



# TELECOMMUNICATION LICENSING FRAMEWORK IN MYANMAR

PRESENTED BY:

SEINT SEINT AYE (POSTS AND TELECOMMUNICATIONS DEPARTMENT)



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# INTRODUCTION

## Policy Reform

The Myanmar Telegraph Act 1885            Telecommunications Law 2013  
The Myanmar Wireless Telegraph Act 1934

## Telecommunication Service License

Chapter III of Telecommunication Law :  
Any one who is willing to provide telecommunications facilities and/or telecommunication services shall apply for permission and license

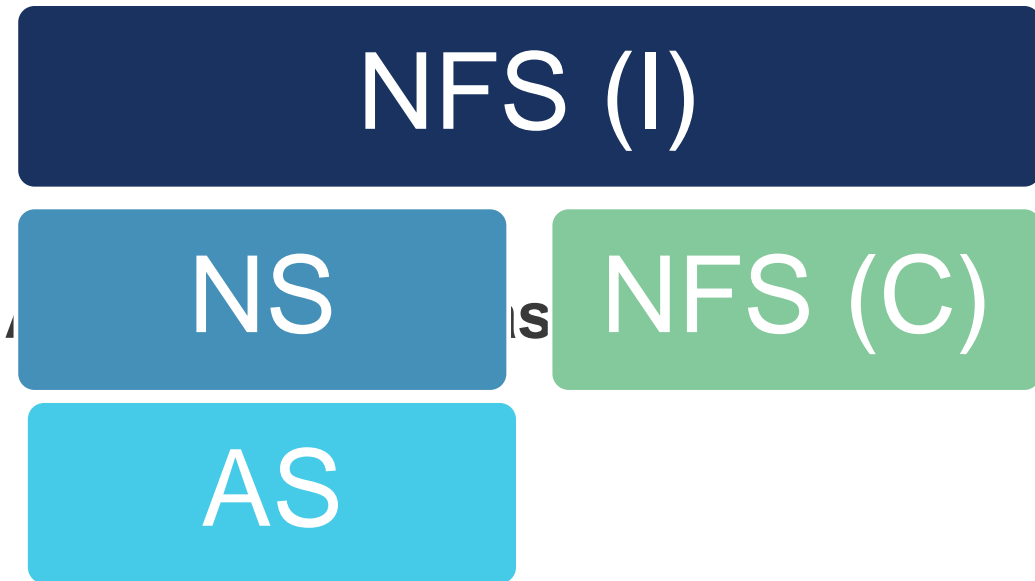
## Key Objectives of Licensing Regime

- Promote competition and liberalization of the telecom sector in Myanmar
- Ensure transparency in market entrance
- Establish technology-and-service neutral approach to licensing
- Ensure non-discriminatory treatment of similarly situated licensees

# LICENSING FRAMEWORK

## A multi-service licensing framework

- to simplify licensing processes
- encourage entry and expansion of services, and
- increase End User access to Telecommunications Networks and Telecommunications Services.



**A maximum of two Telecommunications Service Licenses**



# LICENSING CATEGORY

## **NFS license (not exhaustive)**

- Terrestrial fixed line and radio transmission
- Submarine cable facilities
- Satellite earth station facilities
- Mobile base station facilities and passive infrastructure to deploy networks

## **NS licence (not exhaustive)**

- Wireline connectivity services
- Terrestrial wireless connectivity services
- Satellite uplink/downlink connectivity services
- International and domestic network transport and switching services
- International gateway services

## **AS license (not exhaustive)**

- Public payphone services
- Public switched data services
- Audiotext hosting services provided on an opt-in basis
- Directory services
- Internet service provider services
- Messaging services and Value-added services

## **NFS(C) (not exhaustive)**

- Towers, masts, ducts
- Trenches and poles
- Dark fibre

# LICENSING CATEGORIES SUMMARY

	<b>NFS (I)</b>	<b>NS</b>	<b>AS</b>	<b>NFS(C)</b>
Facilities Based?	Yes	No	No	Yes (only Passive)
Permitted to offer telecom services?	Yes	Yes	Yes	No
Access to Number?	Yes	Yes	No	No
Access to Spectrum?	Yes	Yes	No	No

# LICENSING PROCEDURES

## Procedures for NFS and NS licences

- A person applying for NFS or NS licence shall require a relatively **high degree of regulatory control**
- Within 60 days of receiving an application form, the Regulator and Ministry shall complete their review of the application
- NFS and NS licences shall be issued on a **non-exclusive** basis and there shall be **no pre-determined number** of these licences

## Procedures for AS and NFS(C) licences

- Registration for AS or NF licence involves a **simpler process**
- Upon written submission of a complete, accurate and signed registration form and payment of applicable fees, any person satisfying the qualification criteria shall receive the licence

# GENERAL RIGHTS & OBLIGATION OF LICENSEES

## Licence duration & renewal

- **15 years**
- Regulator shall renew licence on **same** or substantially **similar** terms and for same duration, if licensee has substantially complied with all applicable legislation, regulations, rules, decisions and terms & conditions of licence

## Transfer or assignment

- Prior to transferring control, a licensee must apply in writing to the Regulator and obtain **prior written approval**

## Modification

- **Regulator may modify** a licence at the request, or with the consent of licensee

## Suspension or termination

- Regulator may **suspend** or **terminate** a licence, following an enforcement proceeding, if it determines that the licensee has failed to comply with any duties of the Telecom Law relating to anti-competitive conduct, any decision made by the Regulator involving a dispute resolution

## Surrender

- Licensee may only surrender with the prior **written approval of Regulator**

## Fees

- Fees shall include initial licence fee, annual regulatory fee, renewal fee & other
- Licensee's failure to pay any fee due to the Regulator within 30 days shall **pay interest, retroactively**
- Regulator may **initiate enforcement action**



# LICENSE PROCESSING TIMELINE

License Type	Applied for or Applied by	Ministry Approval	Union Government Approval	Processing Timeline
NFS (I)	Int'l Gate way Or Foreign person	Yes	Yes	90 days
	Otherwise	Yes	No	60 days
NS	Foreign person	Yes	Yes	90 days
	Otherwise	Yes	No	60 days
NFS (C)	Foreign person	Yes	Yes	60 days
	Otherwise	Yes	No	30 days
As	Foreign person	Yes	Yes	60 days
	Otherwise	Yes	No	30 days

# LICENSE FEE

## Licensing Fees for Telecommunications Service Licenses

	NFS(I) License	NFS(C) License	NS License	AS License
<b>Application/ Registration Fee*</b>	MMK 10,000,000	MMK 2,500,000	MMK 5,000,000	MMK 2,500,000
<b>Initial Fee*</b>	MMK 50,000,000	MMK 12,500,000	MMK 25,000,000	MMK 10,000,000
<b>Annual Regulatory Fee</b>	2% of relevant revenues	0.5% of relevant revenues	1% of relevant revenues	0.5% of relevant revenues
<b>Fee to Provide Additional Services</b>	MMK 5,000,000	MMK 1,250,000	MMK 2,500,000	MMK 1,250,000
<b>Renewal Fee</b>	MMK 50,000,000	MMK 12,500,000	MMK 25,000,000	MMK 10,000,000

**\*\* Spectrum fees and numbering fees shall be paid separately**

# CONCLUSION

- General licensing framework
  - to simplify licensing process
  - to encourage entry and expansion of services
  - to increase end user access to telecommunications networks and services



**Thank You**