

**Decisions on Recommendations on the consultative document, *Procedures for Consultation in the Telecommunications and Broadcasting Sectors of Trinidad and Tobago* (August, 2020)**

The following summarises the comments and recommendations received from stakeholders on the first round of this document (dated August 29, 2019), and the decisions made by the Telecommunications Authority of Trinidad and Tobago (the Authority) as incorporated in the revised document (August, 2020).

	<b>Document Sub-Section</b>	<b>Submission Made By: Stakeholder Category<sup>1</sup></b>	<b>Comments Received</b>	<b>Recommendations Made</b>	<b>TATT's Decisions</b>
1.	<b>General</b>	TSTT	<p>Telecommunications Services of Trinidad and Tobago Limited (TSTT) appreciates that the Telecommunications Authority of Trinidad and Tobago (TATT) has provided the opportunity for operators to comment on these matters. It should be noted that the comments expressed by TSTT on this document, in no way restrains TSTT from making further comments in the future.</p> <p>TATT in fulfillment of its responsibility to develop and manage the industry, should have a Board approved Strategic Plan. The objective of liberalising the market has been achieved, TATT's should now focus on strategic alignment and</p>	TATT consultations should align with its Board approved Strategic Plan for the industry.	<p>The Authority thanks TSTT for its comments and recommendations highlighting the need for the consultative documents to reflect the goals of the Authority's Strategic Plan.</p> <p>The Authority wholeheartedly agrees that a Board approved Strategic Plan establishes the framework and direction for which the Authority can fulfil its mandate to further develop the telecommunications and broadcasting sectors for the respective period. The Authority agrees that a strategic plan can be utilised to assess the efficacy of the Authority a regulator in its achievement of its stated objectives. Summaries of the previous strategic plans of the Authority are posted on the Authority's website for public information.</p>

<sup>1</sup> Regional regulatory or Governmental agencies, existing service and/or network providers and affiliates, potential service and/or network providers and affiliates, service/network provider associations/clubs/groups and the general public

		<p>industry management thus its consultation procedures should echo this.</p> <p>This Plan:</p> <ul style="list-style-type: none"> <li>- Should be made available to the industry and where necessary, the public of Trinidad and Tobago.</li> <li>- Should have the consultative agenda required to achieve the goals and objectives over the given period.</li> <li>- Should aid in the review of TATT's performance over the given period.</li> <li>- Should be used as a measurement tool to develop future objectives and the implementation of such.</li> </ul> <p>Having developed a robust plan, the necessary consultations should be aligned with them and a suitable consultation schedule should accompany them to aid in the direction and management of the Telecommunications and Broadcasting industry.</p> <p>This process should be sufficiently flexible to facilitate the amending of the laws of Trinidad and Tobago that impact the industry while holding fast to TATT's Plan.</p>		<p>The Authority develops a three-year strategic framework which is aligned with the approved strategic plan for the corresponding period of projected consultations. One of the main objectives of the Authority's current draft Strategic Plan (2019-2022) is to foster a dynamic and progressive information and communications technology (ICT) sector which drives national development.</p> <p>Deliverables, inclusive of consultations coming out of the Authority's strategic plans, are reviewed on an annual basis to assess the performance of the Authority in meeting its objectives.</p> <p>Accordingly, once approved, the strategic goals from the Board approved Strategic Plan with the corresponding documents required for consultation will be published in a tentative annual consultation schedule at the beginning of each financial year, detailing the regulatory documents and draft legislation proposed for consultation. In addition, the Authority will publish a quarterly update to confirm the consultations set to take place in the respective quarter, which will allow for any amendments that may arise in the annual consultation schedule, which is now reflected in section 3.1 of this Consultation Procedures document as follows:</p> <p><b>“The Authority shall undertake to publish a tentative consultation schedule at the beginning of each financial year, detailing the regulatory documents and draft legislation proposed for consultation in that year. In addition, the Authority will publish a quarterly update to confirm the consultations set to take place in the respective quarter, which will allow</b></p>
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					<b>for any amendments that may arise in the annual consultation schedule.”</b>
2.	<b>Introduction</b>	CCTL	<p>The Act provides that “.... <i>The Authority shall adopt procedures by which it will (a) afford interested parties and the public opportunities for consultation; (b) permit affected persons and the public to make appropriate submissions to the Authority.</i>”</p> <p>Such consultations help to foster a transparent regulatory environment. This is key to ensuring good regulatory governance. It is important that stakeholders not only have clarity of the process, but also confidence in the process. We hope that our input in this response will help to bring clarity to the process.</p> <p>With respect to confidence in the process, CCTL is also keen to ensure that consultations are not for the purpose of “ticking a box” so to speak, but provides for effective engagement between the Authority and all industry stakeholder. The Authority must consistently demonstrate that it gives serious consideration to respondent’s comments, including accepting reasonable recommendations offered, that would better promote the development of the</p>		<p>The Authority thanks CCTL for its comments and agrees that consultations are required to ensure a transparent regulatory environment which is key to good regulatory governance.</p> <p>The Authority recognizes the integral role that stakeholder engagement plays and considers such engagement to be vital for its effective performance as the regulator of the telecommunications and broadcasting sectors within Trinidad and Tobago.</p>

			industry, than TATT’s stated positions. This we believe will redound to the benefit of the industry, and the country by extension.		
3.	<b>1.2 Purpose for the Procedures</b>	CCTL	<p>In this section TATT states as follows, <i>“This document; Procedures for Consultation in the Telecommunications and Broadcasting Sectors of Trinidad and Tobago (Revised), seeks to formalise the consultation process in such a way that there can be open participation by any interested party.”</i></p> <p>The above statement suggests that prior to the 2013 document <u>Procedures for Consultation in the Telecommunications and Broadcasting Sectors in Trinidad and Tobago</u>, there was no formal process for consultation. The section on “Maintenance History”, makes it clear that formal consultation procedures were the subject of two prior proceedings in 2005 and 2010. These provided across the board for a minimum of two rounds of consultation. The procedures set out in these documents were used to inform the conduct of such processes.</p> <p>From our assessment, the key change introduced in the 2013 and 2019 revisions, is to allow for an accelerated process in</p>	<p>We recommend that the statement that the revised document “... seeks to formalise the consultation process in such a way that there can be open participation by any interested party” be corrected, to accurately reflect the reasons for the main revisions to the procedures as set out in the 2010 document.</p>	<p>The Authority thanks CCTL for its recommendation and advises that the key changes introduced in the 2019 revisions were, <i>inter alia</i>:</p> <ul style="list-style-type: none"> <li>(a) the introduction of new methods of collecting information from stakeholders to allow for comments from a wider group of stakeholders; and</li> <li>(b) the alignment of the duration of the consultation periods with the scope of the consultation topic, in order to allow enough time for stakeholders to make more meaningful contributions</li> </ul> <p>The Authority notes CCTL’s for more accurate reasons for the revision of the Consultation Procedures document and has amended section 1.2.3 and inserted a new 1.2.4 to more accurately reflect the purpose of this version of this Consultation Procedures document as follows:</p> <p>“1.2.3 The Authority <b>is mandated with the statutory duty to consult. This</b> statutory duty as provided under section 18(4) of the Act, mandates that the Authority adopt procedures that would afford interested parties and the public with the opportunity to be heard on matters concerning them and permit affected persons and the public to make submissions for the consideration of the Authority. Such matters required to be consulted on are:</p> <ul style="list-style-type: none"> <li><b>(i) Universal service</b></li> <li><b>(ii) National telecommunications industry standards and technical standards</b></li> </ul>

		<p>instances where the consultation was for an <sup>2</sup>existing framework or in cases where the Authority considers that the <sup>3</sup>second round on consultation is not required.</p> <p>In the interest of transparency, and accuracy, we believe that the documents should accurately reflect the purpose for the revision of these procedures is to allow for accelerated consultation processes where TATT considers that there is no need for a second round of consultation. Importantly, we believe this level of openness will serve to generate confidence in the process.</p> <p>As such we recommend that the statement that the revised document “... <i>seeks to formalise the consultation process in such a way that there can be open participation by any interested party</i>” be corrected.</p>		<ul style="list-style-type: none"> <li>(iii) Policies governing the telecommunications industry and issues arising at international, regional and national levels</li> <li>(iv) Complaints by users, operator complaints by users, operators of telecommunications networks, providers of telecommunications and broadcasting services or other persons arising out of the operation of a public telecommunications network, or the provision of a telecommunications service or broadcasting service, with respect of rates, billings and services provided generally and the facilitation of relief</li> <li>(v) The orderly and systematic development of telecommunications throughout Trinidad and Tobago</li> <li>(vi) Regulations made pursuant to section 78 of the Act</li> <li>(vii) Broadcasting Code</li> <li>(viii) Any other provision as the Authority deems appropriate</li> </ul> <p><b>1.2.4 In furtherance of this statutory duty to consult, the Authority must ensure that its consultation procedures reflect the general principles in relation to the duty to consult which will allow for effective consultations that afford interested parties the opportunity to participate in the consultation process before any decision is made. To this end, the Authority conducted a review of the legal principles in relation to “the duty to</b></p>
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<sup>2</sup> See Figure 1, page 7 of *Procedures for Consultation in the Telecommunications and Broadcasting Sectors of Trinidad and Tobago*, January 21, 2013.

<sup>3</sup> See Figure 1, page 7 of *Procedures for Consultation in the Telecommunications and Broadcasting Sectors of Trinidad and Tobago*, January 21, 2019.

