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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2395/34 - 2024 ජූලි මස 31 වැනි බදාදා - 2024.07.31

No. 2395/34 - WEDNESDAY, JULY 31, 2024

(Published by Authority)

**PART I : SECTION (I) — GENERAL**

**Government Notifications**

**TELECOMMUNICATIONS REGULATORY COMMISSION OF SRI LANKA**

PROVIDER License Rules made under Section 68 read with Section 17B of the Sri Lanka Telecommunications Act, No. 25 of 1991 as amended by (Amendment) Act, No. 27 of 1996 and (Amendment) Act No. 39 of 2024 and approved by the Minister of Technology.

Dr. DHARMASRI KUMARATUNGE,

Chairman,

Telecommunications Regulatory Commission of Sri Lanka.

Colombo,

On this 31st July, 2024.



1. These Rules may be cited as the Provider License Rules of No. 1 of 2024 and shall come into effect on 31.07.2024.
2. These Rules are applicable to Providers licensed (“Licensee”) under Section 17B of the Act.
3. The Commission may issue further directives, procedures or notices to facilitate the comprehensive application of these Rules.
4. The Providers must comply with all directives procedures or notices issued by the Commission as part of their operational compliance.
5. The Procedures for the Issuance / Renewals, fees and period of validity of Section 17B Licenses are set out in Schedule 1.
6. Section 17B Licence format is set out in Schedule 2.
7. The Procedure for transfer of ownership of the Licensee are set out in Schedule 3.
8. Standards and criteria for provision of Services under Section 17B Licences are set out in Schedule 4.

## SCHEDULE 1

### 1. SECTION-A: ISSUANCE/RENEWAL OF LICENSE FOR PROVIDING INFRASTRUCTURE SERVICES.

#### 1.1 The Procedures for issuing/renewing infrastructure service license:

- 1.1.1 The applicant shall be a company duly incorporated under Companies Act, No. 07 of 2007. Name of the applying company, date and place of incorporation, business and registered address, contact telephone number, facsimile number, email address and name and designation of a contact person within applicant’s organization should be provided.
- 1.1.2 An individual, a sole proprietorship, a partnership or any other person or classes of person as may be decided by the Commission from time to time will be ineligible to apply for Licence.
- 1.1.3 Detailed information should be given on corporate and shareholding structure including relationship with holding or associated companies clearly indicating the ultimate ownership, both direct and indirect. If the holding company is a public entity, then details of the public listing should be provided.
- 1.1.4 Detailed composition of the Board of Directors and key management team inclusive of individual shareholders should also be provided.
- 1.1.5 The issuance of Licence for the provision of Telecommunication Infrastructure will depend on the regulatory requirement for such service in Sri Lanka and if such requirement does not exist Commission may reject any unsolicited application without being processed.
- 1.1.6 Any interested party who wishes to apply for a new Licence shall submit duly perfected S17B-1 application.

The Commission will ensure that the application form is duly completed, and all details are in order. A checklist attached to the application form has to be submitted by the applicants and submitted along with the application. When the Commission receives the completed application form together with the relevant documents and appropriate processing fee, the Commission will refer the application for clearance from the Ministry of Defence. If security clearance is not granted by the Ministry of Defence the Application will be rejected.

- 1.1.7 However, if the Commission is of the opinion that the information provided by the applicant is insufficient to support the application, further information may be sought, and the processing of the application may be delayed.
- 1.1.8 In such circumstances, the Commission will direct the applicant to furnish requested information within four weeks. Failure to comply with this directive of the Commission may result in the applicant to be disqualified from this licensing process.
- 1.1.9 The Commission will assess the application as per described evaluation criteria in Schedule 1/Section-A (1.2), after verification of the documents submitted to check the eligibility of the applicant for the issuance of Licence. The applicant at all times shall provide clear evidence in all aspects described in the evaluation criteria.
- 1.1.10 Any Applications previously submitted for a Section 17 License for the provision of Telecommunication Infrastructure Services which falls within license category introduced under Section 17B of the amendment Act, No. 39 of 2024 shall be exempted from provisions given in schedule 1, and the Commission may determine appropriate process to be followed for the issuance of the License.
- 1.1.11 In addition to the application submitted, the Commission may from time to time, during the evaluation, request the applicant to submit additional documents to facilitate the evaluation. However, if the applicant fails to submit the required documents within 30 days applicant will be disqualified from the Licensing process. Further the applicant may be required to conduct presentation for further clarifications of their proposal.
- 1.1.12 As per the evaluation criteria described in Schedule1/Section-A (1.2), if scores more than 70%, the applicant will be eligible for the issuance of Licence.
- 1.1.13 Before the issuance of Licence, Commission may publish a Notice on national newspapers inviting public comments, within thirty days from the date of publication with regard to issuance of Licence.
- 1.1.14 The Commission will consider any representation or objection duly made in response to the public notice. If an objection or representation to the application was made, the Commission may initiate an investigation depending on the type of complaint. The applicant may be required to submit evidence during the investigation. If the Commission finds valid reasons, as a conclusion of the investigation for not issuing the Licence, the applicant would be informed of decision of the Commission in writing.
- 1.1.15 Categories of licenses with corresponding license fees excluding applicable taxes are set out below for a period of five (5) years
  - a. Infrastructure Services (other than Public Utility Providers) Rs. 10,000,000.00
  - b. Infrastructure Services by Public Utility Providers Rs. 100,000.00

- 1.1.16 The applicant will be advised to pay the necessary Licence fee within thirty days if the Commission does not find valid reasons as conclusion of the investigation to justify the objections raised by the public. On the receipt of licensing fee within the prescribed period, the Commission will issue the licence. The Commission will publish the issuance of the licence on its official web site. However, if the applicant fails to make the payment of Licence fee within prescribed period, applicant will be disqualified and Licence will not be issued and process will be terminated.
- 1.1.17 Applicants should submit confidential information in a separate cover indicating it clearly on the documents as well. Applicants may be assured that all commercially sensitive information will remain strictly confidential.
- 1.1.18 On submission of the Duly Perfected Application Form S17B-1 with all relevant details, the Applicant is required to make a processing fee of Rs. 300,000 payable with applicable taxes to the Telecommunications Regulatory Commission of Sri Lanka. This fee is non-refundable regardless of whether an Applicant is successful or not in the licensing process. No application will be evaluated if relevant processing fee is not paid.
- 1.1.19 The Authorized representative of the company who is signing the declaration should initial each page of the application and project feasibility report. Submission of the application form and Project feasibility report additionally in the electronic format would be recommended.
- 1.1.20 The completed application form including attachments and Project feasibility report and a softcopy together with processing fee should be submitted in an envelope clearly marked 'Application for Infrastructure Service Licence' addressed to:

*The Director General,  
Telecommunications Regulatory Commission of Sri Lanka,  
No. 276, Elvitigala Mawatha, Colombo 08.  
Tel: +94-112689345  
Fax: +94-112689341  
E-mail: [dgtsl@trc.gov.lk](mailto:dgtsl@trc.gov.lk)*

## 1.2 APPLICATION EVALUATION CRITERIA.

- 1.2.1 The assessment of the application is based on the capabilities with regard to technical, financial, sales & marketing, customer service & protection and organizational and managerial aspects for proper operation of telecommunication system and provision of telecommunication services. This evaluation will be based on the feasibility report submitted with the S17B-1 Application Form.
- 1.2.2 Applicant should score minimum amount specified in each aspect/segment below and total score shall be more than 70% to become eligible for issuance of Licence.

No.	Evaluation Criteria	Marks	Minimum Required
1	Technical	30	20

No.	Evaluation Criteria	Marks	Minimum Required
2	Financial	30	20
3	Sales and Marketing	15	10
4	Customer Service & Protection	15	12
5	Organizational & Managerial	10	8

### EXPLANATORY NOTES

- Before completing this application form, applicants should read the Provider license Rules including Schedule 01/Section A.
- All applicants should complete the application form (S17B-1).
- The application must be completed fully in print or block capitals.
- Applicants should attach extra pages if given space is insufficient to provide the requested information. The information on extra pages should be presented clearly and numbered in accordance with this form. Any attached pages must be printed on A4-size papers.
- Applicants should initial and date any correction or alteration made the application form.

### Form S17B-1

#### APPLICATION FORM FOR ISSUANCE/RENEWAL OF TELECOMMUNICATION INFRASTRUCTURE SERVICES LICENCE UNDER SECTION 17B OF SRI LANKA TELECOMMUNICATIONS ACT No. 25 OF 1991 AS AMENDED

1. CONTACT DETAILS OF THE APPLICANT: The authorized representative of the company (Applicant) shall provide the following information:

- 1.1. Full Name:
- 1.2. Date of birth:
- 1.3. National ID Number/Passport Number:
- 1.4. Citizenship:
- 1.5. Address (Permanent): Residence:
- 1.6. Telephone Number: (Fixed): Mobile:
- 1.7. Fax Number:
- 1.8. E-Mail Address:

Please check the Boxes (Tick ✓)

Board resolution for authorization to Applicant

## 2. COMPANY PROFILE:

- 2.1. Registered Name of the Company:
- 2.2. Company Registration Number:
- 2.3. Date of Incorporation:
- 2.4. Registered Address:
- 2.5. Official Telephone Number of the Company:
- 2.6. Fax Number:
- 2.7. Email Address:
- 2.8. Official Website of the Company:
- 2.9. Detailed information on corporate and shareholding structure including relationship with holding or associated companies clearly indicating the ownership:
- 2.10 In case public company (including holding company) details of public listing:
- 2.11 Name and contact details of the Bank where business account is maintained:
- 2.12 Share capital (Class of Share, Number and Value of share in each class of shares)
- 2.13 If listed in Colombo Stock Exchange provide details of class of shares:
- 2.14 In case of partnership, provide details:
- 2.15 Detailed composition of Board of Directors and key management team with qualification and career history of Directors with details of individual shareholding if any (Resumes should be attached):
- 2.16 List of Activities Contracted out to other agencies and consultants:
- 2.17 List of Professional advisers of the Company: (Technical, Legal, Finance, Auditors)
- 2.18 Details of Telecommunication system Licences (Local or Foreign), currently held by company or affiliate:
- 2.19 Details of Revocation of such Licence or Refusal of application by authorized Entity:  
Please Annex following:  
Articles of Association  Certificate of Incorporation  Latest Annual Return: Form 15 and other proof document in relation to above details provided

