

CONSULTATION DOCUMENT

Consultation Paper on Recommendation to Amend the Licence Classification Notice to Include Non-Terrestrial Networks and Services Licence and the Telecommunications (Fees) Regulations of the ECTEL Member States for Point-to-Multipoint Wireless Services.

1. The National Telecommunications Regulatory Commission is in receipt of a submission from the Eastern Caribbean Telecommunications Authority ('ECTEL') containing a consultation paper on the **Recommendation to Amend the Licence Classification Notice to Include Non-Terrestrial Networks and Services Licence and the Telecommunications (Fees) Regulations of the ECTEL Member States for Point-to-Multipoint Wireless Services.**
2. A copy of the consultation document is attached.
3. The initial comments period will run from **15th September 2025 to 10th October 2025.**
4. The Comment on Comments period will run from **15th October 2025 to 31st October 2025.**
5. Following the Reply Comments period, ECTEL's Directorate will revise and submit the Amended the Licence Classification Notice to Include Non-Terrestrial Networks and Services Licence and the Telecommunications (Fees) Regulations for Point-to-Multipoint Wireless Services to the Council of Ministers for its recommendation for adoption in the ECTEL Member States.
6. All responses to this Consultative Document should be written and sent by post, fax or email to: -
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Disclaimer

This consultative document does not constitute legal, commercial or technical advice. The consultation is without prejudice to the legal position of ECTEL's duties to provide advice and recommendations to the Ministers with responsibility for electronic communications and the National Telecommunications Regulatory Commissions.

SUGGESTED GUIDELINES FOR RESPONSES TO CONSULTATION

In order to reduce administrative lags in ECTEL's public consultation processes and to enable a reasonable degree of transparency by sharing of views submitted, ECTEL hereby recommends that parties desirous of making contributions to the attached consultation follow the procedures outlined below:

- 1) Responses to consultations should be clearly labelled as a response to the particular ECTEL consultation and correctly referenced by title.
- 2) Documents should contain: the name of Party/Licensee/NTRC commenting, address, telephone, and email contacts of commentary author or corporate officer(s) responsible for the document. This information will enable ECTEL to clarify any comments where necessary, or to facilitate follow-up dialog by ECTEL where required.
- 3) The Consultation Document sets out questions on specific regulations/parts of the regulations. Commenting parties may indicate a response (concur or disagree) on the recommendation and provide explanations/reasons for each response.
- 4) Where parties have no view or interest in expressing a view on a specific recommendation, parties should indicate "no comment" and number appropriately.
- 5) Responses/comments to specific recommendations should be double spaced and numbered in sequence with the recommendation. Where comments are extensive, paragraphs should be numbered. Pages should be numbered.
- 6) Commenting parties should avoid making comments in the form of tracked changes to consultation documents.
- 7) Where possible, comment documents should be submitted in PDF format.
- 8) Where possible, parties should make explicit reference to academic articles, legislative provisions in other jurisdictions, or other sources relied on, and should provide copies of these together with comments. Accurate citations of resources relied on will suffice if copies cannot be provided.
- 9) If relevant, parties commenting on specific provisions of legal language should propose alternative language where possible. Such language should be appropriately highlighted and double spaced. Parties should avoid proposing alternative language in tracked changes to the consultation document.

- 10) Comments should be submitted via e-mail; only comments submitted via e-mail will be acknowledged.
- 11) Commenting parties should expressly indicate or highlight which parts of comment documents contain commercially sensitive or confidential information that should not be published.

ECTEL reserves the right to publish all the responses received to the consultation and provides no undertakings to refuse to publish such comments where requested, on its website or otherwise.

ECTEL is grateful to those parties adopting the recommended guidelines for submitting comments to this consultation.



**EASTERN CARIBBEAN
TELECOMMUNICATIONS AUTHORITY (ECTEL)
Consultation Document**

**Recommendation to Amend the Licence Classification Notice
to Include Non-Terrestrial Networks and Services Licences
and the Telecommunications (Fees) Regulations of the
ECTEL Member States for Point-to-Multipoint Wireless
Services**

September 2025

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1.0 INTRODUCTION

- 1.1 One of the main priorities of the Eastern Caribbean Telecommunications Authority ('ECTEL') is to improve access to electronic communications services, especially reliable broadband Internet services in the five (5) ECTEL Member States. Under Article 4 of the ECTEL Treaty, ECTEL is mandated to promote the introduction of advanced electronic communications/telecommunications technologies and an increased range of services in its Member States. Advanced electronics communications technologies can take several forms, including terrestrial fixed networks and services, terrestrial mobile networks and services, as well as non-terrestrial networks and services.
- 1.2 The five (5) ECTEL Member States face unique challenges in the provision of broadband Internet services. These challenges include topography, relatively small populations, and geographical isolation which often limit the availability and affordability of terrestrial broadband infrastructure, among other things. In recent years, the emergence of Non-Terrestrial Networks ('NTNs') that utilise radio frequency ('RF') spectrum, to provide high speed broadband Internet services and other services directly to the customer, is proving effective in closing some of the service gaps that the terrestrial networks find challenging to overcome.
- 1.3 The NTNs are electronic communication (telecommunications) networks that use either Unmanned Aircraft Systems (UAS) operating between 8 kilometers to 50 kilometers above the Earth's surface or communication satellites in different space orbits that use radio communications to provide customers with network access. NTNs include a plethora of technologies and systems, not limited to the following:
 - High Altitude Platform Stations ('HAPS');
 - High Altitude Platform Stations as IMT Base Stations ('HIBS')
 - Non-Geostationary Satellite Orbit ('NGSO') systems; and
 - Geosynchronous Orbit ('GSO') Satellite systems.
- 1.4 Satellite networks (both NGSOs and GSOs) offer several advantages over the terrestrial networks, these include the following:
 - 1.4.1 **Ubiquitous Coverage.** A small group or constellation of satellites can cover virtually all the inhabited Earth's surface. Even one satellite can cover a much larger number of potential subscribers than a terrestrial network.

