
GUIDELINES

TELECOMMUNICATIONS (RADIO-COMMUNICATION) REGULATIONS, 2013 COLLECTION OF CELLULAR MOBILE SUBSCRIBER LICENCE FEES

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1. BACKGROUND & OBJECTIVE

- 1.1. The Cellular Mobile Subscriber Licence (CMSL) fee is an annual fee of BND25.00 payable to the Government of Brunei and charged per registration on post-paid and prepaid SIM¹ cards. These Guidelines describe the Authority’s requirements associated with collection of the CMSL fee for mandatory implementation by the Authority’s Licensees responsible for collection of the same.
- 1.2. The Authority reserves the right to change, revise and/or revoke these Guidelines from time to time as it sees fit without prior notice.
- 1.3. These Guidelines shall take effect from **15 June 2018**.

2. REGULATORY POWERS

- 2.1. These Guidelines are issued under *Section 28 of the Telecommunications Order, 2001* to describe the Authority’s requirements associated with collection of the CMSL fee which is charged pursuant to *Section 37 of the Telecommunications (Radio-Communication) Regulations, 2013*.
- 2.2. In the event of a failure to comply with the requirements of these Guidelines, the Authority may exercise its powers under *Section 8 of the Telecommunications Order, 2001*.

3. COLLECTION OF CMSL FEES FROM POST-PAID SUBSCRIBERS

- 3.1. The CMSL fee is due and payable in full annually on or before the anniversary date (the due date). Licensees shall collect the CMSL fee in full from subscribers.

¹ Subscriber Identification Module.

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- 3.2. Licensees shall send reminders to their subscribers **at least seven (7) calendar days prior to, and on the due date**, through billing statements and/or Short Messaging Service (SMS) and/or email.
- 3.3. If the CMSL fee is not paid on or before the due date, Licensees shall give one (1) reminder within seven (7) calendar days after the due date through billing statements and/or Short Messaging Service (SMS) and/or email.
- 3.4. If the CMSL fees are not paid in full within **sixty (60) calendar days** after the due date, the services will be partially barred; allowing only incoming calls, receipt of SMS and emergency calls.
- 3.5. If the subscribers fail to pay in full in between sixty (60) calendar days to **ninety (90) calendar days after the due date**, the services will be fully barred; subscribers will not be able to make both incoming and outgoing calls.
- 3.6. Subscribers will be given a maximum of ninety (90) calendar days after the due date to pay the CMSL fees in full before services are permanently deactivated.
- 3.7. Reactivation of post-paid services account
 - 3.7.1. The CMSL fee of BND25.00 shall be collected before reactivation of services.
 - 3.7.2. Licensees may impose fees, charges, prices or tariffs² (in addition to the CMSL fee paid in full above) for reactivation.
 - 3.7.3. The subscriber's new due date will then align with the reactivation date.

4. COLLECTION OF CMSL FEES FROM PREPAID SUBSCRIBERS

- 4.1. The CMSL fee is due and payable in full annually on or before the anniversary date (the due date). Licensees shall only deduct the CMSL fee in full from the subscriber and shall not deduct and retain fractions of the CMSL fee in the event that the subscriber does not have the full amount available in credit.
- 4.2. Licensees shall send reminders to their subscribers **at least seven (7) calendar days prior to, and on the due date**, through Short Messaging Service (SMS) and/or email to ensure sufficient credit for the full deduction of CMSL fee on the anniversary date.
- 4.3. If there is insufficient credit for full deduction of the CMSL fee on the due date, Licensees shall give one (1) reminder within seven (7) calendar days after the due date through Short Messaging Service (SMS) and/or email.

² Written approval from the Authority is required for any new or changes in tariff including non-tariff terms and conditions before launching and announcement of such services.

- 4.4. If the subscriber fails to ensure sufficient credit for the full deduction of CMSL fee within **thirty (30) calendar days** after the due date, the services will be partially barred; allowing only incoming calls, receipt of SMS and emergency calls.
- 4.5. If the subscribers fail to pay in full in between thirty (30) calendar days to **sixty (60) calendar days after the due date**, the services will be fully barred; subscribers will not be able to make both incoming and outgoing calls.
- 4.6. If insufficient credit continues for more than **sixty 60 calendar days after the due date**, the services will be permanently deactivated.
- 4.7. Reactivation of prepaid SIM services account
 - 4.7.1. The CMSL fee of BND 25.00 shall be collected before reactivation of services.
 - 4.7.2. Licensees may impose fees, charges, prices or tariffs³ (in addition to the CMSL fee paid in full) for reactivation.
 - 4.7.3. The prepaid subscriber's new due date will then align with the reactivation date.

5. REPORTING REQUIREMENTS AND PAYMENT OF CMSL FEES TO THE AUTHORITY

- 5.1. Licensees shall ensure true, correct and accurate tracking of its subscriber numbers against the collection of CMSL fees in a format approved by the Authority.
- 5.2. Licensees shall make payment of the full amount of the CMSL fees collected from its subscribers to the Authority on or before the 15th day of every month. In the event of a failure to comply with this requirement, the Authority may issue an invoice to the Licensee for the CMSL fees, based on the data submitted for that particular month in the previous year, after which reconciliation will be done to ensure accuracy of payment.
- 5.3. Licensees shall provide reports containing the following information:
 - 5.3.1. Post-paid
 - (a) Number of active⁴ subscribers within the reporting period.
 - (b) Number of active subscribers due for CMSL fees within the reporting period.

³ Written approval from the Authority is required for any new or changes in tariff including non-tariff terms and conditions before launching and announcement of the same.

⁴ Active subscribers refer to subscribers to a periodical who has bought or renewed a subscription within the last stated period of time.

- (c) Number of active subscribers who have paid for the renewal of CMSL fees within the reporting period.
- (d) Number of active subscribers who have paid for the renewal of CMSL fees in other reporting period.
- (e) Number of new subscriptions and/or subscribers within reporting period.
- (f) Number of terminated subscription as a result of unpaid CMSL fees.
- (g) Number of terminated subscription NOT⁵ as a result of unpaid CMSL fees.
- (h) Any other information which the Authority may request.

5.3.2. Prepaid

- (a) Number of active⁶ subscribers within the reporting period.
- (b) Number of active subscribers due for CMSL fees within the reporting period.
- (c) Number of active subscribers who have paid for the renewal of CMSL fees within the reporting period.
- (d) Number of active subscribers who have paid for the renewal of CMSL fees in other reporting period.
- (e) Number of new subscriptions and/or subscribers within reporting period.
- (f) Number of terminated subscription as a result of unpaid CMSL fees.
- (g) Number of terminated subscription NOT⁷ as a result of unpaid CMSL fees.
- (h) Any other information which the Authority may request.

- 5.4. The reporting period starts from the first day of the reporting month until the last day of the reporting month.
- 5.5. The report described in paragraph 5.3 above shall be submitted to the Authority together with payment of CMSL fees collected.
- 5.6. The Authority reserves the right to appoint an independent agency to verify the accuracy of the reports submitted.

[END OF DOCUMENT]

⁵ Licensees must provide the reasons for termination if declared by the subscribers.

⁶ Active subscribers refer to subscribers to a periodical who has bought or renewed a subscription within the last stated period of time.

⁷ Licensees must provide the reasons for termination if declared by the subscribers.