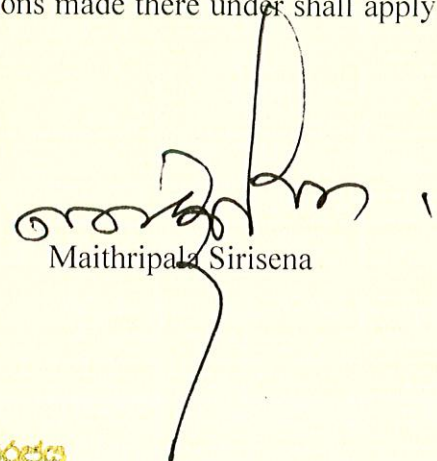


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இலங்கை சனாதிபதி
President of Sri Lanka

UNDER SECTION 17(2) OF THE SRI LANKA TELECOMMUNICATIONS ACT
NO. 25 OF 1991 AS AMENDED BY ACT NO. 27 OF 1996, TO OPERATE A DIGITAL
MOBILE CELLULAR COMMUNICATIONS SYSTEM

1. I, Maithripala Sirisena, President of the Democratic Socialist Republic of Sri Lanka in the exercise of the powers conferred on me under Section 17(2) of the Sri Lanka Telecommunications Act No. 25 of 1991, as amended by the Act No. 27 of 1996 (hereinafter referred to as "the Act") hereby grant to **Bharti Airtel Lanka (Private) Limited**, a company duly incorporated in the Democratic Socialist Republic of Sri Lanka registered under the Companies Act No. 07 of 2007 bearing Company No. **N(PVS) 50117** (hereinafter referred to as "the Operator"), a Licence to operate the telecommunication systems specified in Schedule 1 (hereinafter referred to as the "Licenced System") and authorise the Operator to do all or any of the acts specified in Schedule 2 subject to the Conditions set out in Schedule 3 and to revocation as provided in Schedule 4.
2. This Licence shall come into force on 12 April 2017 and shall be of 10 years' duration unless previously revoked in accordance with Schedule 4.
3. The Commission may recommend modifying the Licence conditions from time to time where objectively justifiable and in a proportionate manner. Any recommendation for a modification shall be made in accordance with Section 18 of the Telecommunications Act No. 25 of 1991 as amended.
4. The provisions of the Act and all Rules and Regulations made there under shall apply to the Operator for all purposes.


Maithripala Sirisena

August 30, 2017



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இலங்கைச் சனநாயக சோசலிசக் குடியரசு
Democratic Socialist Republic of Sri Lanka

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SCHEDULE 1

THE LICENSED SYSTEM

1. The Licensed System consists of Telecommunication Systems, which established by the Licensee for the purpose of providing a Digital Mobile service.
2. The Licensed System shall not include;
 - a. any Telecommunication System for which a Licence is not required under the Act.
 - b. any Telecommunication System which is Licensed to another Operator.
 - c. any mobile terminal Equipment.

SCHEDULE 2

AUTHORISATION TO CONNECT OTHER TELECOMMUNICATION SYSTEMS & APPARATUS TO THE LISENSED SYSTEM AND TO PROVIDE DIGITAL MOBILE CELLULAR COMMUNICATIONS SERVICE BY MEANS OF THE LICENSED SYSTEM.

1. Nothing contained in this License shall exempt the Operator from obtaining any other license for the purpose of carrying on any function for which a person is required to obtain a license under the provisions of the Act or any other enactment.
2. Subject to that limitation and without prejudice to the Act and paragraph 1, this license authorises the connection to the:
 - a. any other connectable system, which Commission has notified the Licensee, run under a License;
 - b. mobile terminal equipment, which is of a type approved by the Commission under the Act.
3. Subject to paragraph 1, this Licence authorises the provision, as specified Services below, by means of the Licensed System:
 - i. Voice Telephony Service
 - ii. Voice Mail Service
 - iii. Leasing of excess capacity on Microwave or Optical backbone to other licensed operators
 - iv. Data Services including circuit switch data, SMS, USSD, WAP, MMS, GPRS, EDGE, LTE and any future developments of cellular related Data Services
 - v. GSM based services including location based services and any future developments of GSM based services
 - vi. Wireless Fidelity (Wi-Fi) based Data Communication Service for indoor applications.
4. The Operator is authorized by this Licence to construct, operate and maintain a Digital Cellular mobile communications system to provide mobile communications service in the frequency bands as specified by the Commission. The Operator is also permitted to construct, operate, maintain and use a transmission network for the purposes of providing aforesaid service subject to availability of scarce or limited resources.
5. The License does not authorise to provide Fixed Telecommunication Services.

SCHEDULE 3

LICENCE CONDITIONS

PART I: BASIC OBLIGATIONS

1. General

- 1.1 The Operator shall comply with the provisions in the Act and Rules & Regulations made there under.
- 1.2 The Operator shall strictly and without any undue delay comply with any directions, which the Commission may from time to time issue in exercise of its powers, functions.
- 1.3 The Operator shall maintain and operate the Licensed Systems as described in Schedule 1 for the provision of the Services as authorised in Schedule 2. The Operator shall not operate or provide any system or service, which has not been authorised in the Schedules 1 and 2 respectively.

2. Installation, Networking and Operation of the Licensed System

- 2.1 The Operator shall be responsible for installation, networking and operation of all the equipment to provide the services as described in Schedule 2. The Operator shall supply all necessary literature, drawings, and installation materials regarding the equipment installed for commissioning of the services. The Operator shall supply all the tools, test instruments and other accessories to the testing party of the commission for conducting the tests.
- 2.2 The Operator shall maintain the Licensed System in proper working order, in accordance with such standards conforming to international norms and standards as may be specified by the Commission from time to time, and improve and expand the Licensed System in accordance with the development plan approved by the Commission. The Operator shall not utilise used equipment in the Licensed System without the prior written authorisation of the Commission.

- 2.3 Within 12 months from the grant of this Licence, the Operator shall, after consulting with the Commission on the development goals of the Government, draw up a Development Plan in accordance with the planning objectives specified by the Commission. The Development Plan may include extension of the network defined in Schedule I to cover any part of Sri Lanka provided that the plant and the assets essential for such extension, investment values thereof, and the configuration of the extended network showing the switching nodes and the information relating to the interconnecting trunks are indicated separately. The Development Plan shall cover such period as may be agreed between the Commission and the Operator and shall be reviewed and renewed at such intervals as may be agreed between the Commission and the Operator. For the duration of the Development Plan, the Operator shall be obliged to implement it according to its terms except to the extent that the Commission agrees to any modifications in it.
- 2.4 When the Development Plan is submitted to the Commission for approval, it may approve it or make such revisions to it as it considers necessary. In taking such a decision on the Development Plan, the Commission shall take into account the financial and technical resources that can reasonably be expected to be available to the Operator during the period of the Plan.