1.4.2 **Scalability and Reconfigurability.** Satellite connections and ground-based satellite terminals ('Earth Stations') are scalable. In contrast to terrestrial alternatives, they can be deployed quickly and inexpensively, enabling rapid network build-out. Such networks can easily be reconfigured to match changing user demands. Satellite Earth Station also provides unparalleled flexibility because it can be installed on an interim basis, to test new markets or to keep communications going in an emergency.

1.4.3 **Resilience**

Resilience is a critical factor in satellite communications systems. Satellite communication links are not susceptible to disruptions caused by natural disasters, power outages, or terrestrial infrastructure failures. This inherent resilience ensures uninterrupted connectivity, especially post disaster communications and could assist in the coordination of emergency response.

1.5 **Broadband Internet and Direct to Device Services**

1.5.1 Satellite networks can deliver global connectivity, including in remote and underserved regions. Unlike the traditional terrestrial broadband Internet networks, satellite services (both NGSO and GSO) often operate without the need to install and operate ground-based facilities within a country. Rather, satellite networks operate using several Earth stations, also referred to as Gateways, that are located in strategic locations on the Earth's surface, but not necessarily in every country where service is offered. This allows the satellite operator to provide broadband internet connectivity directly to customers, often times across national borders.

1.5.2 Further, with the capabilities of the NGSO networks to link directly with customer's devices including mobile phones, a new type of satellite service has emerged, which is known as Direct-to-Device (D2D) or Direct-to-Cell (DTC) connectivity. D2D service facilitates direct communications between a customer's device such as mobile phone to a satellite, without the need for any ground-based facilities or other radio communications equipment. These new services pose opportunities and challenges to the ECTEL Member States especially with respect to their licensing and spectrum management considerations.

1.6 Satellite operators, especially the NGSO operators, are keen to provide services in the ECTEL Member States. The proposed service model by these NGSO operators is one that entails providing broadband Internet service

directly to customers as well as exploring the option of D2D services. The proposed service model is not necessarily premised on the installation of any ground-based facilities in the ECTEL Member States. Further, these NGSO networks will require access to very large quanta of RF spectrum in Ka, Ku and other radio frequency bands allocated to the Fixed Satellite Service. The radio communications topology model used by these NGSO systems is such that a satellite can provide direct communications link with multiple customer devices simultaneously. This is known as the **Point-to-Multipoint (PMP)** system. It should be noted that some of the NGSOs use a constellation of hundreds of satellites to provide services within the region.

- 1.7 In recognition of ECTEL's role under the Treaty to promote the proliferation of advanced technologies in ECTEL Member States, to promote competition, and in particular to promote the continuity of communications during national emergencies, in a region which is prone to severe natural disasters, it is important that ECTEL Member States be responsive to facilitating the entry of satellite services into the ECTEL Markets. Such services are important to expand the range of advanced electronic communications services, including modern NTN networks. Although the Member States have started the legislative reform with the introduction of a new Electronic Communications Bill and suite of new regulations, ECTEL has recognised that some of the current regulations under the Telecommunications Act will need to be updated to cater for the newer technologies and services in the interim.

2.0 BACKGROUND

- 2.1 ECTEL was established by Treaty signed on 4th May, 2000 in St. George's Grenada (and amended by Protocol Amendment in force as of 5th December, 2019) by five (5) Governments; namely the Commonwealth of Dominica, Grenada, the Federation of St. Kitts and Nevis, Saint Lucia, and St. Vincent and the Grenadines. ECTEL provides support to the five (5) Member States for the management and regulation of the electronic communications sector through the National Telecommunications Regulatory Commissions (NTRC) established in each Member State.
- 2.2 The ECTEL Member States share a harmonised regulatory framework for the management of the electronics communications/telecommunications sector and are currently in the process of transitioning from the Telecommunications Acts and regulations to a new Electronic Communications legislative framework. The harmonised regulatory framework in the ECTEL Member States provides a suite of regulations that manage aspects of the electronic communications/telecommunications sector from the licensing of telecommunications networks and services to the radio frequency spectrum management and monitoring. Also, the Telecommunications Licence Classification Notice, published in each Member State, specifies the telecommunications networks and services that are subject to the licensing requirement of the Telecommunications Act. Further, the Telecommunications (Fees) Regulations ('Fees Regulations')¹ of each Member State, provide the framework for the prescribed fees for licensing of each aspect of electronic communications services. These include prescribed fees for all categories of licences granted by the Minister with responsibility for electronic communications and various radio services for the use of the national spectrum resource.
- 2.3 In December 2021, ECTEL conducted a public consultation to review and amend the Fees Regulations to include fee structures for newer satellite service radio frequency bands including Ka, V and L bands. ECTEL finalised its recommendation and submitted it to the respective governments

