



Public Consultation Document on

Retail Tariff Regulation

April 2015

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Introduction

The Authority has as basic objectives, among others, under Article (7) the Telecommunications Regulatory Act (the “Act”) issued by the Royal Decree No. 30/2002 to ensure the provision of telecommunications services all over the Sultanate with reasonable prices and to safeguard the interests of beneficiaries with respect to prices, quality, and efficiency of the telecommunications services.

The approach of the Authority, within broad policy settings, is to have proportionate regulatory interventions based on the risk of harm assessment. In line with this approach the Authority conducted its first market review and issued the Market Definition and Dominance decision (the MDD decision). To implement the MDD decision, the TRA has been preparing the required regulatory instruments or amending the existing instruments in consultation with the stakeholders. The subject Retail Tariff Regulation is one of those instruments and it follows the approach outlined below:

- (a) to require all tariffs by licensees to be registered or filed with the Authority before they are applied or charged to customers;
- (b) to allow sufficient flexibility to licensees to set tariffs for telecommunications services provided in markets that are effectively competitive; and
- (c) where telecommunications services markets are not effectively competitive, and where the Authority has formally determined that nominated licensees are dominant in those markets, to subject the proposed tariffs of those dominant licensees to a more rigorous assessment and approval process to determine, before acceptance and registration, whether any aspect of the tariffs might entail material risks for competition or consumer welfare.

The draft Retail Tariff Regulation, attached to this Public Consultation document as Annexure A, sets out in detail the processes that the Authority intends to adopt in future for the registration and filing of tariffs from dominant and non-dominant licensees respectively and the criteria that will be applied in giving approvals or accepting filings, as the case may be.

The Authority is seeking the comments of interested parties, stakeholders and the public on the draft Retail Tariff Regulation.

Overview of the matters for consultation

In the attached draft Retail Tariff Regulation the Authority has sought to provide a detailed set of procedures to give effect to the broader policies mentioned above. In particular, the draft Regulation is intended to be comprehensive and therefore incorporates some earlier decisions and instruments, in particular:

- *Decision 113 / 2008 on Procedures and Rules Regulating the Promotional Offers of Telecommunications Services;*
- *Guidelines for Filing Retail Tariff Proposals to be offered to the Public;*
- *Tariff Transparency Guidelines for Public Telecommunications Services*

The above-mentioned instruments will be repealed or withdrawn from the date of effect of the Retail Tariff Regulation. The Retail Tariff Regulation is aimed to be a single reference for all matters relating to registration and filing of retail tariffs. In addition, some related provisions associated with advertising of tariff and related service, promotional issues associated with prizes, competitions and quizzes will be covered by the new Regulation. These provisions have traditionally been included with tariffing issues in the past and it is intended to retain that arrangement.

The other key policy setting that is expressed in the draft Retail Tariff Regulation is providing a procedure for the filing of tariff from non-dominant licensees and to add greater specificity and certainty to the processes for approval of tariffs from dominant licensees. In the former case the main concern is fairness to existing and potential customers and overall consumer welfare. In the latter case the concern is both consumer welfare and the possible adverse impact on competition of tariffs from dominant licensees under a range of circumstances.

For that reason the scheme of the Regulation is that all tariffs from whatever source should be submitted to the Authority and registered or filed before being implemented by the relevant licensee. In the case of tariffs from dominant licensees the process involves an application for an approval and the subsequent registration of the tariff if approval is granted. These elements of the process are explicit. Unless an approval is given by the Authority there will be no registration and the proposed tariff will not proceed. In the case of tariffs from non-dominant licensees the process involves a filing. After 15 working days from the filing, if the licensee has not heard anything from the Authority the licensee may assume no objection and proceed to implement the proposed tariff according to its terms.

The process of examining applications for approval from dominant licensees will inevitably be more resource-intensive for the staff of the Authority than the processes associated with filings from non-dominant licensees. Therefore applications for approval from dominant licensees are proposed to be required at least 30 working days before the proposed date of implementation, compared to 15 working days for filings.

The draft Regulation clarifies the status of an approval and the status of a registration. Neither an approval nor a registration precludes the Authority from re-assessing a tariff and making appropriate orders if there is reason to do so.

The Authority has incorporated a level of actual or apparent repetition in the draft Regulations in order to improve the clarity and certainty that results. The structure of the core part of the Regulation is to cover approvals of tariffs of dominant licensees separately from the filing of tariffs by non-dominant licensees. Within each of these categories there is a further sub-division of procedures applicable, respectively, to permanent offers and to promotional offers. A further procedural refinement is described where the approvals being sought relate to new, amended and withdrawn tariffs, respectively.

Broad consultation questions

The Authority has not developed a set of specific questions that might guide respondents to address specific issues and options for each of the draft Articles. Instead the

Authority invites intending respondents to consider the following list of broader questions when developing their submissions and comments:

- (1) Is the draft Regulation *comprehensive* in terms of the procedures that shall apply to approvals and filings in relation to tariffs? If not, please identify additional aspects of the procedures that need further description, and please identify the specific articles under discussion.
- (2) Does the draft Regulation provide sufficient *certainty* in terms of the procedures that shall apply to approvals and filings in relation to tariffs? If not, please identify aspects of the procedures that need greater certainty and the additional detail that might provide that certainty, and please identify the specific articles under discussion.
- (3) Does the draft Regulation give a *sufficient indication of the criteria and considerations* that the Authority will typically have regard to on the process of assessing applications for approvals and filings of tariffs, bearing in mind that the Regulations cannot anticipate all of the situations that might arise in future? If not, please indicate what additional detail might be provided, and, if so, please provide detailed comment and identify the specific articles under discussion.
- (4) Do you consider that the provisions of the draft Regulation will likely improve the tariff approval procedures of the Authority compared to today, or not? Please be specific as to the reasons for your view, and refer to the specific procedures in the draft Regulations that you are taking into consideration. Do you have specific proposals for improvement on the draft, bearing in mind the overall objectives that the Authority is seeking to achieve?

Comments on Public Consultation Document

This Public Consultation Document with Annexure will be available on the Authority's website at <http://www.tra.gov.om>

Respondents who wish to express opinions on this Public Consultation Document and draft Regulation are invited to submit their comments in writing to the Authority. All comments must be received by the Authority no later than 3:00 PM on 07 May 2015.

Comments filed in relation to this Public Consultation Document and draft Regulation may be submitted to one or more of the following addresses:

- a) E-mail to: econ@tra.gov.om
- b) Delivery (hard and soft copy) by hand or by courier to:

Competition and Tariffs Unit
Telecommunications Regulatory Authority
P.O. Box 3555, P.C. 111
Muscat, Sultanate of Oman
E-mail for this Consultation: econ@tra.gov.om
Tel: 24 222222
Fax: 24 000222

- c) The Authority welcomes all comments on the Public Consultation Document and draft Regulation from stakeholders, the public and other interested parties. The

Authority encourages respondents to support all comments with relevant argument and if relevant, data, analysis, benchmarking studies and information based on the national situation or on the experience of other countries to support their comments.

In providing comments, respondents are requested to indicate the question number, paragraph, Article reference, page number in the Schedules and the clause reference number to which their comments relate.