In the case of minor deviations, the Operator may amend the Development Plan, provided such amendments together with supporting reasons are communicated to the Commission under recorded delivery at least eight weeks prior to implementation of such amendments.

3. International Services

- 3.1 The Operator shall take all reasonable steps to provide by means of the Licensed System to any person to whom it provides Telecommunication Services by means of this System and who so requests, International Connection Services to the extent as the Commission may consider practicable in the circumstances.
- 3.2 The Operator shall provide International Connection services through licensed international service Operators. The operator may provide international calling card services, Toll Free services and various other value added services including Intelligent Network (IN) based services for the mobile subscribers.

4. Payment of Fees

- 4.1 The Operator shall make during the validity of the Licence, on or before 31st January of each year following the issue of the Licence, the following Payment:
 - a. a cess imposed under Section 22G of the Act.
- 4.2 If the Operator fails to make the payments by the 31st of January as specified in paragraph 4.1, he shall be required to pay an additional charge as may be determined by the Commission.

PART II: TECHNICAL OBLIGATIONS

5. Use of Telecommunication Equipment in the System

5.1 Prior to the operation of the Licensed System, the Operator shall be required to obtain the Commission approval for the telecommunication infrastructure of the Licensed System for provision of authorised services. Subsequent changes to the telecommunication infrastructure of the Licensed System and/or introduction of new technologies to the network shall be notified to the Commission in advance for approval.

6. System Architecture

6.1 The Operator shall maintain an up-to-date record of the configuration of the Licensed System used for the provision of telecommunications services. This record shall include the following details and shall be supplemented by schematic diagrams where the Commission considers appropriate:

- a. The description, nature, specification and configuration of building blocks, including embedded software and information programmed into the switch or remote computer equipment and switches in or connected with the system, the interconnection between the building blocks and all incoming and outgoing telecommunication circuits connected to the licensed System;
- b. The information identifying the circuits such as telephone number and circuit identification number of the provider of the circuit and the Operator and the type, quantity and the special features and functions available on or in connection with these circuits.

6.2 The Licensed system shall include an Equipment Identification Register (EIR) that is used to verify and identify the individual mobile terminals. Licensed Operator shall be obliged to implement an EIR upon issuance by the Commission of regulations/guidelines.

6.3 The Operator shall notify when possible lost or stolen mobile terminal equipment details and defaulters' information to all other Licensed Operators providing GSM services with a copy to the Commission to ensure that such lost or stolen equipment terminal is not logged onto the network to make or receive calls.

7. Changes to System

- 7.1 The Licensee shall give notice in writing to the Commission and shall notify all parties affected of any changes it intends to implement in the specification or performance of the Systems, which would require changes to any equipment connected to the System. The period of notice, in consultation with the Commission, shall be appropriate to the likely impacts on the parties affected.
- 7.2 The Operator shall obtain the prior approval of the Commission before implementing such changes, where the Commission considers proposed changes to the licensed System referred to in paragraph 7.1 would cause another licensed Operator of the Commission has to make major changes in its own network in order to maintain the interoperability with the System of the Operator.

8 Technical Standards

- 8.1 The Operator shall comply with any technical standard prescribed by the Commission for the purposes of ensuring technical compatibility, avoiding technical harm to network or preventing safety hazards to personnel in the connection of telecommunication apparatus to the licensed System.
- 8.2 The Commission shall have right to direct the Operator to demonstrate that the service complies with the technical standards prescribed by the Commission and the Operator shall comply with such directions.
- 8.3 The Operator shall comply with the electromagnetic compatibility standards as may be specified by the Commission from time to time.

9. Use of Frequencies and Operation of Radio Communication Stations

- 9.1 The Operator shall utilize the assigned frequencies entirely for the provision of the licensed undertaking. The Operator further covenants that it shall, in the use of the frequency spectrum, conform to the general allocation of frequencies in the ITU Radio Regulations.
- 9.2 The Operator shall operate only on the radio frequencies and frequency bands, which the Commission assigned to the Operator. If the Commission is in the opinion that the Operator is not making efficient use of assigned frequency, the Operator shall be given a notice to withdraw any frequency previously assigned to the Operator the Commission shall give not less than three months' notice in writing to the Operator for such withdrawal of a frequency.

- 9.3 The Operator shall use its best endeavours to ensure that the location, assigned frequencies, emissions, output power, polarisation, antenna characteristics and other technical parameters of each telecommunications installations for radio communication shall at all times conforms to the technical standards as specified by the Commission. The Operator shall not change the location of the telecommunications installations for radio communication or its technical parameters without the prior written approval of the Commission
- 9.4 The Operator shall take all necessary steps to ensure that the use of the telecommunications installation for radio communications is safe and does not cause interference to other existing radio communication networks operating in the same band or in other bands.
- 9.5 The Operator shall also take appropriate measures to ensure that its radio Communication equipment is adequately protected from interference that may be caused by networks operating in the same band or in other bands.
- 9.6 The Operator shall ensure that non-ionising radiation emissions from its telecommunications installations for radio communication are within the limits specified by the Commission and that it complies with the standard on human exposure to radio frequency radiation adopted and published by the Commission from time to time.

10. Numbering

- 10.1 The Operator shall conform to the National Numbering Plan prescribed by the Commission in the operation of the Services and directions issued by the Commission in respect of the usage, allocation and assignment of numbers. The Operator shall take all necessary steps to ensure that the numbers allocated are efficiently utilised.
- 10.2 The Commission reserves the right to alter and/or reallocate numbers allocated to the Operator at any time, upon written notice. Numbers assigned to the Operator is the property of the Commission and the Operator shall have no proprietary right to the numbers assigned The Operator shall consult the commission prior to the reallocation of numbers and codes within the National Numbering Plan.

- 10.3 The Operator shall maintain a record of the status of all numbers allocated to it by the Commission and shall, on request, make that information available to the Commission. The Operator shall ensure that the allocation of individual numbers or number ranges by the Operator to its customers is carried out in an objective, transparent, non-discriminatory and timely manner.
- 10.4 The Operator shall make any changes in any equipment, facilities or processes required in order to continue to comply with the National Numbering Plan or any directions issued by the Commission from time to time. The Commission may change the numbers allocated to the Operator at any time. The Operator shall comply with any direction of the Commission in relation to the implementation of number changes and informing users of such changes. The Operator shall bear all the cost incurred due to compliance.
- 10.5 The Commission may withdraw any numbers or numbering ranges allocated to the Operator if, in the opinion of the Commission:
- a. the numbers are unused and unlikely to be put into use in the foreseeable future;
 - b. withdrawal is necessary as part of a change to the National Numbering Plan.
- 10.6 The Operator shall not charge its customers for allocations of numbers except where authorised and in accordance with any direction from the Commission. The Operator shall reserve and use the access codes, designated by the Commission, as being for use as emergency access codes, exclusively for calls to the emergency services.

