



PAPUA NEW GUINEA  
OFFICE OF THE MINISTER

MINISTER FOR COMMUNICATION  
INFORMATION TECHNOLOGY



15<sup>th</sup> February, 2019

Mr. Charles S. Punaha  
Chief Executive Officer  
NICTA  
PO Box 8444  
BOROKO 111  
National Capital District

Dear Mr. Punaha,

**SUBJECT: Declaration of certain wholesale services pursuant to  
Section 130 of the National Information and Communications  
Technology Act, 2009**

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I refer to the reports that NICTA referred to me on 19 December 2018 recommending that I should exercise my power as Minister pursuant to Section 130 of the *National Information and Communications Technology Act, 2009* to declare the wholesale services described in the proposed declaration instruments.

NICTA's recommendations were that I should declare the following services:

- the international submarine cable transmission capacity service;
- the international submarine cable gateway access service;
- the international submarine cable duct access service;
- the wholesale broadband service provided over optic fibre cable systems;
- the mobile terminating access service; and
- the fixed terminating access service.

I accept NICTA's recommendations and I have signed the three declaration instruments that give effect to these declarations and to the revocation of *Wholesale Service Declaration No.1 of 2015* which relates to terminating access services.

Please note that the declaration instrument that I have signed in relation to the mobile and fixed terminating access services includes a provision that the commencement date shall be the later of 17 June 2019 and 30 calendar days after publication in the National Gazette. The reason for this commencement date is to enable ample time for NICTA to provide advice in relation to any recommendations that might

arise from the appeal that Digicel PNG Limited has instituted before the ICT Appeals Panel contesting NICTA's recommendations that the fixed and mobile terminating access services be declared. The current appeal should be completed before 17 June 2019, but, if it is not, the commencement date formula in relation to gazettal provides further flexibility.

Yours sincerely,



**HONOURABLE SAMUEL H. BASIL, MP**  
**Minister for Communications, Information Technology & Energy**