## 3. SHAREHOLDER DETAILS:

Details of all shareholders should be submitted in following format. (For each shareholder separate details should be provided)

- 3.1. Full Name:
- 3.2. Date of birth:
- 3.3. National ID Number/Passport Number:
- 3.4. Citizenship:
- 3.5. Address (Permanent): Residence:
- 3.6. Telephone Number: (Fixed): Mobile:
- 3.7. Fax Number:
- 3.8. E-Mail Address:
- 3.9. Percentage of shares:
- 3.10. Date of shares issued:  
(Share Certificates should be attached)
- 3.11. Details of companies previously owned which has gone into liquidation:
- 3.12. Details of any application for Telecommunication Licence submitted by previously owned company which was refused by an authorized entity in any Country:

3.13. Details of any Telecommunication Licence possessed by any previously owned company which is revoked by an authorized entity in any Country:

3.14. Any other business interests:

4. PROJECT FEASIBILITY REPORT

A comprehensive project feasibility report shall be submitted with this application. Report should include the Technical, Financial, Sales & Marketing, Customer Service & protection, Organizational and Managerial Capabilities and Skills of the applicant's company to establish, operate and maintain the telecommunications system to acceptable standards and provide service to an acceptable quality of Service for which Licence is being applied. The feasibility report shall be prepared as per instructions given in **Section 1.3** of these Rules. The information provided in the Project feasibility report will be taken into account when application is evaluated.

5. DECLARATION

I, ..... hereby certify that the information provided in this application form and anything of that sort in the feasibility report are true & correct in all respects. I hereby give undertaking that upon issuance of the Licence, I shall abide by the provisions of Sri Lanka Telecommunications Act, No. 25 of 1991 as amended by (Amendment Act) Act, No. 27 of 1996 and (Amendment) Act, No. 39 of 2024 any Rules, Orders, Determinations, made by Commission thereunder. I have no objection for any action taken by the Commission if found that Licence has been issued based on incorrect information.

Signature of Authorized Representative of the Company: .....

Date:.....

**APPLICATION CHECKLIST**

(a) Application Requirements:

1. Is the application-processing fee of Rs.300, 000 with applicable taxes are included? Yes/ No
2. Are Section 1, 2, 3 ,4, & 5 of the Application completed as appropriate? Yes/ No
3. Has Project feasibility report as described in item 4 of the Application been submitted? Yes/ No
4. Has the declaration in Section 5 been signed by Authorized representative of the Company? Yes/ No
5. A copy of National Identity Card/ relevant pages of the Passport of the Authorized representative of the Company - Yes/ No
6. A copy of Board Resolution to appoint the Authorized representative to submit application: Yes/ No
7. Submission of Company Documents: (Yes/No)  
Articles of Association  Certificate of Incorporation  Latest Annual Return: Form 15  
Other relevant forms submitted.....
8. Copies of National Identity Cards/ relevant pages of the Passports, Resumes of the Chief Executive Officer, Directors and Shareholders and other relevant documents to their conduct. Yes/ No
9. Copies of share certificates & other relevant documents. Yes/ No

### 1.3 INSTRUCTIONS FOR PREPARATION OF PROJECT FEASIBILITY REPORT

This Section includes the instructions for the preparation of Technical Feasibility Report required under Section 4 of Application Form S17B-1.

This report should consist separate detailed chapters for Technical, Financial, Sales Marketing, Customer Services & Protection of the project and the Managerial Structure proposed to implement, operate and provide requested telecommunication services.

#### 1.3.1 TECHNICAL PROPOSAL

##### 1.3.1.1 Infrastructure Service Network Details

- a) Detailed active elements including Core/Backbone (including locations of switches), Backhaul (Routes), Access/OLP,
- b) In the case of provision of network facility, specify achievable speeds and capacity along with the network diagram in each segment and should indicate all the technologies with justification used in each segment with relevant transmission media. Details of contention ratios in relevant segments.
- c) Description of Network Technical standards complied in each segment of the Network including installation standards.
- d) Detailed requirement of Radio Frequency Spectrum with proper justification in each required network segments with analysis of spectrum efficiency and other alternatives. However, Radio Frequency Spectrum is not a part of this Licence, and separate request should be made after issuance of Licence and Commission may assign such spectrum as per availability if required.
- e) Detailed map of Geographic Network Coverage and yearly expansion plan for next five years.

In addition to the above, following details should be given,

##### 1.3.1.2 Description of the Proposed Services

- a) Detailed description of each of the proposed Service / Market Segment:
- b) Cross Elasticity analysis with exiting Services already in operation and anticipated industry impacts:
- c) Account Separation Methodologies:
- d) Quality of Services Parameters with regard to Service Availability, Accessibility, Retainability and Integrity and any other International benchmark.

##### 1.3.1.3 Environmental Policy

The Applicant should submit an environmental policy and plan which will Consider:



- a) Minimization of waste product pollutants during normal operations.
- b) Minimization of radio frequency radiation and Electro-Magnetic Compatibility (EMC) effects to other telecommunication systems.
- c) Appropriate disposal of hazardous redundant materials.
- d) Maximum use of recyclable materials.
- e) Preservation of natural beauty.
- f) Use of power efficient equipment.
- g) Other steps towards the preserving the natural environment.

### 1.3.2 FINANCIAL PROPOSAL

#### 1.3.2.1 Proposed Capital and Funding Plans

Following details should be supplemented with proper proof documents from acceptable Financial Institutions.

- a) Details of the proposed Capital and funding plans for the operation, including:
- b) A comprehensive description of its proposed Capital structure including owners' equity and liabilities. Initial debt equity ratio should be maintained below 2.0.
- c) Sources of funding and the amounts from each source (Owners' equity, Loan, Sale of company Shares, Debentures *etc*).
- d) Timing of funding.
- e) Provisions made for contingent sources of funds.
- f) Repayment terms and schedule for loans and debentures.
- g) Capital and Operational expenditure (Cap Ex and Op Ex) forecast on a quarterly basis for the discounted payback period of the project.
- h) Past performance of the company with regards to items (a) to (f) above (if applicable)

The applicant should submit relevant documentary evidence such as letters of intent, guarantor letters to substantiate the business, financial and funding plans and credit facilities.

### 1.3.2.2 Proposed Financial and Investment Plan

- a) Details of the proposed financial plan for next 10 years and the discounted payback period should be less than 10 years:
- b) Projected profit and loss accounts, balance sheets and cash flow statements. The profit and loss accounts, balance sheets and cash flow statements should be prepared in accordance with the Sri Lanka Accounting Standards. All assumptions made such as asset depreciation policies, subscriber projections, annual variations in operating expenditure *etc.* should be clearly explained.
- c) Forecasts of the relevant financial metrics including, Cash Flow, Internal Rate of Return (IRR), Discounted Payback Period of the investment. Further, Net Present Value (NPV) details should be indicated. Anticipated time frame should be clearly indicated for the project to be profitable.
- d) Projected financial ratios including return on capital employed, Return on Assets, Operating Profit Margin, Net Profit Margin, Capital Investment Ratio, Current Ratio, and Debt-Equity ratio. The formula used in computing each ratio should also be provided.
- e) Past performance of the company with regards to items (a) to (d) above (if applicable).
- f) Risk Analysis/Control & Limits and strategies:
  - a. Market Risks
  - b. Liquidation Risk
  - c. Insolvency Risk
- g) Measurements and strategies employed to increase Company's
  1. Allocative Efficiency
  2. Dynamic Efficiency
  3. x-Efficiency
  4. Productive Efficiency

### 1.3.3 CUSTOMER SERVICE & PROTECTION

- a) Service Level Agreement Details with customers (Attach a copy):
- b) Complaint Handling Methodology/ Minimum Fault Clearance Time:
- c) Customer Protection against bankruptcy (Insurance cover *etc.*).
- d) Quality of Service Complaints handling.

### 1.3.4 ORGANIZATIONAL MANAGEMENT

#### 1.3.4.1 Proposed Organizational Structure

- a) Organizational structure of the company, description of each division including staffing and training.
- b) Number of new employments generated yearly in Technical, Sales & Marketing, Finance, Legal & other in Senior, Middle and Junior Levels for next 5 years.

- c) Brief resumes of the proposed senior management team members, at least giving educational & professional qualifications and career history.
- d) Specific experience of senior management team members relevant to establishing and managing the telecommunication network applied.

#### 1.3.4.2 Strategic Suppliers

- a) The Applicant should give details and describe roles of all proposed strategic suppliers during network construction and post-service-launch operation to ensure its success. The details should include:
  - Name and type of business.
  - Capabilities and projects involved in Local and International Domain
  - Description of intended type of commercial relationship and authorizing policies.

#### 1.3.4.3 Third Party Involvement

- a) Description of third parties involved in the operation of system and services within its value chain.

#### 1.3.5 IN ADDITION TO THE ABOVE INFORMATION, APPLICANT SHALL ALSO SUBMIT AN IMPACT ANALYSIS DETAILS CONTAINING FOLLOWING:

- a) How the applicant's operation will benefit/impact the country generally and telecommunication industry specifically.
- b) Strategies to be employed to compete effectively in the telecommunication Industry.
- c) Economic and market study on the potential demand for the activity being proposed and projected market share that applicant expects to achieve in next 10 years.
- d) Details of technological innovations to be utilized in the provision of service and carrying out activity.
- e) details of initiatives towards sharing of infrastructure.
- f) Any other information

#### 1.3.6 DECLARATION.

The Applicant will be required to sign a declaration in the Application Form S17B-1, confirming the accuracy of the information furnished therein and such sort of information declared herein in the feasibility Report submitted along with the Application Form.

