8 August 2016

To: Distribution List

Dear Sirs

PUBLIC CONSULTATION ON THE REVIEW OF THE TELECOMMUNICATIONS ACT (CAP. 323) (“ACT”)

1. The Ministry of Communications and Information (“MCI”) has released a consultation document to solicit feedback on the proposed amendments to be made to the Act on 5 August 2016.

2. Some of the key changes include:

   i. Providing IDA with powers to include the use of rooftop space for radio-communication deployments. Currently, building owners/developers are already required to provide rent-free space¹, known as Mobile Deployment Space (“MDS”), at the request of mobile operators under IDA’s Code of Practice for Info-communication Facilities in Buildings (“COPIF”). Such MDS is primarily used by the mobile operators to deploy their equipment to serve the building or development itself. At present, the location of the MDS may not necessarily be sited on building rooftops. As the technology of mobile networks evolve, from 2G to 3G, and now 4G, coupled with the increasing importance for mobile telecommunication services, mobile operators would need more sites for their mobile deployment in order to meet the increasing demand. Due to the nature of mobile networks, rooftop spaces may be best suited for mobile deployment and such deployment may no longer be used primarily to serve the building or development itself. With this change, IDA aims to require building owners/developers to provide rooftop space as MDS, where such space is available, upon request by mobile operators who are required to provide nationwide mobile coverage;

   ii. Aligning the process for objections, from building developers/owners regarding telecommunication licensees’ notification under Sections 14 and 21 of the Act, to be raised to IDA. Currently, building developers/owners may raise objections, regarding telecommunication licensees’ notification under Section 14 of the Act, with IDA. However, for objections relating to telecommunication licensees’ notification under Section 21 of the Act, building developers/owners are required to raise

¹ The exact amount of space depends on the size of the building/compound.

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any objection with the telecommunication licensee but not with IDA. With this alignment of process for objections, building developers/owners may raise any objections, regarding telecommunication licensees' notification under Sections 14 and 21 of the Act, with IDA; and

iii. Empowering IDA to regulate/prohibit arrangements, related to the use or provision of telecommunication systems and services, that may be entered into between: (a) building developers/owners and end users/occupants of the buildings; and (b) building developers/owners and telecommunication licensees. This is to prevent developers/owners from entering into any agreements or arrangements which have the effect of denying end users/occupants of the buildings their choice of or access to telecommunication service providers. With this change, in the event that such agreements or arrangements arise, IDA may direct the building developer/owner to allow the relevant telecommunication licensee to enter into the land/building to provide telecommunication service, and/or to allow the relevant end user or occupant to select the telecommunication service provider of his choice. Where appropriate or necessary, the direction issued by IDA may take effect despite any agreement or arrangement to the contrary.

More details can be found in the consultation document, which can be downloaded from MCI’s website at:

http://www.mci.gov.sg/TAconsultation

3. In view that the changes in the Act will affect building developers/owners and such changes will result in consequential changes to the COPIF, IDA would encourage building developers/owners, and consultants providing consultancy services to building developers/owners, to review the proposed changes to the Act and provide feedback and comments on the proposed changes to the Act. IDA will conduct a briefing for building developers/owners and the consultants to help them better understand the changes in the Act. Details of the briefing are as follows:

Date: 17 August 2016
Time: 1000 hrs
Venue: Mapletree Business City, Auditorium
20 Pasir Panjang Road
Singapore 117439

Note: Date changed to 24 Aug 2016

Parties who are interested to attend the briefing may register with IDA via email at ida_interconnect@ida.gov.sg by 12 August 2016.

4. As your association/institution/organisation have members who are building developers/owners or members who are providing consultancy or management services to building developers/owners, IDA would appreciate it if you could disseminate the information regarding the consultation and the briefing by IDA to
your members so that they can be made aware of the consultation and can provide feedback or comments on the proposed changes to the Act accordingly.

5. Please note that all feedback or comments should be submitted in writing, in both hard and soft copy (in Microsoft Word format) and should reach MCI no later than 24 August 2016, 12 noon. For more information regarding the procedures for submitting comments to MCI, please refer to Part VI of the consultation document.

6. Following the consultation, IDA will be reviewing the COPIF to identify consequential changes to be made to the COPIF, arising from the amendments to the Act. IDA will conduct a separate public consultation on the changes and briefings to share more details with the industry on the proposed changes during the COPIF consultation.

7. If you require further information on the matter, please direct any written clarification to the undersigned via email at ida_interconnect@ida.gov.sg.

Yours faithfully

Harin S. Grewal
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