



BERMUDA

REGULATORY AUTHORITY (SUBMARINE CABLE COMMUNICATIONS
OPERATING LICENCE) GENERAL DETERMINATION 2020

BR 108 / 2020

TABLE OF CONTENTS

1	Citation
2	Interpretation
3	General purpose
4	Determination
5	Terms and conditions of General Determination
6	Effective date of General Determination

The Regulatory Authority, in the exercise of the power conferred by section 62 of the Regulatory Authority Act 2011, as read with section 50 of that Act and section 17 of the Electronic Communications Act 2011, makes the following General Determination:

Citation

1 This General Determination may be cited as the Regulatory Authority (Submarine Cable Communications Operating Licence) General Determination 2020.

Interpretation

2 In this General Determination, unless the context otherwise requires, terms shall have the meaning given in the Regulatory Authority Act 2011, the Electronic Communications Act 2011, and the Schedule to this General Determination.

General purpose

3 (1) This General Determination establishes the terms and conditions of a specific type of individual Communications Operating Licence, as provided for in section 17 of the Electronic Communications Act 2011, which shall be known as the Submarine Cable Communications Operating Licence or "SubCOL."

REGULATORY AUTHORITY (SUBMARINE CABLE COMMUNICATIONS
OPERATING LICENCE) GENERAL DETERMINATION 2020

(2) The SubCOL shall be available to qualified applicants authorized by the Regulatory Authority in accordance with the procedures for the grant of Communications Operating Licences other than ICOLs that are set out in the Regulatory Authority (Master Communications Operating Licence Application Process) General Determination 2019, provided that the applicant is the operator of a submarine cable landing in Bermuda and that—

- (a) such cable was lawfully installed in the territorial waters of Bermuda before the commencement of the Submarine Communications Cables Act 2020;
or
- (b) such operator has obtained a submarine cable licence pursuant to Part 6 of the Submarine Communications Cables Act 2020.

Determination

4 (1) This General Determination is made pursuant to the Consultation Document entitled “Applications for Integrated Communications Operating Licences (“ICOLs”); Application for Other Communications Operating Licence (“COL”)” dated 29 April 2020 and the Regulatory Authority’s Decision on it.

(2) Taking into account the responses received to the Consultation Document and the Preliminary Report and Preliminary Decision and Order, and for the reasons given in the Decision, the Authority determines that the terms and conditions of the SubCOL shall be those set out in the template set out in the Schedule.

Terms and conditions of General Determination

5 (1) The Schedule to this General Determination has effect.

(2) The Schedule is published on the Regulatory Authority’s website (www.ra.bm), and is also available for inspection at the offices of the Authority (1st Floor, Craig Appin House, 8 Wesley Street, Hamilton HM 11) during ordinary business hours.

Effective date of General Determination

6 This General Determination shall become effective on the day it is published in the Gazette.

Signed this 14th day of October 2020

Chairman, Regulatory Authority

[Operative Date: 15 October 2020]