## 2. SECTION-B: ISSUANCE/RENEWAL OF LICENSE FOR PROVIDING TELECOMMUNICATION SERVICES.

### 2.1 The Procedures for issuing/renewal of Telecommunication services license:

- 2.1.1 The applicant shall be a company duly incorporated under Companies Act No. 07 of 2007. Name of the applying company, date and place of incorporation, business and registered address, contact telephone number, facsimile number, email address and name and designation of a contact person within applicant's organization should be provided.
- 2.1.2 An individual, a sole proprietorship, a partnership or any other person or classes of person as may be decided by the Commission from time to time will be ineligible to apply for Licence.
- 2.1.3 Detailed information should be given on corporate and shareholding structure including relationship with holding or associated companies clearly indicating the ultimate ownership, both direct and indirect. If the holding company is public entity, then details of the public listing should be provided.
- 2.1.4 Detailed composition of the Board of Directors and key management team inclusive of individual shareholders should also be provided.
- 2.1.5 The issuance of Licence for the provision of Telecommunication Services will depend on the regulatory requirement for such service in Sri Lanka and if such requirement does not exist Commission may reject any unsolicited application without being processed.
- 2.1.6 Any interested party who wishes to apply for a new Licence shall submit duly perfected S17B-2 application. The Commission will ensure that the application form is duly completed, and all details are in order. A checklist attached to the application form has to be submitted by the applicants and submitted along with the application. When the Commission receives the completed application form together with the relevant documents and appropriate processing fee, the Commission will refer the application for clearance from the Ministry of Defence. If security clearance is not granted by the Ministry of Defence the Application will be rejected.
- 2.1.7 However, if the Commission is of the opinion that the information provided by the applicant is insufficient to support the application, further information may be sought, and the processing of the application may be delayed.
- 2.1.8 In such circumstances, the Commission will direct the applicant to furnish the requested information within four weeks of submission of the application. Failure to comply with this directive of the Commission may result in the applicant to be disqualified from this licensing process.
- 2.1.9 The Commission will assess the application as per described evaluation criteria in Schedule 1/Section-B (2.2), after verification of the documents submitted to check the eligibility of the applicant for the issuance of Licence. The applicant at all times shall provide clear evidence in all aspects described in the evaluation criteria.
- 2.1.10 Any Applications previously submitted for a Section 17 License for the provision of Telecommunication Infrastructure Services which falls within license category introduced under Section 17B of the amendment Act, No. 39 of 2024 shall be exempted from provisions given in schedule 1, and the Commission may determine appropriate process to be followed for the issuance of the License.

- 2.1.11 In addition to the application submitted, the Commission may from time to time, during the evaluation, request the applicant to submit additional documents to facilitate the evaluation. However, if the applicant fails to submit the required documents within 30 days applicant will be disqualified from the Licensing process. Further the applicant may be required to conduct presentation for further clarifications of their proposal.
- 2.1.12 As per the evaluation criteria described in Schedule 1/Section-B (2.2), if scores more than 70%, the applicant will be eligible for the issuance of Licence.
- 2.1.13 Before the issuance of Licence, Commission may publish a Notice on national newspapers inviting public comments, within thirty days from the date of publication with regard to issuance of Licence.
- 2.1.14 The Commission will consider any representation or objection duly made in response to the public notice. If an objection or representation to the application was made, the Commission may initiate an investigation depending on the type of complaint. The applicant may be required to submit evidence during the investigation. If the Commission finds valid reasons, as a conclusion of the investigation for not issuing the Licence, the applicant would be informed of decision of the Commission in writing.
- 2.1.15 Categories of licenses with corresponding license fees excluding applicable taxes are set out below for a period of five (5) years
- a. Providing Telecommunication services through Section 17 System operator  
Rs. 1,000,000.00
  - b. Providing Telecommunication services through Overseas Operator.  
Rs. 25,000,000.00
- 2.1.16 The applicant will be advised to pay the necessary Licence fee within thirty days if the Commission does not find valid reasons as conclusion of the investigation to justify the objections raised by the public. On the receipt of licensing fee within the prescribed period, the Commission will issue the licence. The Commission will publish the issuance of the licence on its official web site. However, if the applicant fails to make the payment of Licence fee within prescribed period, applicant will be disqualified, and Licence will not be issued, and process will be terminated.
- 2.1.17 Applicants should submit confidential information in a separate cover indicating it clearly on the documents as well. Applicants may be assured that all commercially sensitive information will remain strictly confidential.
- 2.1.18 On submission of the Duly Perfected Application Form S17B-2 with all relevant details, the Applicant is required to make a processing fee of Rs. 300,000 payable with applicable taxes to the Telecommunications Regulatory Commission of Sri Lanka. This fee is non-refundable regardless of whether an Applicant is successful or not in the licensing process. No application will be evaluated if the relevant processing fee is not paid.
- 2.1.19 The Authorized representative of the company who is signing the declaration should initial each page of the application and project feasibility report. Submission of the application form and Project feasibility report additionally in the electronic format would be recommended.

- 2.1.20 The completed application form including attachments and Project feasibility report and a softcopy together with processing fee should be submitted in an envelope clearly marked 'Application for Telecommunication Services Licence' addressed to:

*The Director General,  
Telecommunications Regulatory Commission of Sri Lanka,  
No. 276, Elvitigala Mawatha, Colombo 08.  
Tel: +94-112689345  
Fax: +94-112689341  
E-mail: [dgtsl@trc.gov.lk](mailto:dgtsl@trc.gov.lk)*

## 2.2 APPLICATION EVALUATION CRITERIA.

- 2.2.1 The assessment of the application is based on the capabilities with regard to technical, financial, sales & marketing, customer service & protection and organizational and managerial aspects for proper operation of telecommunication system and provision of telecommunication services. This evaluation will be based on the feasibility report submitted with the S17B-2 Application Form.
- 2.2.2 Applicant should score minimum amount specified in each aspect/segment below and total score shall be more than 70 % to become eligible for issuance of Licence.

No.	Evaluation Criteria	Marks	Minimum Required
1	Technical	30	20
2	Financial	30	20
3	Sales and Marketing	15	10
4	Customer Service & Protection	15	12
5	Organizational & Managerial	10	8

## EXPLANATORY NOTES

- Before completing this application form, applicants should read the Provider license Rules including Schedule 01/Section B of these Rules.
- All applicants should complete the application form (S17B-2).
- The application must be completed fully in print or block capitals. If the requested information is not applicable to the proposed telecommunications system, please write N/A.
- Applicants should attach extra pages if given space is insufficient to provide the requested information. The information on extra pages should be presented clearly and numbered in accordance with this form. Any attached pages must be printed on A4-size papers.
- Applicants should initial and date any correction or alteration made the application form.

Form S17B-2

**APPLICATION FORM FOR ISSUANCE/RENEWAL OF TELECOMMUNICATION SERVICES LICENCE  
UNDER SECTION 17B OF SRI LANKA TELECOMMUNICATION ACT No. 25 OF 1991 AS AMENDED**

**1. CONTACT DETAILS OF THE APPLICANT:**

The authorized representative of the company (Applicant) shall provide the following information:

- 1.1 Full Name:
- 1.2 Date of birth:
- 1.3 National ID Number/Passport Number:
- 1.4 Citizenship:
- 1.5 Address (Permanente): Residence:
- 1.6 Telephone Number: (Fixed): Mobile:
- 1.7 Fax Number:
- 1.8 E-Mail Address:

Please check the Boxes (Tick ✓)

Board resolution for authorization to Applicant

**2. COMPANY PROFILE:**

- 2.1. Registered Name of the Company:
- 2.2. Company Registration Number:
- 2.3. Date of Incorporation:
- 2.4. Registered Address:
- 2.5. Official Telephone Number of the Company:
- 2.6. Fax Number:
- 2.7. Email Address:
- 2.8. Official Website of the Company:
- 2.9. Detailed information on corporate and shareholding structure including relationship with holding or associated companies clearly indicating the ownership:
- 2.10. In case public company (including holding company) details of public listing:
- 2.11. Name and contact details of the Bank where business account is maintained:
- 2.12. Share capital (Class of Share, Number and Value of share in each class of shares)
- 2.13. If listed in Colombo Stock Exchange provide details of class of shares:
- 2.14. In case of partnership, provide details:
- 2.15. Detailed composition of Board of Directors and key management team with qualification and career history of Directors with details of individual shareholding if any (Resumes should be attached):
- 2.16. List of Activities Contracted out to other agencies and consultants:
- 2.17. List of Professional advisers of the Company: (Technical, Legal, Finance, Auditors).
- 2.18. Details of Telecommunication system Licences (Local or Foreign), currently held by company or affiliate:
- 2.19. Details of Revocation of such Licence or Refusal of application by authorized entity:

Please Annex following:

Articles of Association  Certificate of Incorporation  Latest Annual Return: Form 15 and other proof document in relation to above details provided

**3. SHAREHOLDER DETAILS:**

Details of all shareholders should be submitted in following format. (For each shareholder separate details should be provided)

- a) Full Name:
- b) Date of birth:

- c) National ID Number/Passport Number:
- d) Citizenship:
- e) Address (Permanent): Residence:
- f) Telephone Number: (Fixed): Mobile:
- g) Fax Number:
- h) E-Mail Address:
- i) Percentage of shares:
- j) Date of shares issued:  
(Share Certificates should be attached)
- k) Details of companies previously owned which has gone into liquidation:
- l) Details of any application for Telecommunication Licence submitted by previously owned company which was refused by an authorized entity in any Country:
- m) Details of any Telecommunication Licence possessed by any previously owned company which is revoked by an authorized entity in any Country:
- n) Any other business interests:

**4. PROJECT FEASIBILITY REPORT**

A comprehensive project feasibility report shall be submitted with this application. Report should include the Technical, Financial, Sales & Marketing, Customer Service & protection, Organizational and Managerial Capabilities and Skills of the applicant’s company to establish, operate and maintain the telecommunications system to acceptable standards and provide service to an acceptable quality of Service for which Licence is being applied. The feasibility report shall be prepared as per instructions given in Section 2.4 of these Rules. The information provided in the Project feasibility report will be taken into account when application is evaluated.

