



TELEPHONE (FEES) REGULATIONS 2009

No. 2009/04

PURSUANT to section 18 of the Communications Act 1989 Cabinet makes the following Regulations:

1 Name

These are the Telephone (Fees) Regulations 2009.

2 Interpretation

(1) Expressions in these Regulations have the same meaning as they have in the Communications Act 1989.

(2) Regulation 2(1) of the Telephone Regulations 1968 is amended:

(a) In the definition of exchange by deleting the word "departmental".

(b) By adding the following definitions:

"DSL" means Digital Subscriber Line;

"Line" means a wire or wires or a conductor of any kind (including fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds or intelligence of any nature by means of any electromagnetic system; and includes any pole, insulator, casing, fixing, tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding or protecting any such wire or conductor; and also includes any part of a line;

"PABX" means apparatus capable of making switching connections between telephone stations without such connections passing through the Telecom main exchange;

"residential" means any telecommunication service used for personal and residential purposes and includes non-government organisations, non-profit societies, churches and any other group or organisation approved by the Superintendent;

3 Regulation 4 amended

Regulation 4(3) of the Telephone Regulations 1968 is revoked and replaced with:

"(3) Except where special services are sought, the application and contract shall be in a form approved by the Superintendent."

4 Regulation 6 amended

Regulation 6 of the Telephone Regulations 1968 is revoked and replaced with:

“6 Rates and other charges

- (1) Telephone services shall be subject to the rates and other charges appropriate to the classes of service provided as prescribed in Schedule 1, and shall be for such minimum period as the Superintendent may determine at the time of application, and shall be continued thereafter until the subscriber gives notice in writing that the service is to be discontinued or until the Department discontinues the service.
- (2) Every contract for the hire of instruments shall be deemed to be for the minimum period referred to therein and thereafter until discontinuance of the service as aforesaid, subject to the rights of the Department to discontinue the service, notwithstanding that the minimum period may not have expired.”

5 Regulation 11 amended

Regulation 11 of the Telephone Regulations 1968 is revoked and replaced with the following:

“11 Cable and Equipment

- (1) Every subscriber shall, as part of and for the duration of the subscription, receive the cable and equipment essential to the provision of the subscription service.
- (2) Any cable or equipment beyond that essential to the service that the subscriber requests will, if provided, be provided at the cost of the subscriber.
- (3) Where under paragraph (2) additional cable or equipment is provided for a subscriber, and that additional cable or equipment is being used or will be used for the service of others or for Government purposes, the subscriber will not be charged for that additional cable or equipment.”

6 Regulation 21 amended

Regulation 21 of the Telephone Regulations 1968 is revoked and replaced with the following:

“21 System of Payment

All prescribed charges for telephone exchange service shall be paid in accordance with the terms and conditions provided by the Department.”

7 Regulation 22 revoked

Regulation 22 of the Telephone Regulations 1968 is revoked.

8 Regulation 40 amended

(1) Regulation 40(1) of the Telephone Regulations 1968 is revoked and replaced with the following:

“(1) When telephone service is desired for a shorter term than the period determined under regulation 6, the service may be granted conditionally on the applicant making application in writing in a form approved by the Superintendent and paying , in addition to the estimated cost involved in establishing the service, the cost of labour, transport of labour, transport of material, and value of any material which is perishable or is so dealt with in making the installation as in the opinion of the Department not afterwards to be conveniently usable, a charge based on the rate for a permanent connection.”

9 Regulation 41(2)(a) amended

Regulation 41(2)(a) of the Telephone Regulations 1968 is amended by deleting the words “...form 3 in Schedule 2...” and replacing with “...a form approved by the Superintendent...”.

10 Regulation 44 amended

Regulation 44(1) of the Telephone Regulations 1968 is amended by deleting the words “...form 3 in Schedule 2...” and replacing with “...a form approved by the Superintendent...”.

11 Regulation 47 amended

Regulation 47(1) of the Telephone Regulations 1968 is amended by deleting the words “...form 3 in Schedule 2...” and replacing with “...a form approved by the Superintendent...”.