¹ Commonwealth of Dominica – Telecommunications (Fees) Regulations S.R.O. 15 of 2007 and amended by S.R.O. 31 of 2016; Grenada – Telecommunications (Fees) Regulations S.R.O. 46 of 2006 and amended by S.R.O. 55 of 2014; St. Kitts and Nevis – Telecommunications (Fees) Regulations S.R.O. 13 of 2007 and amended by S.R.O. 23 of 2015; Saint Lucia – Telecommunications (Fees) Regulations S.I. 60 of 2014; and St. Vincent and the Grenadines – Telecommunications (Fees) Regulations S.R.O. 3 of 2007 and S.R.O 10 of 2008

of each Member State for implementation. At the time, this recommendation did not take into consideration, the state-of-the art service model of satellite operators offering service directly to customers or D2D service without the use or the installation of ground-based facilities. Therefore, there is need to develop a licensing structure and fee mechanism to licence the NTN operators and appropriately charge for the use of the RF spectrum resource for those operators who wish to enter the ECTEL Member States. Further, ECTEL will be undertaking a detailed review of the current Fees Regulations to ensure that fees for spectrum are forward looking, providing ECTEL with a solid foundation for the next ten (10) to twenty (20) years. However, in light of the importance of promoting disaster resilience in ECTEL Member States, the expressed interest of various satellite providers in entering ECTEL markets, and the need to ensure that citizens of ECTEL states continue to enjoy maximum choice in terms of the availability and accessibility of services, it is essential that ECTEL develops a licence classification category and the appropriate fee structure now, for the NTN operators who wish to operate and provide telecommunications services in the ECTEL Member States.

3.0 PURPOSE OF THE CONSULTATION

- 3.1 The consultancy seeks to review and make recommendations on an appropriate regime to be adopted by ECTEL in the licensing of NTNs that are desirous of entering the ECTEL Market and offering telecommunications services directly to customers, as well as appropriately pricing the access to RF spectrum resources that will be used by the NTN operators. It examines in detail the licensing regime and RF spectrum pricing or fee structures which have been adopted by several regional regulators. Finally, there are recommendations which are presented on the model which ECTEL should adopt to licence NTNs and appropriately charge for access to the RF spectrum.

4.0 REVIEW OF REGIONAL REGIMES FOR LICENSING AND SPECTRUM FEES

- 4.1 A summary is provided below of the approaches taken by various regional regulators, concerning the licensing and application of spectrum fees that they have adopted in respect to licensing these services.

4.2 The Republic of Trinidad and Tobago

- 4.2.1 The Telecommunications Act, No. 4 of 2001, of the Republic of Trinidad and Tobago, provides for the grant of a concession (licence) to an entity including NTNs to operate a public telecommunications network and provide public telecommunications service in Trinidad and Tobago. There are several categories of concessions as illustrated in table 1.

Type	Sub-Types
Type 1—Network Only	Domestic mobile
	Domestic fixed (national or major territorial)
	Domestic fixed (niche or minor territorial)
	International
Type 2—Network and Services (Service Neutral)	Domestic mobile
	Domestic fixed (national or major territorial)
	Domestic fixed (niche or minor territorial)
	International
Type 3—Virtual Network and Services (Service Neutral)	Virtual Networks (national or major territorial)
	Virtual Networks (niche or minor territorial)
Type 4—Specific Telecommunications Services	Telecommunications services (national or major territorial)
	Telecommunications services (niche or minor territorial)
Type 5—Specific Broadcasting Services	Broadcast Services—free to air TV (national or major territorial)
	Broadcast Services—free to air TV (niche or minor territorial)
	Broadcast Services—free to air Radio (national or major territorial)
	Broadcast Services—free to air Radio (niche or minor territorial)
	Broadcast Services—Subscription (national or major territorial)
	Broadcast Services—Subscription (niche or minor territorial)

Table 1: Concession Types

Source: Trinidad and Tobago-Telecommunications (Fees) Regulations, 2006

4.2.2 Based on Table 1, there are four categories or types of concessions including virtual networks and services, that can be granted by the Minister of Telecommunications to operate a public telecommunications network and offer telecommunications services in Trinidad and Tobago. For NTNs including NGSOs operators, the general practice is that these operators are granted a domestic fixed public telecommunications service concession.

4.2.2 The fee structure for satellite communications networks and services in the Republic of Trinidad and Tobago, is specified by the Telecommunications (Fees) Regulations, 2006. The access by NGSO system to the RF spectrum in the frequency bands above 8,500 MHz (Ku and Ka bands) to provide services in Trinidad and Tobago, is authorised via Point-to-Multipoint systems and requires both a spectrum licence and station licence. Further, the fee structure for these satellite systems is based on an annual charge per MHz pair (uplink and downlink frequency) for access to the RF spectrum. As evident from Table 2 below, the Fees Regulations of Trinidad and Tobago prescribe annual spectrum fees of TT4,000 (USD 588) per MHz pair.