The Authority may give greater weight to comments supported by appropriate argument and, if relevant, evidence. The Authority is under no obligation to adopt the comments of any Respondent.

Copies of all comments submitted by Respondents in relation to this Consultation Document and draft Regulation will be published on the Authority's website at <http://www.tra.gov.om> Claims of confidentiality will be determined by the Authority having regard to the public interest in disclosure and the claimed basis for confidentiality. If claims of confidentiality are upheld a suitably redacted version of the submission will be published, otherwise the submission will be published in full.

Annexure A: Draft Retail Tariff Regulation

Part 1: Introduction

Article 1: Name and Purpose

These Regulations shall be known as the Retail Tariff Regulation. The purpose of this Regulation is to provide comprehensive guidance to licensees on the procedures that shall apply to the filing, approval and registration of retail tariffs in the Sultanate of Oman, together with such related requirements as may be convenient to set out in this Regulation.

Article 2: Power

This Regulation is made in accordance with the objectives and functions of the Authority as set out in the Telecommunications Regulatory Act and the Executive Regulation.

Article 3: Date of Effect

This Regulation shall come into effect from the date following the date on which it is published in the official Gazette.

Article 4: Repeal of previous decisions and withdrawal of previous guidelines

Decision No. 113/2008 on “*Procedures and Rules Regulating the Promotional Offers of Telecommunications Services*” shall be repealed, and both the “*Guidelines for Filing Retail Tariff Proposals to be offered to the Public*” and Decision No. 30/2013 on the “*Tariff Transparency Guidelines for Public Telecommunications Services*” shall be withdrawn, from the date of effect of this Regulation.

Article 5: Definitions

The terms defined in the Telecommunications Regulatory Act shall have the same meaning when used in this Regulation and the words and expressions listed below shall have the meanings set out against them below:

- (a) “*Dominant Licensee*” means a licensed telecommunications service provider that enjoys, either individually or jointly with others, a position of economic strength affording it the power to behave to an appreciable extent independently of competitors and customers in a relevant Retail Market, and has been formally determined to be so dominant by a decision of the Authority;
- (b) “*Non-dominant Licensee*” means a licensed telecommunications service provider that does not enjoy, either individually or jointly with others, a position of economic strength affording it the power to behave to an appreciable extent independently of competitors and customers in a relevant Retail Market;
- (c) “*Filing*” is the process by which Non-dominant Licensees inform the Authority in accordance with the procedures in this Regulation of proposed Tariffs and amendments, cancellations and withdrawals of such Tariffs;

- (d) “*Registration*” in relation to a tariff has the meaning set out in Article 19 for the Tariffs for services provided by Dominant Licensees and the meaning set out in Article 22 for the Tariffs for services provided by Non-dominant Licensees;
- (e) “*Tariff*” means the amount to be paid by a Retail Customer for a telecommunications service and includes non-price terms and conditions. For the avoidance of doubt, the term Tariff shall cover both Permanent Offers and Promotional Offers, and also the component parts of a Tariff;
- (f) “*Approval*” in relation to a Tariff has the meaning set out in Article 19 for the Tariffs for services provided by Dominant Licensees;
- (g) “*Retail Market*” means a market for the provision of telecommunications services to end-user consumers which are not themselves providers of telecommunications services;
- (h) “*Permanent Offer*” means an offer for the provision of a telecommunications service that does not include a condition that it will cease to operate on a specified date;
- (i) “*Promotional Offer*” means an offer for the provision of a telecommunications service that includes a condition that it will cease to operate on a specified date and, without limitation, includes:
 - i. Offers in which the benefit to customers who have subscribed to the offer may continue after the date that the offer ceases for as long as the agreement resulting from subscription to the offer continues or for such period as the Authority permits under Article 14 (4), whichever is the shorter;
 - ii. Offers in which the benefit is available only in relation to usage or consumption of the service for the time until the offer ceases.
- (j) “*Consumer*” means any natural or legal person who is an actual or potential user of publicly available telecommunication services from a licensee and who is not the reseller of such services.

Article 6: Basic Prohibition and Penalties

- (1) A licensee shall not advertise a telecommunications service, offer a telecommunications service or seek to charge a Tariff for a telecommunications service unless and until the Tariff for that service has been registered or filed in accordance with the relevant procedures set out in this Regulation.
- (2) For the avoidance of doubt, if a Tariff has not been registered, customers shall not be charged for the services to which the Tariff relates and may not be compelled in any way by the relevant licensee to do so.
- (3) The Authority reserves the right to impose fines and other appropriate penalties for breach of this Regulation in accordance with Article 6(4) if this Regulation, in accordance with the scale of fines and penalties in Article 51 Repeated of the Telecommunications Regulatory Act.

- (4) In determining the fine or other appropriate penalty for breach of this Regulation, the Authority may, without limitation, take the following factors into consideration:
- i. the severity of the breach;
 - ii. the impact of the breach in terms of the numbers of Consumers affected and the amount of revenue involved;
 - iii. whether the breach has continued for a long time;
 - iv. whether the licensee has been warned of the breach or failed to take any opportunity given by the Authority to rectify behaviour resulting in the breach;
 - v. whether the licensee has committed similar breaches in the past;
 - vi. the readiness displayed by the licensee to cooperate with the Authority to terminate the breach and to rectify the situation caused by the breach, once it was identified; and
 - vii. the likely effect of the fine or penalty to discourage similar breaches in the future by the licensee concerned and by other licensees.
- (5) Without prejudice to the Authority's powers as defined in the Telecommunications Regulatory Act and in this Regulation, in the event that a Tariff is implemented in breach of this Regulation, the Authority reserves the right to order the licensee to:
- i. immediately cease implementing the Tariff;
 - ii. make refunds to affected customers; and/or
 - iii. take any other appropriate measures necessary in order to withdraw the Tariff or rectify the breach.

Part 2: Tariff Approval and Registration in Relation to the services of Dominant Licensees

Article 7: Organisation of this Part

- (1) Articles 8, 9, 10, 11 and 12 of this Part relate to applications from Dominant Licensees for approval of Tariffs for Permanent Offers.
- (2) Articles 13, 14, 15, 16, 17 and 18 of this Part relate to applications from Dominant Licensees for approvals relating to Tariffs for Promotional Offers.
- (3) Article 19 of this Part relates to approval of Tariffs from Dominant Licensees for both Permanent Offers and Promotional Offers.

Article 8: Application for Approval

- (1) A Dominant Licensee shall, in relation to any service that it supplies in a market in which it is dominant, apply to the Authority for approval:
 - (a) to implement a Tariff for a new service;
 - (b) to implement an amended Tariff for an existing service; or
 - (c) to withdraw a Tariff;

at least 30 working days before the date which it is intended to implement, amend or withdraw a Tariff.

- (2) Applications pursuant to Article 8(1) to implement, amend or withdraw a Tariff shall be in the manner and form determined by the Authority and as set out in Schedules 1, 2 and 3 to this Regulation respectively.
- (3) A Dominant Licensee shall not submit an application for Tariff approval to the Authority unless the Dominant Licensee provides other licensees corresponding wholesale service, both in terms of actual service availability and fair and reasonable commercial terms, to enable those other licensees to provide the service to which the Tariff applies.