12 Schedule revoked

The Schedule of the Telephone Regulations 1968 is revoked and replaced with the schedule to these regulations

"SCHEDULE

PART A - RATES FOR STATIONS (REG.20)

Class of Station	Rate (per month)
Residential telephone	\$ 9.00
Business telephone	\$15.00
Government telephone	\$15.00
Residential facsimile	\$ 9.00
Business facsimile	\$15.00
Government facsimile	\$15.00
Personal Mobile or cellular phone	\$15.00
Business Mobile or cellular phone	\$20.00

PART B - TEMPORARY TELEPHONE SERVICE (REG.40)

Class of Station	Rate (per month)
Residential telephone	\$15.00
Business telephone	\$15.00
Government telephone	\$15.00
Residential facsimile	\$15.00
Business facsimile	\$15.00
Government facsimile	\$15.00

PART C - JOINT USE OF TELEPHONE (REG.41)

Class of Station	Rate
Residential	\$ 9.00
Business	\$15.00
Government	\$15.00

PART D - EXTENSION STATIONS (REG.48)

Service	Rate
Installation of telephone Service	\$20.00 per installation
Extension telephone	\$ 8.00 per month

PART E - CHANGE OF APPARATUS (REG.43)

Description of change	One change	Each additional change in same premises at same time
Change to another telephone	\$20.00	\$10.00
Conversion of a manual extension telephone from non-intercommunicating to intercommunicating	\$20.00	\$10.00

PART F - INTERCOMMUNICATING SERVICE (REG.47)

- (1) The subscriber is charged the cost of the labour and expenses involved for -
- Providing a new extension station or system;
 - Adding to or altering an existing system;
 - Changing to another system;
 - Replacing a system by another of greater capacity;
 - Installing switchboards at the request of the subscriber, in excess of the number required to handle the normal traffic;
- (2) The charges for the installed equipment are as follows:

Class of Station	Rate
Each trunk line to main exchange	\$100.00 per installation
Each extension station	\$ 20.00 per installation
PABX extension	\$ 5.00 per month

PART G - MISCELLANEOUS FEES AND CHARGES

1) Service Connection Fee (Reg.4)

Class of Station	Rate
Residential telephone	\$100.00
Business telephone	\$100.00
Government telephone	\$100.00
Residential facsimile	\$100.00
Business facsimile	\$100.00
Government facsimile	\$100.00
Mobile phone, Personal & Business	\$ 80.00
New customer moving into premises already wired	\$50.00
DSL Line	\$100.00
DSL Line lease	\$ 40.00 per month

2) Reconnection fee (Reg. 25)

Class of Station	Rate
Residential	\$20.00
Business	\$20.00
Government	\$20.00

3) Transfer fee (Reg.44)

Class of Station	Rate
Residential	\$20.00
Business	\$20.00
Government	\$20.00

4) After-hours reconnection

Class of Station	Rate
Residential	\$60.00
Business	\$60.00
Government	\$60.00

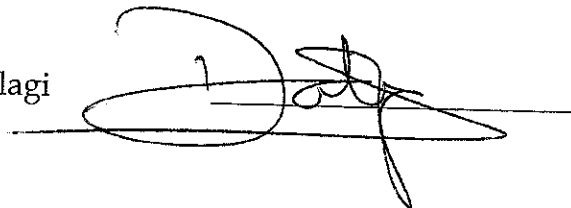
PART H - REMOVAL OF TELEPHONES (REG.42)

Service	Rate
Removal of telephone to adjacent building	\$20.00
Removal of telephone to another room in the same premises	\$15.00
Removal of telephone to a point in the same room	\$10.00
Removal of telephone to a distant extension	\$20.00

Approved by the Cabinet of Ministers at the Cabinet Chambers, Fale Fono,
Alofi this

18 day of August 2009

Signed by Hon. Toke Tufukia Talagi
Premier



Countersigned by Georgina Tukiuha
Clerk to Cabinet