Type of Service	Sub-categories	Sub-categories	Licence Fee (Administrative plus Operating plus Spectrum Usage)	Application Fee
Fixed	Point-to-Point	Spectrum Licence	TT 4,000 (USD 588) per MHz pair	TT 400 (USD 58.80)
		Station Licence	TT 134 (USD 20) per MHz pair	TT 100 (USD 14.70)
	Point-to-Multipoint	Spectrum Licence	TT 4,000 (USD 588) per MHz pair	TT 400 (USD 58.80)
		Station Licence	TT134 (USD 20) per MHz pair	TT 100 (USD 14.70)

Table 2: Second Schedule, Spectrum Bands >8500 MHz

Source: Trinidad and Tobago-Telecommunications (Fees) Regulations, 2006

4.3 Jamaica

4.3.1 In Jamaica, the Spectrum Management Authority ('SMA') manages the national RF spectrum resource, and the Office of Utility Regulation ('OUR') regulates the telecommunications, electricity and water sectors including the licensing of telecommunications operators.

4.3.2 In Jamaica, typically NGSO operators apply for Commercial Earth Station and Very Small Aperture Terminal ('VSAT') (Multi-User Application) licences. Prior to 2022, NGSO operators were required to obtain licences for each VSAT terminal, where VSAT terminals are being used. Presently, a '*blanket licensing*' regime is utilised, in that, a blanket/master licence is issued to each NGSO operator that authorises the operator to use or operate up to thirty (30) VSAT terminals in the first instance for a fixed fee and any subsequent user terminal registered in accordance with the licence terms and conditions are billed separately. The NGSO service provision is licensed

under a Carrier Licence (which excludes the provision of mobile services) and an Internet Service Provider Licence. The licences are in the same form as those issued to other terrestrial operators utilising fixed wired or fixed wireless networks to provide Broadband Internet service in Jamaica.

4.3.3 The fee structure for satellite communications in Jamaica is specified by the Telecommunications Act 2000, Part IV and The Telecommunications Act (Spectrum Regulatory Fees) (Amendments) Regulations, 2017.

4.3.4 In the case of the SMA, the annual spectrum fee structure for satellite communication services is classified as “special services”, with the following categories and the associated annual spectrum fees:

- Commercial Earth Station JMD 1,000, 000 (USD 6,400);
- VSAT JMD 500,000 (USD 3,200);
- VSAT (Short term) JMD65,000 (USD 1,050); and
- Earth Station JMD50,000 (USD 320).

4.3.5 As far as can be determined, the Regulations prescribes the spectrum fees based on the different frequency bands that the satellite station uses e.g., C, Ku band or Ka band. Finally, it is important to note that the SMA conducted a review of its fee regime in July 2020. ECTEL has been informed by SMA that the Price review has been approved by Cabinet.

4.4 Sint Maarten

4.4.1 Sint Maarten licences NGSO operations in its jurisdiction, under the spectrum licence category of VSAT licence. Further, the Bureau Telecommunications and Post (‘BTP’) modified the licence to accommodate the service provision of NGSOs.

4.5 Antigua and Barbuda

4.5.1 Antigua and Barbuda licences NGSO operations that provide Broadband Internet service in the country as Satellite Internet Service providers. The annual licence fee is approximately XCD 45,000 (USD 16,650.94) or 3% of gross revenue (whichever amount is greater). The NGSOs operating in Antigua and Barbuda are also required to have a spectrum licence and the spectrum fees are dependent on the RF spectrum that the NGSO networks access to provide service. Typically, access to the Ku band spectrum is charged annual fees of XCD 60,000 (USD 22,201.25).

4.6 ECTEL Member States

- 4.6.1 The Telecommunications Act in each of the ECTEL Member States prohibits the establishment and operation of telecommunications networks or the provision of telecommunications services without being granted a licence by the Minister with responsibility for electronic communications ('Minister') in the respective Member State. Further, if the telecommunication network or service requires access to the RF spectrum, the Telecommunications Act mandates that a Frequency Authorisation be granted by the Minister.
- 4.6.2 The telecommunications networks and services that are subject to the requirements of obtaining licences are listed in the Telecommunications Licence Classification Notice ('Classification Notice'). The Classification Notice further specifies whether the telecommunications network or service requires an Individual licence, Class licence or Frequency Authorisation. As it pertains to the Individual licence, it should be noted that these licences are technologically agnostic. The Classification Notice is amended as needed especially if there is a new telecommunications network or service that should be licensed or an obsolete telecommunication network or service that should be struck off the Classification Notice.
- 4.6.3 In most of the ECTEL Member States, the last amendment of the Classification Notice was done in or around 2014. Since then, the NTN's have evolved from providing support and backhaul telecommunications services to terrestrial operators like mobile cell operators and broadcasters, to directly competing with these terrestrial operators. However, since the last amendment to the Classification Notice, there have been several emerging technologies and state-of-the art solutions in the NTN sector, including the introduction of HAPS, HIBS, NGSOs and high-throughput GSO systems providing broadband Internet and D2D services. The new paradigm is that NTN's, especially NGSOs, are providing services directly to customers without the need to install and operate ground-based infrastructure or facilities in the national territories.
- 4.6.4 The current Classification Notice in force in the ECTEL Member States, lacks the necessary licence category for the newer NTN services and therefore, makes it difficult for the regulator to recommend the appropriate licence structure for these newer NTN services. Previously, any person in the ECTEL Member States requiring the use of satellite ground-based facilities such as a Satellite Earth Station ('SES') or VSAT would apply for the appropriate

licence and a Frequency Authorisation. However, with the evolution of satellite technology and virtualisation of services, newer NTN services are vertically integrated in the provision of service and do not require the use of large or cumbersome customer equipment such as satellite dishes or any ground-based facility in the Member States to deliver service directly to the customer.

