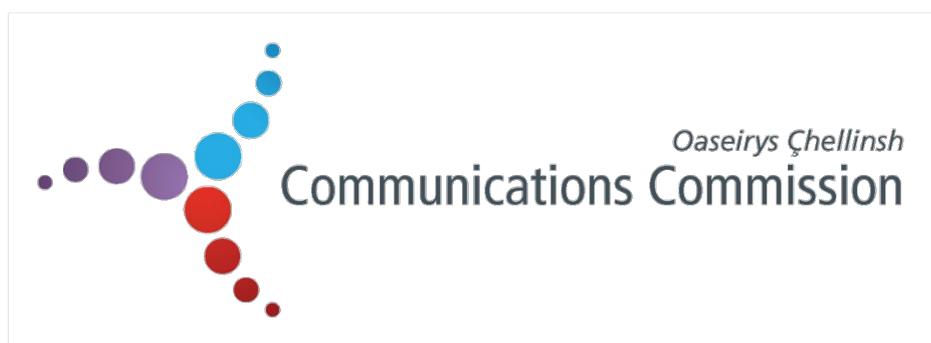


# Isle of Man COMMUNICATIONS COMMISSION

## Business Plan 2013-16



## FOREWORD BY THE CHAIRMAN



The Commission is committed to working towards the National Priorities laid out in the Agenda for Change.

The Commission will contribute to the Government priorities of protecting the economy by ensuring the balanced regulation of the communications sectors.

The Commission recognises the need to ensure that the Island's communications infrastructure and services continue to be leading edge, both to remain competitive in its existing economic sectors and to develop new wealth creating industries.

If the Isle of Man wishes to attract businesses that will contribute to its long-term, economic potential then it must have a system of regulation that promotes long-term stability and investment. The primary focus for the Commission over the coming years is to modernise its regulation to create stability while encouraging investment and innovation.

My fellow Commission Members and I are committed to the aims and objectives described in this Plan.

The Commission Members were appointed on 1 April 2013 for a five year term. The three continuing Members, Nigel Cordwell, Kathryn Harrison and Maurice Mawdsley were joined by a new Member, Robert Frize.

The Members bring complementary skills to the Commission and I enjoy working with this committed and knowledgeable team.

Hon Juan Paul WATTERSON BA ACA MHK  
Chairman

## INTRODUCTION BY THE DIRECTOR



This plan outlines the work programme within which the Commission intends to facilitate the continued development of the Island's telecommunications, broadcasting and space sectors over the next three years.

The three national priorities in the Isle of Man Government's Strategic Planning Framework are:

- To grow and diversify our economy
- To protect and support the most vulnerable in our society
- To re-balance Government Finances

Information and communications technology (ICT) has a major role in achieving these priorities: underpinning the Island's existing industries and sectors; creating and enabling opportunities for new businesses to come to the Island; and to bring the benefits of ICT to the Island's people. Bandwidth-heavy content and applications, as well as much higher storage needs, will continue to challenge the data transfer rate capability of communication networks. The world's most IT-advanced countries all see the knowledge and digital economies as the way out of the current world economic crisis and are investing in fibre networks, and telecoms operators continue to roll out 4G networks and 100GbE Ethernet.

The Isle of Man wants (and needs) to be at the forefront of this movement, using communications to build a better future for its businesses and citizens. To achieve this, the technological investment and innovation needed requires progressive and effective regulation.

In 2012, the Commission concluded and published its response to Consultation on Notification of Market Power Determinations and Decision Notice documents regarding the Island's wholesale and retail fixed telecoms markets. These set out the Commission's conclusions on the markets involved, its assessment of which operators have significant market power, and its remedies, in the form of obligations, for potential competition problems that could result in the retail and wholesale fixed markets. Much of the Commission's work over the forthcoming period, will be around ensuring that the prescribed remedies and identified objectives are put into place.

The Market Review process is a key element in the establishment of a progressive framework for the regulation of electronic communications on the Island. Alongside this, work continues on modernising the Commission's regulatory approach.

Communications networks and services have evolved significantly in the Isle of Man over recent years, but the legislation available to the Commission has not kept pace. Legislative drafting on a new Bill is currently on-going with the intention that the Commission will consult on a Communication Bill in late 2013 in order for it to move through the Legislature during 2014. The Bill is a Government priority which will provide a sound foundation for the Commission's work.

These elements will combine to give consumers, companies and investors a modern, flexible and responsive regulatory environment, increasing the Isle of Man's competitive advantage in attracting global communications, and communications-based, businesses.