11 Grade of Service

- 11.1 The Operator shall ensure that the traffic capacity provided in its system where it accesses a Telecommunications network infrastructure shall be dimensioned to guarantee a satisfactory grade of service. The Commission shall determine the grade-of-service threshold that shall be met or exceeded by the Operator and may periodically revise such grade-of-service thresholds.
- 11.2 The Operator shall install equipment and devices that meet ITU-T standards for measuring the grade of services. The Commission shall order the Operator to install or upgrade the equipment and devices to the required standards within 30 days from the date of such instruction if the Commission has reason to believe that measuring equipment devices or methods are not installed or do not meet the required standards.

11.3 The Operator shall permit the authorised representative of the Commission to inspect, during business hours and in case on non-business hours with 24 hours prior notice and accompanied by a qualified employee of the Operator, the Operator's equipment and devices for measuring service grade, to inspect the Operator's files, records and other data relating to the measuring of service grade and to request the Operator to submit such reports, statistics and other data and to conduct such measurements as the Commission deems necessary in order to determine compliance with the Act, Rules & Regulations made thereunder.

PART III: INTER OPERATOR OBLIGATIONS

12. Interconnection Arrangements

- 12.1 The Operator shall have access, and shall provide access, to the connectable systems operated by other Licensed Operators. The Operator shall establish and maintain sufficient points of interconnections with adequate capacity subject to the provision of the Act. The Operator shall use all reasonable endeavours to ensure that Interconnection is done promptly, efficiently and at charges, which are costs based so as to compensate the costs of Operator for provision of interconnection. The terms and conditions of the interconnection and access shall be commercially negotiated between the Operator and other Licensed Operators. The operator shall keep the Commission informed the nature and the quality of the traffic carried over interconnection which is subject to the provision of the Act and this License. In the event that the parties cannot reach an agreement, the Commission shall determine the matter.
- 12.2 The Operator shall enter into an agreement with other licensed Operators to connect and keep connected their respective systems and to establish and to maintain such one or more points of connection. The Operator shall file with the Commission all interconnection agreements entered with other Operators not later than thirty days from the date of execution of the agreement.
- 12.3 In connecting the service to other telecommunication network, which operates under a Licence granted under the Act, the Operator shall comply with any technical specification prescribed by the Commission for the purposes of ensuring technical compatibility, avoiding technical harm to network.
- 12.4 The Operator shall not carry out any refilling of traffic through interconnections unless the prior approval of the Commission in writing is obtained.
- 12.5 The Operator shall comply with the Interconnection Guidelines as may be specified by the Commission from time to time.

13. Access Charges

- 13.1 The Operator may in accordance with the rules made by the Commission may impose upon a person running a Connectable system who provides Telecommunication services to others a charge (hereinafter referred to as Access charge) for the provision of such Telecommunication services by means of a connection to the Licensed System provided that all the conditions set out in the paragraph 13.2 are fulfilled.

- 13.2 The said conditions are that:
- (a) the Access Charge , or the method adopted for determining it , is the same all such persons;
 - (b) the Operator has furnished to the Commission under acknowledgement particulars of the Access Charge or the unit costs, method adopted for determining it and either
 - (i) the Commission has approved that Charge or that method: or
 - (ii) it has failed to give written notice of its disapproval within a period of 4 weeks.
- 13.3 The Commission has arrangements which as nearly as practicable secure that all persons to whom these services are provided by means of the Connectable system, are required to pay charges at least equal to the Access Charges which would have been so payable.
- 14. Roaming Agreements**
- 14.1 The Operator shall enter into agreements to provide National Roaming Services on a reciprocal basis to other Licensed Operator (the Requesting Operator) providing GSM based Services that requests such service.
- 14.2 If the Operator fails to agree on fair and equitable conditions for the provision of Roaming Services with such other digital Cellular Operator that may request service, the matter may be referred to the Commission for resolution.
- 14.3 In the event that the Operator and the Cellular Operators fail to agree on the terms of the Roaming Agreement, the Commission shall determine the matter and the decision of the Commission shall be binding. The Operator shall comply with all decisions, instructions and guidelines of Commission to promote the establishment and maintenance of such roaming capabilities.
- 14.4 The Roaming agreements between licensed mobile Operators and international mobile Operators shall be deposited with the Commission for notification. The Operator shall submit the tariff plan applicable for roaming to the commission as set forth in Section 19. The Operator shall provide the detailed information on the technical configuration and circuit routing of the licensed system used for routing of messages between the licensed system and the international mobile Operators and vice versa for the provision of roaming service route-by-route basis. The detailed information referred to in above shall include details on any transit nodes, switches involved in the routing of calls and routing information programmed into the switch or any remote computer equipment for each overseas destination.

15. Control of Obstruction

- 15.1 The Operator shall take reasonable measures to install, maintain and operate the service and the network in such a manner as not to cause any physical obstruction to the installation, maintenance, operation, repair, or replacement of the systems of any licensed Operator.

16. Telecommunications Infrastructure Sharing

- 16.1 Where the Commission considers it is necessary for the Operator to share its telecommunications infrastructure with other telecommunication Operators in the national and/or public interest, the Commission may issue directions requiring the Operator to co-ordinate and co-operate with other licensed Operators for sharing of telecommunications infrastructure. The Operator shall comply with such directions. Prior to issuing any direction under this paragraph, the Commission shall give a reasonable opportunity for the Operator to make representations on the telecommunications infrastructure to be shared.

PART IV : UNIVERSAL SERVICE OBLIGATIONS

17. Public Emergency Call Service

- 17.1 The Operator shall provide a Public Emergency Call Service, by means of the Licensed System, to any member of the public at any time and free of charge to communicate with the Emergency Organisations such as police service, the fire and ambulance services and any other national emergency services which may from time to time designate, for the purpose of notifying them of an emergency. The Operator shall ensure that such emergency calls have priority access over all other routine calls in the Network.
- 17.2 The Operator shall, in consultation with the Emergency Organisations and Government Ministries & Departments, make arrangements for the provisions or, as the case may be, rapid restoration of telecommunication that may be required in Emergency occurring in Sri Lanka.
- 17.3 The Commission shall instruct the Operator, in an emergency, to cooperate with the relevant Government entity that is responsible for managing that emergency. The Operator shall submit to the Commission its procedural and operational plans that the Operator would adopt in the event of any emergency within three months from the grant of this licence.

18. Special Provisions for the Disadvantaged

- 18.1 The Operator shall consult the Commission from time to time about, and endeavour to implement measures to make available or to continue to make available Telecommunication Services and Maintenance Services capable of satisfying the reasonable demands of:
- a. the disabled (especially persons with a hearing impairment);
 - b. persons of pensionable age.
- 18.2 The Operator shall, if requested so to do by the Commission, participate in the work of any advisory body for matters affecting the persons referred to in sub-paragraphs (a) and (b) of paragraph 18.1.