**5. DECLARATION**

I, ..... hereby certify that the information provided in this application form and anything of that sort in the feasibility report are true & correct in all respects. I hereby give undertaking that upon issuance of the Licence, I shall abide by the provisions of Sri Lanka Telecommunication Act, No. 25 of 1991 as amended by (Amendment Act) Act, No. 27 of 1996 and (Amendment Act) Act, No. 39 of 2024, any Rules, Orders, Determinations, made by Commission thereunder. I have no objection for any action taken by the Commission if found that Licence has been issued based on incorrect information.

**Signature of Authorized Representative of the Company:** .....  
 Date:.....

**APPLICATION CHECKLIST**

*(a) Application Requirements:*

1. Is the application-processing fee of Rs.300, 000 included? **Yes/ No**
2. Are Section 1, 2, 3 ,4, & 5 of the Application completed as appropriate? **Yes/ No**
3. Has Project feasibility report as described in item 4 of the Application been submitted? **Yes/ No**
4. Has the declaration in Section 5 been signed by Authorized representative of the Company? **Yes/ No**
5. A copy of National Identity Card/ relevant pages of the Passport of the Authorized representative of the Company. **Yes/ No**
6. A copy of Board Resolution to appoint the Authorized representative to submit application: **Yes/ No**
7. Submission of Company Documents: (Yes/No)  
 Articles of Association  Certificate of Incorporation  Latest Annual Return: Form 15  
 Other relevant forms submitted.....



8. Copies of National Identity Cards/ relevant pages of the Passports, Resumes of the Chief Executive Officer, Directors and Shareholders and other relevant documents to their conduct. **Yes/ No**
9. Copies of share certificates & other relevant documents. **Yes/ No**

## **2.4. INSTRUCTIONS FOR PREPARATION OF PROJECT FEASIBILITY REPORT.**

### **2.4.1. TECHNICAL PROPOSAL**

#### **2.4.1.1. Telecommunication System Network Details**

- a) Detailed detail description of the network used for the provision of the service.
- b) Specify achievable speeds and capacity along with the network diagram with confirmation from the system operator.
- c) Proposed Billing System, Billing standards followed and Measures to prove the Billing System Accuracy.
- d) Technical Specification of all Terminal Apparatus (Customer Premises Equipment) to be used with the network should be given. Further, details of operation, available Interfaces, and capabilities should be described. Cost of the Apparatus Manufactures and Price for the customer also should be specified.
- e) Details of Network Management and policies to be adopted to optimize overall network efficiencies
- f) Expected date of commencement of operations, implementation schedule and growth plan.

#### **2.4.1.2. Description of the Proposed Services**

- a) Detailed description of each of the proposed Service / Market Segment:
- b) Cross Elasticity analysis with exiting Services already in operation and anticipated industry impacts:
- c) Possibility of Account Separation (If more than 1 service):
- d) Quality of Services Parameters with regard to Service Availability, Accessibility, Retainability and Integrity.
- e) Proposed Service Level Agreement (SLA) for the customer
- f) Target Customer Base
- g) Measures to be adopted for provision of Universal Service obligation and Emergency Service.

### **2.4.2. FINANCIAL PROPOSAL**

#### **2.4.2.1. Proposed Capital and Funding Plans**

Details of the proposed Capital and funding plans for the operation, including:

- a) A comprehensive description of its proposed Capital structure including owners' equity and liabilities. Initial debt equity ratio should be maintained below 2.0.
- b) Sources of funding and the amounts from each source (Owners' equity, Loan, Sale of company Shares, Debentures etc).
- c) Timing of funding.
- d) Provisions made for contingent sources of funds.
- e) Repayment terms and schedule for loans and debentures.

- f) Capital and Operational expenditure (Cap Ex and Op Ex) forecast on a quarterly basis for the discounted payback period of the project
- g) Past performance of the company with regards to items (a) to (f) above (if applicable)
- The applicant should submit relevant documentary evidence such as letters of intent, guarantor letters to substantiate the business, financial and funding plans and credit facilities.

#### 2.4.2.2. Proposed Financial and Investment Plan

Details of the proposed financial plan for next 10 years and the discounted payback period should be less than 10 years:

- a) Projected profit and loss accounts, balance sheets and cash flow statements. The profit and loss accounts, balance sheets and cash flow statements should be prepared in accordance with the Sri Lanka Accounting Standards. All assumptions made such as asset depreciation policies, subscriber projections, annual variations in operating expenditure etc. should be clearly explained.
- b) Forecasts of the relevant financial metrics including, Cash Flow, Internal Rate of Return (IRR), Discounted Payback Period of the investment. Further, Net Present Value (NPV) details should be indicated. Anticipated time frame should be clearly indicated for the project to be profitable.
- c) Projected financial ratios including return on capital employed, Return on Assets, Operating Profit Margin, Net Profit Margin, Capital Investment Ratio, Current Ratio, and Debt-Equity ratio. The formula used in computing each ratio should also be provided.
- d) Past performance of the company with regards to items (a) to (c) above (if applicable)
- e) Risk Analysis/Control & Limits and strategies:
  1. Market Risks
  2. Liquidation Risk
  3. Insolvency Risk

#### 2.4.3. SALES AND MARKETING

- (a) Expected subscriber growth in each geographical area and strategies employed for acquisition and brief description of tariff requirement.
- (b) A comprehensive sales plan of the services including main target of the markets (e.g. wholesale or retail, residential or business) including vertical segments of the business and Marketing Methodologies employed. The Expenses and description of the forecasted annual sales budget should be described.
- (c) Description of Dealer Network and Agreements including Areas of operation (Dealer Agreement should be attached) (if available)
- (d) Description of any part of such operation outsourced to third parties.
- (e) Other trading activities of the Company in and outside the telecommunications market and arrangements made to ensure no cross-subsidization between parties.
  - \* Wholesale and retail activities.
  - \* Telecommunications and non-telecommunications activities.
  - \* Telecommunications equipment production or supply.
  - \* Other telecommunications activities.

#### **2.4.4. CUSTOMER SERVICE & PROTECTION**

- a) Details of CPE provided to customer:
- b) Maintenance of CPE:
- c) Service Level Agreement Details with customers (Attach a copy):
- d) Complaint Handling Methodology/ Minimum Fault Clearance Time:
- e) Customer Protection against bankruptcy (Insurance cover etc)
- f) Quality of Service Complaints handling:
- g) Assurance of Billing accuracy
- h) Transparency in terms and conditions and tariff of service:

#### **2.4.5. ORGANIZATIONAL MANAGEMENT**

##### **2.4.5.1. Proposed Organizational Structure**

- a) Organizational structure of the company, description of each division including staffing and training
- b) Number of new employments generated yearly in Technical, Sales & Marketing, Finance, Legal & other in Senior, Middle and Junior Levels for next 5 years.
- c) Brief resumes of the proposed senior management team members, at least giving educational & professional qualifications and career history for the past ten years.
- d) Specific experience of senior management team members relevant to establishing and managing the telecommunication network applied.

#### **2.4.6. DECLARATION.**

The Applicant will be required to sign a declaration in the Application form S17B-2, confirming the accuracy of the information furnished therein and such sort of information declared herein in the feasibility Report submitted along with the Application Form.

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### **3. SECTION-C: ISSUANCE/RENEWAL OF LICENSE FOR PROVIDING CABLE LANDING STATION FACILITIES**

#### **3.1 The Procedures for issuing/renewing cable landing station facilities license:**

- 3.1.1 The applicant shall be a company duly incorporated under Companies Act No. 07 of 2007. Name of the applying company, date and place of incorporation, business and registered address, contact telephone number, facsimile number, email address and name and designation of a contact person within applicant's organization should be provided.
- 3.1.2 An individual, a sole proprietorship, a partnership or any other person or classes of person as may be decided by the Commission from time to time will be ineligible to apply for Licence.
- 3.1.3 Detailed information should be given on corporate and shareholding structure including relationship with holding or associated companies clearly indicating the ultimate ownership, both direct and indirect. If the holding company is a public entity, then details of the public listing should be provided.
- 3.1.4 Detailed composition of the Board of Directors and key management team inclusive of individual shareholders should also be provided.

