

**Ministry of Digital Transformation**

**Comments re: Proposed Amendments to Telecommunications Act<sup>1</sup>**

1. The existing proposed policy for the Amendments to the Telecommunications Act, Chap. 47:31 (“the 2015 Policy”), had been subject to wide consultation within the private and public sectors, prior to its initial approval for drafting consideration into an Amendment Bill. From 2015 to present, the 2015 Policy has been further reviewed to take into account GoRTT developmental strategy regarding deployment of ICT as an enabler of socio-economic transformation and commercial expansion within Trinidad and Tobago.

2. Specifically, GoRTT’s National Development Plan, *Vision 2030*, envisaged a strategy for *Delivering Good Governance and Service Excellence* which identified the need for a modern legal and regulatory system. Pursuant to Vision 2030, the National Information and Communication Technology Plan for Trinidad and Tobago (*“ICT Blueprint”*) for the period 2018-2022, identified as a strategic thrust *Improving Connectivity* in Trinidad and Tobago, and in particular, *advancing the deployment of ICT infrastructure and modernising the legal and regulatory framework to support securely connected people, businesses, and government*. The effecting of amendments to the Telecommunications Act (“the Act”) was therefore identified as a key strategic enabler to support the foregoing initiative.

3. In this regard, the Amendments were and are intended to provide *a more robust framework for continued build-out of infrastructure, ubiquitous provision of telecommunications and broadcasting services, and more efficient regulation of competition in relevant markets*. More particularly, the Amendments seek to provide enhanced sector regulation by the Telecommunications Authority (“the Authority”) through:

- (i) proper oversight of competitive practices, in aid of markets and consumers;
- (ii) regulatory changes to recognise *convergence* of telecommunications and broadcasting services;
- (iii) revised authorisation framework consequent upon current obligations under Economic Partnership Agreement (“EPA”) between CARIFORUM and EU; convergence of telecommunications and broadcasting; and the orderly regulation of the sector. Specifically, this contemplates authorization by *notification* for telecommunications and broadcasting **services**; authorization by *concession* for operation of telecommunications **networks**; and authorization by *licence* where **spectrum** and **number** resources are required for provision of telecommunications or broadcasting services and/or operation of telecommunications networks.

---

<sup>1</sup> Referenced at TATT Draft Policy on Telecommunications Act Amendments, February 2022.

- (iv) a revised regime for addressing contraventions of the Act, concessions or licences, where not specifically provided for under the Act; and inclusive of *administrative penalties*; and
- (v) enhanced regulation of licencing, spectrum management, interconnection, access to facilities and consumer protection.

4. Accordingly, the Ministry of Digital Transformation (“MDT”), in consultation with the Authority, will complete its review and finalisation of the ‘2015 Policy’, ahead of the requisite Cabinet approval of policy, and thence to the Office of the Attorney General for conversion into a 2022 Telecommunications Amendment Bill for laying in Parliament.

5. In the context of proposed timelines, the policy review is expected to be completed and draft policy finalised by the Ministry, with relevant drafting statements, on or before **April 30, 2022**. Thereafter, the draft policy on Amendments will be urgently brought before the Cabinet for approval, so as to facilitate legislative drafting and laying of Amendment Bill at earliest opportunity, or within the current session of the Parliament.

**Submitted by**  
**Ministry of Digital Transformation**