

# St. Lucia National Broadband Policy and Plan 2013-2018

## Saint Lucia

### Infrastructure

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#### Definitions of Data:

data is not defined

#### Main Focus of Document:

#### Target Beneficiaries or Sectors:

n/a

#### Key Elements:

Action plans Saint Lucia is pursuing several programmes and projects to achieve its national ICT vision and goals over the next five years in key sectors such as tourism, business, government, agriculture, community and social development, and national security. Key infrastructure improvement projects have also been identified in education and health sectors. Several of these projects are described in more detail below.

Tourism – One Saint Lucia programme A key element of this programme is the review and updating of the policy and regulatory framework that underpins this sector – including policies on data sharing and adoption of ICT by small and medium enterprises.

Business – ICT ‘In’ and ‘As’ business programmes Such programmes include the development of legislation and regulations in the areas of e-commerce, consumer protection, cyber crime, intellectual property protection and electronic transactions, and seek to enhance the export capabilities of the business community. This includes the role of government in the strategic outsourcing of public sector ICT work as a mechanism to stabilise and build the capability and capacity of the sector, and focuses on building a local market for ICT products and services to provide a base for sector growth, as well as providing comprehensive international marketing and ICT research focussed on emerging island states through the strategic use of ICTs.

e-Government This programme, funded by the World Bank, involves projects such as the Caribbean Regional Communications Infrastructure Program (CARCIP) which seeks to assess and upgrade the current e-government infrastructure, such as the government backbone, with a view to providing cost-effective facilities that allow cross-agency sharing and collaboration.

Infrastructure – Education connected schools programme The Smart Education Programme addresses the need to incorporate ICT in the educational system, within the classroom, into administrative functions, and to facilitate the information sharing and the policy / decision making involved in the management of education, and it focuses on ICT in the classroom, in management, and the creation of an Education Portal.

Infrastructure – Health This programme is designed to exploit ICT-enabled mechanisms to promote quality health care delivery and management and includes the enhancement of the Health Management Information System (HMIS) that will generate the information needed by policy makers and health service users to make health care delivery more effective and efficient.

ECTEL broadband policy (draft) ECTEL has drafted a guidance document which describes the process, key steps and elements of a broadband policy and plan for ECTEL partners. The Saint Lucia National Broadband Policy and Plan 2013-2018 is intended to be entirely consistent with the ECTEL guidance document. The ECTEL document is more descriptive than prescriptive in nature, suggesting policy goals, objectives and strategies, whereas the Saint Lucia policy document needs to set targets and timeframes.

Assessment – Driving broadband penetration and use Mobile and fixed telephony, while essential, are now considered inadequate to meet society and commercial needs. Internet access, that is broadband internet access, is now regarded as an essential basic infrastructure for society and the economy. A large and growing number of citizens depend on the internet and access to mass-market data communication services as part of their social lives and economic lives.

#### Areas requiring further strengthening

1. Government framework, organization and procurement The government recognizes the need to develop a coordinated approach to promote and facilitate investment, maximize expenditures, and the broad use of broadband throughout society and in the economy. The chief outcome of the coordinated approach utilizing centralized direction and management for ICT and broadband programming, expenditure and procurement across government departments and agencies would be optimal strategies achieving economies of scale and more efficient and timely implementation.
2. Improving competition Use of fixed lines is declining in Saint Lucia as evidenced elsewhere in developed economies as well as lower levels of investment (as opposed to higher levels on new technologies), which are accompanied by rising prices for telecommunication services.

This indicates the competitive environment is deteriorating and is not serving to encourage operators to aggressively pursue broadband strategies.

3. Fiscal arrangements – tariffs and taxes Tariffs and taxes on communication equipment and devices remain high even though telecommunications are considered a universal access right. Current rates of duties and surcharges on cell phones approximate an additional 25 per cent the landed cost. Minimizing tariffs and taxes will lead to increased usage, quicker adoption and ultimately higher revenues for government.
4. Regulation: spectrum access, availability, prices and competition monitoring. The ECTEL Regional Spectrum Management Plan currently allocates the 700 MHz band (television broadcasting channels 52 (698 MHz) to 69 (806 MHz)) to the broadcasting service. At present there are no frequencies assigned in the band to any operator in the ECTEL Member States. The band is therefore available for assignment without restriction. A moratorium is presently in effect on the assignment of any frequencies in the band. ECTEL has promulgated a policy on the band, which will be used for broadband wireless service with a portion being designated for public health and safety services. By also applying the principle of technology neutrality, providers will be able to deliver any broadband service on the band using any technology of their choosing after they have obtained a licence for the service and obtained the requisite frequency authorizations.