Article 9: Tariffs for New Permanent Offers

- (1) Proposals that involve evaluation or clearance of technical issues or security arrangements, frequency spectrum issues, type approval or other non-tariff matters, or legal review of third party agreements, shall only be accepted by the Authority for Tariff approval after such issues have been evaluated, cleared or otherwise resolved.
- (2) In relation to Tariffs for new Permanent Offers the Dominant Licensee shall provide the following information in the format at Schedule 1 to this Regulation:
 - (a) a full description of the service including a description of how the service is to be delivered and the technology used for that purpose;

- (b) details of the proposed Tariff and its proposed components in terms of, if applicable:
 - (i) set-up, installation and/or activation tariff;
 - (ii) monthly or other periodic rental, subscription or fixed tariff component;
 - (iii) usage tariff;
 - (iv) termination or cancellation tariff;
 - (v) usage credits or rebates;
 - (vi) any other relevant tariff component;
 - (vii) minimum period for which service may be taken; and
 - (viii) any other specific condition applicable to the offer.
 - (c) the basis on which the proposed Tariff and component parts have been set, and evidence to support the setting of the Tariff on the basis claimed;
 - (d) cost data and calculations to show the average avoidable cost and average total costs associated with the provision of the service, in sufficient detail to enable Authority to be satisfied that the Tariff will not result in predatory pricing by the licensee;
 - (e) cost data and calculations to show the margin that will be achieved for the retail service in sufficient detail to enable the Authority to undertake an imputation assessment to ensure that a margin squeeze will not result after taking account of the regulated charges that apply to wholesale service inputs needed to provide the retail service;
 - (f) where the service offer is a bundle, cost data and calculations of the component services that make up the bundled offer in sufficient detail to enable the Authority to undertake, as appropriate:
 - (i) a predatory bundle assessment to test whether the bundle can be economically replicated by other licensees; and
 - (ii) an exclusionary bundle assessment in circumstances where the bundle is not replicable by other licensees; and
 - (g) the date on which the licensee intends to implement the proposed tariff.
- (3) The Authority shall examine the application and, without limitation, the Authority may take account of the following considerations in deciding whether to approve the Tariff:
- (a) whether the information provided with the Tariff would enable a customer to calculate the cost that the customer will incur for any given level of use of the service;

- (b) whether the information provided suggests that the licensee has retained any undue discretion in the application of the Tariff;
- (c) whether there is an appreciable risk of abuse of dominance or other anti-competitive behaviour such as, but not limited to, margin squeeze, anti-competitive cross subsidy, anti-competitive bundling or tying of services, excessive pricing or predatory pricing; and
- (d) whether the information provided in the application, including any specific conditions applying to the Tariff, suggests that there is an appreciable risk of the Tariff being applied discriminatorily or unfairly.

Article 10: Amendment to Tariffs for existing Permanent Offers

- (1) In relation to applications to amend Tariffs for existing Permanent Offers, the Dominant Licensee shall provide the following information in the format at Schedule 2 to this Regulation:
 - (a) The registration number and other identification of the Tariff for the existing Permanent Offer;
 - (b) a full description of the amendments being proposed to the Tariff, including amendments to any specific condition under which the tariff is offered;
 - (c) the basis for the proposed tariff changes together with evidence to support the amendment of the tariff on the basis claimed;
 - (d) cost data and calculations to show the average avoidable cost and average total costs associated with the provision of the service, before and after the proposed Tariff amendment, in sufficient detail to enable Authority to be satisfied that the Tariff will not result in predatory pricing by the licensee;
 - (e) cost data and calculations to show the margin that will be achieved for the retail service in sufficient detail to enable the Authority to undertake an imputation assessment to ensure that a margin squeeze will not result after taking account of the regulated charges that apply to wholesale service inputs needed to provide the retail service;
 - (f) where the service offer is a bundle, cost data and calculations of the component services that make up the bundled offer in sufficient detail to enable the Authority to undertake, as appropriate:
 - (i) a predatory bundle assessment to test whether the bundle may be economically replicated by other licensees; and
 - (ii) an exclusionary bundle assessment in circumstances where the bundle is not replicable by other licensees;

- (g) the date on which the licensee intends to implement the amended Tariff; and
 - (h) confirmation that all existing customers who use the service shall be notified at least one billing cycle or 30 days before the proposed amendment takes effect, whichever period is longer, and provision of the detailed arrangements for such notifications.
- (2) The Authority shall examine the application and, without limitation, the Authority may take account of the following considerations in deciding whether to approve the amended Tariff:
- (a) whether the information provided with the Tariff would enable a customer to calculate the cost that the customer will incur for any given level of use of the service;
 - (b) whether the information provided suggests that the licensee has retained any form of discretion in the application of the Tariff;
 - (c) whether there is an appreciable risk of abuse of dominance or other anti-competitive behaviour such as, but not limited to, margin squeeze, anti-competitive cross subsidy, anti-competitive bundling or tying of services, excessive pricing or predatory pricing; and
 - (d) whether the information provided with the application, including any specific conditions applying to the Tariff, suggests that there is an appreciable risk of the Tariff being applied discriminatorily or unfairly.

Article 11: Cancellation of Tariffs for existing Permanent Offers

- (1) In relation to applications to cancel Tariffs for existing Permanent Offers, the Dominant Licensee shall provide the following information in the format at Schedule 3 to this Regulation:
- (a) the registration number and other identification of the Tariff for which cancellation is proposed;
 - (b) the reason for the proposed Tariff cancellation;
 - (c) details of the extent to which the offer is currently subscribed , including the number of customers involved and the volume of the services being used;
 - (d) details of the alternative offers that may be subscribed instead by the customers who currently use the service and the Registration Numbers for the Tariffs associated with those offers if registered;

- (e) where the cancellation of a Tariff is associated with the introduction of a new offer, details of that new offer. If the new Tariff for the new offer is subject to an application then the Authority will deal with both the new Tariff approval application and the Tariff cancellation application together;
 - (f) the proposed arrangements for refunding credits or pre-payments associated with the offer which is proposed to be cancelled, or, for applying such credits or pre-payments to the customer's account in relation to new or other offers after obtaining the approval of the customer;
 - (g) the date on which the licensee intends to implement the proposed Tariff cancellation; and
 - (h) confirmation that all existing customers who have subscribed to that Permanent Offer shall be notified at least one billing cycle or 30 days before the proposed cancellation takes effect, whichever period is longer, and provision of the detailed arrangements for such notifications.
- (2) The Authority shall examine the application and, without limitation, the Authority may take account of the following considerations in deciding whether to approve cancellation of the Tariff:
- (a) whether the proposed cancellation of the Tariff is fair in all of the circumstances having regard to the alternatives that will be open to existing customers;
 - (b) whether the information provided suggests that the Dominant Licensee has retained any form of discretion in the manner in which the proposed cancellation of the Tariff is to be implemented;
 - (c) whether there is an appreciable risk of abuse of dominance in the treatment of existing customers; and
 - (d) whether the information provided with the application, including any specific conditions relating to the cancellation of the Tariff, suggests that there is an appreciable risk of the cancellation being applied discriminatory or unfairly.