					<p>consult” as well as a jurisdictional analysis to assess the practicability of the existing Consultation Procedures.</p> <p>The Authority noted that consultations should take place at a formative stage in the development of a decision. The Authority must give sufficient reasons for the issuance of any consultation proposal to permit proper consideration and response by interested parties as well as provide them with adequate time for such consideration and response. Finally, the submissions of interested parties are taken into consideration before there is any finalisation of the matters being consulted on.</p> <p>Consultations must be done equitably by to ensure that interested parties who may have a potential interest in the subject matter are aware in defined terms of the contents of the consultation document and the reasons why it is being given consideration.</p> <p>The Authority, in its jurisdictional analysis noted that there are various methods by which consultations are conducted apart from the traditional formal consultation which can be beneficial to the consultation process as it encourages wider and increased participation in the consultation process. Such methods include, pre-consultation meetings, individual or groups meetings, discussions with academia and</p>
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					<p><b>industry experts, open fora or public hearings, use of social media amongst others.</b></p> <p><b>In this regard, the Authority has added more methods of consultations in an effort to encourage this increased participation by interested parties. The Authority has also aligned the duration of the consultation periods with the scope of the consultation topic. Additionally, this revised Consultation Procedures Document reflects more appropriate processes that address the nature, form, content, length and the factors for consideration in the consultation procedures.”</b></p> <p>Regarding the issue of the shortening of rounds, sections 3.2 and 3.3 of the revised Consultation Procedures sets out the factors that will be considered by the Authority in its determination on the number of rounds required for a particular consultation. Such factors may include the nature and volume of the feedback received, for instance, where there is new information that merits further consideration by the Authority or substantial interest in the topic. The Authority will also consider how topical an issue is or its impact on the sectors.</p> <p>Where the Authority decides to forego a second or an additional round of consultation, the Authority will notify stakeholders of this decision with its reasons for doing so.</p> <p>To this end, the Authority has integrated steps under section 3.3 of the revised Consultation Procedures by which stakeholders can indicate their dissent to the Authority’s</p>
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					<p>decision to forego a second or an additional round of consultation. This will ensure stakeholders can raise their objections with their respective reasons, and the Authority will be required to review and consider such objections and reasons before a final decision is made.</p> <p>Section 3.3 now reads as follows:  <b>“Where the Authority decides to forego a second or an additional round of consultation, it shall :</b></p> <p><b>(a) Issue a notification to stakeholders on its website, social media platforms and in each daily newspaper, that it intends to forego a second or an additional round of consultation, with the accompanying reasons for doing so.</b></p> <p><b>(b) Where a stakeholder dissents to the Authority’s decision at (a) above, it shall within five (5) days of the date of the notification submit to the Authority for its review, such representations with cogent reasons for its dissent.</b></p> <p><b>(c) The Authority will review the submission made under (b) above within five (5) days of the receipt of the submission.</b></p> <p><b>(d) Upon completion of its review, the Authority will, within three (3) days of making its decision, inform stakeholders of its decision and publish such decision its website, social media platforms and in each daily newspaper.”</b></p>
4.	<b>1.3 Scope</b>	TSTT	<p>“Factual Content.....shall not be subject to consultation.”</p> <p>TSTT recommends that the content of all documents considered by TATT should</p>	All documents should be consulted on. If TATT’s purpose is to omit documents containing factual content, for the sake of transparency,	The Authority welcomes TSTT’s contribution in this regard but is of the view that the non-consultation of factual content does not reflect a breach of section 18 of the Telecommunications Act, Chap. 47:31 (the Act).

			<p>be subject to the consultation process. S18 of the Telecommunications Act will be compromised and maybe even the constitutional rights of the entity. The opportunity for redress is being removed from the industry and the wider public. Some areas of concern are listed below:</p> <ul style="list-style-type: none"> <li>- In a technology-neutral industry commonality and factual data must comport to the concessions and other regulatory oversight.</li> <li>- Omission could lead to deficiencies in the format and schedule of reports.</li> <li>- The changes in service offerings over time.</li> <li>- The need to adopt Convention changes and their impact in country.</li> <li>- Potential impacts on business operations.</li> <li>- Transparency and clarity.</li> <li>- Industry changes.</li> </ul>	<p>these should be listed and the reasons in this document. The rights of citizens which are guaranteed under the constitution could be compromised.</p>	<p>The Authority clarifies in this instance that factual content means content such as statistical data that is collected by the Authority that is merely of a reporting nature, such as the Quarterly Market Update and its Annual Market Report, which reflect information and reporting derived or submitted primarily from or by its stakeholders.</p> <p>When the Authority conducts analyses of such statistical data or information received and formulates a regulatory document or position, it will issue this document for consultation, in accordance with this revised Consultation Procedures document.</p> <p>Accordingly, the Authority has deleted the words “strictly factual content” in the revised Consultation Procedures document and replaced them with “<b>statistical data</b>”.</p> <p>Regarding TSTT’s recommendation that all documents should be consulted on, the Authority is guided by S.18(4) of the Act which requires that the Authority consult on specific matters and <i>any other provision</i> of the Act that the Authority deems appropriate. The Authority has included the list of specific matters it is required to consult upon pursuant to s18(4) which are as follows:</p> <ul style="list-style-type: none"> <li>(i) <b>Universal service</b></li> <li>(ii) <b>National telecommunications industry standards and technical standards</b></li> <li>(iii) <b>Policies governing the telecommunications industry and issues arising at international, regional and national levels</b></li> <li>(iv) <b>Complaints by users, operator complaints by users, operators of telecommunications networks, providers of telecommunications and</b></li> </ul>
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					<p><b>broadcasting services or other persons arising out of the operation of a public telecommunications network, or the provision of a telecommunications service or broadcasting service, with respect of rates, billings and services provided generally and the facilitation of relief</b></p> <p><b>(v) The orderly and systematic development of telecommunications throughout Trinidad and Tobago</b></p> <p><b>(vi) Regulations made pursuant to section 78 of the Act</b></p> <p><b>(vii) Broadcasting Code</b></p> <p><b>(viii) Any other provision as the Authority deems appropriate”</b></p> <p>The Authority recognizes that although it is vested with a statutory discretion to consult on any other matter it deems appropriate, it also considers continued stakeholder engagement is key to its effective performance as regulator.</p>
5.	<p>1.3 Scope</p> <p><i>“For the purposes of these Procedures, the term “regulatory documents” includes regulations, frameworks, guidelines, methodologies, procedures, plans</i></p>	CCTL	<p>In defining the scope of the documents covered under these procedures, we note that documents relating to methodologies are included. We agree that these should be included but we are seeking clarification as to whether instruments developed and used to collect information, (e.g. consumer surveys), where the output will be analyzed and used as input to consultations, are considered methodologies. We are</p>	<p>We recommend that data collection instruments such as customer surveys be classified as methodologies and therefore subject to consultations.</p>	<p>The Authority thanks CCTL for its contribution and clarifies that it will consult on those methodologies that directly impact regulatory decision making but not on those that are of a monitoring and evaluation nature.</p> <p>Accordingly, for clarity, the term “regulatory documents” have been amended as follows:</p> <p>“...includes frameworks, guidelines, <b>methodologies that may have a direct impact on the regulatory framework</b>, procedures and plans, amongst others, that form the regulatory framework guiding the Authority in</p>

	<p><i>amongst others that form the regulatory framework that guides the Authority in its operations and oversight of the telecommunications and broadcasting sectors.</i></p> <p><i>For clarity, it should be noted that the publication of strictly factual content, such as the Authority's Annual Market Report: Telecommunications and Broadcasting Sectors, shall not be subject to these procedures."</i></p>		<p>therefore requesting clarification on this point.</p> <p>To be clear, we believe that where TATT is developing and or using a survey or data collection instrument to collect data, and the output of such instrument will be used in a consultation process, that instrument should also be the subject of consultation.</p>		<p>its operations and oversight of the telecommunications and broadcasting sectors."</p> <p>The Authority clarifies in this instance that factual content means content such as statistical data that is collected by the Authority that is merely of a reporting nature.</p> <p>When the Authority conducts analyses of such statistical data or information received and formulates a regulatory document or position, it will issue this document for consultation, in accordance with this revised Consultation Procedures document.</p> <p>Accordingly, the Authority has deleted the words "strictly factual content" in the revised Consultation Procedures document and replaced them with "<b>statistical data</b>".</p>
6.	Definitions (new)	TATT			<p>A new section 1.5, "Definitions" has been inserted to bring clarity to the terms "minor modifications", "regulatory documents" and "significant impact" as follows:</p> <p><b>"For the purposes of these Consultation Procedures, the phrases will have the following meanings:</b></p> <p><b>"minor modifications" means minor editorial or grammatical changes, accidental errors or omissions etc.</b></p>

					<p><b>“regulatory documents” means frameworks, guidelines, methodologies that may have a direct impact on the regulatory framework, procedures and plans, amongst others, that form the regulatory framework guiding the Authority in its operations and oversight of the telecommunications and broadcasting sectors.</b></p> <p><b>“direct impact”</b> refers to the degree of significance that the methodologies will have, affect or influence the regulatory framework guiding the Authority in its operations and oversight of the telecommunications and broadcasting sectors.</p> <p><b>“significant impact”</b> refers to the effect that is evidenced on the sectors having utilised the following criteria or threshold:</p> <ul style="list-style-type: none"> <li>(i) which persons/groups are going to be impacted;</li> <li>(ii) the size of the groups that will be impacted;</li> </ul>
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					<p>(iii) the nature of the impact on the persons/groups; and</p> <p>(iv) how large the effects are expected to be.</p> <p>The term “regulatory documents” will now replace the individual reference to terms such as methodologies, procedures, guidelines et al where they appear throughout this Consultation Procedures document.</p>
7.	<b>2.2 Forms of Consultation</b>	TSTT	<p><i>“In recognition of the fact that there are limitations to each form of consultation, the Authority may utilise one or more forms, as it considers appropriate, either concurrently or consecutively.”</i></p> <p>Of the seven types of engagements, how does the TATT intend to achieve transparency and objectivity per S18(5) of the Telecommunications Act <i>“At all times the Authority shall, in the performance of its functions and exercise of its powers, act in an objective, transparent and non-discriminatory manner.”?</i></p>	TATT should make available and in a timely manner, the methods it intends to use for the consultation being considered, within the limit of confidentiality.	<p>The Authority agrees with TSTT’s recommendation.</p> <p>The Authority shall undertake to publish a tentative annual consultation schedule at the beginning of each financial year, detailing the regulatory documents and draft legislation proposed for consultation. In addition, the Authority will publish a quarterly update to confirm the consultations set to take place in the respective quarter, which will allow for any amendments that may arise in the annual consultation schedule. The Authority will also commit to the insertion of an additional column in its consultation schedule and quarterly update that would indicate the intended method of consultation being utilised per consultation.</p> <p>This decision is now reflected in section 3.1 of this Consultation Procedures document as follows:</p> <p><b>“The Authority shall undertake to publish a tentative consultation schedule at the beginning of each financial year, detailing the regulatory documents and draft legislation proposed for consultation in that year. In addition, the Authority will publish a quarterly update to confirm the consultations set to</b></p>