- 4.6.5 ECTEL examined these newer NTNs, recognising that the technology may be revolutionary to the sector and the licensing regime requires amending. The section entitled “Recommendations” provides details on the approach that ECTEL proposes to regulate the newer NTN services.

4.6.6 Frequency Authorisation Fees

- 4.6.6.1 Based on the Telecommunications (Fees) Regulations in each Member State, operators of NGSOs and GSOs or entities accessing their satellite constellations, are charged for the use of the RF spectrum, provided that they have ground-based stations/facilities licensed in an ECTEL Member State. There is also an annual licence fee associated with the ground-based or Satellite Earth station. However, this licence fee is dependent on the nature of the licensed service granted to the licensee. Table 3 below captures the current spectrum fees associated with Satellite Earth Stations (C and Ku bands) and VSAT (C and Ku bands) in the Commonwealth of Dominica and is reflective of the other ECTEL Member States. It should be noted that in March 2023, ECTEL recommended a further amendment to the Fees Regulations to its Member States to include VSAT Other and SES Other categories for spectrum fees. Please see table 4.

Description	Annual Spectrum Fees
Satellite Earth Station SES3 C Band (annual licence)	XCD 60,000 (USD 22,084) per frequency pair
Satellite Earth Station SES4 Ku Band (annual licence)	XCD 50,000 (USD 18,403.33) per frequency pair
VSAT Ku Band	XCD12,000 (USD 4,416.80) /frequency pair
VSAT C Band	XCD15,000 (USD 5,521) /frequency pair

Table 3: Fees Charged for Satellite Communications Service in ECTEL States

Source: Telecommunications (Fees) Regulations, as amended by S.R.O. 31 of 2016, Schedule (Frequency Authorisation Fees)

LICENCE CODE	DESCRIPTION	SPECTRUM FEES	
		APPLICATION	ANNUAL
VST	VSAT- Other	\$1,000.00	\$ 12,000 / frequency pair

LICENCE CODE	DESCRIPTION	SPECTRUM FEES	
		APPLICATION	ANNUAL
SES	Satellite Earth Station		
SES5	Other (annual licence)	\$1,000.00	\$12,000 per frequency pair

Table 4: Proposed Amendments to Include New Fees for Satellite Communications Service in ECTEL States

Source: Public Consultation Document: "Recommendation to Amend the Telecommunications (Fees) Regulations for the Member States for new Satellite Services" 30th November 2021.

5.0 RECOMMENDATIONS

- 5.1 A review of the licensing structures and the associated spectrum fee mechanisms used in the several Caribbean jurisdictions covered in this document, examined the licensing structures used by regulators in the region to licence the NGSO operators. ECTEL examined whether the licence structure was based on a legacy licensing structure or used an innovative approach to licence these NTN operators and their mode of service delivery. Also, ECTEL examined the prescribed fees associated with accessing the RF spectrum in the different Caribbean countries and noted that there were various approaches and methodologies for charging for the access to the RF spectrum.
- 5.2 The review suggests that there is a wide variance in the Licensing and Fee structures among the jurisdictions as well as their individual jurisdiction's method of application. From this analysis, ECTEL concludes that there is not a standard approach to licensing of NTN operators. In some jurisdictions, the newer NTN technologies are placed in the same category as legacy satellite systems and the pricing structure for the use of spectrum is not commensurate with the larger bandwidths of RF spectrum that these

newer NTN networks require to provide its services. In other jurisdictions, the value and quanta of RF spectrum that these newer NTN systems require to access, is not competitively priced similar to the RF spectrum used by the terrestrial networks to provide similar telecommunications services. Therefore, in the ECTEL Member States there is a need to establish a licensing structure and fee mechanism that takes all these factors into consideration.

Therefore, to facilitate a more robust and responsive regulatory framework which addresses the newer NTN technologies, ECTEL recommends the following to its Member States:

1. The introduction of a new licence under the Class Licence category in the Classification Notice. The proposed Class Licence will be to licence NTN operators (NGSO, GSO, HIBS, HAPS and other similar technologies) that intend only to offer telecommunications services directly to customers using non-terrestrial communications platforms (satellites, unmanned aircrafts, balloons, etc.) and that do not require the installation of ground-based infrastructure/facilities in the ECTEL Member States. The new class licence will be designated as Non-Terrestrial Networks and Services ('NNS') licence. The proposed NNS licence will be granted to NTN operators that wish to provide broadband Internet service and D2D services directly to customers, in the ECTEL Member States. Please see a copy of the draft NNS licence in Annex 1; and
2. The immediate amendment of the current Schedule 2- (Class Licence Fees) and Schedule 3- (Frequency Authorisation Fees) of the Telecommunications (Fees) Regulations in all the ECTEL Member States, to include a new fee category for Class (NNS) Licence and for frequency authorisation assignment known as **Point-to-Multipoint (PMP) Wireless Service** respectively. The proposed fee structures associated with Class (NNS) Licence and Frequency Authorisation (PMP Wireless Systems) are detailed in table 5 and 6 respectively:

Licence Code	Description	Licence Fees		
		Application	Initial	Annual
NNS	Non-Terrestrial Networks and Services	XCD 500.00	XCD 5,000.00	3.0% of Gross Annual Revenue, except that the minimum fee shall not be less than XCD 5,000.00

Table 5: Proposed Amendment to Schedule 2 of Telecommunications (Fees) Regulations for ECTEL Member States to include Class (NNS) Licence.