- 3.1.5 The issuance of Licence for the provision of Cable Landing Station Facilities will depend on the regulatory requirement for such service in Sri Lanka and if such requirement does not exist Commission may reject any unsolicited application without being processed.
- 3.1.6 Any interested party who wishes to apply for a new Licence shall submit duly perfected S17B-3 application. The Commission will ensure that the application form is duly completed, and all details are in order. A checklist attached to the application form has to be submitted by the applicants and submitted along with the application. When the Commission receives the completed application form together with the relevant documents and appropriate processing fee, the Commission will refer the application for clearance from the Ministry of Defence. If security clearance is not granted by the Ministry of Defence the Application will be rejected.
- 3.1.7 However, if the Commission is of the opinion that the information provided by the applicant is insufficient to support the application, further information may be sought, and the processing of the application may be delayed.
- 3.1.8 In such circumstances, the Commission will direct the applicant to furnish requested information within four weeks of submission of the application. Failure to comply with this directive of the Commission may result in the applicant to be disqualified from this licensing process.
- 3.1.9 The Commission will assess the application as per described evaluation criteria in Schedule 1/Section-C (3.2), after verification of the documents submitted to check the eligibility of the applicant for the issuance of Licence. The applicant at all times shall provide clear evidence in all aspects described in the evaluation criteria.
- 3.1.10 Any Applications previously submitted for a Section 17 License for the provision of Telecommunication Infrastructure Services which falls within license category introduced under Section 17B of the amendment Act, No. 39 of 2024 shall be exempted from provisions given in schedule 1, and the Commission may determine appropriate process to be followed for the issuance of the License.
- 3.1.11 In addition to the application submitted, the Commission may from time to time, during the evaluation, request the applicant to submit additional documents to facilitate the evaluation. However, if the applicant fails to submit the required documents within 30 days the applicant will be disqualified from the Licensing process. Further the applicant may be required to conduct presentation for further clarifications of their proposal.
- 3.1.12 As per the evaluation criteria described in Schedule 1/Section-C (3.2), if scores more than 70%, the applicant will be eligible for the issuance of Licence.
- 3.1.13 Before the issuance of Licence, Commission may publish a Notice on national newspapers inviting public comments, within thirty days from the date of publication with regard to issuance of Licence.
- 3.1.14 The Commission will consider any representation or objection duly made in response to the public notice. If an objection or representation to the application was made, the Commission may initiate an investigation depending on the type of complaint. The applicant may be required to submit evidence during the investigation. If the Commission finds valid reasons, as a conclusion of the investigation for not issuing the Licence, the applicant would be informed of decision of the Commission in writing.

- 3.1.15 Cable Landing Station Facilities license shall be issued for a period of five (5) years and the license fees shall be Rs. 100, 000,000.00 payable with applicable taxes. Section 17 Licensees who are authorized to operate Cable Landing Station gateway facilities are exempted from the License Fee.
- 3.1.16 The applicant will be advised to pay the necessary Licence fee within thirty days if the Commission does not find valid reasons as conclusion of the investigation to justify the objections raised by the public. On the receipt of licensing fee within the prescribed period, the Commission will Issue the licence. The Commission will publish the issuance of the licence on its official web site. However, if the applicant fails to make the payment of Licence fee within prescribed period, applicant will be disqualified and Licence will not be issued and process will be terminated.
- 3.1.17 Applicants should submit confidential information in a separate cover indicating it clearly on the documents as well. Applicants may be assured that all commercially sensitive information will remain strictly confidential.
- 3.1.18 On submission of the Duly Perfected Application Form S17B-3 with all relevant details, the Applicant is required to make a processing fee of Rs. 300,000 payable with applicable taxes to the Telecommunications Regulatory Commission of Sri Lanka. This fee is non-refundable regardless of whether an Applicant is successful or not in the licensing process. No application will be evaluated if the relevant processing fee is not paid.
- 3.1.19 The Authorized representative of the company who is signing the declaration should initial each page of the application and project feasibility report. Submission of the application form and Project feasibility report additionally in the electronic format would be recommended.
- 3.1.20 The completed application form including attachments and Project feasibility report and a softcopy together with processing fee should be submitted in an envelope clearly marked 'Application for Cable Landing Station Facility Licence' addressed to:

*The Director General,  
Telecommunications Regulatory Commission of Sri Lanka,  
No. 276, Elvitigala Mawatha, Colombo 08.  
Tel: +94-112689345  
Fax: +94-112689341  
E-mail: [dgtsl@trc.gov.lk](mailto:dgtsl@trc.gov.lk)*

## 3.2 APPLICATION EVALUATION CRITERIA.

- 3.2.1 The assessment of the application is based on the capabilities with regard to technical, financial, sales & marketing, customer service & protection and organizational and managerial aspects for proper operation of telecommunication system and provision of telecommunication services. This evaluation will be based on the feasibility report submitted with the S17B-3 Application Form.
- 3.2.2 Applicant should score minimum amount specified in each aspect/segment below and total score shall be more than 70% to become eligible for issuance of Licence.

No.	Evaluation Criteria	Marks	Minimum Required
1	Technical	30	20
2	Financial	30	20
3	Sales and Marketing	15	10
4	Customer Service & Protection	15	12
5	Organizational & Managerial	10	8

### EXPLANATORY NOTES

- Before completing this application form, applicants should read the Provider license Rules including Schedule 01/Section A of these Rules.
- All applicants should complete the application form (S17B-3).
- The application must be completed fully in print or block capitals.
- Applicants should attach extra pages if given space is insufficient to provide the requested information. The information on extra pages should be presented clearly and numbered in accordance with this form. Any attached pages must be printed on A4-size papers.
- Applicants should initial and date any correction or alteration made the application form.

Form S17B-3

### APPLICATION FORM FOR ISSUANCE/RENEWAL OF CABLE LANDING STATION FACILITIES LICENCE UNDER SECTION 17B OF SRI LANKA TELECOMMUNICATIONS ACT No. 25 OF 1991 AS AMENDED

#### 1. CONTACT DETAILS OF THE APPLICANT:

The authorized representative of the company (Applicant) shall provide the following information:

- 1.1. Full Name:
- 1.2. Date of birth:
- 1.3. National ID Number/Passport Number:
- 1.4. Citizenship:
- 1.5. Address (Permanent): Residence:
- 1.6. Telephone Number: (Fixed): Mobile:
- 1.7. Fax Number:

1.8. E-Mail Address:

Please check the Boxes (Tick ✓)

Board resolution for authorization to Applicant

2. COMPANY PROFILE:

2.1. Registered Name of the Company:

2.2. Company Registration Number:

2.3. Date of Incorporation:

2.4. Registered Address:

2.5. Official Telephone Number of the Company:

2.6. Fax Number:

2.7. Email Address:

2.8. Official Website of the Company:

2.9. Detailed information on corporate and shareholding structure including relationship with holding or associated companies clearly indicating the ownership:

2.10. In case public company (including holding company) details of public listing:

2.11. Name and contact details of the Bank where business account is maintained:

2.12. Share capital (Class of Share, Number and Value of share in each class of shares)

2.13. If listed in Colombo Stock Exchange provide details of class of shares:

2.14. In case of partnership, provide details:

2.15. Detailed composition of Board of Directors and key management team with qualification and career history of Directors with details of individual shareholding if any (Resumes should be attached):

2.16. List of Activities Contracted out to other agencies and consultants:

2.17. List of Professional advisers of the Company: (Technical, Legal, Finance, Auditors)

2.18. Details of Telecommunication system Licences (Local or Foreign), currently held by company or affiliate:

2.19. Licence or Refusal of application by authorized Entity:

Please Annex following:

Articles of Association  Certificate of Incorporation  Latest Annual Return: Form 15 and other proof document in relation to above details provided

3. SHAREHOLDER DETAILS:

Details of all shareholders should be submitted in following format. (For each shareholder separate details should be provided)

3.1. Full Name:

3.2. Date of birth:

3.3. National ID Number/Passport Number:

3.4. Citizenship:

3.5. Address (Permanent):

Residence:

3.6. Telephone Number: (Fixed):

Mobile:

3.7. Fax Number:

3.8. E-Mail Address:

3.9. Percentage of shares:

3.10. Date of shares issued:

(Share Certificates should be attached)

3.11. Details of companies previously owned which has gone into liquidation:

3.12. Details of any application for Telecommunication Licence submitted by previously owned company which was refused by an authorized entity in any Country:

- 3.13. Details of any Telecommunication Licence possessed by any previously owned company which is revoked by an authorized entity in any Country:  
3.14. Any other business interests:

#### 4. PROJECT FEASIBILITY REPORT

A comprehensive project feasibility report shall be submitted with this application. Report should include the Technical, Financial, Sales & Marketing, Customer Service & protection, Organizational and Managerial Capabilities and Skills of the applicant's company to establish, operate and maintain the telecommunications system to acceptable standards and provide service to an acceptable quality of Service for which Licence is being applied. The feasibility report shall be prepared as per instructions given in Section 3.3 of these Rules. The information provided in the Project feasibility report will be taken into account when application is evaluated.

#### 5. DECLARATION

I,..... hereby certify that the information provided in this application form and anything of that sort in the feasibility report are true & correct in all respects. I hereby give undertaking that upon issuance of the Licence, I shall abide by the provisions of Sri Lanka Telecommunications Act, No. 25 of 1991 as amended by (Amendment Act) Act, No. 27 of 1996 and (Amendment) Act, No. 39 of 2024 any Rules, Orders, Determinations, made by Commission thereunder. I have no objection for any action taken by the Commission if found that Licence has been issued based on incorrect information.

Signature of Authorized Representative of the Company: .....

Date: .....

#### 1.3 APPLICATION CHECKLIST

##### a. Application Requirements:

1. Is the application-processing fee of Rs.300, 000 included? Yes/ No
2. Are Section 1, 2, 3 ,4, & 5 of the Application completed as appropriate? Yes/ No
3. Has Project feasibility report as described in item 4 of the Application been submitted? Yes/ No
4. Has the declaration in Section 5 been signed by Authorized representative of the Company? Yes/ No
5. A copy of National Identity Card/ relevant pages of the Passport of the Authorized representative of the Company - Yes/ No
6. A copy of Board Resolution to appoint the Authorized representative to submit application: Yes/ No
7. Submission of Company Documents: (Yes/No)  
Articles of Association  Certificate of Incorporation  Latest Annual Return: Form 15 Other relevant forms submitted.....
8. Copies of National Identity Cards/ relevant pages of the Passports, Resumes of the Chief Executive Officer, Directors and Shareholders and other relevant documents to their conduct. Yes/ No
9. Copies of share certificates & other relevant documents. Yes/ No



### 3.3 INSTRUCTIONS FOR PREPARATION OF PROJECT FEASIBILITY REPORT

This Section includes the instructions for the preparation of Technical Feasibility Report required under Section 4 of Application Form S17B-3.