					<p><b>take place in the respective quarter, which will allow for any amendments that may arise in the annual consultation schedule.”</b></p> <p>Section 2.1.2 of this Consultation Procedures document has been amended to reflect that where the Authority seeks to engage in different types of consultations as the need arises, it will give sufficient notice in all instances to stakeholders, to ensure they can effectively participate in the consultation process which reads as follows:</p> <p><b>“In recognition of the fact that there are limitations to each form of consultation, the Authority may utilise one or more forms, as it considers appropriate, either concurrently or consecutively. Where the Authority seeks to engage in different types of consultations as the need arises, it will give sufficient notice in all instances to stakeholders, to ensure that they can effectively participate in the consultation process.”</b></p>
8.	<b>2.2 Forms of Consultation</b>	TSTT	<p>To ensure that there is transparency in all forms of consultation utilised by TATT, TSTT suggests that the feedback received by TATT is made available to all stakeholders.</p> <p>The more open and transparent you are, the more trust you gain from stakeholders, which is essential to encouraging participation.</p>	<p>A public report containing contributions received during all forms of consultation should be provided, identifying the name of the stakeholder which contributed (subject to the stakeholders’ confidentiality requests).</p> <p>The stakeholders that have participated in the consultations should be</p>	<p>The Authority thanks TSTT for its comments.</p> <p>The Authority clarifies that it already publishes a public report, in the form of a decisions on recommendations (DoRs) document, which contains all comments received by contributors and the names of the contributing parties, subject to confidentiality requests.</p> <p>With the varying forms of consultations, a public reporting mechanism with the input of all stakeholder comments and information may not always be feasible or appropriate, such as closed meetings, focus groups and meetings with academia. While the comments will be disseminated to the</p>

			<p>The stakeholders that have participated in the consultations should be alerted to the publication of the report/feedback.</p>	<p>alerted to the publication of the report/feedback.</p>	<p>parties of such meetings, they may not be appropriate for public consumption.</p> <p>In the instances of group meetings, seminars and workshops such as an ICT Forum, the Authority shall publish a concise or truncated version of the meetings and proceedings.</p> <p>The Authority will commit to creating a dedicated mailing list to inform contributors of the availability of a DoRs document.</p> <p>In light of the foregoing, the Authority recommends that all stakeholders who have not provided a central email address or dedicated legal/ regulatory email address whereby the Authority can duly notify them of all notifications relating to respective consultations, provide same to the Authority via its official consultation handle <a href="mailto:consultation@tatt.org.tt">consultation@tatt.org.tt</a> for the submission of all official consultation documents at the Authority.</p>
9.	<b>2.2 Forms of Consultation</b>		<p>TSTT suggests that the publishing of a yearly consultation schedule by TATT be made mandatory. This will allow stakeholders to have sufficient time to research and prepare for the consultation.</p>	<p>TSTT suggests that TATT publish a consultative schedule yearly that will allow the engagement of all stakeholders without placing undue stress on their operations.</p>	<p>The Authority welcomes this recommendation.</p> <p>The Authority currently publishes a quarterly consultation schedule. The Authority shall undertake to publish a tentative annual consultation schedule at the beginning of each financial year, detailing the regulatory documents and draft legislation proposed for consultation. In addition, the Authority will publish a quarterly update to confirm the consultations set to take place in the respective quarter, which will allow for any amendments that may arise in the annual consultation schedule. The Authority will also commit to the insertion on an additional column in its consultation schedule and quarterly update that would</p>

					<p>indicate the intended method of consultation being utilised per consultation.</p> <p>This decision is now reflected in section 3.1 of this Consultation Procedures document as follows:</p> <p><b>“The Authority shall undertake to publish a tentative consultation schedule at the beginning of each financial year, detailing the regulatory documents and draft legislation proposed for consultation in that year. In addition, the Authority will publish a quarterly update to confirm the consultations set to take place in the respective quarter, which will allow for any amendments that may arise in the annual consultation schedule.”</b></p>
10.	<p><b>3. Summary of the Authority’s Consultation Procedures</b></p> <p><i>“The Authority engages in a minimum of one round of consultation for legislation and a minimum two rounds for other documents.”</i></p>	CCTL	<p>This statement is inconsistent with what is represented in Figure 1, page 7. The flow chart in Fig 1 indicates that after stage 3 of the first round of the consultation, TATT will make a decision as to whether a second round is necessary.</p> <p>We do not believe that the approach where TATT makes a determination as to the number of rounds of consultation when the process is underway and based solely on its discretion, is a transparent approach.</p> <p>For clarity, the Authority should clearly state the circumstances under which at least one or two rounds of consultation would be conducted. We believe this</p>	<p>To improve regulatory transparency and certainty, we recommend that procedures for consultations should establish an objective basis for the number of rounds of consultations to be undertaken in these proceedings.</p>	<p>The Authority clarifies that it proposes to engage, <b>at a minimum</b>, in only one round of consultation for legislation (Act, Broadcast Code, Regulations) and two rounds for regulatory documents.</p> <p>Nevertheless, the Authority has the discretion to lengthen or shorten the number of rounds. The Authority will consider factors such as the nature and volume of the feedback received, for instance, where there is new information that merits further consideration by the Authority or substantial interest in the topic. The Authority will also consider how topical an issue is or its impact on the sectors.</p> <p>Where the Authority decides to forego a second or an additional round of consultation, the Authority will notify stakeholders of this decision with its reasons for doing so.</p>

			<p>approach serves to improve regulatory transparency and certainty.</p>		<p>To this end, the Authority has integrated steps under section 3.3 of the revised Consultation Procedures by which stakeholders can indicate their dissent to the Authority’s decision to forego a second or an additional round of consultation. This will ensure stakeholders can raise their objections with their respective reasons, and the Authority will be required to review and consider such objections and reasons before a final decision is made.</p> <p>Section 3.3 now reads as follows:  <b>“Where the Authority decides to forego a second or an additional round of consultation, it shall:</b></p> <ul style="list-style-type: none"> <li><b>(a) Issue a notification to stakeholders on its website, social media platforms and in each daily newspaper, that it intends to forego a second or an additional round of consultation, with the accompanying reasons for doing so.</b></li> <li><b>(b) Where a stakeholder dissents to the Authority’s decision at (a) above, it shall within five (5) days of the date of the notification submit to the Authority for its review, such representations with cogent reasons for its dissent.</b></li> <li><b>(c) The Authority will review the submission made at (b) above within five (5) days of the receipt of the submission.</b></li> <li><b>(d) Upon completion of its review, the Authority will, within three (3) days of making its decision, inform stakeholders of its decision and publish such decision on its website, social media platforms and in each daily newspaper.”</b></li> </ul>
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					Section 3 (3.2 and 3.3) of this revised Consultation Procedures document has been amended to bring the necessary clarification and to reflect the above.
11.	<p><b>4.1 Development of draft document</b></p> <p><i>The Authority may, in certain circumstances, hold pre-consultation discussions with interested and/or potentially affected stakeholders and relevant parties (expert or otherwise), to bring clarity and greater understanding to an issue.</i></p>	CCTL	<p>Given the complex market and regulatory environment, CCTL considers this a positive development. To improve transparency and regulatory certainty we make the following recommendations.</p> <p>1. The Authority should issue a work plan / schedule of consultations prior to the start of its operating year. This would allow stakeholders, particularly concessionaires, to provide input to the work plan as well as schedule their own resources to respond to the consultations. This would also serve to reduce situations of concurrent consultations which put a strain on the resources of concessionaires.</p> <p>2. The Authority should outline the situations in which it would consider</p>	<p>To improve regulatory transparency and certainty, we recommend that the Authority issue an annual work plan and seek industry input on the plan. We also recommend that the Authority establish some objective criteria that would be use as a guideline for determining when pre consultation discussions would be held with the industry.</p> <p>We recommend that the document categories, consultation period and number of rounds of consultation set out in the table, be used in conjunction with annual work plans and pre-consultation meetings as required, to ensure more effective and efficient consultations.</p>	<p>The Authority thanks CCTL for its recommendation.</p> <p>The Authority currently publishes a quarterly consultation schedule. The Authority shall undertake to publish a tentative annual consultation schedule at the beginning of each financial year, detailing the regulatory documents and draft legislation proposed for consultation. In addition, the Authority will publish a quarterly update to confirm the consultations set to take place in the respective quarter, which will allow for any amendments that may arise in the annual consultation schedule. The Authority will also commit to inserting an additional column in its consultation schedule and quarterly update that would indicate the intended method of consultation being utilised per consultation.</p> <p>A new section 3.1 has been included in this Consultation Procedures document to reflect this recommendation and decision as follows:</p> <p><b>“The Authority shall undertake to publish a tentative consultation schedule at the beginning of each financial year, detailing the regulatory documents and draft legislation proposed for consultation in that year. In addition, the Authority will publish a quarterly update to confirm the consultations set to take place in the respective quarter, which will allow for any amendments that may arise in the annual consultation schedule.”</b></p>