PART V : COMMERCIAL OBLIGATIONS

19. Prices for Services

- 19.1 The Operator shall lodge a notice of tariffs with the Commission, which sets out in relation to each kind of service that the Operator proposes to offer:
- a. a description of the service;
 - b. details of the nature and amounts of charges payable for the service, and
 - c. the method adopted for determining the charges.
- 19.2 The Operator shall include in the notice the reasons for a change in different category of tariffs in the same tariff plan.
- 19.3 The notice shall be precise and detailed enough to be used to work out the nature and amounts of charges payable for the supply of the particular service.
- 19.4 The notice of tariffs lodged with the Commission shall state the period (i.e. the term) for which it is to be in force. The term shall not begin until approval for the tariffs is given by the Commission or at a time when a previous tariff of the Operator on the same service is still in force.
- 19.5 The Operator shall not impose any terms and conditions for the provision of any specified service until the Commission has approved such terms and conditions.
- 19.6 The Operator shall provide the specified service at the charges, terms and conditions so approved by the Commission and shall not depart from without prior written approval by the Commission of the proposed charges, terms and conditions.
- 19.7 The Operator shall publish in a manner and at the times in paragraph 19.8 the charges, terms and conditions on which it offers to provide the specified telecommunications service in accordance with an obligation imposed by or under this Licence.
- 19.8 Publication shall be effected by:
- a. placing as soon as practicable thereafter a copy thereof in a publicly accessible part of every office of the Operator in such manner and in such place that is readily available for inspection free of charge by members of the general public during such hours as the Commission may prescribe.

- b. sending a copy thereof or such parts thereof as are appropriate to any person who may request such a copy.

19.9 Where the Operator publishes a notice of amendment to a charge in the form of an extract from the Operator's price list the new price shall be clearly identifiable and the operative date specified.

20. Separate Accounts for Certain Activities

20.1 The Operator shall establish from the beginning accounting and reporting arrangements sufficient to enable the Operator's finances in relation to the various licensed services and activities not requiring a Licence to be assessed and reported on separately from the other activities of the Operator. The Operator shall comply with any directions made by the Commission from time to time in relation to the preparation and delivery of accounting statements.

20.2 The Operator shall:

- a. maintain accounting records in such a form that the activities of the systems business and the mobile terminal equipment supply business are separately identifiable or separately attributable in the books of the Operator, being records sufficient to show and explain the transactions of each of those businesses;
- b. prepare in respect of each financial year of the Operator, or of such lesser periods as the Commission may specify but not more frequently than quarterly, accounting statements setting out, and in the case of yearly statements fairly presenting the costs (including capital costs), revenue and financial position of each of those businesses, service and region wise including a reasonable assessment of the assets employed in and liabilities attributable to each of them and showing separately, in the case of yearly accounting statements, the amount of any material item of revenue, cost, asset or liability which has been either;
 - (i) charged from or to any other business of the Operator together with a description of the basis of the value on which the charge was made; or
 - (ii) determined by apportionment or attribution from an activity common to the Business and any other business of the Operator and, if not otherwise disclosed, the basis of the apportionment or attribution;

- c. procure in respect of each of the accounting statements prepared in respect of a financial year of the Operator a report by the Auditor stating whether in his opinion that statement is adequate for the purposes of this Condition; and
- d. deliver to the Commission a copy of each of the accounting statements and of the reports relating thereto required under sub-paragraph (b) not later than six months after the end of the period to which they relate.

For the purposes of this paragraph the cost of any business does not include profits of that business.

20.3 Accounting statements prepared under paragraph 20.2(b) in respect of each financial year shall be prepared in the formats and in accordance with the accounting principles and rules which apply to the annual accounts of the Operator and shall state the accounting policies used.

21. Anti- Competitive Practices

- 21.1 The Operator shall not enter into any agreement, arrangement or understanding that shall in any way prevent or restrict competition in relation to the operation of licensed system, provision of authorised services and acquisition of any telecommunication installations, services or apparatus.
- 21.2 The Operator shall ensure that there are no cross-subsidies between such parts of the Operator's business as the Commission may determine in consultation with the Operator.
- 21.3 The Operator shall establish such accounting and reporting arrangements so as to enable the Operator's finances in relation to different parts of its business to be assessed and reported on separately.
- 21.4 Where the Commission determines that the Operator has engaged in Anti-Competitive Practices, the Operator shall take such steps as the Commission may direct for the purpose of remedying the situation.

22. Prohibitions of Linked Sales

22.1 The Operator shall not make it a condition of:

- a. providing any telecommunication service;
- b. supplying any mobile terminal equipment;

That any person should acquire from the Operator or from any other person specified or described by the Operator;

- i. any telecommunication service other than the telecommunication service requested except where that service cannot be provided without the provision of that other telecommunication service; or
- ii. any telecommunication equipment not incorporated in the Systems supplied save where the telecommunication service requested cannot otherwise be provided or the telecommunication equipment cannot otherwise be used.

22.2 Except where the Commission has agreed otherwise, the Operator shall not do any of the things described in sub-paragraphs (a) and (b) of paragraph 22.1 together with the other thing in a manner or for charges or on terms or conditions more favourable than would be available for doing one thing without that other thing.

22.3 Notwithstanding paragraphs 22.1 and 22.2 the Operator may where it supplies as part of the same transaction or interconnected series of transactions two or more items of telecommunications equipment, offer quantity discounts or more favourable terms and conditions in respect of quantity in relation to such equipment which it so supplies whether those items or equipment are of the same or different descriptions.

23. Prohibition on Undue Preference and Undue Discrimination

23.1 The Operator shall not (whether in respect of the charges or other terms or conditions applied or otherwise) show undue preference to, or exercise undue discrimination against, particular persons or persons of any class or description. In particular, the Operator shall not give any undue preference to, or receive an unfair advantage from, a business carried on by it or an associated or affiliated company, if the Commission is of the opinion that the competitors of the Operator could be placed at a substantially disadvantage position or the competition would be prevented or significantly restricted.

- 23.2 The Operator shall be deemed to have shown such undue preference or to have exercised such discrimination if it unfairly favours to a material extent a business carried on by it or by its lawful telecommunications associates in relation to any of the matters mentioned in paragraph 23.1 so as to place at a significant competitive disadvantage persons competing with that business.
- 23.3 Any question relating to whether any act done or course of conduct pursued by the Operator amounts to such undue preference or such undue discrimination shall be determined by the Commission, but nothing done in any manner by the Operator shall be regarded as undue preference or undue discrimination if and to the extent that the Operator is required to do that thing in that manner by or under any provision of this License, or where the Operator gives any discount to its large customers provided that such concessions are extended without discrimination to all customers falling within this category.