This report should consist separate detailed chapters for Technical, Financial, Sales Marketing, Customer Services & Protection of the project and the Managerial Structure proposed to implement, operate and provide requested telecommunication services.

#### 3.3.1 TECHNICAL PROPOSAL

##### 3.3.1.1 Infrastructure Service Network Details

- a) Detailed active elements including Core/Backbone (including locations of switches), Backhaul (Routes), Access/OLP,
- b) In the case of provision of network facility, specify achievable speeds and capacity along with the network diagram in each segment and should indicate all the technologies with justification used in each segment with relevant transmission media. Details of contention ratios in relevant segments.
- c) Description of Network Technical standards complied in each segment of the Network including installation standards.
- d) Detailed requirement of Radio Frequency Spectrum with proper justification in each required network segments with analysis of spectrum efficiency and other alternatives. However, Radio Frequency Spectrum is not a part of this Licence, and separate request should be made after issuance of Licence and Commission may assign such spectrum as per availability if required.
- e) Detailed map of Geographic Network Coverage and yearly expansion plan for next five years.

In addition to the above, following details should be given,

##### 3.3.1.2 Description of the Proposed Services

- a) Detailed description of each of the proposed Service / Market Segment:
- b) Cross Elasticity analysis with exiting Services already in operation and anticipated industry impacts:
- c) Account Separation Methodologies:
- d) Quality of Services Parameters with regard to Service Availability, Accessibility, Retainability and Integrity and any other International benchmark.

##### 3.3.1.3 Environmental Policy

The Applicant should submit an environmental policy and plan which will Consider:

- a) Minimization of waste product pollutants during normal operations.
- b) Minimization of radio frequency radiation and Electro-Magnetic Compatibility (EMC) effects to other telecommunication systems.
- c) Appropriate disposal of hazardous redundant materials.
- d) Maximum use of recyclable materials.
- e) Preservation of natural beauty.
- f) Use of power efficient equipment.
- g) Other steps towards the preserving the natural environment.

### 3.3.2 FINANCIAL PROPOSAL

#### 3.3.2.1 Proposed Capital and Funding Plans

Following details should be supplemented with proper proof documents from acceptable Financial Institutions.

- a) Details of the proposed Capital and funding plans for the operation, including:
- b) A comprehensive description of its proposed Capital structure including owners' equity and liabilities. Initial debt equity ratio should be maintained below 2.0.
- c) Sources of funding and the amounts from each source (Owners' equity, Loan, Sale of company Shares, Debentures etc).
- d) Timing of funding.
- e) Provisions made for contingent sources of funds.
- f) Repayment terms and schedule for loans and debentures.
- g) Capital and Operational expenditure (Cap Ex and Op Ex) forecast on a quarterly basis for the discounted payback period of the project.
- h) Past performance of the company with regards to items (a) to (f) above (if applicable)

The applicant should submit relevant documentary evidence such as letters of intent, guarantor letters to substantiate the business, financial and funding plans and credit facilities.

#### 3.3.2.2 Proposed Financial and Investment Plan

- a) Details of the proposed financial plan for next 10 years and the discounted payback period should be less than 10 years:

- b) Projected profit and loss accounts, balance sheets and cash flow statements. The profit and loss accounts, balance sheets and cash flow statements should be prepared in accordance with the Sri Lanka Accounting Standards. All assumptions made such as asset depreciation policies, subscriber projections, annual variations in operating expenditure etc. should be clearly explained.
- c) Forecasts of the relevant financial metrics including, Cash Flow, Internal Rate of Return (IRR), Discounted Payback Period of the investment. Further, Net Present Value (NPV) details should be indicated. Anticipated time frame should be clearly indicated for the project to be profitable.
- d) Projected financial ratios including return on capital employed, Return on Assets, Operating Profit Margin, Net Profit Margin, Capital Investment Ratio, Current Ratio, and Debt-Equity ratio. The formula used in computing each ratio should also be provided.
- e) Past performance of the company with regards to items (a) to (d) above (if applicable).
- f) Risk Analysis/Control & Limits and strategies:
  1. Market Risks
  2. Liquidation Risk
  3. Insolvency Risk
- g) Measurements and strategies employed to increase Company's
  1. Allocative Efficiency
  2. Dynamic Efficiency
  3. x-Efficiency
  4. Productive Efficiency

### 3.3.3 CUSTOMER SERVICE & PROTECTION

- a) Service Level Agreement Details with customers (Attach a copy):
- b) Complaint Handling Methodology/ Minimum Fault Clearance Time:
- c) Customer Protection against bankruptcy (Insurance cover etc).
- d) Quality of Service Complaints handling.

### 3.3.4 ORGANIZATIONAL MANAGEMENT

#### 3.3.4.1 Proposed Organizational Structure

- a) Organizational structure of the company, description of each division including staffing and training.
- b) Number of new employments generated yearly in Technical, Sales & Marketing, Finance, Legal & other in Senior, Middle and Junior Levels for next 5 years.
- c) Brief resumes of the proposed senior management team members, at least giving educational & professional qualifications and career history.

- d) Specific experience of senior management team members relevant to establishing and managing the telecommunication network applied.

#### 3.3.4.2 Strategic Suppliers

- a) The Applicant should give details and describe roles of all proposed strategic suppliers during network construction and post-service-launch operation to ensure its success. The details should include:
- Name and type of business.
  - Capabilities and projects involved in Local and International Domain
  - Description of intended type of commercial relationship and authorizing policies.

#### 3.3.4.3 Third Party Involvement

- a) Description of third parties involved in the operation of system and services within its value chain.

#### 3.3.5 IN ADDITION TO THE ABOVE INFORMATION, APPLICANT SHALL ALSO SUBMIT AN IMPACT ANALYSIS DETAILS CONTAINING FOLLOWING:

- a) How the applicant's operation will benefit/impact the country generally and telecommunication industry specifically.
- b) Strategies to be employed to compete effectively in the telecommunication Industry.
- c) Economic and market study on the potential demand for the activity being proposed and projected market share that applicant expects to achieve in next 10 years.
- d) Details of technological innovations to be utilized in the provision of service and carrying out activity.
- e) details of initiatives towards sharing of infrastructure.
- f) Any other information

#### 3.3.6 DECLARATION.

The Applicant will be required to sign a declaration in the Application Form S17B-3, confirming the accuracy of the information furnished therein and such sort of information declared herein in the feasibility Report submitted along with the Application Form.

**SCHEDULE 2**



**Government Notifications**

**TELECOMMUNICATIONS REGULATORY COMMISSION OF SRI LANKA**

**LICENCE No.:** .....

**LICENCE FOR:** .....

1. The Telecommunications Regulatory Commission of Sri Lanka (the "Commission") hereby issue a Licence under Section 17B(1)(b) of the Sri Lanka Telecommunications Act, No., 25 of 1991 as amended by (Amendment) Act,, No. 27 of 1996 and (Amendment) Act, No. 39 of 2024 (the "Act") to ..... (the "Licensee") to provide ..... in Sri Lanka, subject to the Rules published in the *Gazette* No.....of 2024.
2. This Licence shall come into force on.....2024 and shall be valid for a period of five (5) years,
3. The Provisions of the Act and all Rules and Regulations made thereunder shall apply to this Licensee for all purposes.

Director General  
For and on behalf of the Telecommunications Regulatory Commission of Sri Lanka

Date:

**SCHEDULE 3**

**3.1. The procedures for obtaining prior approval of the Commission for Transfer of ownership of Company who provides telecommunication infrastructure services/telecommunications services/cable landing station facilities:**

This Section provides Guidance and Procedure for obtaining the prior approval of the Commission to transfer of ownership of a company possessing Licenses issued under Section 17B of the Sri Lanka Telecommunications Act, No. 25 of 1991, as amended to provide telecommunication infrastructure services/telecommunications services/ cable landing station facilities.

- i. A Licensee will not be eligible to transfer the ownership of the Company during the period of first three years from initial issuance of Licence.
- ii. A Licensee, if eligible as per item 2.1(i) above and wishes to transfer ownership shall initially submit a duly filled S17B-4 Application form with all relevant documents.

- iii. Commission will duly consider the requirement for the transfer and if Commission so decides, the application will be referred to Ministry of Defence and other relevant Institutions for concurrence. If such concurrences are received The Commission may approve the transfer will issue a letter of approval to the Licensee for the onward action of the said transfer.
- iv. Commission may impose additional Rules with regard to any aspect which Commission so deems required at the time of transfer for which the Licensee should express agreement in writing
- v. Commission reserves the right to reject any request due to regulatory requirements (if any).

## 2.1 APLOTATION FORM

S17B-4

### APPLICATION FORM FOR THE APPROVAL OF TRANSFER OF OWNERSHIP OF COMPANY POSSESSING PROVIDER LICENCE ISSUED UNDER SECTION 17B OF SRI LANKA TELECOMMUNICATION ACT No. 25 OF 1991 AS AMENDED

#### 1. CONTACT DETAILS OF THE APPLICANT:

The authorized representative of the company (Applicant) shall provide the following information:

- 1.1. Full Name:
- 1.2. Date of birth:
- 1.3. National ID Number/Passport Number:
- 1.4. Citizenship:
- 1.5. Address (Permanente):
- 1.6. Telephone Number: (Fixed):
- 1.7. Fax Number:
- 1.8. E-Mail Address:

Residence:

Mobile:

Please check the Boxes (Tick ✓)

- Board resolution for authorization to Applicant

#### 2. COMPANY CURRENT PROFILE:

- 2.1. Registered Name of the Company:
- 2.2. Company Registration Number:
- 2.3. Date of Incorporation:
- 2.4. Registered Address:
- 2.5. Official Telephone Number of the Company:
- 2.6. Fax Number:
- 2.7. Email Address:
- 2.8. Official Website of the Company:
- 2.9. Name and contact details of the Bank where business account is maintained:
- 2.10. Share capital (Class of Share, Number and Value of share in each class of shares)
- 2.11. If listed in Colombo Stock Exchange provide details of class of shares:
- 2.12. In case of partnership, provide details:
- 2.13. Qualification and Career history of Current Directors (Resumes should be attached):

- 2.14 List of Activities Contracted out to other agencies and consultants:
- 2.15 List of Professional current advisers of the Company: (Technical, Legal, Finance, Auditors)
- 2.16 Details of Telecommunication system Licenses (Local or Foreign), currently held by company or affiliate:

3. **CURRENT SHAREHOLDER DETAILS:**

Details of all shareholders should be submitted in following format.

