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[2025

Declaration Instrument

WHOLESALE SERVICE DECLARATION No. 2 OF 2025

PART 1- PRELIMINARY

1 Name of Declaration

This Declaration is Wholesale Service Declaration No, 2 of 2025.

2 Commencement and Expiration

- (1) This Declaration commences 30 calendar days after the date on which it is notified in the *National Gazette* (the Commencement Date).
- (2) This Declaration expires on the day before the fifth anniversary of the Commencement Date unless it is renewed or varied or revoked earlier in accordance with section 130 of the Act.

3 Definitions

- (1) Subject to subsection (2), unless the context otherwise requires, terms used in this Declaration have the same meaning as in the Act.
- (2) In this Declaration, unless the context otherwise requires:
 - (a) "Act" means the *National Information and Communications Technology Act, 2009* and includes any regulations made under that Act;
 - (b) "dedicated capacity" means capacity assigned solely to the access seeker's point-to-point link and not shared with others;

Wholesale Service Declaration No. 2 of 2025—continued**Part I Preliminary—continued****3 Definitions—continued**

- (c) "international gateway" means the network equipment at a cable landing station, or at another location on the PNG's end of an international connection or link;
- (d) "point of interconnection" means a location in Papua New Guinea which is a physical point of demarcation between the access seeker's network and the access provider's network;
- (e) "premises" means the location or locations occupied by a retail customer or endusers where retail service is delivered.

Note: The following terms are defined in the Act:

- . Access
- . Access Provider
- . Access Seeker
- . Facility
- . Interconnection
- . Network
- . Network Service
- . Operator Licensee
- . Retail Customer
- . RIO

PART II - WHOLESALE LONG-HAUL DEDICATED CAPACITY SERVICE**4 Declaration of service**

The wholesale long-haul dedicated capacity service is hereby declared.

5 Service description

- (1) The wholesale long-haul dedicated capacity service is a Network Service:
 - (a) for the carriage of traffic between two points of the access provider's fibre optic network within the national territory of PNG, except for the segment between the cities of Lae and Mount Hagen; and
 - (b) it involves the provision of domestic dedicated capacity from a point of interconnection to a second point of interconnection.
- (2) For the avoidance of doubt:
 - (a) this point-to-point service could have one end at an international gateway within the national territory of PNG; and
 - (b) may include access to, or use of, the facility or facilities of an access provider to collocate an access seeker's equipment physically or virtually, at the access provider's facilities in order to interconnect the two networks.

Wholesale Service Declaration No. 2 of 2025—continued**PART 111 - WHOLESALE LOCAL DEDICATED CAPACITY SERVICE****6 Declaration of Service**

The wholesale local dedicated capacity service is hereby declared.

7 Service Description

- (1) The wholesale local dedicated capacity service is a network service:
 - (a) for the carriage of traffic between two points over the access provider's fibre optic network, and within the limits of a city, or a metropolitan area in the national territory of PNG, but excluding the National Capital District; and
 - (b) it involves the provision of domestic dedicated capacity from a point of interconnection to a second point at either:
 - (i) a retail customer premises; or
 - (ii) at an access seeker's point of interconnection.
- (2) For the avoidance of doubt:
 - (a) this wholesale service may include access to, or use of, the facility or facilities of an access provider to collocate an access seeker's equipment physically or virtually, at the access provider's facilities in order to interconnect the two networks.

PART IV - GENERAL TERMS AND CONDITIONS FOR THE SUPPLY OF THE DECLARED SERVICES**8 General Terms and Conditions**

- (1) The price of the abovementioned declared services: (1) wholesale long-haul dedicated capacity service and (2) wholesale local dedicated capacity service (the "Declared Services"), shall be set:
 - (a) in accordance with the General Pricing Principles under Section 134 of the Act; or
 - (b) in accordance with the Service-Specific Pricing Principles under Section 135 of the Act, when NICTA makes such determination; and
- (2) The Declared Services shall be supplied in accordance with the Non-Discrimination Obligations under Section 136 of the Act; and
- (3) The Declared Services shall be supplied in accordance with model non-price terms and conditions ("Model Terms") in force, as determined by NICTA pursuant to Section 133 of the Act; and
- (4) Within 30 calendar days of this declaration becoming notified in the *National Gazette*, an access provider of the Declared Services shall supply NICTA with the current price list of the Declared Services. At the same time, the price list shall also be published on the access provider's website; and
- (5) The above-mentioned price list shall be updated quarterly. An access provider of the Declared Services shall supply NICTA with the updated price list and publish it on its website; and
- (6) Within 60 calendar days of this declaration becoming notified in the *National Gazette*, an access provider of the Declared Services shall supply NICTA with a Reference Interconnection Offer (RIO) in accordance with Section 141 of the Act. Any RIO for the Declared Services shall be consistent with Model Terms for these services as determined by NICTA pursuant to Section 133 of the Act.

Wholesale Service Declaration No. 2 of 2025—continued

PART V - REPORTING OBLIGATIONS

9 Reporting Obligations

- (1) An access provider of the Declared Services shall provide NICTA with monthly sales information of the Declared Services in a format to be specified by NICTA. Such format may include but not be limited to, monthly sales revenue by operator licensee disaggregated by link capacity, and by type of service.
- (2) Using an EXCEL format provided by NICTA, the access provider shall provide a complete list with information about each point-to-point link of the Declared Services supplied to each access seeker.
- (3) The above-mentioned reporting shall be supplied to NICTA quarterly, no later than ten days after the end of every quarter.

Dated this 19th day of November, 2025.

Hon. P. TSIAMALILI JR,
Acting Minister for Information and Communication Technology.