24. Ownership of the Licensed System

- 24.1 The Operator shall at all times own and operate the Licensed System and shall not sell, lease or transfer to any person, the whole or part of the Licensed System without the written approval of the Commission.
- 24.2 Where the Operator seeks to transfer its Licensed System to another person, it shall comply with all terms and conditions of its Licence as at the date of transfer; and shall have paid all outstanding fees to the Commission.
- 24.3 A person to whom a Licensed System is to be transferred shall apply to the Commission for a Licence to carry on the relevant telecommunications undertaking on the prescribed application form and shall satisfy the conditions set down by the Commission before any transfer of licence may be considered.

25. Pre-Notification of Joint Ventures

- 25.1 The Operator shall give particulars of any of the agreements or arrangements to which this condition applies for approval of the Commission before taking into effect of such agreements or arrangements.

25.2 Where the Operator enters into an agreement -

- a. with any person or persons for the establishment or control of a body corporate for the purpose of :
 - i the running of a telecommunication System which requires a Licence, under the Act; or
 - ii providing telecommunication Services in Sri Lanka which necessarily involve the running of a Licensed System; or
 - iii the production of mobile terminal equipment for supply in Sri Lanka where that production would lead to a monopoly situation which would not otherwise exist in relation to the supply of mobile terminal equipment of any description in Sri Lanka;
- b. for the establishment of a partnership; for any of the purposes or in any of the circumstances referred to in paragraph a;
- c. in the nature of a joint venture for any of the purposes or in any of the circumstances referred to in paragraph a.

25.3 The Operator shall, unless the Commission otherwise agrees, notify the Commission not later than 30 days before the taking effect of any such agreements, giving particulars of those agreements.

For the purpose of this Condition, "Monopoly Situation" shall be taken to exist in relation to the supply of services of any description in the following cases, that is to say, if

- a. the supply of Telecommunication services of that description in Sri Lanka is, to the extent of the prescribed percentage, supplied by one and the same person, or supplied to one and the same person, or
- b. the supply of Telecommunication services of that description in Sri Lanka is, to the extent of the prescribed percentage, supplied by members of one and the same group of interconnected bodies corporate, or supplied to members of one and the same group of interconnected bodies cooperate, or

- c. the supply of Telecommunication services of that description in Sri Lanka is, to the extent of the prescribed percentage, supplied by members of one and the same group consisting of two or more persons, or supplied for members of one and the same group consisting of two or more persons. The "two or more persons" referred to in this paragraph of this section, in relation to services of any description, are any two or more persons (not being a group of interconnected bodies corporate) who, whether voluntarily or not and whether by agreement or not, so conduct their respective affairs as in any way to prevent, restrict or distort competition in connection with the supply of services of that description, whether or not they themselves are affected by the competition, and whether the competition is between persons interested as persons by whom, or persons to whom, services are supplied, or
- d. one or more agreements are in operation the result or collective result of which is that services of that description are not supplied in Sri Lanka.
- e. Commission shall reserve the right to declare the prescribed percentage of a "Monopoly situation".

26. Associates

26.1 Where any Associate of the Operator does anything which the Operator is prohibited from doing under the Licence or fails to do anything which the Operator is required to do under the Licence, the Operator shall take such reasonable steps to ensure that the Associate takes such remedial steps to rectify the consequences of the commission or omission as the case may be, as directed by the Commission. For the purposes of this Condition a person is an Associate of the Operator;

- i. if he is a subsidiary of, or is another body corporate in which the Operator has a substantial interest; or
- ii. it is a holding company of or controls the Operator.

PART VI : CUSTOMER SERVICE OBLIGATIONS

27. Privacy & Confidentiality

- 27.1 The Operator shall take all reasonable steps to safeguard the privacy & confidentiality of any telecommunication messages conveyed by means of the licensed system.
- 27.2 The Operator shall not use information provided by its customers or obtained in the course of provision of service to its customers other than for and in relation to the provision by the Operator of the service under this licence.
- 27.3 The Operator shall not disclose information of a customer without consent of the customer except under the following circumstances:
- a. where disclosure is deemed necessary by the Commission for the violation of the provisions of the Act or the relevant security agencies or law enforcement or for Prevention/ detection of crime or prosecution of offenders;
 - b. where sharing of information with other licensed Operators is necessary to detect, prevent or investigate into fraud under the directions of the Commission.

28. Publication of Charges, Terms and Conditions to be Applied to Customers

The Operator shall, except in so far as the Commission may otherwise determine in writing, publish in the directory and in the manner and at the times specified in paragraph 28.3 in respect of each of the following a notice specifying the charges and other terms and conditions approved by the Commission on which the Operator offers to:

- a. provide each description of Telecommunication Service by means of the Licensed System, in accordance with Obligation imposed by or under this licence;
- b. maintain, adjust or repair any apparatus comprised in the Licensed System in accordance with obligation imposed by or under this Licence;

- c. connect to the Licensed System any apparatus or any other system which, in either case, is not or is not to be, comprised in the Licensed System in accordance with obligation imposed by or under this Licence;
- d. grant permission either to connect systems or apparatus referred to in subparagraph (c) to, or to provide services by means of, the Licensed System in accordance with obligation imposed by or under this Licence;
- e. bring into service any apparatus or system which, in either case, is or is to be connected to but not comprised or to be comprised in the Licensed System, where only the Operator is permitted to provide such service

28.1 The charges and the other terms and conditions in respect of any service which is materially different from any service already provided by the Operator by means of the Licensed System may not be published as required under paragraph 28.1 until 90 days prior to the expected date of provision of such service.

28.3 Publication of the notice shall be effected by;

- a. sending a copy thereof to the Commission under acknowledgement not more than 60 days after the date on which this Licence enters into force and thereafter not less than 60 days before any approved amendment of charge, term or condition , or the method of determining the same is to become effective.
- b. placing as soon as practicable thereafter a copy thereof in a publicly accessible part of such offices of the Operator in such manner and in such place that it is readily available for inspection free of charge by members of the general public during such hours as the Commission may specify; and
- c. sending a copy thereof or such part or parts thereof as are appropriate to any person who may request such a copy.

29. Metering and Billing Arrangements

29.1 The Operator shall install and use metering and billing systems that are reliable and accurately record the extent of the Service provided to its Customers and any other Operator. The Operator shall, in relation to metering and billing systems used for the provision of the service, keep such records and make them available for inspection.