Description	Spectrum Fees	
	Application	Annual
Point to Multipoint Wireless Service (bandwidth >10 MHz)	XCD 1,000	XCD 12,000
Point to Multipoint Wireless Service (10 MHz to 100 MHz)	XCD 1,000	XCD 25,000
Point to Multipoint Wireless Service (above 100MHz)	XCD 1,000	XCD 60,000

Table 6: Proposed Amendment to Schedule 3 of Telecommunications (Fees) Regulations for ECTEL Member States to include PMP service.

ANNEX I

DRAFT COPY
LICENCE

**GRANTED BY THE MINISTER UNDER THE
TELECOMMUNICATIONS ACT No. [...] 200-**

TO

[NAME OF LICENSEE]

FOR THE

**ESTABLISHMENT AND OPERATION OF A
NON-TERRESTRIAL NETWORKS AND SERVICES LICENCE**

IN

[ECTEL MEMBER STATE]

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NON-TERRESTRIAL NETWORKS AND SERVICES LICENCE

THE MINISTER in accordance with the Telecommunications Act No. [-] of 200[-], and acting upon the recommendation of the Commission, hereby grants this Licence to [Name of Licensee] (hereinafter referred to as the Licensee) to establish and operate the Licensed Non-Terrestrial Service within [ECTEL Member State] as specified herein.

PART I - LICENCE

1. LICENCE

- 1.1 This Licence shall be known as the [Name of Licensee] Non-Terrestrial Networks and Services Licence 200[-].

2. INTERPRETATION

- 2.1 In this Licence:

“Act” means the Telecommunication Act 200[-] and Regulations made thereunder;

“Affiliate” means, in relation to this Licensee, any body corporate that is a subsidiary of this Licensee or if this Licensee and another body corporate are subsidiaries of the same body corporate or if each of them is controlled by the same person; and if the Licensee and another body corporate are affiliated with the same body corporate at the same time, they are affiliated with each other;

“Annex” means one or more attachments to this Licence, all of which constitutes a part of and is unique to this Licence;

“Annual Licence Fee” means the fee prescribed by the Act payable by the Licensee on each anniversary of the Effective Date;

“Bypass” means conduct comprising:

- (a) the passing of an international voice service (including a reconstructable voice service as part of a data or mixed voice and data stream) without passing through the international gateway switch of a licensed international voice network operator; or

(b) the termination of international voice services over the domestic public switched telecommunications network by a Person who does not originate the call or possess a valid interconnection agreement with that domestic network operator with respect to international voice services;

“Control” means in the case of a body corporate the person who directly or indirectly, except by way of security only, holds the shares of the body corporate carrying voting rights sufficient to elect a majority of the directors of the body corporate;

“Commission” means the Commission established under the Telecommunications Act;

“Control” means in the case of a body corporate the person who directly or indirectly, except by way of security only, holds the shares of the body corporate carrying voting rights sufficient to elect a majority of the directors of the body corporate;

“Customer” means any Person who is, or who wished to be, provided with the Licensed Services by the Licensee;

“Effective Date” means [DATE OF LICENCE]

“Government” means the Government of the [Member State];

“Licence” means this Licence together with the Annexes;

“Licence Term” means five years from the Effective Date;

“Licensed Area” means the territory of [Member State];

“Licensed Services” means those Telecommunications Services detailed in **Annex A**;

“Licensee” means the holder of this Licence;

“Market” means a market in [Member State] and when used in relation to a telecommunications service, means a market for those telecommunications services or other services that are substitutable for, or otherwise competitive with, the first-mentioned telecommunications services;

“Numbering Plan” means the National Numbering Plan established and managed by the Commission in accordance with the Regional Numbering Plan established by ECTEL;

“Order” means an order issued by the Minister under the Act;

“Regional Spectrum Management Plan” means the spectrum plan to be developed by ECTEL in accordance with the Regulations;

“Regulations” means regulations issued by the Minister pursuant to Section [] of the Act;

“Renewal Fee” means a fee payable by the Licensee to the Commission on the renewal of this Licence;

“Resale” shall have the meaning given in Clause 3.2 of Part II of this Licence;

“Treaty” means the Treaty that established the Eastern Caribbean Telecommunications Authority signed in St. George’s, Grenada on 4 May, 2000 and includes that Treaty as amended from time to time;

2.2 Any word, phrase or expression used in the Licence shall, unless the context requires otherwise, have the same meaning as it has in the Act.

2.3 Words importing the singular shall include the plural and vice versa.

3. SCOPE

3.1 The Licensee is authorised subject to Part III hereof to connect the Licensed Networks to:

3.1.1 any Terminal Equipment or mobile customer device that is approved for connection in accordance with Section [-] of the Act.