Article 12: General provisions relating to applications for approval under Articles 9, 10 and 11

- (1) The Authority shall use its best endeavours to complete its evaluation of the application within 30 working days of receipt.
- (2) The Authority may respond to an application for approval in any one of the following ways:

- (a) Reject the application;
 - (b) Seek further information from the licensee; or
 - (c) Approve the application.
- (3) Without limiting the generality of Article 12(2)(a) above, the Authority may reject an application:
- (a) If it is incomplete; or
 - (b) If it fails to comply with other requirements of this Regulation.
- (4) When an application for Tariff approval is rejected by the Authority the Authority shall advise the Dominant Licensee of the reasons for the rejection.
- (5) The Authority may at any time during or after its examination of an application for tariff approval seek further information from the Dominant Licensee. If the Authority seeks further information during the initial period of application examination the Authority may suspend the examination of the application until the requested information is provided, at which time the period of 30 days shall re-start. As an alternative to re-starting the process the Authority may at its discretion incorporate minor amendments in the tariff approval.

Article 13: Approval of Promotional Offers by Dominant Licensees

- (1) A Dominant Licensee shall apply to the Authority for approval:
- (a) to implement a Tariff for a new Promotional Offer; or
 - (b) to amend a Tariff for an existing Promotional Offer; or
 - (c) to withdraw a Tariff for a Promotional Offer before the specified time
- at least 15 working days before the date on which it is intended to implement the Tariff, Tariff amendment or Tariff withdrawal.
- (2) Applications pursuant to Article 13(1) to implement, amend or withdraw a Tariff shall be in the manner and form determined by the Authority as set out in Schedules 4, 5 and 6, respectively, to this Regulation.

Article 14: Approval of Tariffs for New Promotional Offers by Dominant Licensees

- (1) Proposals that involve evaluation or clearance of technical issues or security arrangements, frequency spectrum issues, type approval or other non-tariff matters, or legal review of third party agreements, shall only be accepted by the Authority for approval of Promotional Offers after such issues have been evaluated, cleared or otherwise resolved.

- (2) The Dominant Licensee shall submit an application to approve the Tariff for a Promotional Offer 15 working days before the date of intended implementation.
- (3) In relation to Tariffs for new Promotional Offers the Dominant Licensee shall provide the following information in the format at Schedule 4 to these Regulations:
 - (a) a full description of the Promotional Offer including a description of how the service to which the offer relates is to be delivered and the technology used for that purpose;
 - (b) details of the proposed tariff and its proposed parts, if any;
 - (c) the intended duration of the Promotional Offer, the date on which the offer will commence and the date on which the offer will cease;
 - (d) criteria and pre-conditions associated with the offer;
 - (e) any other specific condition applicable to the offer;
 - (f) the basis on which the proposed tariff and component tariffs have been set, and evidence to support the setting of the tariff on the basis claimed;
 - (g) cost data and calculations to show the average avoidable cost and average total costs associated with the provision of the service, in sufficient detail to enable Authority to be satisfied that the Tariff will not result in predatory pricing by the licensee;
 - (h) cost data and calculations to show the margin that will be achieved for the retail service in sufficient detail to enable the Authority to undertake an imputation assessment to ensure that a margin squeeze will not result after taking account of the regulated charges that apply to wholesale service inputs needed to provide the retail service;
 - (i) where the Promotional Offer is a bundle, cost data and calculations of the component services that make up the bundled offer in sufficient detail to enable the Authority to undertake, as appropriate:
 - (i) a predatory bundle assessment to test whether the bundle may be economically replicated by other licensees; and
 - (ii) an exclusionary bundle assessment in circumstances where the bundle is not replicable by other licensees; and
 - (j) cost data and calculations to show the profit margin that the licensee expects to achieve from the service while the Promotional Offer is in place.

- (4) The period during which a Promotional Offer shall be in force shall not exceed 60 calendar days from the commencement of the offer, but may be extended under exceptional circumstances with the formal approval of the Authority and subject to such conditions that the Authority sees fit, including, without limitation, a condition that the offer becomes a Permanent Offer and ceases to be a Promotional Offer.
- (5) A Dominant Licensee may not commence a Promotional Offer within six months of the cessation of a substantially similar Promotional Offer other than under exceptional circumstances and with the formal approval of the Authority and subject to such conditions that the Authority sees fit, including, without limitation, a condition that the offer becomes a Permanent Offer and ceases to be a Promotional Offer. Without limitation, in determining whether Promotional Offers are substantially similar the Authority may consider whether the impact of the Promotional Offers on the effective price of the relevant retail service is similar, as well as the terms of the Promotional Offers involved.
- (6) The Authority shall examine the application and, without limitation, the Authority may take account of the following considerations in deciding whether to approve the Tariff:
 - (a) whether the information provided with the Tariff would enable a customer to calculate the cost that the customer will incur for any given level of use associated with the Promotional Offer;
 - (b) whether the information provided suggests that the licensee has retained any form of discretion in the application of the proposed Tariff for the Promotional Offer;
 - (c) whether there is an appreciable risk of abuse of dominance or other anti-competitive behaviour such as, but not limited to, margin squeeze, anti-competitive cross subsidy, anti-competitive bundling or tying of services, excessive pricing and predatory pricing, taking into account the period that it is intended the offer should apply; and
 - (d) whether the information provided with the application, including any specific conditions applying to the Promotional Offer, suggests that there is an appreciable risk of the offer being applied discriminatory or unfairly.

Article 15: Approval for the amendment of Tariffs for existing Promotional Offers by Dominant Licensees

- (1) The Dominant Licensee shall submit an application to amend the Tariff for an existing Promotional Offer 15 working days before the date of intended amendment.

- (2) In relation to applications seeking approval for amendment to existing Promotional Offers the Dominant Licensee shall provide the following information in the format at Schedule 5 to this Regulation:
- (a) identification by reference to the Registration Number of the specific Promotional Offer to be amended;
 - (b) details of the proposed amendment;
 - (c) reasons for the proposed amendment;
 - (d) where the amendment involves a change in the amount of the tariff or of a tariff component, details of how the cost data submitted at the time of the initial approval and the assessment of average avoidable cost, average total cost and profit margin, would change, if at all, as a result of the proposed amendment;
 - (e) proposed date for commencement of the amended offer and revised date for the cessation of the offer if the latter is proposed to be amended;
 - (f) proposed treatment of customers who have subscribed to the offer before amendment; and
 - (g) proposed method of notifying existing customers who have subscribed to the original Promotional Offer and of communicating with all other customers and potential customers concerning the amendment of the Promotional Offer.
- (3) The Authority shall examine the application for amendment to the Promotional Offer, and, without limitation, the Authority may take account of the following considerations in determining whether to approve the amendment:
- (a) the considerations listed in Article 14(6);
 - (b) whether the proposed treatment of customers who have subscribed to the Promotional Offer before the amendment is not unduly discriminatory and is otherwise fair and reasonable in all the circumstances; and
 - (c) whether the proposed notification and communications arrangements are fair and reasonable in all the circumstances.

Article 16: Approval to Dominant Licensees to withdraw a Tariff for a Promotional Offer before the specified time

- (1) The Dominant Licensee shall submit an application to withdraw a Tariff for a Promotional Offer before the specified time, 15 working days before the intended date of early withdrawal.

