

SUPPLEMENT to the Solomon Islands GazetteTuesday 4th June, 2013

S.I. No.24

[Legal Notice No. 46]**TELECOMMUNICATIONS ACT 2009
(NO. 2 of 2009)****TELECOMMUNICATIONS (BEMOBILE CHANGE OF CONTROL)
ADMINISTRATIVE ORDER 2013***(TCSI Order No.01 of 2013)***Explanatory note***(This note is not part of the Order, but is intended to indicate its general effect)*

This administrative order of the Telecommunications Commission approves a change in ownership in relation to Bemobile Solomon Islands Limited, the holder of a telecommunications services individual licence.

IN exercise of the powers conferred upon it by subsection (3) of section 43 of the Telecommunications Act 2009 the Telecommunications Commission makes the following administrative order:

1. CITATION AND COMMENCEMENT

- 1.1 This Order may be cited as the Telecommunications (Bemobile Change of Control) Administrative Order 2013 *(TCSI Order No.01 of 2013)*.
- 1.2 This Order commences on the date it is published in the *Gazette*, and the terms and conditions, and other provisions for the individual licence to which it relates, remain in full force and effect until the date appointed for their amendment or revocation.

2. DEFINITIONS AND INTERPRETATION

2.1 In this Order:

“Act” means the Telecommunication Act 2009, (No. 20 of 2009);

“Commission” means the Telecommunications Commission established under section 6 of the Act.

2.2 Subject to subsection (1), words and expressions which appear in this Order, and which also appear in the Act, have the meaning ascribed to them by the Act.

3. APPROVAL OF CHANGE OF CONTROL

3.1 The Commission approves the transfer of control of Bemobile Limited, the company which owns all the share capital of Bemobile Solomon Islands Limited, whereby Bemobile Limited’s share capital shall be held as follows:

- (a) Independent Business Corporation of Papua New Guinea, 1,257,047,688 ordinary shares (51%);
- (b) FNPF Holdings (PNG) Limited 985,919,756 ordinary shares (40%);
- (c) Capital Way Holdings Limited 197,510,106 ordinary shares (8.01%); and
- (d) Asian Development Bank 24,321,839 ordinary shares (0.99%).

MADE AT HONIARA this thirtieth day of May, 2013.

Bernard M Hill
Telecommunications Commissioner

[Legal Notice No. 47]

TELECOMMUNICATIONS ACT 2009

**TELECOMMUNICATIONS (CLASS LICENCE AMENDMENT)
ADMINISTRATIVE ORDER 2013**

(TCSI Order No.02 of 2013)

Explanatory note

(This note is not part of the Order, but is intended to indicate its general effect)

This administrative order of the Telecommunications Commission amends the conditions of the telecommunications services class licence which came into force on 11 September 2011.

The amendment makes it a condition of the class licence, that a class licensee does not acquire control of any other licensee.

IN exercise of the powers conferred upon it by subsections (3)(a) of section 38 of the Telecommunications Act 2009 the Telecommunications Commission makes the following administrative order:

1. CITATION AND COMMENCEMENT

- 1.1 This Order may be cited as the Telecommunications (Class Licence Amendment) Administrative Order 2013 (TCSI Order No.02 of 2013).
- 1.2 This Order commences on the date it is published in the *Gazette*, and the terms and conditions, and other provisions for the class licence which it relates to, remain in full force and effect until the date appointed for their amendment or revocation, in a subsequent order issued by the Commission.

2. DEFINITIONS AND INTERPRETATION

- 2.1 In this Order:

“Principal Order” means the Telecommunications (Class Licence) Administrative Order 2011 made on 11 September 2011, *(TCSI Order No.01 of 2011)*.

2.2 Subject to subsection (1), words and expressions which appear in this amendment order, and which also appear in the Principal Order, have the meaning ascribed to them pursuant to the Principal Order.

3. AMENDMENT TO TELECOMMUNICATIONS CLASS LICENCE

3.1 Further to section 38(3)(a) of the Act, clause 3(2) of the Principal Order is amended by adding the following paragraph:

“(c) the condition that the Class Licensee does not acquire control of any other telecommunications services licensee.”

MADE AT HONIARA this thirtieth day of May, 2013.

Bernard M Hill
Telecommunications Commissioner

Honiara, Solomon Islands
Printed under the authority of the
Solomon Islands Government
Printed by Public Service Commission.