



## Notice to Manx Telecom 28 September 2016

**The Communications Commission (the Commission) is today issuing notice to Manx Telecom, that it requires Manx Telecom to provide its 2015 separated accounts to the Commission by 31 December 2016.**

### Background

In 2012 the Communications Commission (the Commission) published Decision Notice 2012/02 which designated Manx Telecom (MT) with Significant Market Power in the wholesale fixed markets. Part of this Decision Notice (xxii) required MT to produce separated accounts:

### Obligation of accounting separation

- xxii. *In accordance with Condition 43.2.7 of its Licence, MT is hereby directed to produce separated accounts. The format, timing and reporting requirements of these accounts will be subject to agreement with the Commission.*

The Commission has been working with Manx Telecom to implement the 2012 decision notice of the 2012 Market Reviews. This notice is issued following agreement by Manx Telecom that it will work to this timescale in relation to its Accounting Separation obligation. Other licenced operators have been consulted on the timescales and informed that the 31 December is the deadline for submission of the 2015 separated accounts.

Section (5)(6)(a) of the Telecommunications Act 1984 provides the basis for the Commission to include licence conditions requiring a person to comply with a direction:

*(6) Without prejudice to the generality of subsection (5)(a), conditions included by virtue of that paragraph in a licence granted under this section to a particular person may require that person —*

*(a) to comply with any direction given by the Council of Ministers or the Commission as to such matters as are specified in the licence or are of a description so specified;*

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Section 43.2.7 of the Manx Telecom licence under the Telecommunications Act 1984 provides the basis for requiring separated accounts to be provided to the Commission:

*conditions requiring the Communications Provider to maintain a separation for accounting purposes between such different matters relating to Network Access to the Relevant Network as the Commission may from time to time direct, as well as conditions imposing requirements about the accounting methods to be used in maintaining the separation.*

Signed on behalf of the Communications Commission

A handwritten signature in black ink, reading "Carmel McLaughlin". The signature is written in a cursive, slightly slanted style.

Dr Carmel McLaughlin, Director

