



Newsletter

Telecommunication and Post

Dutch Caribbean

Dear reader,

This is the second Newsletter of the year 2012, through which Radiocommunications Agency Netherlands (the Radiocommunications Agency) informs the residents of the Dutch Caribbean and telecommunications and parties in the postal market of sector-specific facts, events and developments.

Study market regulation telecommunications sector

Recently, an inventory was conducted of the basic principles for proper marketing regulation models for the Dutch Caribbean, focused on local circumstances.

In general, the Ministry of Economic Affairs, Agriculture and Innovation (EL&I) is of the opinion that considering the specific circumstances, (scale of the islands, and the size of the market), competition on networks must be pursued (services competition) and where possible competition between networks (as in Bonaire to a limited extent).

For an efficiently operating telecommunications market, EL&I considers the following basic principles as essential:

1. Services competition is pursued through regulation of the access to the networks;

2. Monopolistic behavior or cartel formation with high rates for customers must be prevented.
3. The networks and services that consist of providing connections for users to telephone and internet networks must comply with minimal quality standards.
4. All households of the Dutch Caribbean must have affordable telecommunications services at their disposal.

Following from the findings of the study, EL&I does not feel there is an immediate need for additional market regulation policies at this time. In the opinion of EL&I, the current Telecommunications Act BES (WTV BES) and local regulations provide sufficient room for efficient market regulation. EL&I also finds the current laws and regulations can be exploited more to that effect. The concession requirements, for example, already provide that the quality of a minimal service package for the end-user is warranted. Concession holders are also obligated to meet the reasonable requests from new providers for access to the network in a reasonable manner.

EL&I therefore seek continuation of the current telecommunications regulations and their enforcement.



Where necessary, legal provisions will be further substantiated with local regulations.

EL&I will also request the supervisor, in order to promote an efficient market operation, to prioritize the supervision on the concession conditions that provide for access to the network. Should it become apparent after 6 months that the desired effects for efficient market operation are not achieved, further measures will be considered.

The second half of 2012 and the first half of 2013 will be used to further study a number of aspects that monitor the promotion of an effective market operation. This may be any further regulation of market access and the assessment as to whether it is required to determine tariffs for access to networks and, if so, the level of these tariffs. Subjects such as number portability, interconnection/interoperability can also be evaluated.

Responsible institutions

As of 10 October 2010, the minister of Economic Affairs, Agriculture and Innovation is responsible for the telecommunications policy in the Dutch Caribbean, including execution and supervision. The Radiocommunications Agency, as part of the ministry, was appointed operator and supervisor for telecommunications affairs in the Dutch Caribbean.

The Radiocommunications Agency also temporarily (until 1 January 2013) performs the tasks that in the Dutch context are within the field of the market supervisor, the Independent Post and Telecommunications Authority (OPTA). As of 1 January 2013, there will be a change where OPTA – as it will be incorporated in the Authority Consumer and Market (ACM) in January 2013 – will also take on the (supervisory) tasks in the field of post, mandatory services, issue of numbers, cables and cable networks and dispute settlement for the Dutch Caribbean as well.

In performing these tasks, the one-stop shop concept is applied: parties in the Dutch Caribbean have one point of contact, BT&P. This means that BT&P, on the instructions and under responsibility of the Radiocommunications Agency (and soon also ACM) will provide for the execution of the WTV BES and the supervision that it is complied with.

The actual decisions are taken by the Radiocommunications Agency /ACM and/or – when policy aspects are (also) involved – by the Ministry of EL&I.

Supervision on radio communication equipment

In order to safeguard the supervision on the proper use of the radio communication equipment, for example radio-telephones, limited coastal stations, radio equipment on pleasure craft and for aviation in the Dutch Caribbean, the BT&P will regularly visit authorization holders of this equipment. For this purpose, an inspector of the BT&P will visit the BES islands several times a year to provide information, perform inspections and conduct supervision on validity of authorizations.

Radio Exams

The Radio Exams that were conducted in July 2012 had a particularly large number of registrations in Bonaire. The next exams are planned for the month of November 2012. Those interested in taking Radio Exams may register in advance for the next exams, at the Front-Office of the Bureau Telecommunicatie en Post in Bonaire. The registration form may also be requested there.

The exact dates for the next exams to be conducted will be announced in the local newspapers and on the websites of the Radiocommunications Agency and Bureau Telecommunicatie en Post. Candidates who have registered will be informed of the date directly.