET

1. ConnectPlus Bilateral IPLC
2. ACASIA IPLC
3. ConnectPlus N2N IPLC

PART II

SERVICES WITHIN THE BACKHAUL MARKET

1. Backhaul (to GNCC)
2. Point-to-Point Backhaul

SECOND SCHEDULE — *continued*

3. Standard Point-to-Point Backhaul
4. Backhaul with Interface Protection
5. Point-to-Point Backhaul with Interface Protection

Made this 5th day of June 2009.

YONG YING-I
Chairman,
Info-communications Development Authority of Singapore.