- (2) In relation to applications seeking approval to withdraw Tariffs for Promotional Offers before the specified time, the licensee shall provide the following information in the format at Schedule 6 to this Regulation:
 - (a) identification by reference to the Registration Number of the specific Promotional Offer to be withdrawn;
 - (b) reasons for the proposed withdrawal;
 - (c) proposed date of withdrawal;
 - (d) proposed treatment of customers who have subscribed to the Promotional Offer before withdrawal; and
 - (e) proposed method of notifying existing customers who have subscribed to the Promotional Offer and of communicating with all other customers and potential customers regarding the withdrawal of the offer.
- (3) The Authority shall examine the application for approval of early withdrawal of the Offer, and, without limitation, the Authority may take account of the following considerations determining whether to approve early withdrawal:
 - (a) whether the proposed treatment of customers who have subscribed to the offer prior to its withdrawal is not unduly discriminatory and is otherwise fair and reasonable in all the circumstances; and
 - (b) whether the proposed notification and communications arrangements are fair and reasonable in all the circumstances.

Article 17: General provisions relating to applications for approval under Articles 14, 15 and 16

- (1) The Authority shall use its best endeavours to complete its evaluation of the application within 15 working days of receipt.
- (2) The Authority may respond to an application for approval in any one of the following ways:
 - (a) Reject the application;
 - (b) Seek further information from the licensee; or
 - (c) Approve the application.
- (3) Without limiting the generality of Article 17(2)(a) above, the Authority may reject an application:
 - (a) if it is incomplete; or

- (b) if it fails to comply with other requirements of this Regulation.
- (4) When an application for approval relating to a Promotional Offer is rejected by the Authority, the Authority shall advise the Dominant Licensee of the reasons for the rejection.
- (5) The Authority may at any time during or after its examination of an application for relating to a Promotional Offer seek further information from the licensee. If the Authority seeks further information during the initial period of application examination the Authority may suspend the examination of the application until the requested information is provided, at which time the period of 15 working days shall re-start. As an alternative to re-starting the process the Authority may at its discretion incorporate minor amendments in the approval.

Article 18: General provisions relating to applications for Tariffs for Permanent Offers and Promotional Offers by Dominant Licensees

- (1) All applications for approval to the Authority shall be in electronic format and addressed to the email address as specified by the Authority followed by a hardcopy duly signed and stamped. For avoidance of doubt, the date of receipt of hardcopy of application in the Authority's office shall be considered as date of receipt of application for the purpose of this Regulation.
- (2) On receipt of an application for approval, the Authority shall examine the application for completeness, and if it is incomplete the Authority may either reject it or refer the application back to the Dominant Licensee depending on the materiality of the omission.
- (3) If the Dominant Licensee does not respond to a referral of the application for additional information or to questions raised by the Authority within 15 working days, the application shall be deemed to have lapsed and Dominant Licensee shall, if it intends to do so, have to submit the application afresh in accordance with this Regulation.
- (4) The Authority shall advise the Dominant Licensee whether the application has been approved or rejected, and, if approved, shall provide a Registration Number.
- (5) Nothing in this Regulation reduces or changes the requirement of Dominant Licensees to obtain approval or clearance required from any other Government organisation or Ministry in relation to any aspect of the service or related Tariff.
- (6) The Authority will maintain a current register of Retail Tariff registrations at its main public office. In order to protect the commercial confidentiality of the Dominant Licensees involved, the Authority shall not include a registration number and related approval on the register before the day on which the Tariff, amendment or other action approved comes into effect.

- (7) A Dominant Licensee whose application has been approved shall include the Tariff, amendment or other matter subject to the approval, together with the registration number, on its website and make available access to a hard-copy register of current Tariffs at its main place of business to which the public has access. For the protection of its commercial confidentiality the Dominant Licensee need not publish the approval and related Tariff details until the day the Tariff, amendment or other matter subject to the approval comes into effect.

Article 19: Nature and consequences of an approval and registration relating to Tariffs of Dominant Licensees

- (1) An approval by the Authority to a Dominant Licensee for a Tariff including an amendment, cancellation or withdrawal of an existing Tariff is an authorisation to implement the Tariff or time-bound offer according to its terms.
- (2) Dominant Licensees will include within their applications to implement, amend or withdraw a Tariff the intended date of implementation, amendment or withdrawal of Tariff. If the Dominant Licensee wishes to delay the date of implementation, amendment or withdrawal of Tariff after its approval from the Authority, it shall seek a further approval from the Authority not later than 20 working days after the intended date of implementation, amendment or withdrawal of Tariff. If the Dominant Licensees does not seek further approval from the Authority or if the Authority does not grant such approval, the original approval to implement, amend or withdraw a Tariff shall considered to be cancelled if the Dominant Licensee opted not to implement, amend or withdraw a Tariff within the time period allowed by the Authority.
- (3) For the avoidance of doubt, the grant of an approval by the Authority does not amount to a certification that the Authority in any way warrants that the Tariff meets, or will continue while in force to meet, the requirements for such Tariffs set out in this Regulation, but, instead is based on the best efforts of the Authority and its available staff to assess the relevant application and the information provided by the Dominant Licensee in a reasonable time.
- (4) The Authority may at any time after a Tariff has been approved, either on its own initiative or in response to a request from a licensee or an interested third party, including a customer, re-assess the appropriateness of the approval and determine whether the approval should continue, be amended or be withdrawn.
- (5) Having regard to the importance of certainty that the tariff approval system provides for the provision of services in Oman, the Authority will not without cause commence a reassessment of the appropriateness of an existing Tariff approval or, following such a reassessment, proceed to amend or withdraw an existing approval. Without limitation, the Authority will be prepared to consider a re-assessment where:

- (a) information provided to the Authority in the application or at the time of application was incorrect or misleading in a material way; or
 - (b) the circumstances of the market or service provision and costs have materially changed since the approval in a manner that may lead to a different conclusion on the likelihood of the Tariff contributing to an anti-competitive outcome or abuse of the dominant position that the Dominant Licensee has in the relevant market.
- (6) Registration of a Tariff follows from approval and occurs at the time that the Authority amends its Retail Tariff Register. The Authority will not change or remove a registration unless the approval to which the registration relates has been amended, cancelled or withdrawn.

Part 3: Filing and Registration of Tariffs of Non-dominant Licensees

Article 20: Filing of Tariffs for Permanent Offers

- (1) Non-dominant Licensees shall file all proposed Tariffs and amendments and cancellations of existing Tariffs for Permanent Offers using the form set out in Schedule 7 to this Regulation at least 15 working days before the date on which the proposed tariff ,amendment or cancellation is planned to come into effect.
- (2) The Non-dominant Licensee shall provide the following information in support of its filing:
 - (a) a full description of the Tariff and of the service to which it relates including a description of how the service is to be delivered and the technology used for that purpose;
 - (b) the details of the proposed Tariff and of its component parts;
 - (c) the date on which the Tariff will commence;
 - (d) criteria and pre-conditions associated with the Tariff and the related service;
 - (e) any other specific condition applicable to the Tariff or the service to which it relates; and
 - (f) where the filing involves an amendment or a cancellation of an existing Tariff, details of the proposed arrangements for communicating the proposed amendment or cancellation to existing and potential customers.