- 3.1 Full Name:
- 3.2 Date of birth:
- 3.3 National ID Number/Passport Number:
- 3.4 Citizenship:
- 3.5 Address (Permanent): Residence:
- 3.6 Telephone Number: (Fixed): Mobile:
- 3.7 Fax Number:
- 3.8 E-Mail Address:
- 3.9 Percentage of shares:
- 3.10 Date of shares issued:  
(Share Certificates should be attached)
- 3.11 Details of companies previously owned which has gone into liquidation:
- 3.12 Details of any application for Telecommunication Licence submitted by previously owned company which was refused by an authorized entity in any Country:
- 3.13 Details of any Telecommunication Licence possessed by any previously owned company which is revoked by an authorized entity in any Country:
- 3.14 Any other business interests:

Please Annex following:

Articles of Association  Certificate of Incorporation  Latest Annual Return: Form 15 and other proof document in relation to above details provided

- 3.15 Is there a board resolution for the transfer/issue/change of shares Yes/No  
(Please attach certified copies)

3.16 Proposed Shareholder Details

Details of proposed shareholders should be submitted in following format.

- a) Full Name:
- b) Date of birth:
- c) National ID Number/Passport Number:
- d) Citizenship:
- e) Address (Permanent): Residence:
- f) Telephone Number: (Fixed): Mobile:
- g) Fax Number:
- h) E-Mail Address:
- i) Percentage of shares:
- j) Details of companies previously owned which has gone into liquidation:
- k) Details of any application for Telecommunication Licence submitted previously owned company which was refused by an authorized entity in any Country:

- l) Details of any Telecommunication Licence possessed by any previously owned company which is revoked by an authorized entity in any Country:
- m) Any other business interests:  
(Letter of Intent for the said Purchase should be attached)
- n) Please explain in detail the experiences & performances with regard to involvement in telecommunication industry as a business.
- 3.17 Final complete Shareholder Structure/Details:
- 3.18 Detailed description of the Reason to become a Shareholder with proper justification:
- 3.19 Are there any proposed changes in the Organization structure: (Yes/No)
- 3.20 If 'Yes' please give detailed description of the current and proposed organizational structure and proposed changes:
- 3.21 Are there any proposed changes in the Director Board: (Yes/No):
- 3.22 If 'Yes' please give detailed description of current and proposed Directors (Brief Resumes) and proposed changes:
- 3.23 Are there any proposed changes of Existing Staff: (Yes/No)
- 3.24 If 'Yes' please give detailed description of the current and proposed staff changes in every position/category with justification:
- 3.25 Are there any proposed changes in the current Asset & Liabilities of the Company: (Yes/No)
- 3.26 If 'Yes' please give detailed description of the current and proposed changes in Asset and Liabilities with documentary proof with justification:
- 3.27 Are there any proposed changes in the current Articles of Association of the Company: (Yes/No)
- 3.28 If 'Yes' please give detailed description of the current and proposed changes in in the Articles of Association of the Company with justification:
- 3.29 Please indicate any other changes proposed with justification:
- 3.30 Detailed description for the justification of transfer of ownership:
- .....
- .....
- .....
- (Please use separate sheets)

#### 4. ANALYSIS OF PAST PERFORMANCE OF THE COMPANY:

- 4.1 Please submit graphical representation of following matrices with figures with justification for last five Years.
- a) Sales Revenue
- b) Cost of Sales
- c) Gross profits
- d) Net profits
- e) EBITDA
- f) Assets
- g) Liabilities
- h) Owners' Equity
- i) Current ratio
- j) Debt/Equity Ratio
- k) Return on Assets
- l) Monthly subscription growth
- m) Churn Rate with reasons



- n) Growth of Minutes of Usage:
- o) Growth of ARPU

4.2 Identified Risks and Limits and Controls

- 1. Market Risks
- 2. Liquidation Risks
- 3. Insolvency Risk

4.3 Analysis of economic efficiency of the company

- 1. Allocative Efficiency
- 2. Dynamic Efficiency
- 3. x-Efficiency
- 4. Productive Efficiency

4.4 Internal performance analysis (Ansof, Boston Box or any Better Method)

4.5 External performance Analysis (PESTLE, Porters 5 Forces, 8KF analysis or better method).

4.6. Are there any agreements with 3rd Parties with regard to the operation and provision of service (Yes/No)

4.7 If 'Yes' Please submit copies of all such agreements:

**5. PROJECTED PERFORMANCE OF THE COMPANY**

a. Any Diversification of the Business with proper justification

b. Depreciation and Amortization of Assets and Plans for Replacements & Improvements:

c. Risks in Proposed Business & strategies proposed

- i. Market
- ii. Liquidity
- iii. Insolvency

d. Following financial details should be submitted for next 10 years with proof of funding:

- i. Investment and Sources of Funding
- ii. Contingency Funding Plans:
- iii. Debt /Equity Ratio at the commencement of next Licence period:
- iv. Details of the proposed financial plan
- v. Projected profit and loss accounts, balance sheets and cash flow statements. The profit and loss accounts, balance sheets and cash flow statements should be prepared in accordance with the Sri Lanka Accounting Standards. All assumptions made such as asset depreciation policies, subscriber projections, annual variations in operating expenditure etc. should be clearly explained.
- vi. Forecasts of the relevant financial metrics including, Cash Flow, Internal Rate of Return (IRR), Discounted Payback Period of the investment. Further, Net Present Value (NPV) details should be indicated. Anticipated time frame should be clearly indicated for the project to be profitable (if applicable).

- vii. Projected financial ratios including return on capital employed, Return on Assets, Operating Profit Margin, Net Profit Margin, Capital Investment Ratio, Current Ratio, and Debt-Equity ratio. The formula used in computing each ratio should also be provided.

## 6. CUSTOMER SERVICE & PROTECTION

- a. Details of CPE provided to customer if applicable:
- b. Maintenance of CPE if applicable:
- c. Service Level Agreement Details with customers:
- d. Complaint Handling Methodology/ Minimum Fault Clearance Time:
- e. Customer Protection against bankruptcy (Insurance cover etc)
- f. Quality of Service Complaints handling:
- g. Assurance of Billing accuracy
- h. Transparency in terms conditions and tariff of service

## 7. PROJECT REPORT

A report should be submitted explaining the technical details (comprehensive network details), operational details, all services details and other stakeholder details etc. if different from the existing operation, Commission may request to submit further details if required.

## 8. DECLARATION

I, ..... hereby certify that the information provided in this application form is true & correct in all respects and I have no objection for any action taken by the Commission if it is found that any of the information are false.

Signature of Authorized Representative of the Company: .....

Date:.....

## SCHEDULE 4

### STANDARDS AND CRITERIA FOR PROVISION OF SERVICES UNDER SECTION 17B LICENCES

#### INFRASTRUCTURE SERVICES

- 4.1. The Licensee shall comply with the provisions in the Act and Rules & Regulations made thereunder.
- 4.2. The Licensee shall strictly and without any undue delay, comply with any directions/determinations/orders, which the Commission may from time-to-time issue in exercise of its powers, functions or duties under and/or securing compliance with the licence.
- 4.3. The licensee shall be required to obtain any other rights, licences, permits or approvals that may be required under any written law in force in Sri Lanka .
- 4.4. The licensee shall abide with its proposals on provision of telecommunication infrastructure, quality of service standards, service provisioning schemes and any other commitment as submitted to the Commission in its licence application.

- 4.5. The licence may be further renewed for another term on the expiry of the licence by submission of duly filled application relevant for renewal with other documents specified therein, six months before expiry of licence.
- 4.6. Commission may amend any part of the licence as and when required due to government policy decisions or decisions of the Commission due to regulatory requirement, by giving three-month notice in writing to the Licensee.
- 4.7. The Licensee shall permit the authorized representative of the Commission to inspect, during business hours and in case on non-business hours with 24 hours prior notice and accompanied by a qualified employee of the Licensee, to inspect, test, monitor, measure performance, or carry out any activity in any network component (hardware or software) or part of the telecommunication system. The Licensee shall demonstrate operation if required and facilitate inspection and provide any documents required for such inspection.
- 4.8. Further, the Licensee shall be required to provide the authorized representative of the Commission, the access to inspect, files, records, reports, documents, statistics or any other information, which Commission deems required, with regard to the provision of telecommunications infrastructure.
- 4.9. The Licensee shall submit to the Commission audited statement of accounts not later than six months after the end of each financial year relevant to the operation carried out under this licence.
- 4.10. In the event that the Licensee fails to reach an agreement with other telecommunication Operators on matters relating to the requirements of this licence or the Act, the matter shall be determined by the Commission whose decision shall be binding on all parties concerned.
- 4.11. The Licensee shall comply with any direction or determination issued by the Commission relating to tariff for services.
- 4.12. Licensee shall ensure that all tariff with respect to any service offered is approved by the Commission except such services of which the tariff is liberalized by the Commission through a Commission determination. The Licensee shall not impose or offer as the case may be any charges, terms and conditions for the provision of any specified service until the Commission has approved such charges and terms and conditions.
- 4.13. Licensee shall request the Commission in writing with proper justification for assignment of radio frequencies and Commission may issue a frequency licence in terms of Section 22 of the Act assigning the requested frequencies on payment of fee subject to the administrative, procedural, technical, operational restrictions made therein, based on the procedures adopted by the Commission for assignment of frequencies from time to time. Licensee shall strictly adhere to all terms and condition, administrative, procedural, technical, operational restrictions indicated in the frequency licence while using radio frequencies.
- 4.14. The Licensee shall comply with any directive issued by the Commission with regard to practices, principles and requirements of account separation.
- 4.15. The Licensee shall not engage in any Anti-competitive Practice.
- 4.16. The Licensee shall establish and maintain efficient and effective customer information and support service to assist the customers in resolving difficulties experienced by them relating to any aspect of the services.