- 29.2 The Operator shall conduct tests, upon the request of the Commission, on metering equipment to assess its accuracy, reliability and conformity to the technical standards as specified by the Commission. The Operator shall submit the test result to the Commission within the period as the Commission may determine.
- 29.3 The Operator shall take appropriate measures to issue bills with periodicity as determined by the Commission in consultation with the Operator, to the users of the service, indicating the charges provided to the subscribers.
- 29.4 The Operator shall provide, to each of its subscribers, a basic level of itemised billing at no extra charge to the Subscriber. The Operator shall ensure that each itemised bill shows a sufficient level of details, such as type of service and the units for which charges are made, the starting time of the each connection, the number called and the duration and number of units for each call, to allow verification and control of the charges incurred in using its licensed System.
- 29.5 The Operator shall set out in any account or invoice sent to any such operator or customer the true extent of the service actually provided to that Operator or Customer in the period to which the account or invoice relates.
- 29.6 The Operator shall upon the written request of the Commission and within 14 (fourteen) days of such request, conduct tests on the metering equipment to assess its accuracy, reliability, and conformity to the technical standards, if any, specified by the Commission. The Operator shall submit the test results to the Commission within 14 days after the date of the test or such other longer period as the Commission may determine;
- a. Permit the Commission to inspect its metering and billing system at any time and to cooperate in facilitating any such inspection; and
 - b. Alter, adapt, modify or improve such system in accordance with any reasonable requirement which the Commission may specify in writing from time to time.

30. Customer Protection

- 30.1 The Operator shall comply with any directions issued by the Commission for the purposes of protecting the interests of its customers or users time to time.

- 30.2 The Operator shall, in consultation with the commission, prepare and publish within three months of the date on which this licence enters into force, a code of practice for the customer complaints handling, resolution of customer disputes. The Commission may from time to time issue directions to the Operator specifying any modifications or additions that it considers should be made to the code or as to the publication, republication, implementation or further modification of the code. The Operator shall participate in good faith in any dispute resolution procedure established by the Commission for the resolution of such disputes.
- 30.3 The Operator must keep and maintain all information on the complaints made to the Operator by the Operator's Customers and shall provide such information to the Commission at least once in each year.
- 30.4 The Operator shall establish and maintain efficient information and assistance to assist the Customers in resolving questions relating to the installation and all other relevant issues relating to the Services. In the provision of such services the Operator shall not discriminate between the Customers.
- 30.5 The Operator shall maintain adequate trained personnel to receive and respond promptly to complaints from Customers. The Operator shall take all commercially reasonable action to promptly remedy and avoid the recurrence of the cause of all Customer complaints, which relate to the billing, quality, availability or delivery of its Service. The Operator shall be solely responsible for the treatment of the subscribers' complaints, attending to claims and damages arising out of this operation.
- 30.6 The Operator shall, in the manner and at the times specified by the Commission, publish the standard terms and conditions under which it provides each category of authorised Services to its customers. The Operator shall ensure that a statement of all applicable terms and conditions of each category of authorised Services is promptly made available for inspection at the request of any member of the public.

31. Bodies Recognized to be Representing the Interests of Consumers

- 31.1 The Operator shall give due consideration to any matter which relates to:
- a. telecommunication services provided by means of or relation to the Licensed System;
 - b. telecommunication apparatus supplied by the operator; or

c. the connection to the Licensed system of;

- (i) any telecommunication system run by any person other than the operator; or
- (ii) any telecommunication apparatus

and which is the subject of a representation made to the operator by either:

- (aa) a body recognised by the Authority as representing the interests of consumers and other users of such telecommunication services or Apparatus; or
- (bb) an advisory body established by the authority under section 5(t) of the Act.

31.2

The Operator shall, if requested by the authority or if it sees fit, furnish to the authority particulars of any matter considered by the Operator under this condition or a digest of activities undertaken in any period in pursuance of this condition

PART VII: OTHER OBLIGATIONS

32 Construction of Telecommunications Plants

- 32.1 The Operator shall obtain approvals from the Commission in respect of each of its Radio station sites used to provide the Service and/or used for radio Transmission Links in advance of site construction. The Operator shall take appropriate steps with respect to the installation, operation and maintenance of the network and all network specific equipment for the purposes of environmental protection including the deployment of masts and base stations.
- 32.2 Without prejudice to the provisions of the Act, in the course of constructing, operating, altering, removing, replacing, or maintaining the installations outside the premises for the purposes of this licence, or any part of it, the Operator shall:
- a. exercise all reasonable care, and cause as little inconvenience as possible to the public and as little damage to property as possible; and
 - b. make good any damage caused to any person having a lawful interest in the land or being lawfully thereon and reinstate the land within a reasonable time in good and workmanlike manner. When it is not practicable to make good any damage or to reinstate the land to the condition in which it existed prior to the damage, the Operator shall pay, promptly and fully, compensation for any damage caused to any person having an interest or right in the land affected.

33. Right to Inspect & Test

- 33.1 The Operator shall allow the authorised representatives of the Commission to enter and inspect without prior notice the sites, places and premises where the Operator has installed telecommunication equipment, or used for the provision of the service, to verify that the Operator is in compliance with the licence conditions. The authorised representatives of the Commission shall have the right to inspect without prior notice the sites, premises and installations of the operator wherever situated. The right of inspection shall extend to access to inspect leased lines, junctions, terminating interfaces, processing hardware/ software, memories of live, magnetic and optical varieties, wired options, distribution frames, and to enter into dialogue with Input/output devices or terminals.

- 33.2 The Operator shall provide the necessary infrastructure including but not limited to equipment, manuals, diagrams required by the authorised representative of the Commission to inspect, test, read or measure any telecommunication installations, telecommunications equipment or apparatus.
- 33.3 The Commission or its authorised representatives shall have the right to request the operator to demonstrate and explain any operations carried out by the operator at the time of inspection and any time thereafter when required to do so.
- 33.4 The Operator shall permit the authorised representatives of the Commission to inspect without prior notice records, documents and statements of accounts relating to the Operator's business for the due implementation of provisions in the Act and the License. The Commission or authorised representative after inspection has the right to call for certified copies of any records or document and the operator on such request shall provide certified copies as requested.
- 34. Requirement to Furnish Network Plans and other Information to the Commission**
- 34.1 The Operator shall provide the Commission with transmission plans, switching plans and overall network plans includes, signalling plans, traffic information, technical configuration, circuit routing and other relevant technical data which the Commission may by notice or direction require for the exercise of its functions.
- 34.2 The Operator shall furnish to the Commission, in such manner and at such times as the Commission may request, such information related to the business, including financial statements, estimates, statement of accounts, returns and other records or information as the Commission may reasonably require for the purpose of exercising its functions.
- 35. Quality of Service Standards**
- 35.1 The Operator shall comply with Quality of Services (QoS) standard conforming to international norms and standards as specified by the Commission from time to time for the provision of voice telephony services. The Operator shall provide relevant data, carry out surveys and tests or provide the requisite facilities to enable the Commission to carry out such surveys and tests or to monitor the services provided for the purpose of ascertaining the quality of service rendered by the Operator to its customers or to any other Licensed System. The Operator shall make available such data and the results of any such surveys or tests as and when required by the Commission.