			<p>holding pre consultation discussions. We believe this should include technical consultations, for example those relating to network related issues and designing of survey and data collection instruments for example.</p>		<p>The Authority is mindful that seeking industry input on its consultation schedule can, where there is a lack of consensus amongst industry stakeholders, lead to the stymying of the Authority’s processes.</p> <p>Secondly, pre-consultation discussions can occur depending on the stage in the policy development process. The Authority proposes to engage in pre-consultation discussions when there is a need for clarification and/or to obtain feedback from stakeholders and/or experts. This would be done prior to the drafting of the consultation document and would be dependent on the issues to be addressed in the consultation document. Some of the objectives of these discussions would be to gather new ideas, collect views and opinions, information, data, knowledge as well as test existing ideas.</p> <p>More specifically, the Authority will continue to engage in pre-consultation discussions, where appropriate, for example, in the development of technical documents, studies or surveys.</p> <p>A new section 4.1 of this revised Consultation Procedures document has been inserted to bring the necessary clarification and to reflect the above as follows:</p>
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					<p>“Pre-consultation discussions can occur depending on the stage in the policy development process. The Authority proposes to engage in pre-consultation discussions when there is a need for clarification and/or to obtain feedback from stakeholders and/or experts. This would be done prior to the drafting of the consultation document and would be dependent on the issues to be addressed in the consultation document. Some of the objectives of these discussions would be to gather new ideas, collect views, data, knowledge as well as test existing ideas. More specifically, the Authority will continue to engage in pre-consultation discussions, where appropriate, for example, in the development of technical documents, studies or surveys.”</p>
12.	<b>4.3.1 Publication of Consultation Notice</b>	TSTT	<p>Publication in one daily newspaper is stipulated, how will this paper be selected? Will the selected paper be rotated among the three dailies per consultations?</p> <p>Publication in one newspaper limits the percentage of the population that is aware of the consultation, since many people may only read one daily newspaper, which may not be the one chosen by TATT.</p>	<p>Publication in the three daily newspapers should be mandatory to ensure a greater chance of the entire population being given the opportunity to be informed of the consultation. The days of publication can be alternated among the newspapers throughout the week.</p>	<p>The Authority agrees with TSTT’s recommendation and has amended section 4.3.1 of this Consultation Procedures document to reflect the publication of the notice on each newspaper as well as to add such publication on its social media platforms to ensure the widest circulation possible as follows:</p> <p>“The notification <b>shall</b> appear in <b>each</b> daily newspaper, <b>on the Authority’s website and its social media platforms</b>.”</p>

13.	<b>4.3.3 Publication of Consultation Notice</b>	TSTT	<p>The new deadline date should be published in the three daily newspapers immediately following the decision to extend the deadline date.</p> <p>TATT should also consider an electronic medium by which interested persons can be notified of extensions or any other activity regarding a consultation automatically. This can be done via subscribing to an email/SMS list as an example.</p>	<p>Publication of a new deadline date for submission of comments is required in the three daily newspapers. A means of automatically notifying stakeholders should also be considered.</p>	<p>The Authority agrees with TSTT’s recommendation and has amended section 4.3.3 of this Consultation Procedures document to reflect the publication of the extension notice in each newspaper as well as to add such publication on its social media platforms to ensure the widest circulation possible as follows:  “The Authority <b>in its own discretion</b> extend the consultation period, <b>and if so</b>, shall publish the new deadline date for submission of comments on its website, <b>social media platforms</b> and <b>in each</b> daily newspaper.”</p> <p>The Authority will also notify stakeholders directly of the extension of the submission deadline date.</p>
14.	<b>4.3.6 Publication of Consultation Notice</b>	TSTT	<p>The word “<i>may</i>” should be changed to “<i>shall</i>”, TATT should be required to directly notify key stakeholders when a consultation is published.</p> <p>This is necessary regarding the implications and the responsibility applicable to operators per Section 22(1) of the Telecommunications Act.</p>	<p>The word “<i>may</i>” should be changed to “<i>shall</i>”.</p>	<p>Agreed.</p> <p>Section 4.3.6 has been amended based on TSTT’s recommendation as follows:  “The Authority <b>shall</b> directly inform key stakeholders of the publication of the consultative document.”</p>
15.	<b>4.4.2 Publication of Consultative Documents</b>	TSTT	<p>TATT may publish an abridged version of the document in at least one daily newspaper.</p> <p>Why is publication limited to one daily newspaper? This severely limits public awareness.</p>	<p>Publication should be done in each of the three daily newspapers for a mandated period of time.</p>	<p>Agreed.</p> <p>Section 4.4.2 has been amended to include publication of an abridged version of a consultation document in each daily newspaper and on the Authority’s social media platforms with an accompanying link to access the full document as follows:  “The Authority <b>shall</b> publish an abridged version of the consultation document in <b>each</b> daily newspaper <b>and its</b></p>

			<p>How many days will it be published for? Will details on how to access the full document be provided?</p> <p>What will be the criteria used to determine whether an abridged version of the document will be published in the newspaper? This is necessary to ensure that consultations are managed with transparency, consistency and accountability.</p>	<p>Details on how to access the full document should also be included in the advertisement.</p> <p>TATT must specify the criteria or circumstances under which a truncated version of the document will be published.</p>	<p><b>social media platforms</b>, in instances where it believes the matter under consideration can have a <b>significant</b> impact on the population. <b>Such abridged version shall be no longer than 1000 words and contain the salient points regarding the substantive regulatory document or draft legislation proposed for consultation. The Authority will provide the details of how to access the full version of the consultation document online or where it can be collected in the consultation notice.</b></p>
16.	<b>5.1 The Consultation Period</b>	TSTT	<p>TSTT recommends that the consultation document category is included in each consultation. This will ensure that stakeholders' expectation are properly managed.</p> <p>TSTT proposes that a six weeks consultation period is also allotted for "<i>all other regulations</i>" that fall under Category 4. This will ensure that stakeholders are provided with sufficient time to provide a thorough and complete response.</p>	<p>TSTT recommends that the consultation document category is included in each consultation.</p> <p>TSTT proposes that a six weeks consultation period is also allotted for "<i>all other regulations</i>" that fall under Category 4. This will ensure that stakeholders are provided with sufficient time to provide a thorough and complete response.</p>	<p>The Authority welcomes TSTT's recommendations and agrees that the respective category will be included at the beginning of each consultation document, for example Category 1, Category 2, etc.</p> <p>The Authority has also amended the time frame for regulations to "six weeks". Accordingly, the Authority has also extended the period of consultation for primary legislation to "six to eight weeks" to ensure that all interested parties are given sufficient time to review and make contributions to the proposed issues.</p>
17.	<b>5.1.1 The Consultation Period</b>	TSTT	<p>TSTT disagrees that the modification of existing frameworks should be subject to a single round of consultation. A single</p>	<p>TSTT believes that whenever an existing framework is modified, that modification</p>	<p>Section 5.1.2 (formerly 5.1.1) does not relate to regulatory documents that have undergone <b>considerable revisions</b>. Such documents will be issued for two rounds of</p>

		<p>round of consultation does not afford the stakeholders the appropriate opportunity to address all concerns that a change to the regulatory framework would entail. Indeed, the last 15 years provide adequate experience to suggest the necessity of the second round of consultation in ensuring the robustness of TATT’s responses to questions.</p> <p>The second round of consultation is critical, in TSTT’s opinion, to facilitate stakeholders examination of TATT’s proposed solutions to issues raised in the first round of consultation. This second round should be considered essential to ensure that unintended consequences of changes are identified and mitigated against.</p>	<p>should be subject to two rounds of consultation</p>	<p>consultation, which will provide stakeholders with the appropriate opportunity to address all their concerns.</p> <p>This section (5.1.2) relates to Category 3 type regulatory documents. Such documents discuss minor technical issues, have a limited effect on the stakeholders, were previously consulted on or require minor modifications which includes editorial or grammatical changes, accidental errors or omissions, etc.</p> <p>The Authority will state in the beginning of the consultation document that these minor changes are modifications of specific sections and, where appropriate, provide an abridged version of the document reflecting these edits.</p> <p>The Authority believes these Category 3 regulatory documents would only require one round of public consultation, as the matters for consideration are most likely well established and known to the stakeholders.</p> <p>Notwithstanding this, the Authority does reserve the right to extend to another round. The Authority will consider factors such as the feedback it has received in the first round or how topical an issue is or its impact on the industry.</p> <p>In order to bring the necessary clarification, this Consultation Procedures document has been amended to include new sections 5.1.2 and 5.1.3 as follows:  <b>“5.1.2</b> Where a <b>regulatory document</b> previously consulted on is being modified, the Authority may conduct <b>one round of consultation. The Authority believes that such regulatory</b></p>
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					<p>documents would only require one round of public consultation, as the matters for consideration are most likely well established and known to the stakeholders. Similarly, regulatory documents that are being amended as a result of minor technical issues, or that have a limited effect on stakeholders or require only minor modifications, may also be subject to a single round of consultation. In such instances, at the end of the consultation process, the document shall be finalised.</p> <p>5.1.3 Nevertheless, the Authority does reserve the right to extend to another round, taking into consideration factors such as the time that has elapsed from the previous consultation of the regulatory document, the feedback it has received in the first round, how topical an issue is or the impact of the modifications on the sector.”</p>
18.	<b>5.1.2 The Consultation Period</b>	TSTT	The section speaks to urgent, complex matters and the need for meaningful contributions in a subjective manner. It should, however, include a clear criteria that will determine the urgency and complexity of the matter at hand.	This section should have clearly defined criteria that will be used to make a determination on the urgency or complexity of a matter.	In exceptional circumstances, the Authority will consider a shortened consultation period to address urgent matters that may have arisen which could not be reasonably foreseen and for which there is insufficient time to consult within the normal time frame. Such exceptional circumstances, may include, where an immediate remedy is required, for instance in matters impacting public safety, national security or emergency communications. This will be for a period of one to four weeks.