Article 21: Filing of Tariffs for Promotional Offers

- (1) Non-dominant Licensees shall file all proposed Promotional Offers, amendments to existing Promotional Offers and cancellation or early withdrawal of Promotional Offers using the form set out in Schedule 8 to this Regulation at least 15 working days before the date on which the proposal is planned to come into effect.
- (2) The Non-dominant Licensee shall provide the following information in support of its filing:
 - (a) if the filing relates to a new Promotional Offer:
 - (i) a full description of the offer and of the service to which it relates;
 - (ii) details of the proposed Tariff relating to the offer and its component parts;

- (iii) the intended duration of the offer and the dates on which it is proposed that the offer commences and ceases;
 - (iv) criteria and pre-conditions associated with the Promotional Offer and the related service; and
 - (v) any other specific condition applicable to the Promotional Offer or the service to which it relates.
- (b) if the filing relates to the amendment, cancellation or withdrawal of a Promotional Offer:
- (i) the registration number of the relevant offer;
 - (ii) the amendment proposed, if applicable, and the reasons for the amendment;
 - (iii) the details of the proposed cancellation or withdrawal, including the proposed date of effect, and the reasons therefore;
 - (iv) details of the proposed arrangements for communicating the proposed amendment, cancellation or withdrawal to existing and potential customers; and
 - (v) proposed arrangements for treating existing credits and pre-payments of existing customers.
- (3) The period during which a Promotional Offer shall be in force shall not exceed 60 calendar days from the commencement of the offer, but may be extended under exceptional circumstances with the formal approval of the Authority and subject to such conditions that the Authority sees fit, including, without limitation, a condition that the offer becomes a Permanent Offer and ceases to be a Promotional Offer.

Article 22: All Filings

- (1) All filings of Tariffs shall be in electronic format and addressed to the email address as specified by the Authority followed by a hardcopy duly signed and stamped. For avoidance of doubt, the date of receipt of hardcopy of filing in the Authority's office shall be considered as date of filing for the purpose of this Regulation.
- (2) On receipt of a filing the Authority shall examine the information provided for completeness, and if it is incomplete the Authority may either reject it or refer the filing back to the licensee depending on the materiality of the omission.
- (3) If the licensee does not respond to a referral back of the filing for additional information or to questions raised by the Authority within 15 working days, the

filing shall be deemed to have lapsed and the licensee shall, if it intends to do so, have to file afresh in accordance with this Regulation.

- (4) At any time after the filing, the Authority may assess the filing and may:
 - (a) accept the filing;
 - (b) reject the filing; or
 - (c) take no further action.
- (5) Without limitation, the assessment of the filing by the Authority may take into consideration:
 - (a) whether the information provided with the Tariff would enable a customer to calculate the cost that the customer will incur for any given level of use of the service associated with the Tariff;
 - (b) whether the information provided suggests that the Non-dominant Licensee has retained any form of discretion in the application of the proposed Tariff; and
 - (c) whether the information provided with the filing, including any specific conditions applying to the Tariff, suggest that there may be an appreciable risk of the Tariff being applied discriminatorily or unfairly.
- (6) If the Authority rejects the filing it shall advise the Non-dominant Licensee at the earliest time and of the reasons for the rejection.
- (7) The Tariff filing of a Non-Dominant Licensee shall, unless it has been rejected by the Authority or has been made subject to the provision of additional information from the licensee to the Authority, be deemed to have been accepted by the Authority after the elapse of 15 working days from the filing.
- (8) A registration associated with a filing in this Part shall be an authorisation to implement the Tariff proposal in the filing, whether or not the Authority has explicitly advised of its acceptance of the filing. For the avoidance of doubt, implementation shall occur at the times stated in the filing and, in the case of a Promotional Offer, cease at the time stated in the filing.
- (9) A Non-dominant Licensee whose filing has not been rejected by the Authority shall include the Tariff amendment or other matter subject to the filing, together with the Registration Number, if a Registration Number has been allocated by the Authority, on its website and make available access to a hard-copy register of its main place of business to which the public has access. For the protection of its commercial confidentiality the licensee need not publish the registration and

related tariff details until the day the Tariff, amendment or other matter subject to the registration comes into effect, if it so chooses.

- (10) The Authority may at any time after a Tariff has been filed, either on its own initiative or in response to a request from a licensee or interested third party, including a customer, re-assess the appropriateness of the filing and related registration and determine whether the filing and registration should continue, be amended or be withdrawn.
- (11) Having regard to the importance of certainty that the tariff filing system provides for the provision of services in Oman, the Authority will not without a valid reason commence a reassessment of the appropriateness of an existing filing or, following such a reassessment, proceed to amend or withdraw an existing registration. Without limitation, the Authority will be prepared to consider a reassessment where:
 - (a) information provided to the Authority in the filing was incorrect or misleading in a material way; or
 - (b) the circumstances of the market or service provision and costs have materially changed since the filing in a manner that may lead to a different conclusion on the likelihood of the Tariff contributing to discriminatory or other unfair outcomes for customers.
- (12) The Authority will not change or remove a registration unless the related filing has been amended, cancelled or withdrawn.

Part 4: Tariff Transparency and Other Requirements

Article 23: Tariff Transparency Objectives

The objectives of this Part are:

- (1) to enable existing and potential customers to understand prices that they will have to pay for services and any terms and conditions which will apply to the application of Tariffs, including discounts, that are available to them;
- (2) to facilitate the comparison of Tariffs and the related services by existing and potential customers; and
- (3) to enable customers to understand and reconcile billing for services with published Tariffs.

Article 24: Tariff Information

- (1) All licensees shall ensure that current, accurate, complete, accessible and easily understood information is available to customers about their Tariffs, including, without limitation:
 - (a) service description;
 - (b) details of each relevant tariff and tariff component, as well as applicable discounts or other elements of the Tariff; and
 - (c) sufficient information to enable a customer to be able to calculate the cost that the customer will incur for any particular usage of the service associated with the Tariff.
- (2) If the limitations of a particular medium or format prevent a licensee from publishing all the details relevant to a Tariff, the licensee should provide a clear reference to where a customer may access full information relating to the Tariff.
- (3) All licensees shall ensure that all general terms and conditions that apply to their Tariffs are published and available for free in electronic and hard copy formats accessible to all existing and potential customers.
- (4) All Tariff information should be clear and legible in the publishing format used by the licensee. Without limitation:
 - i. Licensees shall take into consideration the accessibility of the information about tariffs and services to Consumers with special needs;
 - ii. Licensees shall take care in the way that technical terms and technology comparisons are used in information provided to Consumers, and shall not

abuse the trust of Consumers or exploit their inexperience or lack of knowledge;