3.2 The Licensee is hereby authorised to provide the Licensed Services using authorised Radio Frequency.

3.3 The Licensee is hereby authorised to provide telecommunications within the Licensed Area.

- 3.4 The Licensee is authorised to sell or lease Customer Equipment to the public and provide maintenance and repair services in connection with any such Customer Equipment provided that such Customer Equipment is of type approved under Section [-] of the Act.
- 3.5 This Licence is non-exclusive and is not intended to convey proprietary rights.
- 3.6 The Licensee shall be restricted in the provision of the authorised networks and services stipulated in this section for the period and to the extent outlined in this Licence.

4. PRECONDITION

- 4.1 The rights of the Licensee set out herein shall not take effect until the [name of applicant] pays the Fees as set out in the Act.

5. DURATION AND RENEWAL

- 5.1 This Licence is granted from the Effective Date for the Licence Term.
- 5.2 The Minister shall renew the Licence upon request by the Licensee for an additional period to be determined by the Minister, upon the expiration of the Licence Term provided that none of the provisions of Section [-] of the Act would cause the Minister to refuse a request for renewal.
- 5.3 Where a Licensee wishes to renew the Licence, the Licensee shall apply to the Minister in writing one year prior to the expiry date of the Licence or at a later date if the Minister so determines.
- 5.4 On granting a renewal of the Licence, the Minister may vary the terms of the Licence if the conditions then prevailing require such variation and it is reasonable to do so.
- 5.5 The provisions of Section [-] of the Act relating to suspension, revocation, etc. shall apply *mutatis mutandis* to the renewal of a Licence.
- 5.5 Renewal of the Licence shall not take effect until the Licensee has paid all fees owed under the Licence.

6. ASSIGNMENT

- 6.1 The Licensee shall not assign or otherwise transfer this Licence or any of its rights or obligations under this Licence without the prior written consent of the Minister, subject to Clause 6.2 below.
- 6.2 The prior written consent of the Minister shall not be required by the Licensee where the assignment or transfer results from an internal reorganisation of a body corporate that involves no change in the beneficial ownership thereof. The Licensee shall give prior notification to the Minister of the nature and extent of such assignment or transfer.

7. MODIFICATION, SUSPENSION AND REVOCATION

- 7.1 This Licence shall be subject to modification, variation, suspension and revocation according to Section [-] and [-] of the Act.
- 7.2 In deciding whether to agree to an amendment proposed by the Licensee, the Minister shall give due consideration to any submissions received from the Licensee and other interested parties in relation to the proposed amendment.
- 7.3 If after six (6) months of the date of issuance of this licence the Licensee does not commence operations leading to the provision of the licensed services for which this licence has been granted, then the licensee shall forfeit this licence. Upon forfeiture there shall be no refund of any fees or other payments that have been paid in respect of this licence.

8 CHANGE OF LAW

- 8.1 Notwithstanding any provision to the contrary, where the Act is amended, or repealed and replaced, the amendments or the new enactment as the case may be shall apply to this license and this license shall immediately upon the coming into force of any such amendments or new enactment, be read as if the license were issued under and in accordance with the provisions of the amended Act or new enactment.

PART II - LICENCE CONDITIONS

1. LICENCE FEES AND MONIES OWED

- 1.1 The Licensee shall pay to the Commission all fees prescribed under the Act.

- 1.2 If the Licensee owes money to the Government or ECTEL in relation to fees payable in respect of this Licence, the Licensee shall be in breach of this Licence if the Licensee fails to pay that money within ninety (90) days after receiving a written notice from the Minister indicating that payment is due.

2. NETWORK BUILD-OUT AND EMERGENCIES

- 2.1 The Licensee shall provide access to emergency services by means of the Licensed Services.
- 2.2 In the event of hurricanes, earthquakes, floods and similar emergencies, the Minister may in the first instance require the Licensee to provide free of charge to Government or to such Institutions or persons as the Minister may identify, such Telecommunications Services as the Minister reasonably determines are necessary in the public interest, provided that if the emergency extends beyond thirty (30) days, the Government will compensate the Licensee for any days in excess of thirty (30) days.

3. LICENSEE'S OBLIGATIONS TO CUSTOMERS

- 3.1 The Licensee shall, in accordance with the Act take such steps as are necessary to ensure that in relation to its Licensed Services, each customer can reasonably and reliably have access to information services to assist them with queries relating to the Licensed Services, including installation, fault reporting, billing and directory assistance.
- 3.2 The Licensee shall meet the Quality of Service Obligations set out in **Annex D**.
- 3.3 The licensee shall, no later than three (3) months after the Effective Date, establish an efficient procedure for the resolution of disputes with Customers, in accordance with the Act.
- 3.4 The Licensee shall, no later than three (3) months after the Effective Date, submit to the Commission a form of Standard Customer Agreement containing the terms and conditions for the provision of Licensed Services to Customers.
- 3.5 The Licensee shall notify all Customers of the terms and conditions of the Standard Customer Agreement in the manner specified by the Commission and shall thereafter provide Licensed Services based upon the Standard Customer Agreement. The Licensee may from time to time modify the Standard Customer Agreement and shall notify the Commission and customers of such modification.

