

# WORLD TRADE ORGANIZATION

RESTRICTED

**S/GBT/W/1/Add.7**

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**Group on Basic Telecommunications**

Original: English

## COMMUNICATION FROM SINGAPORE

### Draft Offer on Basic Telecommunications

#### Revision

The following communication is circulated at the request of Singapore to members of the Group on Basic Telecommunications.

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Further to our revised offer contained in S/NGBT/W/12/Add.13/Rev.2, Singapore is pleased to submit an improved revised offer on basic telecommunications services.

This offer is conditional upon satisfactory commitments being made by other GBT participants. Singapore reserves the right to withdraw, modify or reduce this offer, depending on the commitments made by other participants.

Singapore also reserves the right to make any technical changes to this offer and to correct any omissions, errors or inaccuracies found therein at any time prior to the conclusion of the negotiations.

# SINGAPORE'S SCHEDULE OF COMMITMENTS FOR BASIC TELECOMMUNICATIONS SERVICES

| Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons  |  |   |                        |
|--|--|---|------------------------|
| Sector or Sub-sector   | Limitations on Market Access   | Limitations on National Treatment   | Additional Commitments |
| <u>General conditions statement</u><br>Commitments undertaken in this offer are subject to the following conditions:<br>1) Each service listed in subsectors 1 and 2 must be licensed through a public tender process.<br>2) The number of licences may be limited due to scarce resources, such as frequencies and rights of way. |  |   |                        |
| 2.C. <u>Telecommunications Services</u><br>1. Basic Telecommunication Services (facilities-based):<br>a) Public Switched Services <sup>1</sup> (local and international)<br>b) Leased Circuit Services (local and international)   | 1) Subject to commercial arrangements with licensed operator(s)<br>2) None.<br>3) Up to two additional operators will be licensed to provide these services from 1 April 2000. Thereafter, additional licences will be granted.<br>Direct foreign shareholding of 49% in these operators is allowed.<br>4) Unbound, except as indicated in horizontal commitments. | 1) None.<br>2) None.<br>3) None, except as indicated in horizontal commitments.<br>4) Unbound, except as indicated in horizontal commitments. | As annexed             |

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<sup>1</sup>This includes voice, data and facsimile services.

| Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons                       |   |   |                        |  |
|---|---|---|------------------------|--|
| Sector or Sub-sector  | Limitations on Market Access  | Limitations on National Treatment   | Additional Commitments |  |
| 2. Mobile Services:   |   |   | As annexed.            |  |
| a) Public Mobile Data Service (PMDS)  | 1) Subject to commercial arrangements with licensed operator(s).  | 1) None.  |                        |  |
| b) Public Trunked Radio Service (PTRS)  | 2) None.  | 2) None.  |                        |  |
| c) Public Radio Paging Service (PRPS)   | 3) None except for (d), where more licences will be granted from 1 April 2000.<br>Direct foreign shareholding of 49% in these operators is allowed. | 3) None, except as indicated in horizontal commitments.                         |                        |  |
| d) Public Cellular Mobile Telephone Service (PCMTS)   | 4) Unbound, except as indicated in the horizontal commitments.  | 4) Unbound, except as indicated in horizontal commitments.                      |                        |  |
| 3. Resale basis:  |   |   |                        |  |
| a) Public Switched Services (local and international) (not including the use of leased circuits connected to the public switched network) | 1) None<br>2) None<br>3) None   | 1) None.<br>2) None.<br>3) None, except as indicated in horizontal commitments. |                        |  |
| b) Leased Circuit Services (local and international) (without connection to the public switched network)                                  | 4) Unbound, except as indicated in horizontal commitments.  | 4) Unbound, except as indicated in horizontal commitments.                      |                        |  |
| c) Public Cellular Mobile Telephone Services  |   |   |                        |  |
| d) Public Radio Paging Services   |   |   |                        |  |

ANNEX  
REFERENCE PAPER

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that

- (a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- (b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

- (a) control over essential facilities; or
- (b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

- (a) engaging in anti-competitive cross-subsidization;
- (b) using information obtained from competitors with anti-competitive results; and
- (c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

## 2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

### 2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
- (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

### 2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

### 2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

### 2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

- (a) at any time or
- (b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

- (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence and
- (b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.