

BILL NO. 22 OF 2018

A BILL

FOR AN ACT TO AMEND THE TELECOMMUNICATIONS ACT 2008

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Telecommunications (Budget Amendment) Act 2018.

(2) This Act comes into force on 1 August 2018.

Section 82 amended

2. Section 82(1) of the Telecommunications Act 2008 is amended by—

(a) in paragraph (f), deleting “the Magistrates Court” and substituting “court”;
and

(b) after paragraph (l), inserting the following new paragraphs—

“(la) prescribe standards or codes of practice to ensure that service providers adopt proactive measures to improve the resilience of their telecommunications network and telecommunications service and to prevent service disruptions or outages, and in the event such service disruptions or outages occur, to ensure that service providers take all measures to restore services as soon as practicable;

Telecommunications (Budget Amendment)— of 2018

- (b) prescribe fines not exceeding \$1 million for telecommunications service disruptions or outages;
- (c) prescribe a framework for compensation to be awarded by service providers to consumers for telecommunications service disruptions or outages;”.

June 2018

TELECOMMUNICATIONS (BUDGET AMENDMENT) BILL 2018

EXPLANATORY NOTE

(This note is not part of the Bill and is intended only to indicate its general effect)

1.0 BACKGROUND

- 1.1 The Telecommunications Act 2008 (**‘Act’**) provides for the regulation of the telecommunications industry in Fiji.
- 1.2 The Telecommunications (Budget Amendment) Bill 2018 (**‘Bill’**) seeks to amend the Act in an effort to prevent telecommunications service disruptions or outages.

2.0 CLAUSES

- 2.1 Clause 1 of the Bill provides for the short title and commencement. If passed by Parliament, the amending legislation will come into force on 1 August 2018.
- 2.2 Clause 2 of the Bill amends section 82 of the Act to empower the Minister to make regulations which prescribe standards or codes of practice for service providers to ensure the resilience of telecommunications networks and telecommunications services in Fiji and to prevent telecommunications service disruptions or outages.
- 2.3 Clause 2 of the Bill also amends section 82 of the Act to empower the Minister to prescribe fines not exceeding \$1 million for telecommunications service disruptions or outages and to prescribe a framework for compensation to be awarded by service providers to consumers for service disruptions or outages.

3.0 MINISTERIAL RESPONSIBILITY

- 3.1 The Act comes under the responsibility of the Minister responsible for communications.

A. SAYED-KHAIYUM
Attorney-General