36. Network Roll- out Targets

- 36.1 The Operator shall install, maintain and use Radio communications Equipment in such a way as to have its network coverage in all provinces by means of the licensed system. The Operator shall have its network coverage in each province a minimum of:
- a. 50% geographical area of that province third year after the issuance of license;
 - b. 70% geographical area of that province five year after the issuance of license and
 - c. 90% geographical area of that province seven year after the issuance of license.
- 36.2 The Operator shall exceed network roll out targets during its first three years period of operation after the issuance of the licence. For the purpose of calculating the each year network coverage, the Operator shall furnish the Commission a report of the network Rollout achieved in compliance with the Implementation timetable referred to the paragraph 36.1 on a quarterly basis. The network Roll-out targets shall be measured in each case as at the end of each year.
- 36.3 If the Operator fails to achieve the required network Roll-out targets at the relevant period as specified in Condition 36.1, the Commission shall impose the penalties set out in paragraph 36.4 against the Operator. Monetary penalties payable shall be due three (3) months following the end of the relevant year in which such monetary penalties become payable.
- 36.4 The penalty payable (p) shall be calculated at three different times i. e. third, fifth and seventh year after the issuance of this license. The penalty shall be payable for the each province only if the actual percentage of network coverage for that province is less than targets specified in paragraph 36.1. The amount payable (p) shall be governed by the following formulae

$$P = \text{Rs. } 20,000,000 (X-Y)$$

Where

X = percentage of network coverage specified in paragraph 36.1 as at end of each year

Y = actual network coverage as a percentage of the geographical area of the Each province as at end of each year

37. International Commitments

- 37.1 The Operator shall at all times comply with the provisions of the constitution and Convention of the International Telecommunication Union (ITU) and the regulations and recommendations annexed to it, and without limiting the generality of the foregoing, the recommendations made by the Radio communication Sector and Standardisation Sector established under the Convention and any other international convention, agreement, arrangement, or treaty to which Sri Lanka is or shall become a party.
- 37.2 The Commission shall notify the Operator from time to time of any such convention, agreement, arrangement, or treaty, which Government entered.

38. Safety

- 38.1 The Operator shall take proper and adequate safety measures for the safeguarding of life and property in connection with all installations, equipment and apparatus operated or used, including safeguards against exposure to any electrical or radiation hazard emanating from the installations, equipment or apparatus used under this Licence.

39. Force Majeure

- 39.1 The Operator shall not be liable for any failure of, breach of, or delay in performance of any obligations under the License due to causes beyond its reasonable control, including, but not limited to: acts of God, fire, explosion, cable cut, storm or other similar natural catastrophes; any law, order, regulation, direction, action, Act or Omission of the Authority or of the government, including but not limited to state, provincial, departmental and local governments having jurisdiction over the Operator and its activities, or of any department, agency, commission, court, bureau, corporation or other instrumentality of any one or more of said governments, or of any civil or military authority; insurrections, riots or wars, civil unrest, vandalism; or strikes, lock outs, work stoppages or other labour difficulties. In the event of an occurrence of force majeure, the Operator shall notify the Commission in writing as soon as possible and shall use its best endeavours to remedy such event of force majeure as quickly as possible. However, this will not reduce the obligations of Operator specifically in the case of emergency.

PART VIII:

DEFINITIONS AND INTERPRETATIONS

Accounting Separation	The preparation of separate accounts for different business and parts of businesses run by the same company or group of companies, so that the costs and revenues associated with each business and part of a business (and transfer between them) can be separately identified and properly allocated.
Anti-Competitive Practice	Any practice whereby the Operator, in the course of business, pursues a course of conduct which of itself or when taken together with a course of conduct pursued by persons associated with him, has or is intended to have or is likely to have the effect of, restricting, distorting or preventing competition in connection with the production supply or acquisition of goods in Sri Lanka or the supply or securing of services in Sri Lanka.
Auditor	The Operator's auditor for the time being appointed in accordance with the requirements of the Companies Act.
Cellular Communications System	A Communications system consisting of mobile switching centres (each of which typically serves a number of "cells") which establish calls to and from mobile customers in their respective call service areas, thereby generally allowing calls to be transferred from cell to cell without interruption.
Commission	The Telecommunications Regulatory Commission of Sri Lanka established under the Act.
Connectable System	A telecommunication system which is authorised to be run under a Licence which authorises connection of that system to the applicable System.
Connection Service	A telecommunication service consisting in the conveyance of any message which has been or is to be, conveyed by means of the Licensed System.
Cross Subsidy	The financing of losses made in one market by pricing below incremental costs from profits made in another.

Customer/Subscriber	Means any Person who has indicated willingness to the Operator to receive Services from the Operator on the Operator's terms and conditions, or has entered into a contract with the Operator for the provision of such Services irrespective of the payment terms thereof.
EDGE	Enhanced Data rates for GSM Evolution; effectively the final stage in the evolution of the GSM standard, EDGE uses a new modulation schema to enable theoretical data speeds of up to 384kbit/s within the existing GSM spectrum.
Electromagnetic compatibility	The condition which prevails when telecommunications equipment is performing its individually its designed functions in a common electromagnetic environment without causing or suffering unacceptable degradation due to unintentional electromagnetic interference to or from other equipment in the same environment.
Emergency	Means an emergency of any kind, including, without limitation, any circumstances whatsoever resulting from major accidents and natural disasters.
Emergency Organisation	In respect of any locality, the relevant Government Department such as the Police, hospitals, and the Fire brigade Service.
Financial Statements	Documents that collectively make up, inter alia, the regulatory accounts reflecting accounting separation and interconnection standard services. The statements are audited to check that they fairly represent the financial results for the Businesses which are divided for regulatory purposes (inter alia to help disclose unfair cross subsidies between and within business and that interconnection charges can be shown to be fairly derived from costs and applied without discrimination).
Fixed Service	A telecommunications service in which the end-user terminal is located at a fixed point.

Geographical Inhabited Area: All land of the territory of Sri Lanka excluding water bodies, areas used for crops (tea, rubber, coconut, paddy), forest areas and national parks.

Government Authorities: "Any national, regional or local government, the legislative assembly or any entity within the same, or any government commission, authority, agency or entity.

GPRS (General Package Radio Service)

GPRS is a standard for wireless communications which runs at speeds up to 150 kilobits per second. The current systems only reach 9.6 kilobits. GPRS, which supports a wide range of bandwidths is an efficient use of limited bandwidth and is particularly suited for sending and receiving small bursts of data, such as e-mail and Web browsing, as well as large volumes of data.

GSM (Global System for Mobile Communication)

Originally developed as a pan-European standard for digital mobile telephony in 1991. GSM uses narrowband TDMA, which allows eight simultaneous calls on the same radio frequency.

GSM Based Services

Services that can be offered in addition to voice or data services such as location based information service, Electronic Top-up for prepaid, Mobile wallet based payment services etc. These services may use some GSM based facilities such as SMS, USSD for the provision of the service.