Dr Carmel McLaughlin  
Director

## ABOUT THE COMMISSION

### Who We Are

The Communications Commission is a Statutory Board comprising five members. Its Members are:

Chairman: Hon J P Watterson, BA ACA MHK

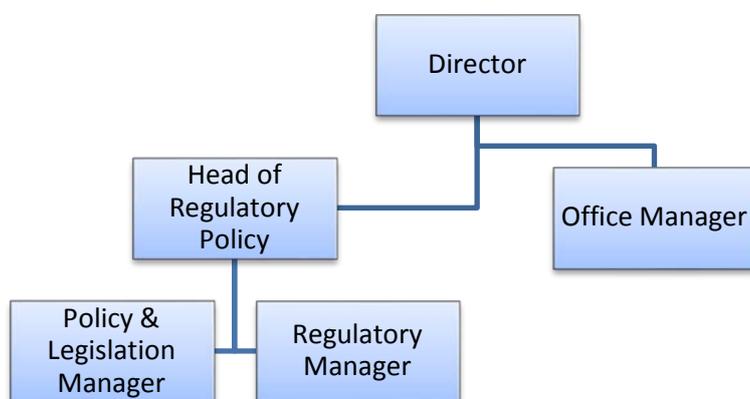
Mr N M Cordwell, FIPI Fellow APIL

Mr M E Mawdsley, MBCS ALAM

Mrs K M Harrison, FCIS

Mr R Frize, MBA FIA

The Commission has a staffing establishment of 5 full-time equivalent staff organised as follows:



### OUR VISION

“To ensure regulation is a catalyst for innovation and growth, providing effective competition and consumer protection in the communications sector”.

## **WHAT WE DO**

The Communications Commission licenses and regulates telecommunications and broadcasting in the Isle of Man under the Telecommunications Act 1984, the Radio Masts Regulation Act 1988 and the Broadcasting Act 1993.

Our core and statutory functions focus around the following sectors:

### **Telecommunications**

The Commission exercises its functions in the manner that it considers best promotes the interests of consumers, purchasers and other users of telecommunications services in the Island. It aims to ensure that all those who run telecommunications systems comply with the terms and conditions of their licences. It works in coordination with other Departments to implement the Government's broader space and e-business strategy.

The Commission liaises closely with the UK Office of Communications (Ofcom) Numbering Unit, as the Island is part of the UK Telephone Numbering Scheme.

### **Broadcasting**

The Commission licenses and regulates the content of programme services provided from places in the Isle of Man. All local broadcasters must comply with the Commission's Codes of Practice on programme content, advertising and sponsorship.

### **Spectrum**

The Commission works closely with Ofcom on radio spectrum issues. Ofcom is responsible for the licensing of radio spectrum under the Wireless Telegraphy Act 2006, which it does in consultation with the Commission to take into account differences between UK and Isle of Man Government policies.

### **Radio Masts**

The Commission licenses the commercial site sharing of transmitter mast facilities on the Island for both the public and the private sectors.

### **Space**

Through its contractor, ManSat Limited, the Commission places filings for geostationary satellite orbital slots through Ofcom to the International Telecommunications Union (ITU).

### **Income Generation**

The Commission regulates an industry worth an estimated £122 million to the Island's economy and continues to generate a surplus for Treasury.

## Our Strategic Aims

1	2	3	4	5
<p>To encourage and facilitate sustainable competitive telecommunications markets, achieving value and service innovation for the Island's consumers and businesses.</p>	<p>To ensure the continued provision of high-class telecoms services for the Island's consumers, also ensuring choice, value and quality of service.</p>	<p>To provide for the licensing and use of the Island's communications assets as effectively as possible, to maximise societal value, provide innovation and facilitate new services.</p>	<p>To keep the Isle of Man at the forefront of innovation in communications technology and services.</p>	<p>To ensure good corporate governance and that the Commission fulfils its statutory duties, including licensing, consultation, information sharing and responsiveness to consumers.</p>

## OBJECTIVES 2013-16

Communications Commission Objectives	Linked to	
	CC Aim	Gov Priority
1. Successfully undertake the 4G mobile spectrum award, ensuring the licensees achieve successful roll-out of their networks, according to the criteria and timings set out in the licence(s) issued.	2,4	1
2. Bring the Communications Bill to the branches of Tynwald, following stakeholder consultation.	1,3,4	1
3. Take the Communications Bill through the branches of Tynwald, obtaining parliamentary agreement (and eventual Royal Assent).	1,3,4	1
4. Complete the process of opening up the Island's wholesale telecoms markets through the Other Licensed Operators (OLO) forum, so that a first set of wholesale products are specified and developed, and an active process for future products is in place and operating.	1,2	1
5. To keep the Isle of Man at the forefront of innovation in communications technology and services, through the development of a 'test & trial' licence regime to allow use of the Island's land and spectrum resources for testing new applications.	4	1
6. Overhaul the licensing processes in all sectors. This would involve streamlining, allowing for renewals, test & trial licences etc.		
7. Overhaul the fees structure in all sectors. This will involve ensuring licensed activities are subject to fees (if desired) and that these are proportionate and maintain returns to the IoM Treasury.	1,3,4	1,3
8. Continue the Commission's current work with the BBC, ITV and Ofcom on matters such as the representation of the Island in the media, service reception on-Island, spectrum licensing and coordination, and regulatory standards and practice.	5	1,3
9. Review and revise Broadcasting codes	4,5	1
10. The Commission will continue to work with ManSat to develop the Island's satellite filings industry, and will consider (along with Government) the best way for the Island to proceed following the end of ManSat's contractual exclusivity in 2016.	4,5	1