- 4.17. The Licensee shall take proper and adequate proactive safety measures for the safeguarding of life, property or environment at all time during the network establishment and its operation from all forms of hazards including safeguards from exposure to electromagnetic radiation.

#### TELECOMMUNICATION SERVICES

- 4.18. The Licensee shall comply with the provisions in the Act and Rules & Regulations made thereunder.
- 4.19. The Licensee shall strictly and without any undue delay, comply with any directions/determinations/orders, which the Commission may from time-to-time issue in exercise of its powers, functions or duties under and/or securing compliance with the licence.
- 4.20. The licensee shall be required to obtain any other rights, licences, permits or approvals that may be required under any written law in force in Sri Lanka.
- 4.21. The licensee shall abide with its proposals on provision of telecommunication services, quality of service standards, service provisioning schemes and any other commitment as submitted to the Commission in its licence application.
- 4.22. The licence may be further renewed for another term on the expiry of the licence by submission of duly filled application relevant for renewal with other documents specified therein, six months before expiry of licence.
- 4.23. Commission may amend any part of the licence as and when required due to government policy decisions or decisions of the Commission due to regulatory requirement, by giving three-month notice in writing to the Licensee.
- 4.24. The Licensee shall permit the authorized representative of the Commission to inspect, during business hours and in case on non-business hours with 24 hours prior notice and accompanied by a qualified employee of the Licensee, to inspect, test, monitor, measure performance, or carry out any activity in any network component (hardware or software) or part of the telecommunication system. The Licensee shall demonstrate operation if required and facilitate inspection and provide any documents required for such inspection.
- 4.25. Further, the Licensee shall be required to provide the authorized representative of the Commission, the access to inspect, files, records, reports, documents, statistics or any other information, which Commission deems required, with regard to the provision of the telecommunications services.
- 4.26. The Licensee shall submit to the Commission audited statement of accounts not later than six months after the end of each financial year relevant to the operation carried out under this licence.
- 4.27. In the event that the Licensee fails to reach an agreement with other telecommunication Operators on matters relating to the requirements of this licence or the Act, the matter shall be determined by the Commission whose decision shall be binding on all parties concerned.
- 4.28. Licensee shall not be authorized to connect any customer premises equipment (CPE) to the Operator's System, if such CPE is not type approved by the Commission. The Commission shall make determination with regard to CPE type, standards, specifications, minimum features requirement, type approval requirements, maintenance, pricing, warranty, repairs, prices or any other aspect of the CPE as Commission deems required. Commission may specify standards to be complied with respect to safety, health, EMC, radio/network interface, RoHs or any other aspects.

- 4.29. Licensee shall request the Commission in writing with proper justification for assignment of radio frequencies and Commission may issue a frequency licence in terms of Section 22 of the Act assigning the requested frequencies on payment of fee subject to the administrative, procedural, technical, operational restrictions made therein, based on the procedures adopted by the Commission for assignment of frequencies from time to time. Licensee shall strictly adhere to all terms and condition, administrative, procedural, technical, operational restrictions indicated in the frequency licence while using radio frequencies.
- 4.30. The Commission shall issue directive with regard to end-to-end quality of service standards or such standards related to any part of the network which have to be maintained and complied by the Licensee at all times while providing the services. The quality of services standards can encompass technical or non-technical aspects of the services delivered.
- 4.31. Licensee shall ensure that all tariff with respect to any service offered is approved by the Commission except such services of which the tariff is liberalized by the Commission through a Commission determination. The Licensee shall not impose or offer as the case may be any charges, terms and conditions for the provision of any specified service until the Commission has approved such charges and terms and conditions.
- 4.32. The Licensee shall comply with the account separation instructions and any directive issued by the Commission with regard to practices, principles and requirements of account separation.
- 4.33. The Licensee shall not engage in any Anti-competitive Practice.
- 4.34. The Licensee shall accommodate the directives of the law enforcement agencies in respect of lawful interception and shall extend technical assistance to them in the instances investigations are carried out.
- 4.35. The Licensee shall comply with all applicable laws and regulations pertaining to data protection, data security, privacy and Online Safety.
- 4.36. In case of provision of Services through an overseas system operator, Licensee shall facilitate the Commission to inspect the network operations locally.
- 4.37. The Licensee shall establish and maintain efficient and effective customer information and support service to assist the customers in resolving difficulties experienced by them relating to any aspect of the services.
- 4.38. The Licensee shall comply with technical and non-technical quality of services (QoS) standard as specified by the Commission from time to time for the provision of authorized services. The Licensee shall provide, carry out surveys and tests or provide whenever required the requisite facilities to enable the Commission to carry out such surveys and tests or to monitor the services provided for the purpose of ascertaining the quality of service rendered by the Licensee to its customers or to any other licensed system. In case of such surveys or tests carried out by the Licensee, shall make available such data and the results of such surveys or tests as and when required by the Commission.
- 4.39. The Licensee shall take proper and adequate proactive safety measures for the safeguarding of life, property or environment at all time during the network establishment and it operation from all forms of hazards including safeguards from exposure to electromagnetic radiation.

**CABLE LANDING STATION FACILITIES**

- 4.40. The Licensee shall comply with the provisions in the Act and Rules & Regulations made thereunder.
- 4.41. The Licensee shall strictly and without any undue delay, comply with any directions/determinations/orders, which the Commission may from time-to-time issue in exercise of its powers, functions or duties under and/or securing compliance with the licence.
- 4.42. The licensee shall be required to obtain any other rights, licences, permits or approvals that may be required under any written law in force in Sri Lanka .
- 4.43. The licensee shall abide with its proposals on provision of Cable Landing Station Facilities, quality of service standards, service provisioning schemes and any other commitment as submitted to the Commission in its licence application.
- 4.44. The licence may be further renewed for another term on the expiry of the licence by submission of duly filled application relevant for renewal with other documents specified therein, six months before expiry of licence.
- 4.45. Commission may amend any part of the licence as and when required due to government policy decisions or decisions of the Commission due to regulatory requirement, by giving three-month notice in writing to the Licensee.
- 4.46. The Licensee shall permit the authorized representative of the Commission to inspect, during business hours and in case on non-business hours with 24 hours prior notice and accompanied by a qualified employee of the Licensee, to inspect, test, monitor, measure performance, or carry out any activity in any network component (hardware or software) or part of the telecommunication system. The Licensee shall demonstrate operation if required and facilitate inspection and provide any documents required for such inspection.
- 4.47. Further, the Licensee shall be required to provide the authorized representative of the Commission, the access to inspect, files, records, reports, documents, statistics or any other information, which Commission deems required, with regard to the provision of Cable Landing Station Facilities.
- 4.48. The Licensee shall submit to the Commission audited statement of accounts not later than six months after the end of each financial year relevant to the operation carried out under this licence.
- 4.49. In the event that the Licensee fails to reach an agreement with other telecommunication Operators on matters relating to the requirements of this licence or the Act, the matter shall be determined by the Commission whose decision shall be binding on all parties concerned.
- 4.50. The Licensee shall comply with any direction or determination issued by the Commission relating to tariff for services.
- 4.51. Licensee shall ensure that all tariff with respect to any service offered is approved by the Commission except such services of which the tariff is liberalized by the Commission through a Commission determination. The Licensee shall not impose or offer as the case may be any charges, terms and conditions for the provision of any specified service until the Commission has approved such charges and terms and conditions.

- 4.52. The Licensee shall comply with any directive issued by the Commission with regard to practices, principles and requirements of account separation.
- 4.53. The Licensee shall not engage in any Anti-competitive Practice.
- 4.54. The Licensee shall establish and maintain efficient and effective customer information and support service to assist the customers in resolving difficulties experienced by them relating to any aspect of the services.
- 4.55. The Licensee shall take proper and adequate proactive safety measures for the safeguarding of life, property or environment at all time during the network establishment and it operation from all forms of hazards including safeguards from exposure to electromagnetic radiation.
- 4.56. Licensee shall ensure that all tariff with respect to any service offered is approved by the Commission except such services of which the tariff is liberalized by the Commission through a Commission determination. The Licensee shall not impose or offer as the case may be any charges, terms and conditions for the provision of any specified service until the Commission has approved such charges and terms and conditions.
- 4.57. Licensee shall be strictly required to get all other Licences/Approvals required for the provision of Cable Landing Station Facilities before commencement of such operation.
- 4.58. The Commission shall issue directive with regard to end-to-end quality of service standards or such standards related to any part of the network which have to be maintained and complied by the operator at all times while providing the services. The quality of services standards can encompass technical or non-technical aspects of the services delivered.

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## DEFINITIONS AND INTERPRETATIONS

‘Act’	means the Sri Lanka Telecommunications Act No.25 of 1991 as amended by (Amendment) Act No. 27 of 1996 and (Amendment) Act No.39 of 2024.
‘Commission’	means the Telecommunications Regulatory Commission of Sri Lanka established under Sri Lanka Telecommunication Act No. 25 of 1991 as amended by Sri Lanka Telecommunications (Amendment) Act No. 27 of 1996.
‘Licensee’	means an entity authorized by a licence under Section 17B of the Act to provide telecommunication services or infrastructure services or cable landing station facilities
“Public Utility Provider”	means an organization that supplies essential services to public, such as electricity, transport and water.

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