Intelligent Network

A telecommunications network in which the network Intelligence is centralized and separated from switching functions. These allow more flexibility than switched based systems; customers can be given access to their own database entries to carry out changes.

Interconnection

The physical and logical connection of two Operators' networks thereby allowing customers of one system to connect with customers of the other, or to access services provided from the other system

International Telecommunication Service

The offering of a telecommunication capability between telecommunication offices or stations of any nature that are in or belong to different countries

Interoperability

Interoperability means the technical features of a group of interconnected systems (systems includes equipment owned and operated by the customer which is attached to the public telecommunication network), which ensure end-to-end provision of a given service in a consistent and predictable way.

Licensed Operator

Any person who, at the relevant time, has the benefit of a License granted under Section 17 of the Act.

Link

A connection maintained or to be maintained between two nodes for the purpose of transmission of messages.

Linked Sale

A sale where the Operator agrees to :

- a. provide any Telecommunication Service by means of or in relation to the Licensed System.
- b. supply any Telecommunication Apparatus for connection to the Licensed System;
- c. connect any other system or apparatus to the Licensed System on the condition that the person who has requested such Telecommunication Service, Telecommunication Apparatus or connection service shall acquire from the Operator or from any other person specified or described by the Operator:
 - (i) any Telecommunication Service other than the Telecommunication Service requested, save where that service cannot be provided without the provision of that other service; or
 - (ii) any Telecommunication Apparatus not incorporated in the Licensed System, save where the

Telecommunications Service requested cannot otherwise be provided or the Telecommunication Apparatus requested cannot otherwise be used.

Long-Term Evolution (LTE)	LTE is a standard for high-speed wireless communication for mobile phones and data terminals, based on the GSM/EDGE and UMTS/HSPA technologies. It increases the capacity and speed using a different radio interface together with core network improvements. The standard is developed by the 3GPP (3 rd Generation Partnership Project) and is specified in its Release 8 document series.)
Message	Any sound, signal, sign or image sent, or to be sent, for conveyance by means of a licensed line.
MMS	Multimedia Messaging Service; an evolution of SMS, MMS goes beyond text messaging offering various kinds of multimedia content including images, audio and video clips.
Mobile Operator	Any person licensed by the Commission to operate and provide Digital Mobile Communications Service.
Mobile Terminal Equipment	A user terminal typically portable or vehicle mounted, which connects the customer to the Licensee's network by way or a radio link from the terminal to the serving base station in the network, all of which equipment are duly approved by the Commission.
National Numbering Plan	A plan describing the method adopted or to be adopted for allocating and reallocating of numbers to particular telecommunication service(s) or user(s), which is specified by the Commission

Network	A collection of nodes and links which are connected to together by means of transmission paths and which can include a variety of functional units such as switching centres, repeaters etc.
Network Coverage	Availability to get a signal from the Licensed System of not less than -102 dBm and to the Licensed System of not less than- 111 dBm.
Node	Means an exchange used for switching of messages or a branching node of a transmission bearer used for transmission of such messages to the destination.
Non-Ionising radiation	It is a type of energy, in the lower range of the electromagnetic spectrum, which does not have the ability to remove ions from molecules.
Person	Any individual, Firm, Corporation, Partnership, Trust, Limited Liability Company, Joint Venture, Government or other Entity.
Price Discrimination	Supplying the same product/service to different customers at different prices in relation to differences in costs. Conventional price discrimination is possible where the supplier is able to segment the market, either on the basis of (known) different demand characteristics, or by a self-selecting set of volume related tariffs.
Re-filing	The re-routing as outgoing traffic of any incoming traffic not destined for Licensed System.
Roaming Service	A Service allowing cellular subscribers to use their handsets on networks of other Operators when customer is out of range of his own Operator's network.
SMS (Short Message Service)	SMS is a data service within GSM-networks. With SMS it is possible to send and receive short messages of up to 160 characters to and from mobile phones via the network operators' message centre.

Software	The messages transmitted or processed through a communication medium. This term also refers to the instructions (programs) written for programmable computers.
Telecommunications Service	Any service including the transmission and/or routing of signs, signals, texts, images, sounds or data or a combination of these functions, using telecommunication process.
Telecommunications System	<p>A system in which:</p> <ul style="list-style-type: none"> i) The Base stations comprised in the system are automatically controlled by a central processor; ii) The strength of the emissions of the Base stations is automatically controlled so as to secure as far as is technically possible that each base station can effectively provide services only in the cell in which it is located; iii) The radio frequencies used for Radio communication to connect the base stations to the terminal equipment are assigned automatically; iv) The terminal equipment are designed or adapted to be capable of being used while in motion; and v) Conveyance of messages that is in progress in the telecommunications system as the terminal equipment moves from cell to cell and is handed-off automatically.
Telecommunications Network	The Transmission equipment and, switching equipment and other resources which permit the conveyance of signals between defined termination points by wire, by radio, by optical or by other Electro-magnetic means.

Third Generation (3G) Networks

The third generation is capable of providing high speed data transmissions and higher supporting multimedia applications such as full-motion video, video conferencing and Internet access with speeds ranging from 128 Kbps to several megabits per second.

Transmission links

Means Radio communication and other telecommunications facilities such as fiber optic cables used to link the Network nodes (radio based station sites, switches, etc.) of the Operator with each other.

USSD

Unstructured Supplementary Services Data. With USSD it is possible to send or receive messages between the phone and the system for providing information from the system to the user as well as issuing commands to the system by the user.

Voicemail

A service offered by network operators whereby calls received when the mobile is in use, switched off or out of coverage can be diverted to an answering service which can be personalised by the user.

WAP

Wireless Application Protocol; a de facto standard for enabling mobile phones to access the Internet and advanced services. Users can access websites and pages which have been converted by the use of WML into stripped-down versions of the original more suitable for the limited display capabilities of mobile phones.

Wireless Fidelity (Wi-Fi)

Wi-Fi are local area networks that use electromagnetic waves to transmit and receive data over short distances, instead of using wire line networks, mobile devices access the network by connecting, via radio, to a wire line access point that passes traffic back and forth over the network

SCHEDULE 4

REVOCACTION

1. The Minister may at any time revoke this Licence by 30 days' notice in writing given to the Operator at its registered office in any of the following circumstances:
 - a. if the Operator agrees in writing with the Minister that this Licence should be revoked;
 - b. if any amount payable under Condition 4 is unpaid and remains unpaid for a period of 14 days after the Commission notifies the Operator that the payment is overdue, which notification shall not be given earlier than the sixteenth day after the day on which the payment became due;
 - c. if the Operator fails to comply with an order of the Commission under the Act and that order is not subject to appeal proceedings and such failure is not rectified within 3 months after the Commission has given notice in writing of such failure to the any rule or regulation for the time Operator;
 - d. if the operator fails to comply with being in force under the Act;
 - e. if it is found that the issue of the Licence had been based on inaccurate or incorrect information provided by the Operator.