					<p>With respect to complexity, the Authority would consider matters that require considerable analysis, for example very technical matters.</p> <p>In order to bring the necessary clarity, the Authority has inserted a new section 5.1.6, to state as follows:</p> <p><b>“In exceptional circumstances, the Authority will consider a shortened consultation period to address urgent matters that may have arisen, which could not be reasonably foreseen, and for which there would be insufficient time to consult within the normal time frame. Such exceptional circumstances may include, where an immediate remedy is required, for instance in matters relating to public safety, national security or emergency communications. This period of consultation will be for one to four weeks.”</b></p> <p>Certainly, in the interest of transparency, the Authority will inform the relevant stakeholders of the reasons for any deviation from the established consultation period as prescribed under section 3.1 of this Consultation Procedures document.</p>
19.	<b>5.1.3 The Consultation Period</b>	TSTT	<p>TSTT disagrees with the lack of certainty where the period of consultation associated with Category 2 and 3 are “(x) weeks or less”. This facilitates consultation on these matters for as little as a single week or a day.</p> <p>TSTT believes that there should be certainty of the minimum time associated with the consultation.</p>	TSTT recommends that the timeframes for consultation should be changed to “ <i>at least</i> (x) weeks.”	<p>In order to ensure certainty, the Authority has amended this Consultation Procedures document to read “four to six weeks” for Category 2 and “four weeks” for Category 3.</p>

20.	<b>5.1.3 Consultation Period</b>	<b>The TSTT</b>	<p>Further TSTT disagrees with the lack of clarity associated with Category 3 documents where it refers to changes as “minor” or having “limited effect.” TSTT queries how TATT intends to determine that a change is minor or would have limited effect. Such a determination without due process can only be regarded as arbitrary, ad hoc and without merit. Before determining that a change is either minor or of limited stakeholder effect, TATT should complete and publish with the proposed amendments:</p> <ul style="list-style-type: none"> <li>(i) Regulatory/ Administrative impact analyses of the changes;</li> <li>(ii) Cost-Benefit analyses of the intended impact of the proposed changes; and</li> <li>(iii) Economic impact analyses of the changes.</li> </ul> <p>As such, even TATT’s evaluation of the document falling into Category 3 is subject to an independent assessment.</p> <p>Alternatively, Category 3 should be eliminated from the proposed framework and all documents (save Regulatory instruments developed pursuant to prior consulted frameworks) should be subject to at least two rounds of consultation.</p>	<p>TSTT insists that definitions of “minor” or “limited effect” are too arbitrary to be used in this regard. TSTT believes that if Category 3 is to be retained, TATT should complete and publish the following with the proposed amendments:</p> <ul style="list-style-type: none"> <li>(i) Regulatory/ Administrative impact analyses of the changes;</li> <li>(ii) Cost-Benefit analyses of the intended impact of the proposed changes; and</li> <li>(iii) Economic impact analyses of the changes.</li> </ul> <p>Ultimately, Category 3 should be removed from this proposed consultation framework.</p>	<p>The Authority thanks TSTT for its contributions and clarifies that it considers the terms “minor” or “limited effect” in relation to regulatory documents to mean those that may require minor modifications which includes editorial or grammatical changes, accidental errors or omissions etc. The Authority notes TSTT’s contribution in this regard but is of the view that Category 3 should remain to address such regulatory documents.</p> <p>The Authority has inserted, for clarity, a definition for the term “minor modifications” in a new section 1.5, “Definitions” which reads as follows:  <b>“minor modifications” means minor editorial or grammatical changes, accidental errors or omissions etc.</b></p> <p>Additionally, depending on the consultation stage, pre-consultation discussions with stakeholders can also serve to inform the potential impact of a regulatory decision as such meetings enable the gathering ideas, views, data and knowledge and aid in the development of technical documents, studies or surveys.</p> <p>The Authority will state in the beginning of the consultation document that these minor changes are modifications of specific sections and, where appropriate, provide an abridged version of the document reflecting these edits.</p> <p>The Authority believes these Category 3 regulatory documents would only require one round of public consultation, as the matters for consideration are most likely well established and known to the stakeholders.</p>
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					<p>Notwithstanding this, the Authority does reserve the right to extend to another round. The Authority will consider factors such as the feedback it has received in the first round or how topical an issue is or its impact on the industry.</p> <p>In an effort to provide clarity of the proposed documents to be issued for each fiscal year, the Authority shall undertake to publish a tentative annual consultation schedule at the beginning of each financial year, detailing the regulatory documents and draft legislation proposed for consultation. In addition, the Authority will publish a quarterly update to confirm the consultations set to take place in the respective quarter, which will allow for any amendments that may arise in the annual consultation schedule. The Authority will also commit to inserting an additional column its consultation schedule and quarterly update that would clearly reflect the method of consultation being utilised per consultation.</p> <p>This decision is now reflected in section 3.1 of this Consultation Procedures document as follows:</p> <p><b>“The Authority shall undertake to publish a tentative consultation schedule at the beginning of each financial year, detailing the regulatory documents and draft legislation proposed for consultation in that year. In addition, the Authority will publish a quarterly update to confirm the consultations set to take place in the respective quarter, which will allow for any amendments that may arise in the annual consultation schedule.”</b></p>
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21.	<b>5.1.3 The Consultation Period</b>	TSTT	<p>The category descriptions include phrases such as “extensive range of stakeholders”, “significantly impact”, “considerable impact”, “of interest of a limited number of stakeholders”, “minor technical issues” among others.</p> <p>TATT should provide definitions for these phrases to show the difference between “considerable impact” and “significant impact”. These definitions will provide greater clarity and avoid confusion and/or uncertainty in instances where different approaches and consultation periods are used</p>	<p>Criteria for these categories should be clearly defined to ensure that all stakeholders and TATT have the same understanding.</p> <p>TATT to provide definitions for these phrases i.e. what is the difference between “considerable impact” and “significant impact”? These definitions will provide greater clarity and avoid confusion and/or uncertainty in instances where different approaches and consultation periods are used.</p>	<p>The Authority would like to clarify that it was not the intention for the words “significant” and “considerable” to have different meanings but, rather, to be used as synonyms. Nevertheless, the word “considerable” has been removed and replaced with “significant”.</p> <p>The Authority notes the recommendation for greater certainty in its assessment of “significant impact”. It has amended this Consultation Procedures document to include a definition of the term “significant impact” in a new section 1.5 “Definitions” to clarify the criteria for making such an assessment, which can include:</p> <ul style="list-style-type: none"> <li><b>(i) which persons/groups are going to be impacted;</b></li> <li><b>(ii) the size of the groups that will be impacted;</b></li> <li><b>(iii) the nature of the impact on the persons/groups; and</b></li> <li><b>(iv) how large the effects are expected to be.</b></li> </ul>
22.	5 Consultation Procedures – Stage 3 5.1.3  <i>Table on Page 11</i>	CCTL	<p>The table relates categories of consultation documents to consultation period and number of rounds of consultation. We view this as an attempt to provide some discipline to the process. CCTL takes no issue with this approach.</p> <p>We believe if this is done in conjunction with recommendations in 4.1 above this would improve the process. We believe that the document categories, consultation period and number of rounds of consultation should be considered as</p>	<p>We recommend that the document categories, consultation period and number of rounds of consultation set out in the table, be used in conjunction with annual work plans and pre-consultation meetings as required, to ensure more effective and efficient consultations.</p> <p>The information in the table should be considered as</p>	<p>The Authority agrees that the information in Table 1 should be considered as general guidelines. In order to make this intention clear, a new section 5.1.9 has been inserted into this Consultation Procedures document, which reads as follows:</p> <p><b>“The Authority’s intention is to utilise the information contained in Table 1 as general guidelines. The consultation period and round(s) would be subject to change based on the consideration of relevant factors. Such factors can include the nature and volume of the feedback received, whether there is new information that merits further consideration by the Authority or where there is</b></p>

			guidelines as opposed to hard and fast rules.	guidelines as opposed to hard and fast rules.	<p><b>substantial interest in the topic. The Authority will also consider how topical an issue is or its impact on the sector.”</b></p> <p>The Authority will utilise the guidelines of the Table in conjunction with the Authority’s consultation schedule and pre-consultation meetings.</p>
23.	<b>5.1.4 The Consultation Period</b>	TSTT	Consultation period of four weeks or less must be specified.	Similar to above, a maximum and a minimum time period should be identified and not left to the discretion of TATT.	<p>The Authority thanks TSTT for its observation.</p> <p>The Authority has amended the relevant section and Table 1 to indicate the respective time period for each type of regulatory document or legislation being consulted upon.</p>
24.	<b>5.1.6 The Consultation Period</b>	TSTT	<p>TATT should not have sole possession of the option to provide adequate or appropriate justification in order to reduce the consultation period to under four weeks.</p> <p>The section should indicate the circumstances under which TATT can exercise this discretion, to alleviate the risk of unfairness / abuse of power, this will also afford stakeholders with an avenue for redress where TATT acts outside of its powers. Limiting the rights of stakeholders to make meaningful</p>	<p>TSTT recommends that TATT clearly detail the circumstances under which the consultation period can be less than four weeks.</p> <p>If this level of detail is not provided, Clause 5.1.6 should be deleted.</p>	<p>The Authority thanks TSTT for its observation and agrees with its recommendation.</p> <p>This Consultation Procedures document has been amended to include the circumstances by which a shortened consultation period may become necessary. Such shortened period would be required to address exceptional circumstances that may have arisen, which could not have been reasonably foreseen, and for which there was insufficient time to consult within the normal time frame. Such exceptional circumstances may include, where an immediate remedy is required, for instance, in matters impacting public safety, national security or emergency communications.</p>