- 3.6 The Standard Customer Agreement and any modifications made under Condition 3.4 above, shall be compliant with the Act and other applicable laws. In the event that the Standard Customer Agreement or modifications do not comply with the Act and other applicable laws, the Commission shall instruct the Licensee to make the appropriate amendments. Such amendments shall be notified to the Customer in accordance with Condition 3.5 above and shall not have retroactive effect.

4. NUMBERING AND FREQUENCY

- 4.1 The Licensee shall operate in accordance with the Numbering Plan.
- 4.2 Nothing in this Licence empowers the Licensee to use frequency that has not been granted in accordance with the Act.
- 4.3 The Licensee shall use the Authorised Frequency in accordance with the Regional Spectrum Management Plan and only for the purposes of providing the Licensed Services.

5. BYPASS

- 5.1 The Licensee shall not engage in bypass.
- 5.2 The Licensee shall not interconnect to the public switched telecommunications network.

6. INFORMATION REQUIREMENTS

- 6.1 The Licensee shall provide the Minister, the Commission and ECTEL with any relevant agreements (including agreements with any Affiliates of the Licensee) and such relevant accounting, financial, costs, technical and other information (including but not limited to a complete audited financial report) reasonably required to enable the Minister, the Commission and ECTEL to carry out their functions under the Act in such manner and at such times that the Minister, the Commission and ECTEL may request.

7. PRIVACY AND CONFIDENTIALITY

- 7.1 The Licensee shall ensure the privacy and confidentiality of information and business secrets obtained in the course of its business from any customer by establishing and implementing procedures for maintaining confidentiality of such information as set out in the Act.

8. PRE-NOTIFICATION OF CHANGES IN SHAREHOLDING

- 8.1 The Licensee shall notify the Minister of any acquisition of shares or change in shareholding of the Licensee, if by reason of that acquisition or change, the total number of shares held by a Person or any nominee or trustee for that Person, immediately after the change or acquisition exceeds 25 per cent of the total number of shares in the Licensee (where such shareholding did not already exceed 25 per cent prior to that change or acquisition).
- 8.2 The Licensee shall notify the Minister in writing thirty (30) days prior to the taking effect of such change or acquisition stated above.
- 8.3 Upon receipt of notification pursuant to clause 8.2 the Minister shall refer the matter to the Commission for its review and recommendation and where the Minister determines that such a change in shareholding is contrary to sections [-] of the Act the Minister shall within thirty (30) days of receipt the notice and in accordance with the provisions of the Act notify the Licensee of his intention to revoke, suspend vary or modify the said licence as the case may be.
- 8.4 Where the Minister fails to notify the Licensee of any changes in accordance with clause 10.3 herein the License.

9. FORCE MAJEURE

- 9.1 Force Majeure refers to an event or accident which is beyond the control of the Licensee and includes:
- (a) acts of God, action by or against enemies of the State, riot or civil commotion;
 - (b) strikes, lock-outs and other industrial disturbances;
 - (c) wars, blockades or insurrection;
 - (d) earthquake, hurricane, flood, fire or explosion;
 - (e) outbreak of pestilence or epidemics;
 - (f) Government rationing of electricity or other wartime or emergency controls imposed by Government;
 - (g) Embargoes or trade restrictions.
- 9.2 The Licensee shall not be in breach of this Licence if and to the extent that it is prevented from fulfilling its obligations be reason of Force Majeure.

10. COMPLIANCE

- 10.1 The Licensee shall comply with all applicable Acts, Regulations, Directions, Orders and Recommendations, including but not limited to the Act and shall comply with the Directions, Orders and Recommendations issued by the Minister and the Commission.

GRANTED BY THE MINISTER on the [-----] day of 20 [-].

.....
Minister of Telecommunications

ANNEX A

LICENSED SERVICES

1. The Licensee is authorized pursuant to this Licence to provide the following services:
 - a. Internet services using satellite or other non-terrestrial technologies;
 - b. Voice services over the Internet;
 - c. Broadcast services over the Internet including audio, video and other media distribution subject to the approval of the recognised authority with the responsibility for content and schedule;
2. For the avoidance of doubt, nothing in this Licence grants a person the rights to own or operate any telecommunications facilities used in the [insert Member State] for the provision of any other electronic communications service that has not been granted in accordance with the Act or any other legislation.

ANNEX B

QUALITY OF SERVICE OBLIGATIONS

The licensee shall comply with the applicable Acts, Regulations, Directions, Orders and Recommendations.

REFERENCES

- Information & Communication Technologies Authority (ICTA) Mauritius, "Decision On Authorising Fixed Broadband Internet Services Through Non-Geostationary Satellite Orbit (NGSO) Networks", 22 May 2025, https://www.icta.mu/documents/2025/05/decision_authorising_internet_through_non_geostationary_satellite_orbit.pdf
- OFCOM (2021), "Non-geostationary satellite systems - Licensing updates", 26 July 2021, https://www.ofcom.org.uk/data/assets/pdf_file/0015/222450/ngso-licensingconsultation.pdf
- Telecommunications Authority of Trinidad and Tobago, "Telecommunications (Fees) Regulations, 2006 of Trinidad and Tobago", <https://tatt.org.tt/Portals/0/Documents/Fee%20Regulations,%202006.pdf>
- Spectrum Management Authority, Jamaica, "Telecommunications Act (Spectrum Regulatory Fees) (amendments)", <https://www.sma.gov.jm/schedule-offeesspectrum-fees/>