- iii. Advertisement of Tariffs and related services shall not be misleading and must present what is being offered. All conditions of offers must be explicitly and unambiguously stated in a manner that is likely to be understood by a typical Consumer; and
 - iv. Superlative forms of words, such as, without limitation, “lowest rates”, “widest coverage”, or “best network”, shall not be used unless the licensee has proof readily available to substantiate the claim.
- (5) Licensees shall clearly indicate any limitations or constraints affecting usage of the services, such as, without limitation, a fair usage policy.
- (6) Licensees shall not describe a Tariff as involving unlimited usage of a service if there is a limit to the number of calls, minutes of use, data volumes or other service measure being used.
- (7) A validity period for credit or usage shall be clearly indicated in the information published for any Tariff. If a Consumer is opting to subscribe to a Tariff or is using a handset system to opt into a Tariff plan, the Consumer shall be informed of the details of the validity period of the credit or Tariff plan, and the Consumer shall give their direct and voluntary approval by responding through the handset system or SMS by giving a clear response (i.e. responding with a YES or NO) to the terms and conditions.
- (8) Licensees shall clearly describe in all printed and electronic media used to explain or promote Tariffs related to plans or bundles the conditions under which added time or credit may be used, including, without limitation:
- i. The call types that are included in the plan or bundles, such as, without limitation, on-net and off-net calls;
 - ii. The number of calls in each call type that are included;
 - iii. calls that may be excluded;
 - iv. whether unused time or credit is carried forward to the next and subsequent billing periods;
 - v. expiry time for the credit, if any; and
 - vi. the time of day when included time or credit can be used.
- (9) Licensees shall provide Consumers with one or more easy-to-use and practical means of monitoring their usage of services to enable Consumers to better control their own usage in any period.

- (10) Promotions conducted by the Licensee should display the Licensee's identity and contact details.

Article 25: Charges during and after Free Trial Periods

- (1) Licensees are prohibited from charging customers for services supplied on a free trial basis.
- (2) If a licensee has provided a customer with services on a free trial basis the licensee shall not charge the customer for such services provided after the end of the free trial period unless:
 - (a) the licensee has notified the customer in writing of the date on which the free trial period will end, in advance of the relevant date; and
 - (b) the licensee has obtained the express agreement in writing of the customer to continue the service after the expiry of the free trial on the applicable tariffs, terms and conditions notified to the customer.

Article 26: Automatic Renewals

- (1) Licensees shall clearly inform customers prior to the end of the subscription period for a service that the service subscription will be renewed upon expiry only with the approval of the customer and will advise customers of the manner in which their approval can be given.
- (2) Where a Promotional Offer or a Permanent Offer is made on a trial basis to enable customers to evaluate the service before subscribing to the offer, the continuation of the offer after the conclusion of the trial period shall only be on the basis that the customer has agreed during the trial period. Licensees will advise customers of the manner in which their agreement can be given.

Article 27: Usage Levels

- (1) Where a Tariff includes a usage limit, Licensees shall provide the customer with a notification when the customer's usage has reached a certain limit as prescribed by the Authority from time to time.
- (2) Licensees shall advise customers subject to a usage limit that they will receive notification when their usage reaches the prescribed limit and the manner in which the notification will be made.
- (3) In cases where the usage limit is re-set at regular intervals, such as monthly, Licensees shall include the re-set date in notifications of the prescribed usage of the limit.

Article 28: Service termination or cancellation by a customer

- (1) Licensees may enter into agreements with customers under which they provide the customer with a discount or special consideration in return for the customer's agreement to commit to a minimum service period or a minimum revenue commitment, provided that the terms of such an agreement are included in a current registered Tariff.
- (2) Agreements of the kind referred to in Article 26(1) above may contain provisions providing for termination liability in the event that the customer terminates the agreement or cancels the service prior to the agreed termination date, provided that the amount of any early termination liability must be reasonably related to the extent of the discount or special consideration that the licensee has provided and to the length of the period for which the customer contracted the service.
- (3) If in the case of an early service cancellation or agreement cancellation the customer has made an advance payment for the service, the licensee shall make arrangements for repayment of that part of the advance payment that relates to the unused contractual period, after adjustment for any termination liability payment that complies with the requirements in Article 26(2) above.

Article 29: Off-net calls

Where a licensee's charges for off-net calls are higher than charges for on-net calls, the licensee shall implement a clear arrangement to enable customers to determine in advance of calling a number whether a call to that number would be a call terminated on the network of another licensee. The arrangement devised by the licensee shall be published by the licensee in a manner to readily inform all customers and potential customers.

Article 30: Roaming Services and Charges

- (1) A licensee shall send an SMS to its customers whose services are registered as roaming on other mobile networks:
 - (a) alerting the customers to the applicable roaming charges for voice call and data services; and
 - (b) providing customers with instructions on how to turn on and off data roaming functions on their mobile devices if they wish to avoid, or minimize their liability for, roaming charges.

Part 5: Quizzes, Competitions and Prizes

Article 31: Usage related

- (1) Licensees may only use quizzes, competitions and prizes as part of the marketing or promotion of their services and offers where participation by existing or potential customers in the quiz, competition or prize-giving is associated with the purchase or usage of, or subscription to, a service by that customer, and shall not result in an increase in the effective price of services for a Consumer who enters into quizzes, competitions and prizes.

Article 32: Clear description of quizzes, competition and prizes

- (1) A licensee using quizzes, competitions or prizes as part of the marketing or promotion of its services and offers, must include the following information in its relevant promotion material or advertising:
 - (a) the closing date of the promotion;
 - (b) a full description of the service, promotion or offer clearly and accurately in terms that will be readily understood by the Consumers concerned;
 - (c) any restrictions on the number of entries or prizes;
 - (d) a full description of the prizes, the eligibility criteria, proof-of-purchase, special permissions associated with minors or others, and limitations on participation;
 - (e) whether a cash alternative can be substituted for any prize;
 - (f) how and when results will be published; and
 - (g) the way in which prizes will be delivered to prize-winners.
- (2) A licensee using quizzes, competitions or prizes as part of the marketing or promotion of its services and offers:
 - (a) must not offer any information that falsely describes the chances of winning a quiz, competition or prize, or raise false expectations in that regard; and
 - (b) must ensure that the price that will be charged for the service subject to the quiz, competition or prize-giving shall be clearly stated by the licensee.

-----END-----

7	Cost data and calculations on margins after wholesale service inputs Summarise here and attach further details if required	
8	Is the service offer a bundle? If so, provide cost data and calculations to enable imputation assessment by TRA Summarise here and attach further details if required	
9	Cost data and calculations to show the profit margin that the licensee expects to achieve from the service at the proposed tariff Summarise here and attach further details if required	
10	Proposed date of implementation of tariff	
11	Other Summarise here and attach further details if required	

Signed for Licensee

Name and Position

Date of Application

Schedule 2: Application for Approval to Amend an Existing Permanent Offer by a Dominant Licensee

(Article 10 refers)

1	Applicant Licensee Licensee name and licence number	
2	Licensee Contact Person Name, Phone Number and email address	
3	Registration Number and Description of the Tariff to be amended	
4	Full description of amendments proposed to the tariff and tariff components, if applicable, including amendments to specific conditions relating to the tariff Summarise here and attach further details if required	
5	Basis for the proposed tariff changes, together with evidence to support the amendment on the basis claimed Summarise here and attach further details if required	
6	Cost data and calculations on average variable cost and average total cost for the service before and after the proposed amendments Summarise here and attach further details if required	