18 Amendments and revisions to the Spectrum Regulations and Spectrum Fees Regulations are to be incorporated, at some future date. The Telecommunications Act authorizes the National Telecommunication Regulatory Commission (NTRC) to monitor the market-place for anti-competitive behaviour and to advise the national body responsible for the regulation of anti-competitive practices which is the Ministry of Consumer Affairs. The Ministry is responsible for the administration of competition policy; however its authority to prosecute is circumscribed to a limited extent of national law. Adjudication of matters arising under the Act is done by the Courts. The Act does not provide for any institution or body to monitor acts, approve mergers and acquisitions, or conduct other inquiries. Only civil remedies may be obtained under the Act. Sharing of network infrastructure, access to services, and interconnection are critically important in promoting competition in services and prices. Access to ultra-high capacity submarine cable capacity such as the GCF submarine cable is one such issue vitally important to all operators contemplating deployment of broadband.

5. Other regulatory issues in addition to those noted above include infrastructure sharing, which is currently being reviewed by ECTEL in the Electronic Communication Bill, securing the digital dividend, and tariff regulation for wholesale wireless broadband services. The NTRC and ECTEL should facilitate the creation of an enabling environment and gradual reliance on market mechanisms needs to be reinforced. This includes ensuring that a predictable and transparent regulatory framework is created, and quarterly quality of service (QoS) statistics should be collected from operators and then published to policy makers and regulators with relevant data and information needed to mark progress towards policy and to plan goals.

Key considerations in setting Saint Lucia's national broadband policy and plan priorities Saint Lucia policy framework objectives  
The Saint Lucia spectrum management policy framework must express the social, economic and sector development imperatives of the country recognizing the rapid pace of technological innovation. It must ensure that in harmony with national and regional telecommunication markets they operate effectively to offer all citizens affordable access to the full range of telecommunication services available from wireless technologies. In addition, the proposed framework must address the issues Caribbean nations face in deriving maximum benefit from the explosion in wireless technologies under the Caribbean Single Market and Economy (CSME). The framework should propose to:

- Reform existing policies and procedures for the allocation, assignment, spectrum fees/prices and licensing of spectrum to reflect the evolution of spectrum management approaches and technology.
- Ensure that spectrum is made available for new technologies and services, and flexibility is preserved to adapt to new market needs.
- Promote non-discriminatory access to spectrum through fair, efficient and transparent processes for awarding licenses.
- Promote the most economically and technically efficient and productive use of spectrum across the Caribbean.
- Develop a frequency allocation table, consistent with the ITU Radio Regulation Frequency Allocation table, for use in the Caribbean.
- Harmonize policies across the ECTEL region including frequency allocation and assignments based on market demands and other appropriate means.
- Incorporate mechanisms for monitoring and sharing information relating to spectrum use.
- Establish a regional spectrum management advisory body, such as the Spectrum Management Task Force.
- Ensure that spectrum is available for important public benefits (i.e. law enforcement, public safety, emergency and other services of national interest).
- Recognize the social, public safety, security, privacy protection and public nuisance issues relating to wireless technologies.

#### Promotion of competition

From the review of the existing policy and regulations, there are two major areas where changes should be made. These are:

1. Migration from the legacy spectrum management approach to a more flexible use model. This means a flexible use model with spectrum trading rights and mechanisms which allocate spectrum to their best use. In this context, part of the challenge is managing the transition.
2. Permitting technology neutral licensing and spectrum use. The core basis of a technology neutral spectrum is that any service should be provided through any kind of technology in any frequency band, and the use of spectrum can be changed at any time. That is, the actual use of the spectrum is not specified. For example, in Australia, spectrum licences can be used with any technology and for any use so long as emission limits are observed. Examples include W-CDMA utilizing the 900 MHz and LTE utilizing the 1800 MHz bands. The key elements of technology neutral spectrum licences are that licensees: – can use any technology to provide any service in any frequency band, and the use of the radio frequency spectrum can be changed at any time; – must observe emission limits; and – must manage interference (both in-band and out-of-band interference) between radiocommunication devices and services operating under other licences in the radio frequency spectrum bands. Regarding the migration under (i) it is important that Saint Lucia embrace a strong set of spectrum management principles in its dealings with industry, consumers and other internal stakeholders.

**Policy/regulation mirrored:**

**Countries:**