			<p>contribution due to a reduction in the time period to provide substantive feedback should pertain only in exceptional circumstances.</p>		<p>However, it is expected that, when there are urgent matters, including those that have the potential to materially impact the sector, such matters would have to be dealt with expeditiously. The Authority would, therefore, consider it necessary to engage in a shorter but no less significant consultation period. This period would allow for quick yet decisive decision making, whilst also still taking into consideration the views of stakeholders. The Authority recommends a period of one to four weeks.</p> <p>The necessary clarification has been provided in the newly inserted section 5.1.6 of this Consultation Procedures document as follows:</p> <p><b>“In exceptional circumstances, the Authority will consider a shortened consultation period to address urgent matters that may have arisen, which could not be reasonably foreseen, and for which there is insufficient time to consult within the normal time frame. Such exceptional circumstances may include, where an immediate remedy is required, for instance in matters relating to public safety, national security or emergency communications. This period of consultation will be for one to four weeks.”</b></p>
25.	<b>5.2.3 Extension of consultation submission deadline</b>	TSTT	<p>This section makes provision for a stakeholder to request an extension to a consultation period but does not indicate the circumstances that will be considered, or specify the level of detail required in support of the request.</p>	<p>The section should be edited to include provision for stakeholders to note cogent reasons for a request for an extension, at the very least.</p>	<p>The Authority thanks TSTT for its observation and agrees with its recommendation.</p> <p>The Authority has amended the previous sections 5.2.2 to 5.2.6, now 5.2.3 to 5.2.9 to better clarify its process for reviewing requests for extensions as follows:</p> <p><b>5.2.3</b> Where a stakeholder requires an extension <b>of</b> the submission deadline, the stakeholder shall formally submit <b>its</b> request in writing to the Authority,</p>

					<p>within seven (7) days of the submission deadline providing cogent reasons for such request.</p> <p>5.2.4 The Authority shall review a request for an extension of the submission deadline within three (3) days of its receipt and where a stakeholder requesting an extension provides cogent reasons, the Authority may grant an extension.</p> <p>5.2.5 Where the Authority grants an extension of the submission deadline, it shall issue a notification of the new submission deadline date to all stakeholders within two (2) days of its decision.</p> <p>5.2.6 The new submission deadline date shall not exceed thirty (30) days from the new submission deadline date. The Authority reserves the right to not consider any submission received subsequent to the new submission deadline date.</p> <p>5.2.7 Where a request for an extension of the submission deadline is not accepted, the Authority shall provide its reasons to the requesting party for not granting their request.</p> <p>5.2.8 The Authority may reject any request for an extension of time that is not submitted within seven (7) days of the submission deadline for comments.</p> <p>5.2.9 The Authority, may of its own volition, extend any deadline or period prescribed in this Consultation Procedures document.”</p>
26.	<b>5.2.5 Extension of consultation submission deadline</b>	TSTT	TATT should not be allowed to reject a stakeholder’s request for a deadline extension without justification.	TSTT recommends that TATT provide stakeholders with the reason for the rejection of their request for	The Authority thanks TSTT for its observation and agrees with its recommendation.

				<p>extension of the consultation deadline.</p>	<p>The Authority has amended the previous sections 5.2.2 to 5.2.6, now 5.2.3 to 5.2.9 to better clarify is process for reviewing requests for extensions as follows:</p> <p><b>5.2.3</b> Where a stakeholder requires an extension <b>of</b> the submission deadline, the stakeholder shall formally submit <b>its</b> request in writing to the Authority, <b>within seven (7) days of the submission deadline providing cogent reasons for such request.</b></p> <p><b>5.2.4</b> <b>The Authority shall review a request for an extension of the submission deadline within three (3) days of its receipt and where a stakeholder requesting an extension provides cogent reasons, the Authority may grant an extension.</b></p> <p><b>5.2.5</b> <b>Where the Authority grants an extension of the submission deadline, it shall issue a notification of the new submission deadline date to all stakeholders within two (2) days of its decision.</b></p> <p><b>5.2.6</b> <b>The new submission deadline date shall not exceed thirty (30) days from the new submission deadline date. The Authority reserves the right to not consider any submission received subsequent to the new submission deadline date.</b></p> <p><b>5.2.7</b> <b>Where a request for an extension of the submission deadline is not accepted, the Authority shall provide its reasons to the requesting party for not granting their request.</b></p> <p><b>5.2.8</b> <b>The Authority may reject any request for an extension of time that is not submitted <b>within seven</b></b></p>
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					<p>(7) days of the submission deadline for comments.</p> <p>5.2.9 The Authority, may of its own volition, extend any deadline or period prescribed in this Consultation Procedures document.”</p>
27.	<p><b>5.3 Submission of comments</b>  <i>“All electronic submissions must 14 be in Microsoft Word, Rich Text format or such format as stated by the Authority.”</i></p>	CCTL	<p>With respect to electronic submission of consultation responses we believe the submission in PDF format is the main format used. Given the advantages of using this format including the security considerations. Since TATT lists some specific formats for electronic submissions, we believe the PDF format should be included.</p>	<p>The PDF format should be included in the list of formats accepted for electronic submissions.</p>	<p>The Authority notes the concern regarding the security and integrity of documents received during the consultation process.</p> <p>The Authority confirms that all comments received from its stakeholders via any medium are treated with strict confidentiality and are not altered in any way. All comments are collated as submitted, which can be evidenced in the various versions of the DoRs on the Authority’s website.</p> <p>The Authority primarily requests the submission of comments in the format that best facilitates the easy compilation of those comments.</p> <p>The Authority would prefer the submission of comments to be in Microsoft Word format or Rich Text format, which assists in the efficient and expeditious compilation of the comments into the DoRs and retains the file conversion integrity of the document.</p>
28.	<p><b>5.3.7 Submission of Comments</b>  <i>“The Authority may reject any comment or recommendation that is not submitted</i></p>	CCTL	<p>CCTL questions the need to add the phrase <i>“or that is deemed obscene, vexatious, frivolous or defamatory in nature.</i></p>	<p>We request that the Authority provide clarifications of the need to include the phrase in question</p>	<p>The Authority clarifies that the reason for the rejection of defamatory comments is that the publication of such statements may expose the Authority to litigation.</p> <p>The Authority also elucidates that vexatious and/or frivolous statements have no serious purpose or value and</p>

	<i>in the prescribed consultation form or that is deemed obscene, vexatious, frivolous or defamatory in nature.”</i>		<p>With respect to obscene or defamatory comments, while these can be objectively assessed, we would not expect that these would be issues of concerns given the nature of the procedures. With respect to comments the Authority would deem frivolous or vexatious, CCTL questions the basis on which the Authority would make such assessments.</p> <p>At this point we request that the Authority clarifies the need to include this phrase.</p>		<p>the consideration of these would run counter to the purpose of the consultation process, which is to gather relevant information to assist in decision making.</p> <p>When the Authority receives comments of this sort, it will inform the person making the comments or recommendations of the reasons for these not being included in the DoRs.</p> <p>The Authority thanks CCTL for its observations but prefers to retain this section for the reasons mentioned above.</p>
29.	<b>5.3.8 Submission of Comments</b>	TSTT	<p>The circumstances under which parts of parties’ submission to TATT can be deemed confidential should be clarified. An accommodation by TATT of this nature should not be subjective.</p> <p>Similarly, the applicable provisions of the Act and terms of “requisite authorisation” should be clearly identified. This will ensure that all parties can qualify for this accommodation equally and transparently.</p> <p>If this cannot be done, this clause should be deleted.</p>	<p>TSTT recommends that TATT clearly specify the circumstances under which confidential cover can be given to select areas of parties’ submissions. The applicable provisions of the Act and terms of “requisite authorisation” should be clearly identified.</p> <p>If these details cannot be provided, this clause should be deleted.</p>	<p>The Authority thanks TSTT for its recommendation.</p> <p>The Authority will assess whether information received should be treated as confidential, in accordance with the Act and, specifically, section 80(2), which states that “...<i>any person has the right to request that any proprietary or confidential documents, information or matters provided or submitted to the Authority be maintained secret and confidential</i>”.</p> <p>The Authority is also obligated to keep information submitted to it by concessionaires confidential, in accordance with Concession Condition A29.</p> <p>For clarity, section 5.3.8 of this Consultation Procedures document has been amended as follows:  <b>“In accordance with section 80(2) of the Act and/or the terms of the authorisation of a service provider or a licensee, any interested party</b> submitting information to the Authority may request that some parts of their</p>

					submission be treated as confidential and therefore not published.”
30.	5.3.10 <i>“The Authority will not use the comments submitted by any person against them, unless such comments are contrary to the law or are required in the interest of justice to be disclosed or adjudicated upon by a judicial body or court of law.”</i>	CCTL	Similar to 5.3.7 above CCTL questions the need to add this section. At this point we request that the Authority clarifies the need to include this phrase.	We request that the Authority provide clarifications of the need to include the phrase in question.	The Authority has included this phrase to encourage the submission of comments, by assuring persons that it is an opportunity to contribute freely as their statements will not be used against them. This, however, is subject to the law and any legal requirements the Authority may have to disclose such statements.
31.	<b>6.1 Compilation of Comments from Stakeholders</b>	TSTT	TSTT notes that there are no timeframes associated with delays by TATT in compiling and responding to comments pursuant to Stage 2 of the consultation process.  There are some instances in the recent past where TATT has taken more than two years to respond to documents issued for the first consultation.  Further, prolonged delay in response compromises the ability of all	TSTT strongly recommends that if a period equal to twice the period of consultation submission defined in Stage 2 elapses after the receipt of submission without TATT completing Stage 3 and publication of DoRs, TATT should either: A) automatically add an additional round of consultation; or	The Authority agrees that a prolonged delay in providing responses to comments can significantly impact the consultation process and its stakeholders.  Accordingly, the Authority has agreed to set a timeframe for the finalisation of the consultation document and DoRs as follows by amending section 6.3.2 to read: “The Authority shall make decisions with respect to issues arising out of the consultation process and finalise the <b>consultation</b> document <b>and DoRs, as far as possible, within three (3) months</b> from the end of the consultation process.”