7	Cost data and calculations on margins for the amended tariff after wholesale service inputs Summarise here and attach further details if required	
8	Cost data and calculations to show the profit margin that the licensee expects to achieve from the service at the proposed amended tariff Summarise here and attach further details if required	
9	Proposed date of implementation of tariff amendment	
10	Other Summarise here and attach further details if required	

Signed for Licensee

Name and Position

Date of Application

Schedule 3: Application for Approval to Cancel an Existing Permanent Offer by a Dominant Licensee

(Article 11 refers)

1	Applicant Licensee Licensee name and licence number	
2	Licensee Contact Person Name, Phone Number and email address	
3	Registration Number and Description of the Tariff proposed to be cancelled	
4	Reason for the proposed tariff cancellation Summarise here and attach further details if required	
5	Basis for the proposed tariff cancellation, together with evidence in support Summarise here and attach further details if required	
6	Details, including Registration Numbers, of the tariffs that may be used instead by the customers who currently use the tariff Summarise here and attach further details if required	
7	Where the cancellation of a tariff is associated with the introduction of a new tariff, details of that new tariff Only if not already covered in item 6 above. Summarise here and attach further details if required	

8	Proposed arrangements for refunding credits or pre-payments associated with the tariff which is proposed to be withdrawn, or, with the approval of the customer, of applying such credits or pre-payments to the customer's account in relation to new or other tariff Summarise here and attach further details if required	
9	Confirmation of notification arrangements for all existing customers who use the tariff and provision of the detailed arrangements for such notification or migration plan Summarise here and attach further details if required	
10	Proposed date of tariff cancellation	
11	Other Summarise here and attach further details if required	

Signed for Licensee

Name and Position

Date of Application

Schedule 4: Application for Approval for a New Promotional Offer by a Dominant Licensee

(Article 14 refers)

1	Applicant Licensee Licensee name and licence number	
2	Licensee Contact Person Name, Phone Number and email address	
3	Full description of Service and how it is to be delivered, and with which technology Summarise here and attach further details if required	
4	Full description of the tariff for the Promotional Offer and proposed tariff components, if applicable Summarise here and attach further details if required	
5	Criteria and pre-conditions associated with the offer, if applicable Summarise here and attach further details if required	
6	Any other specific condition applicable to the offer Summarise here and attach further details if required	
7	Cost data and calculations on margins after wholesale service inputs Summarise here and attach further details if required	

8	<p>Cost data and calculations to show the average variable cost and average total costs associated with the provision of the service</p> <p>Summarise here and attach further details if required</p>	
9	<p>Cost data and calculations on margins after wholesale service inputs</p> <p>Summarise here and attach further details if required</p>	
10	<p>Is the Promotional Offer a bundle? If so, provide cost data and calculations to enable imputation assessment by TRA</p> <p>Summarise here and attach further details if required</p>	
11	<p>Cost data and calculations to show the profit margin that the licensee expects to achieve from the service at the proposed tariff</p> <p>Summarise here and attach further details if required</p>	
12	<p>Proposed date of implementation cessation of the offer</p>	
13	<p>Other</p> <p>Summarise here and attach further details if required</p>	

Signed for Licensee

Name and Position

Date of Application

Schedule 5: Application for Approval to Amend an Existing Promotional Offer by a Dominant Licensee

(Article 15 refers)

1	Applicant Licensee Licensee name and licence number	
2	Licensee Contact Person Name, Phone Number and email address	
3	Registration Number and Description of Promotional Offer to be amended	
4	Full description of amendments proposed to the offer, including amendments to specific conditions relating to the offer Summarise here and attach further details if required	
5	Reasons for the proposed amendment to the offer Summarise here and attach further details if required	
6	Where the amendment involves a change in the amount of the tariff or of a tariff component, details of how the cost data submitted at the time of the initial approval and the assessment of average variable cost, average total cost and profit margin, would change, if at all, as a result of the proposed amendment Summarise here and attach further details if required	

7	Proposed date of commencement of the amended Promotional Offer and amended date for cessation of the offer, if applicable	
8	Proposed treatment of customers who have subscribed to the offer before amendment	
9	Proposed method of notifying existing customers who have subscribed to the offer and of communicating with all other customers and potential customers of the amendment of the offer	
10	Other Summarise here and attach further details if required	

Signed for Licensee

Name and Position

Date of Application

Schedule 6: Application for Approval to Withdraw an Existing Promotional Offer before the Specified Time by a Dominant Licensee

(Article 16 refers)

1	Applicant Licensee Licensee name and licence number	
2	Licensee Contact Person Name, Phone Number and email address	
3	Registration Number and Description of the Offer proposed to be withdrawn	
4	Reason for the proposed early withdrawal of offer Summarise here and attach further details if required	
5	Proposed date of withdrawal	
6	Proposed treatment of customers who have subscribed to the offer before withdrawal Summarise here and attach further details if required	
7	Proposed method of notifying existing customers who have subscribed to the offer and of communicating with all other customers and potential customers of the withdrawal of the offer Summarise here and attach further details if required	
8	Other Summarise here and attach further details if required	

Signed for Licensee

Name and Position

Date of Application

Schedule 7: Filing a New Tariff, Tariff Amendment or Tariff Cancellation for Permanent Offers by a Non-Dominant Licensee

(Article 20 refers)

1	Licensee Licensee name and licence number	
2	Licensee Contact Person Name, Phone Number and email address	
3	If a new tariff, full description of the tariff and related service and how the service is to be delivered, and with which technology Summarise here and attach further details if required	
4	Full details of new or amended tariff and proposed tariff components if applicable Summarise here and attach further details if required	
5	Minimum period which tariff may be taken, if applicable	
6	If the filing relates to an amendment or cancellation of an existing tariff details of existing tariff Registration number	
7	Criteria and pre-conditions or any other specific condition to be associated with the tariff and the related service	

8	Date of implementation of proposed tariff, amendment or cancellation	
9	Where the filing involves an amendment of an existing tariff, details of the proposed arrangements for communicating the proposed amendment to existing customers and communicating it to potential customers Summarise here and attach further details if required	
10	Other Summarise here and attach further details if required	

Signed for Licensee

Name and Position

Date of Application

Schedule 8: Filing of New and Amended Promotional Offers and early Cancellation of Promotional Offers by a Non-Dominant Licensee

(Article 21 refers)

1	Licensee Licensee name and licence number	
2	Licensee Contact Person Name, Phone Number and email address	
3	If a new Promotional Offer, full description of the offer and related service and how the service is to be delivered, and with which technology Summarise here and attach further details if required	
4	Registration number of existing Promotional Offer if an amendment or early cancellation	
5	Full description of the tariff or tariff amendments for the Promotional Offer and proposed tariff components, if applicable Summarise here and attach further details if required	
6	Criteria, pre-conditions and specific conditions associated with the Promotional Offer, if applicable Summarise here and attach further details if required	
7	Reasons for amendment or early cancellation of a Promotional Offer Summarise here and attach further details if required	

8	Details of the proposed arrangements for communicating the proposed amendment, cancellation or withdrawal to existing customers and communicating it to potential customers	
9	Proposed arrangements for treating existing credits and pre-payments of existing customers	
10	Proposed date of implementation, amendment or cancellation of the Promotional Offer	
11	Other Summarise here and attach further details if required	

Signed for Licensee

Name and Position

Date of Application