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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL
Government Notifications

L.D.B. 5/91

SRI LANKA TELECOMMUNICATION ACT, No. 25 OF 1991

RULES made by the Telecommunication Regulatory Commission of Sri Lanka, under Section 68 of the Sri Lanka Telecommunication Act No. 25 of 1991 as amended by Act, No. 27 of 1996 and approved by the Minister of Mass Communications.

Telecommunication Regulatory
Commission of Sri Lanka.

Colombo,
26th May, 2003.

Rules

1. These rules may be cited as the International Traffic Bypass Control Rules of 2003.
2. These rules shall apply to every connectable operator (hereinafter referred to as the "operator") who is authorised to provide telecommunication connections or any equipment in accordance with a licence issued under Section 17 of the Sri Lanka Telecommunications Act No. 25 of 1991.
3. No operator shall willfully suppress any information relating to the possible or confirmed international traffic bypass, from the Commission.
4. Every inbound call to a domestic connectable operator from an operator shall have a source identification number as determined by the Commission.
5. No person shall change the source identification number or attempt to disguise the routing of an international call.
6. No domestic connectable operator shall attempt to route incoming international traffic as domestic originated traffic to other domestic connectable operators.

7. Every international inbound traffic shall only be interconnected through E1's which shall be exclusively used for this purpose and declared as such prior to EGO's requesting such E1 links from domestic connectable operators.

8. Every operator who operates an international calling card system or similar system shall provide the access numbers of the system to the Commission before the commencement of such operations.

9. The Commission shall, upon receipt of any information, is of the opinion that there is prima facie evidence that any operator is engaged in international traffic bypass, recommend to the Minister to suspend or amend the license pending an investigation.

10. No operator shall take unilateral action. Where any operator suspects of international Traffic bypass, such operator shall forthwith inform the Commission of such suspected international traffic bypass. On receipt of such information the Commission shall within three working days take appropriate action to stop the flow of bypass traffic or ensure that no bypass is taking place.

Where the Commission is unable to conclude investigations within the stipulated time, pending such investigation the Commission shall issue a directive to the complaining operator with notice to the offending operator to suspend connections given to such offending operator. The Commission shall conclude investigation with in 7 days of the receipt of the initial complaint.

11. Every domestic connectable operator shall on a written request by the Commission, perform Inbound International Call Routing Tests to identify possible by-pass of international inbound traffic. These tests shall be carried out not later than seven working days from the date of receipt of such request and all relevant documents relating to such tests shall be forwarded to the Commission for appropriate action within one working day.

12. Every operator shall provide as required by the Commission, telephone connections with CLI facility to the Commission for the purpose of ensuring the control of international traffic by pass. Such information relating to such identification shall be kept in strict confidence even among operators and such telephone numbers are liable for change at a periodicity as may be determined by the Commission.

13. Every operator shall furnish to the Commission the reports in the format as set out in—

(a) annexure 1 and 3 within a period of 30 days.

(b) annexure 2 within a period of 45 days.

14. Every domestic connectable operator shall furnish to the Commission with a report in the format as set out in Annexure 4. Such report shall be furnished within 30 days.

15. The Commission shall request an operator to conduct a system audit on the reports referred to in rules 12 and 13 above. Such audit shall commence within 30 working days from the request and shall be conducted by an independent system auditor nominated by the Commission.

16. Where there is reasonable evidence of international traffic by-pass by any operator, the Commission may require him from time to time to furnish additional information in order to ensure the prevention of international traffic bypass.

17. Every Operator shall make available source records, details of recording, any relevant documents and materials and analysis processes of inspection, testing, auditing to the Commission or any person duly authorized by the Commission.

18. No prior intimation is required for such inspection. Every operator shall designate an authorized officer to facilitate immediate inspection and access to such person.

19. Every operator shall inform the Commission of any material suspicion of any International traffic bypass. A telephone number and an officer shall be designated for this purpose.

In these rules unless the context otherwise requires —

“Access Number” means a number allocated by the Commission in accordance with the Sri Lankan numbering plan by which an external gateway operator offers international Voice calls over domestic connectable operators ;

“CLI” - means caller line identification or call originating party identification ;

“Commission” means the Telecommunications Regulatory Commission of Sri Lanka established under the Telecommunications Act, No. 25 of 1991 ;

“Connectable Operator” means an operator whose licence issued under Section 17 of the Act which authorises the connection of his Telecommunication system to other systems ; other than where the licence issued to the operator of such system does not authorise the connection of that system to other systems ;

“Domestic Connectable Operator” means a connectable operator who operates a telecommunication system otherwise than through the external gateway operator ;

“E1 link” - means a connection capable of carrying voice or data calls ;

“External Gateway Facility” means that part of the Licensed System which comprises a telecommunication switch or equivalent facility through which the EGO Operator routes International Services to or from its international network ;

“External Gateway Operator” (EGO) means a Telecommunications operator in Sri Lanka that is licensed under the Telecommunications Act to operate an External Gateway Facility ;

“International Traffic Bypass” - means handling or handing over of inbound or outbound traffic in any form in any network or not declaring international incoming or outgoing traffic in full or in part to the Commission by the operator ;

Possibilities for International Traffic Bypass, purpose and relevant parties.

<i>Call Direction</i>	<i>International Traffic Bypass Possibilities</i>	<i>Purpose</i>	<i>By whom</i>
Inbound	Use normal telephone lines (Fixed and/or Mobiles) or E1's (Fixed) issued to customer Private Branch Exchange systems to terminate traffic on Domestic connectable operators.	To avoid Network Contribution Levy and Interconnect charges	* Unlicensed Persons * Licensed EGO's * Enhanced voice service Operators * Internet Service Providers
Inbound	Use of Interconnect circuits available for Domestic traffic to terminate incoming IDD traffic	To avoid Network Contribution Levy either in the case of 1. traffic brought in by their EGO's or International gateways. 2. Transit traffic from other EGO's	* Domestic connectable operators * Domestic Payphone operators * Enhanced Voice Service Operators * Internet Service Providers
Inbound	Self bypass of incoming calls	To avoid Network Contribution Levy either in the case of traffic brought in by their EGO's or International	* Domestic connectable operators * Enhance Voice Service Operators * Internet Service Providers

Monthly traffic statement/International Gateway Operator - out bound traffic -

		Direct Connect		Transit through PSTN 1		Transit through PSTN 2		
	Total	Local PSTN Operator		Local PSTN Operator		Local PSTN Operator		Other Termination

Minutes received from Local PSTN Operators

Billable Minutes received								
Breakdown of Minutes								
Equal Access Minutes received								
Billable Calling Card Minutes received								
Wholesale Minutes								
Total o-LAC Payments								

Note.—“ Billable Calling Card Minutes Received ” is the total of minutes processed in the calling card system less than 30 seconds o-LAC charge free period.

Monthly Traffic Statement by PSTN Operators—In-bound and Out-bound International traffic

	Total	Gateway Operator 1	
		Direct	Transit
In-bound to customers			
Total Billable Minutes			

Out-bound from customers					
Equal Access Minutes					
Billable Calling Card Minutes					
Wholesale Minutes					

Note.—“Billable Calling Card Minutes” is the total of minutes terminated on the calling card system less the 30 second 0-LAC charge free period.

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