		<p>stakeholders to treat with matters consistently.</p> <p>Accordingly, TSTT is of the view that if a period equal to twice the time of issuance for comment as outlined in Section 5.1 and 5.2 elapses before TATT completes Stage 3 by issuing the associated DoRs matrix, TATT should then either restart the consultation process or automatically add an additional round of consultation.</p> <p>In this way, TATT would ensure that consultations are completed contemporaneously and ensures some predictability with respect to the timeframe of completion of a consultation process. TATT should seek to complete all consultation within a period of six months.</p>	<p>B) restart the consultation process.</p> <p>TATT should seek to complete all consultations within a period of six months.</p>	<p>The Authority will also consider the re-issuance of a regulatory document or legislation for an additional round of consultation, or restart the consultation process, if there has been significant delay or effluxion of time in the finalisation of the such document.</p> <p>Section 6.3.3 has been amended to reflect this decision as follows:</p> <p><b>“Where the Authority does not make a decision within the time frame stipulated, the Authority shall notify contributors of the reasons for any inordinate or unforeseen delay that may have arisen that would affect the timelines for completion of the consultation process, and shall advise on the finalisation of the document, via the Authority’s website or such other media as it considers appropriate. In such instances, the Authority will also consider the re-issuance of a regulatory document or legislation for an additional round of consultation, or restart the consultation process, if there has been a significant delay or effluxion of time in the finalisation of the document.”</b></p> <p>Further, the Authority states that there may be circumstances that would negate the Authority’s ability to complete the consultation process within the set timeframe. On a procedural level, as a creature of statute, the Authority has an approval process which entails the endorsement of its Board on matters that are being issued for consultation. In such instances, where there is no fully constituted Board of the Authority or a lack of a quorum of the Board, this can adversely affect the internal approval process and consequently, the timelines for the completion of consultations. Other factors that may affect the timelines</p>
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					<p>may include, requests for extensions by stakeholders, the need for further rounds of consultation or consideration of matters in relation to recent and emerging trends, changes in technologies or prevailing conditions in the ICT sector that may affect the sectors.</p> <p>Additionally, the Authority, in order to give due consideration to recent and emerging trends and their impact on the sectors, may require a lengthier deliberation period before finalization of its position. For instance, matters relating to ICTs such as interconnectivity with social media platforms, digital regulations and economies, taxation on online services, OTTs, android boxes, net neutrality amongst others.</p> <p>The Authority has included the above consideration in a new section 3.6 in this Consultation Procedures document to reflect such factors as follows:</p> <p><b>“As far as possible, the Authority shall endeavour to complete each consultation within one (1) year. The Authority will prescribe the expected time period for the completion of each consultation in the tentative annual consultation schedule and confirm such period in the respective quarterly update. The Authority will set clear commencement and finalisation dates, taking into consideration factors that would affect the time frame. Such factors may include, requests for extensions by stakeholders, the need for further rounds of consultation, delays in the Authority’s internal approval process for consultation documents such as in the instance where there is a lack of a fully constituted Board of the Authority. There may also be the need for consideration of matters in relation to</b></p>
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					<p>recent and emerging trends, changes in technologies or prevailing conditions in the ICT sector that may affect the sectors. Where such instances arise, the Authority may not finalise its position as it may not be judicious or practicable to do so.”</p>
32.	<p><b>6.1.2</b>  <i>“Where there is a need to clarify the comments submitted by stakeholders, the Authority may hold individual stakeholder meetings to discuss the concerns raised. Issues discussed will be taken into consideration when revising the document.”</i></p>	CCTL	<p>CCTL considers that where issues discussed in such bilateral meetings are considered in coming to a decision, this should be disclosed. This is necessary to ensure transparency of the process.</p> <p>To be clear, where such meetings only serve to clarify issues, we see no need for disclosure. However, where the outcome of the meeting impacts TATT’s decisions, this should be disclosed.</p>	<p>CCTL recommends that where issues discussed in bilateral meetings impact the Authority’s decision, this should be disclosed as part of the consultation process.</p>	<p>The Authority thanks CCTL for its recommendation and agrees that, subject to confidentiality, issues and outcomes that have a material impact on the Authority’s decision will be disclosed to the relevant stakeholders.</p>
33.	<p><b>6.3 Finalization of document</b>  <i>“The Authority shall make decisions with respect to issues arising out of the consultation process and finalise the document <b>within a reasonable time</b> from the end of the</i></p>	CCTL	<p>We support the approach of setting a timeframe within which the Authority would make decisions with respect to the issues consulted on. However, the standard of “within a reasonable time” does not promote regulatory accountability. In the same way that TATT is seeking to establish timelines for responses to consultations (refer to our comments in 5.1.3 above), we believe a time guideline should be set for finalizing</p>	<p>We recommend that a specific time bound guideline is set for finalizing documents / decisions after consultations are completed.</p>	<p>The Authority sees the value in having a set time frame for the completion of a consultation document, and will set clear time frames with specific commencement and finalisation dates, taking into consideration factors that would affect the time frame, such as requests for extensions by stakeholders, the need for further rounds of consultation or new information received.</p> <p>Accordingly, the Authority has agreed to set a timeframe for the finalisation of the consultation document and DoRs as follows by amending section 6.2.3 to read:</p>

<p><i>consultation process...Where the Authority does not make a decision within the time frame stipulated, the Authority shall give the reasons for the delay and advise on finalisation document.....”</i></p> <p><i>“A final DoRs shall also be prepared, summarising the comments received in the previous consultation phase and the decisions made by the Authority based on the comments received. The final DoRs shall be included as an Appendix to the final version of the document.”</i></p>		<p>decisions after the completion of the consultation process.</p> <p>Where a decision is not made in that timeline, we support TATT’s proposal of advising the industry of the delay, reasons for the delay and new timeline for completion.</p> <p>We understand that outside of documents relating to legislation and regulations which are subject to parliamentary approval, the final version of the consultation document and the accompanying decision on recommendations will set out the Authority’s decision on the matters consulted on.</p>		<p>“The Authority shall make decisions with respect to issues arising out of the consultation process and finalise the <b>consultation document and DoRs, as far as possible, within three (3) months</b> from the end of the consultation process.”</p>
		<p>We note that in 6.3.5 provisions are made for notification of decisions to be posted on the website as well as “... <i>postings may appear in at least one daily newspaper.</i>”</p> <p>We would encourage TATT to make every effort to notify concessionaires in particular of final decisions. In addition to the postings, an email communication to concessionaires would suffice.</p>	<p>We recommend that in addition to postings the Authority use communication to inform concessionaires of the availability of final decisions</p>	<p>The Authority will integrate the following measures into its internal consultation process, to better communicate with its stakeholders:</p> <ol style="list-style-type: none"> <li>1. Inform interested parties via written and electronic communication that the final documents have been prepared and are available subsequent to the creation of a mailing list.</li> <li>2. Provide a notice on the Authority’s website informing interested parties that final documents have been published, with the accompanying link to the documents.</li> </ol> <p>In light of the foregoing, the Authority recommends that all stakeholders who have not provided a central email address or dedicated legal/ regulatory email address whereby the</p>

					Authority can duly notify them of all notifications relating to respective consultations, provide same to the Authority via its official consultation handle <a href="mailto:consultation@tatt.org.tt">consultation@tatt.org.tt</a> for the submission of all official consultation documents at the Authority.
34.	<b>6.3.2</b>	TSTT	The phrase “reasonable time” with regards to finalising a document should be defined. The phrase as it stands is very subjective and should be more specific. This is necessary to mitigate the current position, where consultation processes remain open and not completed for as much as 5 years.	TATT should specify a definitive period within which the document will be finalised.	<p>The Authority agrees that a prolonged delay in providing our responses to comments can significantly impact the consultation process and its stakeholders.</p> <p>The Authority sees the value in having a set time frame for the completion of a consultation document, and will set clear time frames with specific commencement and finalisation dates, taking into consideration factors that would affect the time frame, such as requests for extensions by stakeholders, the need for further rounds of consultation or new information received.</p> <p>Accordingly, the Authority has agreed to set a timeframe for the finalisation of the consultation document and DoRs as follows by amending section 6.3.2 to read:  “The Authority shall make decisions with respect to issues arising out of the consultation process and finalise the <b>consultation</b> document <b>and DoRs, as far as possible, within three (3) months</b> from the end of the consultation process.”</p> <p>In addition, the Authority will commit to notifying contributors of any inordinate or unforeseen delay that may have arisen that would affect the timelines for completing the consultation process. The Authority will also consider the re-issuance of a regulatory document or legislation for an additional round of consultation, or restart the</p>

					<p>consultation process, if there has been significant delay or effluxion of time in the finalisation of the such document.</p> <p>Section 6.3.3 has been amended to reflect this decision as follows:</p> <p><b>“Where the Authority does not make a decision within the time frame stipulated, the Authority shall notify contributors of the reasons for any inordinate or unforeseen delay that may have arisen that would affect the timelines for completion of the consultation process, and shall advise on the finalisation of the document, via the Authority’s website or such other media as it considers appropriate. In such instances, the Authority will also consider the re-issuance of a regulatory document or legislation for an additional round of consultation, or restart the consultation process, if there has been a significant delay or effluxion of time in the finalisation of the document.”</b></p>
35.	<b>6.3.3 Finalisation of Document</b>	TSTT	<p>There are no clear guidelines on the timelines within which TATT is required to act, following the consultation period.</p> <p>Specifications on the timelines within which TATT’s responses are expected after the consultation period are needed. This will afford stakeholders the opportunity to hold TATT accountable for its actions or lack thereof.</p>	<p>The section should be amended to include clearly determined timelines within which TATT’s responses are due.</p>	<p>The Authority sees the value in having a set time frame for the completion of a consultation document, and will set clear time frames with specific commencement and completion dates, taking into consideration factors that would affect the time frame, such as requests for extensions by stakeholders, the need for further rounds of consultation or new information received.</p> <p>The Authority will commit to notifying contributors of any inordinate or unforeseen delay that may have arisen that would affect the timelines for completion of the consultation process.</p>

					<p>The Authority will also consider the re-issuance of a regulatory document or legislation for an additional round of consultation, or restart the consultation process, if there has been significant delay or effluxion of time in the finalisation of the such document.</p> <p>Section 6.3.3 has been amended to reflect this decision as follows:  <b>“Where the Authority does not make a decision within the time frame stipulated, the Authority shall notify contributors of the reasons for any inordinate or unforeseen delay that may have arisen that would affect the timelines for completion of the consultation process, and shall advise on the finalisation of the document, via the Authority’s website or such other media as it considers appropriate. In such instances, the Authority will also consider the re-issuance of a regulatory document or legislation for an additional round of consultation, or restart the consultation process, if there has been a significant delay or effluxion of time in the finalisation of the document.”</b></p>
36.	<b>6.3.3 Finalisation of Document</b>	TSTT	In line with the proposals made in Section 6.1, TSTT believes that if the document is not finalised in the timeframe defined in 6.3.2, an additional round of consultation should be initiated and/ or the process should be aborted.	TSTT believes that if the document is not finalised in the timeframe defined in 6.3.2, an additional round of consultation should be initiated and/ or the process should be aborted.	<p>The Authority agrees that a prolonged delay in providing our responses to comments can significantly impact the consultation process and its stakeholders.</p> <p>Accordingly, the Authority has agreed to set a timeframe for the finalisation of the consultation document and DoRs as follows by amending section 6.3.2 to read:  <b>“The Authority shall make decisions with respect to issues arising out of the consultation process and finalise the consultation document and DoRs, as far as possible,</b></p>

					<p><b>within three (3) months</b> from the end of the consultation process.”</p> <p>The Authority will also consider the re-issuance of a regulatory document or legislation for an additional round of consultation, or restart the consultation process, if there has been significant delay or effluxion of time in the finalisation of the such document.</p> <p>Section 6.3.3 has been amended to reflect this decision as follows:  <b>“Where the Authority does not make a decision within the time frame stipulated, the Authority shall notify contributors of the reasons for any inordinate or unforeseen delay that may have arisen that would affect the timelines for completion of the consultation process, and shall advise on the finalisation of the document, via the Authority’s website or such other media as it considers appropriate. In such instances, the Authority will also consider the re-issuance of a regulatory document or legislation for an additional round of consultation, or restart the consultation process, if there has been a significant delay or effluxion of time in the finalisation of the document.”</b></p>
37.	<b>6.3.5 Finalisation of Document</b>	TSTT	<p>As stated in previous comments, publication should be done in the three daily newspapers to ensure that all efforts have been expended to notify the general public.</p> <p>Similar to the comment in section 4.3.4, this section speaks to publication being</p>	<p>TSTT recommends that this section should reflect that local publication is mandatory, with regional or international publication being optional.</p>	<p>The Authority thanks TSTT’s for its recommendation and advises that section 6.3.5, now 6.3.6 has been amended, as follows:  “..., a notification of the posting shall appear <b>in each</b> daily newspaper <b>and on the Authority’s social media platforms.”</b></p>

			<p>mandatory in local publications and considered for any regional or international publication or website.</p> <p>TSTT recommends that this section should reflect that local publication is mandatory, with regional or international publication being optional.</p>			
38.	<b>7.3- Consultation on Existing Regulatory Documents and Regulations</b>	<b>7.4</b>	TSTT	<p>The appropriate scope for such limited consultation associated with a review should be limited to Regulations, as Regulations are the only documents subject to a single round of consultation. It should be recalled that Regulations are afforded only one round of consultation as Regulations are only to be developed pursuant to a policy framework which went through two rounds of consultation.</p> <p>Review of existing policies and procedures, like the one currently under review, should continue to require two rounds of consultations so that stakeholders can evaluate TATT's responses to their proposals. Where TATT responses are deficient, insufficient or demonstrates TATT's misunderstanding of the issues raised, the second round of consultation provides an opportunity for all parties to clarify their individual positions.</p>	<p>TSTT recommends that this clause should only apply to proposed amendments to Regulations. The review of existing policies and procedures should continue to require two rounds of consultation as natural justice demands.</p>	<p>The Authority believes that regulatory documents that are being modified generally would only require one round of public consultation, as the matters for consideration are most likely well established and known to the stakeholders.</p> <p>Notwithstanding the above, the Authority does reserve the right to extend to another round. The Authority will consider factors such as the feedback it has received in the first round or how topical an issue is or its impact on the industry.</p> <p>The Authority also reserves the right to conduct additional rounds of consultation where significant changes have been made to a document based on comments. In order to bring the necessary clarification, this Consultation Procedures document has been amended to include new sections 5.1.2 and 5.1.3 as follows:</p> <p><b>“5.1.2 Where a regulatory document previously consulted on is being modified, the Authority may conduct one round of consultation. The Authority believes that such regulatory documents would only require one round of public consultation, as the matters for consideration are most likely well established</b></p>

			As an example, should TATT not accede to the recommendations of TSTT in this consultation, TSTT would see such an action as TATT breaching the requirements of Section 18(4) as stakeholders are not given the opportunity – as demanded by natural justice – to respond to TATT’s view of the proposals put forth.		<p>and known to the stakeholders. Similarly, regulatory documents that are being amended as a result of minor technical issues, or that have a limited effect on stakeholders or require only minor modifications, may also be subject to a single round of consultation. In such instances, at the end of the consultation process, the document shall be finalised.</p> <p>5.1.3 Nevertheless, the Authority does reserve the right to extend to another round, taking into consideration factors such as the time that has elapsed from the previous consultation of the regulatory document, the feedback it has received in the first round, how topical an issue is or the impact of the modifications on the sector.”</p>
39.	<b>7.5 Consultation on Existing Regulatory Documents and Regulations</b>	TSTT	Steps 4.3.1 to 6.1 apply to single round consultations as well as consultations that have two or more rounds of consultation. Hence, they cannot be used to refer to single round consultations only. This clause should be deleted.	TSTT recommends that this clause be deleted	The Authority notes TSTT’s recommendation but considers steps 4.3.1 to 6.1 to be equally applicable to both single and multiple rounds of consultation.
40.	<b>7.6 Consultation on Existing Regulatory Documents and Regulations</b>	TSTT	Similar to previous comments on Section 5.1.4, the timeline associated with a second consultation round includes a maximum time period but no minimum period is stated.	The section should have a clearly specified period e.g. six weeks.	The Authority thanks TSTT for its recommendation and has amended section 7.6, now 7.7 to include the words “a period of <b>no less than four weeks</b> .”

41.	<b>7.6 Consultation on Existing Regulatory Documents and Regulations</b>	TSTT	<p>This section makes reference to significant changes being made to the document in question.</p> <p>What is the threshold for significant or non-significant changes to the document in question? How will it be determined?</p>	TATT should specify and make public the threshold for determining significant or non-significant changes.	<p>The Authority notes TSTT’s recommendation and advises that the criteria to be used will include:</p> <ul style="list-style-type: none"> <li>(i) which persons/groups are going to be impacted;</li> <li>(ii) the size of the groups that will be impacted;</li> <li>(iii) the nature of the impact on the persons/groups; and</li> <li>(iv) how large the effects are expected to be.</li> </ul>
42.	<b>10. Review Cycle</b>	TSTT	TSTT recommends that TATT proposes a timeframe for the review of each consultation undertaken. This has become necessary as TATT frequently states that it will undertake periodic reviews however this is not currently done.	TSTT recommends that TATT proposes a timeframe for the review of each consultation undertaken. This has become necessary as TATT frequently states that it will undertake periodic reviews however this is not currently done.	<p>The Authority notes the recommendation for a periodic review of each consultation document. The necessity for reviews is incorporated in section 7.1, as follows:</p> <p>“As the industry continues to develop, the Authority is obliged to amend/update existing <b>regulatory documents and legislation</b> as may be necessary”.</p>
43.	<b>Concluding Comments</b>	CCTL	<p>Effective stakeholder consultation is a key regulatory tool. When used effectively it serves to provide the regulator with a wealth of information to feed into its decision-making process.</p> <p>We trust that our input to this process will serve to improve the effectiveness and efficiency of industry consultations.</p>		We agree. The Authority thanks the industry for its participation in the consultation process as it considers its contributions to be essential to our core duties and the effective performance of our duties as a regulator.

**GENERAL COMMENTS – TATT**

44.	<b>1.1 - Role of the Authority</b>	TATT			<p>The Authority has amended paragraph 1.1.1 of this revised Consultation Procedures document to remove the words “drafting” and “regulations” and replace them with “formulation” and legislation” respectively. The Authority is of the view that the new words better capture in the first instance, the Authority’s entire consultation process and secondly, the overall category of legislation that includes both primary and secondary legislation.</p>
45.	<b>6.3.6 – Finalisation of the Document</b>	TATT			<p>The Authority considers that the effective date of a regulatory document or draft legislation should be specifically stated on each of those documents upon the completion of the consultation review and publication of the document. As such, section 6.3.5, now 6.3.6 has been amended to include the words “<b>with its final effective date</b>” after the words “Minister (6.3.4)”. The section has also been amended to include publication of the posting on the Authority’s social media platforms. The section reads as follows:</p> <p>“The final version of the <b>regulatory</b> document or <b>draft legislation</b> submitted to the Minister (6.3.5), <b>with its final effective date</b>, shall be posted on the Authority’s website and a notification of the posting <b>shall appear in each</b> daily newspaper <b>and on the Authority’s social media platforms</b>. The notification may also be published in any local, regional or international publication and/or website, as the Authority deems appropriate.”</p>